



# PLANNING DESIGN & ACCESS STATEMENT

Including  
Sustainability Statement


**PLANNING APPLICATION BY:**

**W K PROPERTY LONDON**

**RELATING TO:**

**BUILDINGS AND LAND TO  
REAR OF 41 CHURCH ROAD  
BEXLEYHEATH  
KENT  
DA7 4DD**

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**1. INTRODUCTION:**

1.1. We are instructed by W K Property London to prepare this Planning Design & Access Statement in support of an application for planning permission for the following development on land and buildings to the rear of 41 Church Road, Bexleyheath:

**“DEMOLITION OF EXISTING COMMERCIAL BUILDINGS; ERECTION OF 7NO. RESIDENTIAL UNITS WITH ASSOCIATED PARKING, LANDSCAPING AND ACCESS.”**

**(i) Background and Submission Documents**

1.2. We are familiar with the site and the surrounding area and have studied carefully the planning policies associated with the site.

1.3. The applicant has undertaken pre-application discussions with the Council’s Planning Department. This has involved a meeting with the Council’s Planning Officers on 28 July 2023 with written feedback received under reference **23/01517/PREAPP** on 6 December 2023. The feedback received from this pre-application has informed this submission.

1.4. In order to prepare a comprehensive and thorough assessment to support the planning application, a number of specialist technical advisors and consultants have been appointed by the applicant. The application is therefore supported by the following technical documents:

- Application Form
- CIL Form
- Preliminary Ecological Appraisal – Arbtech
- Marketing Report – Holmes Hosking
- Acoustic Assessment – Able Acoustics
- Transport Statement – Motion
- Fire Exception Statement

1.5. The submission is supported by a full suite of architectural plans of the proposed development, as well as plans of the existing buildings on site which are to be demolished which have been produced by Out The Box Architects.

**(ii) Scope and Purpose of the Planning Design & Access Statement**

1.6. The purpose of this Planning Design & Access Statement is to detail the development proposals, as well as the site and the surrounding area. A thorough review of planning history and planning policy is also undertaken. The statement then identifies the planning merits of the application against adopted policy guidance and best practice, and to outline any other material considerations to undertake the planning balance.

**2. APPLICATION PROPOSAL:**

2.1. Full planning permission is sought for the following development:

**“DEMOLITION OF EXISTING COMMERCIAL BUILDINGS; ERECTION OF 7NO. RESIDENTIAL UNITS WITH ASSOCIATED PARKING, LANDSCAPING AND ACCESS.”**



Figure 1: Proposed development.

- 2.2. The application development proposes to demolish a range of 7no. commercial units to the rear of No.41 Church Road. No.41 Church Road is used as a day nursery which will be retained as part of the proposals. All the existing commercial buildings are vacant, although Unit 2 is currently used for storage by Kelleher Group. The units comprise former offices and workshops which are in a poor state of repair.
- 2.3. The existing buildings will be replaced by a collection of 7no. residential dwellings, comprising 2no. two bedroom three person units and 5no. three bedroom five person units. Units 1-2 will be two storey properties, whilst units 3-7 will range from 2 ½ to 3 storeys in height.



Figure 2: Proposed elevations.

- 2.4. The proposed dwellings will exhibit brick facades with cladding detailing and a mix of front facing gables on units 1-5 and a hipped roof on units 6 and 7.
- 2.5. All properties will be served by modern layouts and will be dual aspect, with all units being served by rear amenity areas.
- 2.6. Each dwelling will be allocated 1no. parking space, which will be set in a central parking court. The properties will have integral refuse storage and cycle parking in the rear garden.



Figure 3: Proposed site plan.

2.7. As outlined above, the nursery use will remain in situ with the existing outdoor amenity area retained with all parking for the nursery use being provided at the front of the site.

**3. APPLICATION SITE & SURROUNDINGS:**

3.1. The application site is situated on the eastern side of Church Road, circa 125m north of the junction with the A207. The site comprises a backland site, close to the town centre, situated to the rear of No.41 Church Road and is immediately west of Bexleyheath Cemetery.

