Conquest House, 25 Elmfield Road, Bromley in the London Borough of Bromley

planning application no. DC/15/03136/FULL1

Strategic planning application stage 1 referral

The proposal
A full application for demolition of the existing building and erection of a 12/13 storey mixed use building to comprise commercial 881.5 sq.m. (GIA)/ retail floorspace (Class B1/A1/A2/A3) at ground and part first floor level and 69 residential units at upper floors (27 one bed, 31 two bed and 11 three bed), 46 car parking, 132 cycle parking, refuse stores and landscaping and other associated works.

The applicant
The applicants are Taylor Wimpey (East London) Ltd, the architect is Allies and Morrison and the agent is Montagu Evans LLP.

Strategic issues
The principle of a mixed residential and commercial development in Bromley Town Centre is acceptable. Issue relating to affordable housing, density, children and young person’s play, urban design, energy and transport should be resolved before stage 2 referral.

Recommendation
That Bromley Council be advised that while the application is generally acceptable in strategic planning terms it does not fully comply with the London Plan, for the reasons set out in paragraph 77 of this report; but that the possible remedies also set out in that paragraph could address those deficiencies.

Context
1 On 9 September 2015, the Mayor of London received documents from Bromley Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008 the Mayor has until 20 October 2015 to provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor’s use in deciding what decision to make.

2 The application is referable under Category 1C of the Schedule to the Order 2008:
• 1C- “Development which comprises or includes the erection of a building of the following description—(c) the building is more than 30 metres high and is outside the City of London.”

3 Once Bromley Council has resolved how it intends to determine the application, it is required to refer it back to the Mayor for his decision as to whether to direct refusal; take it over for his own determination; or allow the Council to determine it itself.

4 The Mayor of London’s statement on this case will be made available on the GLA website www.london.gov.uk.

Site description

5 The application relates to Conquest House - a four-storey, late 1960s building of no particular architectural merit, situated on a roughly rectangular plot, some 0.166 of a hectare in size, on the east side of Elmfield Road in Bromley town centre.

6 The building is presently occupied by the Bromley Conservative Club, with leisure, restaurant and bar uses on the ground floor; offices on the lower ground and first floors; and a vacant residential unit at second floor level. The floor area of the existing building amounts to 1,231 sq.m. (gross internal area).

7 The site is bounded on the north by a large, four-storey office building named Kingfisher House; on the east by an elevated (approximately 3.6 metres high) section of the dual carriage A21 Kentish Way which forms part of the Transport for London Road Network (TLRN); on the west by Elmfield Road; and on the south by Palace View, which provides vehicle access to a car park at the rear (east) of the subject site and pedestrian access beneath the A21 to the extensive Palace Estate. The latter is typified by traditional two-storey semi-detached houses.

8 Elmfield Road is characterised by buildings of varying heights in predominantly office use, including a 10-storey Bank of America situated on the west side of the road, directly opposite the application site. The elevated A.21 serves as a visual and physical barrier between the commercial west and residential east within the locality of the site.

9 The wider surrounding is predominantly retail and commercial in character. It includes ‘The Glades Shopping Centre’, some 250 metres to the north; High Street, Bromley, situated 120 metres to the west and parallel to Elmfield Road; and Bromley South Railway Station, situated approximately 200 metres south-west of the application site, from which there are numerous bus services and direct train services (by national rail) west to London Victoria and east to Ashford International Station. As such, the site has a public transport accessibility level of 6a (on a scale of 1 to 6) where 6 is excellent.

Details of the proposal

10 The proposal is a full application for the demolition of the existing on site building and the erection of a 12/13-storey building for mixed-use purposes comprising:

• 881.5 sq.m. of commercial (use classes B1, A1, A2 and A3) floorspace at ground and first floor levels of which 881.5 sq.m. is B1 office and 140 sq.m. flexible retail/commercial.

• 69 one, two and three bedroom apartments on the second to fifteenth floors.

• Basement parking spaces for 46 cars; and 132 bicycle spaces at basement and surface levels.

