

## PLANNING STATEMENT

Site: Land at 133 Baston Road, Hayes, Bromley, BR2 7AB.

Client: South East Living Group.

Prepared by: PR/DRB/31763.

Date: October 2023.

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### 1.1 Introduction

1.1.1 This Planning Statement ('Statement') has been prepared on behalf of South East Living Group (hereafter 'our Client') in support of a Full Planning Application ('Application') for the:

*"Demolition of existing dwelling, swimming pool and tennis court. Erection of 2x dwellinghouses, car bans, parking, and associated landscaping. (Outline application in respect of access and layout)."*

1.1.2 This Statement is intended to be read in conjunction with the following suite of documents and plans.

Document Title	Reference	Author
Planning Statement	PR/DRB/31763	DHA Planning
Design and Access Statement	-	Dominic Lamb Architects
Arboricultural Impact Assessment and Method Statement	23- 1610- Report	Canopy Consultancy
Heritage Impact Assessment	9296A	HCUK Group
Transport Statement	ENG/SEL/BA/01 Rev A	Sarnlea Consulting Engineers
Drainage Strategy Report	23172 A	Monson
Green Infrastructure Statement	October 2023	Ruth Gibbs
Biodiversity Net Gain Assessment	J21333	Greenspace Ecological Solutions
Preliminary Ecological Appraisal	J21333	Greenspace Ecological Solutions
Landscape Strategy	-	Ruth Gibbs
Fire Statement	Report No 2	Jan Monvid

1.1.3 Accompanying plans comprise those produced by Dominic Lamb Architects, as well as an Arboricultural Strategy (23- 1610- TPP) produced by Canopy Consultancy and Landscape Strategy Proposals (RG/SEL/BRH/001) produced by Ruth Gibbs.

## 1.2 Site Location , Planning History and Context

### Application Site and Surrounding Area

- 1.2.1 The site comprises a loop access from Baston Road (B265), with a grassed verge separating the loop from the road, as well as hardstanding, and a grassed area comprising a swimming pool, tennis court and associated buildings situated to the rear of the plot.
- 1.2.2 Baston Road lies to the south, beyond the rear gardens of 131 to 123 Baston Road, with Baston House School lying across the road in the same direction. To the north and east lies a playing field and associated sports pitches, and to the west lies a field.
- 1.2.3 Whilst the site has a PTAL of 1b (on a scale between 0 to 6b, where 0 is worst and 6b is excellent), 2 no. bus stops are located outside of the site which provide services between Forestdale, Bromley North, Ramsden Estate and Downe via service numbers 146 and 353. In addition, Hayes Train Station lies 800m north west of the site and provides regular services to London Charing Cross, as well as a service via Lewisham. We therefore consider that the site has ready access to public transport modes.
- 1.2.4 Baston Road is also well connected to provide a northerly route into Bromley, and thereon into south London, as well as a southerly route to Orpington and beyond to Sevenoaks and east Kent.
- 1.2.5 A number of services and facilities are located in close proximity to the site; including, but not limited to Roebucks Cricket Club, Hayes Grove Priory Hospital, Hayes School, Baston House School, Bromley Rugby Football Club, and George Bromley (pub). Hayes Town Centre also lies 600m north west of the site, which provides all required services.
- 1.2.6 There are no Public Rights of Way in close proximity to the site that would be affected by the proposed development.
- 1.2.7 We therefore consider that the site is sustainably located for the proposed residential use.

### Site Specific Policy Designations

- 1.2.8 According to the Local Plan proposals map, the site itself comprises the following relevant policies:

#### *Built Heritage*

- 1.2.9 **Policy 48** – Skyline.

- Site Info: View over City and Docklands from Hayes Common.

#### *Open and natural space*

- 1.2.10 **Policy 49** - The Green Belt.