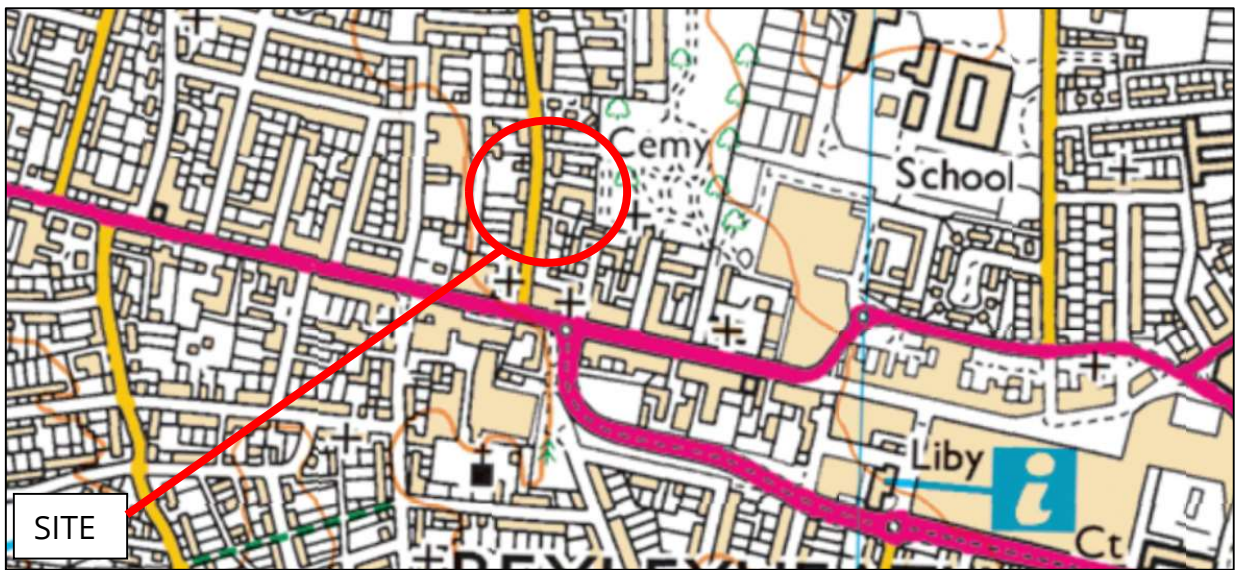


Figure 4: OS Map.



Figure 5: Aerial site.



3.2. The western parcel of the site comprises No.41 Church Road, a two storey building used as a day nursery. It comprises brick facades and front facing gable with ground floor bay window. There are a series of additions to its rear. The nursery has a parking court to the front of the building, with road access along its northern and southern flanks. The northern access provides access to the nursery's outdoor amenity area.



Figure 6: 41 Church Road and access to rear commercial units.

3.3. The access along the southern flank of No.41 Church Road provides access to the application site, which comprises a range of commercial buildings on the eastern parcel of the plot. Commercial units 1-5 comprise an L-shaped footprint and are two storeys in scale, with brick facades and shallow pitched roof.



Figure 7: Existing buildings on site.

3.4. Units 6-7 comprise a linear building which is single storey in height and is situated on the boundary with No.39 Church Road.



Figure 8: Existing access and existing buildings.

- 3.5. The access to the commercial buildings is very narrow, with a very tight bend between units 4-6. The access terminates to a small parking court on the southern parcel of the site, which backs onto the cemetery and Trinity Place.



Figure 9: Parking court and Trinity Place to the south of the site.

- 3.6. The character of the area comprises predominantly residential use and an irregular grain of development. To the north of the site is a varied style of detached properties ranging from 2 ½ storeys, with backland development to the north-eastern corner of the site. There is further depth to properties in the residential cul-de-sac of Mayfield. To the east of the site is Bexleyheath Cemetery, which is designated Urban Space and a Site of Importance to Nature Conservation (SINC). The buildings are visible from the Cemetery.



Figure 10: View looking west from Bexleyheath Cemetery.

- 3.7. To the immediate south of the site is Trinity Court, a block of 4no. three storey town houses of brick design and gable ended roofs. To the west of the site are the rear gardens of Nos.39, 37 and 37A. There is further backland development to the rear of Nos.29-35A. To the west, on the other side of Church Road, the grain of development reflects the eastern side of the road, exhibiting a mixed form of buildings and an irregular pattern of development.
- 3.8. In terms of planning designations, the site is not covered by any heritage, landscape or ecological constraints. It is not a protected employment site and is classed as a predominantly residential area. The site is in Flood Zone 1 and there is no risk of flooding.

