

2-4 Ringer's Road and 5 Ethelbert Road

Local Planning Authority: Bromley

Local Planning Authority reference: 21/05585/FULL1

<p>Strategic planning application stage 1 referral</p> <p>Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.</p>
<p>The proposal</p> <p>Demolition of existing buildings and construction of a residential-led mixed use development comprising 94 homes and 423 sq.m. of commercial/community floorspace (Use Class E) across two blocks of up to 14 storeys, and residents' amenity space.</p>
<p>The applicant</p> <p>The applicant is Ringer's Road Properties and the architect is Hollaway.</p>
<p>Strategic issues summary</p> <p>Land use principles: The principle of intensified residential use, with an element of non-residential space, is supported on this under-utilised, Opportunity Area, town centre site; however, this is subject to addressing agent of change, design, and residential quality concerns. Affordable workspace is strongly supported and should be appropriately secured.</p> <p>Housing and affordable housing: 35% (habitable room) affordable housing (60% affordable rent and 40% intermediate). Subject to confirmation of the tenures of existing homes on the site and those proposed, which must meet affordability requirements, meeting all other policy requirements and obligations, and confirmation that grant funding has been investigated; the affordable housing proposed may be eligible to follow the fast track viability route. Family-sized housing should be provided. Door-step play provision is required as a minimum.</p> <p>Urban design and historic environment: The buildings are located in an area identified as potentially suitable for tall buildings in the Local Plan; however, significant concerns are raised with the design, layout, massing, and density of the proposals, as well as the consequent deliverability of adjacent sites through a masterplan approach. The proposals are considered to be over-development of the very restricted site. Further views analysis is required before GLA officers can confirm if any harm would be caused to the nearby Conservation Area. A revised fire statement is required.</p> <p>Transport: Concerns are raised about adverse impacts on the adjacent coach/bus stands/stop during both construction and operation. Contributions to Healthy Streets improvements and Legible London signage are required.</p> <p>Climate change and environment: Further information is required on energy, whole life carbon, circular economy, green infrastructure, water-related matters, and air quality.</p>
<p>Recommendation</p> <p>That Bromley Council be advised that the application does not comply with the London Plan for the reasons set out in paragraph 87. Significant concerns are raised with the design, layout, massing, and density of the proposals, which suggest over-development of the very restricted site.</p>

Context

1. On 25 February 2022, the Mayor of London received documents from Bromley Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2. The application is referable under the following categories of the Schedule to the Order 2008:

- 1B(c) *“Development (other than development which only comprises the provision of houses, flats or houses and flats) which comprises or includes the erection of a building or buildings outside Central London and with a total floorspace of more than 15,000 square metres”.*
- 1C(c) *“Development which comprises or includes the erection of a building of more than 30 metres high and is outside of the City of London”.*

3. Once Bromley Council has resolved to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4. The Mayor of London's statement on this case will be made available at: [Planning Application 2022/0167](#)¹.

Site description

5. The 0.1 hectare site is bounded by Ringer's Road to the south, with the 7-10 storey Crest residential building opposite; to the east on Ringer's Road by a 4 storey commercial building occupied by TK Maxx; and to the west by a 4 storey residential building. Ethelbert Road is to the north, with two storey semi-detached houses (Ethelbert Close) and Bromley Park beyond; a Salvation Army church to the east; and a 2/3 storey residential building to the west. The site currently accommodates a single storey building fronting onto Ringer's Road containing a restaurant; and fronting onto Ethelbert Road, a vacant three-storey former photography studio, and six flats in a 2/3 storey building with external communal amenity space to the rear.

6. The application site forms part of Site Allocation 10 'West of Bromley High Street and land at Bromley South' (4.54 hectares in total) in the Local Plan for mixed uses including 1,230 homes, offices, retail and transport interchange. The Council indicates that this replaced Opportunity Site G 'West of the High Street' in the Bromley Town Centre Area Action Plan.

7. A large site to the immediate north is subject to a current planning application, (LPA ref: 18/02181/FULL1; GLA ref: 2018/4391/S1) submitted in 2018, for demolition

¹ <https://gla.force.com/pr/s/planning-application/a0i4J000006cL63QAE/20220167>

of 1-40 Ethelbert Close, 2 Ethelbert Road, 102-108 High Street, and buildings to the north of Ethelbert Close, and redevelopment with a mixed use scheme of 407 homes and ground floor non-residential uses in buildings of up to 16 storeys, later amended to 14 storeys.

8. A planning application (LPA ref: 19/04588/FULL1; GLA ref: 2020/6274/S2) for a site to the east at 66-70 High Street, for demolition of existing buildings and construction of 47 homes and ground floor retail in a 12 storey building was refused by the Council in April 2021 and is subject to an Appeal. The Decision Notice identifies two reasons for refusal, the first being its scale, bulk, massing, materials and design would appear overly dominant and out of keeping with the immediate surroundings, and would be harmful to Bromley Town Centre Conservation Area and the surrounding area. The second being that the introduction of an isolated tall building would represent a piecemeal and incongruous development that fails to fully follow a plan-led approach.