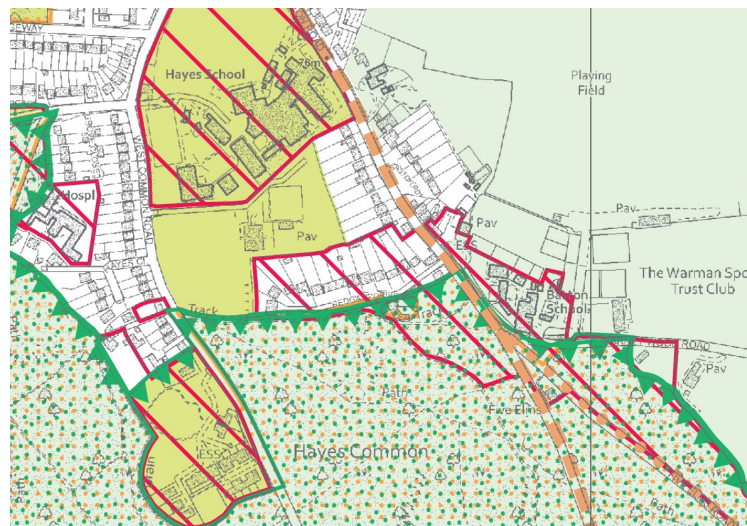
1.2.11 **Policy 51** - Dwellings in the Green Belt or on Metropolitan Open Land.

*Biggin Hill Airport*

1.2.12 **Policy 109** – Airport Public Safety.

1.2.13 The site is not designated to be of any particular ecological value; however, the site does lie within the Green Belt. In addition, to the north east, circa 650m, lies a Site of Interest for Nature Conservation.

1.2.14 Turning to heritage matters, the ‘Bromley, Hayes and Keston Commons Conservation Area’ covers the site entrance and continues to the south. The Council’s decision to designate followed a request from the Boroughs Advisory Panel for Conservation Areas in 2000, as they were concerned that important local buildings, many of which are locally listed, were under threat from demolition and re-development.



*Figure 1: Conservation Area to south (marked in red hatching).*

1.2.15 In terms of archaeological potential, the site does not fall within an Archaeological Priority Area, although a priority area lies on the opposite side of Baston Road.

1.2.16 The site is located within Flood Zone 1 (least likely zone to flood).

Planning History

1.2.17 According to the online records held by London Borough of Bromley Council, the site access has been subject to the following planning applications relating to the neighbouring school (and its access):

Application Reference	Description	Status
19/00127/CONDT1	Details of conditions submitted in relation to planning permission reference 19/00127/FULL1:  Condition 10: Minimise Crime .	Approved - 06 Jan 2020 .

19/00127/CONDIT	Discharge of conditions in relation to planning application ref 19/00127/FULL1:  Condition 4 - Surface Water Drainage  Condition 5 - Construction Environment Management Plan  Condition 6 - Refuse and Recyclable materials  Condition 7 - Bicycle Parking  Condition 8 - Travel Plan  Condition 9 - Soft Landscaping.	Approved - 28 Jun 2019.
19/00127/FULL1	Demolition of 2 sheds and removal of portacabins, relocation of former grain store and extension to existing specialist school comprising erection of 8 single storey classrooms arranged in groups of 2, alterations to vehicular access, circulation and parking including formation of 16 no. additional car parking spaces and additional cycle parking with replacement tree planting.	Approved - 02 Apr 2019.

1.2.18 There are no other relevant applications relating to the site.

#### Proposed Development

1.2.19 As mentioned, the Application comprises the:

*“Demolition of existing dwelling, swimming pool and tennis court. Erection of 2x dwellinghouses, car bans, parking, and associated landscaping. (Outline application in respect of access and layout).”* The existing loop access to the site will be retained.

- However, the northernmost access point will be fitted with a pedestrian gate in replacement of the existing vehicular access. A grass-crete surface will be provided in front of this access and the existing hardstanding will be retained for a footpath;
  - The southernmost access will be reconfigured to provide vehicular access and egress from the site. Following along this access point, a passing bay is provided to enable vehicular crossovers;
  - There will be landscaping across the entrances, as detailed within the landscaping scheme and heritage report.
- Access to the school grounds within the site is retained.
  - Removal of swimming pool, tennis court and associated buildings and hardstanding.
  - Hardstanding to be provided by a 4.8m access road to the 2no. proposed dwellings, with all units are to be designed in accordance with approved

document Part M4(2) Accessible and adaptable dwellings and part of lot 4 designed to meet M 4(3) adaptable wheelchair user dwellings , as well as associated parking and amenity areas as well as a wildflower meadow.

- Planting to be retained and introduced where appropriate, with 9no. category C trees removed across the whole site (including within the blue line).
- Planting to be retained and introduced where appropriate (incl. additional hedgerow planting around boundary, native tree planting and evergreen shrub planting – all detailed within the Landscape Strategy).

