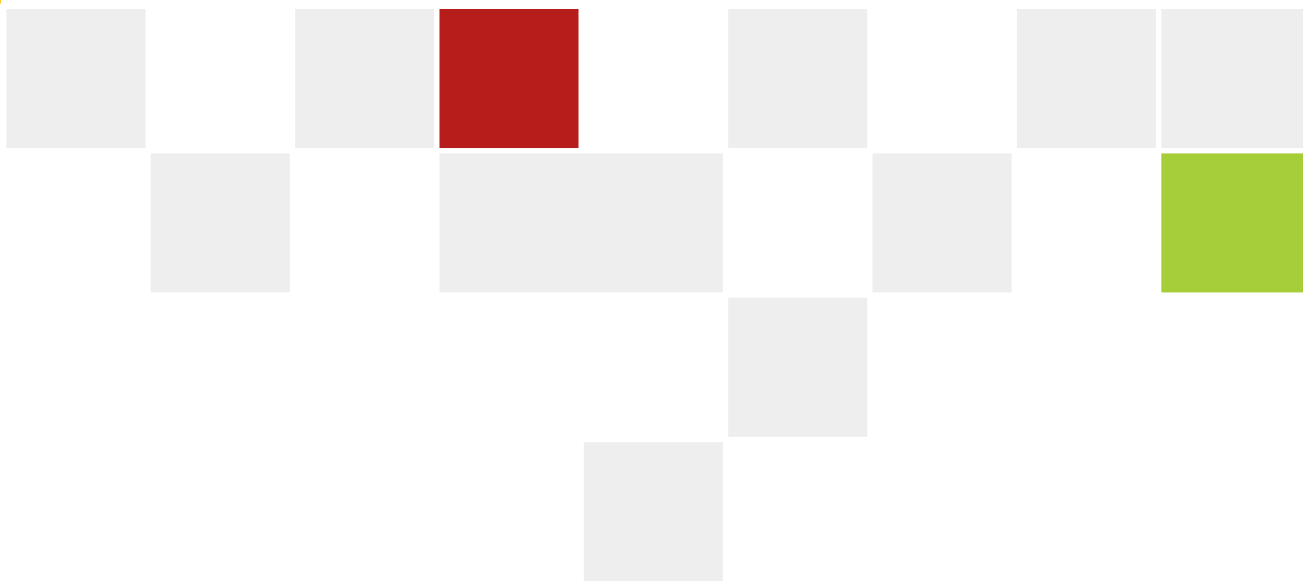


2-4 Ringers Road and 5 Ethelbert Road, Bromley

Planning Statement



Boyer

Report Control

Project:	Ringers Road
Client:	Ringers Road Properties Ltd
Reference:	20.5085
File Origin:	20.5085/Boyer Planning 4/4.02/220110 Planning Statement
Primary Author	AL
Checked By:	AM

<i>Issue</i>	<i>Date</i>	<i>Status</i>	<i>Checked By</i>
01	20.07.2021	DRAFT	AM
02	12.10.2021	DRAFT	AM
03	19.10.2021	FINAL	MB
04	22.11.2021	FINAL	AM

TABLE OF CONTENTS

1. Introduction	2
2. Site and Surroundings	4
3. Planning History	6
4. Pre-Application Engagement	11
5. The Proposal	15
6. Policy Context	17
7. Assessment of the Proposals	25
8. Planning Balance and Conclusion	48

1. INTRODUCTION

1.1 This Planning Statement is submitted in support of a planning application made on behalf of our client, Ringers Road Properties Ltd, for the redevelopment of the allocated site at 2-4 Ringers Road and 5 Ethelbert Road, Bromley, BR1 (“the application site”).

1.2 The proposed description of development is:

Demolition of existing buildings and construction of a mixed use development comprising residential units, ancillary residents’ facilities (including co-working space) and commercial floor space (Use Class E) across two blocks, along with associated hard and soft landscaping, amenity spaces, cycle and refuse storage.

1.3 The development will make effective use of this highly sustainable site in the centre of Bromley, which is allocated for residential development, to deliver much needed housing in the Borough. The design has been very carefully considered following extensive pre-application discussions in order to optimise the use of the site while respecting existing neighbours and facilitating the development of adjacent sites within the allocation.

1.4 This Planning Statement assesses the proposals against the Development Plan and other material considerations relevant to the consideration and determination of the application. This Statement is structured as follows:

- *Section 2* – describes the site and surrounding context;
- *Section 3* – sets out the planning history of the site and nearby properties;
- *Section 4* – summarises all pre-application engagement that has been undertaken;
- *Section 5* – outlines the proposals;
- *Section 6* - provides an overview of regional and local planning policy and guidance relevant to the proposed development;
- *Section 7* – provides an assessment of the proposals against the provisions of the development plan;
- *Section 8* – provides an overview of the planning balance and a conclusion.

1.5 The following documents are submitted to support the planning application:

- Application Forms - prepared by Boyer;
- CIL Form - prepared by Boyer;
- Existing and Proposed Drawings – prepared by Holloway;
- Design and Access Statement – prepared by Holloway;
- Air Quality Assessment – prepared by Lustre Consulting;
- Arboricultural Report – prepared by Chartwell Tree Consulting;
- Construction Logistics Plan – prepared by Evoke;
- Daylight and Sunlight Report – prepared by XCO2;
- Delivery and Servicing Statement – prepared by Evoke;
- Ecological Appraisal and Bat Roost Assessment – prepared by Tyler Grange;
- Economic Statement – prepared by Boyer;

- Energy Statement – prepared by XCO2;
- Fire Statement – prepared by Orion;
- Land Contamination Assessment – prepared by Lustre Consulting;
- Landscape Drawings and DAS – prepared by ETLA;
- Noise Assessment – prepared by Lustre Consulting;
- Statement of Community Involvement – prepared by Curtin and Co;
- Sustainability Statement – prepared by Evoke;
- Sustainable Drainage Assessment – prepared by Water Environment;
- Swept Path Analysis – prepared by Evoke;
- Townscape and Visual Impact Assessment – prepared by ETLA;
- Transport Assessment – prepared by Evoke;
- Travel Plan – prepared by Evoke;
- Wind and Microclimate Analysis Report – prepared by XCO2.

2. SITE AND SURROUNDINGS

- 2.1 The site is located in Bromley town centre, to the west of the High Street. It comprises a plot of land which is bound by Ringers Road to the south, Ethelbert Road to the north, the Salvation Army Church lies immediately to the east and residential development extends to the west.
- 2.2 The site forms part of Opportunity Site G 'West of the High Street' in the Bromley Town Centre Area Action Plan which is anticipated to provide 1,180 residential units, 20,000 sqm of additional retail floorspace, 5,000 sqm of catering services floorspace and 2,000 sqm community floorspace. The application site also forms part of Site 10 'West of Bromley High Street and land at Bromley South' in Bromley's adopted Local Plan (2019). Allocation Site 10 is 4.54 ha in size and extends from Churchill Gardens to the north, covers the application site and the residential areas to the west and extends south to Bromley South Station. The allocation is for:
- Redevelopment for mixed use including 1,230 residential units, offices, retail and transport interchange.*
- 2.3 The Bromley Town Centre Area Action Plan also identifies the site as being a location suitable for tall building development and more generally, the adopted Local Plan¹ sets out that town centres which benefit from good public transport access can be suitable locations for tall building development. The fact that the site has been included within such an ambitious allocation clearly indicates that in principle it is a location where high density residential development within tall buildings is anticipated.
- 2.4 The site currently accommodates two buildings. The largest of these runs along the east of the site and fronts both Ethelbert Road and Ringers Road. The element to the south fronting Ringers Road is a single storey restaurant (Class E) occupied by Smoque (2-4 Ringers Road). This building steps up to the north and the Ethelbert Road façade is three storeys in height. This part of the building provides 185 sqm of floorspace which has most recently been in use as a photography studio. At ground floor are large servicing doors, and the forecourt in front of this is used for the storage of bins. As such, this reads as a servicing area of the building and detracts from the street scene and character of the area more generally.
- 2.5 The second building on the site is a brick property (5 Ethelbert Road) which is three storeys in height. This building is in residential use and accommodates six flats. To the rear of this building is a grassed area which is used as communal amenity space for the property.
- 2.6 The surrounding area is characterised by a mix of uses, which is reflective of the site's location within Bromley town centre. To the immediate east of the site is the Salvation Army Church fronting Ethelbert Road and the substantial TK Maxx building which fronts the High Street, where there are a variety of commercial uses. To the west of the site, the area is predominantly residential in character which includes a mix of houses and blocks of flats and to the south of the site is a more recent flatted development built by Crest and which rises to 10 storeys.

¹ Paragraph 5.1.20, associated with Policy 47 – Tall and Large Buildings

- 2.7 The surrounding area is also characterised by a variation in building heights and styles. Generally buildings step up in height quite considerably towards the town centre, transitioning from two storey properties on the western end of Ringers Road to a ten storey apartment block immediately to the south of the site. This increase in building heights is also reflected in the emerging surrounding context. The latest plans for the Churchill Quarter scheme, to the immediate north of the site, involve buildings rising to 14 storeys. On the corner of Ethelbert Road and the High Street, the plans involve a 17 storey building. Both of these sites are also within the allocated area.
- 2.8 There are no statutorily or locally listed buildings within or close to the site and it is not within a conservation area. The Bromley Town Centre Conservation Area is located to the north of the site. The closest boundary of the Conservation Area is on the junction of Churchill Way and Ethelbert Close, approximately 40m to the north east. The site is located within the Old Bromley Archaeological Priority Area.
- 2.9 The site is located one of the most sustainable and accessible locations across the whole of south London with a wide range of shops, services and leisure amenities within immediate walking distance. Moreover, the site is within easy walking distance of Bromley South (c.300m) and Bromley North stations and numerous bus routes which serve the High Street. Given the ease of access to public transport, the site has a
- 2.10 The site is in Flood Zone 1, with the lowest risk of flooding.

3. PLANNING HISTORY

History of the Site

- 3.1 There are no recent planning applications at 5 Ethelbert Close.
- 3.2 2-4 Ringers Road has an extensive planning history, mostly comprising variations to opening hours and advertisement applications. Other applications of relevance relating to the use of the building are presented below:

Reference	Description	Decision
17/00004/FULL1	Change of use of ground floor entrance lobby and first floor from A4 (drinking establishment) to D2 (leisure)	Approved 30/05/2017
93/01999/FUL	Henry's Wine Bar part change of use of first and second floors to managers 3 bedroom flat.	Approved 01/11/1993

Relevant Local Planning History

- 3.3 There are several schemes of relevance involving tall buildings within Bromley Town Centre which are both very close to the site and are presented in the table below:

Address	Reference	Description	Decision
66-70 High Street, Bromley, BR1 1EG	21/03231	Demolition of existing buildings (66-70 High Street) and erection of a part 13 and part 16 storey building to provide 559 sqm retail floorspace (Use Class Ea) and 68 residential units with associated disabled car parking spaces, cycle parking and refuse storage area.	Awaiting decision
66-70 High Street, Bromley, BR1 1EG	19/04588	Demolition of existing buildings (No.66 to 70 High Street), construction of 12 storeys to provide 256.4 square metres retail floorspace on the ground floor and 47 residential units above with associated disabled car parking spaces, cycle parking and refuse storage area.	Refused 26/04/2021 Appeal pending

<p>Ethelbert Close, Bromley, BR1 1JB (Churchill Gardens)</p>	<p>18/02181</p>	<p>Demolition of 1-40 Ethelbert Close, 2 Ethelbert Road, 102-108 High Street and miscellaneous buildings to the north of Ethelbert Close (including former public conveniences and building at rear of 100 High Street), and the redevelopment of the site (max height 16 levels) to provide a mixed use scheme comprising 407 residential units with a mix of Use Class A1, A2, A3, B1, D1, D2 uses at ground floor (part). New vehicular access from Ethelbert Road. Associated basement car and cycle parking. Car parking, access and servicing arrangements at Churchill Way. Public realm works including Library Gardens and ancillary development.</p>	<p>Awaiting decision</p>
<p>Footzie Social Club, Worsley Bridge Road</p>	<p>20/00781/FULL1</p>	<p>Demolition of the existing buildings and redevelopment of the site by the erection of a four to eleven storey development comprising 254 residential units (130 one bedroom; 107 two bedroom and 17 three bedroom) together with the construction of an estate road and ancillary car and cycle parking and the landscaping of the east part of the site to form open space accessible to the public.</p>	<p>Appeal allowed 29/03/2021</p>
<p>Prospects House, Elmfield Road</p>	<p>20/04296/FULL1</p>	<p>Demolition of the existing building, erection of a 10 storey building plus basement to provide 1,759sqm office floor space Use Class Order Class E(g)(i) on the ground floor and first floor with 61 residential flats (9 studio, 38 x 1 bed and 14 x 2 bed) above and provision of 11 parking spaces.</p>	<p>Approved 14/06/2021</p>

3.4 These applications illustrate that the emerging context of the immediate surroundings is tall buildings, which are of a comparable height to what is being proposed on the site.

66-70 High Street

3.5 The scheme at 66-70 High Street, on the corner of the High Street and Ethelbert Close, was originally submitted in November 2019. These proposals involved the demolition of the existing buildings and redevelopment to provide a 16 storey building accommodating 68 apartments.