9. The wider area is generally residential and lower/smaller scale to the west, and more commercial with larger scaled buildings to the east towards the High Street. The site is within Bromley (Metropolitan) town centre, the boundary of which extends into Ethelbert Close and along Ethelbert Road to the west.

10. There are no statutorily or locally listed buildings within or close to the site and it is not within a conservation area. Bromley Town Centre Conservation Area is approximately 50 metres to the north-east.

11. Bromley Park to the north includes Martin's Hill and Church House Gardens Site of Importance for Nature Conservation (SINC).

12. As the site lies in the heart of Bromley town centre, a wide range of public transport services, shops and services are within a short walking distance. The site PTAL rating is 6b, on a scale of 1 to 6, where 6b is highest. Bromley town centre has been identified as an area with a high propensity for cycling in the London Plan, and cycle parking standards are higher than the rest of the Borough. On Ringer's Road, a coach stand lies directly adjacent to the site, with a bus stop and stand immediately to the east of this, close to its junction with the High Street.

Details of this proposal

13. The proposal is for the demolition of existing buildings and the construction of two buildings to provide 94 residential units, with ancillary residential and commercial uses on the lower floors. Block A, fronting onto Ringer's Road to the south, would be 12-14 storeys, with 100 sq.m. of ground/lower ground amenity facilities for residents, including co-working areas. Block B, fronting onto Ethelbert Road to the north, would be 10-12 storeys, with 423 sq.m. of Class E floorspace at ground, lower ground, and first floor, including 271 sq.m. of affordable workspace. Residents' communal gardens are proposed between the buildings at ground floor level, potentially allowing public access, with residents' amenity terraces on upper floors.

Case history

14. On 5 February 2020, an ‘in principle’ pre-application meeting was held with GLA officers to discuss an application for “*the demolition of existing buildings and the provision of around 115 new dwellings, potentially comprising 72 two-bedroom flats and 43 one bedroom flats in new buildings up to 17 storeys in height*”. A GLA advice report was subsequently issued, which concluded that the mixed-use redevelopment (including 35% affordable housing) of the relatively underutilised site was supported in principle, but any planning application must clearly demonstrate how it would support and help deliver the Council’s wider ambitions for the area.

Strategic planning issues and relevant policies and guidance

15. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Bromley Local Plan (2019), Bromley Town Centre Area Action Plan (2010), and London Plan 2021.

16. The following are also relevant material considerations:

- The National Planning Policy Framework and National Planning Practice Guidance.
- The National Design Guide.
- On 24 May 2021, a Written Ministerial Statement (WMS) was published in relation to First Homes. To the extent that it is relevant to this particular application, the WMS has been taken into account by the Mayor as a material consideration when considering this report and the officer’s recommendation. Further information on the WMS and guidance in relation to how the GLA expect local planning authorities to take the WMS into account in decision making can be found [here](#)².

17. The relevant issues, corresponding strategic policies and guidance (supplementary planning guidance (SPG) and London Plan guidance (LPG)), are:

- Opportunity Areas *London Plan.*
- Housing *London Plan; Housing SPG; Housing Strategy; Play and Informal Recreation SPG; Character and Context SPG; Housing Design Standards draft LPG.*
- Affordable housing *London Plan; Housing SPG; Housing Strategy; Affordable Housing and Viability SPG.*
- Urban design *London Plan; Character and Context SPG; Accessible London SPG; Public London Charter LPG; Housing SPG; Play and Informal Recreation SPG; Characterisation and Growth Strategy draft LPG; Optimising Site Capacity draft LPG; Housing Design Standards draft LPG; Fire Safety draft LPG.*
- Historic environment *London Plan.*

² https://www.london.gov.uk/sites/default/files/first_homes_planning_practice_note_.pdf

- Transport *London Plan; Transport Strategy; Sustainable Transport, Walking and Cycling draft LPG.*
- Climate change/environment *London Plan; Environment Strategy; Circular Economy Statements LPG; Whole-life Carbon Assessments LPG; 'Be Seen' Energy Monitoring Guidance LPG; Control of dust and emissions during construction and demolition SPG; Air Quality Neutral draft LPG; Air Quality Positive draft LPG; Preparing Borough Tree and Woodland Strategies SPG; Urban Greening Factor draft LPG.*

Land use principles

Agent of change

18. London Plan Policy D13 places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. It states that development should ensure good design mitigates and minimises existing and potential nuisances generated by existing uses and activities located in the area; explore mitigation measures early in the design stage, with necessary and appropriate provisions, including ongoing and future management of mitigation measures secured through planning obligations; and separation of new noise-sensitive development where possible from existing noise-generating businesses and uses through distance, screening, internal layout, sound-proofing, insulation and other acoustic design measures.

19. The site is adjacent to a church, and potential noise impacts on future residents are a consideration. The northern elevation of the Ringer's Road building and the eastern elevation of the Ethelbert Road building could be impacted by noise from the church; however, this is not addressed in the applicant's Noise Assessment. This requires further investigation and is likely to require mitigation through both the layout of homes (the location of bedrooms) and enhanced sound insulation. Given the adjacency to coach/bus stands/stops, further consideration should also be given to the residential design and layout to minimise the impact of noise and other disturbance from coach and bus operations on residents. The proposals are not therefore in accordance with London Plan Policy D13.

