

LONDON BOROUGH OF BROMLEY
TOWN PLANNING
RENEWAL AND RECREATION DEPARTMENT

DELEGATED DECISION

21/01982/FULL1 **2 Warren Avenue**
Russell Penn **Bromley**
 BR1 4BS

Description of Development

Demolition of existing building and construction of a part three/four storey block of 9 residential flats with associated parking, amenity space and cycle storage.

Proposal

Planning permission is sought for the demolition of existing building and construction of a part three/four storey block of 9 residential flats with associated parking, amenity space and cycle storage.

The footprint of the building is approximately 23.5m depth and 18m width at its maximum extents with a height of approximately 11.5m at roof level indicated to match the maximum height of the small turret feature of the existing building.

Pedestrian access will be via a path from Warren Avenue which leads to the main entrance door. A parking area is indicated to the rear of the building occupying majority of the existing rear garden area. Vehicular access will be via a new vehicular access of Warren Avenue. Eleven spaces will be provided with two suitable for disabled access.

A modern contemporary design approach is indicated with the replacement building being constructed in red/brown fair faced brickwork with elements of vertical slate cladding for the ground to second floor. The top floor is set back also with a vertical slate finish and vertical infill panels.

The application was supported by the following documents:

- o Design and Access Statement.
- o Planning Statement
- o Transport Assessment

Location and Key Constraints

The site is located at a prominent corner junction situated between Warren Avenue and Bromley Avenue and adjoining Farnaby Road. The site currently comprises a detached building of the late Victorian period with elements of the arts and craft movement. It has a distinctive gable, turret, squat spire and chimney adding visual interest to the façade and the ridgeline. There are several minor alterations to the rear and first floor. The building and turret are sited in a way to address the corner and junction between Warren Avenue, Bromley Avenue and Farnaby Road.

The wider area is one of generally detached or semi-detached residential properties set within spacious plots with front and rear garden areas. Many residential roads have

grassed verges and have tree lined pavements indicating a mature and established locality.

The site is not located in a conservation area nor is the building listed.

Comments from Local Residents and Groups

Nearby owners/occupiers were notified of the application and representations were received, which can be summarised as follows:

Objections:

Character

- o Comments that the development is an overdevelopment of the site and would be an eyesore at this location.
- o Comments the property merits the status of a "Non-Designated Heritage Asset"
- o Comments regarding the intrinsic loss of an important local historic, iconic and beautiful landmark building.
- o Many repeated comments that the design is out of character for the location and is an alien design. More in keeping design is recommended.
- o Comments the existing attractive period Victorian building should be retained and repurposed. No such apartment blocks in the locality. Flats are located in converted properties only.
- o Existing house is prominent and of historical importance to the area.
- o Many comments regarding the overbearing excessive scale, mass and dominant design of the development.
- o Comments that balconies are not appropriate on such a building in this location.
- o No consideration that the area is mainly single family homes.
- o Comments regarding the closer proximity of the building to adjacent property boundaries and closer proximity to the street side boundaries will increase overbearing and dominance of the development.
- o Many comments that the building is much larger than existing contrary to applicant's assertions - additional height, footprint, bulk and scale.
- o No meaningful landscaping.
- o Loss of garden and provision of car park harmful to streetscene.
- o Height of existing turret should not inform height of the development.

Neighbouring amenity

- o Many comments that four stories are overshadowing and overbearing.
- o Concerns regarding loss of privacy and overlooking to adjacent property.

Highways and parking

- o Concerns regarding impacts of spill over parking and congestion on local roads.
- o Comments that not enough car parking provided.
- o New entrance/exit threat to highway safety.

Noise and disturbance

- o Concerns regarding the increased use of the site as flats.

Other comments

- o Many concerns regarding the loss of green space and provision of excessive hard surfacing.
- o Concerns with the negative impact of the construction process on local residents.
- o Concerns with demolition not being very sustainable.

- o Will set precedent for further inappropriate flatted developments.
- o Increase in hard surfacing causing drainage issues.
- o Comment regarding site being an historic plague pit.

Support:

- o Great use of plot. Preference to see small developments as opposed to tower block.