• Landscape enhancements to the public realm.
Case history

11 In November 2012, proposals for a development of a larger scale but similar description were the subject of a pre-application meeting between GLA officers and representatives of the current applicants. The proposals were for a 19-storey building comprising commercial space at ground and first floor levels, including new facilities for the existing Conservative Club and residential accommodation on the second to eighteenth floors. In its written pre-application advice statement, the GLA accepted the principle of a residential-led, mixed-use development on the site, but requested the applicant to reconsider the lack of affordable housing within the scheme; and the height of the proposed building and its potential impact on the surrounding area. Further information was sought on the issues of design, inclusive access, climate change, ambient noise, air quality and transport.

12 Stage 1 (D&P/3054/01) and 2 (D&P/3054/02) reports were issued for the submitted scheme that was refused by Bromley Council. The Mayor’s decision on the refusal was having regard to the details of the application, the matters set out in the committee report and the Council’s draft decision notice, there are no sound planning reasons for the Mayor to intervene in this particular case and therefore no basis to issue a direction under Article 7 of the Order 2008.

13 The Council’s decision notice was issued on 27 September 2013 and listed four reasons for refusal, as follows:

1. The proposed development would, by reason of its height, scale, siting and design which would not be of the outstanding architectural quality required by the development plan, appear as an unduly prominent and overbearing addition to the town centre skyline, out of character with the scale, form and proportion of adjacent development, giving rise to an unacceptable degree of harm to the character and appearance of the area including the adjacent Palace Estate.
2. The proposed development would, by reason of the height, scale and footprint of the building and its proximity to boundaries and the Kentish Way constitute over development of the site, with very limited space retained at street level to offset the significant mass of built development and provide a satisfactory setting for the development, and would give rise to a loss of amenity to neighbouring residents with particular regard to overlooking.

3. The proposed development would fail to meet the Council’s requirement for the provision of on-site affordable housing, with insufficient justification provided to demonstrate that a lower level of on-site affordable housing or different tenure mix should be sought in this case.

4. The proposed development would, by reason of the proposed land use mix, result in an inadequate provision of employment floorspace, which would not maximise the opportunity for new employment generating activity in the Business Improvement Area.

14 The Applicant lodged an appeal against the refusal to grant planning permission in December 2013. The appeal was confirmed as valid by the Planning Inspectorate on 1 January 2014 and a Public Inquiry was held in April 2014. In conclusion, the Inspector dismissed the appeal stating:

‘The scheme has many advantages. It would produce an intrinsically well designed building, improve some key vistas, provide inward investment, protect existing levels of employment floorspace and provide much needed housing. But this is not a situation where concerns about incompatibility with existing townscape have been mitigated by good design. It is one where the proposal’s excessive height would result in an unduly overbearing new building that would damage, unacceptably, the living conditions of nearby residents. It is on this limited, but important, ground that the appeal is dismissed’.

Strategic planning issues and relevant policies and guidance

15 The relevant issues and corresponding policies are as follows:

- Economic development/Regeneration London Plan; the Mayor’s Economic Development Strategy; Employment Action Plan
- Retail/town centre uses London Plan; draft Town Centres SPG
- Mix of uses London Plan
- Housing London Plan; Housing SPG; draft interim housing SPG, Housing Strategy; Revised Housing Strategy; Shaping Neighbourhoods: Play and Informal Recreation SPG;
- Affordable housing London Plan; Housing SPG; Housing Strategy;
- Density London Plan; Housing SPG
- Urban design London Plan; Shaping Neighbourhoods: Character and Context, draft SPG; Housing SPG; London Housing Design Guide; Shaping Neighbourhoods: Play and Informal Recreation SPG
- Access London Plan; Accessible London: achieving an inclusive environment SPG;
- Sustainable development London Plan; Sustainable Design and Construction SPG; Mayor’s Climate Change Adaptation Strategy; Mayor’s Climate Change Mitigation and Energy Strategy; Mayor’s Water Strategy
- Transport/parking London Plan; the Mayor’s Transport Strategy;
For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the saved policies of the 2006 Bromley Unitary Development Plan, the 2010 Bromley Town Centre Area Action Plan and the London Plan (consolidated with alterations since 2011 (March 2015)).