Housing and Opportunity Area

20. London Plan Policy H8 states that any loss of existing housing should be replaced by new housing at existing or higher densities with at least the equivalent level of overall floorspace. Policy SD1 supports the growth potential of Opportunity Areas and Table 2.1 gives an indicative capacity of 2,500 new homes and 2,000 jobs in the Bromley Opportunity Area. Policy H1 sets out the requirements for the housing supply targets set out in Table 4.1, which identifies a ten year housing completion target of 7,740 for the Bromley. Brownfield sites, sites with existing or planned public transport access levels (PTALs) 3-6, and those located within 800 metres of a station or town centre boundary, all of which apply here, are identified in particular as a source of housing capacity. The site also forms part of Site Allocation 10 'West of Bromley High Street and land at Bromley South' in the Local Plan (2019) for mixed use including 1,230 homes, offices, retail and transport interchange.

21. It is understood that the six existing flats on the site are market housing; however, this should be confirmed. The proposals would clearly provide a much greater amount of residential floorspace in a high density scheme, in accordance with Policy H8. The principle of intensified residential use on this under-utilised, Opportunity Area, town centre site is supported and the proposed housing numbers would make a contribution towards meeting the above housing targets, in accordance with Policies SD1 and H1; however, this is subject to addressing agent of change concerns in relation to the adjacent church and design and residential quality concerns as discussed under 'urban design' below.

Non-residential uses

22. London Plan Policies SD6, SD7, SD8 and SD9 support mixed use development in town centres. These policies seek to enhance the vitality and viability of town centres through a town centres first approach by encouraging strong, resilient, accessible and inclusive hubs, with a diverse range of uses that meet the needs of Londoners, including main town centre uses, night-time economy, civic, community, social and residential uses. Policy E2 supports the provision of a range of business space, in terms of type, use and size, at an appropriate range of rents, to meet the needs of micro, small and medium-sized enterprises and to support firms wishing to start-up or expand. Policy E3 supports affordable workspace. The wider Local Plan Site Allocation supports office and retail space.

23. It is understood that 1,103 sq.m. of commercial space exists on the site currently. The Ethelbert Road block is proposed with 423 sq.m. of Class E floorspace at ground, lower ground, and first floor, including 271 sq.m. of affordable workspace. The Ringer's Road block has no non-residential space; however, it has 100 sq.m. of ground/lower ground amenity space for residents, including co-working areas. There would be a reduction in commercial space compared to that currently existing; however, considering the location of the site in a side-street off the High Street and its location on the boundary of residential and commercial uses, this does not raise strategic concerns. Ethelbert Road also has more footfall than Ringer's Road and it is noted that no non-residential space is included in the Crest Building opposite the Ringer's Road block. The non-residential uses proposed are supported in accordance with London Plan policies, subject to addressing concerns about inactive frontage on Ringer's Road, as discussed under 'urban design' below. The affordable workspace is strongly supported and should be appropriately secured.

Housing

Affordable housing

24. London Plan Policy H4 seeks to maximise affordable housing delivery, with the Mayor setting a strategic target for 50% of all new homes to be genuinely affordable. London Plan Policy H5 states that the threshold level of affordable housing is a minimum of 35%. Schemes can follow the 'fast track' viability route and are not required to submit viability information nor be subject to a late stage viability review if they meet or exceed the relevant threshold level of affordable housing on site without public subsidy; are consistent with the relevant tenure split; meet other relevant policy requirements and obligations to the satisfaction of the Council and the Mayor;

and demonstrate that they have taken account of the strategic 50% target and have sought grant to increase the level of affordable housing.

25. Policy H6 of the London Plan sets out a preferred tenure split of at least 30% low cost rent (London Affordable Rent or social rent), at least 30% intermediate (with London Living Rent and shared ownership being the default tenures), and the remaining 40% to be determined by the local planning authority taking into account relevant Local Plan policy. It is the expectation, however, that the remaining 40% is weighted towards affordable rented products. The affordability of intermediate units must be in accordance with the Mayor’s qualifying income levels, as set out in the Mayor’s Affordable Housing and Viability SPG, and the London Plan Annual Monitoring Report, including a range of income thresholds. Affordability thresholds must be secured in the section 106 agreement attached to any permission, as well as the relevant review mechanisms.

26. The Local Plan requires a minimum of 35% affordable housing, made up of 60% social rent and 40% intermediate.

27. The proposed unit size and tenure is as follows:

	Affordable rent	Intermediate	Market	Total
One bed	8	5	24	37
Two bed	12	8	37	57
Total	20	13	61	94
	35% (habitable room) 60% affordable rent; 40% intermediate			

28. As stated above, the tenure of the existing homes on the site should be confirmed. The applicant proposes 35% affordable housing (by habitable room) spread across both blocks; split 60% affordable rent and 40% intermediate, as set out above. The applicant should confirm that the tenures proposed meet the affordability requirements set out above. Subject to this, meeting all other London Plan and Local Plan policy requirements and obligations, and confirmation that grant funding has been investigated in order to increase the level of affordable housing further; the affordable housing proposed may be eligible to follow the fast track viability route. The 35% offer would need to be secured by section 106 agreement irrespective of any grant funding. A draft section 106 agreement would need to be shared for comment and agreement with GLA officers prior to any Stage 2 referral.

