



Planning Statement

235 & 237 Broadway, Bexleyheath, DA6 7EL

Proposed demolition of existing buildings and redevelopment to provide commercial use (Use Class E) at ground floor with residential flats (Use Class C3) above over four floors, together with associated cycle and refuse storage and service area.

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1 Introduction, Purpose and Development Proposals

1.1 Introduction

- 1.1.1 This Statement comprises the Planning Statement prepared in support of a proposed development for the 'demolition of existing buildings and redevelopment to provide commercial use (Use Class E) at ground floor with residential flats (Use Class C3) above over four floors, together with associated cycle and refuse storage and service area' (the 'Proposed Development') at 235 & 237 Broadway, Bexleyheath, DA6 7EL (the 'Site').
- 1.1.2 This application is submitted as a full planning application and is intended to provide an alternative to the planning permission granted in January 2023 (Ref: 22/02438/FUL). This is discussed in more detail below.

1.2 Purpose

- 1.2.1 Planning law¹ requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The purpose of this statement is therefore:
- to identify development plan policies that may be relevant in the assessment of the development proposal; and
 - to consider whether the proposal conflicts with their provisions and, if so, whether there are material considerations that outweigh any conflict with the development plan.
- 1.2.2 The Courts² have determined that it is enough that a proposal accords with the Development Plan when considered as a whole. It is not necessary to accord with each and every policy contained within the Development Plan. Indeed, it is not at all unusual for development plan policies to pull in different directions.
- 1.2.3 The position was confirmed by Patterson J in his judgement in *Tivot Way Investments Ltd v Secretary of State for Communities and Local Government and Stockton-on-Tees BC [2015] EWHC 2489 Admin* at paragraph 31:
- I do not accept, lest it be thought to establish the proposition, that the case of Hampton Bishop (*supra*) establishes that a breach of one key policy was sufficient to find conflict with the development plan as a whole.
- 1.2.4 In addition, *R (Kverndal) v Hounslow LBC [2015] EWHC 3084 (Admin)* confirms that the Development Plan must be read as a whole so that conflict with one or more policies does not mean that planning permission should be refused.
- 1.2.5 Furthermore, the NPPF (2023) also recognises this in paragraph 3 where it is made clear that the Framework should be read as a whole.

¹ Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004

² *Laura Cummins and London Borough of Camden, SSETR and Barrett Homes Limited [2001]*; *R. v Rochdale MBC ex parte Milne [2000]* & *City of Edinburgh Council v. Secretary of State for Scotland [1997]*

1.2.6 The Planning & Compulsory Purchase Act 2004 defines the Development Plan for the purposes of this assessment process as the strategy for the region in which the site is located and Development Plan documents, taken as a whole, which have been approved or adopted for the area.

1.2.7 The purpose of this statement is therefore to identify Development Plan policies that are relevant in the assessment of the development proposals. Then to determine if the proposals conflict with their provisions and if they do, to determine whether there are material considerations which outweigh such conflict.

1.3 Development Proposals

1.3.1 The proposed development seeks the proposed demolition of existing buildings and redevelopment to provide commercial use (Use Class E) at ground floor with residential flats (Use Class C3) above over four floors, together with associated cycle and refuse storage and service area.

1.3.2 At ground floor the proposed development includes 335sqm of Class E floorspace to the street frontage along with a shopfront facing Broadway.

1.3.3 To the Albion Road frontage towards the rear of the building is the proposed residential entrance along with a residential refuse and recycling storage area and a cycle store. A commercial bins area is also provided along with a rear entrance to service the commercial unit.

1.3.4 At upper levels flats are provided as follows:

Floor	Flat	Flat Type / Size	Amenity Space
1 st	1	1B 2P @ 53sqm	10.5sqm
	2	1B 2P @ 53sqm	5sqm
	3	2B 3P @ 67sqm	6sqm
	4	2B 3P @ 66sqm	12.5sqm
2 nd	5	1B 2P @ 53sqm	10.5sqm
	6	1B 2P @ 53sqm	5sqm
	7	2B 3P @ 67sqm	6sqm
	8	2B 3P @ 66sqm	12.5sqm
3 rd	9	1B 2P @ 53sqm	10.5sqm
	10	1B 2P @ 53sqm	5sqm
	11	2B 3P @ 67sqm	6sqm
	12	2B 3P @ 66sqm	12.5sqm
4 th	13	2B 3P @ 73sqm	12sqm
	14	1 B 2P @ 59.5sqm	7.5sqm
	15	1B 2P @ 62sqm	6sqm

1.3.5 At roof level there is an area of PV panels.

1.3.6 The proposed development is described in more detail in the accompanying Design and Access Statement.

2 Site Location, Description and Planning History

2.1 Site Location and Description

- 2.1.1 The application site is located on the corner of Broadway and Albion Road, Bexleyheath and consists of a part one / part two storey end of terrace building with two commercial units at ground floor and off-street parking area to the rear.
- 2.1.2 The site is located at the western end of the Broadway shopping area. Immediately adjoining the property is a commercial unit which matches the application site. Beyond this is a three storey terrace containing commercial at ground floor level and commercial or residential uses above.
- 2.1.3 Further to the east (approximately 500m) is the Broadway shopping centre.
- 2.1.4 Opposite the site are other retail units with commercial or residential uses on upper floors.
- 2.1.5 The use of the site is split between 235 & 237 Broadway. 235 Broadway was a bank until the lease expired in 2021 and 237 is a charity shop. Both commercial units front onto and are directly accessed from Broadway.
- 2.1.6 The bank occupied all levels of the existing building as does the charity shop. In both cases, the 1st floor was and is used for office purposes ancillary to the commercial unit below.



Site in street scene

- 2.1.7 The site falls within Bexleyheath Town Centre. The site also falls within the Bexleyheath & Crayford Area of Archaeological Search.
- 2.1.8 The property is not considered to be a heritage asset as it is not listed, locally listed and does not sit within a Conservation Area. However, situated opposite the site are several locally listed buildings including Nos.198-204, 198a, 200a, 202a, 204a and the Trinity Baptist Chapel.
- 2.1.9 The site is approximately 1km from Bexleyheath railway station which provides services towards Central London, southeast London and Kent.

