



THE LONDON BOROUGH  
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DATE: 27 September 2016

To: Members of the  
**PLANS SUB-COMMITTEE NO. 4**

Councillor Richard Scoates (Chairman)  
Councillor Peter Dean (Vice-Chairman)  
Councillors Kathy Bance MBE, Lydia Buttinger, Simon Fawthrop, Kate Lymer,  
Russell Mellor, Melanie Stevens and Michael Turner

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on  
**THURSDAY 6 OCTOBER 2016 AT 7.00 PM**

MARK BOWEN  
Director of Corporate Services

Members of the public can speak at Plans Sub-Committee meetings on planning reports, contravention reports or tree preservation orders. To do so, you must have:-

- already written to the Council expressing your view on the particular matter, and
- indicated your wish to speak by contacting the Democratic Services team by no later than 10.00am on the working day before the date of the meeting.

These public contributions will be at the discretion of the Chairman. They will normally be limited to two speakers per proposal (one for and one against), each with three minutes to put their view across.

**To register to speak please telephone Democratic Services on 020 8313 4745.**

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**If you have further enquiries or need further information on the content of any of the applications being considered at this meeting, please contact our Planning Division on 020 8313 4956 or e-mail [planning@bromley.gov.uk](mailto:planning@bromley.gov.uk)**

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**Information on the outline decisions taken will usually be available on our website (see below) within a day of the meeting.**

*Copies of the documents referred to below can be obtained from*  
<http://cds.bromley.gov.uk/>

## A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 11 AUGUST 2016**  
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- 4 **PLANNING APPLICATIONS**

### **SECTION 1**

(Applications submitted by the London Borough of Bromley)

Report No.	Ward	Page No.	Application Number and Address
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4.2	Bickley	21 - 26	(16/03698/RECON) - Scotts Park Primary School, Orchard Road, Bromley BR1 2PR

### **SECTION 2**

(Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
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4.7	Bickley	73 - 86	(16/03000/FULL1) - 6 Beaconsfield Road, Bickley, Bromley BR1 2BP

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4.9	Plaistow and Sundridge	99 - 104	(16/03358/FULL6) - 6 Lawn Close, Bromley BR1 3NA
4.10	West Wickham	105 - 112	(16/03424/FULL6) - 15 The Drive, West Wickham BR4 0EP
4.11	Shortlands Conservation Area	113 - 122	(16/03621/FULL6) - 36A Elwill Way, Beckenham BR3 6RZ
4.12	Bromley Common and Keston Conservation Area	123 - 136	(16/03654/FULL1) - Woodlands, Holwood Park Avenue, Keston BR6 8NQ

### SECTION 3

(Applications recommended for permission, approval or consent)

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4.14	West Wickham	147 - 166	(16/02605/FULL1) - 60 The Alders, West Wickham BR4 9PG
4.15	Shortlands	167 - 174	(16/03296/FULL1) - 143 Westmoreland Road, Bromley BR2 0TY
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### SECTION 4

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**5 CONTRAVENTIONS AND OTHER ISSUES**

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**6 TREE PRESERVATION ORDERS**

Report No.	Ward	Page No.	Application Number and Address
	NO REPORTS		

## PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 11 August 2016

### Present:

Councillor Richard Scoates (Chairman)  
Councillor Peter Dean (Vice-Chairman)  
Councillors Kathy Bance MBE, Lydia Buttinger, Simon Fawthrop,  
Russell Mellor, Colin Smith, Melanie Stevens and Michael Turner

### Also Present:

Councillors Stephen Carr and Sarah Phillips

## 5 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Cllr Kate Lymer; Cllr Colin Smith attended as substitute.

## 6 DECLARATIONS OF INTEREST

There were no declarations of interest.

## 7 CONFIRMATION OF MINUTES OF MEETING HELD ON 9TH JUNE 2016

**RESOLVED** that the minutes of the meeting held on 9 June 2016 be confirmed and signed as a correct record.

## 8 PLANNING APPLICATIONS

### SECTION 1

(Applications submitted by the London Borough of Bromley)

### 8.1 (16/00931/ADV) - Land fronting 48 Hayes Street, Hayes, Bromley

Description of application – Freestanding, non-illuminated advert sign.

Comments from the Highways Division were reported at the meeting.

Members having considered the report and objections, **RESOLVED that the application be DEFERRED** without prejudice to any future consideration, to seek further consultation regarding the siting of the proposal.

**8.2 (16/02312/ADV)- Land Adjacent 28 Beckenham Road, Beckenham**

Description of application – Picture board depicting heritage of Clock House area.

Members having considered the report and objections, **RESOLVED that ADVERTISEMENT CONSENT BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

**8.3 (16/03185/REG3) - Churchill Theatre, High Street, Bromley BR1 1HA**

Description of application – Replacement slate cladding.

Comments from the Conservation Officer and the Advisory Panel for Conservation Areas were received at the meeting.

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with condition 2 amended to read:-

‘2 Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details. Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.’

**SECTION 2**

(Applications meriting special consideration)

**8.4 (16/00311/FULL1) - Leasons Primary School, Leasons Hill, Orpington BR5 2GA**

Description of application – Single storey extension to accommodate 6 new classes, hall learning resource area and ancillary facilities, minor demolition works, new entrance lobby, two new pedestrian entrances located opposite 303 Chipperfield Road and 16 Swan Close, re-instatement of one way vehicular access with exit only gate, reorganisation of onsite parking with 10 new additional spaces and associated

external works to facilitate the expansion of the school from one form entry to two form entry and new nursery play area.

Oral representations in support of the application were received at the meeting.

Whilst not opposed to the application and acknowledging an educational need within the specific area, Councillor Smith referred to discussions at meetings of the Local Development Framework Advisory Panel where Members agreed they would prefer development of schools to be increased by height as opposed to expansion of footprint.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED (subject to any direction by the Secretary of State)** as recommended, subject to the conditions outlined in the report of the Chief Planner with the addition of a further condition to read:-

16 Details of a scheme of landscaping to include details of the green roof proposed and ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted. Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

8.5

**(16/00735/FULL1) - 144 Anerley Road, Penge SE20 8DL**

Description of application – Change of use from A1 (retail) to A4 (micro pub).

Oral representations in support of the application were received at the meeting.

The Legal representative confirmed that certain elements of the proposal i.e. operating hours, would also be controlled through the Licensing Act.

Members having considered the report and representations, **RESOLVED that PERMISSION BE**

**GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with the addition of a further condition to read:-  
8 Prior to the first use of the premises a management plan for the general operation of the use hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of the means by which the door to the premises shall be kept shut during opening hours as far as is practicable. The premises shall thereafter be operated in accordance with the approved plan, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy BE1 and S9 of the Unitary Development Plan in the interests of the amenities of nearby residential properties.

8.6

**(16/00753/FULL1) - 123a Southborough Lane, Bromley BR2 8AP**

Description of application – Replacement part one/two storey detached building for A1 (retail) use to ground floor and C3 (residential) use to first floor, with balcony to front.

It was reported that further representations from the agent in support of the application had been received. Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner; however, condition 6 was deleted.

8.7

**(16/01032/FULL1) - 63-65 Chislehurst Road, Chislehurst BR7 5NP**

Description of application – Proposed two/four storey rear extension with accommodation in the roofspace to provide an enlarged shop and stock room facilities with a total of five residential apartments. Demolition of detached single storey building, boundary treatment, revised courtyard and parking layout, elevation alterations including an ATM to the front elevation and external staircase.

Oral representations in support of the application were received at the meeting.

The Planning Officer reported that a letter in support of the application had been received from Bob Neill MP. It was also reported that the Environment



Agency had raised no objections to the application. If Members were minded to grant permission, a condition relating to details of the refuse store should be added.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to seek a reduction in the residential element of the proposal, particularly within the roofspace.

8.8

**(16/01091/FULL1) - 45 Ancaster Road, Beckenham BR3 4DZ**

Description of application – Demolition of existing bungalow and the construction of a two storey building in order to provide 4 two bedroom flats, together with four off road parking spaces, cycle and refuse storage (amendment to application ref: 15/05399).

Oral representations from Ward Member Councillor Sarah Phillips in objection to the application were received at the meeting.

The Planning Officer explained the grounds for deferral of the previous application and outlined the current position.