3.6 Amended drawings were submitted in December 2020 which involve the retention of the existing building on the corner with a single storey extension above this, and a 12 storey building to the rear, providing a total of 47 residential units.

- 3.7 The application was recommended for approval but was refused at Planning Committee on 25th March 2021. There were two reasons for refusal regarding design and the isolated tall building. However Officers confirmed in the Committee Report that the principle of redeveloping the site and introducing a tall building to this part of Bromley Town Centre was acceptable, with page 3 stating:

“The principle to redevelop the site including the introduction of a taller building and car free development is supported at this town centre location. The site is designated as an opportunity area in the London Plan and forms part of the allocated sites (Site G in the Bromley Town Centre Area Action Plan and Site 10 in the Bromley Local Plan) in the development plan to deliver housing and support the growth of Bromley Town Centre... Having considered the benefits and harm arising from the proposal and in the absence of a 5-year housing land supply, it is considered that the planning permission should be granted as the presumption in favour of sustainable development is applied unless there are material considerations to suggest otherwise.”

Churchill Quarter

- 3.8 The Churchill Quarter proposals are located immediately to the north of the site and is a joint venture between the London Borough of Bromley and Countryside Properties. It proposes a collection of tall buildings situated between the High Street, Church House Gardens and Ethelbert Road.
- 3.9 The amended drawings for the Churchill Gardens scheme indicate that the heights have been reduced by one storey from the original submission to 14 storeys from podium level (16 including underground level). However the GLA’s Stage 1 response, which considered the 15 storey scheme, supported the heights of the proposals, with Paragraph 39 stating:

“The intention to optimise housing delivery on this town centre site is supported and the scheme has been subject to a number of massing/heights iterations to establish an appropriate form to address the character of the town centre. The stepped heights arrangement and contrasting palette of facing materials creates a series of distinct massing elements which breaks down the perception of scale and reflects the proportions of plot widths along the High Street. The submitted TVIA demonstrates the proposal will represent a significant uplift in scale in relation to the established character of the town centre, but the varied heights arrangement successfully mediates in scale between the High Street and Churchill Gardens.”

- 3.10 This application demonstrates the Council’s ambition to deliver high density development in this part of Bromley Town Centre.

Footzie Social Club, Worsley Bridge Road

- 3.11 The application at Footzie Social Club is particular relevant as it provides a recent assessment of the Council’s housing land supply position. Some key paragraphs from this decision are:

- 3.12 In Paragraph 12 the Inspector notes that the Council cannot demonstrate a 5 year supply of housing land. The Inspector subsequently acknowledges the agreement reached between the Council and the appellant that MOL policies are not included in the list of policies referred to in Footnote 6 of the Framework with the result being that subparagraph ii of paragraph 11d) is engaged. The Inspector identifies the further consequence of this being that *“the most important policies for determination of the appeal are deemed to be out of date.”*
- 3.13 The Inspector concludes in Paragraph 29 that housing land supply in the Borough is in the range of 2.9 - 3.3 years and states “By any measure, the shortfall in supply is very significant. This has to be considered in the context both of an increased level of housing need and the limited prospect of development coming forward to make up that shortfall. I agree with the appellant that nothing less than very substantial weight should be given to the contribution that the 254 dwellings proposed in the appeal scheme would make to meeting housing need in Bromley.”
- 3.14 In Paragraphs 85 – 111 the Inspector deals with the matter of the affordable housing contribution being proposed (19% of units, all proposed as first homes with a 30% reduction on market sale value). At paragraph 85 the Inspector notes that on average only **104** affordable units have been delivered annually in Bromley across the last 5 years with only a total of 1,475 since 2011. The Inspector goes on to say *“There is a cumulative shortfall of 12,636 affordable units against what should have been delivered over that same period. By any measure that performance can fairly be described as woeful.”*
- 3.15 This decision clearly highlights the need for housing in the borough, in particular affordable housing.

Prospects House

- 3.16 The development at Prospects House comprises a tall building which is also within Bromley Town Centre and has recently been consented at Committee. Officers confirmed in the Committee Report that the principle of redeveloping the site and providing a taller building and a car free scheme would be acceptable given the town centre location.
- 3.17 In relation to the height of the proposal and the principle of a tall building in this location, Officers acknowledged that the site was not in an area identified for tall buildings in the Bromley Town Centre Area Action Plan and Bromley Local Plan, the height was found to be acceptable given the surroundings and its town centre location. Paragraphs 6.3.3 – 6.3.4 state:

“The site is located on the edge of the town centre. Whilst the site is neither allocated nor identified for tall buildings in the Bromley Town Centre Area Action Plan and Bromley Local Plan, the building typology within the Bromley South Business Improvement Area is distinct from the buildings located along Bromley High Street to the west of the site and the domestic suburban houses outside Bromley Town Centre boundary beyond Kentish Way ... The height of the proposed building has been reduced to 10 storeys, and is of a comparable height with the Bank of America building located opposite to the site and the approved office development at Wells House. Given its town centre location, it is considered that the principle for a taller building is acceptable.”

- 3.18 Officers also acknowledged their lack of five year housing land supply. Paragraph 6.2.6 of the Committee Report states:

“This application includes the provision of 61 residential dwellings and would make a considerable contribution to the achievement of the Council’s housing targets. This is considered a significant benefit of the scheme.”

- 3.19 Whilst the proposal was found by Officers to cause some harm to neighbouring properties, overall the benefits of the scheme, including the provision of new office space and 61 residential units including 8 intermediate dwellings, were found to outweigh this harm:

“Whilst the proposal would have an impact on suburban houses beyond Palace Estate, the planning merits arising from this proposal would significantly outweigh the impact arising from this proposal. As the Council cannot at present demonstrate a 5 year land supply of deliverable housing sites, the housing policies of the development plan are out-of-date and the presumption of sustainable development set out in Para. 11 of the NPPF applies to the application. This means a presumption in favour of granting planning permission, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies within the NPPF taken as a whole. There are no other adverse impacts of the scheme that are considered to significantly and demonstrably outweigh the economic, social and environmental benefits of the scheme when considering the NPPF as a whole. The balance test is therefore tilted towards granting planning permission.”

4. PRE-APPLICATION ENGAGEMENT

4.1 The proposals have been through a rigorous pre-application engagement programme, with various meeting with key stakeholders since 2019. This includes a pre-application meetings with the Council and the GLA, as well as a public consultation event, a presentation to the Council's Development Control Committee, presentation of the scheme to the Bromley Civic Society and presentation to a Design Review Panel. Discussions have also taken place with Bromley RSPB. The feedback received at these meetings has been taken on board and the proposals have significantly evolved following the feedback and advice which has been received. A summary of these events is provided below.

Bromley Council

- 4.2 Pre-application advice was sought in October 2019 for a scheme involving the redevelopment of the site comprising the provision of 113 residential units across two buildings (ref: PREAPP/19/00321). Block A comprised a 17 storey building and Block B was 12 storeys. The proposals involved a mix of 1 and 2 bed units.
- 4.3 A meeting was held to discuss the proposals on 12th November 2019 and written advice was received on 3rd December. This response confirmed that that the principle of a residential redevelopment scheme was acceptable, provided the loss of the existing uses could be justified.
- 4.4 With regards to the height and design, Officers emphasised that tall buildings on the site would need to be of the highest architectural design quality and make a positive contribution to the townscape. It was also highlighted that any tall buildings should be appropriate for the historic context and should protect strategic views. Concern was raised about the height of the proposals, however it was advised that the height and density should be determined through a design-led approach.
- 4.5 The pre-application response suggested that it would be beneficial to the scheme to include the adjacent sites within the development to enhance the layout and mitigate the impact on neighbours. This has been explored by the applicant and discussions have taken place with the Salvation Army site, however it has not been possible to incorporate the adjacent sites as part of the proposals.
- 4.6 With regard to housing mix, the response advised that some three bed units should be provided in order to reflect local need. The policy compliant 35% affordable housing provision was supported, and Officers highlighted that the scheme should provide the maximum on site amount of affordable housing which could be reasonably secured, with a 60:40 split between affordable rent and shared ownership.

- 4.7 Officers highlighted that the proposals should be orientated to maximise the outlook of the flats and minimise overlooking, whilst also minimising the number of single aspect units, particularly single aspect north facing units and family-sized units. In order to ensure a good standard of accommodation, it was advised that all units should have balconies at a standard of 5sqm per 1-2 person dwelling plus 1sqm per each additional occupant. It was recognised that on-site play space would not be practical due to the lack of open space, and instead it was advised that it should be established whether there is potential to improve existing provision nearby.
- 4.8 The pre-application scheme was car-free and Officers advised that this would need to be justified through the appropriate assessments, as well as providing a strategy for securing appropriate facilities for disabled occupants.
- 4.9 On 9th March 2021 the proposed development was presented to the Council's Development Control Committee in order to obtain feedback from Councillors, including the Ward Councillors. Comments were focussed on the height of the proposed buildings, which at up to 19 storeys were considered to be too tall for their context and design matters. There was no objection to the principle of development or any suggestion that in principle a tall building would not be acceptable at the site. Additionally, there was no objection to the proposed car free development at the site.

GLA

- 4.10 A pre-application meeting with the GLA was held on 5th February 2020. Officers supported the principle of a tall building and high density residential development on the site. They considered that there was not an imperative in principle to provide commercial use and instead the driver should be the need to provide an active frontage. It was stressed that commercial viability is key and if the units would not be viable then they should not be provided.
- 4.11 With regard to the design and height, Officers supported the approach of optimising density given the sustainable town centre location within an opportunity area. Officers suggested that this should be design-led whilst also considering heritage impacts. Officers supported the design of the Churchill Quarter scheme to the north and advised that the site should consider how it will relate to this development.
- 4.12 In relation to the wider allocation, Officers suggested that in the absence of a masterplan or clear proposal from the Council with regards to land assembly, the proposals should show an indicative masterplan of the block as part of the proposals. In particular, Officers suggested that the open space should be designed to enable longer-term integration with adjacent sites.
- 4.13 There was very strong support for a car-free scheme given the location and PTAL rating. Officers advised that sufficient disabled parking and space for servicing should be provided, along with policy compliant cycle parking.

Public Exhibition

4.14 A public exhibition was held on 11th December 2020 to inform local residents of the proposals on the site and to answer any questions they had. The public exhibition was held online and involved a presentation of the scheme by the project team. Overall 25 residents attended the live event and 63 questions were asked. The public exhibition was subsequently uploaded to the project website to enable other residents to watch the event after it had taken place. Full details of the event and the feedback received are provided in the Statement of Community Involvement prepared by Curtin & Co.

Design Review Panel

4.15 The proposals were presented to Design South East on 29th April 2021. At the time, the proposals involved 109 one and two bed units within two blocks (12 and 19 storeys).

4.16 The panel acknowledged that the development of the site could contribute positively to Bromley's aspirations for growth in the town centre. In order to achieve this, six key recommendations were provided by the Design Panel:

1. Reconsider the height and scale whilst providing a narrative for a tall residential building.
2. Study the topography and residential context further so that the sloped site assists with a sensitive transition from commercial high street uses towards residential uses.
3. Consider changing scenarios over time ranging from the Salvation Army building remaining for the foreseeable future to complete the renewal of all adjacent buildings – and ensure the proposal works equally well irrespectively.
4. Produce an environmental strategy and ensure sustainability principles are embedded in the design proposals.
5. Give greater consideration to the site's role in the town centre and what sets it apart from others. The Panel discussed the potential to introduce commercial space at ground floor level to encourage wider use of the site.
6. Introduce high quality amenity spaces that will make living in this development enjoyable. Greater consideration should be given to how people will meet their neighbours and form a community.

Summary

4.17 Following this pre-submission advice received by officers, members, the DRP and local residents, the project team has worked positively to respond to the feedback and a number meaningful amendments have been made including:

- Significant reduction in the height of both buildings proposed;
- Substantial reduction in the number of units;
- Incorporation of commercial floorspace at ground floor to activate the street;
- Incorporation of additional residents' facilities including flexible co-working space;

- Creation of commercial floorspace (Use Class E) within the development, fronting onto Ethelbert Road;
- Further design development to ensure that the proposal integrates with its surroundings and sits alone within the current context, whilst also contributing to the aims of the masterplan.