The following are material planning considerations:

- The Options and Preferred Strategy (Consultation) Document for the Bromley Local Plan (March 2013).
- Bromley Council’s Affordable Housing SPD (March 2008).
- Draft Minor Alterations to the London Plan (2015)

**Principle of development**

The application site is within the boundary of Bromley Town Centre, which is designated as a metropolitan centre in the London Plan town centre hierarchy. Policy 2.15 of the plan aims to ensure that centres within the network provide the main focus outside the Central Activities Zone for commercial development and intensification, including residential development. The policy specifically requires development proposals in town centres to sustain and enhance the vitality and viability of the centre and to accommodate economic and/or housing growth through intensification and selective expansion in appropriate locations.

The site is also identified in the Bromley Town Centre Area Action Plan (BTCAAP) as part of a Business Improvement Area, wherein policy BTC5 (Office Development) looks to retain existing office uses and to maximise the opportunities for new employment-generating activity. In particular, the policy states that development proposals resulting in the loss of B1 office floorspace will only be acceptable if the office floorspace is re-provided as part of the redevelopment of the site.

At present, Conquest House contains 637 sq.m. of class B1 office space at lower ground and first floor levels. The current proposal includes 741 sq.m. of office space at the first floor level (representing a 16% increase in office space over the existing provision) and a flexible range of commercial uses at ground floor level, which may include an additional amount of office space; bringing the total amount of commercial space to 881 sq.m.

It follows from the foregoing that the quantum of office space proposed is in line with policy BTC5 of the town centre area action plan; and that there would be no loss of office space as a result of the development.

With regard to the mix of uses, however, the predominantly residential development would make less contribution to the designated Business Improvement Area than it would to the provision of housing in the town centre. Whilst the BTCAAP positively encourages residential accommodation in the town centre, it identifies specific sites that are suitable for tall buildings to meet that need. The application site is not one of those identified for tall buildings or high-rise residential development along the lines proposed.

Nonetheless, from a strategic and local planning policy perspective, the new development would generate additional local employment; introduce some desirable new residential accommodation to animate and enhance security in an otherwise sterile office environment; and make a positive contribution to the regeneration of Bromley Town Centre. It is therefore acceptable in principle.
Housing issues

Housing mix

24 London Plan Policy 3.8 and the associated supplementary planning guidance promote housing choice and seek a balanced mix of unit sizes in new developments. In this instance, the housing mix of the scheme is as follows:

Table 1: Housing mix

<table>
<thead>
<tr>
<th>Unit Type</th>
<th>Number of units</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 bed/2 person</td>
<td>27</td>
<td>39</td>
</tr>
<tr>
<td>2 bed/3 person</td>
<td>2</td>
<td>3</td>
</tr>
<tr>
<td>2 bed/4 person</td>
<td>29</td>
<td>42</td>
</tr>
<tr>
<td>3 bed/4 person</td>
<td>6</td>
<td>9</td>
</tr>
<tr>
<td>3 bed/5 person</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>3 bed/6 person</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td><strong>69</strong></td>
<td><strong>100</strong></td>
</tr>
</tbody>
</table>

As the table shows, the proposal offers just a small proportion of family-sized units (16%); all of which would be wheelchair accessible or adaptable. The limited number of larger sized units is a result of the site constraints and the lack of scope for play space provision on the site in a town centre location. Although the BTCAAP positively encourages family accommodation in the town centre where appropriate, this site can be viewed as a less appropriate location for such accommodation. As a percentage of the total units, the revised scheme with 16% three bed units is a substantial increase over the 5% three bed units in the refused application and the housing mix given the location is supported subject to resolution of issues relating to affordable housing.

Affordable housing

26 London Plan policy 3.12 requires borough councils to seek the maximum reasonable amount of affordable housing when negotiating on individual private residential and mixed-use schemes. In doing so each council should have regard to its own overall target for the proportion of affordable housing and the strategic target that 60% of new affordable housing should be for social or affordable rent and 40% for intermediate rent or sale.

27 Policy BTC3 of the Bromley Town Centre Area Action Plan accords with these strategic objectives in requiring a mix of housing, including private and affordable housing in appropriate new developments within the town centre. It states that the level of affordable housing required in any development scheme should accord with adopted local and strategic policy, and take into account other objectives of the Area Action Plan. On sites capable of providing ten units or more, the Council’s UDP and Affordable Housing SPD seeks the provision of 35% affordable housing, with a tenure ratio of 70:30 social rented to intermediate accommodation.

