



Town Planning

Civic Centre, Stockwell Close, Bromley BR1 3UH

Telephone: 020 8464 3333

Direct Line: 020 8313 4956

Email: planning@bromley.gov.uk

Fax: 020 8461 7725

Internet: www.bromley.gov.uk

DX5727 Bromley

Cavendish & Gloucester Properties Ltd
C/o John Escott
Robinson Escott Planning
Downe House
303 High Street
Orpington
Kent
BR6 0NN

2 /19th February 2015
Application No : DC/14/04139/FULL1
Date : 2nd March 2015

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2010**

NOTIFICATION OF GRANT OF PLANNING PERMISSION

Take notice that the Council of the London Borough of Bromley, in exercise of its powers as local planning authority under the above Act, has **GRANTED** planning permission for the development, referred to in your application received on 27th October 2014.

at : Sunset Hill Hillbrow Road Bromley BR1 4JL

Proposal: Demolition of existing dwelling and erection of a part two/part three storey building comprising 9 two bedroom apartments and 14 car parking spaces

Subject to the following conditions **and for the reasons set out below:-**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

Reason: Section 91, Town and Country Planning Act 1990.

- 2 Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

3 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of visual amenity and the amenities of adjacent properties.

4 No trees on the site shall be felled, lopped, topped or pruned before or during building operations except with the prior agreement in writing by the Local Planning Authority. Any trees removed or which die through lopping, topping or pruning shall be replaced in the next planting season with trees of such size and species as may be agreed with the Authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that as many trees as possible are preserved at this stage, in the interest of amenity.

5 No demolition, site clearance or building works (including trenches, pipelines for services or drains) shall be undertaken until Chestnut Pale fencing not less than 1.2 metres in height has been erected around every tree or tree group on the site shown to be retained on the submitted drawings at the furthest extent of the spread of the canopy of any tree or tree group except where development is hereby permitted within this area. The fence shall be placed so as to exclude the site of the said development but otherwise as far as possible from the trees. The areas enclosed by fencing shall not be used for any purpose and no structures, machinery, equipment, materials or spoil shall be stored or positioned within these areas. Such fencing shall be retained during the course of the building work hereby permitted

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained are adequately protected.

6 No bonfires shall take place within 6 metres of the furthest extent of the spread of the canopy of any tree or tree group shown to be retained on the submitted drawings.

Reason In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained on the site are adequately protected.

7 No trenches, pipelines for services or drains shall be sited under the spread of the canopy of any tree or tree group shown to be retained on the submitted plans without the prior agreement in writing by the Local Planning Authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained on the site are adequately protected.

8 There shall be no excavation works beneath the canopy of any trees shown to be retained on the submitted plan. The drive and car parking spaces shall be constructed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan to ensure works are carried out using a "no-dig" method of work and according to good arboricultural practice, and in the interest of the health and visual amenity value of trees to be retained.

9 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

10 Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.12 of the London Plan

11 No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan

12 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

13 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

14 The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

15 Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

Reason: In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

16 Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and be implemented before the development is first occupied and the lighting shall be permanently retained thereafter.

Reason: In order to comply with Policy T3 and Appendix II of the Unitary Development Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

17 Prior to the commencement of the development hereby permitted, a survey of the condition of the road shall be submitted and agreed by the Local Planning Authority and any damage caused to the surface of the road during the construction phase of the development will be reinstated to a standard at least commensurate with its condition prior to the commencement of the development.

Reason: In the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan.

18 Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

Reason: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

19 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan and Planning Policy Statement 25.

20 A side space of 1 metre shall be provided between the north-east flank wall of the extension hereby permitted and the flank boundary of the property

Reason: In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.

21 Before the development hereby permitted is first occupied, the proposed window(s) on the ground, first and second floors of the north-east flank elevation shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

22 Details of the means of privacy screening for the balcony(ies) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details and permanently retained as such.

Reason: In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interests of amenities of the adjacent properties.