Local Groups

- o Bromley Civic Society have commented the development is alien in design to its surrounding location and continues a growing erosion of an area of historic character for banal housing developments.
- o Ravensbourne Valley Residents Association have commented and objected in relation to loss of historical context by demolition of the existing building; inappropriate design; backland and garden development; building footprint increase; loss of privacy and sense of overlooking; poor spatial standards, lack of space for meaningful landscaping and loss of existing landscaping features.
- o A petition has been received from majority of residents within Coniston Road objecting to the development.
- o RSPB (Bromley Group) have commented that they recommend the installation of integral swift nest bricks by a planning condition and that the proposal for these be submitted prior to the commencement of above ground works.

Please note the above is a summary of objections received and full text is available on the Council's website.

Comments from Consultees

Environmental Health Pollution Officer:

I have considered the above and have no objections within the grounds of consideration. Conditions recommended in respect of construction management, air quality and electric car charging points. Informative recommended in respect of encountering any land contamination during works.

Drainage Engineer:

We welcome the incorporation of the Eco Grass in the car park area. Further details of surface water drainage to be sought by planning condition.

Highways:

The site is located to the east of Warren Avenue, on the corner of the junction with Bromley Avenue and Farnaby Road. It is accessible by public transport with bus and rail services within walking distance. The site achieves a PTAL rating of 1b. The proposals seek to provide the demolition of the existing 2 / 3-storey dwelling house to construct a part 3 / 4-storey building comprising of 9 dwellings (6 x 1-beds and 3 x 3 beds).

The new vehicle access provides access to 11 parking spaces at the rear of the site. Car parking will be provided in accordance with standards set out in the London Plan, which advises that Outer London areas of PTAL 0 - 1 should provide up to 1.5 spaces per dwelling. Bromley's Local Plan advises that residential car parking in areas of PTAL 0 - 2, should provide a minimum of 1 space for 1 - 2 bed dwelling and a minimum of 1.5 spaces for 3 bed dwellings. As such, given the site achieves a PTAL of 1b, the proposed 11 spaces for the 9 dwellings is in accordance with local and regional policy. Furthermore, Census data demonstrates that the average car ownership for people living in flats in the local area is 0.66 cars per dwelling and hence the allocation of 1.2 spaces per dwelling would accommodate the demand arising from the additional units.

The London Plan also states that developments should ensure that disabled parking is provided for 3% of dwellings from the outset, with at least one designated disabled parking bay from the outset. The layout plan shows one wider space which is consequently in accordance with policy requirements.

Cycle parking will be provided in accordance with the London Plan, which advises that 2 spaces should be provided for 2+ bedroom dwellings (long stay) and for developments with less than 40 dwellings, 2 short stay spaces should be provided. Therefore, a minimum of 18 long-stay spaces and 2 short-stay spaces will be required. The proposed layout plans show 20 long stay spaces and 2 short stay spaces. Access to the cycle store will be provided directly from the site's main entrance.

The proposal seeks to provide a refuse store at ground floor level, located near the site's entrance. The London Borough of Bromley's Waste Standards advise that storage areas should be provided at the front of the site and be adequate for a dustbin and 3 recycling boxes per dwelling. Waste storage for the 9 dwellings is shown on the Architect's layout plans. Waste storage will be provided adjacent to the entrance on Warren Avenue, and as such waste will be collected on street.

Pedestrian and vehicle access will be taken from Warren Avenue. The existing vehicle crossover will be closed and reinstated as footway. The proposed residential dwelling is likely to generate 1 delivery per day. Deliveries and servicing will be accommodated on-street as per the existing arrangement. A trip generation analysis has shown that the proposed development is likely to generate 4 total person trips in the morning peak (8am-9am) and evening peak (6pm-7pm) hours.

Thames Water:

Waste Comments - The proposed development is located within 15 metres of a strategic sewer. Thames Water requests the following condition to be added to any planning permission. "No piling shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement." Reason: The proposed works will be in close proximity to underground sewerage utility infrastructure. Piling has the potential to significantly impact / cause failure of local underground sewerage utility infrastructure. Please read our guide 'working near our assets' to ensure your workings will be in line with the necessary processes you need to follow.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team.