### 1.3 Planning Policy Framework

#### Introduction

- 1.3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the statutory development plan, unless material considerations indicate otherwise.
- 1.3.2 For the purpose of this planning application, the adopted Development Plan for the London Borough of Bromley comprises:
- Local Plan (January 2019).
- 1.3.3 The National Planning Policy Framework ( ‘NPPF’ or ‘ The Framework’, 2023) will also be considered, as will the London Plan 2021.

#### Local Plan 2019

- 1.3.4 **Policy 1** - Housing Supply.
- 1.3.5 **Policy 3** – Backland and Garden Land Development.
- 1.3.6 **Policy 4** – Housing Design.
- 1.3.7 **Policy 8** – Side Space.
- 1.3.8 **Policy 14** -Development Affecting Renewal Areas.
- 1.3.9 **Policy 22** – Social Infrastructure in New Developments.
- 1.3.10 **Policy 30** – Parking.
- 1.3.11 **Policy 32** – Road Safety.
- 1.3.12 **Policy 33** – Access for All.
- 1.3.13 **Policy 34** – Highway Infrastructure Provision.
- 1.3.14 **Policy 37** – General Design of Development.
- 1.3.15 **Policy 41** - Conservation Areas.

- 1.3.16 **Policy 42** – Development Adjacent to a Conservation Area.
- 1.3.17 **Policy 48** – Skyline.
  - Site Info: View over City and Docklands from Hayes Common.
- 1.3.18 **Policy 49** - The Green Belt.
- 1.3.19 **Policy 51** - Dwellings in the Green Belt or on Metropolitan Open Land.
- 1.3.20 **Policy 109** – Airport Public Safety.
- 1.3.21 **Policy 113** - Waste Management in New Development.
- 1.3.22 **Policy 116** - Sustainable Urban Drainage Systems (SUDS).
- 1.3.23 **Policy 119** - Noise Pollution.
- 1.3.24 **Policy 122** - Light Pollution.
- 1.3.25 **Policy 123** - Sustainable Design and Construction.

London Plan 2021

- 1.3.26 **Policy GG1** - Delivering the homes Londoner’s need.
- 1.3.27 **Policy D3** – Optimising site capacity through the design-led approach.
- 1.3.28 **Policy D14** - Noise
- 1.3.29 **Policy D4** – Delivering good design.
- 1.3.30 **Policy D6** – Housing quality and standards.
- 1.3.31 **Policy H1** – Increasing housing supply.
- 1.3.32 **Policy H2** – Small sites.
- 1.3.33 **Policy H10** – Housing size and mix.
- 1.3.34 **Policy S5** -Sports and recreation facilities.
- 1.3.35 **Policy HC1** - Heritage conservation and growth.
- 1.3.36 **Policy G2** – London’s Green Belt.
- 1.3.37 **Policy G7** – Trees and woodlands.
- 1.3.38 **Policy T2** - Healthy streets.
- 1.3.39 **Policy T 5** – Cycling.
- 1.3.40 **Policy T6** - Car Parking.

National Planning Policy Framework (2023)

- 1.3.41 Achieving sustainable development is the core objective for the planning system and the NPPF is built on the premise that sustainable development should go ahead without delay.
- 1.3.42 Paragraph 8 states that there are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:
- *'contribute to building a strong , responsive and competitive economy , and identify and coordinate provisions for infrastructure;*
  - *support strong, vibrant and healthy communities; and*
  - *contribute to protecting and enhancing our natural, built and historic environment '.*
- 1.3.43 Paragraph 11 states that plans and decisions should apply a presumption in favour of sustainable development. For decision -taking this means:
- 'c) approving development proposals that accord with an up -to-date development plan without delay; or*
- d) where t here are no relevant development plan policies, or the policies which are most important for determining the application are out -of-date(8), granting permission unless:*
- i. the application of policies in this Framework that protect areas or assets of parti cular importance provides a clear reason for refusing the development proposed (7); 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.'*
- 1.3.44 Paragraph 38 relates to ' decision-making' and states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure develop ments that will improve the economic, social and environmental conditions of the area. Decision -makers at every level should seek to approve applications for sustainable development where possible.
- 1.3.45 Paragraph 60 states to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is dev eloped without unnecessary delay.
- 1.3.46 Paragraph 8 1 regards 'building a strong, competitive economy.' The paragraph indicates that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant we ight should be

placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

- 1.3.47 Paragraph 83 is clear that planning decisions should recognise and address the specific locational requirements of different sectors. This includes making provisions for storage and distribution operations at a variety of scales and in suitably accessible locations.
- 1.3.48 Paragraph 111 is clear that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 1.3.49 Paragraph 122 notes that planning decisions need to reflect changes in the demand for land.
- 1.3.50 Paragraph 130 is clear that planning decisions should ensure that developments (a) function well with the area, (c) are sympathetic to the character of the area and its landscape setting and (e) optimise the potential of the site to accommodate and sustain an appropriate amount of development.
- 1.3.51 Paragraph 138 states that the Green Belt serves five purposes:
- 'a) to check the unrestricted sprawl of large built-up areas;*
  - b) to prevent neighbouring towns merging into one another;*
  - c) to assist in safeguarding the countryside from encroachment;*
  - d) to preserve the setting and special character of historic towns; and*
  - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'*
- 1.3.52 Paragraph 147 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
- 1.3.53 Paragraph 148 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
- 1.3.54 Paragraph 149 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:
- 'g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
- not have a greater impact on the openness of the Green Belt than the existing development ; or*
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to*



*meeting an identified affordable housing need within the area of the local planning authority .’*

- 1.3.55 Paragraph 194 states that in determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets’ importance and no more than is sufficient to understand the potential impact of the proposal on their significance.
- 1.3.56 Paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, greater weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 1.3.57 Paragraph 202 states that 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.

#### 1.4 **Planning Considerations**

1.4.1 It is considered that the following topics are most relevant to the planning application at hand:

- Land Use Principles;
- Principle of Development in the Green Belt;
- Impact upon the character, appearance and context of an area;
- Amenity Impacts/ Separation;
- Highways;
- Ecology and Arboriculture;
- Drainage (SUDs);
- Skyline; and
- Other

1.4.2 Before discussing these topics, it is important to consider the context of the application.

##### Context of Application

1.4.3 So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development.

1.4.4 In applying the presumption, it is important to consider whether there are any relevant development plan policies or if the policies which are most important for

determining the application are out of-date in line with footnote 8 of paragraph 11 of the Framework. In this case, Conservation Area and Green Belt policies are relevant and therefore the proposals should be approved without delay if they accord with the development plan.

- 1.4.5 It is important to note that Bromley is heavily constrained, with some 56% of the total land within the Borough being Green Belt or Metropolitan Open Land, as well as large amounts of land within Areas of Outstanding Natural Beauty. It is therefore submitted that Bromley must make best use of sustainable sites like this one.
- 1.4.6 Whilst the site is located in the Green Belt, it is situated on the boundary in close proximity to Hayes and existing residential development. The proposals would therefore be complimentary to the surrounding area and would amount to 'infill development'.
- 1.4.7 Policy 1 'Housing Supply' sets out that the Council will make provision for a minimum of 641 additional homes per annum over the ten year plan period and, where possible, over the fifteen year plan period which will be achieved by various mechanisms including (d) the development or redevelopment of windfall sites. On this matter it is worth noting that the actual need for housing is significantly higher than is currently being planned for. Based on the standard method for calculating housing need, the Council's annual housing target would increase to 1463 homes per annum. The acuteness of the need means that the weight to be attributed to the benefit of new housing is highly significant.
- 1.4.8 The importance of housing need and supply is reflected in national planning policy, which requires local authorities to provide a five -year supply of housing land. Where authorities are unable to do so, circumstances radically tilt decision making in favour of the grant of permission. The latest Five Year Supply Statement is set out in the London Borough of Bromley Housing Trajectory 2021 (November 2021) and confirms that Bromley's five year housing land supply (covering the period 2021/22 to 2025/26) is 3,245 units, or 3.99 years supply. The delivery of housing on previously developed land should be given substantial weight in this context.
- 1.4.9 In this context, it is vital that the development management system intervenes to take a permissive stance to development and deliver the homes that are urgently needed in the short term. Whether or not the 'Presumption' is engaged, a great deal of weight should be placed upon the delivery of new homes.