Housing mix

29. London Plan Policy H10 states that schemes should generally consist of a range of unit sizes and sets out several factors which should be considered when

determining the appropriate housing mix of a scheme. These factors include housing need and demand, the nature and location of a site, the requirement to optimise housing potential and deliver mixed and inclusive neighbourhoods. The Local Plan has no specific requirements; however, it notes the highest need is for one and two bed homes.

30. Whilst the highly accessible town centre location and high density tall building proposal support a higher level of smaller units; in discussion with the Council, some family-sized affordable rent homes should be provided.

Children's play space

31. Policy S4 of the London Plan states that development proposals should incorporate high quality, accessible play provision for all ages, of at least 10 sq.m. per child. Play space should normally be provided on-site; however, off-site provision may be acceptable where it can be demonstrated that this would address the needs of the development and can be provided nearby within an accessible and safe walking distance, and in these circumstances contributions to off-site provision should be secured by a section 106 agreement. Play space should be available to all housing tenures to promote social inclusion.

32. The proposal would generate a play space requirement of 314 sq.m., including 170 sq.m. for under-fives. The development includes a ground level courtyard area of 190 sq.m. including amenity grass areas, a water feature, and planted/landscaped areas. The applicant indicates that this is sufficient for under-fives; however, no formal play space is proposed, the space is small in size, it would have limited play potential, and would be significantly overshadowed by the two tall buildings proposed. While it is recognised that Bromley Park is easily accessible via Ethelbert Road, on-site door-step play provision is required as a minimum. The inability to provide any play space suggests over-development of the site. The Council may also require contributions for off-site facilities.

Urban design

33. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Design policies in this chapter seek to ensure that development optimises site capacity; is of an appropriate form and scale; responds to local character; achieves the highest standards of architecture, sustainability and inclusive design; enhances the public realm; provides for green infrastructure; and respects the historic environment.

Site layout and residential quality

34. London Plan Policy D3 requires development to follow a design-led approach and Policy D4 sets out requirements for delivering good design. Policy D6 states that qualitative aspects of a development are key to ensuring successful sustainable housing, with further standards and guidance set out in the Mayor's Housing SPG and the emerging London Plan Guidance (LPG) on Housing Design Standards. Policy D6 states that single aspect units are only acceptable by exception, where it can be demonstrated that adequate passive ventilation, daylight and privacy can be achieved, avoiding overheating.

35. In 2018, the Council published a Site G/Site 10 draft masterplan for public consultation; however, it is understood that the Council's position is that this is now obsolete. In 2020, the Council undertook a public consultation in preparation for the draft Bromley Town Centre and Orpington Town Centre masterplan to guide future development in town centres; however, there are no draft documents yet available. Notwithstanding this, considering the very constrained site, the applicant has rightly been instructed at pre-application stage to demonstrate through a masterplan approach that the proposals would allow development of neighbouring sites. The applicant's masterplan approach and its proposals have taken the Site G/Site 10 draft masterplan as a starting point. This approach is supported by GLA officers in the absence of other guidance; however, GLA officers have significant concerns about the resulting design, layout, massing, and density of the proposals, as well as the consequent deliverability of adjacent sites through a masterplan approach, as discussed further below.

36. The Site G/Site 10 draft masterplan proposed a central green space between Ringer's Road and Ethelbert Road, which could potentially have a degree of public access, with blocks either side fronting onto the streets. The applicant's proposals and masterplan reflect this approach, also suggesting that public access to the central green space could be provided via the entrance lobbies for each building. However, the proposed buildings are of greater depth than the Site G/Site 10 draft masterplan (and one building of much greater height), resulting in a very restricted separation distance between habitable rooms in the two tall buildings of as little as 8 metres, including single aspect units, and at best 12 metres, with balconies much closer. This raises significant concerns about residential quality of homes in both proposed buildings in terms of privacy, overlooking, daylight and sunlight; as well as the quality of the very restricted and overshadowed communal residents' amenity space between the two tall buildings. Should neighbouring sites come forward for redevelopment, even at lesser height, residential quality would be likely to deteriorate further.

37. There are also significant concerns about the window openings on the side elevations. Although the applicant states that these have been designed to allow adjacent sites to come forward for development, the bedrooms would have very little daylight or outlook; and should neighbouring sites come forward for development, this would be almost completely removed. It could also result in main living spaces of adjacent homes having much reduced day/sunlight, and all affected units in the Ethelbert Road block would effectively become single aspect. GLA officers consider that the proposals would effectively preclude development of the adjacent sites, even with relatively limited height.