With regard to surface water drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Thames Water would advise that with regard to waste water network and sewage treatment works infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

Water Comments - The proposed development is located within 15m of our underground water assets and as such we would like the following informative attached to any approval granted. The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow.

There are water mains crossing or close to your development. Thames Water do not permit the building over or construction within 3m of water mains. If you're planning significant works near our mains (within 3m) we'll need to check that your development doesn't reduce capacity, limit repair or maintenance activities during and after construction, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at thameswater.co.uk/buildingwater.

On the basis of information provided, Thames Water would advise that with regard to water network and water treatment infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommends 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 Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection and may wish to discuss the implication for their development with a suitably qualified environmental consultant.

Designing Out Crime Officer (DOCO) - Metropolitan Police

No reason why this project cannot achieve the physical security requirements of Secured by Design by incorporating the use of tested and accredited products.

If a Secured by Design condition were to be attached to this application I would be pleased to work with the applicant. Should this not be the case, I would encourage as a minimum the following measures for this application:

- o Main entrance communal door leading into the dwelling communal area should also form a secure line, and meet minimum of PAS24 2016 or alternative Secured by Design Standard. A secondary secure door would be required to create an airlock lobby. Communal door/s should be self-closing and self-locking. The first door to have fob control with audio/visual and minimum audio at the internal door.
- o The Cycle and refuse store door sets to be a minimum PAS 24:2016 SBD compliant standard.
- o Individual flat entrance doors should meet PAS24: 2016. Or alternative equivalent Secured by Design Standard.
- o Any other external doors leading into the dwelling should meet PAS24 2016 or alternative Secured by Design Standard. (This would include terrace and balcony doors).
- o Any ground floor or other accessible windows (including climbable balconies and roof lights) to be PAS24 2012 or alternative Secured by Design Standard
- o Mail Delivery, must be secure, and should be via suitably robust boxes in a secure lobby area, "through the wall" or external boxes accredited to TS009.
- o Audio visual entry access control systems to be employed which can only be operated from inside the dwelling.
- o Any bicycle stands should be a galvanised steel bar construction (minimum thickness 3mm) with a minimum foundation depth of 300mm with welded 'anchor bar'.
- o Boundary treatments between public and rear private space recommended to be 1.8m close board fencing topped with 300mm trellis, and a maximum 1m in height of front gardens.
- o Refuse store should not allow access into the building from the store. Door/s (single leaf is preferable) into stores from street should be LPS1175 SR2/STS202 BR2/B3 or LPS2081. Should internal door/s into stores from within building be required they should be a minimum of PAS24:2016 and will require fob in/fob out access control back into the core of the building.

Policy Context

Section 70(2) of the Town and Country Planning Act 1990 (as amended) sets out that in considering and determining applications for planning permission the local planning authority must have regard to:-

- (a) the provisions of the development plan, so far as material to the application,
- (b) any local finance considerations, so far as material to the application, and
- (c) any other material considerations.

Section 38 (6) of the Planning and Compulsory Purchase Act (2004) makes it clear that any determination under the planning acts must be made in accordance with the development plan unless material considerations indicate otherwise.

The National Planning Policy Framework was revised and published on 20th July 2021. The development plan for Bromley comprises the London Plan (March 2021) and the Bromley Local Plan (January 2019). The NPPF does not change the legal status of the development plan.

London Plan (March 2021)

- SD1 Opportunity Areas
 - D1 London's form and characteristics
 - D3 Optimising site capacity through the design-led approach
 - D4 Delivering good design
 - D5 Inclusive design
 - D6 Housing quality and standards
 - D7 Accessible housing
 - D11 Safety, security and resilience to emergency
 - D12 Fire safety
 - D13 Agent of change
 - D14 Noise
- H1 Increasing Housing Supply
 - H2 Small sites
 - H5 Threshold Approach to application
 - H8 Loss of existing housing and estate redevelopment
 - H10 Housing Size Mix
- S4 Play and informal recreation
- HC1 Heritage conservation and growth
- G5 Urban greening
 - G6 Biodiversity and access to nature
 - G7 Trees and woodlands
- SI1 Improving air quality
- SI4 Managing heat risk
- SI5 Water infrastructure
- SI7 Reducing waste and supporting the circular economy
- SI12 Flood risk management
- SI13 Sustainable drainage
- T2 Healthy Streets
 - T3 Transport capacity, connectivity and safeguarding
 - T4 Assessing and mitigating transport impacts
 - T5 Cycling
 - T6 Car parking
 - T6.1 Residential Parking
 - T7 Deliveries, servicing and construction