Members having considered the report, objections and representations, **RESOLVED TO CONTEST THE APPEAL** for the following reason:-

The proposal, by reason of its size, design and scale of the development at the rear would result in an overdevelopment of the site, harmful to the character and visual amenities of the locality and would be lacking adequate private amenity space which would fail to provide a satisfactory quality of accommodation for future occupiers, contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5 of the London Plan (2015).

8.9

**(16/01750/FULL3) - Kent House Tavern, Thesiger Road, Penge, London SE20 7NQ**

Description of application – Change of use of existing public house (Class A4) to 3 residential flats (Class C3) (2x1 bed and 1x2 bed) and insertion of a door in the west elevation.

Oral representations in support of the application were received at the meeting.

Comments from Ward Member Councillor Kevin Brooks in objection to the application were received and circulated to Members.

Committee Member and Ward Member Councillor Kathy Bance spoke in objection to the application. Councillor Bance's comments are attached as Annex 1 to these Minutes.

Comments from the Highways Division were also reported at the meeting.

Councillor Fawthrop referred to the local knowledge of Ward Councillors as an important element to be relied upon during consideration of all planning applications. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reasons:-

1 The proposal, by way of an excessive number of units would constitute an over-intensive use of the site, lacking adequate amenities for future occupiers with particular regard to private amenity space contrary to Policies BE1 and H12 of the Unitary Development Plan and Policy 3.5 of the London Plan (2015) and the Mayor's Housing SPG (2016).

2 The proposed development would lack adequate quantity of on-site car parking provision to accord with the Council's standards and would therefore generate an unacceptable increase in the demand for on-street car parking in the vicinity of the site, prejudicial to the free flow of traffic and conditions of general safety in the highway, contrary to Policies T3 and T18 of the Unitary Development Plan.

Councillor Dean's vote against refusal was noted.

## 8.10

### **(16/02352/FULL1) - 29 Fox Lane, Keston BR2 6AL**

Description of application – Change of use from Class C3 (dwellinghouse) to Class 2 (residential institution) to allow use of the property as a childrens home.

Oral representations in objection to the application were received. Oral representations from Ward Member Councillor Stephen Carr in objection to the application were received at the meeting.

It was reported that a further letter in objection to the application had been received. A further letter from the applicant had also been received.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to seek the submission of a travel plan, confirmation that the home would not

accept children from a violent or drug related background and details of how such a confirmation could be secured in planning terms and further information regarding the hours of operation and staff comings and goings.

8.11

**(16/02565/FULL1) - 2 Oak Cottages, Leasons Hill, Orpington BR5 2LH**

Description of application – Erection of detached two storey 2 bedroom house at land at side of 2 Oak Cottages. Alteration to porch at 2 Oak Cottages.

Members having considered the report and objections, **RESOLVED that PERMISSION BE REFUSED** for the following reasons:-

1 The proposal would constitute a cramped overdevelopment of the site, which would be detrimental to the character and visual amenities of the locality and a lack of private amenity space would fail to provide a satisfactory quality of accommodation for future occupiers, contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5 of the London Plan (2015).

2 The proposed development would lack adequate quantity of on-site car parking provision to accord with the Council's standards and would therefore generate an unacceptable increase in the demand for on-street car parking in the vicinity of the site, prejudicial to the free flow of traffic and conditions of general safety in the highway, contrary to Policies T3 and T18 of the Unitary Development Plan.

**SECTION 3**

(Applications recommended for permission, approval or consent)

8.12

**(16/02137/FULL1) - 2 Lakeswood Road, Petts Wood, Orpington BR5 1BJ**

Description of application – Demolition of existing detached bungalow and erection of pair of two storey 4 bedroom semi-detached dwellings with vehicular accesses, 4 car parking spaces, cycle storage sheds and bin stores.

Oral representations in objection to and in support of the application were received at the meeting. It was reported that the application had been amended by revised plans.

The Planning Officer reported minor changes re. highways and elevations and a reduction in the width of the footprint.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration to seek the clarification of:-

- 1) the proposed ridge height in relation to surrounding properties; and
- 2) the proposed footprint in comparison to the existing building.

In addition consideration should be given to a reduction of the proposed ridge height and footprint.

8.13

**(16/02179/FULL1) - Conifer House, 44 Southend Road, Beckenham**

Description of application - Construction of four storey rear extensions, four storey front extensions and roof alterations to add an additional storey to the existing building forming an additional 9 flats (18 flats total) comprising one 1 bedroom, four 2 bedroom and three 3 bedroom flats within the extended sections of the building in connection with revised flat layouts in the existing building forming two 1 bedroom, six 2 bedroom and two 3 bedroom flats. Provision of front, rear and flank parking with in/out access driveway, amenity space, balconies, refuse and cycle storage and associated landscaping

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner.

8.14

**(16/02275/FULL6) - 8 Stephen Close, Orpington BR6 9TZ**

Description of application – Two storey rear, first floor side and single storey front extensions and conversion of garage to habitable accommodation.

Oral representations in objection to and in support of the application were received at the meeting.

Photographs received from the person speaking in objection to the application were received and circulated to Members.

Members having considered the report, objections and representations, **RESOLVED that the**

**application BE DEFERRED** without prejudice to any future consideration, to seek a reduction in the size of the extension.

8.15

**(16/02453/FULL6) - 4 Ryecroft Road, Petts Wood  
BR5 1DR**

Description of application – Single storey front and first floor side extensions.

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

8.16

**(16/02584/FULL6) - 51 Lakes Road, Keston  
BR2 6BN**

Description of application – First floor front extension, part two storey/first floor front/side extension, part one/two storey rear extension, alterations to roof and replacement porch canopy.

Members having considered the report, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

8.17

**(16/02597/FULL1) - 45 Ancaster Road, Beckenham  
BR3 4DZ**

Description of application - Demolition of the existing bungalow and the construction of a two storey building to provide 2 two bedroom flats and 2 one bedroom flats, together with off street parking, cycle and refuse storage.

Oral representations from Ward Member Councillor Sarah Phillips in objection to the application were received at the meeting.

Further supporting correspondence from the applicant's agent had been received and circulated to Members.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED SUBJECT TO UNILATERAL UNDERTAKING** as recommended and subject to the conditions and informatives set out in the report of the Chief Planner.

**8.18 (16/02810/FULL6) - 33 Greenways, Beckenham  
BR3 3QN**

Description of application – Roof alterations to incorporate rear dormer and three roof lights to front roof slope, single storey rear extension, first floor side extension and elevational alterations.

Oral representations in objection to the application were received at the meeting. Photographs received from the person speaking in objection to the application were received and circulated to Members. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

1 The proposed first floor side extension and roof alterations by reason of its design, prominent siting, scale and mass would harm the open and spacious setting of the streetscene and would unbalance the symmetrical appearance of the host and adjoining dwelling contrary Policies BE1 and H8 of the Unitary Development Plan and SPG 1 General Design Principles & SPG 2 Residential Design Guidance.

**8.19 (16/03056/FULL6) - 51 Oakwood Avenue,  
Beckenham BR3 6PT**

Description of application – Part one/two storey side extension and conversion of garage to habitable accommodation.

Members having considered the report, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

**8.20 (16/03124/FULL1) - County House, 241 Beckenham  
Road, Beckenham BR3 4RP**

**THIS REPORT WAS WITHDRAWN BY THE CHIEF  
PLANNER.**

The meeting ended at 9.11 pm

Chairman

### **Comments from Councillor Kathy Bance in relation to Item 4.9 – Kent House Tavern, Thesiger Road, Penge, London SE20 7NQ**

This planning application covers the ground floor of the former public house. The conversion into 2 x 1 bed and 1 x 2 bed units. Consent has already been granted for 6 x 1 bed flats on the first floor.

Residents are concerned about the intensity and quality of the accommodation with this application. There is a clear lack of amenity space. The applicant is using the distance to green spaces as an excuse to reduce the unit size and so increase the number of units. This application is no closer to a park than many other applications across the borough which have provided amenity space.

There is not much green space in Penge so this planning application with no outdoor space as amenity, offers cramped living conditions to the residents, just to squeeze in more poor quality units, making this an overdevelopment of a small site.

There are no parking spaces to support the increased number of units. There is already insufficient parking at this location. When visiting public houses, cars are not parked in the road for long periods of time. With housing applications, parking must have a different focus and so include parking spaces.

We cannot assume tenants will not drive and we cannot assume the units will be occupied by single professionals, students or couples who do not require as much private amenity space.