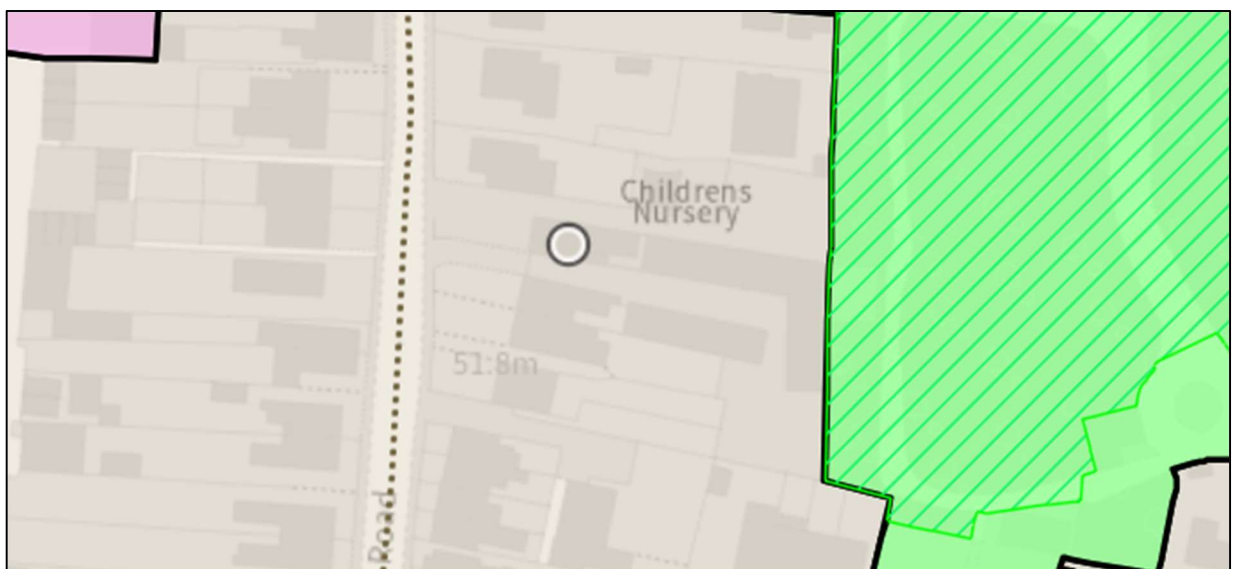


Figure 11: Extract from Proposals Map.

3.9. The site is in a PTAL 4/5 area so can be classed as a sustainable site close to local services and amenities.

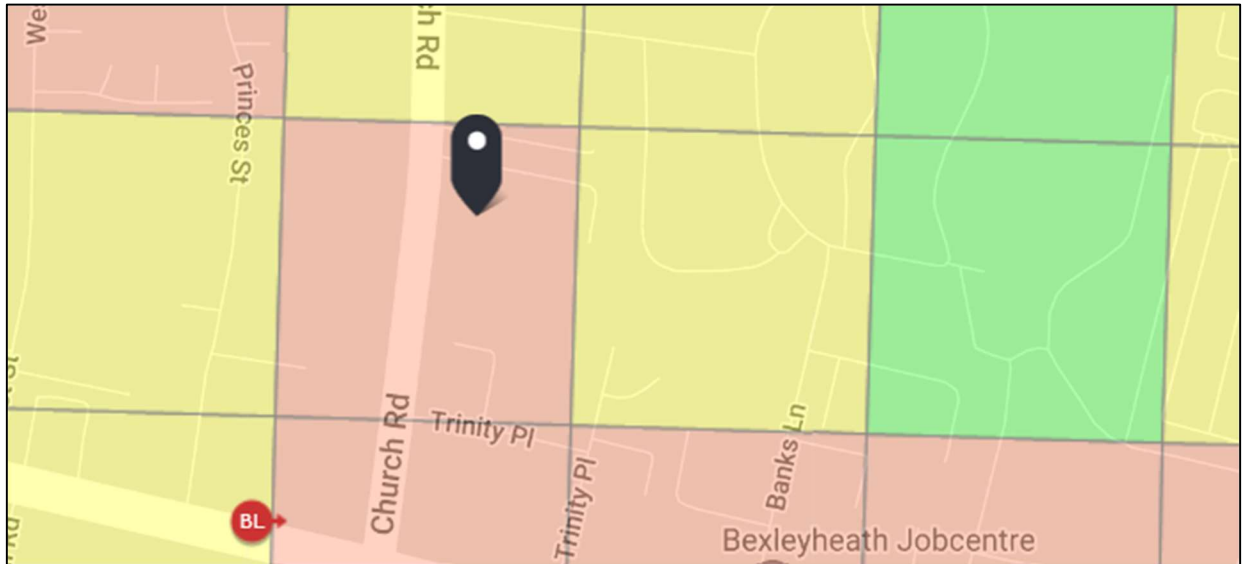


Figure 12: PTAL Map – 4/5.

**4. PLANNING HISTORY:**

**(i) Site**

4.1. A full search of the Council's archive and online planning history has confirmed the following historic consents at the property.

- Use of property as a day nursery with associated car parking.  
Ref. No: 02/03903/FUL | Status: Granted subject to Section 106 Agreement
- Conservatory to rear of existing day nursery.  
Ref. No: 06/06178/FUL | Status: Application Permitted with Conditions
- Proposal under Section 73 of the Town and Country Planning Act 1990 regarding the day nursery approved under reference 02/03903/FUL dated 08.09.03 to allow the outside play area to be used between 9.30am - 11.30am and 2.45pm - 4.15pm also to allow up to 8 children in the garden at any one time supervised at all times.  
Ref. No: 07/05009/FUL | Status: Application Permitted with Conditions
- Alterations to existing sun canopy in the play area and provision of a new fence to be erected between the canopy and the existing boundary fence.  
Ref. No: 08/04209/FUL | Status: Application Permitted with Conditions
- Lawful Development Certificate (Existing) for continuation of use of the day nursery with extended numbers to 29 attending.  
Ref. No: 19/02466/LDCE | Status: Refused
- Lawful Development Certificate (Existing) for continuation of use of the day nursery with extended numbers to 25 attending.  
Ref. No: 20/00529/LDCE | Status: Grant of Lawful Devept Certificate