Bromley Local Plan

- 1 Housing Supply
- 4 Housing Design
- 13 Renewal Areas
- 14 Development Affecting Renewal Areas
- 19 Ravensbourne, Plaistow & Sundridge Renewal Area
- 30 Parking
- 32 Road Safety
- 33 Access for all
- 37 General Design of Development
- 40 Other Non-Designated Heritage Assets
- 70 Wildlife Features
- 72 Protected Species
- 73 Development and Trees
- 74 Conservation and Management of Trees and Woodlands
- 77 Landscape Quality and Character
- 78 Green Corridors
- 79 Biodiversity and Access to Nature
- 113 Waste Management in New Development
- 115 Reducing Flood Risk
- 116 Sustainable Urban Drainage Systems
- 117 Water and Wastewater Infrastructure Capacity
- 118 Contaminated Land
- 119 Noise Pollution
- 120 Air Quality
- 122 Light Pollution
- 123 Sustainable Design and Construction
- 124 Carbon reduction, decentralised energy networks and renewable energy
- 125 Delivery and Implementation of the Local Plan

Supplementary Planning Guidance

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

National Design Guide - (September 2019)

SPG1 General Design Principles

SPG 2 Residential Design Guidance

Planning History

There is no relevant planning history relating to the application site.

Considerations

The main issues to be considered in respect of this application are:

- o Principle
- o Design
- o Standard of residential accommodation
- o Highways
- o Neighbouring amenity
- o Sustainability
- o Trees

- o Other (drainage/flooding/noise/pollution)
- o CIL

Principle

- o Housing Supply

The current position in respect of Bromley's Five Year Housing Land Supply (FYHLS) was agreed at Development Control Committee on 24th September 2020. The current position is that the FYHLS (covering the period 2020/21 to 2024/25) is 2,690 units, or 3.31 years supply. This is acknowledged as a significant undersupply and for the purposes of assessing relevant planning applications means that the presumption in favour of sustainable development will apply.

The NPPF (2021) sets out in paragraph 11 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with an up to date local plan, applications should be approved without delay. Where a plan is out of date, permission should be granted unless the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

According to paragraph 11(d) of the NPPF in the absence of a 5 year Housing Land Supply the Council should regard the Development Plan Policies for the supply of housing including Policy 1 Housing Supply of the Bromley Local Plan as being 'out of date'. In accordance with paragraph 11(d), for decision taking this means where there are no relevant development plan policies or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

London Plan Policy H1 sets Bromley's housing target at 774 homes per annum. In order to deliver this target, boroughs are encouraged to optimise the potential for housing delivery on all suitable and available brownfield sites. This approach is consistent with Policy 1 of the Bromley Local Plan, particularly with regard to the types of locations where new housing delivery should be focused.

Policy H2 requires Boroughs to pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). Policy D3 requires all development to make the best use of land by following a design led approach.

This application includes the provision of nine residential dwellings and would represent a minor contribution to the supply of housing within the Borough. This will be considered in the overall planning balance set out in the conclusion of this report, having regard to the presumption in favour of sustainable development.

- o Optimising Sites:

Policy H1 Increasing Housing Supply of the London Plan states that to ensure housing targets are achieved boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their Development Plans and planning decisions. Policy 1 of the Local Plan and Policy H1 of the London Plan set the context in the use of sustainable brownfield sites for new housing delivery.

Policy H2 Small Sites of the London Plan states that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to significantly increase the contribution of small sites to meeting London's housing needs.

The London Plan does not include a prescriptive density matrix and promotes a design-led approach in Policy D3 to optimise the capacity of sites. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity. Policies D2 and D4 are also relevant to any assessment of development proposals, including whether the necessary infrastructure is in place to accommodate development at the density proposed.