- 2.1.10 The nearest bus stops are on Broadway approximately 75 and 115 metres from the site of the site and provide high frequency services towards North Greenwich, Thamesmead, Blackheath, Lewisham, Woolwich, Erith, Slade Green and Bluewater.
- 2.1.11 As a result of these high frequency services the Public Transport Accessibility Level (PTAL) of the site is 5 (Excellent).

2.2 Relevant Planning History

- 2.2.1 The planning history of the site refers to its historic use for retail or banking and generally relates to advertisement consents and ATM machine installations.
- 2.2.2 However, planning permission was granted in January 2023 for a 'part one/part two storey rear extension and provision of two additional storeys to provide one commercial unit and 9 residential units comprising of 5x2 bed and 4x1 bed flats' (Ref: 22/02438/FUL).
- 2.2.3 The approved elevations are shown below:



3 Development Plan Context, Designations and Assessment

3.1 Development Plan Context and Designation

3.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. This represents the starting point for assessing the development prospects for a particular site or property.

3.1.2 The Development Plan context in respect of the appeal site is provided by the **London Plan** (Adopted 2021) and the **Bexley Local Plan** (2023).

3.1.3 The site is within the Bexleyheath Town Centre as shown on the Policies Map extract below. The London Plan confirms that Bexleyheath is a Major Town Centre.



3.1.4 The site also falls within the Bexleyheath & Crayford Area of Archaeological Search. The site is also identified as within Environment Agency Flood Zone 1.

3.2 Relevant Development Plan Policies

3.2.1 In terms of the **London Plan**, the following policies are identified as most relevant.

- GG2 (Making the best use of land)
- GG4 (Delivering the homes Londoners need)
- SD6 (Town centres and high streets)
- D3 (Optimising site capacity through the design-led approach)
- D4 (Delivering good design)
- D5 (Inclusive design)
- D6 (Housing quality and standards)
- D7 (Accessible housing)

- D12 (Fire safety)
- D13 (Agent of Change)
- D14 (Noise)
- H2 (Small sites)
- H4 (Delivering affordable housing)
- H5 (Threshold approach to applications)
- H6 (Affordable housing tenure)
- H10 (Housing size mix)
- HC1 (Heritage conservation and growth)
- SI 1 (Improving air quality)
- SI 7 (Reducing waste and supporting the circular economy)
- SI 12 (Flood risk management)
- SI 13 (Sustainable drainage)
- T2 (Healthy streets)
- T4 (Assessing and mitigating transport impacts)
- T5 (Cycling)
- T6 (Car parking)
- T6.1 (Residential parking)
- T6.5 (Non-residential disabled persons parking)
- T7 (Deliveries, servicing and construction)
- DF1 (Delivery of the Plan and Planning Obligations).

3.2.2 In addition, the following policies of the [Bexley Local Plan](#) are identified as relevant:

- SP1: Achieving sustainable development
- SP2: Meeting Bexley's housing requirements
- DP1: Providing a supply of housing
- SP4: Supporting successful town centres
- DP9: Development within town centres
- SP5: Placemaking through good design
- DP11: Achieving high-quality design
- DP12: Tall buildings and building heights
- SP6: Managing Bexley's heritage assets
- SP10: Bexley's transport network
- DP22: Sustainable transport
- DP23: Parking management
- DP24: Impact of new development on the transport network
- SP12: Sustainable waste management
- DP26: Waste management in new development
- SP13: Protecting and enhancing water supply and wastewater infrastructure
- SP14: Mitigating and adapting to climate change
- DP30 Mitigating climate change
- DP32: Flood risk management
- DP33: Sustainable drainage systems

3.2.3 These are discussed in more detail below, where relevant.

3.3 Material Considerations - National Planning Policy Framework (NPPF)

3.3.1 The Government's National Planning Policy Framework (2023) (the 'Framework') is a material consideration in the assessment of development proposals. The Framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development.

3.3.2 The Framework confirms that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways:

- an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

3.3.3 The Framework emphasises that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged.

3.3.4 The Framework confirms that at its heart is a presumption in favour of sustainable development and that for decision taking this means approving development proposals that accord with an up-to-date development plan without delay.

3.3.5 The Framework also provides policy guidance on 'Making effective use of land' (Section 11). In paragraph 120 c) the Framework advises that planning decisions should give **substantial weight**³ to the value of using suitable brownfield land within settlements for homes and other identified needs and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land. Paragraph 120 d) advises that planning decisions should promote and support the development of under-utilised land and buildings especially if this would help meet the identified needs for housing where land supply is constrained, and available sites could be used more effectively.

3.3.6 An assessment of the Framework confirms that the proposed development can be considered consistent with national planning policies, and this provides material support for the proposed development. This is discussed in more detail below with reference to the relevant policies and guidance.

³ Emphasis added

3.4 Material Considerations - Supplementary Planning Guidance

- 3.4.1 The Mayor's SPG '**Housing**' (2016) contains the residential design, density and space standards that will apply to new residential developments. These reflect the space and density standards set out in the London Plan, but also provide more detailed guidance on individual room sizes and internal layouts.
- 3.4.2 The **Nationally Described Space Standards** deal with 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.
- 3.4.3 Relevant supplementary planning guidance includes:
- Affordable Housing SPD
 - Design and Development Control Guidelines SPD
 - Design for Living SPD
 - Planning Obligations SPD
 - Sustainable Design and Construction Guide SPD
 - Bexley Town Centre Strategy.
- 3.4.4 These are discussed in more detail below where relevant.

4 Planning Assessment

4.1 Introduction

4.1.1 The following assessment considers the relevant Development Plan policies identified in the preceding section and the degree to which the proposed development complies with their provisions or not as the case may be.

