



Town Planning

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WJ Birch Properties
C/o Mr Yousef Bouzahar
YB ARCHITECTS
38 Guildford Grove
London
SE10 8JT

Application No : / DC/19/03134/FULL1
Date : 1st November 2019

**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 19th July 2019.

at : 10 Highland Road Bromley BR1 4AD

Proposal: Demolition of existing garages to the rear of 10 Highland Road and the erection of a single two storey 3-bedroom house

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: To comply with Section 91 of the Town and Country Planning Act 1990

2. 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 37 of the Bromley Local Plan and in the interests of visual and residential amenity.

3. (a) Prior to commencement of the development hereby approved (excluding any ground clearance or demolition) a scheme for the provision of surface water drainage shall be submitted and approved in writing by the local planning authority.

(b) Before the details required to satisfy Part (a) are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system

(SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards.

(c) Where a sustainable drainage scheme is to be provided, the submitted details shall:

i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface water

(d) The drainage scheme approved under Parts a, b and c shall be implemented in full prior to first occupation of the development hereby approved

Reason: Details are required prior to the commencement of any new operational development in order to ensure that a satisfactory means of surface water drainage, to reduce the risk of flooding can be achieved before development intensifies on site and to comply with the Policy 5.13 of the London Plan and Policies 115, 116 and 117 of the Bromley Local Plan

4. (i) Prior to the commencement of the development hereby approved (including demolition and all preparatory work), a scheme for the protection of the retained trees, in accordance with BS 5837:2012, including a tree protection plan(s) (TPP) and an arboricultural method statement (AMS) shall be submitted to and approved in writing by the Local Planning Authority.

Specific issues to be dealt with in the TPP and AMS:

- a) Location and installation of services/ utilities/ drainage.
- b) Methods of demolition within the root protection area (RPA as defined in BS 5837: 2012) of the retained trees.
- c) Details of construction within the RPA or that may impact on the retained trees.
- d) A full specification for the installation of boundary treatment works.
- e) A full specification for the construction of any roads, parking areas and driveways, including details of the no-dig specification and extent of the areas of the roads, parking areas and driveways to be constructed using a no-dig specification. Details shall include relevant sections through them.
- f) Detailed levels and cross-sections to show that the raised levels of surfacing, where the installation of no-dig surfacing within Root Protection Areas is proposed, demonstrating that they can be accommodated where they meet with any adjacent building damp proof courses.
- g) A specification for protective fencing to safeguard trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing.
- h) A specification for scaffolding and ground protection within tree protection zones.
- i) Tree protection during construction indicated on a TPP and construction and construction activities clearly identified as prohibited in this area.
- j) Details of site access, temporary parking, on site welfare facilities, loading, unloading and storage of equipment, materials, fuels and waste as well concrete mixing and use of fires
- k) Boundary treatments within the RPA
- l) Methodology and detailed assessment of root pruning

- m) Arboricultural supervision and inspection by a suitably qualified tree specialist
- n) Reporting of inspection and supervision
- o) Methods to improve the rooting environment for retained and proposed trees and landscaping
- p) Veteran and ancient tree protection and management

(ii) The development thereafter shall be implemented in strict accordance with the approved details.

Reason: Required prior to commencement of development to satisfy the Local Planning Authority that the trees to be retained will not be damaged during demolition or construction and to protect and enhance the appearance and character of the site and locality, in accordance with Policy 37, 73 and 74 of the Bromley Local Plan and pursuant to section 197 of the Town and Country Planning Act 1990

5. Prior to commencement of development (excluding demolition) details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority . The development shall be completed strictly in accordance with the approved levels.

Reason: Required prior to commencement in order to ensure that a satisfactory form of development can be undertaken on the site in the interest of visual amenity and to comply with Policy 37 of the Bromley Local Plan

6. No development shall commence on site (including demolition) until such time as a Construction and Environmental Management Plan has been submitted to and approved in writing by the local planning authority. As a minimum the plan shall cover:

- (a) Dust mitigation and management measures.
- (b) The location and operation of plant and wheel washing facilities
- (c) Measure to reduce demolition and construction noise
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
 - (i) Rationalise travel and traffic routes to and from the site as well as within the site.
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity.
 - (iii) Measures to deal with safe pedestrian movement.
 - (iv) Full contact details of the site and project manager responsible for day-to-day management of the works
 - (v) Parking for operatives during construction period
 - (vi) A swept path drawings for any tight manoeuvres on vehicle routes to and from the site including proposed access and egress arrangements at the site boundary.
- (e) Hours of operation
- (f) Other site specific Highways and Environmental Protection issues as requested on a case by case basis
- (g) The development shall be undertaken in full accordance with the details approved under Parts a-f

Reason: Required prior to commencement of development to ensure sufficient measures can be secured throughout the whole build programme in the interests of pedestrian and vehicular safety

and the amenities of the area. In order to comply with Policies 30, 31, 32 and 119 of the Bromley Local Plan and in the interest of the amenities of the adjacent properties.