5. THE PROPOSAL

- 5.1 The proposed development involves the demolition of the existing building on site and the erection of two buildings to provide a total of 94 residential units, with ancillary residential and commercial uses on the lower floors.
- 5.2 Block A is situated to the south of the site, fronting Ringers Road, and extends up to 14 storeys in height. This building will be accessed via a residential entrance off Ringers Road, which will provide access to the lobby and internal lift and stair core. At ground and lower ground floor levels will be approximately 100 sqm of amenity facilities for the residents which will include co-working areas. This will be accessible for all future residents of the development in order to generate greater interaction between the future residential community and support enhanced homeworking conditions which has the added benefit of keeping residents in Bromley Town Centre across the week and thus boosting further the local economy. Residential units will be located across the upper floors.
- 5.3 The development steps down to the north, with Block B fronting Ethelbert Road rising to 12 storeys. Access to this building will be via Ethelbert Road. This will accommodate 423 sqm of Class E commercial floorspace on the lower levels. It is proposed that this will be used as a smaller café unit at ground and first floor (152 sqm), along with a larger space across ground and lower ground floor levels to be provided as affordable workspace (271 sqm). Again, across the upper floors will be residential units.
- 5.4 The proposed residential mix has been determined based on local housing needs, as set out in the Local Plan, and is presented below:

Unit Size	Block A	Block B	TOTAL
1 bed	24	13	37 (39%)
2 bed	21	36	57 (61%)
TOTAL	45	49	94 (100%)

- 5.5 All units will have access to private amenity space in the form of balconies and terraces at ground floor. This will be supplemented with the communal amenity space, comprising the generously landscaped communal gardens at ground floor as well as terraces on the upper floors.
- 5.6 The proposals will be car-free, with exception of two disabled parking spaces which will be provided along Ethelbert Road. These will be provided by converting the existing on-street parking bays and using the existing dropped kerb arrangement. One of these will be an accessible car club bay.

- 5.7 Cycle stores are proposed within each of the blocks at lower ground and ground floor levels, a total of 250 cycle spaces will be provided across both blocks. The storage will predominantly comprise 2 tier stacking systems, with Sheffield stands for the accessible spaces. 39 of these cycle parking spaces will be for electric bikes. Both stores will be accessed via dedicated lifts from Ringers Road and Ethelbert Road.
- 5.8 With regard to refuse and servicing, the ground floor Block A and lower ground floor of Block B will accommodate a refuse store, comprising a mix of refuse, paper, recycling and food waste bins. The breakdown is provided in the Accommodation Schedule. Servicing will take place on-street, using both Ringers Road and Ethelbert Road.

6. POLICY CONTEXT

- 6.1 Applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 6.2 In this instance the relevant Development Plan for the area comprises the:
- Bromley Town Centre Area Action Plan (2010)
 - Bromley Local Plan (2019);
 - London Plan (2021).
- 6.3 Other policy documents that are material considerations in the determination of planning applications include the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG), the London Plan Supplementary Planning Guidance (SPG) and the LB Bromley's Supplementary Planning Documents (SPDs).
- 6.4 The planning policy relevant to the consideration of applications therefore comprises three levels of policy – national, regional and local. The three tiers of policy are introduced within this chapter and a detailed assessment of the proposed development against the relevant policy is provided in Section 7. We do not set out a description of each relevant policy hereunder, rather we focus on those of greatest relevance and importance to the proposed development.
- 6.5 In considering the policy position, the conclusions of the appeal Inspector in relation to the case at the Footzie Social Club are important to consider. As noted above, at paragraph 12 of the decision, the Inspector concluded “*the most important policies for determination of the appeal are deemed to be out of date*” due to the absence of a 5 year land supply in the Borough. While this does not mean that no weight can be afforded to those policies, the amount of weight to be given to the policies most important for the determination of this application are afforded more limited weight.

National Planning Policy

National Planning Policy Framework (2021)

- 6.6 The National Planning Policy Framework (NPPF) was updated in July 2021 by the Ministry of Housing, Communities and Local Government. The document sets out the government's economic, environmental and social planning policies for England.
- 6.7 The overarching national planning policy theme evident from the NPPF is a presumption in favour of sustainable development, which the Government have advised should be at the heart of the planning system. In terms of development management, it advises that the primary objective is to foster the delivery of sustainable development and should not hinder or prevent future development.

- 6.8 The NPPF has not changed the statutory status of the Development Plan as the starting point for decision-making; however, it constitutes guidance for local planning authorities and decision-making both in drawing up plans and as a material consideration in determining applications.
- 6.9 The NPPF sets out to promote the development of housing to ensure that 5 year targets are met.
- 6.10 Paragraph 11 d) confirms that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, permission should be granted unless:
- i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the proposed development; or
 - ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole.
- 6.11 Footnote 7 to paragraph 11 d) confirms that “out-of-date” includes situation where a Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites.
- 6.12 Section 5 of the NPPF relates specifically to the delivery of new housing. It recognises the importance of significantly boosting the housing supply and paragraph 60 states that to support the Government’s objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.
- 6.13 Paragraph 74 sets out the requirement for authorities to identify and update annually a supply of specific deliverable sites to provide a minimum 5 year supply of housing against adopted policy targets. The supply of deliverable sites should include an additional buffer of 5% to ensure choice and competition in the market for land.
- 6.14 Paragraph 86 encourages planning policies and decisions to support the role that town centres play at the heart of local communities by taking a positive approach to their growth, management and adaptation. It seeks to enable town centres to grow and diversify in a way that can respond to rapid changes in the retail and leisure industries and allows a suitable mix of uses, including housing.
- 6.15 Chapter 11 is entitled ‘Making Effective Use of Land’ and Paragraph 120 (d) sets out the planning policies and decisions should promote and support the development of underutilised land and buildings. Part (e) encourages the use of airspace above existing residential and commercial properties for new homes, allowing upward extensions where this would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed and can maintain safe access and egress for occupiers.

- 6.16 Chapter 12 relates to creating well designed places. Paragraph 126 stresses that good design is a key aspect of sustainable development as it creates better places to live and work and makes development acceptable to communities. Paragraph 130 requires developments to function well and add to the overall quality of the area, be visually attractive, sympathetic to local character and history, establish or maintain a strong sense of place and optimise the potential of the site and create places which are safe, inclusive and accessible.
- 6.17 Paragraph 194 requires proposals affecting heritage assets to describe the significance of any heritage assets affected, including any contribution made by their setting, which should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. Paragraph 199 advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Regional Planning Policy

London Plan (2021)

- 6.18 The London Plan (2021) is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth. The Mayor's strategic policies aim to provide more homes and to create a housing market that works better for all Londoners. The London Plan (2021) is a part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital. Some of the key policies are summarised below.
- 6.19 Policy GG1 'Building Strong and Inclusive Communities' encourages early and inclusive engagement with stakeholders, including local communities, in the development of proposals, policies and area-based strategies, as well as, seeking to ensure changes to the physical environment to achieve an overall positive contribution to London.
- 6.20 Policy GG2 'Making the Best Use of Land' seeks to create successful, sustainable mixed-use places that make the best use of land. Part (a) specifies that the development of brownfield land should be enabled, particularly in Opportunity Areas, surplus public sector land, sites on the edge of town centres and small sites. Part (b) specifies that well-connected sites should be prioritised. Part (c) sets out that those involved in planning and development should proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in well-connected locations.
- 6.21 Policy SD1 'Opportunity Areas' seeks to ensure that these areas fully realise their growth and regeneration potential. Bromley is identified as an Opportunity Area within this area.
- 6.22 Policy SD6 'Town Centres and High Streets' promotes a diverse range of uses within town centres including main town centre uses, civic and community uses and residential uses. The policy encourages optimisation of housing growth (potential through mixed-use intensification) in town centre locations to support the day and night time economies.

- 6.23 Policies D3 ‘Optimising Site Capacity Through the Design-Led Approach’ and D4 ‘Delivering Good Design’ both emphasise the importance of creating high quality spaces and require development to make the best use of land by following a design-led approach that optimises the capacity of sites by responding to an area’s context and capacity for growth.
- 6.24 Policy D6 ‘Housing Quality and Standards’ emphasised the importance of high quality design and requires development to provide adequately sized rooms with comfortable and functional layouts. It encourages the maximum provision of dual aspect units and seeks to ensure that accommodation receives sufficient daylight and sunlight. The policy also requires amenity space at the standard of 5 sqm per 1-2 person unit and 1 sqm per each additional occupant unless there are no higher local standards.
- 6.25 Policy D9 ‘Tall Buildings’ advises that tall buildings should address visual, functional, environmental and cumulative impacts. This includes reinforcing the spatial hierarchy of the local and wider context and being of an exemplary standard of architectural quality and materials; ensuring that they are safe, easily serviced and the surrounding infrastructure can accommodate the building; considering wind, daylight, sunlight, temperature, air quality and noise impacts; and taking into account the cumulative impacts of other tall buildings in the area.
- 6.26 Policy D12 ‘Fire Safety’ requires all development to identify suitable positioned unobstructed outside space for fire appliances and for assembly points; incorporate appropriate features to reduce the risk to life and serious injury in the event of a fire; constructed in a way to minimise fire spread; provide suitable and convenient means of escape; develop a robust strategy for evacuation and provide suitable access and equipment for firefighting. Major developments are required to prepared a Fire Statement which considers how the building will function in terms of construction, means of escape, features to reduce risk of life, access for fire service personnel, access and any future modifications.
- 6.27 Policy H1 ‘Increasing Housing Supply’ provides ten-year housing targets for each of the boroughs. It states that Bromley is required to deliver 7,740 dwellings between 2019/20 and 2028/29, equating to 774 homes per annum. To ensure that these targets are met, the policy specifies that boroughs should optimise the potential for housing delivery on all suitable and available housing sites. The policy lists certain sources of capacity which are particularly important, which includes accessible sites within PTAL scores of 3-6 or which are located 800m from a station or town centre boundary and small sites.
- 6.28 Policy H5 ‘Threshold Approach to Applications’ outlines the threshold approach to affordable housing which applies to all major development proposals which trigger affordable housing requirements. The threshold level of affordable housing on gross residential developments is initially set at 35%. The Policy advises that in order to follow the Fast Track Route, applications must meet the following criteria:
- Meet or exceed the relevant level of affordable housing on site without public subsidy.
 - Be consistent with the relevant tenure split.

- Meet other relevant policy requirements and obligations to the satisfaction of the Borough and Mayor where relevant.
- Demonstrate that they have taken account of the strategic 50% in Policy H4.

6.29 Part E of the Policy confirms that fast tracked applications are not required to provide a viability assessment at application stage.

6.30 Policy H10 'Housing Size Mix' relates to housing size mix and states that schemes should generally consist of a range of unit sizes and that applicants should have regard to, amongst other things, local housing needs assessments, the a site's location and access to public transport and services (with more 1 and 2 bedroom units in town centres and higher public transport accessibility), as well as the requirement to deliver mixed and inclusive neighbourhoods, and the need to deliver a range of unit types at different prices across London.

6.31 Policy HC1 'Heritage Conservation and Growth' advises that development proposals affecting heritage assets should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

6.32 Policy S4 'Play and Informal Recreation' advises that development which is likely to be used by children and young people should incorporate good quality, accessible play provision for children of all ages with at least 10 sqm of playspace provided per child.

6.33 Policy G5 'Urban Greening' requires major development to contribute to the greening of London by including urban greening as a fundamental element of the site and incorporating measures such as high quality landscaping, green roofs, green walls and nature-based sustainable drainage. The Urban Greening Factor (UGF) target for residential schemes is 0.4.

Local Planning Policy

Bromley Local Plan

6.34 Bromley's Local Plan was adopted in 2019. Relevant policies are listed below, with the key policies also summarised:

- Policy 1 – Housing Supply
- Policy 2 – Affordable Housing
- Policy 4 – Housing Design
- Policy 30 – Parking
- Policy 31 – Relieving Congestion
- Policy 32 – Road Safety
- Policy 33 – Access for All
- Policy 34 – Highway Infrastructure Provision
- Policy 35 – Transport Investment Priorities
- Policy 37 – General Design of Development
- Policy 42 – Development Adjacent to a Conservation Area
- Policy 47 – Tall and Large Buildings

- Policy 48 – Skyline
- Policy 59 – Public Open Space Deficiency
- Policy 73 – Development and Trees
- Policy 90 – Bromley Town Centre Opportunity Area
- Policy 92 – Metropolitan & Major Town Centres
- Policy 113 – Waste Management in New Development
- Policy 115 – Reducing Flood Risk
- Policy 116 – Sustainable Urban Drainage Systems
- Policy 120 – Air Pollution
- Policy 122 – Light Pollution
- Policy 123 – Sustainable Design and Construction
- Policy 124 – Carbon Dioxide Reduction, Decentralised Energy Networks and Renewable Energy