38. Residential quality impacts arising from the adjacent church and coach/bus stands/stops also requires further consideration. The Ringer's Road block would also block day/sunlight almost entirely to windows to the rear of the Salvation Army building, which does not represent neighbourly development and is not supported.

39. The design, layout, massing, and density of the proposals suggests overdevelopment of the site and raises significant residential quality concerns.

Optimising development capacity and residential density

40. London Plan Policy D3 encourages the optimisation of sites, having regard to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity, including transport. It also states that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling, in accordance with Policy D2 Infrastructure requirements for sustainable densities. Where these locations have existing areas of high density buildings, expansion of the areas should be positively considered, including Opportunity Areas. Policy D3 also states that the higher the density of a development, the greater the level of design scrutiny that is required. Policy D4 states that proposals exceeding 350 units per hectare, or tall buildings, should be subject to a greater level of design scrutiny.

41. The proposals would have an extremely high density of 940 units per hectare. It is acknowledged that tall buildings on a small site will result in a high density, the site is within an Opportunity Area and a town centre with recent and emerging high density development including tall buildings, and is well connected by public transport; however, the density proposed is considered excessive on this site. A scheme with such a high density requires a rigorous approach to design and it is regrettable that GLA pre-application discussions did not progress beyond an 'in principle' meeting for such a challenging site. Significant concerns are raised with the design, layout, massing, and density of the proposals, which suggest over-development of the site. These issues would need to be resolved along with other matters raised in this report should such a high density scheme be acceptable.

Tall buildings, height, massing, and architecture

42. London Plan Policy D9 states that development plans should define what is considered a tall building for specific localities (although not less than 6 storeys or 18 metres) and identify suitable locations; and identify appropriate tall building heights on maps in Development Plans (Parts A and B). Policy D9 also sets out further requirements for assessing tall buildings (Part C) including addressing visual impacts at different distances; aiding legibility and wayfinding; having exemplary architecture and materials; avoiding harm to heritage assets (or demonstrating clear public benefits that outweigh any harm); not causing adverse glare; and minimising light pollution. Functional impacts should consider internal and external design; servicing; entrance capacity; area and transport capacity; maximise benefits to the area; and not interfere with communications. Environmental impacts should consider wind, daylight, sunlight, and temperature; air movement (dispersal of pollutants); and noise creation. Cumulative impacts should also be considered.

43. The Local Plan defines tall buildings as those that exceed the general height of their surroundings and cause a significant change to the skyline. It states that there may be potential for tall buildings in town centre locations that benefit from good public transport, exhibit an existing local built character that would allow for taller buildings, and where no harm would be caused to heritage assets, the wider historic environment or important views. The Bromley Town Centre Area Action Plan identifies potential sites for tall buildings within the town centre, with the adjacent TK Maxx site identified as a possible location for a tall building. As noted above, although obsolete, the applicant has used the Site G/Site 10 draft masterplan as a

starting point, and it is noted that the masterplan indicates buildings of up to 14 storeys Ringer's Road and up to 5 storeys on Ethelbert Road.

44. The Ringer's Road block would be 12-14 storeys and the Ethelbert block 10-12 storeys, which are defined as tall buildings. The buildings are located in an area identified as potentially suitable for tall buildings in the Local Plan, in accordance with London Plan Policy D9 (Part B), although the site is not specifically identified. Considering the very restricted context of the site, a rigorous assessment against Policy D9 (Part C) is required.

45. The application includes a Townscape and Visual Impact Assessment (TVIA), with 6 views showing the massing of the proposals at different distances, including cumulative schemes. This is a very limited analysis considering the visibility the buildings would have. The Design and Access Statement (DAS) contains some further illustrative fully rendered views from surrounding streets. The site is towards the high point of the town centre and both Ethelbert Road and Ringer's Road slope away to the west, giving the buildings considerable prominence from some directions. The buildings would also coalesce in many views and be read as a single mass due to their minimal separation distance. In the long-range views provided, the buildings would have similar height and prominence to the existing St. Mark's tower (19 storeys, at a lower ground level due to topography). The mid-range views provided (B and C) appear to be from the most favourable locations to show the separation of the buildings; however, the Ethelbert Road block has a bulky massing, and both elevations are relatively blank with very limited fenestration. In these views, the buildings would have a greater height than both the Crest Building and the proposed Churchill Quarter buildings, although similarly acting as a marker to the town centre.

46. In immediate views shown in the DAS, there are concerns about the abrupt change in scale and blank elevations to the east and west sides of the buildings. Whilst this is a response to the expected redevelopment of adjacent sites and the restricted site dimensions, the facades should be enlivened by articulation or other means, for visual amenity. The buildings would be predominantly red brick, with brick detailing including inset brick panels, brick feature banding, and textured brickwork. This is supported; however, these features would require some depth on the blank flanks in order to be evident further away. The Ethelbert Road block steps down from east to west, reflecting the topography of the site and the High Street to the east and more residential areas to the west. However, the Ringer's Road block takes the opposite approach, for which the rationale is not understood, as it accentuates the abrupt change in scale to the west.