This is a tight-knit area and this is a small building. The applicant now plans to expand the building to 9 units. It is not unreasonable to say that this is too many units, even split on two floors and with no amenity space.

The evidence of advertising the property for commercial use is not clear.

I believe that on balance the scheme will cause harm to the character of the area and result in significant loss of amenity to local residents and does warrant a planning refusal.

Officers have indicated approval but we can still overturn this however, to go against this suggestion, we need to demonstrate planning reasons and the applicant's failure to comply with the new national housing standards and the London Plan are significant planning reasons.

If this went to appeal we could show that we had not acted unreasonably in reaching a decision and therefore are not liable to costs should an appeal be upheld.

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## **SECTION '1' – Applications submitted by the London Borough of Bromley**

**Application No :** 16/02808/REG3

**Ward:**  
Farnborough And Crofton

**Address :** Small Civic Hall, York Rise, Orpington

**OS Grid Ref:** E: 545312 N: 165900

**Applicant :** Mr Garry Warner

**Objections :** YES

### **Description of Development:**

Temporary use of site as public car park for 60 spaces (including 6 disabled bays) for up to 3 years

Key designations:

Areas of Archaeological Significance  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 11

### **Proposal**

This application seeks permission for the temporary use of site as public car park for 57 spaces (including 6 disabled bays) for up to 3 years under two phases.

Phase one will provide 34 spaces with 6 disabled bays and phase two would provide an additional 17 spaces.

### **Location**

The site is located to the western side of York Rise which leads from Crofton Road; the site is on the former Small Civic Hall which has been demolished.

### **Consultations**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- Noise and disturbance;
- Impact from car lights due to the elevated site level and proximity to neighbouring properties and bedrooms;
- Concern over the hours proposed and this should be limited to 11pm - 7am given the proximity to the neighbouring properties;
- Highway safety; due to the existing on-street parking which converts the road into a single lane and with two bends and raised ground level to the

west the increased use of the road would lead to an unsafe highway situation;

- During rush-hour many passengers are collected by car with the vehicles double parked in York Rise, this again will exacerbate the highway safety issue of the proposal;
- Whilst no objection in principle to the proposal, the on-street car parking should be removed then this would limit the safety concerns;
- Proposal will increase traffic congestion along York Rise and prevent residents and emergency vehicles access;
- Is there a demand for more parking in the area given the two tier car park at the station which has 400 spaces?
- Crofton Halls can also be very busy further exacerbating the traffic congestion in the area;
- There are a number of trees and shrubs in the area (including wildlife) this should be retained which will limit the impact on neighbouring properties and retain the character of the area;
- The car park will require lighting which will glare into neighbouring properties;
- Loss of "open space" which is being used by dog walkers and children playing area;
- No consultation was taken place between the Council and the residents prior the application being submitted ;
- Support the application as it will ease parking congestion in York Rise and convert an unsightly area of waste ground into something practical and beneficial;
- Would like information regarding the signage, and this should not be illuminated;
- How temporary is temporary? Can the car park remain for longer than 3 years?

Transport for London (TfL):

No objections were raised subject to conditions regarding parking management plan, electric vehicle charging points and trip pattern survey before the commencement of the second phases of the development.

Highways:

No objections were raised subject to the conditions subjected by TfL.

### **Planning Considerations**

The application falls to be determined in accordance with the following policies:

National Planning Policy Framework (NPPF) (2012):

The NPPF confirms that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

Chapter 7 - Requiring Good Design

The London Plan (2015):

The most relevant London Plan policies are as follows:

- 2.8 Outer London: Transport
- 5.8 Innovative Energy Technologies
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands

Unitary Development Plan (2006):

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

- T1 Transport Demand
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees
- BE1 Design of New Development

Supplementary Planning Guidance (SPG) 1 General Design Principles

Planning History

83/02928/LBB - Extension to existing hall and construction of building for recreational facility extension to existing office accommodation residential accommodation and associated car parking - Approved 05.04.1984

86/00338/DET - Rear of former council offices 18 one-bed and 8 two-bed terraced houses and 3 two-bed two storey units comprising of 24 bedsit units with associated car parking and access road (part details pursuant 83/2928) - Approved 27.05.1986

## **Conclusions**

It is considered the planning issues and considerations relate to:

- Principle of development;
- Neighbouring amenity; and
- Highways.

### Principle of Development:

The site was formally the Small Civic Hall with associated parking facilities, consent was granted in 2013 for its demolition under ref: 13/04095/DEMCON. Since then the site has been cleared and left unused.

The proposed use of the site on a temporary 3 year basis as a public car park would bring a vacant site back into use.

Given the location of the site at an elevation position above York Rise the site is not highly visible in the streetscene. There are a number of mature trees located on Southern, eastern and western boundaries of the site which add to the visual amenities of the area and were permission to be granted their retention would be secured by way of conditions. Overall the proposal is not considered to result in an unduly harmful impact upon the character of the area and would be a suitable temporary use for the site.

### Neighbouring amenity:

Policy BE1(v) of the UDP that new development will only be permitted where it can be demonstrated that the development respects the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance. This is supported by Policies 7.6 and 7.15 of the London Plan.

Concern has been raised from neighbouring properties regarding noise and disturbance. To address this the applicant has removed three parking spaces to phase 2 at the northern end of the car park adjacent to No. 7 York Rise.

The applicant has also confirmed that they intend to construct a 2m high boundary fence which would be located within the curtilage on the site. It is considered that the provision of a boundary fence with sound reducing properties would provide an adequate level of screening and security for neighbouring properties. Were permission to be granted a condition would also be attached to ensure the application complies with the principles of Secure By Design to limit the potential detrimental impact on the security of neighbouring residential properties.

In terms of potential light pollution for neighbouring residential properties, the applicant has yet to finalise the lighting arrangements at the site but has stated that part of the design will be to minimise light pollution, this could be secured by way of a condition.

### Highways:

With regard to traffic issues there is no objection in respect of parking or vehicle movements subject to suitable conditions and a Parking Management Plan and the proposal therefore complies with Policies T3 and T18 of the UDP.

Residents have reported that York Rise is currently very congested due to the parking bays on the western side of the road and have requested some of these

are removed adjacent to the bends in the road to allow for adequate sight lines and passing of vehicles. The Highways authority has confirmed that they do not wish to make any amendment to the current arrangements on York Rise at this time.

Summary:

Having had regard to the above, Members are asked to consider if the proposed change of use to temporary car park for 3 years as detailed in the report. It is considered that the development has been designed to ensure that the proposal would not result in any significant amenity implications that would harm the quality of life of existing surrounding properties.

Accordingly, and taking all the above into account, it is recommended that temporary planning permission be granted in line with the conditions contained within this report.

Background papers referred to during production of this report comprise all correspondence on file ref(s). 16/02808/REG3, excluding exempt information.

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1 The use hereby permitted shall be discontinued and the land reinstated to its former condition on or before 31st October 2019.**

**REASON:** In order that the situation can be reconsidered in the light of the circumstances at that time in the interest of the amenities of the area with regard to Policy BE1 of the Unitary Development Plan.

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

**REASON:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 3 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.**

**REASON:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of visual amenity and the amenities of adjacent properties.

**4** Prior to the commencement of the use hereby permitted, a Parking Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should formalise the details of car parking monitoring. The Parking Management Plan shall be implemented in accordance with the agreed timescale and details.

**REASON:** In order to ensure appropriate management of transport implications of the development and to accord with Policy T3 of the Unitary Development Plan.

**5** Prior to the commencement of the use hereby permitted, 2 spaces shall be provided as electrical vehicle charging points. Details of this arrangement shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging spaces shall be implemented in accordance with the details.

**REASON:** In order to ensure appropriate management of transport implications of the development and to accord with Policy 5.8 of the London Plan.

**6** Prior to the implementation of the development full details of all hard landscaping arrangements shall be submitted to, and approved in writing by, the Local Planning Authority. The hard landscaping shall then be completed before the premises is first occupied or used.