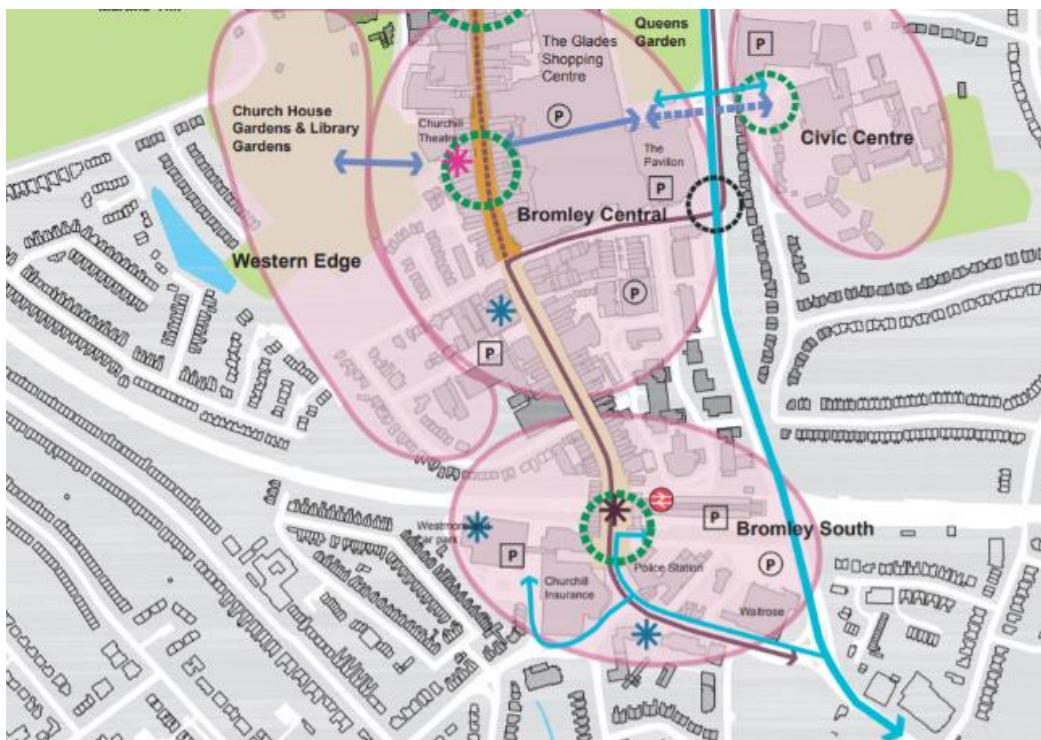
- 6.35 Policy 1 ‘Housing Supply’ outlines how the Council will make provision for a minimum average of 641 additional homes per annum. The policy lists the key ways in which this target will be met, which includes through the development of allocated sites and town centre renewal including the provision of housing. The policy also includes a series of allocations to include residential development including ‘West of Bromley High Street and land at Bromley South.’
- 6.36 Policy 2 ‘Provision of Affordable Housing’ advises that in order to meet the needs of the Borough, the Council will seek affordable housing on all housing developments capable of providing 11 residential units or more or where the residential floorspace is more than 1000 sqm, irrespective of the number of dwellings. The policy seeks 35% provision with 60% social-rented/affordable rented and 40% intermediate provision.
- 6.37 Policy 37 ‘General Design of Development’ requires all development proposals to be of a high standard of design and layout. It also sets a number of criteria including that developments will be expected to be imaginative and attractive; positively contribute to the street scene and respect heritage assets; provide attractive settings around buildings; allow for adequate daylight and sunlight; respect the amenity of occupiers of neighbouring buildings; address sustainable design and construction; meet the principles of inclusive design; include security and crime prevention measures; incorporate recycling and waste storage facilities; and respect non designates heritage assets.
- 6.38 Policy 42 ‘Development Adjacent to a Conservation Area’ requires development to preserve or enhance its setting and not detract from views into or out of the area.
- 6.39 Policy 47 ‘Tall and Large Buildings’ requires tall buildings to make a positive contribution to the townscape, ensuring that their massing, scale and layout enhances the character of the surrounding area. The policy also specifies that tall and large buildings need to be of the highest architectural design quality and materials and be appropriate to their context.
- 6.40 Policy 48 ‘Skyline’ requires developments which may impact on the skyline to demonstrate how they will protect or enhance the quality of views, vistas, gaps and skyline.

- 6.41 Policy 90 'Bromley Town Centre Opportunity Area' seeks to secure the delivery of at least 2,500 homes and 2,000 jobs in Bromley Town Centre. The policy sets out that the Council will prepare an Opportunity Area Planning Framework to deliver this, forming an early review of the Bromley Town Centre Area Action Plan and implementation of the Bromley Town Centre Housing Zone.
- 6.42 Policy 92 'Metropolitan & Major Town Centres' advises that the Council will require development within Bromley Town Centre to contribute positively to the town's status as an Opportunity Area and its role as a Metropolitan Centre.

Bromley Town Centre Area Action Plan (BTC AAP)

- 6.43 The Area Action Plan was adopted in October 2010 and provides a strategic planning framework for the future of Bromley Town Centre. The site is identified as an Opportunity Site within the Town Centre (Opportunity Site G).
- 6.44 The Spatial Strategy diagram (extract) identifies potential locations suitable for tall buildings, identified with a blue asterisks. One of these is almost adjacent to the site, as illustrated in the map extract below. Our view is that these locations are deliberately vague and not site-specific, which is underscored by the decision to use asterisks to show the location rather than outlines around particular sites. Moreover, if these were site specific markers, we would expect to see a schedule of tall building sites within the policy, which is not provided.

Figure 1: Area Action Plan Spatial Strategy



6.45 Policy BTC1 'Mixed Use Development' of the AAP seeks to deliver mixed use schemes on the Opportunity Sites identified in the Key Diagram. For Opportunity Site G, the AAP envisages around 1,180 residential units in this site, with 20,000 sqm of retail floorsapce, 5,000 sqm of food and drink use and 2,000 sqm of community floorspace.

6.46 Other relevant policies within the document include:

- Policy BTC2 – Residential Development
- Policy BTC8 – Sustainable Design and Construction
- Policy BTC17 – Design Quality
- Policy BTC18 – Public Realm
- Policy BTC19 – Building Height
- Policy BTC20 – Plan and Informal Recreation
- Policy BTC28 – Car Clubs
- Policy BTC31 – Developer Contributions
- Policy BTC33 – Planning Applications.

Supplementary Planning Documents

6.47 The London Borough of Bromley has a number of SPDs which provide additional guidance on policies within the Local Plan. The relevant SPDs in this instance are:

- LBB Note for Developers and Architects: The Storage and Collection of Refuse from Residential and Commercial Buildings
- Planning Obligations SPD (2010)
- Affordable Housing SPD (2008)
- SPG 1: General Design Principles
- SPG 2: Residential Design Guidance

7. ASSESSMENT OF THE PROPOSALS

7.1 This section assesses the development against the objectives of the development plan and sets out the case for policy compliance, leading to the conclusion that planning permission should be granted. It is considered that there are ten main matters relevant to the consideration and assessment of this proposal, comprising:

- The five year housing land supply position in Bromley;
- Whether the principle of development is acceptable;
- Whether this is a location suitable for a tall building;
- Whether the development is of an acceptable design and density;
- Whether there would be any unacceptable heritage impacts;
- Housing considerations, including unit mix and affordable housing;
- Quality of accommodation for future residents
- Relationship with neighbours;
- Economic benefits of the development;
- Policy compliance in respect of technical matters;
- Heads of Terms.

7.2 Each of these matters is addressed in turn below.

Five Year Housing Land Supply Position in Bromley

7.3 It is accepted by the Council that it is currently unable to demonstrate a 5 year supply of housing land. The Borough's position is that it can demonstrate a 3.31 year supply of land, but evidence exists to suggest a worse position of a 2.9 year supply. Either way, it is accepted by the Council that the shortfall below the 5 year minimum requirement is very significant.

7.4 In the light of the current circumstances in Bromley with the authority accepting that it is unable to demonstrate a five year supply of housing land, paragraph 11d) of the NPPF is engaged which sets out the presumption in favour of sustainable development. In respect of decision taking, paragraph 11d)ii explains that where development plan policies are out of date, planning permission should be granted unless the adverse impacts of doing so "*would significantly and demonstrably outweigh the benefits*".

7.5 As set out in the highly significant and relevant conclusions of the Inspector who determined the recent Footzie Social Club appeal (APP/G5180/W/20/3257010), it is clear that the policies in the development plan most relevant to the determination of applications in the Borough are now out of date, meaning they attract reduced weight for the purposes of assessing applications involving housing development in the Borough and this must influence the approach the Council takes in assessing the proposed development.

7.6 In determining this application, no less than very substantial weight must be given to the delivery of housing at the application site and this is addressed further in the Planning Balance section, below.

Principle of Development

- 7.7 Planning policies at all levels direct residential and commercial developments into the most sustainable and accessible locations in the country and as discussed above, the application site is located within a Metropolitan town centre with a PTAL of 6b. It is, therefore, one of the most sustainable locations for development across London and there is, therefore, significant policy support for development.
- 7.8 The Council's 2019 Local Plan recognises this and has established an Opportunity Area covering the site which envisages the delivery of 2,500 homes in the town centre and has also allocated the site for residential development up to 1,230 additional homes from Churchill Gardens down to Bromley South Station. The proposed development at the application site, comprising the delivery of a significant number of homes (including affordable housing) and commercial space is, therefore, entirely consistent with the Plan's overall vision for development in the town centre and as such the principle of development is acceptable.
- 7.9 The very simple and straightforward conclusion in respect of this second main matter is that the principle of redevelopment at the site attracts significant policy support and is, therefore, acceptable.

Whether this is a Location Suitable for Tall Building Development

- 7.10 There is no Local Plan numeric definition as to what constitutes a tall building, but paragraph 5.1.20 of the Local Plan sets out that they are buildings which exceed the general height of their surroundings and cause a significant change to the skyline. The London Plan sets out that tall buildings should not be less than 6 storeys in height and are those which are significantly taller than their surroundings. The proposed development involved the construction of a building standing between 12 and 14 storeys in height and is, therefore, accepted to be a tall building such that tall building policies in the Local Plan and London Plan are engaged.
- 7.11 As outlined in Policy BTC19, Bromley Town Centre is considered to be an appropriate location for tall buildings. The site is also located within BTCAAP Development Zone 2 and is in a location identified as being suitable for a tall building. This is reinforced in the 2019 Local Plan, which sets out at paragraph 5.1.20 (associated with Policy 47) that town centres with high public transport accessibility will be suitable for tall building development, subject to design considerations. Moreover, the substantial allocation covering the site adds further weight to the proposed development of a tall building as it would not be possible for the allocation's ambitions to be delivered without tall building development.

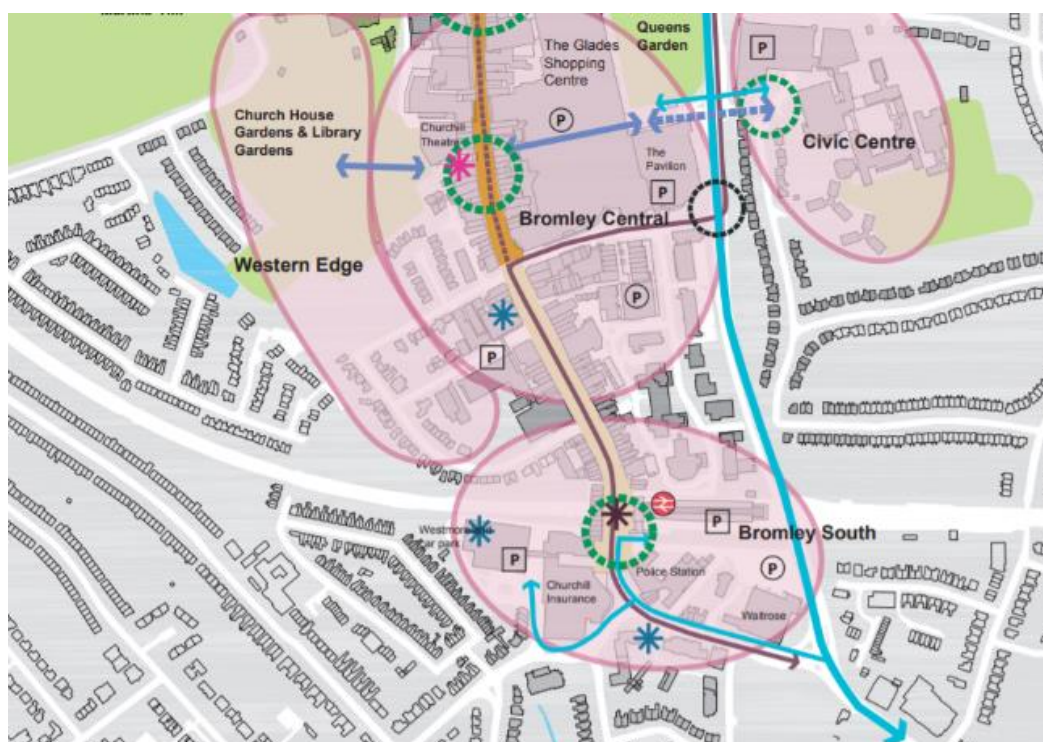
7.12 Local Plan Policy 47 relates specifically to tall building development in the Borough and requires these to make a positive contribution to the townscape by ensuring that their massing, scale and layout enhances the character of the surrounding area. It also requires them to be of the highest architectural design quality and appropriate to their location, including taking into account the impact on heritage and strategic views. Similarly, Policy 48 requires development which may impact on the skyline to demonstrate how they will protect or enhance the quality of views, vistas, gaps and skyline.

7.13 London Plan Policy D9 relates to tall building development in London and sets out that these should be proposed in locations identified in the development plan. Tall buildings are defined in the policy as potentially being any building standing in excess of 6 storeys in height. The policy seeks to ensure that applicants consider the visual, functional and environmental impacts of proposed tall buildings. Each of these tests are discussed below.

Location identified in the development plan

7.14 The adopted Area Action Plan identifies this as a location suitable for tall building development. It is notable that the Plan refers broadly to “locations” rather than identifying specific sites which are appropriate for tall buildings. This broad approach is reinforced by Figure 2 which shows the appropriate “locations” through the use of a blue asterisk rather than specific sites being outlined with a schedule of sites being set out in the policy.