4.1.2 From a review of the Development Plan, it is considered that the following planning issues are material to the determination of the application.

- Principle of development and land use
- Design, Scale, height and massing
- Quality of the residential accommodation
- Impacts on amenity of surrounding residential properties
- Highways, access, parking and servicing
- Affordable housing / s106
- Fire Safety
- Archaeological impacts
- Noise impact
- Air Quality
- Contamination
- Sustainability
- Other environmental considerations.

4.1.3 These are discussed below along with any other relevant material considerations.

4.2 Principle of development and land use

4.2.1 The National Planning Policy Framework (NPPF) seeks to increase the housing supply and introduces a presumption in favour of sustainable development. The proposed development clearly falls into the category of sustainable development providing much needed housing within the urban area on brownfield land with good connectivity to the public transport network and within walking distance of the Town Centre.

4.2.2 Paragraph 69 of the NPPF states that small and medium sized sites can make an important contribution to meeting the housing requirement of an area and are often built-out relatively quickly. In this respect the site meets these aims.

4.2.3 This approach is consistent with the Local Plan which outlines in Policy SP1 that the Council will aim to work towards achieving sustainable growth in homes, jobs and services to create a network of healthy, well-connected, high-quality, desirable places where people want to live, play, learn and work in line with the vision and objectives of the Council's key strategies and this Local Plan, thus implementing the principles of sustainable development.

4.2.4 The policy also identifies Bexleyheath town centre as a Sustainable Development Location and therefore a main focus for housing, industrial and commercial growth.

- 4.2.5 Policy GG2 of the London Plan seeks development on brownfield land and seeks to proactively explore the potential to intensify the use of land to support additional homes and workspaces, promoting higher density development, particularly in locations that are well-connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. London Plan Policy GG4 seeks to ensure homes are delivered.
- 4.2.6 The proposed development also seeks to help towards the housing target as set out in Policy H1 of the London Plan and Policy SP2 of the Local Plan.
- 4.2.7 In addition, Policy H2 of the London Plan confirms that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) and Policy H1 seeks to optimise the potential for housing delivery on all suitable and available brownfield sites on sites including sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a town centre boundary (including District Centres) as well as housing intensification on other appropriate low-density sites in commercial, leisure and infrastructure uses.
- 4.2.8 The site is within the Town Centre boundary and in this respect, the site meets the aims of the London Plan and also Policy D3 of the London Plan which seeks to make the best use of land and Local Plan Policy DP1 which seeks to make the most effective and efficient use of land, seeking to achieve higher densities in the most accessible locations.
- 4.2.9 London Plan Policy SPD6 states that the vitality and viability of London's varied town centres should be promoted. In addition, the potential for new housing within and on the edges of town centres should be realised through mixed-use or residential development that makes best use of land, capitalising on the availability of services within walking and cycling distance, and their current and future accessibility by public transport.
- 4.2.10 Local Plan Policy SP4 also supports proposals for main town centre uses in Bexley's defined Town and Local Centres, including residential-led development on appropriate sites.
- 4.2.11 The site has an extant permission for the creation of additional residential units and therefore the principle of development for residential has already been accepted.
- 4.2.12 Therefore, the above confirms that the principle of a mixed-use retail (Class E) and residential development in this sustainable town centre location and utilising previously developed land must be acceptable, subject to the other matters discussed below.

4.3 Design, Scale, height and massing

- 4.3.1 In respect of design considerations Paragraph 126 of the NPPF confirms that 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.
- 4.3.2 Paragraph 130 states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area; establish a strong sense of place; optimise the potential of the site to accommodate development; are sympathetic to local character and history and are visually attractive as a result of good architecture, layout and appropriate and effective landscaping.

- 4.3.3 Paragraph 134 advises that significant weight should be given to development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.
- 4.3.4 The NPPF therefore offers support to the proposed development which is of a high-quality design and will have not have any detrimental impact on the character of the area and will improve the appearance of the site.
- 4.3.5 Policy D3 of the London Plan seeks that development is of the most appropriate form and land use for the site. 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.
- 4.3.6 In addition, London Plan Policy D4 sets out the criteria for good design.
- 4.3.7 More locally, Local Plan Policy SP5 states that the Council will continue to expect high quality standards of design in Bexley. Design should respect the existing character and context but need not be constrained by what already exists; local character evolves over time. The Council will seek to ensure that:
- a. *all development within the borough is of high-quality design, contributes positively to the local environment, and protects the best elements of Bexley's character;*
 - b. *design enhances social cohesion and health and wellbeing and considers the principles of inclusive and active design, in order to support good physical and mental health; and,*
 - c. *design considers the relationships between building and spaces, including its contribution to and shaping of the public realm.*
- 4.3.8 Local Plan Policy DP11 states that all development proposals for new buildings will be expected to ensure that the layout, height, scale and massing, façade treatment, and materials are complimentary to the surrounding area contribute positively to the street scene.
- 4.3.9 In addition, developments will be expected to provide a high standard of landscaping design, appropriate to the proposal and with regard to the character of the surrounding area and should apply the principles of designing out crime whilst maintaining an attractive, connected environment.
- 4.3.10 Parts c – g of the policy deal with the quality of accommodation and amenity impacts and are discussed below in sections 4.4 and 4.5.
- 4.3.11 Local Plan Policy DP12 states that the proposed heights for buildings should reflect other design and policy requirements, including the requirement to have regard to the existing or emerging character and context of the area.
- 4.3.12 The policy states that the maximum height of buildings shall not normally be more than:
- a. 45 metres within and near the town centres of Abbey Wood Village and Lower Belvedere, as set out in Part 5 of this policy;
 - b. 25 metres within the borough's identified Sustainable Development Locations, Strategic Industrial Locations (SIL), and the Thamesmead and Abbey Wood London Plan Opportunity Area not covered by Part 2a of this policy; and,