Policy 40 - Other non-designated heritage assets of the Bromley Local Plan states where non-designated heritage assets are highlighted as at risk of harm from a planning application, clearly demonstrable reasons or evidence of their significance will be required. Where the Council agrees that such assets are worthy of protection, proposals to replace such buildings will be assessed against paragraph 203 of the National Planning Policy Framework (NPPF), taking into account the scale of harm or loss and the significance of the heritage asset.

The NPPG at paragraph 40 (Historic environment) states that in some cases, local planning authorities may also identify non-designated heritage assets as part of the decision-making process on planning applications.

Local Plan Policies 4 and 37 accord with paragraph 130 of the National Planning Policy Framework, which requires development to be sympathetic to local character whilst optimising the potential of sites.

Historic map regression dates this building to the late 19th or early 20th centuries and it displays fine Flemish bond brickwork and original sash windows with stone and brick decoration above and below. It also has an attractive dogtooth dental course at eaves level and a prominent tower feature with sprocketed eaves all under a slate roof. It is also surrounded by low brick wall with decorative brick coping stones and an attractive wrought iron fence.

The building is considered a fine example of a Victorian building. As such the building is considered a non-designated heritage asset under the NPPF definition and Planning Policy Guidance. This proposal therefore causes substantial harm to the non-designated heritage asset.

In principle the weight accorded to the significance of the building as a non designated heritage asset would outweigh the weight accorded to other policies in respect of housing supply and optimising sites detailed above.

- o Housing unit mix

Policy H10 Housing size mix of the London Plan states that schemes should generally consist of a range of unit sizes and regard should be had to local evidence of need.

Local Plan Policy 1 Supporting Text (paras 2.1.17 and 2.1.18) highlight findings from the 2014 Strategic Housing Market Assessment (SHMA) that the highest level of need across tenures within the Borough up to 2031 is for one bedroom units (53%) followed by 2 bedroom (21%) and 3 bedroom (20%) units. Larger development proposals (i.e. of 5+ units) should provide for a mix of unit sizes and be considered on a case by case basis.

The application proposes a unit mix of 6 x 2 bed flats and 3 x 3 bed residential units which is considered an acceptable mix at this location.

Design

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.

Paragraph 126 of the NPPF (2021) states that beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 of the NPPF (2021) requires Local Planning Authorities to ensure that developments will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). New development shall also establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

The NPPF sets out in section 16 the tests for considering the impact of a development proposal upon designated and non-designated heritage assets. The test is whether the proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset and whether it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits. A range of criteria apply.

Paragraph 202/203 of the NPPF state where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect

non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset

London Plan and Bromley Local Plan policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design.

Policy D3 of the London Plan relates to 'Optimising site capacity through the design-led approach' and states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Form and layout should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape. The quality and character shall respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

Policy D4 of the London Plan outlines the various methods of scrutiny that assessments of design should be based on depending on the level/amount of the development proposed for a site.

Policy D5 of the London Plan relates to 'Inclusive Design' and states that development proposal should achieve the highest standards of accessible and inclusive design.

Policy H2 of the London Plan states that Boroughs should also recognise in their Development Plans that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.

The general aims of the Council's design policies state that housing development should be designed to the highest level both internally and externally. In addition, the Council seeks that developments should have regard for the wider context and environment and should seek to enhance the residential environment and attractiveness as a place to live.

Policy 4 of the Local Plan details that all new housing developments will need to achieve a high standard of design and layout whilst enhancing the quality of local places respecting local character, spatial standards, physical context and density. To summarise the Council will expect all of the following requirements to be demonstrated: The site layout, buildings and space around buildings be designed to a high quality, recognising as well as complimenting the qualities of the surrounding areas; compliance to minimum internal space standards for dwellings; provision of sufficient external, private amenity space; provision of play space, provision of parking integrated within the overall design of the development; density that has regard to the London Plan density matrix whilst respecting local character; layout giving priority to pedestrians and cyclists over vehicles; safety and security measures included in the design and layout of buildings; be accessible and adaptable dwellings.