Figure 2: Area Action Plan Spatial Strategy



- 7.15 In considering this matter, it is relevant to note the permission granted by the Council under reference 20/04296/FULL1 at Prospects House, Elmfield Road. Here permission was granted for the development of a 10 storey building (and thus exceeds the 6 storey threshold set out in Policy D6) on a site not identified in the AAP as a location suitable for a tall building. In the Committee Report, Officers justify the development height given the site's town centre location and taller surrounding buildings.
- 7.16 During pre-application discussions, neither the GLA nor officers at LB Bromley raised any objection to the principle of tall building development at the application site. In the light of this and given the Local Plan and AAP policy position, this is clearly a location suitable for tall building development and as such, the proposal is supported by London Plan Policy D9. Paragraph 6.3.4 of the Committee Report for this application states: *"given its town centre location, it is considered that the principle for a taller building is acceptable"*.

Visual Impact

- 7.17 A Townscape and Visual Impact Assessment has been prepared which includes a townscape study of up to 0.75km from the site and a visual study up to 6.7km from the site. The report finds that the proposed development would successfully integrate within the townscape and visual context. Due to the high quality architecture, the report finds that the development will have beneficial effects at the site level and to Bromley's local townscape character areas. The impact upon views is also found to be beneficial due to the angled form of Block A which will provide visual interest and a positive contribution to the skyline. The report finds that the development will integrate with both the existing and future baseline, which will include a collection of taller massing.
- 7.18 The visual assessment finds that the likely effects on close, mid and long range views as being beneficial due to the form of the Block A and Block B providing visual interest, the use of materials and articulation to the façade and the positive contribution to the skyline.

Functional Impact

- 7.19 The external and internal design of the building will ensure the safety of all future occupants. This will be supplemented by the regular maintenance and servicing of the buildings. With regards to access, the entrance and ground floor spaces are logical, simple and straightforward to use and designed to be read with a high degree of legibility. Suitable means of access will be provided for all people from the entrance points. Routes and access ways are sufficiently wide to allow people to pass each other. Principle entrance and lobbies are identifiable and accessible. Independent horizontal and vertical movement will be convenient and ensure that people can make use of all relevant facilities.

- 7.20 With regards to the jobs, services, facilities and economic activity that the development will bring to the area, an Economic Benefits Summary has been prepared by Boyer, which finds that the proposed development will generate a total GVA impact of £58,220,000 and 89 (FTE) jobs through the construction phase. The operational phase will also generate 31 (FTE) jobs. A total of 423 sqm (GIA) Class E floorspace will also be provided. Of this 152 sqm will be in the form of a restaurant or café and 271 sqm will be in the form of affordable office space. As such, the proposals will deliver significant benefits to Bromley Town Centre.
- 7.21 During the construction phase, the proposals will not interfere with aviation, navigation or telecommunications, further avoiding significant detrimental effects on solar energy generation on adjoining buildings.

Environmental Impact

- 7.22 A Wind and Microclimate Report has been prepared by XCO2 to assess the wind impacts of the development. In summary, the report finds that no significant adverse effects are anticipated in either the proposed or cumulative scenarios (taking into account nearby developments) as a direct effect of the scheme. Further details are provided within the report.
- 7.23 With regards to daylight and sunlight, a Daylight, Sunlight and Overshadowing Assessment has been provided by XCO2 which finds that the impacts are in line with the daylight and sunlight levels to be expected in urban environments within associated masterplan schemes. The report also finds that there will be no significant impacts on sunlight access to amenity spaces surrounding the site. Full details on the impacts are provided in the submitted Daylight, Sunlight and Overshadowing Assessment.

Cumulative Impacts

- 7.24 There are a number of other tall buildings proposed in Bromley Town Centre, as detailed in Section 3. Whilst the proposals on these sites have been taken into consideration, limited consideration can be afforded to these with regards to cumulative impacts given that they have not yet been approved.

Summary

- 7.25 The application site is in a location identified in the Local Plan and AAP as being appropriate for tall building development and this complements the site's location within the Opportunity Area and within an allocation for significant residential development.
- 7.26 There is considerable policy support for the development of a tall building at the site and the assessment set out above and in the TVIA and technical reports shows that the proposal will comply with all elements of London Plan Policy D9, making a positive contribution to the skyline and enhancing the area's character. On this second main matter, it is concluded that the site is in a location appropriate for tall building development.

Whether the Development is of an Appropriate Design and Density

- 7.27 London Plan Policy D3 encourages development to make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Moreover, it promotes higher density developments in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. Given the site's location within an allocated site in an Opportunity Area which is immediately adjacent to a vast range of services, amenities and public transport links, it is highly appropriate for a high density development.
- 7.28 Local Plan Policy 4 seeks to ensure that new housing developments achieve high standards of design in order to enhance the quality of local places. Local Plan Policy 37 provides some further guidance on the design of new development and specifies that these should be imaginative and attractive to look at whilst complementing the surroundings; contributing positively to the street scene and respecting important views and heritage assets; creating attractive settings in the spaces around buildings; enabling light to penetrate in and between the surrounding buildings; and including security and crime prevention measures.
- 7.29 Specific guidance on design within Bromley Town Centre is provided in the Area Action Plan. Policy BTC2 requires development to take into account site characteristics and the surrounding character of the town centre and adjoining residential areas. Policy BTC17 requires developments to enhance the appearance and environment of the town centre and Policy BTC18 seeks to promote a high quality, well designed and well connected public realm in order to improve the appearance and attractiveness of the town centre.
- 7.30 At paragraph 124 the NPPF makes clear that planning decisions should support developments which make an efficient use of land, taking into account local needs, the availability of local infrastructure and services, the desire to limit the use of cars and promoting urban regeneration and change. Paragraph 125 goes on to explain, "*where there is an existing ... shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site.*" At part c) the paragraph places further emphasis and importance on the need for development to optimise the use of sites, explaining that LPAs should refuse permission for developments which fail to make efficient use of land and within that context, "*...when considering applications for housing, authorities should take a flexible approach in applying policies or guidance relating to daylight and sunlight, where they would otherwise inhibit making efficient use of a site*".
- 7.31 These objectives are then reinforced at paragraph 130 of the NPPF, which explains that planning decisions should ensure that developments function well and add to the overall quality of an area, are visually attractive and optimise the potential of a site to accommodate and sustain an appropriate amount and mix of development.

- 7.32 The proposals have been developed through a robust and considered design-led approach which, in accordance with the London Plan and the NPPF, has optimised the capacity of the site while also ensuring that surrounding sites in the allocated area can come forward for development without any undue limitation.
- 7.33 In accordance with the layout indicated in the previous Masterplan for the area, the proposed layout comprises two buildings, with Block A addressing Ringers Road and Block B addressing Ethelbert Road. Block A will be situated towards the south of the site, fronting Ringers Road and is 14 storeys, stepping down to 12 storeys with Block B standing at a maximum of 12 storeys and stepping down to 10 storeys in height. These stepped building heights create visual interest and break up the massing of the buildings. The stepped design also responds positively to the sloping topography along both Ringers Road and Ethelbert Close, with land levels falling away from High Street.
- 7.34 The height of the proposed development has been subject of considerable detailed discussion and negotiation with the Council and the GLA with advice also being received through a DRP presentation. It was clear during the pre-application engagement exercise that the 19 storey building originally proposed would have been unacceptable on the basis of townscape impacts. As such the height of the development has been considerably reduced, taking into account the height of other emerging proposals in the town centre and the height of the Churchill Theatre building. At 12-14 storeys, the development now stands below the height of the theatre and at its tallest point is the same height at the emerging Countryside development on the adjacent site.
- 7.35 It has previously been established that the principle of a tall building is acceptable at the site and therefore, policies in the development plan require that the design-led approach which the applicant has adopted defines the number of units and development density. Given that the ridge height of the development has been established by reference to surrounding landmarks, it is then incumbent on the applicant to make best use of the building, especially in the light of the lack of a 5 year supply of housing land in the Borough and the immediate proximity to transport connections, shops and other services.
- 7.36 The design has been prepared such as to facilitate the development of neighbouring sites. During the pre-application phase, attempts were made to discuss a joint proposal with the Salvation Army, but they had no desire for their site to be developed in the short to medium term. As such, the design of the east elevation of Block B has been designed to provide visual interest in views from the High Street with false windows and other detailing while not providing any facing windows, which could have the effect of sterilising that site. Moreover, this design assists in facilitating the redevelopment of the site at 66-70 High Street, which is reliant on windows facing west, across the Salvation Army site and towards the application site. By not providing any windows facing east, it can be ensured that future occupants of both developments will have adequate access to necessary levels of privacy and amenity.

- 7.37 The design of the development's western elevations has been designed in a similar way and this allows those sites to the west and further down Ringers Road and Ethelbert Road to come forward for development and they will be able to achieve similar development heights to those proposed in this application.
- 7.38 All sites within the allocated area are in separate ownerships and thus it is not possible for them to come forward in a single application or phase. In such circumstances, the onus lies on each applicant to ensure that their developments achieve a high standard of design and not only optimise the use of their site, but also facilitate the development of neighbouring sites. The applicant has achieved this through the careful design process and thus the proposal facilitates the delivery of the wider allocation, meaning it is compliant with Local Plan Policy H1.
- 7.39 The materials used reflects the local vernacular and palette used by existing buildings along both Ringers Road and Ethelbert Close. The buildings will be predominantly red brick, with brick detailing including inset brick panels and horizontal stacked brick feature banding. This adds depth and detail to the elevations, and also ensures that the east and west elevations of the building (which have limited window positions) are attractive. Inset balconies, angled bay windows and metal fascia will create more visual interest.
- 7.40 At ground floor level, it was originally intended to provide additional residential accommodation, but the advice received during the pre-application process was that there should be a greater amount of activation of the ground floor of the development. As a result of that, significant commercial spaces have been introduced into the Ethelbert Road frontage. This design significantly enhances the site's frontage and relationship with the highway (replacing the shutter doors which service the existing building) and will encourage additional footfall along Ethelbert Road towards the park.
- 7.41 At ground floor level in Block A (fronting Ringers Road), there are necessarily the facilities and amenities required by the development (including the substation and refuse and cycle store entrances) together with the generous entrance to the concierge for the development, which creates an attractive and welcoming entrance from the street.
- 7.42 Overall, the proposed development achieves a very high standard of design which will enhance the quality of Bromley Town Centre and which allows the site's potential to be optimised while ensuring that neighbouring sites can be developed without undue limitation. The proposals complement the surrounding area and contribute positively to both the Ringers Road and Ethelbert Road street scenes. Accordingly, the proposed development is supported by Policies D3 and D4 in the London Plan, Policies 4, 37, BTC2, BTC17 and BTC18 in the Local Plan and AAP and paragraphs 124, 125 and 130 of the NPPF.

Whether There Would be Any Unacceptable Heritage Impacts

- 7.43 The application site does not contain and is not in the setting of any statutorily or locally listed buildings and it does not form part of a conservation area. However, given the height of the proposed development, it is necessary to assess the development's impact on views within the Bromley Town Centre Conservation Area, which is located approximately 50m to the north.
- 7.44 Policy 42 of Bromley's Local Plan is relevant, which seeks to ensure that proposals adjacent to a conservation area preserve or enhance its setting and do not detract from views into or out of the area.
- 7.45 As a result of the advice received during the pre-application process, specifically during public engagement and through the DRP, it became evident that a building of the height previously proposed (which stood up to 19 storeys in height) would not be supported locally given, *inter alia*, the impact on views. In addition to resulting in a significant reduction in proposed development height, that process assisted in identifying locations from which the development's impact should be tested and justified and this is set out in the TVIA.
- 7.46 The TVIA demonstrates that the proposed development would not adversely impact any of these identified views and would retain views of landmark buildings across Bromley. The Assessment further demonstrates that the proposal would not have any harmful impact on the Bromley Town Centre Conservation Area.
- 7.47 In the light of the acceptable relationship with the Conservation Area, there is no heritage harm arising from the development and thus the proposal is consistent with London Plan Policies D3, HC1 and Local Plan Policy 42 in this regard.

Housing Matters including Unit Mix and Affordable Housing

- 7.48 This section of the Statement assesses the relevant housing matters, including the appropriateness of the proposed unit mix and type of unit provided within the development and affordable housing contributions.
- 7.49 In the context of a Borough without the requisite five year supply of housing land, no less than very substantial weight should be afforded to the matter of the development's proposal to provide a significant amount of housing, which can quickly contribute to the Council's supply and delivery rates.

Unit Size and Mix

- 7.50 London Plan Policy H10 deals with housing size mix and explains that developments should consist of a range of sizes having regard to various matters including local evidence, the need to deliver mixed and inclusive neighbourhoods, the need to optimise housing potential and the nature and location of a site with a higher proportion of 1 and 2 bedroom units provided in town centres and areas with good public transport access.

7.51 Local Plan Policy 1 deals with housing supply and sets out to deliver sufficient housing to meet local needs. The policy does not make any specific reference to a unit mix required in new development, but the supporting text at paragraph 2.1.17 sets out that the 2014 SHMA highlights that the highest level of need across tenures within the Borough is for one bedroom units (53%), two bedroom units (21%) and three bedroom units (20%). The text further advises that larger development proposals should provide for a mix of unit sizes.