23 No development shall commence until an arboricultural method statement for the protection of trees shown retained both on and immediately adjoining the site and as described by British Standard BS 5837:2012 is submitted to and approved in writing by the Local Planning Authority. The arboricultural method statement shall also include means of any special methods of construction for excavation, foundations and new hardsurfaces. The statement shall also provide details of stage by stage arboricultural site supervision and monitoring. Once approved the works shall be implemented as specified in the method statement prior to the commencement of work on site, and shall be maintained to the Local Planning Authority's reasonable satisfaction until the completion of the development.

Reason: In order to comply with Policy NE8 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

24 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

You are further informed that :

1 Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

2 Before the use commences, the applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site. If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for approval in writing.

- 3 Hillbrow Road is an unadopted highway and the condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development. If any works connected with the proposed development are undertaken within the limits of the street, it will be necessary to obtain the agreement of the owner(s) of the sub-soil upon which Hillbrow Road is laid out.
- 4 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

Signed:



CHIEF PLANNER

On behalf of the London Borough of Bromley Council

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

To assist applicants the Local Planning Authority has produced policies and written guidance, all of which is available on the Council's website at www.bromley.gov.uk/planning. Through the provision of a pre-application advice service the Local Planning Authority encourages early engagement to resolve problems that can occur in relation to dealing with a planning application by providing clear guidance as to how the aims of the development plan can be achieved in a sustainable and appropriate manner in accordance with paragraphs 188 - 190 of the National Planning Policy Framework 2012.

Approvals with or without conditions, or refusals of applications for planning permission under the Town and Country Planning Act 1990 and the Town and Country Planning (General Development Procedure) Order 1995 (as amended) and applications for Listed Building and Conservation Area Consent under the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)

If you disagree with the decision of the Local Planning Authority (LPA) to refuse permission or approval for the proposed development, or to grant permission or approval subject to conditions, you may appeal to The Planning Inspectorate (PINS). This is an independent Executive Agency which provides fair and impartial decisions on appeals against LPA decisions on planning consents in accordance with Section 78 of the Town and Country Planning Act 1990 and for Listed Building and Conservation Area consents in accordance with Section 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Appeals must be made within 12 weeks of the Decision Notice date for householder planning applications and within 6 months for any other application. They must be submitted on a form, which is obtainable from The Planning Inspectorate Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN or online from www.planningportal.gov.uk. If an enforcement notice is or has been served relating to the same or substantially the same development as in your application, then the time limit to appeal will expire 28 days after the enforcement notice is served – except that you will have a minimum of 28 days to appeal after the right of appeal begins and the time limit will expire no later than it would if there were no enforcement notice.

The Secretary of State (including PINS) is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been granted by the Local Planning Authority, or could not have been so granted otherwise than subject to the conditions imposed by them, having regard to the Statutory requirements, to the provisions of the development order, and to any directions given under the order.

If planning permission, listed building or conservation area consent to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State (including PINS) on appeal, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the London Borough of Bromley a purchase notice requiring that the Council purchase his interest in the land in accordance with the provisions of Part VI Chapter 1 of the Town and Country Planning Act 1990 or in accordance with the provisions of Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In certain circumstances, a claim may be made against the local planning authority for compensation, where permission or consent is refused, or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. These circumstances in which compensation is payable are set out in Section 114 of the Town and Country Planning Act 1990 and in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Applications for Express Consent under the Town and Country Planning Act 1990 and the Town and Country Planning (Control of Advertisements) Regulations 2007

If you disagree with the decision of the local planning authority to refuse consent for the display of an advertisement or to grant consent subject to conditions, you may by notice served within 8 weeks of the receipt of this notice, or such longer period as the Secretary of State may agree, appeal to the Planning Inspectorate in accordance with the provision of Part 3 Section 17 of The Town and Country Planning (Control of Advertisements) Regulations 2007. Forms are available from The Planning Inspectorate Temple Quay House, 2 The Square, Temple Quay Bristol BS1 6PN or online from www.planningportal.gov.uk.

Town and Country Planning Act 1990 (as amended). A Certificate of Lawfulness for an existing proposed use or development

If you are aggrieved by a refusal to grant, a Certificate of Lawfulness, you may appeal to the Planning Inspectorate under Section 195 and 196 of the Town and Country Planning Act 1990 (as amended).