4.2. The only recorded planning history for the rear commercial units is outlined below:

Units 3, 4, 5 & 7

- Use for car engine tuning

Ref. No: 82/01318/FUL | Status: Application Permitted with Conditions

4.3. Business rates confirm that Units 1-7 are classed as the following:

|                                                                                    |                       |
|------------------------------------------------------------------------------------|-----------------------|
| <a href="#">Unit 1 R/o 39-41, Church Road, Bexleyheath, Kent, DA7 4DD</a>          | Offices and premises  |
| <a href="#">Unit 2 &amp; 4a R/o 39-41, Church Road, Bexleyheath, Kent, DA7 4DD</a> | Offices and premises  |
| <a href="#">Unit 3 R/o 39-41, Church Road, Bexleyheath, Kent, DA7 4DD</a>          | Workshop and premises |
| <a href="#">Unit 4 R/o 39-41, Church Road, Bexleyheath, Kent, DA7 4DD</a>          | Workshop and premises |
| <a href="#">Unit 5 R/o 39-41, Church Road, Bexleyheath, Kent, DA7 4DD</a>          | Store and premises    |
| <a href="#">Unit 6 R/o 39, Church Road, Bexleyheath, Kent, DA7 4DD</a>             | Offices and premises  |
| <a href="#">Unit 7 R/o 39, Church Road, Bexleyheath, Kent, DA7 4DD</a>             | Workshop and premises |

(ii) **Pre-Application**

4.4. Pre-application advice was sought with the Council under reference **23/01517/PREAPP**. The meeting was held in July 2023, but written feedback was not received until December 2023. The following conclusion was given at the end of the advice letter:

*“In principle the proposed development would be considered acceptable and subject to the amendments cited and additional information being submitted it is considered that should an application be forthcoming it is one that Officers could support.”*

4.5. In response to the advice received the following amendments were made to the proposal:

- Reduction in scale of Plots 6-7 as shown on the below plan.

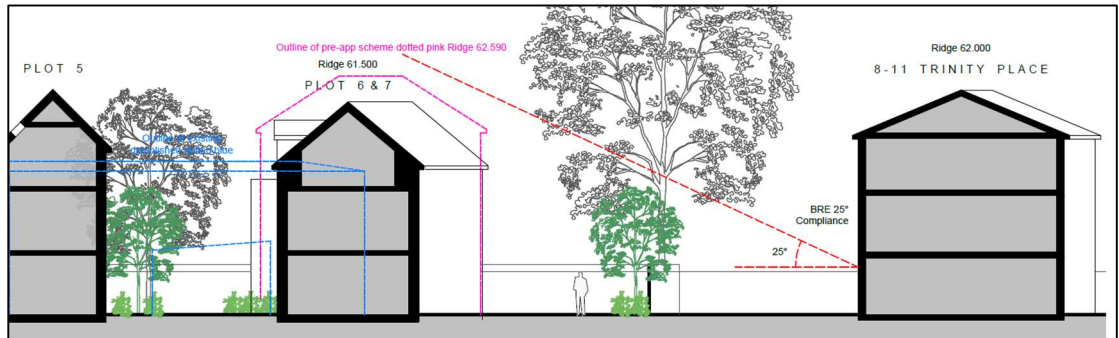


Figure 14: Proposed section showing reduction in mass / scale to Plots 6 & 7.

- Plots 6-7 reduced from 4 bedroom to 3 bedroom units.

4.6. As well as the above amendments, the following technical reports were instructed which have informed this planning application:

- Marketing Report
- Acoustic Assessment
- Transport Statement
- Preliminary Ecological Appraisal

4.7. The applicant places great importance to pre-application dialogue and the feedback received has shaped and influenced the final proposals.



**5. PLANNING POLICY & MATERIAL CONSIDERATIONS:**

5.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that where the development plan contains relevant policies, applications for development which are in accordance with the plans should be allowed unless material considerations indicate otherwise.

5.2. The National Planning Policy Framework (2023) and the Planning Practice Guidance (PPG) are material considerations.

5.3. The Development Plan, as far as is relevant to this planning application, consists of:

- London Plan 2021
- Bexley Local Plan 2023

5.4. The following documents have also been reviewed as part of this submission:

- Accessible London: Achieving an Inclusive Environment (2014)
- Sustainable Design and Construction (2014)
- Shaping Neighbourhoods: Character and Context (2014)
- Accessible London: Achieving an Inclusive Environment (2014)
- Control of Dust and Emissions During Construction and Demolition (2014)
- Mayor's Housing: Supplementary Planning Guidance (2015)

**National Planning Policy Framework (NPPF) 2023**

5.5. The following chapters of the NPPF have been reviewed as part of this statement.

- (2) Achieving sustainable development
- (5) Delivering a sufficient supply of homes
- (6) Building a strong, competitive economy