47. The ground floor of the Ethelbert Road frontage addresses the slope of the street well; however, the Ringer's Road frontage does not, being made up of blank frontage (substation, refuse, and cycle store) and a much more restricted entrance treatment. This imbalance requires improvement.

48. Concerning functional impacts (including cumulative), concerns are raised on transport matters, as identified below.

49. In terms of environmental impacts, significant concerns are raised about day/sunlight to homes and amenity space within the scheme, as discussed above.

50. In conclusion, although the proposals are in general accordance with London Plan Policy D9 (Part B), significant concerns are raised about the response of the proposals to Policy D9 (Part C), which require resolution. The concerns raised again suggest over-development of the site.

Historic environment

51. The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. Regarding conservation areas, special attention must be paid to *“the desirability of preserving or enhancing the character or appearance of that area”*. The NPPF states that when considering the impact of the proposal on the significance of a heritage asset, great weight should be given to the asset’s conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Where a development will lead to ‘less than substantial harm’, the harm should be weighed against the public benefits of the proposal.

52. London Plan Policy HC1 states that development should conserve the significance of heritage assets and avoid harm. Policy D9 on tall buildings states that proposals should avoid harm to the significance of heritage assets and their settings.

53. Bromley Town Centre Conservation Area is approximately 50 metres to the north-east at the top of Ethelbert Road. The TVIA does not include any views of the proposals from within the Conservation Area and does not conclude whether any harm would be caused, although the Planning Statement identifies that there would be no harm. One CGI view in the DAS is from the nearest boundary of the Conservation Area, which shows that the topography of the area falling away from the High Street towards the site reduces the impact of the proposed buildings. However, the blank eastern elevation of the Ethelbert Road block would be particularly prominent and both blocks would rise above buildings along the High Street. Further views analysis is required before GLA officers can confirm if any harm would be caused to the Conservation Area. In considering historic environment effects, GLA officers have paid special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

Fire safety

54. Policy D12 of the London Plan requires the application to be accompanied by a fire statement, prepared by a suitably qualified third party assessor, demonstrating how the development proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel. London Plan Policy D5 seeks to ensure that developments incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum, at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who

require level access from the buildings. The Mayor has published a draft [Fire Safety LPG](#)³.

55. The applicant has not provided a fire statement that responds to Policies D12 and D5 of the London Plan. The information contained in template forms 1 and 3 should be provided.

Inclusive design

56. Policy D5 of the London Plan seeks to ensure that new development achieves the highest standards of accessible and inclusive design (not just the minimum). Policy D7 of the London Plan requires that at least 10% of new build dwellings meet Building Regulation requirement M4(3) 'wheelchair user dwellings' (designed to be wheelchair accessible or easily adaptable for residents who are wheelchair users); and all other new build dwellings must meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

57. The application materials confirm that 11 units (12%) would be wheelchair accessible and the remainder meeting the requirements of Building Regulation requirement M4(2). The wheelchair accessible homes would be spread across the site within market and affordable rent tenures and typical flat layouts and plans of the wheelchair accessible homes are included. The Council would need to secure M4(2) and M4(3) requirements by condition.

Transport

Impact on the transport network

58. The site has a wide range of public transport options commensurate with its location within a Metropolitan town centre, so there is unlikely to be an unacceptable adverse impact on public transport capacity. However, as noted below, there are concerns about the potential impact on coach and bus operations on Ringer's Road, and inadequate servicing arrangements.

Car parking

59. The development will be car-free, other than two on-street Blue Badge (BB) spaces on Ethelbert Road, one being an accessible car club space. The car-free approach is strongly supported given the site's location in the heart of the metropolitan town centre and Opportunity Area. Car club access, with a new space provided by the emerging Churchill Quarter development for non-BB holders, as well as an additional accessible car club space, will provide for residents' occasional car trips. The level of BB parking is lower than the London Plan standard and both spaces would be on-street. However, given the location with a wide variety of step-free buses, both stations being step-free, a wide range of services very close by, and a taxi rank 50 metres away in the High Street (all London taxis being accessible); this may be acceptable in this instance. Given the low number of spaces, the two BB

³ <https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance/fire-safety-lpg>

spaces should be provided with access to electric vehicle charging from the outset, which should not obstruct the footway.

60. Residents should be ineligible from applying for on-street car parking permits, to be secured by section 106 agreement. In addition, the existing single yellow line at the coach/bus stands/stop should be converted to double yellow lines to prevent residents and their visitors parking in these bays.

Healthy Streets and active travel

61. Cycle parking exceeds minimum London Plan standards and is mainly in the basement of the two buildings and a proportion would be able to accommodate electric cycles. To accommodate all types of cycle, the applicant should confirm that lifts should have minimum dimensions required by the London Plan, and any door to a cycle parking area should be automated, with push button/pressure pad operation.

62. The Council should secure a contribution to Healthy Streets improvements as identified in the active travel zone assessment, ideally complementing already-planned improvements and/or pooled with other section 106 contributions from recently approved developments nearby. Funding of £22,000 should also be secured for one new Legible London sign adjacent to the site on each frontage, and a refresh of other town centre Legible London sign maps.