#### Land Use Principles

- 1.4.10 Local Policy 58 states that the Council seeks to retain sports, recreation and playing fields and will resist their loss unless it can be demonstrated that the open space, buildings and other land used for sport, recreation and play are surplus to requirements. London Plan policy S5 (c) seeks to ensure that existing sports and recreational land (including playing fields) and facilities for sports and recreation are retained unless:

*"1) an assessment has been undertaken which clearly shows the sports and recreational land or facilities to be surplus to requirements (for the existing or alternative sports and recreational provision) at the local and sub-regional level. Where published, a borough's assessment of need for sports and recreation facilities should inform this assessment; or*

*2) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*

*3) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use."*

- 1.4.11 In this case, a short assessment (outlined below) has been undertaken which demonstrates that the sports and recreational land or facilities are surplus to requirements (for the existing or alternative sports and recreational provision) at the local and sub - regional level.
- 1.4.12 The school was sold by the owner of the site in 2009 . The sale did not include the sports facilities, now part of the site, as the facilities were surplus to requirements and the pool was not in good condition ; now derelict . The school is no longer able to access the sports facilities as they are located on private , land-locked land so any access from an external user would not be possible. We therefore consider that the school, by not purchasing the sports facilities in 2009, considered them surplus to requirements. In addition, the facilities could not be accessed to provide alternative provision. We therefore consider that the loss of sports facilities should not be considered a reason for refusal.
- 1.4.13 Affordable housing is not triggered.
- 1.4.14 We therefore consider that the proposals are acceptable in land use terms.

#### Principle of Development – Green Belt

- 1.4.15 The site is located in the Green Belt where Paragraph 149 of the Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this exist including limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development or if very special circumstances exist (will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations).
- 1.4.16 In this case we consider that the proposals align with paragraph 149 (g) - i.e. the proposals represent the complete redevelopment of previously developed land which would not have a greater impact on openness than the existing development.
- 1.4.17 At present, in terms of built form, the site comprises a swimming pool, tennis court and 2no. associated buildings. The existing built form comprises 824sqm, with the swimming pool buildings comprising a combined total of 88sqm. When compared to that proposed, the built form will comprise 324sqm, including both car barns (58sqm). This demonstrates that the built form will be considerably reduced on site which will result in positive effects on the openness of the Green Belt.
- 1.4.18 In addition, considering that the proposals will consolidate the existing built form whilst removing a considerable amount of hardstanding to the rear of the site, we consider that the proposals very much align with paragraph 149 (g) of the Framework .

1.4.19 Should the Council disagree with this assessment and consider the proposals represent ‘inappropriate development’, then the actual level of harm to openness must be minimal indeed given the extent of existing development and easily outweighed by very special circumstances. Such very special circumstances would exist which outweigh the potential harm to the Green Belt by reason of inappropriateness. The very special circumstances comprise:

- Delivery of housing in light of housing land supply shortages.
  - The latest Five Year Supply Statement is set out in the London Borough of Bromley Housing Trajectory 2021 (November 2021) and confirms that Bromley’s five year housing land supply (covering the period 2021/22 to 2025/26) is 3,245 units, or 3.99 years supply. The delivery of housing on previously developed land should be given substantial weight in this context.
- The site is located on the edge of the Green Belt boundary and very much relates to the existing residential character of Baston Road. Visually, the development would be seen and appreciated within the context of other development and it is not isolated.
- Implementation of a wildflower meadow to improve biodiversity on site.
- A sustainable development which brings social and economic benefits through new housing and delivers this in the form of a highly sustainable and energy efficient development.

1.4.20 Subject to other considerations, we therefore consider that the principle of development is very much acceptable in line with national and local Green Belt considerations.

#### Renewal Area Considerations

1.4.21 The site lies in close proximity to the Bromley Common Renewal Area. Paragraph 2.3.14 states that:

*“Sites lying close to Renewal Areas may also offer the potential for developments of a scale and type which would enable them to contribute to economic, social and environmental improvements within the Renewal Areas. In such circumstances proposals will be expected to comply with Renewal Area policies and to demonstrate that they have optimised their contribution to the economic, social and environmental well-being of the relevant Renewal Area.”*

1.4.22 The primary aim of Renewal Areas is to create economic, social and environmental improvements. The Bromley Common goal is to maximise opportunities to create a successful transition zone from Bromley Town Centre to the suburban and semi-rural urban fringe and produce a positive gateway to Bromley Town Centre along the Hayes Lane / Homesdale Road / A21(Bromley Common) junction, supported by appropriate green infrastructure.