- (9) Promoting sustainable transport
- (11) Making effective use of land
- (12) Achieving well-designed and beautiful places
- (14) Meeting the challenge of climate change, flooding and coastal change
- (15) Conserving and enhancing the natural environment

5.6. We have referred to relevant paragraphs within the planning merits section of this statement.

**National Planning Practice Guidance (PPG)**

5.7. Relevant sections of the PPG have been reviewed including:

- Planning Obligations
- Viability

**London Plan 2021**

5.8. The following policies have been reviewed as part of this statement:

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG4 Delivering the homes Londoners need
- E4 Land for industry, logistics and services to support London's economic function
- E7 Industrial intensification, co-location and substitution
- D1 London's form, character and capacity for growth
- D2 Delivering good design
- 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  
D14 Noise  
H1 Increasing housing supply  
H2 Small sites  
H10 Housing size mix  
G5 Urban greening  
G6 Biodiversity and access to nature  
SI 2 Minimising greenhouse gas emissions  
SI 3 Energy infrastructure  
SI 8 Waste capacity and net waste self-sufficiency  
SI 13 Sustainable drainage  
T3 Transport capacity, connectivity and safeguarding  
T4 Accessing and mitigating transport impacts  
T5 Cycling  
T6 Car parking  
T6.1 Residential parking  
T7 Deliveries, servicing and construction

### **Bexley Local Plan 2021**

5.9. The following policies have been reviewed as part of this statement:

- DP1: Providing a supply of housing
- DP2: Residential development on backland and infill sites
- DP7: Appropriate uses within designated industrial areas
- DP11 Achieving high-quality design
- DP20 Biodiversity and geodiversity in developments

- DP21 Greening of development sites
- DP23: Parking management
- DP24: Impact of new development on the transport network
- DP26: Waste management in new development
- DP30: Mitigating climate change
- DP32: Flood Risk Management
- DP33: Sustainable Drainage Systems
- SP1: Achieving sustainable development – the spatial strategy
- SP2: Meeting Bexley’s Housing Requirements
- SP3: Employment growth, innovation and enterprise
- SP5: Placemaking through good design
- SP9: The protection and enhancement of biodiversity and geological assets
- SP14: Mitigating and adapting to climate change

**6. PLANNING MERITS:**

6.1. In light of the foregoing policy assessment and description of the proposed development, the following main issues will be considered:

- Principle of Development
  - Delivery of Housing
  - Loss of Existing Use / Retained Nursery Use
- Mix / Affordable Housing
- Design / Scale / Layout
- Standard of Accommodation / Noise
- Residential Amenity
- Highways / Access / Parking
- Ecology
- Flood Risk/Drainage
- Contamination
- Community Infrastructure Levy

**Principle of Development**

**(i) Delivery of Housing**

6.2. Policy as set out in the NPPF states that 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 developed without unnecessary delay. Weight is given to small and medium development sites to deliver housing. The importance of making best and most efficient use of land has been strengthened within Section 11 of the NPPF 2023. In

addition, residential use in town and villages centres is recognised as contributing to the vitality and viability of settlements.

6.3. The London Plan 2021 also sets out housing targets for the Borough, which places weight on small sites as identified in policies H1 and H2. Policy H2 states that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size). This is further emphasised in Policy DP2 of the Bexley Local Plan 2023 which states that proposals for new dwellings on small (less than 0.25ha) brownfield sites, including infill and backland sites, will generally be encouraged within the borough's identified Sustainable Development Locations. In all locations proposals will be supported in particular where:

- a. the development capacity of the site is optimised; and,
- b. the development provides well-designed housing with a high standard of amenity that makes a positive contribution to the area

6.4. The site is located in a highly sustainable location which is suitable to intensification and as outlined in this statement will provide well designed housing which will significantly enhance the character of the area compared to the existing use. There is therefore a strong presumption in favour of sustainable development where the principle of such residential development is acceptable in land use terms, subject to other planning considerations. **The principle of development was accepted at pre-application stage.**

**(ii) Loss of Existing Use / Retained Nursery Use**

6.5. The site is not located in a designated employment site (Strategic Industrial Locations (SIL) and Locally Significant Industrial Sites (LSIS)) and is classed as a Primarily Residential Area on the Council's Proposals Map. The site has been under-used with the majority of the units vacant and all in a poor standard of condition. The units have not had any investment for many years.