Servicing, delivery, construction, and coach/bus operations

63. Deliveries and servicing are proposed to be on-street, which is contrary to Healthy Streets and Vision Zero policies; as well as London Plan Policy T7, which requires on-site servicing with on-street loading bays only used where this is not possible. Furthermore, both Ethelbert Road and Ringer's Road have limited free kerb space, and such activity could impact on the bus/coach stands/stop adjacent to the site. The Mayor's Transport Strategy (Proposal 76) seeks to enable the provision of adequate on-street coach infrastructure for scheduled and tourist services, and to allow for their safe and efficient operation. The London Plan also safeguards existing coach and bus operations and infrastructure to ensure safe and efficient operation.

64. The transport assessment (TA) proposes use of the single yellow line on Ethelbert Road and the Ringer's Road coach stand for deliveries and servicing, including removals. Only a low number of vehicles are predicted, up to 16 per day; however, given the uncontrolled nature of residential deliveries, which are increasing yearly, there is a clear risk that unlawful waiting and loading may occur in the coach/bus stands/stop cages, especially given that the proposals rely upon use of the coach stand to service one of the buildings. The cages are currently marked only for coaches and for buses. Although on-street servicing is primarily an issue for the Council to consider as the highway authority for these roads, TfL has concerns about adverse impacts on the coach/bus stands/stop due to delivery and service vehicles associated with the development. Any adverse impacts without suitable mitigation would be contrary to the London Plan. Further information and discussion with TfL and the Council is required on the use of the coach stand and proposed mitigation for delivery and servicing activities on coach and bus infrastructure and passengers.

65. During construction, the TA envisages construction materials loading/pick-up using the yellow line on Ethelbert Road and the coach stand on Ringer's Road. The concerns raised above also apply to construction arrangements, and as the length of stay of construction vehicles will generally be longer, closure of the stand may be sought. Further information is therefore required, including intended mitigation.

Other transport matters

66. Notwithstanding the above issues, the delivery and service plan (DSP), construction logistics plan (CLP), and travel plan should be secured for approval by the Council, should planning permission be granted. The use of cargo bikes for deliveries should be maximised, and the number of motorised service vehicle trips minimised through consolidation, particularly given the lack of off-street servicing.

67. The development would result in new homes facing Ringer's Road with open balconies and openable windows. Given the adjacency to coach/bus stands/stops, further consideration should be given to the residential design and layout to minimise the impact of noise and other disturbance from coach and bus operations on residents. In addition, the applicant should be required in any permission to advise the incoming residents of the proximity of the coach and bus stands/stop, which could operate 24/7, and of the need to comply with the agreed mitigation measures.

Climate change and environment

Energy strategy

68. London Plan Policy SI2 sets out energy strategy requirements for major development proposals; Policy SI3 sets out requirements for energy infrastructure; and Policy SI4 sets out requirements to manage heat risk.

69. The applicant's energy strategy could be compliant with the London Plan 2021 policies however, the applicant is required to submit the additional information on energy costs to occupants; overheating risk; district heating; the site heat network; heat pumps; modelling output sheets; and the Good Homes Alliance Early Stage Overheating Risk Tool. Based on the information provided, the domestic element of the proposed development is estimated to achieve a reduction of 11.4 tonnes per annum (12%); and for the non-domestic element, a reduction of 2.5 tonnes per annum (18%) in regulated CO2 emissions compared to a 2013 Building Regulations compliant development. Detailed technical comments, including conditions and section 106 requirements have been shared with the applicant and the Council.

Whole life-cycle carbon

70. London Plan Policy SI2 states that development proposals referable to the Mayor should calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions. The GLA has recently published guidance and a reporting template.

71. The applicant has not provided a Whole Life-Cycle Carbon Assessment, which must be submitted. A condition on any permission should require the post-construction tab of the Assessment to be provided to the GLA prior to occupation.

Circular economy

72. Policy SI7 of the London Plan requires development applications that are referable to the Mayor to submit a Circular Economy Statement, whilst Policy D3 requires development proposals to integrate circular economy principles as part of the design process. The GLA has recently published guidance on Circular Economy Statements.

73. The applicant has not provided a Circular Economy Statement (CES), which must be submitted. A condition on any permission should require a post-completion report to be provided to the GLA.

Green infrastructure

74. London Plan Policy G1 states that development proposals should incorporate green infrastructure, integrated into London's wider green infrastructure network. London Plan Policy G5 states that major development proposals should include urban greening as a fundamental element of site and building design. A target Urban Greening Factor (UGF) of 0.4 is recommended for developments that are predominately residential. The GLA has released draft UGF guidance.

75. The proposal integrates green infrastructure and urban greening. The applicant should confirm the UGF, which is identified as 0.51 or 0.58 in different documents. Notwithstanding this, the UGF exceeds the London Plan target. The applicant should explore opportunities for bio-solar roofing where possible. Should permission be granted, the UGF should be secured by condition.

76. London Plan Policy G6 states that proposals that create new or improved habitats that result in positive gains for biodiversity should be considered positively, and that development proposals should aim to secure net biodiversity gain.