- c. 15 metres across the rest of the borough.
- 4.3.13 For development proposals that include buildings taller than 15 metres, applicants must submit design appraisals with alternative options to demonstrate whether similar densities can be achieved using more traditional and human-scaled typologies including terraced housing, maisonettes, and courtyard apartments.
- 4.3.14 The site is within a Sustainable Development Location and is less than the maximum permitted height of 25m.
- 4.3.15 The building, is however, taller than 15 metres and in this regard the accompanying Design and Access Statement provides a detailed design appraisal.
- 4.3.16 The proposed scale of the building acknowledges the recently completed scheme on the opposite site at 214 Broadway which adds four storeys above the ground floor commercial units and is therefore a similar height and scale to the application proposals.
- 4.3.17 The proposed building seeks to use modern materials that will enhance and complement the existing character of the street scene whilst being mindful of durability, maintenance and environmental credentials.
- 4.3.18 The proposed development will also complement the recent public realm improvements in the local area.
- 4.3.19 Therefore, the proposed development is considered to be a high-quality design which will complement the character of the town centre location and other surrounding developments of similar heights. Therefore, no conflicts have been identified with the above design policies.

4.4 Quality of the residential accommodation

- 4.4.1 London Plan Policy D6 confirms that housing development should be of high-quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose.
- 4.4.2 Housing developments are required to meet the minimum standards as set out in Table 3.1 of the London Plan.
- 4.4.3 In addition, London Plan policy D6 also states that where there are no higher local standards in the borough Development Plan Documents, a minimum of 5 sq.m. of private outdoor space should be provided for 1-2 person dwellings and an extra 1 sq.m. should be provided for each additional occupant, and it must achieve a minimum depth and width of 1.5m. This does not count towards the minimum Gross Internal Area space standards required in Table 3.1.
- 4.4.4 In addition, Local Plan Policy DP11 states that development should:
 - f. provide sufficient useable on-site external amenity space (communal, semi-private and private) and appropriate play spaces for children, relative to the proposed scale of development*
 - g. meet appropriate internal accommodation standards*
- 4.4.5 Therefore, in this respect, the proposed dwellings comply with these standards as shown below:

Flat	Flat Type / Size	Standard	Complies	Amenity Space	Standard	Complies
1	1B 2P @ 53sqm	50sqm	✓	10.5sqm	5sqm	✓
2	1B 2P @ 53sqm	50sqm	✓	5sqm	6sqm	✓
3	2B 3P @ 67sqm	61sqm	✓	6sqm	6sqm	✓
4	2B 3P @ 66sqm	61sqm	✓	12.5sqm	6sqm	✓
5	1B 2P @ 53sqm	50sqm	✓	10.5sqm	5sqm	✓
6	1B 2P @ 53sqm	50sqm	✓	5sqm	5sqm	✓
7	2B 3P @ 67sqm	61sqm	✓	6sqm	6sqm	✓
8	2B 3P @ 66sqm	61sqm	✓	12.5sqm	6sqm	✓
9	1B 2P @ 53sqm	50sqm	✓	10.5sqm	5sqm	✓
10	1B 2P @ 53sqm	50sqm	✓	5sqm	5sqm	✓
11	2B 3P @ 67sqm	61sqm	✓	6sqm	6sqm	✓
12	2B 3P @ 66sqm	61sqm	✓	12.5sqm	6sqm	✓
13	2B 4P @ 73sqm	61sqm	✓	12sqm	7sqm	✓
14	1 B 2P @ 59.5sqm	50sqm	✓	7.5sqm	5sqm	✓
15	1B 2P @ 62sqm	50sqm	✓	6sqm	5sqm	✓

- 4.4.6 In addition, nearby public open space is readily accessible at Town Park (240m) which includes child play space.
- 4.4.7 London Plan Policy D6 also confirms that housing development should maximise the provision of dual aspect dwellings and normally avoid the provision of single aspect dwellings. In addition, the design of development should provide sufficient daylight and sunlight to new and surrounding housing that is appropriate for its context, whilst avoiding overheating, minimising overshadowing and maximising the usability of outside amenity space.
- 4.4.8 In this respect, the proposed flats are all dual aspect, including flats 2, 6 and 10 which provide a second aspect via the terrace.
- 4.4.9 In addition, the flats, where possible maximise the southerly and westerly orientation with large windows to provide suitable ventilation, daylight and outlook.
- 4.4.10 The proposed rooms sizes are designed to meet the minimum standards as set out in the London Plan and Nationally Described Space Standards.
- 4.4.11 Most of the proposed residential units would also be Building Regs M4(3) compliant and therefore wheelchair accessible and would comply with London Plan Policy D5 which requires inclusive design and Policy D7 which requires accessible housing. The flats are accessible by lift.
- 4.4.12 London Plan Policy H10 requires a mix of unit sizes and Local Plan Policy SP2 also encourages a mix of unit sizes.
- 4.4.13 The proposed development provides a mix of 1-bedroom and 2-bedroom (3-person and 4-person) units. The Local Plan acknowledges that the greatest need is for 2-bedroom or 3-bedroom dwellings.
- 4.4.14 However, given the town centre location it is not considered that it is possible or desirable to provide family units in a site where parking and play space is constrained.

4.4.15 The accompanying Inclusive Design Statement summarises the key accessible aspects of the proposed design taking into account the relevant policy framework for mixed-use residential schemes.

4.4.16 Therefore, the proposed flats will provide a good standard of accommodation and the mix of units is considered acceptable and appropriate for a town centre location.

4.5 Impacts on amenity of surrounding residential properties

4.5.1 London Plan Policy D3 states that development proposals should deliver appropriate outlook, privacy and amenity.

4.5.2 In addition, Local Plan Policy DP11 (c) seeks to ensure that appropriate levels of privacy, outlook, natural daylight and other forms of amenity are provided; and (d) ensure existing properties' amenity is appropriately protected; and (e) ensure that all proposed development and uses do not unacceptably affect residents or occupiers of either the proposed development or of existing neighbouring residents, businesses and community facilities by means of noise, odour, vibration and light spill or other disturbances.

