GREATER**LONDON**AUTHORITY

Planning report GLA/2023/0077/S1/01

9 March 2023

Blenheim Shopping Centre, Penge

Local Planning Authority: Bromley

Local Planning Authority reference: 23/00178/FULL1

Strategic planning application stage 1 referral Town & Country Planning Act 1990 (as amended); Greater London Authority Acts 1999 and 2007; Town & Country Planning (Mayor of London) Order 2008.
The proposal Phased development including demolition of existing buildings to facilitate a mixed-use development providing up to 250 dwellings, up to 2,828sqm of commercial/town centre floorspace and associated communal amenity space, play space, car parking and cycle parking in four buildings ranging between 3 and 18 storeys; alongside the provision of public realm and new pocket park.
The applicant The applicant is **Hadney Penge LLP** and the architect is **FCB Studios.**
Strategic issues summary **Land use principles:** The proposed mixed-use development of the site is accepted in principle, in line with Policies SD6, SD7, SD10 and H1 of the London Plan. **Housing:** The proposed development includes 35% affordable housing by habitable room including 59% Social Rent and 41% London Shared Ownership and therefore could be eligible to follow the Fast Track Route. An early-stage review and affordability levels should be secured. **Urban design and heritage:** Concern is raised with the proposed height and its response to the local context. Refinements to the height, scale, layout, architecture and materials, and public realm should be considered. GLA officers consider harm to be caused to the nearby heritage assets which will need to be addressed prior to Stage 2. **Transport:** Further information is required on the proposed relocation of the Moped Bay and the bus stop, potential improvements to cycle parking facilities, and justification for the retention of commercial car parking. Contributions should be sought towards Legible London signage, bus stop and Healthy Streets improvements. **Sustainable development and environment:** Further information is required on energy, circular economy, whole-life cycle carbon, green infrastructure, air quality, sustainable drainage, and water efficiency.
Recommendation That Bromley Council be advised that the application does not yet comply with the London Plan for the reasons set out in paragraph 109. Possible remedies set out in this report could address these deficiencies.

Context

1. On 2 February 2023, the Mayor of London received documents from Bromley Council notifying him of a planning application of potential strategic importance to develop the above site for the above uses. Under the provisions of The Town & Country Planning (Mayor of London) Order 2008, the Mayor must provide the Council with a statement setting out whether he considers that the application complies with the London Plan, and his reasons for taking that view. The Mayor may also provide other comments. This report sets out information for the Mayor's use in deciding what decision to make.

2. The application is referable under the following categories of the Schedule to the Order 2008:

   - ***Category 1A:*** *Development which comprises or includes the provision of more than 150 houses or flats;*

   - ***Category 1Cc****: The building is more than 30 metres high and is outside the City of London*

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

4. The Mayor of London's statement on this case will be made available on the GLA's public register: https://planning.london.gov.uk/pr/s/

Site description

5. The 0.7 hectare site is located within the Penge Town Centre on a block bounded on its northern edge by High Street, southern edge by Evelina Road, eastern edge by Burham Road and western edge by Croydon Road. The site is located to the rear of two terraces facing High Street and Croydon Road which contain a mix of residential and commercial properties. Further residential development adjoins the site to the rear between Evelina Road and Burham Close. The site is currently occupied by Blenheim Shopping Centre, a 3-4 storey commercial development, with carpark and service areas.

6. The site is in Penge District Town Centre and is identified as a Strategic Area for Regeneration in the London Plan and within the Crystal Palace, Penge and Anerley Renewal Area in the Bromley Local Plan. The Penge High Street Conservation Area (CA) is located to the north-east of the site. The site falls within the Protected Vista Extension of London View Management Framework London Panorama 4A.2 from the summit of Primrose Hill to the Palace of Westminster.

7. The site fronts the A234 Penge High Street to the east with Burham Close to the north and Evelina Road to the south, all three being borough roads. The A234 Penge High Street forms part of the Strategic Road Network (SRN). Although the Council is the highway authority, TfL has a shared network

management duty under the Traffic Management Act 2004 to ensure expeditious movement of traffic on the SRN.

8. Vehicular access is proposed from Evelina Road and Burham Close as now, with an extension of Arpley Square called Arpley Mews, accessible by pedestrians only via High Street Penge. The site records a public transport accessibility level (PTAL) of 4 to 5; on a scale of 0 to 6b. For the purposes of application of London Plan policy, the highest PTAL is taken.

Figure 1: The existing Blenheim Shopping Centre

Details of this proposal

9. Phased development including demolition of existing buildings to facilitate a mixed-use development providing up to 250 dwellings, up to 2,828sqm of commercial/town centre floorspace and associated communal amenity space, play space, car parking, cycle parking, refuse storage and plant space in four buildings ranging between 3 and 18 storeys; alongside the provision of public realm and new pocket park with associated landscaping improvements.

Figure 2: The proposed development viewed from Evelina Road

Case history

10. On 3 February 2022, pre-application advice 2021/1205/P2I was issued stating that the proposed development of the site to demolish the existing shopping centre and multi-storey car park and deliver a mixed-use residential led tall building is supported in line with Policies SD6, SD7 and H1 and Objective GG2 of the London Plan, subject to the re-provision of the retail space being maximised. However, further consideration of the massing is required to reduce its visual impacts.