- 6.6. As well as being in a poor condition, the site is very constrained. The employment site has very poor access, with a narrow access between No.39 Church Road, a residential property, and No.41 Church Road, a nursery. The restriction of the access means it is unsuitable for high levels of traffic and HGV deliveries and it cannot accommodate two-way vehicular movements. In addition to this, the access to the parking court in the southern parcel of the site can only be gained via a very tight bend which limits visibility when entering and exiting the site.
- 6.7. The site is unsuitable for commercial use given its close proximity to residential properties which means any intensive use of the site would cause considerable impact in terms of noise and disturbance. The lack of suitable on-site parking also makes the plot undesirable for a lot of commercial uses.
- 6.8. Policy DP7 of the Bexley Local Plan 2023 states that non-designated industrial sites should be assessed in line with criteria set out in London Plan policies, particularly E4 and E7. Policy E7 states that mixed-use or residential development proposals on Non-Designated Industrial Sites should only be supported where:
- 1) there is no reasonable prospect of the site being used for the industrial land.
- 6.9. A **Marketing Report** has been prepared by Holmes Hosking, who have undertaken a marketing campaign for the site for over 6 months from July 2023. This report outlines the extent of marketing and the price the site was marketed for. The report outlines that 13 enquiries were received over the marketing period. However, no offers were made on the site due to restricted access, poor condition and size of units, inadequate parking and proximity to neighbouring dwellings.
- 6.10. The marketing evidence shows that the site is not suitable for continued commercial use. For this reason, it has been demonstrated that there is no reasonable prospect of their take up or continued use for business use at the site/premises in the longer term.

- 6.11. The proposals will retain the existing nursery use at No.41 Church Road and this will be unaffected by the proposals.
- 6.12. Overall given the conclusions of the **Marketing Report** and together with the unsuitable location and constraints of the site for ongoing commercial use, it is assessed that the change of use of the site is acceptable in this instance. For this reason, the proposed development is in accordance with Policies E4 and E7 of the London Plan 2021 and Policy DP7 of the Bexley Local Plan 2023. **The principle of development was accepted at pre-application stage.**

### **Mix/Affordable Housing**

- 6.13. Policy H10 of the London Plan 2021 states that in respect of housing mix, decision makers should have regard to the nature and location of the site, with a higher proportion of one and two bed units generally more appropriate in locations which are closer to a town centre or station or with higher public transport access and connectivity.
- 6.14. At pre-application stage, the Council advised that the greatest need for market housing was 2 and 3 bedroom units. The proposal will provide 2no. two bedroom units and 5no. bedroom units in line with Table 3 of the Bexley Local Plan 2023.
- 6.15. Given the location of the site and the proposed mix, the proposed development is in accordance with Policy H10 of the London Plan and Policy DP1 of the Bexley Local Plan 2023.
- 6.16. Due to the proposed number of units no affordable housing is proposed. This is in line with Policies H4 and H5 of the London Plan and Policy DP1 of the Bexley Local Plan 2023.

### **Design / Scale / Layout**

- 6.17. The NPPF 2023 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and



work and helps make development acceptable to communities. Policy DP11, 'Achieving high-quality design' of Bexley's Local Plan states that development proposal shall ensure that the layout, height, scale and massing, façade treatment, and materials are complimentary to the surrounding area contribute positively to the street scene. Strategic policy, Bexley Local Plan Policy SP5, 'Placemaking through good design' states that the Council will continue to expect the highest quality standards of design in Bexley, however whilst design should respect the existing character and context, it need not be constrained by what already exists; local character evolves over time.

6.18. This Planning, Design & Access Statement has outlined a detailed character area appraisal which has informed the proposed development. The receipt of pre-application advice has also helped shaped the proposal.

6.19. The site comprises a backland site with a number of buildings spread across the plot. There are several examples of backland residential development in the immediate vicinity of the site. The gentle intensification of a proportionate backland scheme therefore respects the wider grain of development along Church Road.

6.20. By retaining the existing nursery use on the site, there will only be glimpses of the proposal from the street scene. The development will be visible from the adjacent cemetery, but so are the existing commercial buildings.

6.21. The proposed dwellings will respond to the wider character, scale and materiality of the surrounding built form, ensuring they appear in harmony with the area. It was concluded at pre-application stage that:

- Plots 1-5 appear in general accordance with the surrounding character of the area of the area consist of a wider variety of building scales, masses and designs. The area predominantly consists of a mixture of two and three storey buildings with the immediate neighbours to the north and south of the application site being three storey

buildings. In this context the introduction of a four-storey building on site would be considered acceptable.

- The proposed houses would have a larger footprint than the existing building, but because of the variety in scale and mass of other buildings in the vicinity, and taking into account that the proposed buildings would generally be set in from all boundaries, the proposed buildings would sit comfortably within the site and would be comparable to other properties in the area.
- In terms of appearance the proposed houses would have a simplistic appearance which would not be to the detriment of the surrounding area and therefore no objection would be raised in this regard.

6.22. However, Officers did consider that the proposed scale and massing of Plots 6-7 should be reduced due to the proximity to the nearby cemetery and Trinity Close. For this reason, as shown on the plans, the height and mass of Plots 6-7 have been significantly reduced to respond to this feedback. This building is now visibly a 2 ½ storey structure and is lower in scale than Plots 3-5 providing a clearer hierarchy on site and preserve the wider character of the area.