**REASON:** In order to maintain the character and amenities of the area and to ensure compliance with Policy 7.4 of The London Plan and Policy BE1 of the Unitary Development Plan

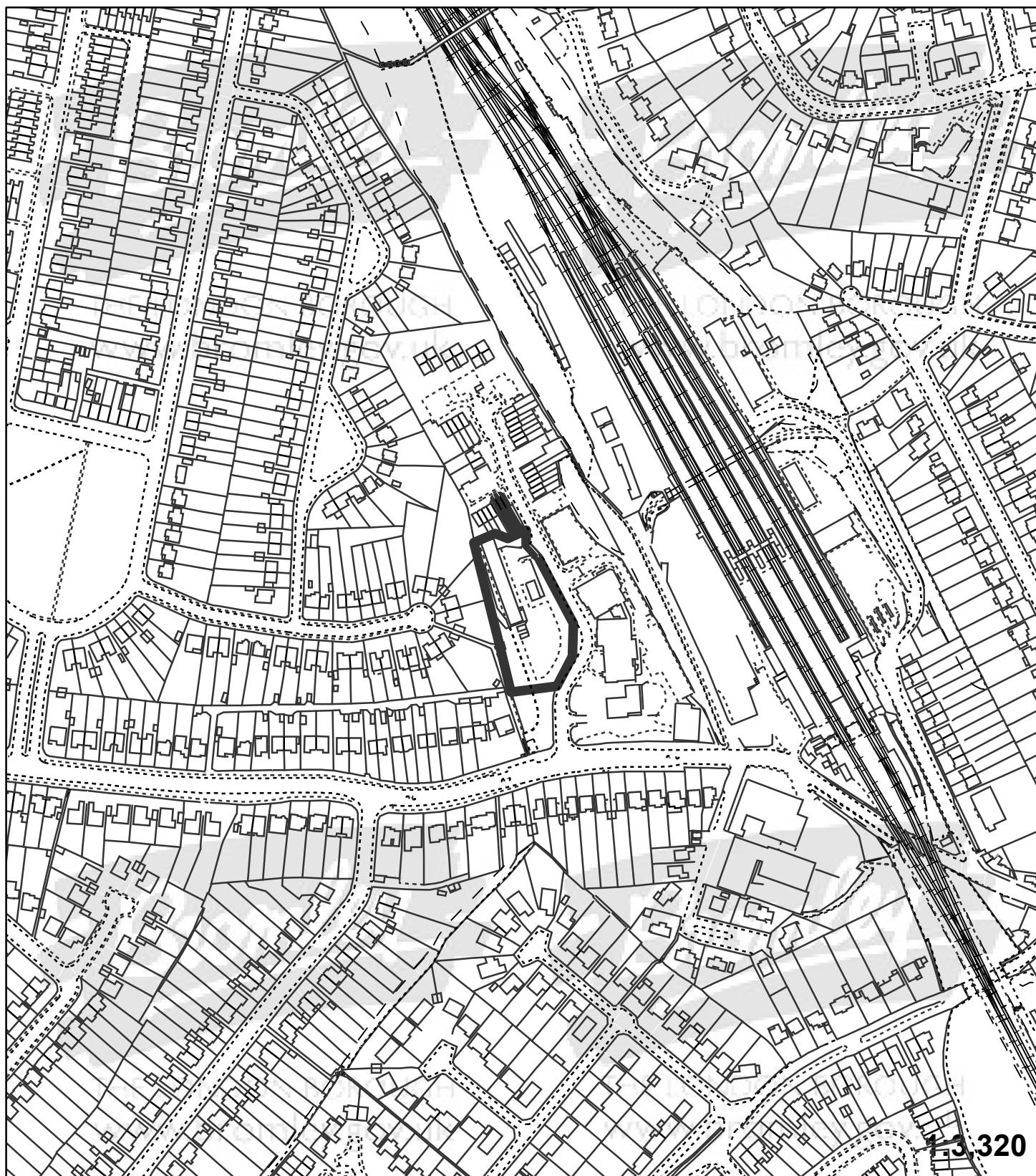
**7** Prior to the commencement of Phase 2 of the development hereby permitted a junction modelling exercise should be completed, and approved in writing by, the Local Planning Authority. These details shall then be updated into a revised Parking Management Plan. The revised plan should formalise the details of car parking monitoring. The Parking Management Plan shall be implemented in accordance with the agreed timescale and details.

**REASON:** In order to ensure appropriate management of transport implications of the development and to accord with Policy 5.8 of the London Plan.

**Application:** 16/02808/REG3

**Address:** Small Civic Hall York Rise Orpington

**Proposal:** Temporary use of site as public car park for 60 spaces (including 6 disabled bays) for up to 3 years



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **SECTION '1' – Applications submitted by the London Borough of Bromley**

**Application No :** 16/03698/RECON

**Ward:**  
**Bickley**

**Address :** Scotts Park Primary School, Orchard  
Road, Bromley BR1 2PR

**OS Grid Ref:** E: 541337 N: 169854

**Applicant :** The E2 Academy

**Objections :** YES

### **Description of Development:**

Variation of Condition 1 of permission 14/03285/RECON granted for erection of a single storey classroom building until October 17th 2018

Key designations:

Biggin Hill Safeguarding Area  
Green Chain  
London City Airport Safeguarding  
Metropolitan Open Land  
Open Space Deficiency  
Smoke Control SCA 10

### **Proposal**

Planning permission was granted for the erection of a single storey temporary building that provides 2 additional classrooms for the school on October 23rd 2013 (ref 13/01900). The permission was subject to a condition which states:

*The permission hereby granted shall be for a limited period only, expiring no later than October 17th 2014, and the use shall cease and the building shall be removed from the site prior to that date unless otherwise agreed in writing with the Local Planning Authority.*

In October 2014 planning permission was granted to this condition to extend the expiry date to October 17th 2016

Permission is now sought for the retention of a temporary single storey classroom building until October 17th 2018.

A planning application for the permanent extension of the school proposed an additional form of entry for Key Stage 2 pupils was submitted in March 2015 under reference 15/00698 and it is held in abeyance. Therefore it is necessary to retain the existing temporary accommodation to continue to provide the required school places on the site.

## **Consultations**

The site is located on the north side of residential properties on Orchard Road. To the south and east are residential properties and to the north and west are woodland and allotments respectively. The site is to the east of the junction of Orchard Road, Plaistow Lane and Upper Park Road.

### Comments from Local Residents

Nearby properties were notified and one letter has been received supporting the proposal and one letter draws attention to the increased traffic flow this development would bring to Romney Drive.

### Comments from Consultees

The Council's Highways Officer raises no objections subject to conditions requiring compliance with car parking and cycle parking details shown on submitted plans

## **Planning Considerations**

### Unitary Development Plan

The application falls to be determined in accordance with the following Unitary Development Plan saved policies:

- BE1 Design of New Development
- NE7 Development and Trees
- G8 Urban Open Space
- C1 Community Facilities
- C7 Educational and Pre School Facilities
- T1 Transport Demand
- T3 Parking
- T18 Road Safety

### Emerging Bromley Local Plan

A consultation on the draft Local Plan policies was undertaken early in 2014 in a document entitled Draft Policies and Designations Policies. In addition a consultation was undertaken in October 2015 in a document entitled Draft Allocation, further policies and designation document. At the Council's Executive Committee on July 20th 2016 a draft Local Plan was endorsed for further public consultation planned for September/October 2016.

These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Full details of the Council's Local Development Scheme is available on the website

The most relevant emerging policies include  
Draft Policies and Designations Policies (2014)

## 6.5 Education

Draft Allocation, further policies and designation document (Sept 2015)

Supporting Communities: Education Sites

The National Planning Policy Framework 2012 is also relevant.

### **Planning History**

DC/13/01900: Erection of a single storey temporary classroom building. Approved 23.10.2013

DC/14/03285/RECON: Variation of condition 8 of permission 13/01900/FULL1 granted for erection of a single storey temporary classroom building to retain classroom until October 17th 2016. Approved 28.10.2014

Dc/15/00698: Demolition of 2 existing single storey classroom blocks and replacement with 2 linked 2 storey classroom blocks to provide 7 additional classrooms and ancillary and support accommodation and link bridge; single storey extensions to provide caretakers store and enlarged support accommodation rooms and entrance; canopies to existing classrooms. Demolition of existing caretakers house to provide additional car parking and nursery play space. New bicycle store and entrance gates. New pedestrian entrance to western boundary. Currently held in abeyance.

### **Conclusions**

The main issues to be considered are the impact of retaining the existing buildings for a further 2 years.

There have been one letter in support of the proposal and one letter raising concerns about traffic levels from the residents of nearby properties. The current proposal seeks to retain an existing building with 2 classes which has been on site since 2013. It is considered that the retention of the building for a further 2 years would not result in any additional traffic to the site.

In terms of the impact on the amenity of local residents, given the separation between these properties and the building to be retained it is unlikely that the use will have an unacceptable impact on the amenities of neighbours. To date there is no record of planning related complaints relating to the use of the building.

Since the previous application the emerging draft Local Plan, approved for consultation by the Executive Committee on July 20th 2016 has identified Scotts Park School for expansion to meet the growing need for school places in the borough. The current application meets the need at Key Stage 1, albeit in temporary accommodation. . The pending application under ref 15/00698 seeks to provide a permanent solution for pupils at both Key Stage 1 and 2. However this application has been held in abeyance following significant concerns from local residents about the impact of additional school related traffic in Orchard Road and Romney Drive.

The temporary buildings are currently in use by the school and their removal ahead of the completion of the permanent works will result in insufficient accommodation for the operation of the school.

Having regard to the above members may consider that the proposed building is acceptable subject to conditions restricting the temporary use of the development to a further 24 months.

Background papers referred to during the production of this report comprise all correspondence on file ref: 16/03698/RECON, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

### **Subject to the following conditions:**

- 1 The permission hereby granted shall be for a limited period only, expiring on October 17th 2018, and the use shall cease and the building shall be removed from the site prior to that date unless otherwise agreed in writing with the Local Planning Authority and reinstated to its former condition for use as a playground. .**

**Reason: In order to comply with Policy B1 and C7 and to enable accommodation to be provided to meet educational needs for children in the area.**

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

**Reason: In the interests of the amenity of nearby residents and to comply with Policy BE1 of the Unitary Development Plan.**

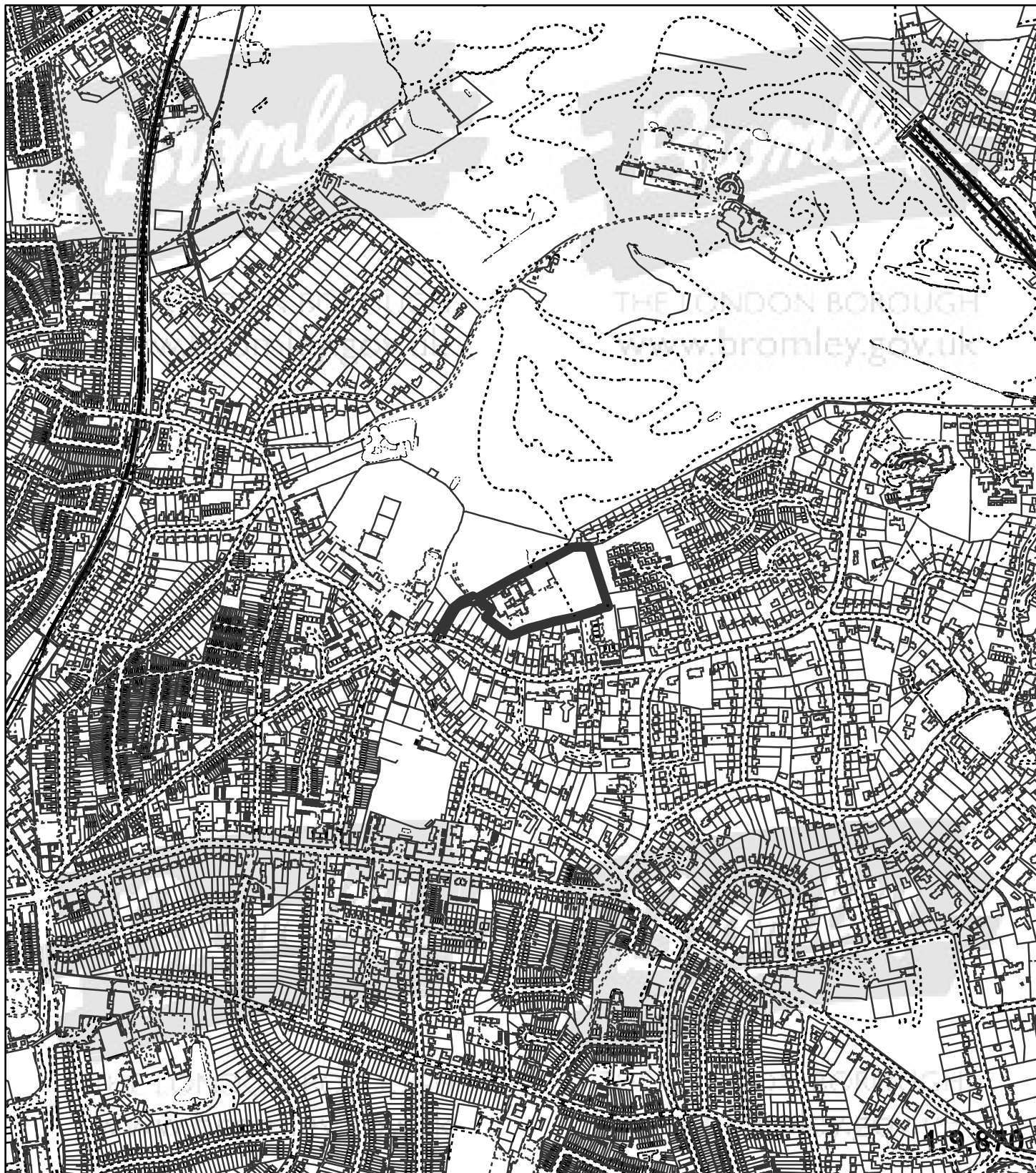
- 3 The car and cycle parking spaces and turning area hereby approved shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land indicated or in such a position as to preclude vehicular access to the said land.**

**Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.**

**Application:**16/03698/RECON

**Address:** Scotts Park Primary School Orchard Road Bromley BR1 2PR

**Proposal:** Variation of Condition 1 of permission 14/03285/RECON granted for erection of a single storey classroom building until October 17th 2018



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/01297/FULL1

**Ward:**  
**Crystal Palace**

**Address :** 69 - 71 Church Road, Anerley, London  
SE19 2TA

**OS Grid Ref:** E: 533577 N: 170501

**Applicant :** Ms Saroj Morjaria

**Objections :** YES

### **Description of Development:**

The demolition of the existing retail and rear residential units, and the building of a new taller infill structure reinstating the existing shop and rear residential unit, whilst introducing a new part 4, part 3, storey residential block incorporating 7 x self-contained flats, accommodating 2 x 3 bedroom, 3 x 1 bedroom and 2 x 2 bedroom flats with internal and external alterations and demolitions.

Key designations:

Conservation Area: Belvedere Road  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 6

### **Proposal**

The site fronts Church Road, Anerley and is located on the east side of this one-way street, within Belvedere Road Conservation Area and adjacent to locally listed buildings. The Borough boundary with Croydon is to the opposite side of the street; the wider town centre borders with Lambeth and Southwark. The site is located within a mixed commercial/residential environment and currently offers retail/office use to the ground floor with flatted accommodation to the upper and lower floors. There is a workshop to the rear of the site which is used for furniture making (retailing some of the goods in the shop to the front of the site). The levels fall away steeply to the rear of the site.

This application proposes the demolition of the existing retail and rear residential units, and the building of a new taller infill structure reinstating the existing shop and rear residential unit, whilst introducing a new part 4, part 3, storey residential block incorporating 7 x self-contained flats (2 x 3 bedroom, 3 x 2 bedroom and 2 x 1 bedroom flats).

Supporting documentation advises that the existing vehicular access will be retained and lead to the rear of the site and the existing commercial building. Communal amenity space will be created to the rear of the site. It also advises that the proposed front elevation is staggered to create a transition between the 5 storey terraces to the north and the 3 storey terraces to the south and set back in plan to follow the curve of the street. The use of different materials on each set

back help to break up the mass and scale of the elevation and create transition from the render building to the south and the brick terraces to the north. Proposed materials include facing London Stock Bricks, white render, translucent glass panels and corten steel cladding (the top floor is proposed as translucent glass).

It also advises that the side elevation steps in to allow for the adjoining windows of non-habitable rooms.

A1 (retail) commercial use is proposed to be retained to the part ground floor. It is understood the site has been historically used in connection with the repair of tractors for export.

## **Consultations**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- Query re extent of neighbour notification
- Loss of privacy by way of large windows and roof terrace - other domestic properties have domestic sized windows
- Loss of light/sunlight - impact on well-being and incur greater heating/lighting costs
- Height of building and design not in keeping
- Impact on last remaining part of Great North Woods - have preservation society been contacted and is there a right of way?
- Previous application refused
- Blind spot for vehicles entering and leaving the site
- Create traffic congestion
- Turning on site will be very tight
- Has Croydon been notified?
- Affect maintenance of 67 Church Road
- Outlook and light from window (kitchen area) to Flat B 73-75 Church Road would be lost
- Seems an appropriate scheme for the site but high quality materials must be used
- Loss of green views through the site

Additional comments were received in response to revised plans received 22/7/16 and are summarised below:

- Same objections stand
- Affect level of light
- Impact on privacy - will allow direct views into bedrooms and bathrooms in roof f 58, 60, 62 and 64. Will also impact on 73,75,and 77 as flat 6 will allow direct views into side and back windows
- Size of windows allow greater overlooking
- Size, mass and height of building will impact on lighting, privacy and outlook of neighbours
- Height is a discordant alteration



- Impact on Highway safety and layout does not give priority to pedestrians
- Concerns with workshop at rear and traffic to and from this
- Emergency vehicle access to rear of building will be impeded by restricted height
- Adjacent to last remaining part of North Woods
- Site not currently vacant - used for furniture construction and sales, employing two people
- Not in line with policy
- Site previously used for tractor renovation and sales - land contamination issues
- Will have a material impact on business at No 60
- Letters from Council not franked

London Borough of Croydon raise objection to the proposed design which they consider would be out of character with the Conservation Area and would not respect or improve the existing pattern of buildings and the spaces between them, nor maximise the opportunities for creating an attractive and interesting environment.

APCA consider that a new building on this site would enhance that area of Church Road but raise objection to the design which they consider is not sympathetic to the neighbouring buildings i.e. the brickwork colour needs to be stock stone not red brick and fenestration could be improved.

Conservation comments consider that the current proposal is much improved from original iterations of the design and subject to a materials condition consider that the proposal would preserve the character and appearance of the Conservation Area.

No objections are raised by Thames Water in respect of water or sewerage infrastructure capacity. Informatives are proposed in the event of a planning permission.

No objection is raised by Drainage and conditions are suggested in the event of a planning permission.

Highways comments note that the site is located to the east of Church Road and within a high PTAL (6a) area. Comments note that the absence of parking provision is regrettable but on balance given the proximity to public transport links and local shops no objections are raised. Cycle parking must be provided.

Environmental Health (Housing) comments are received in respect of revised plans received. Concerns are raised in respect of the adjacent six storey end of terrace residential building. The proposed development will obstruct the natural light and remove any outlook to the flank windows which could render some of the rooms being served by these windows uninhabitable.

Additionally, concerns are raised in that the ambient noise level in this location may require a specialist glazing requirement in order to achieve a reasonable internal sound level in the proposed flats. EHO recommend that an acoustic assessment is

necessary to determine ambient noise level at this location and to inform necessary glazing specification to meet BS8233 'good' noise standards internally.

Revised plans received are annotated that all glazing will be specified to meet BS8233 'good' noise standards internally.

### **Planning Considerations**

The application falls to be determined in accordance with the NPPF, the London Plan and the following policies of the Unitary Development Plan:

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T1 Transport Demand
- T3 Parking
- T5 Access for people with restricted mobility
- T7 Cyclists
- T16 Traffic management and sensitive environments
- T18 Road Safety
- BE7 Railings, Boundary Walls and other means of enclosure.
- BE8 Historic Buildings
- BE11 Conservation Areas
- BE14 Trees in Conservation Areas
- EMP5 Development Outside Business Areas
- Policy NE7 - Development and Trees
- IMP1 Planning Obligations
- SPG 1 - General Design Principles
- SPG 2 - Residential Design Guidance
  
- Belvedere Road Conservation Area SPG

#### London Plan (2015)

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Design and Quality of Housing Developments
- 3.8 Housing Choice
- 5.1 Climate Change
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology

Adoption of Minor Alterations to London Plan (MALP) and Housing SPG (2016)

The planning history includes planning permission reference 83/01072 for the conversion into two residential units, roof dormer and rear conservatory.

## **Conclusions**

The main issues to be considered in respect of this application are:

- Principle of Development
- The design and appearance of the scheme and the impact of these alterations on the character and appearance of the existing building and conservation area
- Impact on the amenity of neighbouring properties
- The quality of living conditions for future occupiers
- Highways and traffic Issues

### Principle of development

The site, located with Belvedere Road Conservation Area, is within a mixed commercial/residential environment and currently offers retail/office use to the ground floor with flatted accommodation to the upper and lower floors. There is a workshop to the rear of the site which is used for furniture making and which will be retained as part of the proposal, and retail (A1) at ground floor is included as part of the proposed scheme.

The site constraints do not preclude development and therefore, in principle, the development is acceptable subject to compliance with other policies as assessed below.

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan (2015) generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

## Housing Supply

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

At the time of writing a recent appeal decision has indicated that the Council does not have an adequate five year Housing Land Supply. The absence of a five year housing land supply means in brief that under the NPPF paragraph 49 the Council should regard relevant development plan policies affecting the supply of housing as 'out of date'. This does not mean that 'out of date' policies should be given no weight or any specific amount of weight. In this case the following sections of the assessment of this application will be given appropriate weight in the consideration of the scheme. The Planning Inspector commented on the previous scheme that even if the Council could not demonstrate a five year housing land supply, the adverse impact of the proposal on the character and appearance of the area would significantly and demonstrably outweigh the benefits. Substantial weight is given in this respect in the determination of this application.

## Design and Appearance

Policy BE1 and the Council's Supplementary design guidance seek to ensure that new development is of a high quality design that respects the scale, form, layout and materials of adjacent buildings and areas. This includes consideration of gaps between dwellings, when they contribute to the character of the area. The design principle of attaching to the adjacent building may not be considered unacceptable, given the context, in this particular instance.

Policy BE11 states that in order to preserve or enhance the character or appearance of conservation areas, a proposal for new development, for engineering works, alteration or extension to a building, or for change of use of land or buildings within a conservation area will be expected to respect or complement the layout, scale, form and materials of existing buildings and spaces; respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character or appearance of the area.

Policy H7 requires that the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas.

The Belvedere Road SPG advises that the character of Belvedere Road Conservation Area is one that is derived from harmonious diversity: seldom are any neighbouring buildings identical. The designs and materials employed vary throughout the area, which contains a mixture of densely developed terraces and spaciouly laid out detached and semi detached properties.

London Plan Policy 7.4 advises that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area.

London Plan Policy 7.6 advises that architecture should contribute to the creation of a cohesive built environment that enhances the experience of living, working or visiting in the city. This is often best achieved by ensuring new buildings reference, but not necessarily replicate, the scale, mass and detail of the predominant built form surrounding them, and by using the highest quality materials. Contemporary architecture is encouraged, but it should be respectful and sympathetic to the other architectural styles that have preceded it in the locality. All buildings should help create streets and places that are human in scale so that their proportion and composition enhances, activates and appropriately encloses the public realm, as well as allowing them to be easily understood, enjoyed and kept secured. The building form and layout should have regard to the density and character of the surrounding development and should not prejudice the development opportunities of surrounding sites.

London Plan Policy 7.8 advises that heritage assets such as conservation areas make a significant contribution to local character and should be protected from inappropriate development that is not sympathetic in terms of scale, materials, details and form. Development that affects the setting of heritage assets should be of the highest quality of architecture and design, and respond positively to local context and character.

Objections have been received from local residents raising concern with the height and design of the proposal. APCA have raised design concerns with fenestration and materials and LB Croydon considered that the scheme would be out of character with the Conservation Area and would not respect or improve the existing pattern of buildings and the spaces between them, nor maximise the opportunities for creating an attractive and interesting environment.

Local support for the design has been received subject to the use of quality materials and the Conservation Officer comments raise no objection to the scheme.

When considering the design approach of redevelopment in this location it is acknowledged that the different building lines and heights and heritage status present a particular challenge for this site. The design approach is contemporary and has sought to take local reference of materials within its finished façade. Given the sensitivities of the site (in a Conservation Area and adjacent locally listed buildings) the use of high quality materials for the external surfaces of the building is important; Red Stock and London Stock with some render is in context of the wider street scene. Samples should be provided in the event of a planning permission.

In the event the scheme is found to be acceptable a materials condition will be imposed. The design presents a staggered approach to the height which in officer view provides a good solution to provide a link development between the two disparate heights of surrounding buildings. The front building line is also layered which serves the purpose of stepping back from neighbouring windows and preventing a building mass which would likely present an overbearing form of development. The verticality of fenestration references that found in the terrace to the north of the site.

To the street level individual shop fronts have been included in the design which reflect the character and context of those found to the south of the site and ensure the proposal creates a sense of place human in scale and an active frontage which can be easily understood and enjoyed within that context.

From comments received it is clear that the design approach invokes differences of opinion. Policy considerations require that new buildings should reference, but not necessarily replicate, the scale, mass and detail of the predominant built form surrounding them, and should use the highest quality materials. Contemporary architecture is encouraged where it is respectful and sympathetic to the other architectural styles that have preceded it in the locality. Policy requires that heritage assets such as conservation areas should be protected from inappropriate development and that development that affects the setting of heritage assets should be of the highest quality of architecture and design, and respond positively to local context and character.

The site sits on the edge of the Conservation Area and the buildings to which the proposal hopes to link to at Nos 65-67 sit outside of and adjacent to the Conservation Area. Given policy requirements, officer view is that the contemporary approach is not inappropriate for this location and the design approach relates well to its context.

#### Impact on the amenities of neighbouring properties

Policy BE1 of the Unitary Development Plan states that development should respect the amenity of occupiers of neighbouring buildings and ensure they are not harmed by noise disturbance, inadequate daylight, sunlight, and privacy or overshadowing.

A number of local objections have been received in respect of overlooking from the windows and balconies and loss of light. Given the suburban location it is

considered that a suitable level of privacy will be maintained (to the front and rear of the site) at the intended distances to existing nearby property.

Clarification has been received that flank windows to Nos 65-67 serve bathrooms and toilets and all the windows are obscure glazed. The design pulls the proposed development away from the flank windows but will result in enclosure, probably not dissimilar to a lightwell effect.

Development will project beyond the rear building line of adjacent property at Nos 73-75 but given the limited extent of projection, the open aspect and that Nos 73-75 are to the south of the proposal it is not considered that the impacts will be so great as to raise planning concern.

Overall there will be some impact on neighbouring amenity from the scheme but it is considered that there will not be such significant impact in respect of overlooking, enclosing effect and loss of light as to warrant a planning ground of refusal.

#### Quality of living conditions for future occupiers

Policy 3.5 of the London Plan states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

Policy 3.8 of the London Plan includes requirement for accessible and adaptable dwellings.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers and future occupants.

Supporting information sets out the floor space of the proposed flats as: Flat 1 (3B5P) - 96.5m<sup>2</sup>; Flat 2 (1B2P) - 51m<sup>2</sup>; Flat 3 (2B3P) - 62m<sup>2</sup>; Flat 4 (1B2P) - 51m<sup>2</sup>; Flat 5 (2B3P) - 62m<sup>2</sup>; Flat 6 (3B5P) - 96m<sup>2</sup>; Flat 7 (2B3P) - 61m<sup>2</sup>.

With regard to the above it appears that the size of the flat for its intended occupancy would comply with the minimum standards contained in the London Plan unit size standards. On balance this is considered acceptable.

Limited communal amenity area has been provided with the addition of private area to the ground floor flat and private terrace to flat 6. Given this and the proximity of nearby parks the proposed amenity area may not be considered unacceptable in this particular instance.

Submitted plans indicate provision for a lift within the layout; in the event of a planning permission conditions are suggested for the housing to meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings'.

There is an existing workshop to the rear of the site which currently operates alongside existing residential. The application advises that the opening hours of the workshop are Monday - Friday 8.30am to 6.30pm and Saturdays 8.30am - 1.30pm.

In the interest of neighbouring amenity, and in the event of a planning permission, an hours of operation condition is suggested.

### Highways and traffic issues

Local concerns are received in that the entrance/exit is a blind spot for vehicles and the site will become congested with tight turning provision on site. The applicants have advised that the workshop will remain to the rear and operate as existing.

The site is located in an area with high PTAL rate of 6a (on a scale of 1 - 6, where 6 is the most accessible). There will be no on-site parking provision but Highway concerns are not raised in respect of the proposal. Cycle parking should be provided on site and in the event of a permission conditions restricting access to residents parking permits should be considered.

Refuse storage is indicated within the plans and is located just to the side of the undercroft accessway.

### Sustainability

Limited information has been supplied in this regard except to indicate a range of energy efficiency measures will be incorporated into the construction. However, further information is not mandatory for this type of small development.

Mayoral CIL will apply to the development.

### Summary

Members may consider that the principle of development is acceptable in this location and it is for careful consideration as to the acceptability of the design approach proposed. Given policy considerations and matters as discussed above, on balance, Members may consider the proposal acceptable.

**as amended by documents received on 22.07.2016 31.08.2016 06.09.2016**

### **RECOMMENDATION: PERMISSION**

#### **Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**Reason: Section 91, Town and Country Planning Act 1990.**

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**



**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

- 3** Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

- 4** No part of the development hereby permitted shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.

a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval in writing. The desk study shall detail the history of the sites uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.

b) The site investigation, including relevant soil, soil gas, surface water and groundwater sampling shall be approved in writing by the Local Planning Authority.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors, a proposed remediation strategy and a quality assurance scheme regarding implementation of remedial works, and no remediation works shall commence on site prior to approval of these matters in writing by the Authority. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.

d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

e) Upon completion of the works, a closure report shall be submitted to and approved in writing by the Authority. The closure report shall include details of the remediation works carried out, (including of waste materials removed from the site), the quality assurance certificates and details of post-remediation sampling.

f) The contaminated land assessment, site investigation (including report), remediation works and closure report shall all be carried out by contractor(s) approved in writing by the Local Planning Authority.

**Reason:** In order to comply with Policy ER7 of the Unitary Development Plan and to prevent harm to human health and pollution of the environment.

- 5** The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan.

**To reduce the impact of flooding both to and from the proposed development and third Parties**

- 6** The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

- 7** Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

**Reason:** In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 8** Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and be implemented before the development is first occupied and the lighting shall be permanently retained thereafter.

**Reason:** In order to comply with Policy T3 and Appendix II of the Unitary Development Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

- 9** Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but

shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

**Reason:** In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

**10** Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

**Reason:** In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

**11** The use shall not operate on any Sunday or Bank Holiday Xmas Day or Good Friday nor before 8.30am nor after 6.30pm Monday to Fridays and not before 8.30am nor after 1.30pm on Saturdays.

**Reason:** In order to comply with Policy of the Unitary Development Plan and in the interest of the amenities of the area.

**12** No structure, plant, equipment or machinery shall be placed erected or installed on or above the roof or on external walls without the prior approval in writing by the Local Planning Authority.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

**13** The proposed new housing should meet Part M4 (2) 'accessible and adaptable dwellings'. The requirements should be met and completed before any part of the development hereby permitted is first occupied and shall be permanently maintained thereafter.

In order to comply with London Plan Policy 3.8 and in the interest of amenities for future occupiers

You are further informed that :