7.52 In view of the policy position and the site's location in the heart of a Metropolitan Town Centre with a PTAL of 6b, it is proposed to provide a development comprised only of 1 and 2 bedroom units, comprising 37 one bedroom units (39%) and 57 two bedroom units (61%). This mix of unit sizes is considered acceptable and broadly consistent with the most recent evidence of local housing needs.

Affordable Housing

7.53 London Plan Policy H4 requires that affordable housing should be delivered on site. Bromley's affordable housing policy (BLP Policy 2) sets a requirement for 35% of all qualifying developments to be delivered as affordable housing with a 60:40 social rent / intermediate tenure mix.

7.54 In addition to under delivering on housing in general, LB Bromley have also been significantly under delivering affordable housing.

7.55 This position was confirmed in the Footzie Social Club appeal decision in which the Inspector identified a need for 1,404 net affordable homes per annum in the Borough between 2011 and 2031. This equates to 28,080 affordable dwellings over the next 20 years. The appeal confirmed that on average, only 104 net new affordable dwellings have been delivered in each of the last five monitoring years (2015/16 to 2019/20), with only 1,475 having been delivered since 2011. The total delivery over that nine year period is only marginally greater than the annual average requirement. The Inspector concluded that there is a cumulative shortfall of 12,636 affordable units against what should have been delivered over that same period. The Inspector described this performance as "woeful".

7.56 Paragraph 86 of the Footzie Social Club appeal decision explains that the largest number of affordable units delivered in any one year (357) equates to just 25% of the annual average need. Given this performance to date and the scale of the shortfall, the Inspector advised that there is little prospect that the rate and delivery of affordable housing will significantly improve in the short to medium term and that the provision of all members of the community is not being given the highest priority by the Council. In allowing the appeal, the Inspector attached "very substantial weight" to the delivery of affordable housing.

7.57 In the light of this background, the applicant is committed to assisting the Council in boosting affordable housing delivery and thus proposes 35% affordable housing on this development with a policy compliant tenure split. This offer should immediately be endorsed and, as noted above, must carry no less than very substantial weight.

- 7.58 London Plan Policy H5 confirms that schemes that propose 35% affordable housing are eligible to follow the Fast Track Route subject to the criteria within part c of the policy being met (these are set out above). Where those criteria are met, fast tracked applications are not required to provide a viability assessment at application stage.
- 7.59 The first criterion requires that the relevant threshold level of affordable housing (in this case 35%) is provided on site without public subsidy. The proposal complies with this requirement, given it will deliver 35% affordable housing on site. Second, the policy requires that a compliant tenure split is provided and again, this requirement is met. The third criterion requires that the application meets other relevant policy requirements and obligations. The precise meaning of this criterion is not explained within the reasoned justification, but as set out across this section of the Statement, the development is considered to be policy compliant. The fourth criterion requires that an applicant demonstrates that the Mayor's strategic 50% target has been taken into account. This has been considered in the context of this proposed development, but given the significant costs involved in carrying out the development, an affordable housing contribution in excess of the 35% target would render the scheme unviable and undeliverable.
- 7.60 In the light of the application's compliance with criteria 1-4 at part C of London Plan Policy H5, it can follow the fast track route and no viability assessment is required. The proposed development is, therefore, policy compliant in respect of affordable housing delivery and this sets it apart from other schemes which have been recently approved or proposed in the town centre, where significantly reduced contributions have been made, or are being offered.

Quality of Accommodation for Future Residents

- 7.61 This section discusses the quality of accommodation provided for future residents.
- 7.62 London Plan Policy D6 seeks to ensure that housing development is of a high quality design and provide adequately-sized rooms with comfortable and functional layouts. In addition, at Part C, the policy sets out that housing developments should maximise the provision of dual aspect design with single aspect dwellings being avoided unless their inclusion assists in optimising a site's potential, in accordance with the objectives of Policy D3. Local Plan Policy 4 seeks to ensure that the minimum space standards set out under the London Plan are adhered to.
- 7.63 All proposed residential units benefit from high quality internal living space, with generous living areas which lead directly onto private balconies. The internal spaces will all meet the minimum space standards set out under the London Plan (2021) and the London Plan Housing Supplementary Planning Guidance.
- 7.64 The internal layout of the units has also been carefully considered to ensure that all flats benefit from good levels of privacy and outlook. The initial proposals involved flats at ground floor level, however following pre-application discussions, these have been omitted from the scheme. As such, all flats will be located across the upper floors which will ensure that there are no opportunities for overlooking from the public realm.

- 7.65 With regards to outlook, the number of dual aspect units has been maximised as much as possible given the context of the site. Furthermore, all units to the north will have balconies on the corner and angled windows on the flank elevations in order to avoid single aspect north facing units. Many of the flats will also benefit from panoramic views by virtue of the elevated position of the site.

Daylight and Sunlight

- 7.66 London Plan Policy D6 seeks to ensure that proposals maximise the provision of dual aspect dwellings and that the design of development should provide sufficient daylight and sunlight to new and surrounding housing. Policy 37 seeks to ensure that the relationship between buildings should allow for adequate daylight and sunlight to penetrate in and between buildings. However, the NPPF makes clear at paragraph 125c) that the priority for new development is to optimise a site's potential and that particularly where a Council cannot demonstrate a 5 year supply of housing land, a flexible approach should be taken to applying policies and guidance related to daylight and sunlight impacts.
- 7.67 The proposed design has been revised following input from the daylight and sunlight consultants to ensure that the internal daylight and sunlight levels are maximised as much as possible. An Internal Daylight and Sunlight Report has been prepared by XCO2 which has assessed the quality of internal light amenity for future residents. In summary, the report finds that the habitable rooms of the development will achieve good levels of daylight and sunlight given the site constraints and urban context. Whilst there are some isolated shortfalls across the lower levels, it is important to highlight the context of the site comprising an allocated site within a town centre, as well as a tall development to the south of the site.

Noise

- 7.68 London Plan Policy D14 seeks to mitigate and minimise the existing and potential adverse impacts of noise within new development. Policy 119 of Bromley's Local Plan seeks to ensure that the design and layout of new development ensures that noise sensitive areas and rooms are located away from parts of the site most exposed to noise wherever practicable. The policy also requires external amenity areas to incorporate acoustic mitigation measures such as barriers and sound absorption where necessary.
- 7.69 A Noise Assessment has been prepared by Lustre Consulting. The report concludes that the assessment undertaken demonstrates complaint internal ambient noise levels can be achieved using readily available façade and glazing build ups for the majority of the proposed development. Higher performance glazing has been recommended for the upper floors along the most exposed facades to environmental noise. These measures will ensure that future residents benefit from suitable noise levels.

Private and Communal Amenity Space

- 7.70 London Plan Policy D6 states that where there are not higher local standards in the borough Development Plan Documents, a minimum of 5 sqm of private outdoor amenity space should be provided for 1-2 person dwellings and an extra 1 sqm for each additional occupant. It must also achieve a minimum depth and width of 1.5m. Local Plan Policy 4 seeks to ensure that sufficient external and private amenity space is provided. This space should also be accessible and practical.
- 7.71 Each residential unit will be provided with private amenity space in the form of a balcony measuring a minimum of 5 sqm, and where necessary an additional 1 sqm will have been provided for each additional occupant. All balconies will achieve a minimum depth of 1.5m.
- 7.72 Moreover, communal amenity space will be provided in the form of a courtyard situated between both Block A and Block B, which will serve residents from both blocks. The landscape plans prepared by ETLA illustrate the proposed landscaping within this courtyard, with high quality hard and soft landscaping, a new water feature and a shallow rain garden. Climbers in planter boxes will also be used to break up the façade of both buildings. A Future Masterplan has also been prepared by ETLA which demonstrates how the site would integrate with the neighbouring sites once developed to create a larger open space.
- 7.73 Policy BTC20 states that development will be required to provide play and informal recreation facilities based on an assessment of needs generated by proposed developments. The proposed development involves some areas for informal play within the communal amenity space between the blocks. The site is also within walking distance of a number of play areas which residents will be able to benefit from, including Church House Gardens, Newbury Playground and Queens Gardens.

Fire Safety

- 7.74 London Plan Policy D12 seeks to ensure that in the interests of fire safety, all development proposals must achieve the highest standards. All major development proposals should also be submitted with a Fire Statement.
- 7.75 A Block A has a direct fire escape from the ground floor lobby out onto Ringers Road. Block B has a direct escape on the ground floor lobby out onto Ethelbert Road. Both block are sprinkler protected within the commercial areas, communal areas and within each residential unit.
- 7.76 The proposal has been designed with input from a fire consultant, and a Fire Statement has been prepared by Orion which details the proposed fire strategy. This details the fire safety principles that have been applied to the development and the emergency access requirements and water supplies for firefighting purposes.

Accessible Housing

- 7.77 Policies 33 and 34 of Bromley's Local Plan seek to ensure that proposals are designed to ensure ease of access and movement with disabilities or mobility impairments. This is echoed in Policy 37 which seeks to ensure that access meets the principles of inclusive design. London Plan Policy D5 and Local Plan Policy 4 require 90% of all residential units meet the Building Regulation Requirement M4(2) as accessible and adaptable dwellings and 10% of all dwellings should meet Building Regulation Requirement M4(3), accessible for wheelchair users.
- 7.78 The development has been designed to be accessible to meet the needs of all potential users, as discussed in Paragraph 7.24. Furthermore, 90% of the proposed residential units will be accessible and adaptable dwellings, thus meeting the Building Regulation Requirement M4(2). Moreover, approximately 10% (11 residential units) will meet Building Regulation Requirement M4(3), by being accessible for wheelchair users. This therefore satisfies Local Plan Policies 33, 34 and 37 and London Plan Policy D5.

Relationship with Neighbours

- 7.79 Policy 37 requires new development to respect the amenity of occupiers of neighbouring buildings by ensuring that they are not harmed by noise and disturbance, have adequate levels of daylight, sunlight, privacy and are not harmed by overshadowing. Paragraph 125c) of the NPPF makes clear that where there is a shortage of land for housing (as is the case in LB Bromley), the priority is the optimisation of a site's development potential with a flexible approach required to the application of policies and guidance related to light impacts.
- 7.80 Given the context of the site within Bromley Town Centre, there are a mix of surrounding uses. The closest residential units are predominantly to the west and south of the site, comprising a four storey flatted development at 6 Ringers Road, 6-10 storey apartments buildings to the south (William House and Henry House), as well as further residential development to the west along Ringers Road and Ethelbert Road. There are also residential properties to the north on Ethelbert Close, however these are subject to a pending planning application for the redevelopment of the site to provide a mixed use development (Churchill Quarter).

Privacy

- 7.81 Due to the site constraints, the window positions have been carefully considered, with outlook predominantly focused towards the north and south. On the east and western elevations which are closest to neighbouring properties, angled windows have been introduced to ensure that the development does not cause overlooking issues or compromise the development potential of adjacent sites.

- 7.82 Whilst there are some windows proposed within the western elevation within Block A, these are limited to one per floor which will serve a bedroom. The neighbouring property closest to these windows is 6 Ringers Road. This property has windows within the flank elevation, however the windows serve a communal staircase which provides access to the buildings. As such, there will be no harmful privacy impacts for 6 Ringers Road. With regards to the properties beyond this to the west, the separation distance between the windows on the west elevation and the properties/gardens will ensure that there are no harmful privacy impacts.
- 7.83 To the north, Ethelbert Road will separate the site from properties on Ethelbert Close and to the south, Ringers Road will separate the building from William House and Henry House. By virtue of the fact that the proposed buildings maintain the building line along the streets, the established relationship along these streets in terms of separation distances.

Outlook and Enclosure

- 7.84 The scale and massing ensures that the proposals will integrate successfully with the existing and emerging surrounding context, whilst also reflecting the site's allocation and designation within a metropolitan town centre and Opportunity Area. As discussed, there are a limited number of residential properties immediately adjacent to the site. The properties to the west front Ringers Road and Ethelbert Road, meaning that there are limited residential windows facing directly towards the site. This will ensure that there are no unacceptable impacts on outlook from these neighbouring properties.
- 7.85 To the east, properties front onto High Street and provide ground floor commercial space with non-residential uses across their upper floors. Accordingly, there will be no adverse impact on these properties.
- 7.86 The emerging development at 66-70 High Street proposes substantial residential on the upper floors above the ground floor commercial space. The residential development relies on outlook to the west, across the Salvation Army site and towards Block B in this development. The amount of separation between that proposed building and the one proposed in this application is sufficient to ensure that there will not be any undue impact on outlook from that development. In any event, that development is a multi-storey, high density redevelopment proposal within the allocated area. Any future occupant of that development will reasonably expect their outlook to include other high rise buildings in the surrounding area.

Daylight and Sunlight

- 7.87 A Daylight and Sunlight Assessment has been prepared by XCO2 which provides an assessment of the likely impacts on surrounding properties. Overall, this report finds that the impacts are in line with the daylight and sunlight levels to be expected in urban environments within associated masterplan schemes. The report also finds that there will be no significant impacts on sunlight access to amenity spaces surrounding the site. Full details are provided within XCO2's

Noise

- 7.88 London Plan Policy D14 seeks to mitigate and minimise the potential adverse impacts of noise within new development on neighbouring uses. A Noise Assessment has been prepared by Lustre which advises that any new plant associated with the development must meet LPA requirements. The report also includes the proposed plant noise limits which can be controlled by condition. These will ensure that there are no adverse impacts on neighbours.
- 7.89 In the light of the foregoing, it is clear that the proposed development will relate well to its neighbours and any impacts are not unreasonable and certainly would not be unexpected in the context of an allocated town centre site.