1.4.23 In this regard, we consider that the proposals will bring economic benefits in terms of construction costs and jobs created, as well as economic investment once the dwellings are occupied, social benefits in terms of helping to improve housing

supply given the 3.99 years supply as of November 2021, and environmental benefits in terms of a 0.21% biodiversity net gain as well as a comprehensive Landscaping Scheme which will further enclose the grounds of Baston School and reinforce the green character of the north eastern boundary of Baston Road.

- 1.4.24 The proposals will also create a positive gateway to Bromley Town Centre, being of high quality design.
- 1.4.25 We therefore consider that the proposals very much align with the aims of site located near to Renewal Areas.

#### Impact upon the character, appearance and context of an area

- 1.4.26 The character of the area is established in the accompanying Design and Access Statement but is predominantly residential, with dwellings located on either side of Baston Road. Intermittent non-residential buildings and ancillary land is present, such as schools and gyms, but is complementary to the overarching residential character. We do not therefore consider that the proposals will result in an unacceptable impact upon the character of the area.
- 1.4.27 In terms of the appearance, Baston Road comprises a mix of detached, semi-detached and terraced dwellings, with varying architectural styles. The proposed design is complimentary to buildings on Baston Road and is of a scale and density which is proportionate to its plot and surrounding plots. Conditions regarding materials and other related measures can be applied to ensure the development comes forward in line with policy 4 'Housing Design', which requires all new housing developments to achieve a high standard of design and layout whilst enhancing the quality of local places. We do not therefore consider that the proposed units would result in an unacceptable impact upon the appearance of the area, particularly considering the proposed Landscaping Scheme etc.
- 1.4.28 The only other relevant context of the area is that the site access is located in a Conservation Area, with the rest of the site lying adjacent.
- 1.4.29 Local policy 41 'Conservation Areas' and 42 'Development Adjacent to a Conservation Area' are relevant. Policy 41 requires that new development for engineering works within a Conservation Area will need to preserve and enhance its characteristics and appearance by:
- Respecting or complementing the layout, scale, form and materials of existing buildings and spaces;
  - Respecting and incorporating in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and
  - Using high quality materials.
- 1.4.30 In terms of the relevant aspects of the Conservation Area:
- The grounds of Baston School are enclosed by mature trees and hedges which screen its modern single storey buildings from view.

- Ash Lodge, a symmetrical two -storey house which dates from 1776 and was once the home of the Bath family, lies to the south of the site. It is rendered, although it may originally have had a red brick façade, and its box sash windows are fitted flush with the façade suggesting an earlier date.
- To the north of Ash Lodge, on the opposite side of the road, are Bath Villas, a small group of cottages with bay windows dating from 1886. These buildings, although altered, effectively mark the start of Hayes village and are an important element in the townscape.

1.4.31 We do not consider that the form and appearance of the existing access contributes to the Conservation Area.

1.4.32 As it is only the access which is located in the Conservation Area and the works seek to retain the existing improve the existing access, as well as the fact that the proposed materials are complimentary to the existing arrangement and will further enclose the grounds of Baston School (reinforcing the green character of the north eastern boundary of Baston Road) , we consider that the works are entirely acceptable. Indeed, the accompanying Heritage Statement confirms that:

*“the proposed works would fall outside of the remit of paragraphs 201 -202 of the NPPF insofar as they will not result in any harm to, or loss of significance. There would be preservation for the purposes of Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990.”*

1.4.33 In addition, the Council’s decision to designate followed a request from the Boroughs Advisory Panel for Conservation Areas in 2000, as they were concerned that important local buildings, many of which are locally listed, were under threat from demolition and re -development. We do not therefore consider that the proposals conflict with the aim designating the Conservation Area.

1.4.34 Policy 42 states that development proposals adjacent to a Conservation Area will be expected to preserve or enhance its setting and not detract from view into or out of the area. We consider that the proposals, subject of future Reserved Matters applications, will preserve the setting of the Conservation Area as there is no intervisibility from the site to the Conservation Area due to the site being situated behind existing dwellings on Baston Road, as well as intervening vegetation and the road itself which ensures the setting of the Conservation Area is preserved.

1.4.35 Whilst the proposals “ will not result in any harm to, or loss of significance ” and therefore paragraph 201 -202 of the Framework do not need to be considered, it is important to consider the weighty public benefits of the proposals. These comprise ‘tidying up’ the existing arrangement by further enclosing the grounds of Baston School and formalising a separate pedestrian and vehicular access as well as the implementation of a landscaping scheme and the delivery of houses in light of the Council’s lack of a 5YHLS. We therefore consider that the public benefits weigh in favour of granting permission.