Policy 8 of the Local Plan details that when considering applications for new residential development, including extensions, the Council will normally require for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.

Policy 37 of the Local Plan details that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To summarise developments will be expected to meet all of the following criteria where they are relevant; be imaginative and attractive to look at, of a good architectural quality and should complement the scale, proportion, form, layout and materials of adjacent buildings and areas; positively contribute to the existing street scene and/or landscape and respect important views, heritage assets, skylines, landmarks or landscape features; create attractive settings; allow for adequate daylight and sunlight to penetrate in and between buildings; respect the amenity of occupiers of neighbouring buildings and those of future occupants; be of a sustainable design and construction; accessible to all; secure; include; suitable waste and refuse facilities and respect non designated heritage assets.

Policy 40 - Other non-designated heritage assets of the Bromley Local Plan states where non-designated heritage assets are highlighted as at risk of harm from a planning application, clearly demonstrable reasons or evidence of their significance will be required. Where the Council agrees that such assets are worthy of protection, proposals to replace such buildings will be assessed against paragraph 203 of the National Planning Policy Framework (NPPF), taking into account the scale of harm or loss and the significance of the heritage asset.

As detailed in the principle of development section above, the building is considered to be a non-designated heritage asset in the locality.

Whilst the building is not in a Conservation Area or listed/locally listed specifically, it does exhibit positive architectural and townscape merit. Architecturally, the building is late Victorian with a nod to the arts and craft movement. The distinctive gable, turret, squat spire and chimney add visual interest to the façade and the ridgeline. There are several minor alterations to the rear and first floor, but these do not detract from the overall quality of the building. The building and turret are sited in a way to address the corner and junction between Warren Avenue, Bromley Avenue and Farnaby Road. The building is considered a legible point of reference for the local community and is considered a landmark building with townscape value. Therefore, given the heritage contribution of the current building on site as described above, the total loss of this piece of local heritage would not be supported.

In respect of the proposed replacement building. The predominant character of this part of Bromley is of large detached and semi-detached houses on good sized plots. The proposed building would be closer in proximity to the side boundary with No38 Bromley Avenue due to the built form occupying current air space at upper levels and would also introduce the principle elevation of the building to Warren Avenue as opposed to addressing the corner nature of the site. The current enclosed rear garden area of the site forms the entry character of the road as a quiet and unbuilt open section of townscape as an approach to the remainder of Warren Avenue.

The closer proximity of the replacement building, the extra depth of the footprint of the building to the rear of the site and reorientation of the principle elevation is considered to erode this character significantly. The radically reduced garden area proposed and introduction of parking area, bin store area and garage building will also similarly erode the established character.

In terms of the design of the building. This is a simple block form, with large window openings and glazed balconies. This style represents a significant departure from the character and appearance of the existing building and that of the semi-detached

residential properties which characterise the surrounding area. The siting, scale and amount of built form, the associated car parking, and service requirements, occupy almost all of the application site. As such, the proposed development is considered over-bearing and out of scale and would represent a discordant addition to the street scene.

The proposed replacement building is not design-led and by reason of its inappropriate scale, design and massing, would not positively contribute to the existing street scene, contrary to the advice contained in London Plan Policy D3 and Local Plan Policy 37.

Standard of residential accommodation

In March 2015 the Government published The National Technical Housing Standards. This document prescribes internal space within new dwellings and is suitable for application across all tenures. It sets out requirements for the Gross Internal (floor) Area of new dwellings at a defined level of occupancy as well as floor areas and dimensions for key parts of the home, notably bedrooms, storage and floor to ceiling height. The Gross Internal Areas in this standard will not be adequate for wheelchair housing (Category 3 homes in Part M of the Building Regulations) where additional internal area is required to accommodate increased circulation and functionality to meet the needs of wheelchair households.

Policy D6 of the London Plan relates to 'Housing quality and standards' states that housing development should be of high quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners. The policy also prescribes internal space within new dwellings and external spaces standards that are in line with the National Technical Housing Standards.