Economic Impacts of the Development

- 7.90 The site is located in Bromley Town Centre, which is designated as an Opportunity Area in the London Plan. Local Plan Policy 80 identifies the Town Centre as a strategic priority area for economic growth and Policy 90 sets out that the Council will prepare an Opportunity Area Planning Framework for the Town Centre to deliver a minimum of 2,500 homes and 2,000 jobs. Local Plan Policy 92 requires development within Bromley Town Centre to contribute positively to the town's status as an Opportunity Area and its role as a Metropolitan Centre, as well as having regard to the objectives in the Area Action Plan.
- 7.91 To deliver these objectives, the Council have identified Opportunity Sites within the Area Action Plan and site allocations within the Town Centre. The site is located within Opportunity Site G and allocation Site 10. Both of these allocations require the delivery of mixed use development including residential use.
- 7.92 It is clear in Policy 92 that for sites outside of the primary and secondary frontages in the town centre, development should contribute positively to the vitality and viability of the Town Centre. Paragraph 86 of the NPPF recognises that in order to secure the long term vitality and viability of town centres, they should be able to grow and diversify in a way that can respond to rapid changes and allows a suitable mix of uses including housing. As such, the proposed mix-use redevelopment of the site will make effective use of this sustainable brownfield piece of land within an Opportunity Area and an allocated piece of land to deliver replacement commercial use and a significant number of residential units, which will make a positive contribution to the vitality and viability of Bromley Town Centre.
- 7.93 This section of the Statement considers the economic benefits of the proposed development, first in respect of the replacement commercial floorspace and second, the wider economic benefits arising from the proposed redevelopment of the site.

Replacement Commercial Floorspace

- 7.94 The proposals seek to replace the existing restaurant and photography studio on site with high quality, purpose built commercial floorspace within Use Class E as well as co-working space for future residents.

- 7.95 Within Block A there will be a residents' lobby/co-working space/events space at ground and lower ground floor. Block B will accommodate 423 sqm (GIA) of Class E floorspace. Of this, it is proposed that 271 sqm will be provided as affordable workspace and 152 sqm will comprise a café. These units within Block B will both front Ringers Road and will therefore activate the street and this part of the Town Centre. Given the site's location within the Town Centre, the proposed uses are acceptable, as supported by Local Plan Policy 91.
- 7.96 The proposed commercial spaces will create significant new employment opportunities in place of the existing uses which have a low employment yield.
- 7.97 An Economic Benefits Summary has been prepared by Boyer. This report sets out that during the 'Operational Phase' a further 31 (FTE) jobs will be created through the proposed Class E uses and maintenance associated with the building and the C3 Residential Uses. Further details of the economic benefits are provided within the report. This demonstrates that the proposals will make a positive contribution to the vitality and viability of the town centre, as encouraged by Policy 92.

Wider Economic Benefits

- 7.98 Having assessed the benefits arising directly from the replacement of the existing poor quality commercial space with high quality, purpose built space, it is relevant also to discuss the wider economic benefits arising from the proposed redevelopment of the site. These benefits are important material considerations attracting considerable weight in the planning balance.
- 7.99 The submitted Economic Benefits Summary outlines that during the 'Construction Phase' the proposal will directly contribute to the creation of 89 (FTE) jobs, further generating a total GVA impact of £58,220,000. During the 'Operational Phase' the proposal will deliver 31 new jobs and 160 new residents which are projected to provide an initial homemaking spend of £1,833,000, total household spend per annum of £2,430,000, local spend of £578,000 per annum, Council Tax of £159,000 per annum, New Homes Bonus of £704,000 and business rates of £37,000. Full details of the economic benefits proposal are provided in the Economic Benefits Summary.

Policy Compliance in Respect of Technical Matters

- 7.100 This section summarises the development's compliance with technical matters relevant to the consideration of this application, as detailed in the suite of reports submitted with the application.

Highways Considerations (Parking and Servicing)

- 7.101 In respect of car parking, the London Plan specifies that car parking should be restricted in accessible locations with Policy T6.1 setting out that developments within areas with a PTAL score of 5 or 6 should be car-free.

- 7.102 Given the site's highly accessible location (PTAL 6b) within Bromley Town Centre, the development will be car-free. This is with exception of two spaces provided on Ethelbert Road, one of which will be a disabled car parking space with the second being an accessible car club space. The Transport Statement confirms that this is entirely appropriate given the excellent PTAL score and proximity to services and amenities. All residents will be offered two years free membership to a car club scheme as well as 20 hours of free drive time. This approach is entirely in accordance with the aims of the London Plan and will encourage residents to use sustainable means of transport.
- 7.103 A Travel Plan has been prepared to support the application to encourage and promote the uptake of sustainable travel modes. These initiatives include a resident welcome pack, notice boards, car clubs and other measures detailed in the plan to promote walking and cycling as the primary mode for all trips. The Travel Plan includes a variety of measures and targets, as well as an Action Plan for ensuring that these are implemented at the appropriate stage.
- 7.104 In respect of cycle parking, Policy T5 of the London Plan sets out the minimum cycle parking standards. For residential developments, the requirements are 1.5 long stay spaces per 1 bed 2 person dwelling and 2 spaces for all other dwellings, as well as 4 short stay spaces for a scheme of this size.
- 7.105 The proposals involve the provision of a total of 223 cycle parking spaces, which exceeds to London Plan requirements. Cycle stores are proposed within each of the blocks at lower ground and ground floor levels with lift access provide where required. The store in Block A will provide a total of 109 cycle parking spaces, with 99 spaces provided in the form of Josta 2-Tier stackers, 6 spaces for electric adapted cycle and 4 spaces for electric cycles in the form of Sheffield stands. Block B will provide 112 standard cycle parking spaces, in the form of Josta 2-Tier stackers and 12 spaces for electric cycles provided in the form of Sheffield stands. The number of spaces exceeds the standards set out in the London Plan. In accordance with the London Cycle Design Standards, 5% of the provision (10 spaces) will be suitable for accommodating adapted cycles.
- 7.106 In terms of wider highway impacts, Policy 31 of Bromley's Local Plan seeks to ensure that any new development which is likely to generate significant levels of travel is located in accessible locations, assesses the impacts of the development on the local transport network and sets out mitigation measures to deal with the impacts, and incorporates or contributes to improvements to the highway network. Policy 32 seeks to ensure that road safety is not significantly adversely affected.

- 7.107 A Transport Assessment has been prepared by Evoke which finds that the development proposals will result in a negligible impact on the local highway network, public transport network and local walking and cycling infrastructure. With regards to trip generation, the proposals are anticipated to result in a small addition in the number of trips during the morning period, but a reduction in the afternoon and 12 hour periods, which will provide a marginal benefit to the operation of the highway. The marginal increase will the number of passengers using Bromley North and South Stations and local buses would be imperceptible to the current fluctuation in usage. In terms of active travel, the number of pedestrian and cyclist trips generated by the development would also have negligible impact on the operation of the local pedestrian and cycle routes. In addition to this, the scheme will deliver enhancements to the public realm.
- 7.108 In terms of servicing arrangements, Local Plan Policy 37 seeks to ensure recycling and waste storage facilities are incorporated within the design layout. Policy 113 of the Local Plan requires major development proposals to implement a Site Waste Management Plan to reduce waste on site and manage remaining waste suitably. To achieve this, it requires new development to provide adequate space to support recycling and efficient waste collection. Furthermore, Policy 37 specifies that recycling and waste storage facilities should be incorporated within the design layout.
- 7.109 The proposals involve a refuse store within the basement of Block B (accessible via a lift) and at ground floor level within Block A and will provide a policy compliant amount of refuse store, comprising general waste, recycling and food waste bins. Full details of the number of bins and layout of the stores is provided on the proposed plans and within the Transport Assessment and Delivery and Servicing Plan. The provision is in accordance with the requirements in the LBB Note for Developers and Architects: The Storage and Collection of Refuse from Residential and Commercial Buildings (2011). The refuse stores will be located adjacent to the highway to minimise the drag distances for refuse collections.
- 7.110 With regards to refuse collection and servicing, this will take place on the site frontages on Ethelbert Road and Ringers Road, utilising the existing coach bay on Ringers Road and single yellow line on Ethelbert Road. This will ensure that vehicles can load and upload without impacting the free flow of traffic on the highway. The scheme has been designed to reduce the time that servicing vehicles will spend at the site, through the location of the refuse stores and entrance, as well as the provision of communal post boxes to enable post and parcels to be delivered efficiently. A Delivery and Servicing Plan has been prepared by Evoke Transport which provides further details on servicing arrangements and the management strategy, which will ensure that the delivery and servicing activity maintained efficiently and has minimal impacts on the surrounding transport and highway network.

Energy and Sustainability

7.111 Policies 37 and 123 of the Local Plan requires developments to address sustainable design and construction, including on-site energy generation where appropriate. Policy 124 requires major developments to reduce their carbon dioxide emissions in accordance with the levels set out in the London Plan, as well as investigating the potential for connecting to a decentralised heat or energy network. The policy requires the carbon dioxide reduction target should be met on site unless it can be demonstrated that it is not feasible and any shortfall may be met through an identified project off-site or through a payment in lieu to a local carbon off-setting scheme. Policy SI 2 of the London Plan encourages major developments to be net zero-carbon by reducing energy demand in accordance with the energy hierarchy be lean, be clean, be green and be seen. The policy requires a minimum on-site reduction of at least 35% beyond Building Regulations.

7.112 An Energy Statement has been prepared by XCO2. The report concludes that following the implementation of the four-step Energy Hierarchy, the cumulative CO2 savings on site are estimated at 41.3% for the domestic part and 43.4% for the non-domestic part of the development, against a Part L 2013 compliant scheme. As such, the development will exceed the 35% CO2 reduction on site as required by the London Plan. The remaining carbon emissions to reach the zero carbon target will be offset by a carbon offset payment, thereby meeting the requirements of London Plan Policy SI2.

7.113 A Sustainability Statement has been prepared by XCO2 which details the sustainability strategy for the site. The report concludes that the proposed development will meet the targets set by Bromley Council and the GLA. The commercial areas of the scheme could achieve a BREEAM score of 79.52%, an 'Excellent' target in line with local and regional planning policies. Key sustainability features of the proposals include:

- Re-use of previously developed land;
- Effective site layout to ensure no impact on neighbouring properties;
- Provision of a mixed-use scheme to maximise land use;
- Specification of high-performance fabric and glazing to minimise heat losses;
- NOx emission have been reduced on site through use of communal air source heat pumps ASHP and ultra-low emissions gas boilers;
- Efficient design of the proposed massing, openings and internal layouts so that habitable spaces across the site benefit from abundant daylight and sunlight levels, whilst impacts to neighbouring buildings are kept to a minimum.

7.114 With regards to water efficiency, water efficient fittings will limit water consumption to less than 105 litres per person per day. This is in accordance with London Plan Policy SI5.

Air Quality

- 7.115 London Plan SI1 seeks to improve air quality and requires development to be at least Air Quality Neutral. It also seeks to reduce the impact on air quality during the construction and demolition phases of development. Local Plan Policy 120 requires an Air Quality Assessment to be submitted for developments which are likely to have an impact on air quality or which are located in an area which will expose future residents to pollution concentrations above air quality objective levels. The policy requires development to aim to meet air quality neutral benchmarks.
- 7.116 An Air Quality Assessment has been prepared by Lustre Consulting to support this application. Regarding the impact of construction activities, a qualitative assessment of dust levels associated with the proposed development has been carried out. The report concludes that the impact of dust soiling and PM10 can be reduced to negligible through appropriate mitigation measures, meaning that the likelihood of nuisance dust episodes is low. The report also finds that the proposed development is air quality neutral in relation to the transport emissions. As such, the air quality impacts are acceptable and are in accordance with Policies SI1 and 120.

Trees and Landscaping

- 7.117 Policy 73 of Bromley's Local Plan requires development to take particular account of existing trees on the site and adjoining land which are considered desirable to be retained. Policy 59 seeks to secure improvements in the amount and distribution of, and access to, open space in areas of deficiency identified by the Council.
- 7.118 There are four trees close to the site boundary, as identified in the Arboricultural Report has been prepared by Chartwell Tree Consultants Ltd. The report recommends the removal of the Sycamore (T1) in order to incorporate the proposals, with the other three trees proposed to be retained. Given the fact that T1 is a Category C tree, its removal is considered acceptable. The loss of the Sycamore (T1) will not have significant detrimental impact on visual amenity and the loss of the tree will be mitigated by high quality trees and landscaping.
- 7.119 A Landscape Design Document and a set of landscape plans have been prepared by ETLA Studio which set out the landscaping approach. A courtyard will be created between the two proposed buildings with an urban jungle concept to create an escape from the urban environment. The courtyard will provide seating, new tree planting and a water feature to create a tranquil space for residents to relax in. A future masterplan for the wider area has also been created to indicate what the space could be like when the adjacent sites are developed. A horizontal pathway within the site will connect to the adjacent sites when these are developed. Elsewhere across the site, green walls will be created close to the entrances of each of the buildings to soften the elevations. High quality hard landscaping has also been chosen, as detailed on page 13 of the Landscape Design Document.