1.4.36 Overall, therefore, the proposals would have a neutral effect, or a minor positive uplift due to improvements of the access, upon the character and appearance of the Conservation Area and would have no other effects upon designated or non -designated assets. In the absence of harm to the Conservation Area, the statutory obligation of S72 of the Listed Buildings and Conservation Areas Act 1990 is met

and it follows that, in the same way that 'great weight' should be given to harm, a similar scale of weight should be given in the balance to positive improvements to the significance and setting of the asset (in this case the adjacent Conservation Area).

- 1.4.37 We therefore consider that the proposals are acceptable in terms of the impact upon the character, appearance and context of an area.

#### Amenity Impacts/ Separation

- 1.4.38 In terms of privacy, we have calculated the following:

- A- Plot 5 to No 101: 43m to single storey and 45m to 1st floor of No 101.
- B- Plots 4 & 5 to No 121: 69m to single storey extension and 74m to first floor.

- 1.4.39 All subject to existing boundary landscaping and proposed single storey units. We do not therefore foresee that there will be an unacceptable loss of privacy, sunlight or daylight for existing neighbours or proposed occupiers.

- 1.4.40 The proposals will meet nationally described space standards, as set out within the London Plan 2021.

- 1.4.41 Overall, we therefore consider that the proposals are acceptable in terms of amenity.

#### Highways

- 1.4.42 Local policy 30 'Parking' states that the Council will normally require off street parking spaces to be provided in new residential development in accordance with local parking standards. The proposals deliver adequate parking by providing at least 1 parking space per dwelling (plots 4 and 5 delivering 2no. spaces).

- 1.4.43 Cycle storage can be secured via condition in line with London Plan standards.

- 1.4.44 We consider that the proposed access arrangement is entirely acceptable, separating the pedestrian and vehicular accesses whilst also retaining the access to the school site within the proposals. The pedestrian access is also suitable for wheelchair users, in line with local policy.

- 1.4.45 In terms of additional traffic, the accompanying Transport Statement confirms that:

*"The development proposals have been formulated in accordance with both local and national policy to which the proposal accords well;*

*The proposals have been assessed in terms of accessibility by non-car borne modes and the level of accessibility is adequate and in accordance with developments of this type and scale;*

*The likely level of traffic has been obtained from an interrogation of the National Travel Survey incorporating the TRICS database. The assessment*

*has found that the developments will generate a level of traffic that is immaterial in terms of highway safety and efficiency;*

*The level of proposed parking provision is sufficient for the developments' needs;*

*The internal site layouts are suitable and fit for purpose in terms of both highway safety and highway efficiency; and*

*The details regarding refuse collection have been assessed as being acceptable."*

1.4.46 We therefore consider that the outline matter is entirely acceptable.

#### Ecology and Arboriculture

1.4.47 In terms of ecological impacts, the Preliminary Ecological Appraisal concludes that:

*"The Site occupies approximately 0.59 hectares (ha) and comprises amenity grassland, hedgerows, introduced shrub, tall ruderal, scrub and hardstanding.*

*Development of the Site is not going to impact designated sites or areas of ancient woodland.*

*Retained trees should be protected in accordance with BS 5837:2012 'Trees in relation to design, demolition and construction' where possible.*

*No evidence of badger was recorded. However, this is highly mobile species and should a period of >12 months pass, an update badger survey should be conducted.*

*A ground-level roost assessment concluded that all the trees present within the site have 'Negligible' suitability to support roosting bats. In addition, all buildings within the site were found to have 'Negligible' suitability to support roosting bats.*

*Timings and methods of best practice for breeding birds are required.*

*No further surveys for GCN or dormice are required.*

*The grassland is currently unsuitable for reptiles. Due to the small area of ruderal and scrub habitat, precautionary methods have been advised regarding dismantling of spoil piles and management of habitats going forward and no further surveys are recommended.*

*Suitable habitat and features for hedgehog are present and advice has been provided regarding dismantling of spoil piles during March - October and appropriate landscaping recommendations for this species.*

*In accordance with the requirement of the National Planning Policy Framework (NPPF) 2023, recommendations to enhance the Site's suitability for wildlife have been provided.*



*Provided the recommendations provided within this report are implemented, the proposed development will not contravene any relevant legislation or planning policies pursuant to nature conservation.”*

1.4.48 The BNG Report demonstrates gains of 0.05 habitat units and 0.21% biodiversity gain, which is a material benefit in the absence of local policy requirements or the national requirement for minor applications of 10% biodiversity net gain in April 2024.