Policy D7 of the London Plan - Accessible Housing, states that to provide suitable housing and genuine choice for London's diverse population, including disabled people, older people and families with young children, residential development must ensure that at least 10 per cent of dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(3) 'wheelchair user dwellings' and; all other dwellings (which are created via works to which Part M volume 1 of the Building Regulations applies) meet Building Regulation requirement M4(2) 'accessible and adaptable dwellings'.

Part M compliance has been stated within the submitted Design and Access Statement.

Policy 4 of the Local Plan sets out the requirements for new residential development to ensure a good standard of amenity for future occupiers. The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. The standards apply to new build, conversion and change of use proposals. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including refuse and cycle storage facilities) as well as core and access arrangements to reflect the Governments National Technical Housing Standards.

The floor space size of each of the residential units ranges between 80.1m² and 129.9m² respectively over single levels. The nationally described space standard requires various sizes of a GIA depending on the number of bedroom and persons intended. The sizes of the flats have been reviewed on this basis. The floorspace

provision for all of the units is compliant with the required standards and is considered acceptable.

The shape and room size in the proposed flats is generally considered satisfactory where none of the rooms would have a particularly convoluted shape which would limit their specific internal use by occupiers.

Amenity space is provided to upper level flats with balconies to the principle elevations facing the streetscene on the adjacent roads. Some limited communal space is provided surrounding the ground floor flats adjacent to the street boundaries. Additional buffer space surrounds the car parking area. On balance, the balcony spaces would appear acceptable in terms of size. The ground floor spaces are welcomed but do not present a quality provision which is considered a further indicator of the cramped overdevelopment of the site.

Highways

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. The NPPF clearly states that transport issues should be considered from the earliest stage of both plan making and when formulating development proposals and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The NPPF states that all developments that will generate significant amounts of movement should be required to provide a travel plan, and the application should be supported by a transport statement or transport assessment so that the likely impacts of the proposal can be assessed.

London Plan and Bromley Local Plan Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan and Bromley Local Plan should be used as a basis for assessment.

o Car parking

The Council's Highway Officer has reviewed the current application and not raised any objection to the level of parking provided at the site or the relocated central vehicular access from a technical highways perspective.

o Cycle parking

Cycle parking is required to be 1 space for studio or 1 bed and a minimum of 2 spaces should be provided for 2 beds or more. The applicant has provided details of a location integral room for cycle storage on the ground floor of the building indicating 20 long stay spaces and an external location for 2 short stay spaces. This is considered acceptable. A compliance planning condition is recommended in this regard had permission been forthcoming.

o Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of an integral location for refuse storage to the right side of the front pedestrian entrance in close proximity of the highway. A planning condition

is recommended in this regard for further details of capacity had permission been forthcoming.

Neighbouring amenity

Policy 37 of the Bromley Local Plan seeks to respect the amenity of occupiers of neighbouring buildings and those of future occupants, providing healthy environments and ensuring they are not harmed by noise and disturbance, inadequate daylight, sunlight, privacy or by overshadowing.

Policy 4 of the Bromley Local Plan also seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

In terms of outlook, the fenestration arrangement will provide front, flank and rear outlook. Concerns have been raised regarding the overbearing mass and scale of the building and loss of privacy and overlooking to the gardens of adjacent properties.

In relation to No38 the windows in the rear projection face from the rear elevation of the proposed building except for a bedroom in Flat 2 that faces the boundary at fence height.

It is noted that the rear elevation position is designed to comply with the 45dg rule of thumb in terms of massing. However, given the extent of the rear projection of the building and presence of the high four storey flank elevation in relative close proximity to the boundary at an average distance of 7m the impacts of the mass and scale of the building are considered to be significant in terms of enclosure and general overbearing presence to No38.

To the front elevation, raised first, second and third floor balconies are proposed. Even if some screening was added due to the close proximity to the main entrance to No38, external overlooking would still take place from an oblique angle into the front garden areas at close proximity at a raised level. Potential noise and disturbance from the balconies is also considered to be substantial at a raised level given the sole use as an amenity space for the upper level flats.

In relation to No 4 Warren Avenue a degree of overlooking will take place in closer proximity and at a higher level than the current building. However, given the level of separation between the buildings at approximately 20m this is not considered to cause a significant level of harm to residential amenity in this direction.

Therefore, notwithstanding the above concerns in respect of the design and scale of the building on the character and appearance of the locality it is also considered that the proposed building would be detrimental to neighbouring amenity due its overbearing scale and dominance.

Consideration is also made in respect of the level of occupation of the site in that noise and disturbance will increase due to the increase in intensity of its density use. On balance there will be an increased impact of this nature, however, in a suburban environment the increase in terms of noise only is not considered unduly unacceptable at this location.

Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions.

Paragraph 9.2.3 of the London Plan states that Boroughs should ensure that all developments maximise opportunities for on-site electricity and heat production from solar technologies (photovoltaic and thermal) and use innovative building materials and smart technologies. This approach will reduce carbon emissions, reduce energy costs to occupants, improve London's energy resilience and support the growth of green jobs.

Local Plan Policy 123 states that all applications for development should demonstrate how the principles of sustainable design and construction have been taken into account.

An informative is recommended with any approval to ensure that the development strives to achieve these objectives. Further details regarding an electric vehicle charging point is also recommended with any approval.

Sustainable Drainage

Policy SI 13 Sustainable Drainage of the London Plan states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy 116 of the Local Plan details that all developments should seek to incorporate sustainable Urban Drainage Systems (SUDS) or demonstrate alternative sustainable approaches to the management of surface water as far as possible.

The Council's Drainage Officer has reviewed the submitted details in respect of surface water drainage. It is recommended that further detail is sought by planning condition with any permission.

Air Quality

Policy SI 1 Improving air Quality states in summary that development proposals should not lead to further deterioration of existing poor air quality and shall minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retro-

Policy 120 of the Local Plan states that developments which are likely to have an impact on air quality or which are located in an area which will expose future occupiers to pollutant concentrations above air quality objective levels will be required to submit an Air Quality Assessment.

The site is located within the Bromley AQMA. In this case, given the location it is considered prudent for the development to incorporate Ultra Low NOx boilers for the flats. A condition is recommended in this regard with any permission.

Trees and landscaping

Policy 73 of the Bromley Local Plan states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land,

which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

Policy 77 of the Bromley Local Plan states that development proposals will seek to safeguard the quality and character of the local landscape and seek the appropriate restoration and enhancement of the local landscape through the use of planning obligations and conditions.

Limited details of landscaping have been submitted on the proposed site plan for the areas given over to planting in the front and rear curtilage. Further details can be sought by condition for landscaping details with any permission.

CIL

The Mayor of London's CIL and the Borough CIL (adopted 15/6/21) is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Conclusion

Taking into account the above, the loss of the existing building at 2 Warren Avenue by reason of its significance, in terms of its positive contribution to the architectural heritage of the local area as a non-designated heritage asset identified during the development management assessment process, would be harmful to the character and appearance of the area, as well as having a serious and adverse effect on the visual amenities enjoyed by occupants of neighbouring property.

The proposed development by reason of its prominent siting, size, scale, height, massing and bulky, poorly contextually related design represents a visually obtrusive and inappropriate overdevelopment of the site which would be detrimental to the open characteristics of the Warren Avenue/Bromley Avenue/Farnaby Road junction which is an important characteristic to the existing development pattern resulting in significant harm to the character and appearance of the area and surrounding development and would be harmful to the residential and private amenities of neighbouring property and visual amenities of the area.

The proposed development by reason of its overbearing nature, siting and proximity to neighbouring buildings and property boundaries would have a serious and adverse effect on the privacy and amenity enjoyed by the occupants of neighbouring property at No38 Bromley Avenue.

In respect of the Council's 5 year housing land supply and the current position outlined within the 'principle' section above, paragraph 11d (ii) of the Framework would be applicable. In this case, when weighing up benefits of the development and the current undersupply of housing, it is considered that the identified harm arising from the proposal would significantly and demonstrably outweigh the benefits of the development. Therefore, in the planning balance the proposal is not considered to be acceptable.

Background papers referred to during production of this report comprise all correspondence on the files set out in the Planning History section above, excluding exempt information.

Decision

Application Refused

For conditions or grounds of refusal please refer to the Decision Notice