4.5.3 The proposed development sits at the end of a terrace of properties within the town centre and there are therefore a mix of uses and building types, height and sizes in the immediate area.

4.5.4 The proposed flats have windows and terraces which generally face towards the north (Broadway), south or west (Albion Road).

4.5.5 In this respect there are no directly facing windows which would be affected by the proposed development with windows on the opposite side of Broadway being approximately 24m away, the nearest facing windows to the south being over 140m away (and separated by mature trees) and the nearest windows to the west being non-residential and approximately 40m away.

4.5.6 There are no terraces which face onto any neighbouring windows.

4.5.7 The accompanying Daylight and Sunlight Assessment assesses the daylight, sunlight and overshadowing to neighbouring windows, gardens and open spaces as set out in the BRE Guide.

4.5.8 The Daylight and Sunlight Assessment concludes that the proposed development will have a low impact on the light receivable by its neighbouring properties and that the proposed development sufficiently safeguards the daylight and sunlight amenity of the neighbouring properties.

4.5.9 Given the orientation of the proposed building and its location there are no identified amenity impacts in relation to loss of outlook.

4.5.10 In addition, a proposed residential use within this town centre location will not give rise to any noise, odour, vibration or light spill issues.

4.5.11 In addition, the extant permission for residential use confirms that no previous amenity issues were identified.

4.5.12 In addition, any noise impacts which may arise from plant equipment can be controlled by condition which is the case in the extant permission which has a condition (10) stating:

A. Prior to the first operation of any plant/equipment, an acoustic report prepared by a suitably qualified acoustician, shall be submitted to and approved in writing by the Local Planning Authority.

The report shall demonstrate how the cumulative noise rating levels from all fixed plant will be 5dB below the representative background level when measured at any nearby residential façade. Measurements shall be undertaken in accordance with the methodology specified in "BS4142: 2014: Methods for rating industrial and commercial sound".

B. All installed plant and acoustic attenuation measures shall be in accordance with the approved details and maintained thereafter in accordance with the manufacturer's recommendations.

Reason: To protect the amenity of residential occupants.

- 4.5.13 In this context, the addition of another storey to the proposed development will not have any material additional impact on amenity, subject to the same condition.

4.6 Highways, access, parking and servicing

- 4.6.1 Paragraph 104 of the NPPF states that transport issues should be considered from the earliest stages of plan-making and development proposals, so that:

- a. the potential impacts of development on transport networks can be addressed;
- b. opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;
- c. opportunities to promote walking, cycling and public transport use are identified and pursued;
- d. the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and
- e. patterns of movement, streets, parking and other transport considerations are integral to the design of schemes, and contribute to making high quality places.

- 4.6.2 The London Plan Policy T4 states development proposals should ensure that development proposals should not increase road danger and that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity.

- 4.6.3 In addition, London Plan Policy T2 states that development proposals and Development Plans should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling.

- 4.6.4 Local Plan Policy SP10 states that the Council will work to achieve a comprehensive, high-quality, safe, integrated and sustainable transport system, which makes the most of existing and proposed transport infrastructure within the borough.

- 4.6.5 Local Plan Policy DP22 states that the Council will expect to see measures in all development proposals that facilitate and promote walking, cycling, public transport and shared mobility.

- 4.6.6 Local Plan Policy DP24 confirms that proposals that reduce the need to travel and improve access to sustainable modes of transport will be supported.

- 4.6.7 In addition, London Plan Policies T6, T6.1, T6.2 and T6.5 and Local Plan Policy LP51 outline the relevant parking standards for the proposed uses.

- 4.6.8 Local Plan Policy DP23 also confirms that parking provision materially below London Plan maximum standards may be acceptable in areas that have a PTAL of 3 – 4, for residential development sites that are:
- a. outside of a Controlled Parking Zone (CPZ) or Restricted Parking Zone (RPZ), where it can be demonstrated through a parking survey that there is sufficient on-street, off-site parking capacity within 200 metres of the development boundary; or
 - b. inside an existing or planned CPZ or RPZ, in which case, where parking surveys suggest issues will arise, the applicant will normally be required to enter into a legal agreement to restrict future occupiers from obtaining on-street parking permits.
- 4.6.9 Cycle parking standards are also set out in London Plan Policy T5.
- 4.6.10 In this respect, the accompanying Transport Statement confirms that the number of trips to and from the proposed development itself would not be significant and would be largely similar to those of the recently approved development.
- 4.6.11 The proposed development is effectively an increase of six residential units compared to the recently approved scheme, thus any residual impacts upon the local transport and highway networks would clearly be negligible and any increase in pedestrian movements would not be so great as to lead to a severe impact on the access or the wider transport networks.
- 4.6.12 The accessibility to public transport facilities and town centre amenities means that residents would be highly unlikely to own a car if they do not have a space and are not entitled to a permit. Clearly this is a material consideration for potential residents when deciding to purchase or rent a property.
- 4.6.13 Furthermore, very few trip movements generated by the commercial unit will be ‘new’ to the network as the vast majority of customers would already be in the town centre area and consequently the person trips would be either linked or pass-by in nature.
- 4.6.14 Finally, the Transport Statement concludes that the size of the development is not sufficient for a Travel Plan to be meaningful or effective. However, travel plan-style measures in the form of secure and sheltered cycle parking provision are to be provided.
- 4.6.15 The proposed development will be serviced the same as the previously approved development and the proposed plans show the rear access to the retail unit and the bin stores which will be accessible from the highway.
- 4.6.16 Paragraph 111 of the NPPF confirms 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.
- 4.6.17 In this respect, subject to conditions there are no identified unacceptable or severe highways impacts which would prevent the granting of planning permission and any additional details can be secured by conditions or planning obligations.