AN IMPORTANT FOOTNOTE

Permission or approval referred to overleaf is confined to permission under the Town and Country Planning Act 1990, Planning (Listed Buildings and Conservation Areas) Act 1990, the Town and Country Planning General Development Order 1995 as amended, and the Town and Country Planning (Control of Advertisements) Regulations 2007, and does not obviate the necessity of compliance with any other enactment, by law, or other provision whatsoever or of obtaining from the appropriate authority or authorities any permission, Building Regulation, consent, approval or authorisation which may be required.

You are reminded that the Borough Council's permission does not modify or affect any personal or restrictive covenants, easement, etc., applying to or affecting either this or any other land or the rights of any persons (including the London Borough of Bromley Council) entitled to the benefits thereof or holding an interest in the property concerned in this development or in any adjoining property.

ACCESS FOR PEOPLE WITH DISABILITIES

Your attention is drawn to British Standard and Government advice concerning means of access for people with a disability. This advice applies to educational, recreational and retail premises as well as office, factories and business premises.

Community Infrastructure Levy (CIL) Information Note.

The attached planning permission is considered to be liable for the Mayor of London's Community Infrastructure Levy (CIL). It is now the responsibility of an interested party to comply with the Community Infrastructure Levy Regulations 2010 (as amend 2011). The information sheet below outlines some next steps to help with that.

Next steps

Pre-commencement conditions:

If your permission is subject to pre-commencement conditions, planning permission is not first permitted until the last of these conditions is discharged. As per regulation 40 of the CIL regulations you are reminded that buildings that form part of the existing development, whether they are being demolished or form part of the new development, are required to be situated on the relevant land and in lawful use when permission is first permitted. Lawful use for the purposes of CIL is define in Reg. 40(10) as: a building is in use if a part of that building has been in use for a continuous period of at least six months within the period of 12 months ending on the day planning permission first permits the chargeable development.

Assume Liability:

An Interested party (Developer, Land Owner or Tenant with a lease of at least 7 years) is required to assume liability to pay the Levy due. It is the responsibility of the interested party to submit a Form 1: Assumption of Liability form to the Local Authority before development is commenced. If an assumption of liability is not received before commencement the liability defaults to the landowner(s) and a surcharge will be applied to any levy due. On receiving the assumption of liability the local authority will issue a Liability Notice setting out the amount of levy due. The liability will also be entered as a financial charge on the Local Land Register. Further information on "Assuming Liability" and transferring liability can be found on <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

Relief and Exemptions:

If you have not already submitted a Form 2: Claiming Exemption or Relief, this needs to be submitted before commencement of development, relief can be claimed for Social Housing or where development is for use by a charity purposes. Further information on reliefs and exemptions can be found at: <http://www.communities.gov.uk/publications/planningandbuilding/communityinfrastructurerelief/>

Commencement:

It is the responsibility of the liable party to inform the Local Authority when development is due to commence by submitting Form 6: Commencement Notice. Once a Commencement Notice is received the Local Authority will issue a Demand Notice requiring the payment of the Levy due.

Payment:

The Liable party will have 60 days in which to pay the Levy from the date of the commencement of development. Currently neither the London Borough of Bromley nor the Mayor of London has an instalment payment policy therefore the full amount will be due to be paid within those 60 days. Surcharges maybe added to the Levy if a Commencement Notice is not received before development starts or if payment is late.

Surcharges:

The Local Authority has the right to add surcharges to the Levy amount due if the liable party fails to comply with the CIL Regulation. It is therefore in your interest to submit the required forms and information in a timely fashion.

Further information on Community infrastructure Levy Regulations and the process involve can be found on: <http://www.communities.gov.uk/planningandbuilding/planningsystem/communityinfrastructurelevy/>

A very useful document Community Infrastructure Levy: collection and enforcement – Information, which explains process and expectation on both the applicant and the local authority, can be found at: <http://www.communities.gov.uk/documents/planningandbuilding/pdf/1995794.pdf>

Forms:

All the forms that need to be submitted during the CIL processes can be found at: <http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>