28 In this instance, the applicant has indicated that the proposals will include seven shared ownership units equating to 10% of all units although no registered provider has been identified to deliver these units and furthermore no rented affordable units are included in scheme. The inclusion of shared ownership units is a welcome improvement from zero affordable in the refused scheme.
29 The applicant has made a further offer of a payment in lieu towards the provision of some affordable housing off-site and has sought to justify those proposals in separate planning and financial viability appraisal reports submitted with the application.

30 The applicant contends that affordable rented units are not feasible due to the constraints of a small site and the proposed development tower form is based around a single lift/stair core is a design approach which is not particularly attractive to Registered Providers, given the relative difficulty of managing tenancies and service charges. Discussion with local providers in respect of Conquest House are said to confirm this point.

31 In addition, the applicants point out that whilst the Affordable Housing SPG identifies a priority local demand for larger family homes with three or more bedrooms and a target of 50% for such provision, the development proposed is not conducive to the delivery of that type of accommodation. As such, they consider that it would be more pragmatic to make a contribution to Bromley Council towards the provision of some affordable housing off site. If an off-site contribution is to be offered, then the applicants should identify a site on which the affordable housing can be delivered, as explained in paragraph 3.74 of the London Plan.

32 In exploring options for affordable housing provision as part of the development the applicant’s viability assessment and should be independently reviewed on behalf of Ealing Council and discussions held with GLA officers on the outcome of the independent review. This information should be made available prior to stage 2 referral.

Density

33 The applicants have indicated that the density of residential development would be 414 units (or 1,282 habitable rooms) per hectare, which exceeds the upper limit of the indicative range of 215-405 units (650-1,100 habitable rooms) per hectare provided in the London Plan density matrix for a site in a ‘central’ setting and a public transport accessibility level of 6a. The London Plan states that:

‘A rigorous appreciation of housing density is crucial to realising the optimum potential of sites, but it is only the start of planning housing development, not the end. It is not appropriate to apply Table 3.2 mechanistically. Its density ranges for particular types of location are broad, enabling account to be taken of other factors relevant to optimising potential – local context, design and transport capacity are particularly important, as well as social infrastructure (policy 3.16), open space (policy 7.17) and play (policy 3.6).’

34 In this instance the scheme is for a substantially less dense development with a site a high PTAL 6a, but before the exceeding of site density parameters be accepted further consideration should be given to the design and provision of amenity and play space.

Children & young person’s play

35 London Plan policy 3.6 requires development proposals that include housing to make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs.

36 Although the guidance sets a benchmark of 10 sq.m. of useable child playspace to be provided per child, with under-5 child playspace provided on-site; the only provision proposed on the site are balconies and small, private amenity spaces. The applicants have stated that the requirement for play and informal recreation space would be met by the existing local provision of parks and public gardens within easy walking distance of the site, including Queens Gardens and Church House Gardens, situated 350 and 430 metres respectively from the development site.
37 Given the low child yield (6, with 4 under-fives) likely to reside in a high-rise block of predominantly one and two bedroom flats for market sale, the applicants have indicated that Council officers accept the lack of on-site provision of play space and the fulfilment of any future needs by the existing local public provision. The design is missing the opportunity to include amenity space on the roof of the building and the applicant should set out if this option has been explored during the design evolution and why it was rejected.

Urban design

38 The previous refused scheme was supported by the Mayor due to its central location and its position at a gateway into the town centre from the residential areas to the west which would successfully mark the town centre and improve the areas legibility. The proposed 12/13 storey submission is therefore supported.

39 Although the reduction in height to 12/13 storeys results in the building appearing somewhat truncated, the revised offset angular and stepped massing approach does somewhat alleviate its impact. Whilst the stepping back reduces the overall scale of the building in views from Place View.

40 The building appearance establishes a tall/mid-rise building where the base, middle and crown to the building are clearly articulated. The base and mid sections work are effectively articulated, with the base of the building consisting of a plinth of solid brick columns, glazing and composite stone cladding expressing the commercial use and apartment frontage. The mid-section of the building has south and north elevations of brickwork and proportioned openings for windows and balconies (south elevation) with the eastern elevation having a gridded composite stone screen on the lower levels up to the eighth floor with an open grid of windows and recessed balconies.