4.7 Affordable housing / s106

- 4.7.1 Paragraph 63 of the NPPF confirms that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required, and expect it to be met on-site unless:

- a) off-site provision or an appropriate financial contribution in lieu can be robustly justified; and
 - b) the agreed approach contributes to the objective of creating mixed and balanced communities.
- 4.7.2 The London Plan in Policy H4 requires major developments which trigger affordable housing requirements to provide affordable housing through the threshold approach.
- 4.7.3 In addition, Policy H4 states that affordable housing should be provided on site. Affordable housing must only be provided off-site or as a cash in lieu contribution in exceptional circumstances.
- 4.7.4 In this respect all major development of 10 or more units triggers an affordable housing requirement.
- 4.7.5 Policy H5 of the London Plan confirms that the threshold level of affordable housing on gross residential development is initially set at:1) a minimum of 35 per cent.
- 4.7.6 In addition, London Plan Policy H6 states that the following split of affordable products should be applied to residential development:
- 1) a minimum of 30 per cent low-cost rented homes, as either London Affordable Rent or Social Rent, allocated according to need and for Londoners on low incomes
 - 2) a minimum of 30 per cent intermediate products which meet the definition of genuinely affordable housing, including London Living Rent and London Shared ownership
 - 3) the remaining 40 per cent to be determined by the borough as low-cost rented homes or intermediate products (defined in Part A1 and Part A2) based on identified need
- 4.7.7 In this respect, Local Plan Policy DP1 confirms that for residential development proposals with a capacity of 10 or more (gross) dwellings, the Council will follow a threshold approach to affordable housing in line with London Plan policies H4 and H5.
- 4.7.8 In addition, Policy DP1 states that development proposals that do not meet the affordable housing threshold will be refused unless justified by a full, normally unredacted viability assessment that is submitted at the same time that a planning application is submitted.
- 4.7.9 However, Local Plan Policy SP2 confirms that:
- it is the Council's aspiration to achieve its strategic target of 50% affordable housing as a proportion of all qualifying provision across the borough over the plan period, by application of the threshold approach set out in policy DP1. This should be achieved with an overall tenure mix of 70% low cost rented and 30% intermediate housing products and with a mix of housing types and sizes.*
- 4.7.10 In this respect, in accordance with Policy DP1 the application is accompanied by a Viability Assessment. This concludes that on an all-open market basis with no affordable housing provision a surplus is generated on the benchmark land value at £107,275 and so clearly the development can support some affordable housing provision. To test the viable level of provision we have introduced affordable housing into the appraisal so the residual value as closely as possible equates to the benchmark land value, this is achieved with 2no London Affordable Rent dwellings. In our opinion it is very unlikely any Registered Provider would be interested in acquiring just two dwellings in a single core block and so the obligation would be best delivered as a financial contribution towards affordable housing at £107,275.
- 4.7.11 This can be discussed in more detail during the processing and determination of the planning application.

4.7.12 The Council's Planning Obligations SPD confirms that contributions may be sought in respect of:

- Transport and Access
- Education
- Health Open Space,
- Sports and Leisure Facilities
- Community Facilities and Services

4.7.13 However, none have been identified at this stage and would be subject to further viability analysis.

4.8 Fire Safety

4.8.1 In respect of Fire Safety Policy D12 of the London Plan states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety.

4.8.2 This is discussed in more detail in the accompanying Outline Fire Safety Strategy which confirms that:

- Suitable space is available outside for fire appliances and external assembly
- Passive & Active fire safety measures proposed within the design
- External materials are generally non-combustable
- There are multiple proposed exits from the ground floor commercial unit for escape and the residential units have an access stair.

4.8.3 This information was considered acceptable in the granting of the extant planning permission and therefore, there should be no objections in this regard to the updated Fire Safety Strategy which provides significantly more detail than within the previous application and in acknowledgement that the application is a major development.

4.9 Archaeological impacts

4.9.1 The site is located within Tier 2 'Watling Street' Archaeological Priority Area. In this respect, London Plan Policy HC1 states that development proposals should identify assets of archaeological significance and use this information to avoid harm or minimise it through design and appropriate mitigation. Where applicable, development should make provision for the protection of significant archaeological assets and landscapes. The protection of undesignated heritage assets of archaeological interest equivalent to a scheduled monument should be given equivalent weight to designated heritage assets.

4.9.2 In addition, Local Plan Policy SP6 seeks to manage Bexley's heritage and archaeological assets in accordance with the London Plan and NPPF requirements.

4.9.3 In this respect, the accompanying Archaeology Desk Based Assessment concludes that there would be low potential for the recovery of complex or significant Prehistoric, Medieval, Post Medieval or Roman remains.

4.9.4 The impact assessment concluded that the proposed development would have a Negligible Adverse Degree of Impact to any surviving archaeological remains of the modern building located within the southeast corner of the site. This would result in an overall Neutral Magnitude of Effect on the significance of the archaeological resource.

4.9.5 Due to the potential impacts of the proposed development found to result in a Neutral Magnitude of Effect on the significance of the potential archaeological resource within the site boundary, there are no recommendations for further archaeological work.

4.9.6 However, the extant planning permission for the site is subject to a condition requiring a written scheme of investigation and therefore there are no objections to the same condition being applied again.

4.9.7 Therefore, there should be no objections in relation to archaeological impacts.

4.10 Noise impacts

4.10.1 Paragraph 187 of the NPPF specifically states that existing businesses should not have unreasonable restrictions put onto them because of changes in nearby land use since they were established.

4.10.2 This is also reflected in London Plan Policy D13 whereby the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses is placed on the proposed new noise sensitive development.

4.10.3 In addition, London Plan Policy D14 confirms that proposals should improve health and quality of life, residential and other non-aviation development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life.

4.10.4 In this respect, the accompanying Residential Noise Assessment have been undertaken to assess the suitability of the site for residential development.

4.10.5 This concludes that the proposed development has been assessed against the acoustic design criteria and a sound insulation scheme has been provided to ensure the criteria has been achieved.