6.23. Given the above analysis and the conclusions made at pre-application stage, the proposed development is in accordance with development is in full accordance with the Section 12 of the NPPF, Policies D3 and D5 of the London Plan and Policies SP5 and DP11 of the Bexley Local Plan 2023.

### **Standard of Accommodation / Noise**

6.24. The proposed dwellings will provide a high standard of accommodation in line with Policy D6 of the London Plan 2021. Each unit will be dual aspect and have modern open plan living arrangements. All properties will have rear gardens ensuring a high standard of amenity for future residents. All amenity areas exceed 25sqm.

6.25. As requested at pre-application stage, the applicant has instructed an **Acoustic Assessment** which has been prepared by Able Acoustics. This included an assessment on vibration. The assessment considered the proximity of the new dwellings to the retained nursery use as well as its wider setting close to the Town Centre.

6.26. The assessment concluded:

- The assessment indicates a low impact for the scheme subject to the implementation of suitable mitigation measures.
- The character of the area is that of a mixed residential and commercial nature and given the proximity of the proposed dwellings it is considered any future residents coming to the sound source would have an expectation of extant commercial sound being present during the day.
- Standard glazing 4/(6-16)/4 with an acoustic performance value of at least 25dB Rw will be sufficient for habitable rooms, and habitable rooms should be fitted with alternative ventilation options to negate the need to rely on openable windows for thermal comfort.
- The glazing specification will need to ensure that the internal noise levels detailed in Section 2.4 are not exceeded.
- Internal absolute maximum levels will be above the threshold limits from Section 3.3 of Approved Document O at which windows are expected to be closed during sleeping hours.
- It is recommended any habitable rooms incorporate alternative ventilation options such as trickle ventilators or wall ventilators. The installed unit/unit(s) must not give rise to an increase in internal noise levels over the desired internal noise level values.
- Details of the specific glazing and ventilation measures to be installed must be submitted to the local planning authority in advance.
- Daytime period levels in the external amenity areas are below the desirable guideline level of 50dB LAeq,T.
- VDV levels attributable to all sources fall below the range of “Low probability of adverse comment” BS 6472 notes: below this range adverse comment is not expected.

- PPV levels attributable to all sources are significantly below limits for the onset of cosmetic building damage.

6.27. The **Acoustic Assessment** concludes that there are no further reasons on noise or vibration grounds why planning permission should not be granted.

6.28. For the above reasons, the proposed development will deliver a high standard of accommodation in line with Section 12 of the NPPF, Policies D6 and D14 of the London Plan and policy DP11 of the Bexley Local Plan 2023.

### **Residential Amenity**

6.29. The application proposal has been carefully prepared to preserve the amenity of existing residents which has included amending the proposed development following pre-application feedback from Officers. The former use of the site as a commercial entity has the potential to cause significant noise and disturbance issues in a backland location which is surrounded to the north, south and west to residential development. It is viewed that the removal of the former commercial use will enhance neighbouring amenity in this regard.

6.30. As there is the cemetery to the east, there will be no impact on residents from this orientation.

6.31. To the immediate north is 45a Church Road, a backland chalet bungalow. This has its predominant outlook to the east and west with its rear amenity being to the east of the property overlooking the cemetery. The property has a side door access on the southern elevation as well as a window which looks towards the site. However, a window on the eastern elevation also appears to serve the same room. Units 1-2 respect the building line of this property and are two storeys in scale. In terms of privacy, there will be no habitable room first floor windows on the northern flank of Plot 1 ensuring there will be no overlooking towards 45a Church Road. The ground floor windows serving Plots 1 on the northern elevation could be obscure glazed by

condition if considered necessary. In terms of outlook, although there is a window on the southern elevation this appears to be a dual aspect room. Given this layout and position of other windows on the property, the development will not be overbearing and therefore the outlook of 45a Church Road will be preserved. With regard to light, Unit 1 will not cut out sunlight to habitable rooms on the eastern and western sides of 45a Church Road as the proposed dwelling will respect the building line.

6.32. To the south, Trinity Court will not be impacted by light given its position in respect of the application scheme. However, following advice from Officers at pre-application stage, the scale and massing of Plots 6-7 has been reduced to preserve the outlook of the occupiers at Trinity Court. Given the distance between properties and the reduced scale, the proposed development passes the 25 degree rule ensuring that the built form will not be overbearing.