77. The site lies in close proximity to the Martin's Hill and Church House Gardens (Bromley Park) Site of Importance for Nature Conservation (SINC), identified as being of local importance. The applicant should provide further information to detail how it will avoid direct or indirect impacts on the SINC. If avoidance of impacts is not possible the applicant should set out how it has followed the mitigation hierarchy to minimise development impacts. An assessment of the potential construction impacts and indirect impacts of noise, shading and lighting should be provided, with reference to paragraph 8.6.5 of the London Plan. A Construction Environment Management Plan (CEMP) should be secured prior to construction should permission be granted, setting out how impacts will be avoided and mitigated, as stated in the Preliminary Ecological Appraisal (PEA). The Biodiversity Net Gain (BNG) Assessment Report states that there will be a net gain of 424.9%, which is welcomed in accordance with Policy G6.

78. London Plan Policy G7 states that development proposals should ensure that, wherever possible, existing trees of value are retained.

79. The Arboricultural Report states that one Category C tree is proposed to be removed to facilitate the proposed development and that the loss of the tree will be mitigated by high quality trees and landscaping; however, it is not clear how many trees are proposed as part of the proposed development. The applicant should provide an assessment of the value of the tree to be lost using the appropriate valuation system and set out how this has been accounted for through replacement tree planting. Tree value can be derived from 'i-tree' or 'CAVAT', or another appropriate valuation system, in accordance with Policy G7. For biosecurity reasons, the applicant should consider including a diverse range of tree species, including large-canopied trees to target urban heat island effects.

Flood risk, sustainable drainage, and water consumption

80. London Plan Policy SI12 requires development proposals to ensure that flood risk is minimised and mitigated, and that residual risk is addressed. London Plan Policy SI13 states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible, in line with the drainage hierarchy. London Plan Policy SI5 states that development proposals should minimise the use of mains water; incorporate measures to help achieve lower water consumption; ensure that adequate wastewater infrastructure capacity is provided; and minimise the potential for misconnections between foul and surface water networks.

81. No flood risk assessment is required for this site. The surface water drainage strategy does not currently comply with Policy SI13 as further commitments are required regarding the proposed SuDS and rainwater harvesting, and the contributing area should be amended to include the paved pathways to provide a conservative estimate at this stage. The proposed development generally meets the requirements of Policy SI5; however, the applicant should also consider water harvesting and reuse to reduce consumption of water across the site, which can be integrated with the surface water drainage system to provide a dual benefit. Detailed technical comments for water related issues have been shared with the applicant and the Council.

Air quality

82. London Plan Policy SI1 states that development proposals should not lead to further deterioration of existing poor air quality; should not create any new areas that exceed air quality limits or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits; and should not create unacceptable risk of high levels of exposure to poor air quality. Development proposals must be at least Air Quality Neutral.

83. Further information is required to determine compliance with London Plan air quality policies. Confirmation is required that no emergency diesel-fired generators will be installed; that no gas-fired plant are proposed; and the future air quality conditions should be compared to the GLA target value for PM_{2.5} (10 µg/m³). Detailed technical comments, including conditions, have been shared with the applicant and the Council.

Local planning authority's position

84. Bromley Council planning officers are currently assessing the application. In due course the Council will formally consider the application at a planning committee meeting.

Legal considerations

85. Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged; or, direct the Council under Article 6 of the Order to refuse the application; or, issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application (and any connected application). There is no obligation at this stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor's statement and comments.

Financial considerations

86. There are no financial considerations at this stage.

Conclusion

87. London Plan policies on agent of change, Opportunity Areas, town centre uses, housing, affordable housing, urban design, historic environment, transport, and climate change and the environment are relevant to this application. The application does not comply with the London Plan, as summarised below:

- **Land use principles:** The principle of intensified residential use, with an element of non-residential space, is supported on this under-utilised, Opportunity Area, town centre site; however, this is subject to addressing agent of change, design, and residential quality concerns. Affordable workspace is strongly supported and should be appropriately secured.
- **Housing and affordable housing:** 35% (habitable room) affordable housing (60% affordable rent and 40% intermediate). Subject to confirmation of the tenures of existing homes on the site and those proposed, which must meet affordability requirements, meeting all other policy requirements and obligations, and confirmation that grant funding has been investigated; the affordable housing proposed may be eligible to follow the fast track viability route. Family-sized housing should be provided. Door-step play provision is required as a minimum.
- **Urban design and historic environment:** The buildings are located in an area identified as potentially suitable for tall buildings in the Local Plan; however, significant concerns are raised with the design, layout, massing, and density of the proposals, as well as the consequent deliverability of adjacent

sites through a masterplan approach. The proposals are considered to be over-development of the very restricted site. Further views analysis is required before GLA officers can confirm if any harm would be caused to the nearby Conservation Area. A revised fire statement is required.

- **Transport:** Concerns are raised about adverse impacts on the adjacent coach/bus stands/stop during both construction and operation. Contributions to Healthy Streets improvements and Legible London signage are required.
- **Climate change and environment:** Further information is required on energy, whole life carbon, circular economy, green infrastructure, water-related matters, and air quality.

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