Strategic planning issues and relevant policies and guidance

11. For the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004, the development plan in force for the area comprises the Bromley Local Plan 2019; and the London Plan 2021.

12. The following are also relevant material considerations:

    - The National Planning Policy Framework and National Planning Practice Guidance;

13. The relevant issues, corresponding strategic policies and guidance (supplementary planning guidance (SPG) and London Plan guidance (LPG)), are as follows:

- Good Growth - London Plan;
- Economic development - London Plan; the Mayor's Economic Development Strategy; Employment Action Plan
- Regeneration Area - London Plan; the Mayor's Economic Development Strategy;
- Housing - London Plan; Housing SPG; the Mayor's Housing Strategy; Play and Informal Recreation SPG; Character and Context SPG; Housing Design Standards draft LPG;
- Affordable housing - London Plan; Housing SPG; Affordable Housing and Viability SPG; the Mayor's Housing Strategy;
- Retail - London Plan;
- Urban design - London Plan; Character and Context SPG; Public London Charter LPG; Characterisation and Growth Strategy draft LPG; Optimising Site Capacity: A Design-Led Approach draft LPG; Housing SPG; Play and Informal Recreation SPG; Housing Design Standards draft LPG;
- Fire Safety – London Plan; Fire Safety draft LPG;
- Heritage - London Plan;
- Inclusive access - London Plan; Accessible London: achieving an inclusive environment SPG; Public London Charter LPG
- Sustainable development - London Plan; Circular Economy Statements LPG; Whole-life Carbon Assessments LPG; 'Be Seen' Energy Monitoring Guidance LPG; Energy Planning Guidance; Mayor's Environment Strategy;
- Air quality - London Plan; the Mayor's Environment Strategy; Control of dust and emissions during construction and demolition SPG; Air quality positive draft LPG; Air quality neutral draft LPG;
- Ambient noise - London Plan; the Mayor's Environment Strategy;
- Transport and parking - London Plan; the Mayor's Transport Strategy;
- Green Infrastructure - London Plan; the Mayor's Environment Strategy; Preparing Borough Tree and Woodland Strategies SPG; All London Green Grid SPG; Urban Greening Factor draft LPG
- On 24 May 2021 a Written Ministerial Statement (WMS) was published in relation to First Homes. To the extent that it is relevant to this particular application, the WMS has been taken into account by the Mayor as a material consideration when considering this report and the officer's recommendation. Further information on the WMS and guidance in relation

to how the GLA expect local planning authorities to take the WMS into account in decision making can be found here.

Land use principles

Town centre regeneration

14. Policies SD6 and SD7 of the London Plan support the vitality and viability of London's town centres and encourage mixed-use residential development and intensification. Policy SD10 of the London Plan supports boroughs in identifying strategic areas for regeneration in Local Plans and develop policies that are based on a thorough understanding of the demographics of communities and their needs and consider local circumstances. As such, the proposed mixed-use regeneration of this part of Penge District Town Centre is accepted.

Residential units

15. Policy H1 of the London Plan supports the delivery of new housing on sites within town centres and close to stations. It sets 10-year housing targets for each borough including a target of 7,740 for Bromley. The principle of the addition of 250 residential units is supported within this context.

Re-provision of retail

16. The site is located within the Penge Town Centre and is easily accessible by rail and bus. The proposal will result in the loss of 4,251 sq.m. of commercial floor space. The proposed development includes 2,828 sq.m. of flexible commercial floor space (Class E), resulting in a loss of 1,423 sq.m. of commercial floor space. The applicant has stated that whilst there is a reduction in overall floor space, this is due to the existing shopping centre containing approximately 1,571 sq.m. of non-publicly accessible storage and back of house functions which are not required in the proposed scheme. Given this context, the loss of commercial floor space is supported in line with Policies SD7 and E9.

Housing

Affordable housing

17. Policy H4 of the London Plan seeks to maximise the delivery of affordable housing, with the Mayor setting a strategic target of 50%. Policy H5 of the London Plan and the Mayor's Affordable Housing and Viability SPG set out a 'threshold approach', whereby schemes meeting specific criteria are eligible for the Fast Track Route (FTR). Such applications are not required to submit viability information to the GLA and are also exempted from a late-stage review mechanism.

18. Policy H6 of the London Plan seeks a tenure split of 30% social/affordable rented units, 30% intermediate housing units, and the remaining 40% to be determined by the borough as low-cost rented homes or intermediate products.

At a local level, the Bromley local plan seeks a tenure split of 60% social/affordable rented units and 40% intermediate housing units.

19. The proposed development includes 35% affordable housing by habitable room consisting of 59% Social Rent and 41% London Shared Ownership. Therefore, the application could be eligible to follow the FTR. The housing size and tenure mix is as follows:

	Studio	1-bed	2-bed	3-bed	Total Units
Social Rent	0	3	21	14	38
	(0%)	(8%)	(55%)	(37%)	(15.2%)
Intermediate Sale	0	31	11	0	42
	(0%)	(74%)	(26%)	(0%)	(16.8%)
Private Sale	15	61	94	0	170
	(9%)	(36%)	(55%)	(0%)	(68%)
Across Tenure	15	95	126	14	250
	(6%)	(38%)	(50%)	(6%)	(100%)

20. The applicant should note that all intermediate housing products should be secured as affordable to a range of incomes below the upper limit of £90,000 per annum and benchmarked against the monitoring figure in the London Plan Annual Monitoring Report. In addition to this, annual housing costs (including service charges, rent and any interest payment) should be no greater than 40% of net household income. Further confirmation on how a range of income thresholds would be secured must be submitted. All affordable housing (including tenure split and affordability) must be agreed with the Council and robustly secured in perpetuity within the S106 agreement.

21. An early-stage review will be required and a draft of the S106 agreement must be provided to the GLA for review as soon as one is available to ensure that rent levels and an early-stage review have been secured and eligibility criteria fully meet London Plan requirements and definitions. A late-stage review will be required should the proposed development be unable to follow the FTR.

<u>Children's play space</u>

22. The submitted documents indicate that a total of 1,550 sq.m. of play space will be provided, against a minimum of 955 sq.m. as per the GLA's population yield calculator. The proposed scheme provides a variety of different play spaces across the site for a variety of age groups, which is supported in line with Policy S4 and the Mayor's Supplementary Planning Guidance 'Shaping Neighbourhoods: Play and Informal Recreation'.

Urban design

23. Chapter 3 of the London Plan sets out key urban design principles to guide development in London. Policy D4 sets out that development proposals referable to the Mayor must have undergone at least one design review early on in their preparation before a planning application is made or demonstrate that they have undergone a local borough process of design scrutiny.

Development layout

24. It is unclear from the design and access statement (DAS) whether the land indicated in the planning boundary has been acquired by the applicant. In various maps the applicant's ownership is indicated as the site boundary (for example page 29 of the DAS), whilst in others (for example page 30), a wider planning boundary has been shown including Empire Square, and some other areas to the south along Evelina Road.

25. In that regard, there is concern relating to the access to the site. There is currently only the access via Burham Close is within the applicant's ownership. Access to the site via Evelina Road and High Street are through areas outside the applicant's ownership boundary. Both access points are key to secure a comprehensive masterplan, enabling the proposed scheme to be 'stitched' with the existing urban environment, and promote walking and cycling links, as well as attractive civic spaces, such as the proposed pocket park to the south. GLA officers would require clarification and specific mention in the DAS.

26. GLA officers note that the extension of proposals outside of the site boundary are welcome, but in this case those proposals are vital for a comprehensive, good quality, inclusive, and safe scheme, and thus the applicant should secure their deliverability from the onset.

27. GLA officers are supportive of the masterplan principles as expressed in the DAS. In particular, the reinstating of the two blocks of development and using the historical routes as a reference for the two blocks, the proposed Blenheim Square at the heart of the development, and the linear green link in the south-west.

28. There is a good level of activity at ground floor level across the scheme; with commercial uses around the square, and to the south of the site activated by maisonettes at lower levels. The proposed maisonettes facing the new pocket park, proposed to link the site to the adjacent residential estate, are are welcomed as this will ensure natural surveillance.

Tall buildings, scale and massing

29. Policy D9 of the London Plan states that tall buildings should only be developed in locations identified as potentially suitable in development plans.

Figure 3: The proposed mass strategy

Appropriateness of the site for a tall building

30. The Bromley Local Plan considers tall buildings those that exceed the general height of their surroundings and cause a significant change to the skyline. As such the proposed development would be defined as a tall building. Policy 47 of the Bromley Local Plan does not set out locational requirements, however, the supporting text states that tall buildings could be considered in town centre locations which benefit from good public transport, exhibit an existing local built character that would allow for tall buildings, and where no harm would be caused to heritage assets, the wider historic environment or important views.

31. The site is located within the Penge Town Centre. The area does not contain any existing tall buildings that sit above the prevailing context. The town centre has been identified as a strategic area of regeneration so there is opportunity for such a development. The site benefits from good public transport, however, the applicant needs to demonstrate that the proposals do not harm the existing local built character or heritage assets. Heritage and character are considered in more detail from a strategic perspective in this report. The applicant should engage further with Bromley Council to confirm whether the site is an appropriate location for a tall building, should it satisfactorily address these matters.

32. Notwithstanding this, the proposal must also demonstrate how it satisfies the qualitative requirements of Part C of Policy D9 of the London Plan with regards to its visual, functional, environmental and cumulative impacts.

Visual impacts

33. The proposed development includes four buildings ranging in height between 3 and 18 storeys. GLA officers raise concerns with the overall height on heritage grounds (as discussed in the heritage section below) and that the scheme is structured around one taller element (Block C), with the rest of the footprints

being lower and better relating to the context. There is still some concern around the lower elements and their relation to the context, but the overall reduction in height, and the decision to retain only one taller element that frames / bookends the entrance through the High Street is supported.

34. The taller element still seems challenging in terms of height in the immediate context and therefore a reduction in height should be explored. This should also be facilitated by a smoother transition from Block A and Block B to respond more sensitively to the context. In particular, Block A could be further reduced in height to better sit with the 2 / 3 storey units outside the red line boundary. Block B could be further reduced to follow a better transition from lower elements to the higher. A setback could also help alleviate the scale and relate better to the human scale proportions.

35. The scheme will change the immediate context, which is not that of tall buildings. Alterations in height and material treatment could be explored so that the proposed buildings respond better to the context and are not creating a 'cliff effect' / wall of development when seen from various viewpoints. An analysis of views of concern is provided below:

- View 3a: Watermen's Square (Penge High Street Conservation Area), looking south-east (proposed- winter): The proposed scheme is very visible in the winter view when the trees are not in leaf.. The current warm, red brick does act as a marker, but it is still not sitting comfortably with the context. Subtle brighter tonality in parts of the building could improve the impact.

- View 17: Footpath off Pawleyne Close (proposed): The scheme is prominent in this view, with the materials being sympathetic. A slight reduction in the height of the taller element, and some subtle differentiation would help improve the view.

Functional impacts

36. The proposed development has a logical layout and would provide an uplift in housing including affordable housing. In addition, the scheme would introduce landscaping and public realm improvements, all of which would support the regeneration of this town centre. However, it is not clear how these would be delivered on land outside the applicant's control. The site has a public transport accessibility level of between 4 and 5 and sufficient public transport infrastructure exists to support the impact of the increased activity on the site. This needs to be confirmed alongside improvements to routes to/from bus stops and rail stations. The applicant should work with the LPA to ensure that any aviation or telecommunication impacts arising from the development are suitably addressed in line with Policy D9C2f of the London Plan.

Environmental impacts

37. The applicant has carried out a wind microclimate assessment of the proposed development. A daylight and sunlight assessment has been carried out which assesses the impact on surrounding buildings, including residential buildings,

which appears to meet BRE criteria. The Council should confirm whether the daylight and sunlight as well as the wind impacts of the development on neighbouring developments are acceptable. GLA officers will conclude on the environmental impacts of the tall building at Stage 2.

Cumulative impacts

38. In terms of cumulative impacts, the height and scale are over and above the prevailing context which is characterised by low-rise development. As such, the development would not result in cumulative impacts with other surrounding tall buildings.

Tall buildings conclusion

39. A final decision will be based on the overall compliance of the development with Policy D9 subject to the above issues being resolved in regards to appropriateness of the site, visual impacts, functional impacts, environmental impacts, and cumulative impacts.

Public realm

40. GLA officers are supportive of the principle to establish a vibrant square at the centre of the proposals that forms a new heart for Penge. In particular, the extension of Empire Square, and the link to the new linear green park along the western boundary connecting to the Pawleyne Estate is working very well, putting the public realm at the heart of the development. However, GLA officers raise concerns that the link between the linear park and Evelina Road appears weak both visually and spatially. Additional trees along Evelina Road and exploring opportunities for further small-scale greening, such as raingardens would help the landscape cohesion, and enable a more attractive environment along Evelina Road, especially closer to Croydon Road. This can also help building DE feel closer and connect to the linear park.

41. The podium garden in BC is oriented to receive a good amount of daylight and sunlight facing the south-west. GLA officers query whether the podium garden in building DE could also be flipped to face Evelina Road, or if additional roofspace could be provided on the south side, potentially on the top levels of building E.

42. There are opportunities to maximise permeable paving along Arpley Terrace and Evelina Road which should be explored. Special attention should also be given on the boundary treatment between the servicing yard and the extension of the square.

Internal quality

43. The proportion of dual aspect units is at 65%. The applicant should aim to increase this figure. GLA officers urge the applicant to consider overlooking and privacy issues in blocks BC and DE, particularly at the centre of the building in between the two cores.

Architectural quality

44. The proposed façade articulation is simple and in keeping with the context. GLA officers appreciate the differentiation between the plinth and the upper parts of the building as it enhances street experience and breaks up the scale. However, the scheme needs some further refinement to better blend in the context and provide some greater variation in the whole synthesis, as currently feels more of a ‘blanket’ approach. This could be manifested through subtle differentiation in tonality and texture to highlight some elements and increase legibility across the building. The red, warm brick tone currently reads slightly ‘monolithic’, as seen on the immediate view D9C.1(aiii) of High Street looking west.

Fire safety

45. Policy D12 of the London Plan requires a fire statement prepared by a suitably qualified third-party assessor, demonstrating how the proposals would achieve the highest standards of fire safety, including details of construction methods and materials, means of escape, fire safety features and means of access for fire service personnel.

46. A fire statement has been submitted as part of the planning application, which meets the requirements of Policy D12 of the London Plan. It is noted that the scheme was amended after its submission to include a second fire stair within the buildings over 30 metres in height. Compliance with the fire statement must be secured by condition

Inclusive access

47. Policy D5 of the London Plan seeks to ensure that proposals achieve the highest standards of accessible and inclusive design (not just the minimum). The application material sets out that the development meets the requirements of Policy D5 in that it can be entered and used safely, easily and with dignity by all; is convenient and welcoming (with no disabling barriers); and provides independent access without additional undue effort, separation or special treatment. These measures should be secured by the LPA.

Heritage

48. Policy HC1 of the London Plan states that proposals affecting heritage assets, and their settings should conserve their significance, avoid harm, and identify enhancement opportunities. The NPPF states that when considering the impact of the proposal on the significance of a heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be.

49. A small part of the site is located within the Penge High Street Conservation Area. Generally, the majority of the site is located adjacent to the conservation area. Generally, the existing buildings on site detract from the conservation area through their lack of architectural quality, poor design, and poor condition.

50. Development on this site potentially falls withinthe setting of the following heritage assets:

- Crystal Palace Park, Registered Park and Garden, Grade II* and associated Grade I, II* and II listed buildings and conservation area;
- The Royal Waterman's and Lighterman's Asylum, listed Grade II;
- The Church of St John the Evangelist, listed Grade II;
- The Royal Naval Asylum, listed Grade II;
- 50 High Street, Penge, listed Grade II;
- The White House, listed Grade II;
- Penge War Memorial, listed Grade II;
- Penge Congregational Church, listed Grade II;
- Penge East Railway Station, listed Grade II;
- Cattle Trough near the railway bridge, listed Grade II;
- Penge High Street Conservation Area;
- Alexandra Cottages Conservation Area;
- Aldersmead Road Conservation Area;
- Barnmead Road Conservation Area;
- Cator Road, Sydenham Conservation Area.

51. There is a small heritage benefit in the reinstatement of the two historic routes through the site, lost in the 1982 redevelopment following World War II bombing. There is the potential for the conservation area to be enhanced through the provision of a new and better shopping centre, however the comments on the proposed height below should be noted.

52. GLA officers have carefully assessed the submitted Design and Access and Heritage Townscape and Visual Impact Assessments. GLA officers consider that harm is caused to the significance of heritage assets as follows (noting 1 is the lowest level and 9 is the highest level of harm on the scale):

Heritage asset	Level of harm	Scale	HTVIA view
Crystal Palace Park, Registered Park and Garden, Grade II* and associated Grade I, II* and II listed buildings and conservation area;	Assessment is not possible	NA	View 19
The Royal Waterman's and Lighterman's Asylum, listed Grade II;	Less than substantial	7	Views 2, 3a, 3b, 3c
The Church of St John the Evangelist, listed Grade II;	Assessment is not possible	NA	View 1
The Royal Naval Asylum, listed Grade II;	Assessment is not possible	NA	No view provided
54 High Street, Penge, listed Grade II;	Assessment is not possible	NA	View 1
The White House, listed Grade II;	Assessment is not possible	NA	View 1
Penge War Memorial, listed Grade II;	No harm	NA	None

Penge Congregational Church, listed Grade II;	Less than substantial	2	View 8
Penge East Railway Station, listed Grade II;	No harm	NA	None
Cattle Trough near the railway bridge, listed Grade II;	No harm	NA	None
Penge High Street Conservation Area;	Less than substantial	7	Views 2, 3a, 3b, 3c, 9a, 9b, 10, 18, 21, 22
Alexandra Cottages Conservation Area;	Less than substantial	3	View 4
Aldersmead Road Conservation Area;	Assessment is not possible	NA	No view provided
Barnmead Road Conservation Area;	Less than substantial	2	View 7
Cator Road, Sydenham Conservation Area.	Assessment is not possible	NA	No view provided

53. The following is a discussion of the visual impacts:

- Views 2, 3a, 3b, 3c, 9a, 9b, 10, 18, 21, 22 show the visual impacts of the proposed development on the Penge High Street Conservation Area and its setting. This conservation area is a modest Victorian town centre.. The proposed development varies in height, but the tower is at 18 storeys. The views show a dramatic change of scale, which is uncharacteristic and visually incongruous. The tower results in the backdropping of historic buildings within the conservation area and a reduction of their prominence in the view. GLA officers consider the harm caused to be less than substantial harm at a moderate level, above the middle of the spectrum.
- Views 2, 3a, 3b, 3c show the visual impact of the proposed development on the setting of Watermen's Square. Summer views are provided, which is unhelpful, and the winter views are not verified. Even on the basis of this inadequate information it is clear that the proposed development will be highly visible, backdropping parts of the heritage asset and detracting from appreciation of its silhouette against the sky. Where backdropping does not occur, the setting of the listed asylum buildings is harmed, since part of their significance is that they formed a rural retreat for the retired. The presence of a highly visible, red, and tall building within views from the heritage asset is harmful to setting. GLA officers consider that the harm caused is less than substantial at a moderate level, above the middle of the spectrum.
- View 3 shows the visual impact of the proposed development on the setting of the Alexandra Cottages Conservation Area. The proposed development will appear as an incongruously tall element in the views and stop up the view down the street. This is harmful to significance because this conservation area is suburban and small scale in character and the proposed development will form an urbanising element in the view. GLA officers consider that the harm caused is less than substantial at a moderate level, below the middle of the spectrum.

- View 7 shows the visual impact of the proposed development on the setting of the Barnmead Road Conservation Area. The proposed development will appear as an incongruously tall element in the views and stop up the view down the street.
- Assessment is not possible for the visual impacts on the setting of the Church of St John the Evangelist, since the view (View 1) provided is a summer view with trees in leaf: it is not possible to see either the heritage asset or the proposed development. A winter view, from a location to the northwest, showing the proposed development in the context of the tower and spire of the church should be provided.
- Assessment is not possible for the visual impacts on the setting of 54 High Street or The White House, since the view provided is a summer view with trees in leaf: it is not possible to see either the heritage assets or the proposed development.
- Assessment is not possible for the visual impacts on the setting of The Royal Naval Asylum, listed Grade II because no view is provided. A winter view, looking in the direction of the proposed development from the front square of the asylum should be provided.
- Assessment is not possible for the visual impacts on the setting of the Crystal Palace Park, Registered Park and Garden, Grade II* and associated Grade I, II* and II listed buildings and conservation area because View 19 is a summer view, and the proposed development is obscured. A winter view should be provided.
- GLA officers consider that no harm is caused to the significance of the Penge War Memorial, listed Grade II; Penge East Railway Station, listed Grade II and the Cattle Trough near the railway bridge, listed Grade II; either because these assets do not derive significance from their settings or because there is no mutual intervisibility.

54. As stated at pre-application, the proposed development causes harm to nearby heritage assets, as detailed above. The harm identified above can largely be attributed to the height of the proposal and the choice of red brick, which does not relate to the dominant colour in the area (buff London stock brick) and adds to the visual dominance of the tower. In line with the NPPF, any harm will be weighed against the public benefits of the proposal at the Mayor's decision making stage.

Strategic views

55. Policies HC3 and HC4 of the London Plan state that development should not harm the composition of strategic and local views. Further details are provided in the Mayor's LVMF SPG, which provides guidance in relation to London's key views (panoramas, river prospects, townscape views, and linear views) and how they should be protected and managed. The site is located in the extended viewing corridor from the Primrose Hill summit to the Palace of Westminster. Further analysis of any potential impacts on the protected view should be provided prior to Stage 2.

Sustainable development

Energy strategy

56. The London Plan requires all major developments to meet a net-zero carbon target. Reductions in carbon emissions beyond Part L of the 2021 Building Regulations should be met on-site. Only where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site a contribution to a carbon offset fund or reductions provided off site can be considered.

Energy strategy compliance

57. An energy statement has been submitted with the application. The energy statement does not yet comply with Policies SI2, SI3 and SI4 of the London Plan. The applicant is required to further refine the energy strategy and submit further information to fully comply with London Plan requirements. Full details have been provided to the Council and applicant in a technical memo that should be responded to in full; however outstanding policy requirements include:

- Be Lean – further exploration of energy efficiency measures for the non-domestic element;
- Be Green – details of the proposed air source heat pumps;
- Be Seen – confirmation of compliance with this element of policy, with compliance to be secured within the S106 agreement;
- Energy infrastructure – further details on the design of district heating network connection is required, and the future connection to this network must be secured by condition or obligation;
- Managing heat risk – further details to demonstrate the cooling hierarchy has been followed.

Carbon savings

58. For the domestic element, the development is estimated to achieve a 74% reduction in carbon dioxide emissions compared to 2021 Building Regulations. For the non-domestic element, an 8% reduction is expected.

Whole Life-cycle Carbon

59. In accordance with Policy SI2 of the London Plan the applicant is required to calculate and reduce whole life-cycle carbon (WLC) emissions to fully capture the development’s carbon footprint.

60. The applicant has uploaded a PDF WLC report to the LPA website that appears to be incomplete or in draft format. The applicant should submit a WLC assessment template in full. This is important to allow results to be recorded and tracked through to the post-construction stages, and to allow a proper review of the results against material quantities and other assumptions made.

61. A condition should be secured requiring the applicant to submit a post-construction assessment to report on the development's actual WLC emissions.

The template and suggested condition wording are available on the GLA website[1].

Circular economy

62. Policy D3 of the London Plan requires development proposals to integrate circular economy principles as part of the design process. Policy SI7 of the London Plan requires development applications that are referable to the Mayor of London to submit a Circular Economy Statement, following the Circular Economy Statements LPG.

63. The applicant has submitted a Circular Economy Statement in line with the new guidance, which is welcomed. However, it does not appear that the applicant has submitted the completed GLA CE template. Without the completed GLA CE template, the submission is missing all the reporting tables. Therefore, it would be requested that the applicant provide the completed GLA CE template in line with the requirements of the GLA guidance.

64. Where it is understood that this is detailed planning application, the applicant should also provide the following supporting information in line with the minimum submission requirements of the GLA guidance as appendices to the CES: pre-redevelopment audit, pre-demolition audit and operational waste management plan. It is noted that the applicant has provided a pre-redevelopment audit, which is welcomed, this will be assessed against Section 4.6 of the GLA guidance. The applicant has provided a delivery and servicing plan which briefly touches on operational waste. However, the applicant should note that an operational waste management plan should be produced in line with the minimum submission requirements of the guidance document, with specific criteria for information to be provided.

65. A condition should be secured requiring the applicant to submit a post-construction report. The template and suggested condition wording are available on the GLA website[2].

Digital connectivity

66. A condition should be secured requiring the submission of detailed plans demonstrating the provision of sufficient ducting space for full fibre connectivity infrastructure within the development in line with Policy SI6 of the London Plan.

[1] https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance/whole-life-cycle-carbon-assessments-guidance
[2] https://www.london.gov.uk/what-we-do/planning/implementing-london-plan/london-plan-guidance/circular-economy-statement-guidance

Environmental issues

Open space

67. The applicant demonstrates consideration of access to public open space across the site, including Blenheim Square and a Green Pocket Park, both with associated greening, in accordance with Policy G4 of the London Plan.

Biodiversity

68. The applicant has provided a Biodiversity Impact Assessment (BIA), which states that the proposals would deliver 5914.13% biodiversity net gain and that trading rules are satisfied in line with Policy G6.. No further information is required.

69. Recommendations in the Preliminary Ecological Appraisal and BIA should be implemented, or robust justification should be given as to why they cannot be. The applicant should prepare an Ecological Management Plan (EMP) to support long-term maintenance and habitat creation. The EMP should be secured by condition.

Green Infrastructure and Urban Greening

70. The proposed development presents a well-considered approach to integrating green infrastructure and urban greening. This includes the incorporation of green roofing which supports multifunctionality, in accordance with Policy G1 of the London Plan. The opportunity for the provision of biosolar roofing should be explored.

71. As the site boundaries front onto the public highway, the applicant appears to have recognised the opportunity to contribute to the greening of the public realm. The applicant has green links throughout the design; however, they often use planters and therefore the greening appears disjointed. Locations for this include Blenheim Square. This should be reviewed prior to Stage 2.

72. The applicant has calculated the Urban Greening Factor (UGF) score of the proposed development as 0.35, which is below the target set by Policy G5 of the London Plan. Whilst there are many positive design features embedded in the Scheme, the applicant should review the urban greening proposed, seeking to improve the quality or quantity, to increase the application's UGF. If the target score cannot be achieved, the applicant should set out robust justification.

Trees

73. There are a number of existing trees on site, which are all to be retained as part of the proposed development. Recommendations in the Tree Survey and Arboricultural Impact Assessment (AIA) should be adhered to, or robust justification should be given as to why they cannot be. The applicant should also clarify the number of trees proposed.

74. The applicant appears to demonstrate a consideration of a diverse range of proposed tree species, which is positive in terms of biosecurity and should be brought to fruition. The applicant should also consider large-canopied trees to target urban heat island (UHI) effects.

Flood risk management

75. The site is in Flood Zone 1 and is greater than 1 hectare in area. A Flood Risk Assessment (FRA) has been submitted as required under the National Planning Policy Framework (NPPF).

76. The FRA states that there is some risk of surface water flooding to the site. However, this is due to ponding and will be mitigated through the proposed drainage strategy. This is acceptable.

77. The FRA adequately assesses the risk of flooding from fluvial/tidal, sewer, groundwater, and reservoir flooding, which is considered to be low.

78. The FRA provided for the proposed development generally complies with Policy SI.12 of the London Plan.

Sustainable drainage

79. The existing brownfield discharge rates presented in Table 3 (Page 11) of the Drainage Strategy uses an impermeable area of 9.65 ha. As per Table 2 (Page 11) the impermeable area is 1 ha. This is considered a mistake and should be amended; however, the calculated brownfield discharges are correct for an area of 1 ha.

80. The drainage strategy proposes to restrict runoff to the QBAR greenfield rate of 1.9 l/s for up to the 100-year event plus 40% climate change. This is supported.

81. Pumping is not a sustainable solution to surface water discharge and should be avoided. The drainage strategy should be re-visited to incorporate the attenuation volume above ground where possible, or robust justification should be provided as to why it is included.

82. In terms of SuDS, the drainage strategy proposes green roofs, permeable paving and rain gardens, which is welcomed. The location and dimensions of any SuDS proposed should be clearly shown on the drainage plan.

83. Rainwater harvesting has been discounted based on space constraints. This is not considered appropriate justification. Every effort should be given to prioritise rainwater harvesting in line with the London Plan hierarchy.

84. An assessment of exceedance flood flow routes above the 100-year event plus 40% climate change should be provided.

85. The surface water drainage strategy for the proposed development does not comply with Policy SI.13 of the London Plan.

Water efficiency

86. The Sustainability Statement notes that the proposed dwellings will target a maximum indoor water consumption of 105 l/person/day, in line with the optional standard in Part G of the Building Regulations, and is compliant with Policy SI.5.

87. No information is provided as to the targeted Wat 01 credits for the non-residential uses on site.

88. Water efficient fittings are proposed, which is welcomed. Water meters and a leak detection system should also be provided.

89. The applicant should also include water harvesting and reuse to reduce consumption of water across the site. This can be integrated with the surface water drainage system to provide a dual benefit.

90. The proposed development does not currently meet the requirements of Policy SI.5 of the London Plan.

Air quality

91. Air Quality Neutral states that there will be a backup diesel generator. There is no discussion on the emissions from the generator and whether emissions should be assessed. The applicant should provide justification for not modelling the emissions from this source.

92. Conditions requiring London Non-Road Mobile Machinery (NRMM) Low Emission Zone standards, and measures to control emissions during the construction phase are required.

Transport

Transport assessment

93. The Active Travel Zone assessment (ATZ) has identified a number of potential improvements on and around the site, notably to Empire Square and Arpley Square which link eastwards with the High Street and into the residential area to the west and the north-south connection between Evelina Road and Burham Close. Enhanced public space is to be provided at Empire Square and Arpley Square with trees and other planting, cycle parking and better natural surveillance encouraging active travel. These improvements are crucial to creating a permeable, safe and attractive development where pedestrians and cyclists have priority rather than cars and service vehicles in line with London Plan Transport policy. They should be secured through the scheme design and S106 agreement, including 24/7 public access, rights over land in other parties' ownership and control and the S278 agreement in respect of the public highway.

94. Funding and/or a S278 agreement toward other Healthy Streets improvements to the routes to/from public transport and other services and facilities in Penge should also be secured, addressing deficiencies identified through the ATZ assessment and supporting the proposed, almost car free development. This requirement is in line with Policy T2 of the London Plan. For example, this could include improvements to the footway on the walk to Penge East station and pedestrian crossings between the site and the opposite sides of the High Street and Croydon Road. Particular consideration should be given to the needs of those requiring step free access especially given the limited amount of disabled persons' car parking which is proposed.