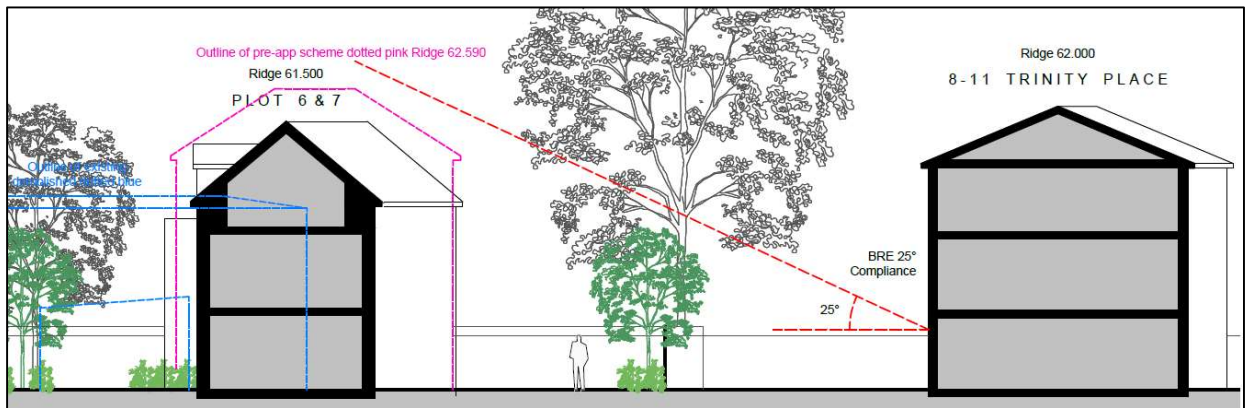


Figure 15: Proposed section to Trinity Court.

6.33. All windows have been carefully placed to preserve the privacy of the residents at Trinity Court.

6.34. Given the distances to the properties facing Church Road to the west, there will be no loss of amenity to these adjacent residents.

6.35. The proposed development is therefore in accordance with Section 12 of the NPPF and Policy DP11 of the Bexley Local Plan.

### **Highways / Access / Parking**

6.36. The planning application is supported by a **Transport Statement** which has been prepared by Motion.

### **Ecology**

6.37. The application is supported by a **Preliminary Ecological Appraisal** which has been prepared by Arbtech.

6.38. The appraisal concluded that when considering designated sites and protected species, no further surveys were required. Any works to the buildings or trees should be undertaken outside the bird nesting season.

6.39. The appraisal recommends enhancements to native planting and log piles for invertebrates. Habitat boxes are also recommended for bats and birds. The applicant would accept these enhancements as part of a planning condition to ensure delivery as part of the proposed development.

6.40. For the above reasons, the proposed development is in accordance with Section 14 of the NPPF and policies DP20 and DP21 of the Bexley Local Plan 2023.

### **Flood Risk / Drainage**

6.41. The site is situated within Flood Zone 1 and there are no areas of surface water risk on the site. The current site comprises completely of hardstanding with no areas of permeable surfacing on the site.

6.42. The proposed development will incorporate new permeable hard surfacing as well as large areas of grass as part of the rear amenity areas of the dwellings. The proposal will therefore enhance surface water drainage on the site which can be secured via condition.

6.43. For the above reason the proposal will be in accordance with policies DP32 and DP33 of the Bexley Local Plan 2023.

### **Contamination**

6.44. Given the historical potentially contaminative land use on site, the applicant would accept a contaminated land assessment be secured via planning condition if planning permission is approved.

**7. PLANNING BALANCE & CONCLUSIONS:**

- 7.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 Act states that applications should be determined in accordance with the development plan, unless material considerations indicate otherwise. This is reinforced in paragraph 11 of the Framework. Having reviewed relevant policy, it is our view that the proposal complies with the development plan and there are no material considerations that would indicate that planning permission should be refused. The development, therefore, benefits from the statutory presumption in favour of development that accords with the development plan.
- 7.2. This Planning, Design and Access Statement has demonstrated that the proposal is in full accordance with the aims and objectives of National and Local Plan policy. The scheme has been informed by positive engagement and dialogue with the Council through its pre-application process.
- 7.3. The site is located in a highly sustainable location which is suitable to intensification and as outlined in this statement will provide well designed housing which will significantly enhance the character of the area compared to the existing use. There is therefore a strong presumption in favour of sustainable development where the principle of such residential development is acceptable. In addition, given the conclusions of the **Marketing Report** and together with the unsuitable location and constraints of the site for ongoing commercial use, it is assessed that the change of use of the site is acceptable in this instance. For this reason, the proposed development is in accordance with Policies E4 and E7 of the London Plan 2021 and Policy DP7 of the Bexley Local Plan 2023.
- 7.4. **The principle of development was accepted at pre-application stage.**
- 7.5. The proposed design of the development has been altered following pre-application advice from the Council. The proposed layout, mass, bulk and scale of the proposed scheme represents a



positive, high quality development for the area and will be in accordance with Section 12 of the NPPF, Policy D3 of the London Plan and Policy DP11 of the Bexley Local Plan 2023.

- 7.6. The proposal will provide high quality accommodation for future occupiers and preserve neighbouring amenity.
- 7.7. Through the instruction of technical reports, this statement has shown that the proposal is acceptable in terms of noise, ecology and highways.
- 7.8. In view of the above, it is concluded that the development proposed in this application is consistent with the aims and detailed requirements of the National Planning Policy Framework and the Development Plan and as such, should be given planning permission.