7. Prior to commencement of the development hereby approved (including demolition and all preparatory work), details of access to the site (including legal documentation relating to the ownership of the access) shall be submitted to and approved in writing to the Local Planning Authority and shall be permanently retained thereafter.

Reason: Required prior to commencement of development to ensure that lawful and satisfactory access to the site can be undertaken and maintained and in order to comply with Policies 37 and 32 of the Bromley Local Plan (2019)

8. (a) Surface water from private land shall not discharge on to the highway.

(b) Prior to the commencement of above ground works 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.

(c) Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the details approved under Part (b) and shall be retained permanently thereafter.

Reason: To ensure satisfactory implementation of the surface water drainage proposals can be secured before additional pressure is placed on existing arrangements and to accord with to London Plan Policy 5.13 Sustainable Drainage and Policies 115, 116 and 117 of the Bromley Local Plan

9. (a) 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 prior to construction of any above ground works

(b) The arrangements as approved under part (a) 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 37 of the Bromley Local Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects

10. (a) Prior to commencement of above ground works, details (including samples) of the materials to be used for the external surfaces of the building which shall include roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate shall be submitted to and approved in writing by the Local Planning Authority.

(b) The development shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy 37 of the Bromley Local Plan and in the interest of the appearance of the building and the visual amenities of the area

11. The arrangements for cycle storage 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 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

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 details as set out in this planning permission 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 30 of the Bromley Local 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. Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

Reason: In order to comply with Policy 30 of the Bromley Local 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.

14. Before the development hereby permitted is first occupied the proposed roof lights on the north roof slope and the window panels shown as being opaque and fixed shut (on drawing 18104-2/04 A hereby approved) shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.

Reason: In the interests of the amenities of nearby residential properties and to accord with Policies 4 and 37 of the Bromley Local Plan (2019)

15. 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 32 Bromley Local 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 building, structure, extension, enlargement or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), 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 the interests of protecting the character of the area and residential amenity of neighbouring properties in accordance with Policy 37 of the Bromley Local Plan

17. 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 change of use of any kind permitted by Class L (Houses of Multiple Occupation) of Part 3 of Schedule 2 of the 2015 Order (as amended), shall be undertaken within the curtilage of the dwelling without the prior approval in writing of the Local Planning Authority.

Reason: To enable the Council to consider future development at the site in the interest of local amenity, in accordance with Policies 37 and 9 of the Bromley Local Plan (2019)

18. The development shall be constructed with a biodiversity living roof laid out in accordance with plan nos. 18104-2/04 hereby approved and maintained thereafter.

Reason: To comply with Policies 5.10 Urban greening, 5.11 Green roofs and development site environs, 5.12 Flood risk management, 5.13 Sustainable Drainage and 7.19 Biodiversity and access to nature conservation in the London Plan.

19. The development hereby permitted shall be built in accordance with the Part M criteria set out in the Design and Access Statement submitted with this application.

Reason: To comply with Policy 3.8 of the London Plan and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.

You are further informed that :

- 1 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:



Assistant Director (Planning)

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.

Please note that your development may be liable for Community Infrastructure Levy (CIL). For more information please visit www.bromley.gov.uk/CIL

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 2015 (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 <https://www.gov.uk/appeal-planning-decision>. 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.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority (PlanningAppeals@bromley.gov.uk) and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. See <https://www.gov.uk/government/collections/casework-dealt-with-by-inquiries> for further details.

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 <https://www.gov.uk/appeal-planning-decision>.

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 2015 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.

RESPONSIBLE DISPOSAL OF CONSTRUCTION AND LANDSCAPING WASTE TO PREVENT FLY-TIPPING

When builders or landscape gardeners arrange for third parties to remove any waste from your property, it is their responsibility to use registered waste carriers and obtain waste transfer notes. If however you arrange for any construction or landscaping waste to be removed from your property yourself you could be prosecuted and fined up to £5,000 if you do not use someone who is a registered waste carrier. Find and check registered waste carriers online at www.bromley.gov.uk/wastecarriers or call the Environment Agency hotline on 03708 506506. Always obtain a waste transfer note as proof of the transfer of the waste to an authorised person.

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.