41 The crown or top of the building is emphasised by composite stone cladding between finer brick columns, this does bring character to the upper levels but somewhat abruptly leaves a large flat roof. It is officers opinion that the roof could be made more of a feature to enhance the crown/top of the building through adoption of a roof terrace which would improve the provision of amenity space within the development and as previously stated provide on-site door step play space.

42 The adopted design approach has identified the potential for the site redevelopment to significantly enhance the quality of Palace View, which is a key route linking the town centre to its residential hinterland. The ground floor layout has located two separate retail units accessed from Palace View lining the whole northern side of this route and this will contribute to the route feeling safe, attractive and well used, becoming a good quality gateway into the town centre.

Housing quality & access

43 London Plan Policy 3.5 promotes quality in new housing provision and sets out minimum space standards at Table 3.3.

44 The residential elements of the scheme are arranged around a single core located on the western edge of the tower on Elmfield Road. The provision of no more than seven units per floor ensures a good sense of ownership over communal spaces, which is welcomed. The greatest number of single aspect units on each floor is three, and none of these are north facing which is also supported. Care has also been given to avoiding units facing the Kentish Way which would suffer from noise and air quality issues.
All of the proposed dwellings would meet or exceed the minimum size requirements specified in the London Plan and 10% wheelchair accessible units and are located on floorplans. The supporting planning statement also confirms that all the units would be built to the ‘Lifetime Homes’ standard to comply with the London Plan policy on inclusive design and access and this is welcome.

**Sustainable Energy**

The applicant has broadly followed the energy hierarchy and sufficient information has been provided to understand the proposals as a whole. Further revisions and information are required before the proposals can be considered acceptable and the carbon dioxide savings verified.

A range of passive design features and demand reduction measures are proposed to reduce the carbon emissions of the proposed development. Both air permeability and heat loss parameters will be improved beyond the minimum backstop values required by building regulations. Other features include low energy lighting and mechanical ventilation with heat recovery.

The applicant is proposing to use accredited construction (ACDs) details in order to reduce heat loss through thermal bridging. The applicant should confirm the construction type for the scheme as ACDs are only currently compatible with traditional methods of construction, such as masonry. The applicant should therefore explain the processes in place in order to ensure that achieving the performance level of ACD will be achieved for this particular building.

No information has been provided on how the demand for cooling will be reduced. The applicant should provide evidence of how policy 5.9 has been addressed to avoid overheating and minimise cooling demand in both the residential and commercial spaces. Dynamic overheating modelling in line with CIBSE Guidance TM52 and TM49 is recommended.

The development is estimated to achieve a reduction of 6 tonnes per annum (10%) in regulated carbon dioxide emissions compared to a 2013 Building Regulations compliant development. Sample SAP full calculation worksheets (both DER and TER sheets) and BRUKL sheets including efficiency measures alone should be provided to support the savings claimed.

The applicant has carried out an investigation and there are no existing or planned district heating networks within the vicinity of the proposed development. The applicant has, however, provided a commitment to ensuring that the development is designed to allow future connection to a district heating network should one become available.

The applicant is proposing to install a site heat network. However, the applicant should confirm that all apartments and non-domestic building uses will be connected to the site heat network. Although the site heat network will be supplied from a single energy centre, further information on the floor area and location of the energy centre should be provided.

The applicant is proposing to install a 15 kWe gas fired CHP unit as the lead heat source for the site heat network. The CHP is sized to provide the domestic hot water load, as well as a proportion of the space heating. A reduction in regulated carbon dioxide emissions of 7 tonnes per annum (12%) will be achieved through this second part of the energy hierarchy. The applicant should provide information on the management arrangements proposed for the system, including anticipated costs, given that the management and operation of small CHP systems can significantly impact their long term financial viability.
The applicant has investigated the feasibility of a range of renewable energy technologies and is proposing to install 125 sq.m. of roof mounted Photovoltaic (PV) panels. The applicant should provide an indicative roof layout drawing to demonstrate that there is sufficient space to accommodate the proposed PV array. A reduction in regulated carbon dioxide emissions of 9 tonnes per annum (15%) will be achieved through this third element of the energy hierarchy.

Based on the energy assessment submitted at stage 1 the scheme will result in a reduction of 23 tonnes of carbon dioxide per year in regulated emissions compared to a 2013 Building Regulations compliant development is expected, equivalent to an overall saving of 37%. The carbon dioxide savings exceed the target set within Policy 5.2 of the London Plan. However, the comments above should be addressed before compliance with London Plan energy policy can be verified.