4.10.6 The following 'Action Plan' is outlined to ensure the design considerations and specifications from this report are duly implemented:

1. The proposed glazing and ventilation systems, or suitable alternatives, should be installed as shown in Sections 4.2 and 5.2 of the Assessment.
2. The separating floor between the structurally adjoining commercial property and the proposed development should be designed to achieve the required sound insulation. An indicative specification has been provided in Section 6 of the Assessment.
3. The plant limit levels shown in Section 7 of the Assessment should be achieved at all surrounding receptors.

4.10.7 This can be controlled by condition which is the case in the extant permission which has a condition (8) which states:

A. Prior to first occupation, details which shall demonstrate that the level of acoustic protection to all habitable rooms will be sufficient to achieve the internal levels specified in BS8233: 2014 shall be submitted to and approved in writing by the Local Planning Authority.

B. Each residential unit shall not be occupied until such time as the approved measures have been implemented for that unit. The approved measures shall be retained and maintained thereafter in accordance with the manufacturer's recommendations.

C. Verification that works have been carried out in full accordance with the approved scheme shall be submitted to and approved in writing by the Local Planning Authority within three months of first occupation.

Reason: To protect future occupants of the development from excessive external noise and to ensure that internal noise levels achieve the BS: 8233 noise criteria.

4.10.8 In this respect, subject to the same condition, there will be no noise impacts on the proposed occupiers.

4.11 Air Quality

4.11.1 London Plan Policy SI 1 seeks to improve air quality and states that development proposals should not:

- a. lead to further deterioration of existing poor air quality
- b. create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits
- c. create unacceptable risk of high levels of exposure to poor air quality.

4.11.2 In addition, development proposals must be at least Air Quality Neutral.

4.11.3 In addition, Local Plan Policy SP10 seeks to effectively maintain and efficiently manage the existing highway network to reduce congestion and unnecessary delays, improve the environment, in particular air quality, and promote safety, health and wellbeing.

4.11.4 In this respect, the submitted Air Quality Assessment concludes that following proper implementation of the measures recommended, the impact of emissions during construction of the proposed development are likely to be 'Negligible' and therefore 'Not Significant'.

4.11.5 The annual mean and one hour mean NO₂ AQO are expected to be met at the proposed development for the anticipated earliest year of occupation. Likewise, the annual mean and 24-hour mean PM₁₀ AQO is expected to be met at the proposed development for the earliest year of occupation.

4.11.6 The newly legislated PM_{2.5} target is not expected to be met in London until towards 2040 and therefore is not expected to be met at the site of the proposed development until that time. PM_{2.5} is mainly a regional pollutant and is not currently required to be reported under LAQM. Whilst guidance states that Local Authorities are expected to act to reduce concentrations of PM_{2.5} in their areas, there is no guidance on exposure reduction as such.

4.11.7 Based upon the above, no further air quality mitigation measures are recommended.

4.11.8 It can therefore be concluded that the proposed development is not considered to conflict with national, regional and local planning guidance in respect of air quality considerations.

4.12 Contamination

4.12.1 The submitted Phase I Geo-Environmental Desk Study confirms that:

- No. 235 & 237 The Broadway in Bexleyheath is currently occupied by a part two storey commercial building, the proposed redevelopment involves demolishing the existing buildings and replacing them with a building that will include residential flats above a ground floor commercial premises.
- Groundwater vulnerability maps for the area show that the underlying bedrock Harwich Formation Geology is classified as a Secondary A Aquifer in a Source Protection Zone for groundwater abstraction and as such, the site is considered to have a moderate environmental sensitivity.
- The site was first developed in the late 1800's with the configuration of the building changing throughout the 1900's and part of the building being used as a bank until recent times. The surrounding land was developed over a similar period and included commercial premises, unspecified works and depots, nurseries, and schools.
- While the property will include residential properties once redeveloped, given that there will be very limited (if any) exposure of future site users to potential contaminants, no further environmental assessment is considered necessary for the redevelopment.