95. This development would benefit from new Legible London signs on the High Street and within the site. It is therefore requested that a contribution of £22,000 towards new signs and nearby existing Legible London signage map refreshes, is secured through the S106 agreement. This request is in line with Policy T3 of the London Plan, by supporting "walk and cycle wayfinding improvements" in Table 10.1 and Policy T2 of the London Plan.

Trip Generation

96. By virtue of the size of the shopping centre being about halved and because the development would be close to being car free, vehicle trips will be less than currently. However, public transport use and active travel will increase. Further work is needed on the assessment to establish the extent of the increase and the need for mitigation.

Cycling

97. Cycle parking generally meets the minimum quantity standards in Policy T5 of the London Plan, but some amendments are needed to meet the quality standards including ensuring appropriate provision for disabled people and providing safe and convenient access to the stores. These issues should be addressed prior to determination to ensure the space available and the general arrangements enable compliance with Policy T5 of the London Plan. Cyclist facilities such as lockers and showers should also be secured.

98. Short-stay cycle parking for commercial and residential uses is to be located in the site's public realm and in to Arpley Square / Empire Square off High Street.

99. Whilst the proposed short stay cycle parking meets minimum London Plan standards some provision appears to be outside the site ownership boundary, such as the clusters around Empire Square and Arpley Square. Delivery of these stands should be clarified, and all cycle parking appropriately secured.

Car parking

100. The residential element will be car-free, except for 8 disabled blue badge bays located around the site, equating to 3% of the residential dwellings, which is broadly in line with Policy T6 of the London Plan. The disabled persons' car parking must be suitably secured and it should be allocated on the basis of

need and not tied to particular homes. There are no proposals for any more disabled persons parking should demand exceed the 3% outset provision due, it is argued, to space constraints. Subject to necessary improvements being secured to public transport and active travel for disabled people, given the town centre location this may be acceptable. However, it is of concern if any of the outset provision is on public highway or otherwise uncertain to be available to the new residents and their visitors. As there are only 8 spaces it is encouraged that all have electric vehicle charging provision (EVCP) from the outset. New residents, unless a disabled person, should not be eligible for on-street residential parking permits, and this should be secured in the section 106 agreement.

101. The existing 216 space Blenheim Shopping Centre car park is proposed to be demolished, so there will be no general car parking. This is strongly supported. However, 24 car parking spaces are to be re-provided within the development for the retained offices at Colman House and for the McDonald's for, it is understood, contractual reasons. The existing on-street parking on Evelina Road will be retained for existing residents London Plan policy is that development in town centres like Penge should be car-free except for disabled provision, so justification for this re-provided and retained car parking is required and if accepted should be subject to a management plan to control use and for repurposing of the space as soon as possible.

102. The Council has required a marked moped parking area on the High Street for delivery riders to reduce the risk of them using the new and improved public realm. In principle this is supported but the specific location will adversely impact bus operations and passengers. Further discussion and agreement are therefore required with TfL prior to determination.

Delivery and servicing plan

103. It is understood that the existing servicing to the rear of the properties on the High Street will be retained for the development with access via Evelina Road and Burham Close. EV charging should be provided for at least one of the service bays. All vehicles should be able to enter and egress from site in forward gear and swept-path analysis should be provided to show this alongside proposals to manage pedestrian/cycle conflict with service and other vehicles on the access roads given the plans to improve active travel links along these. A full Delivery and Servicing Plan (DSP) should be secured through condition.

Construction logistics

104. A full Construction Logistics Plan (CLP) should also be secured by condition and given the town centre location, should pay particular attention to managing and mitigating impacts on pedestrians, cyclists and buses on High Street and support Vision Zero. This should be secured by condition or in the S106 agreement.

Travel Plan

105. A full Travel Plan (TP) for both elements of the scheme should be secured. This should contain targets for higher mode shares for active travel in line with Policy T1 of the London Plan and the Mayor's Transport Strategy (MTS).

Local planning authority's position

106. Bromley Council planning officers are currently assessing the application. In due course the Council will formally consider the application at a planning committee meeting.

Legal considerations

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

Financial considerations

108. There are no financial considerations at this stage.

Conclusion

109. London Plan policies on land use principles, housing, urban design, heritage, sustainability, environment, and transport are relevant to this application. Whilst the proposal is supported in principle, the application does not fully comply with these policies, as summarised below:

- **Land use principles:** The proposed mixed-use development of the site is accepted in principle, in line with Policies SD6, SD7, SD10 and H1 of the London Plan.

- **Housing:** The proposed development includes 35% affordable housing by habitable room including 59% social rent and 41% London Shared Ownership and therefore could be eligible to follow the Fast Track Route. An early-stage review and affordability levels should be secured.

- **Urban design and heritage:** Concern is raised with the proposed height and its response to the local context. Refinements to the height, scale, layout, architecture and materials, and public realm should be considered. GLA officers consider harm to be caused to the nearby conservation area which will need to be addressed prior to Stage 2.

- **Transport:** Further information is required on the proposed relocation of the Moped Bay and the bus stop, potential improvements to cycle parking facilities, and justification for the retention of commercial car parking. Contributions should be sought towards Legible London signage, bus stop and Healthy Streets improvements. The residential element will be car-free which is supported.

- **Sustainable development and environment:** Further information is required on energy, circular economy, whole-life cycle carbon, green infrastructure, air quality, sustainable drainage, and water efficiency.

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