**Flood risk**

A Flood Risk Assessment has been submitted, which confirms that part of the site, mainly under the A21 flyover, is within Flood Zone 2. This area is proposed to be used as a car park and as such the principle of the development is acceptable.

**Surface Water Run-off**

The assessment states that the development will include an attenuation tank of 65 cubic metres capacity, which is aimed at reducing the surface water discharge by 50%. In addition the extent of impermeable area will reduce from 100% to approximately 75%.

Research undertaken by the Drain London Project for the Bromley Council indicates that extensive areas along minor watercourses in close proximity to the site are at risk of surface water flooding. Given this evidence, it is recommended that the applicants increase the capacity of the attenuation tank, or increase the permeability of the remaining areas of the site, in order to reduce the risk of flooding in the surrounding area and to comply with the sustainable drainage hierarchy contained within Policy 5.13 of the Mayor’s London Plan.

**Transport**

**Site Access**

The application proposes two new pedestrian access points into the building from Palace View, in addition to the existing entrance on Elmfield Road, which are both borough roads. Access to the main car park beneath the A21 Kentish Way flyover has also been retained.

**Car Parking**

A total of 46 spaces are proposed for the residential element (1.5 spaces per unit), situated to the rear of the site, adjacent to Kentish Way. This includes five Blue Badge spaces and two Car Club spaces. Considering the sites excellent 6a PTAL, this proposal is contrary to London Plan policy 6.13 and table 6.2 of the London Plan. TfL requests a reduction due to the highly accessible location and to promote sustainable travel and reduce the negative impact to the traffic flow on the surrounding roads. These spaces should be reallocated as cycle parking spaces so as to remove the need to provide parking under the flyover which is unacceptable to TfL.

Electric vehicle charging points should be provided for the residential element in line with London Plan standards. TfL requests residents are prevented from applying for on-street parking permits within the local CPZ, and that this is secured through the section 106 agreement.
The office and retail land uses will be car-free, which is welcomed. However, at least one Blue Badge parking bay should still be provided in line with London Plan policy.

TfL also suggests the developer commits to providing free car club membership for all residents. This should be included in the travel plan and secured through the section 106 agreement.

Cycling

A total of 128 cycle parking spaces have been proposed, comprising of 108 for the residential element, 12 for the commercial element and eight for visitors. Policy requires an additional 3 spaces are provided for the residential element in line with the London Plan.

TfL has requested the applicant investigates relocating the cycle parking storage, due to structural issues which is discussed in more detail in the letter sent to the borough on 15/09/15. The plans should be updated to reflect this and the additional spaces.

Trip Generation

TfL welcomes the multi-modal trip generation surveys which have been carried out. Due to the relatively low number of residential units and PTAL 6a location, it is unlikely that the development will have a significant impact on public transport capacity.

Public Realm

The applicant proposes significant improvements to the public realm under the Kentish Way flyover, which is supported. It should however be a condition of any planning approval that TfL are consulted on the detailed proposals. Furthermore, any changes to the flyover itself will require prior approval from TfL. If these significantly increase public maintenance liability, prevent inspection of the flyover or compromise the structure itself or safety in general they are unlikely to be supported.

Land under Kentish Way

The applicant proposes a cycle store and car park stackers in the area under the Kentish Way flyover. TfL has previously raised concerns over this proposal due to potential safety risks as this could hinder or even prevent maintenance/safety inspections of the Bromley South Bridge structure, for which TfL has a right of access. TfL also requires more details regarding the plans and the design of the foundation to assess its impact on the stability of the structure. TfL’s technical approval team will have to assess the plans once these have been provided.

Both of these key safety and operational concerns could be addressed if car parking is reduced, removing the need for parking stackers under the flyover, and cycle parking spaces are relocated where conventional parking is currently proposed. TfL requests a meeting is organised with the applicant to further discuss the details of this proposal and how the issue can be resolved.

Travel Planning

The applicant has submitted a framework Travel Plan and indicates a commitment to submitting a full Travel Plan, which is supported. The Travel Plan should include targets and corresponding measures to encourage sustainable travel and, more generally, should accord with TfL travel plan guidance. The final version of the Travel Plan should be secured as part of the section 106 agreement, in accordance with London Plan policy 6.3.
Construction

71  Due to the close proximity of the A 21 Kentish Way flyover, only 3m from the building line, it is essential that TfL are consulted on and approve the detailed Construction Method Statement (CMS). This is to ensure the structural integrity of the flyover, and thus the safety and operation of the TLRN is maintained. Any oversailing of the TLRN by cranes would also require a license from TfL. These requirements should be included as condition and informative respectively to any planning permission, with TfL consulted prior to their discharge.

72  TfL welcomes the applicant’s commitment to submitting a Construction Traffic Management Plan (CTMP), which is currently being prepared. The CTMP forms part of a Construction Logistics Plan (CLP) which TfL requests is secured by condition, along with a Delivery and Servicing Plan (DSP). These should be in accordance with TfL guidance and should be secured via condition. Guidance on the methodology and further information regarding construction routing has been sent to the council. Maintaining cycle safety during construction and ensuring construction vehicles avoid key strategic routes and peak hour movements is essential.

Community Infrastructure Levy

73  In accordance with London Plan policy 8.3 ‘Community Infrastructure Levy’, the Mayor’s CIL came into effect on 1st April 2012. The proposed development is within the London Borough of Bromley where the Mayoral charge is £35 per square meter (gross internal area).

Local planning authority’s position

74  Bromley Council refused the previously submitted scheme and the position of the new submission is not known at this time.

Legal considerations

75  Under the arrangements set out in Article 4 of the Town and Country Planning (Mayor of London) Order 2008 the Mayor is required to provide the local planning authority with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. Unless notified otherwise by the Mayor, the Council must consult the Mayor again under Article 5 of the Order if it subsequently resolves to make a draft decision on the application, in order that the Mayor may decide whether to allow the draft decision to proceed unchanged, or direct the Council under Article 6 of the Order to refuse the application, or issue a direction under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application and any connected application. There is no obligation at this present stage for the Mayor to indicate his intentions regarding a possible direction, and no such decision should be inferred from the Mayor’s statement and comments.

Financial considerations

76  There are no financial considerations at this stage.

Conclusion

77  London Plan policies on town centre regeneration and the mix of use, affordable housing, density, children & young person’s play, urban design, energy, flood risk and transport are all relevant to this application. In general, the application complies with these some of these policies but not with others. The following changes might, however, remedy the deficiencies, and could possibly lead to the application becoming compliant with the London Plan:
• **Town centre regeneration**: In principle, the retention of office space and introduction of residential use on the site accords with London Plan and local policy aspirations.

• **Mix of uses**: are acceptable.

• **Affordable housing**: There are seven shared ownership units proposed on site equating to a 10% affordable housing offer. The applicant’s viability assessment should be independently assessed on behalf of Bromley Council and the findings shared with GLA officers.

• **Density**: In this instance the scheme is for a substantially less dense development with a site a high PTAL 6a, but before the exceeding of site density parameters be accepted further consideration should be given to the design and provision of amenity and play space.

• **Children & young person’s play**: It is officer opinion that the design is missing the opportunity to include amenity space on the roof of the building and the applicant should confirm whether it has explored this option during design evolution and why it was rejected.

• **Urban design**: The overall approach to the building height, scale, massing, appearance and layout is supported. It is officers opinion that the roof could be made more of a feature to enhance the crown/top of the building through adoption of a roof terrace which would also improve the provision of amenity space and on-site door step play space.

• **Energy**: The applicants should submit the additional information required in the energy section of this report to satisfy GLA officers that the proposed energy strategy is sufficiently robust and compliant with the energy requirements of the London Plan.

• **Flood risk and surface water run-off**: It is recommended that the applicants increase the capacity of the attenuation tank, or increase the permeability of the remaining areas of the site, in order to reduce the risk of flooding in the surrounding area and to comply with the sustainable drainage hierarchy provided in policy 5.13 of the London Plan. This requirement may be secured by an appropriately worded planning condition.

• **Transport**: The applicants should provide the additional information and hold further discussion with TfL to resolve outstanding issues. Bromley Council officers should include the relevant planning conditions needed to secure full compliance with the transport policies of the London Plan.