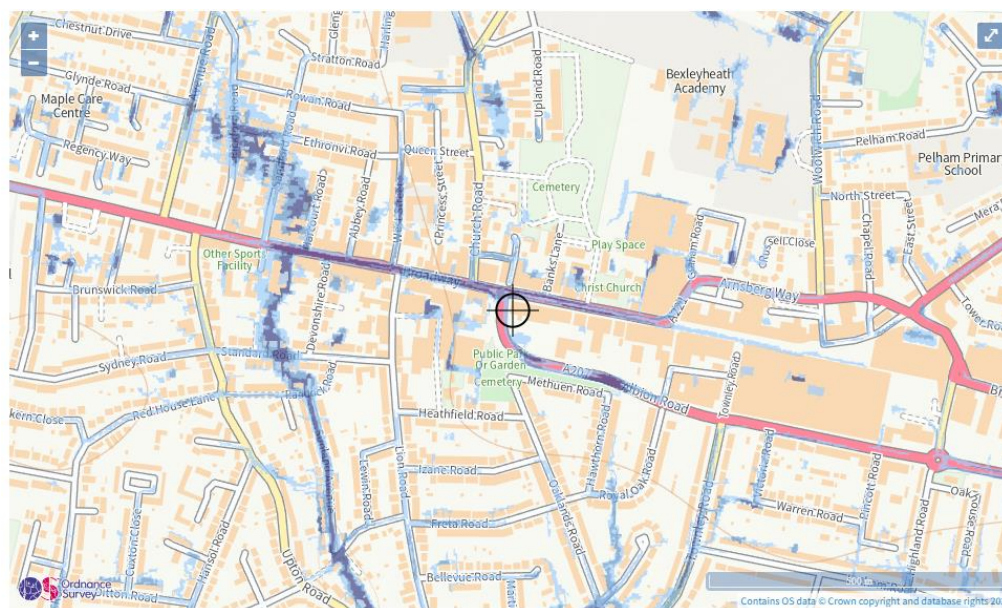
4.13 Sustainability

- 4.13.1 Paragraph 154 of the NPPF states that new development should be planned for in ways that can help to reduce greenhouse gas emissions, such as through its location, orientation and design.
- 4.13.2 London Plan Policy SI2 states that major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:
- 1) be lean: use less energy and manage demand during operation
 - 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
 - 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
 - 4) be seen: monitor, verify and report on energy performance.
- 4.13.3 In addition, Local Plan Policy SP14 supports developments that achieve zero-carbon and demonstrate a commitment to drive down greenhouse gas emissions to net zero.
- 4.13.4 Local Plan Policy DP30 confirms that major development proposals must meet London Plan requirements and calculate whole life-cycle carbon emissions through a nationally recognised Whole Life-Cycle Carbon Assessment and demonstrate actions taken to reduce life-cycle carbon emissions.
- 4.13.5 In this respect, the accompanying Energy Statement confirms that
- Regulated carbon emissions are reduced by 67% (DER V's TER)
 - Regulated primary energy is reduced by 33% (DPER V's DPER)
 - Regulated fabric energy efficiency is improved by over 3% (DFEE V's TFEE)
- 4.13.6 The measures as set out in the Energy Statement can be further secured by condition, if necessary.

4.14 Other environmental considerations

Flood Risk and drainage

- 4.14.1 London Plan Policy SI 12 states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. The same is also sought by Local Plan Policy DP32.
- 4.14.2 However, the site is within Flood Zone 1 and is at the lowest risk of flooding and the proposed residential accommodation would be located at first floor level and above.
- 4.14.3 Therefore, there is no need for a flood risk assessment.
- 4.14.4 In relation to drainage, London Plan Policy SI 13 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.
- 4.14.5 Local Plan Policy DP33 confirms that all development proposals, whether increasing or decreasing the impermeable area of the site, will be required to manage surface water through sustainable drainage systems (SuDS) in line with all national, regional and local policies and related guidance, in order to minimise flood risk, improve water quality and enhance biodiversity and amenity.
- 4.14.6 This is discussed to some extent within the Geo-Environmental Desk Study. In addition, the Environment Agency Flood Map shows no risk of surface water flooding, as shown below.



Extent of flooding from surface water

● High ● Medium ● Low ○ Very Low ⊕ Location you selected

- 4.14.7 Surface water may be disposed of using existing connections or a new connection to the main combined sewer.
- 4.14.8 This can be further controlled by conditions, if necessary and this is the case in the existing extant permission in which condition 4 states:

A. Prior to commencement of the development (excluding demolition), a scheme for a Sustainable Drainage System in accordance with the Bexley Sustainable Drainage Design and Evaluation Guide (2018) shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include details of:

- *How reduction in surface water runoff to the greenfield runoff rate shall be achieved;*
- *Calculations to demonstrate that the proposed system is fit for purpose, including correctly sized attenuation and surface water discharge rates;*
- *Installation of petrol/oil interceptors as necessary;*
- *Distribution of foul water flows into the surrounding sewer network as necessary;*
- *Installation of rainfall attenuation units for capturing and reusing water;*
- *Information about the design storm period and intensity, the method employed to delay and control surface water discharged from the site and measures taken to prevent pollution of the receiving groundwater and/or surface waters;*
- *Include a timetable for its implementation; and*
- *Provide a management and maintenance plan for the lifetime of the development.*

B. The Scheme must demonstrate how the drainage hierarchy set out in London Plan Policy S113 has been followed:

- *1st rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation)*
- *2nd rainwater infiltration to ground at or close to source*
- *3rd rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens)*
- *4th rainwater discharge direct to a watercourse (unless not appropriate)*
- *5th controlled rainwater discharge to a surface water sewer or drain*
- *6th controlled rainwater discharge to a combined sewer*

C. The development shall only be carried out in accordance with the approved details.

4.14.9 In this respect, drainage matters can be controlled by the same condition.

Landscaping and Biodiversity

4.14.10 London Plan Policy G6 states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process. In addition, Local Plan Policy DP20 seeks to protect and enhance biodiversity.

4.14.11 The development does not make any provision for ground landscaping due to the small footprint of the site and the building having an almost 100% site coverage. This is also the case with the approved scheme.

4.14.12 However, some additional landscaping can be accommodated on the proposed roof terraces to enhance the biodiversity value of the site.

5 Summary and Conclusion

5.1 Summary

- 5.1.1 In summary, the purpose of this statement is to identify Development Plan policies that are relevant in the assessment of the development proposal; and to consider whether the proposal conflicts with their provisions and, if so, whether there are material considerations that outweigh any conflict with the Development Plan.
- 5.1.2 An assessment of the relevant planning policies in the adopted Development Plans confirms that there is no conflict with their provisions and that the statutory test imposed by Section 70(2) of the Town and Country Planning Act and Section 38(6) of the Planning and Compulsory Purchase Act 2004 is met.
- 5.1.3 The National Planning Policy Framework is a material consideration in the assessment of the development proposal. An assessment of the Framework in terms of design, transport, making effective use of land, economic development, heritage and housing confirms that the proposed development is consistent with national planning policies, and this provides further material support for the application.
- 5.1.4 The planning application has been formulated based on the previously approved application which confirms that the principle of the development is acceptable. The increase in height from the approved development is based on precedent set by the development on the opposite side of the road; and the policy presumption to make more effective use of previously developed land in a sustainable location particularly in the delivery of additional housing.
- 5.1.5 The above confirms that there are no policy conflicts in relation to:
- Principle of development and land use
 - Design, Scale, height and massing
 - Quality of the residential accommodation
 - Impacts on amenity of surrounding residential properties
 - Highways, access, parking and servicing
 - Affordable housing / s106
 - Fire Safety
 - Archaeological impacts
 - Noise impact
 - Air Quality
 - Contamination
 - Sustainability
 - Other environmental considerations including flood risk and drainage.

5.2 Conclusion

- 5.2.1 In conclusion, this assessment confirms that the development proposal accords with the provisions of the Development Plan and consequently a presumption in favour of a grant of planning permission is derived.
- 5.2.2 Material considerations in the form of the NPPF provide further support to justify a grant of planning permission.