1.4.49 In terms of arboricultural impacts, the accompanying Arboricultural Statement confirms that:

*“A total of nine individual trees and three hedges will be removed [ ] across the whole development site, including within the blue line] to enable the proposed development. The trees to be removed are within the ‘C’ category because they are either young and easily replaced, or are of limited amenity value.*

*The proposed development of the site provides an opportunity to plant a number of new trees as part of a landscape scheme for the site. This will improve the age range and species diversity of the trees in the local area, as well as enhancing the tree cover on the site.*

*Through the specified tree protection measures and construction methodology, it will be possible to minimise the impact of the proposed development on the retained trees.*

*Overall, there are no known overriding arboricultural constraints which would prevent the proposed development from going ahead, subject to the protection measures and construction methodologies specified within this report being correctly implemented. ”*

1.4.50 We therefore consider that the proposals are entirely acceptable in this regard.

#### Drainage (SUDS)

1.4.51 In terms of drainage impacts, the accompanying Drainage Report confirms that:

*“For the consideration of surface water runoff, the main contributing areas will be the proposed roofs, parking spaces/drives and the access road.*

*Runoff from the [two] dwellings roofs will be drained into an individual 4.0m x 2.0m x 0.8m soakaway in their respective rear gardens. These will be constructed 5 metres away from any foundation structures.*

*The existing and proposed access road will drain into a soakaway along the proposed access via catchpit chambers. Inlet structures such as gullies and channel drains will be designed at detailed design stage to take runoff from the access road and drain it into the 34.0m x 2.0m x 1.2m soakaway.*

*Parking drives have been designed as permeable pavements. Using the largest drive, a 450mm deep permeable pavement has been designed to accommodate storm that falls directly on it.*

*Microdrainage Source Control calculations demonstrate the adequacy of these soakaways and permeable pavement to store up to the 1 in 100 year storm, allowing for 40% increase in rainfall intensity due to climate change without flooding on or off site.*

*An infiltration rate used for the Baston House School to the east has been used for this preliminary hydraulic design. This value of  $2.7 \times 10^{-5}$  m/s will need to be confirmed using a site -specific BRE365 soakage testing, location and depth subject to detailed design.*

*Foul water will be discharged to the nearest public foul water sewer on Baston Road. Given the existing levels, this will need to be pumped to a break chamber to the south and then drained by gravity to the public foul water sewer. A section 106 Agreement to connect will have to be applied for to Thames Water. 5.08*

*Proposed drainage layout as discussed, as well as Microdrainage calculations can be found in Appendix E [of the report] .”*

#### Skyline

- 1.4.52 Due to the proposed height of the dwellings, being set over two storeys which is very much in keeping with surrounding residential development, we do not consider that the view over City and Docklands from Hayes Common will be materially impacted. The proposals are therefore very much acceptable in this regard.

#### Other

- 1.4.53 The proposals will provide a 50% M4(3) and M4(2) compliance.
- 1.4.54 Using the London Plan yield calculator, the proposals (cumulatively) will create an estimated child occupancy of 8 children. According to the shaping Neighbourhoods Play and Informal Recreation SPG, an appropriate financial contribution to play provision within the vicinity of the development may be sought for developments producing a child occupancy of under 10 persons.
- 1.4.55 However, the applicant is happy to provide an area of c.40m sqm designated for play space (potentially at the site frontage) should this be considered proportionate in line with local policy 22 (Social Infrastructure in New Developments).
- 1.4.56 In addition, a Fire Statement has been provided in line with validation requirements.

#### 1.5 **Conclusion**

- 1.5.1 We conclude that the proposals are acceptable in line with Green Belt protections, amounting to development in accordance with paragraph 149 (g) or that which amounts to very special circumstances.

- 1.5.2 The proposals are also acceptable in terms of impact upon the character, appearance and context of an area (including design and heritage), amenity, highways, ecology and arboriculture , and skyline impacts .
- 1.5.1 In light of the above, we respectfully ask the Council to grant permission for the proposals, subject to appropriate conditions.
- 1.5.2 Should there be any queries, please do contact: