



Town Planning

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2 /18th February 2016
Application No : DC/15/05259/FULL1
Date : 23rd February 2016

**TOWN AND COUNTRY PLANNING ACT 1990
THE TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT
PROCEDURE) (ENGLAND) ORDER 2015**

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 3rd December 2015.

at : 74 Madeira Avenue Bromley BR1 4AS

Proposal: Demolition of existing bungalow and replacement with two semi-detached properties each with two off street 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 the appearance of the building and the visual amenities of the area.

- 4 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.

- 5 Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

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

- 6 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.

- 7 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.

- 8 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

9 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 (England) 2015 (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.

10 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.

11 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned 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 arrangements 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.

12 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.

13 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.

14 Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

15 No loose materials shall be used for surfacing of the parking area

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.

16 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policies H7 and BE1 of the UDP

17 A side space of 1 metre shall be provided between the northern and southern 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.

18 The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Secured by Design, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

Reason: In the interest of security and crime prevention and to accord with Policies H7 and BE1 of the Unitary Development Plan.

19 Before the development hereby permitted is first occupied, the proposed window(s) first and second floors..flank elevations 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.

20 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 visual and residential amenities of the area.

21 Informatives

1. 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.

2. 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 Authority for approval in writing.

3. In order to check that the proposed storm water system meets our requirements, we require that the following information be provided:

- o A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.

- o Where infiltration forms part of the proposed storm water system such as soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.

- o Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.

4. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

5. 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 Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

6. Street furniture/Statutory Undertakers' apparatus "Any repositioning, alteration and/or adjustment to street furniture or Statutory Undertakers apparatus, considered necessary and practical to help the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

7. You should consult the Land charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 regarding Street naming and Numbering.

8. 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, then 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.

In addition to the conditions set out above, you are reminded of your obligation under Section 106 of the Town and Country Planning Act 1990 in relation to permission ref. 15/05259/FULL1 and the covenants contained therein.

Signed:



CHIEF PLANNER

On behalf of the London Borough of Bromley Council

YOUR ATTENTION IS DRAWN TO THE NOTES OVERLEAF

The Local Planning Authority is actively seeking to reduce the need to impose conditions. Any pre-commencement conditions imposed on this planning permission are necessary to ensure that the detail of the development to which they relate is carried out in a satisfactory manner and the submission of the information in relation to this is required before commencement as it would not be possible or desirable for this to happen at a later stage in relation to the specific reasons for imposing each condition.

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

This application is considered to be liable for the Mayor of London's Community Infrastructure Levy (CIL). The CIL is a planning charge levied on net additional floorspace arising from new developments or creation of new dwellings (including through a change of use) in order to fund infrastructure to support development in the local area. The Council acts as collecting authority for the Mayor of London who has a levy to raise money for transport Infrastructure in the London area.

The first step in the CIL process is to complete a CIL Additional Information Requirement Form or Form 5: Notice of Chargeable Development for permitted developments. All the forms underlined can be found at: <http://www.bromley.gov.uk/cil>

The CIL Team can calculate the CIL liability based on the information you provided for the planning application, however we are unable to discount existing floorspace that has been in continuous use without the above forms.

At the same time, Form 1: Assumption of Liability must be completed in order to produce a Liability Notice. This form tells us who is responsible for paying the CIL charge. If this form is not completed within two weeks of the issue of the planning decision notice, CIL liability will default to the landowner or applicant at a cost of £50. You may have already completed the forms above during the application process.

If you wish to apply for charitable or social housing relief then Form 2: Claiming Exemption or Relief should be submitted. If you are a 'self builder' who builds or commissions a home for their own occupation you may apply for exemption using Form 7: Self Build Exemption Claim Form: Part 1 for the entire home or Self Build Annex or Extension Claim Form. **Exemption forms must be submitted before commencement** of the development and will be granted relief upon receiving a Relief Decision Notice. The **Form 7: Self Build Exemption Claim Form Part 2 form must be submitted within six months of completion** or the levy will become payable.

The Council will serve a Liability Notice on the person(s) who have assumed liability to pay. It is the liable party's responsibility to notify the Council when commencement (demolition, digging for foundations and underground services and change of use) has started using Form 6: Commencement Notice. **Late notification of a commencement date will result in penalties such as the removal of eligibility for the self-build exemption, a 20% surcharge**, the removal of the 60 day payment period requiring immediate payment or CIL stop notices.

The Council will issue a Demand Notice to the liable person(s) setting out the total CIL amount payable on commencement of the development and the payment date. Please note the chargeable amount will be indexed linked. This notice will be emailed and/or posted to the liable person(s) via the contact details provided in Form 1: Assumption of Liability.

Our finance contractors will shortly afterwards send an invoice with a paying-in slip and information on payment methods following a Demand Notice. Non-payment and failure to comply with CIL procedures will result in surcharges.

The CIL liability will be registered as a local land charge against the land affected by the planning permission and will be revealed when a property search is made. CIL payment will make the charge on the register fulfilled.

Forms (underlined above) can be found at:

<http://www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil>

For further information or if you have any questions regarding CIL please contact us at cil@bromley.gov.uk or on 020 8313 4974.