7.120 Whilst the Courtyard will be enclosed by temporary fencing, two sections will be fitted with temporary planter boxes which residents could have once the fencing is removed. Adjacent to the buildings, loose gravel maintenance access routes have been identified. Once the future masterplan is implemented, they will form part of a larger network of paths.

7.121 Policy G5 of the London Plan requires major developments to contribute to the greening of London, with a target Urban Greening Factor (UGF) score of 0.4 for residential developments. The UGF score for the site will be 0.577, greatly in excess of the requirements of Policy G5 which demonstrates the high quality landscape strategy which is proposed. A breakdown of this calculation is provided on page 16 of the Landscape Design Document.

Ecology

7.122 An Ecology Report has been prepared by Tyler Grange which finds that the habitats on site are of negligible importance and require no mitigation for their loss. A tree (T1) is proposed for removal and the report recommends that this is mitigated through habitat creation and replacement planting on the site.

7.123 With regards to bats, the Ecology Report finds that building B1 has low potential for supporting bats, but an emergence survey is recommended in the optimal bat active season, along with an Outline Bat Mitigation Strategy to be adopted in the meantime to prevent any impact upon potential bats associated with the buildings. The report also recommends that bat sensitive lighting is used. The Ecology Report concludes that subject to the relevant surveys and mitigation measures, the development will be acceptable in ecology terms.

Flood Risk and Drainage

7.124 Local Plan Policy 115 seeks to address existing flood risk and reduce the impact of new development. The policy requires all development proposals to reduce surface water run-off through the use of SUDS as far as possible. This is reiterated in Policy 116, which requires all development to seek to incorporate SUDS.

7.125 The proposals involve a variety of SuDS measures incorporated within the landscape design which are illustrated on page 15 of the Landscape Design Document. All paths within the site will be permeable and there are also areas of garden bed, amenity grassland and rain gardens which will reduce run-off rates.

7.126 An Outline Sustainable Drainage Assessment has been prepared by Water Environment. The report confirms that the site is not at significant risk of flooding from any source. The drainage strategy involves a combination of green roofs for interception, blue roofs for attenuation and Silva cells for bio-retention. The SuDS design will prevent surface flooding in the 100 year return period rainfall event, including a 40% allowance for climate change. Subject to detailed design the proposed development will result in a net benefit by reducing the rates and volumes of runoff from the site, compared to the existing site and would therefore reduce the risk of flooding elsewhere. As such, the proposals are in accordance with Local Plan Policies 115 and 116.

Contamination

7.127 A Contamination Report has been prepared by Lustre which finds that there is potential for contamination to be present on site. The majority of risks to viable pollutant linkages were found to be low and very low, however there is the potential for a layer of Made Ground beneath the site which may contain contaminants. The report recommends that samples of the shallow soils are undertaken within the proposed area of communal open space, which can be conditioned. The report also recommends that an asbestos survey is undertaken.

Construction Impacts

7.128 An Outline Construction Logistics Plan has been prepared by Evoke which provides details of the proposed construction programme. This includes a number of strategies to minimise the impacts on neighbours, including measures to ensure that deliveries and construction vehicles are effectively managed, noise and vibration controls, effective storage and management of waste, dust management measures and consultation and communication with local residents and businesses. These measures and control processes will minimise disturbances to neighbours and the local highway network and will ensure that neighbours are informed of upcoming works. Full details are provided within the Outline Construction Management Plan.

Heads of Terms

7.129 Paragraphs 55 – 58 of the NPPF set out the Government's guidance around the use of planning conditions and obligations. The paragraphs explain that obligations should only be used where it is not possible to address the impacts of a development through the use of planning conditions. Paragraph 57 sets out the relevant statutory tests, explaining that obligations must only be sought where they are: necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind to the development.

7.130 The Council's Planning Obligations SPD sets out the necessary detail in respect of how planning obligations operate in the Borough. The Document provides necessary guidance alongside the general areas where obligations might be sought, including:

- Affordable Housing;
- Transport / highways;
- Energy; and
- Employment and training

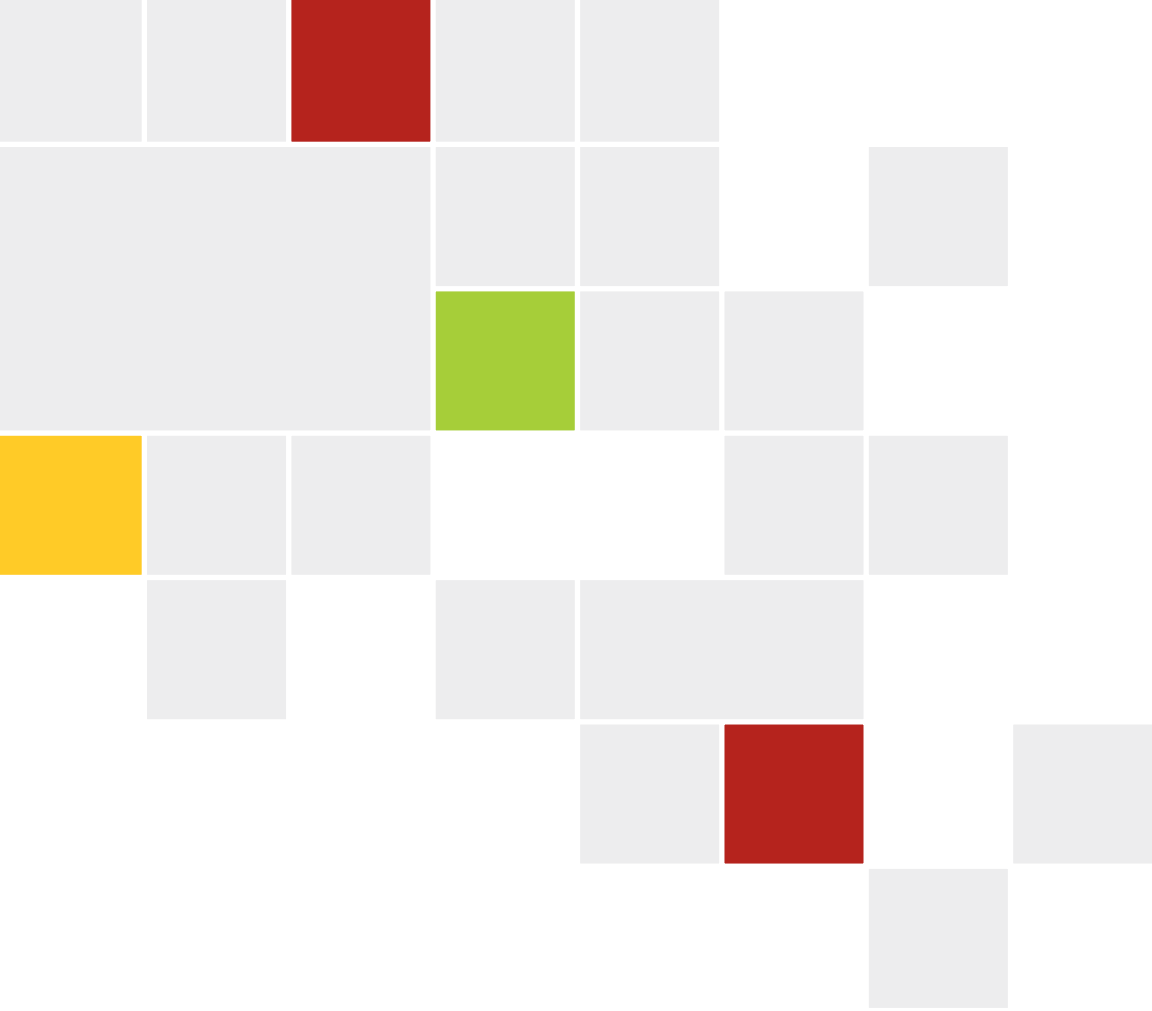
7.131 Any request for S.106 contributions must be balanced with the overall viability of the proposed development, including an understand of the CIL charge which will be payable to LB Bromley and the Mayor so as to deliver local infrastructure improvements.

8. PLANNING BALANCE AND CONCLUSION

- 8.1 As explained above, due to Bromley's poor housing land supply (which at best is a 3.31 year supply), paragraph 11d) of the NPPF is engaged. This has a material impact on the Council's approach to the determination of the planning application, setting out that there is a presumption in favour of granting planning permission unless the adverse impacts of the development significantly and demonstrably outweigh the benefits. Accordingly, we set out below a summary of the key benefits which will be delivered through the proposed development of the site.
- 8.2 At paragraph 8, the NPPF identifies 3 objectives to achieving sustainable development, these being economic, social and environmental objectives and the proposed development can demonstrate that each of these is met and thus it is sustainable.
- 8.3 In respect of the social objective, the proposals will make a significant contribution to housing delivery in the Borough, including a policy compliant affordable housing contribution at 35% of the total units proposed. Of the affordable provision, 60% will be social rent/affordable rent and 40% will be intermediate housing, again compliant with the Council's policy. Consistent with the findings of the Inspector in the Footzie Social Club appeal, the delivery of significant market and policy compliant affordable housing must both be afforded no less than very substantial weight in the planning balance.
- 8.4 Aligned to this, the development's focus is on delivering housing for which there is greatest need in the Borough. The Council's evidence shows that greatest need exists in respect of 1 and 2 bedroom units and thus the development has been designed to meet these needs. The delivery of housing to meet identified local need must attract substantial weight in the planning balance.
- 8.5 In terms of the economic objective, as stated in the Economic Benefits Report prepared by Boyer, the proposals will generate various benefits for the local economy. This report outlines that during the 'Construction Phase' the proposal will directly contribute to the creation of 89 (FTE) jobs, further generating a total GVA impact of £58,220,000. During the 'Operational Phase' a further 31 (FTE) jobs will be created through the proposed Class E uses, including the proposed affordable workspace, and maintenance associated with the building and the C3 Residential Uses. Further details of the economic benefits are provided within the report. Overall, the economic benefits arising from the proposed development are substantial and an equivalent amount of weight must be given to them in the assessment of this application proposal.

- 8.6 In respect of the environmental objective, the proposed development will result in the recycling of previously developed brownfield land, consistent with the Local Plan's ambition, delivering a significant number of homes and employment in one of the most sustainable and accessible parts of south London. Granting planning permission for this development will demonstrate that the allocation is a deliverable one and as a consequence will assist in protecting vulnerable Green Belt sites in the Borough from development. This locational factor is significant and must be afforded weight in the planning balance.
- 8.7 With respect to the wider environmental benefits, the development will meet the targets set by Bromley Council and the GLA. The commercial areas of the scheme could achieve a BREEAM score of 79.52%, an 'Excellent' target in line with local and regional planning policies. Key sustainability features of the proposals include:
- Re-use of previously developed land;
 - Effective site layout to ensure no impact on neighbouring properties;
 - Provision of a mixed-use scheme to maximise land use;
 - Specification of high-performance fabric and glazing to minimise heat losses;
 - NOx emission have been reduced on site through use of communal air source heat pumps ASHP and ultra-low emissions gas boilers;
 - Efficient design of the proposed massing, openings and internal layouts so that habitable spaces across the site benefit from abundant daylight and sunlight levels, whilst impacts to neighbouring buildings are kept to a minimum.
- 8.8 The proposals will also benefit from high-quality landscaping. The new communal open space with an urban jungle concept will create an escape from the urban environment and provides an opportunity to create a much larger green link when the adjacent sites are developed. The proposed landscaping will provide valuable amenity space for residents, as well as biodiversity benefits and an urban greening factor of 0.577, considerably in excess of the 0.4 target set by the London Plan. The greening and sustainability benefits of the development must be afforded significant weight in the planning balance.
- 8.9 The development makes good use of previously developed land and in doing so, there are clear tangible benefits to the site's appearance and role in the local townscape. The development will deliver localised and wider streetscene benefits resulting from the high-quality architecture and landscaping proposals. These benefits must be afforded substantial weight in the planning balance.
- 8.10 In terms of highways benefits, the development avoids excessive and unnecessary car use, instead providing a car club bay and membership for future residents along with extensive cycle parking. These benefits must be afforded significant weight in the planning balance.
- 8.11 The development successfully delivers against all sustainable development objectives detailed in the NPPF and this carries significant weight in the planning balance.

- 8.12 The assessment of the proposals in Section 7 and the evidence set out in the accompanying technical reports demonstrate that the development proposal is policy compliant and thus there is an absence of any material harm arising from the proposed development and certainly no harm which might “significantly and demonstrably” outweigh the very considerable and wide range of tangible benefits arising from the proposed development.
- 8.13 Therefore, in accordance with paragraph 11d), planning permission for the proposed development should be granted without delay and subject to any reasonable and necessary safeguarding planning conditions.



Boyer

24 Southwark Bridge Road, London, SE1 9HF | 0203 268 2018
london@boyerplanning.co.uk | boyerplanning.co.uk