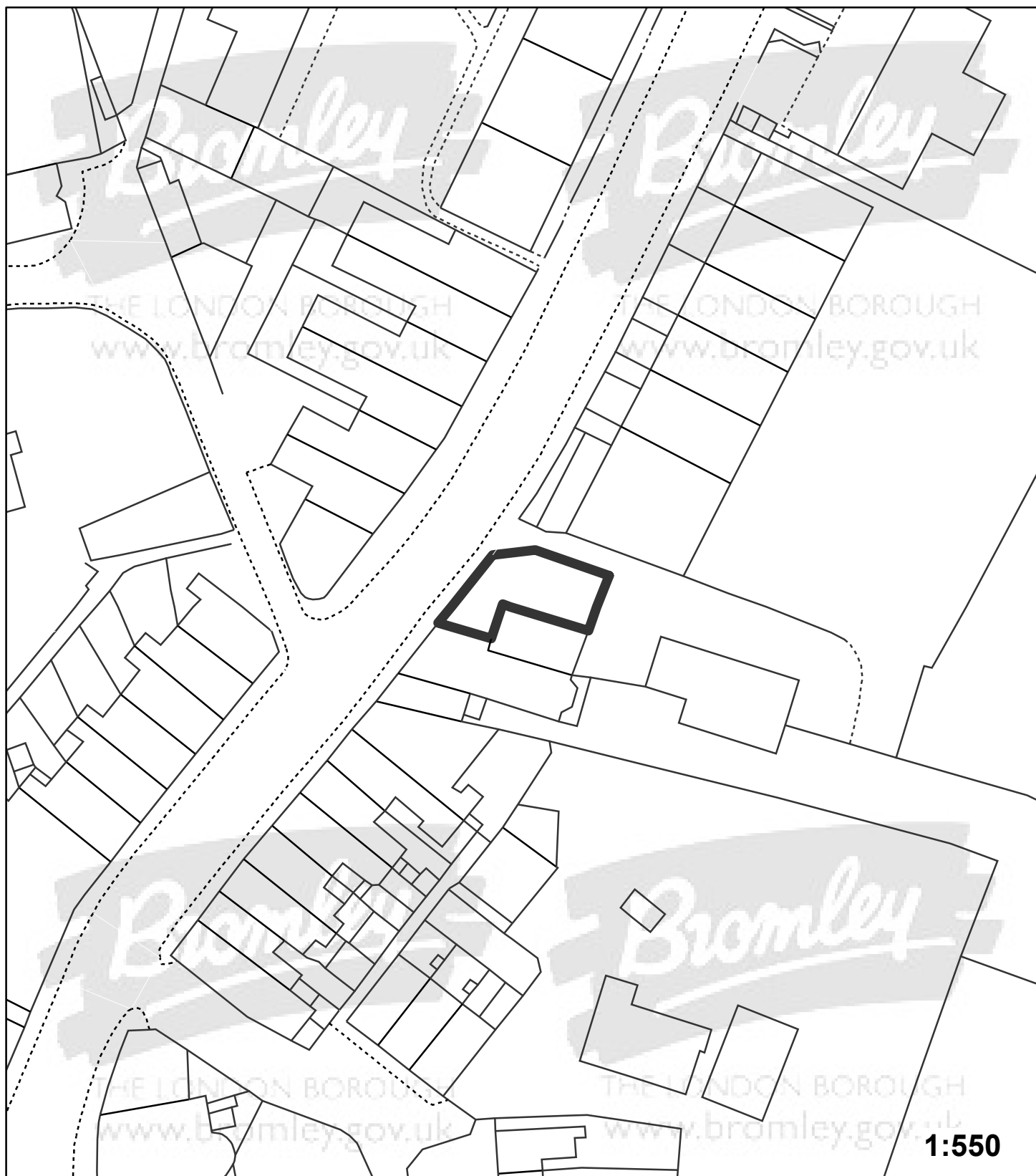
**1** In the absence of a site specific noise assessment the sound insulation rating of these units should be 34dB Rw or better. This can be achieved using 10/12/6mm or equivalent glazing systems when closed and with no trickle vents. Alternatively equivalently rated secondary glazing systems would be sufficient if the original windows are to be retained. To ensure adequate ventilation when windows are closed, mechanical ventilation (MVHR) systems (or equivalent alternatives) are required

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**Application:**16/01297/FULL1

**Address:** 69 - 71 Church Road Anerley London SE19 2TA

**Proposal:** The demolition of the existing retail and rear residential units, and the building of a new taller infill structure reinstating the existing shop and rear residential unit, whilst introducing a new part 4, part 3, storey residential block incorporating 7 x self-contained flats, accommodating 2 x



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/02352/FULL1

**Ward:**  
**Bromley Common And**  
**Keston**

**Address :** 29 Fox Lane, Keston BR2 6AL

**OS Grid Ref:** E: 541049 N: 164316

**Applicant :** Ms Emily Graham

**Objections :** YES

### **Description of Development:**

Change of use from Class C3 (dwellinghouse) to Class C2 (residential institution) to allow use of the property as a children's home.

Key designations:

Areas of Archaeological Significance  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 22

### **Update**

The application was previously recommended for approval but was deferred at planning sub committee No.4 on 11th August 2016, to seek the submission of a travel plan, confirmation that the home would not accept children from a violent or drug related background, details of how such a confirmation could be secured in planning terms and further information regarding the hours of operation and staff comings and goings. Following this deferral, further information has been received from Acorn Homes (the applicant) and officers have reconsulted Councils highways officers and children's services, in addition to the Metropolitan Police. The additional information can be summarised below.

In regards to a request for a travel plan, the information received from Acorn Homes relates to a staff rota which states that they aim to have a maximum of three staff on shift at any time resulting in a culmination of two staff cars being on site. In the accompanying supporting statement, Acorn Homes states that they will have two company cars to transport children which will not be present at the house for the majority of the week due to young people being at school or out on activities at the weekend. They also state that during school holidays, children will often go on vacation or return to their homes, resulting in quieter period than if a family of four lived in the property. They further state that all of the children are expected to be in bed by 10.30pm at the latest and what they are proposing is no different to a family of four residing at the property.

Council's highways officers were reconsulted on the additional information and their view remains the same that the property can accommodate 4 parking spaces,

and this would no different to a large family residing in a 5 bedroom property. They comment that the young people will go to school much the same as other household and the staff are reduced as they are not required. There are four car parking spaces and the applicant has confirmed that the number of cars will not exceed four. Further, Council's highways officers confirm that there is no requirement for a detailed travel plan as this is a very small development and there would be minor intensification traffic wise.

In regard to the types of children residing at the property, Acorn Homes have confirmed that they will not give residence to any young people who come from a background of gangs. In their letter of support they state that Bromley has numerous young people who are already involved in gangs locally as it stands so this would not be conducive to the development of young people in care. They agree to not accept gang members or those convicted of drug use or dealing and will not accept any young person with a conviction of GBH or ABH. However, there is no mechanism within the planning legislation that would be able to enforce this.

In discussions with Council's children's services they have confirmed that there is a need for more children's homes in Bromley for the age group 13 - 18 years. The Metropolitan Police were also consulted but provide no comments as the size of the development is less than ten residential units.

If Councillors are minded to approve the application, they may consider a personal permission related to the Managing Director, David Knowles at Acorn Homes, so that if they move from the site, the property would revert back to a single family dwellinghouse. In addition, Councillors could consider a time limit condition, which could be renewed if there are no issues. However the applicant has indicated in writing that this would not be acceptable to them due to the nature of the business as it could be potentially very unsettling for the children that would be living there and would be unfair to take this risk as a care company.

Following the deferral at committee a letter has been received from a local resident which supports the proposal to provide vulnerable young people with a safe and secure environment, thus giving them a better future.

An additional letter of objection was also received which fully supports the submission made to the committee on 11th August by a local resident including issues such as serious parking and traffic congestion caused by staff, managers, visiting therapists and regular deliveries. Reference is also made to a council refusal in 2003 for two semi-detached houses on the grounds that such a development 'would lead to conditions prejudicial to the free flow and general safety of traffic along that road where access should be kept to a minimum in the interests of pedestrian and vehicular safety.

The above additional information and representation letters have been carefully considered by officers, however the recommendation of approval subject to conditions remains the same for the same reasons as outlined in the main report repeated below.



## **Proposal**

Change of use from Class C3 (dwellinghouse) to Class C2 (residential institution) to allow use of the property as a children's home.

The home that is proposed is for abused children or young people who have learning difficulties. Acorn Homes do not accept children who come from a background of gangs, violence or drugs. There will be up to four children, aged between 8 and 16, with two to three members of staff on shift when all children are at home.

No external works are proposed to the existing property.

## **Location**

Detached four bedroom dwellinghouse on the corner of Fox Lane and Heritage Hill. The property has an existing two storey side/rear extension and a detached garage to the rear.

The property is surrounded by residential properties with green belt to the north of the site.

## **Consultations**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- Dangerous steep hill and a number of hazardous blind spots
- Logistical problems of transporting children
- Anti social behaviour
- Existing limited parking
- Fox lane frequently used at high speeds - dangerous for children
- There are no parks, playgrounds or sports facilities near the development and no real amenities
- Limited garden area
- No walkways on Fox Lane
- Overcrowding school in Keston
- Noise and disturbance
- This business is not suited to a residential area

It should be noted that the above is a précis of the main themes of objection which have been repeated in different objectors comments. The full text of all representations received is available to view on the file.

Highways: There is a double garage and hardstanding to park more cars - no objection subject to conditions

## **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan

BE1 Design of New Development

C6 Residential proposals for people with particular accommodation requirements

T3 Parking

No relevant planning history

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

### Principle of change of use

Policy C5 states that the Council will permit proposals meeting the requirements of vulnerable groups except where it can be demonstrated that such development would have a significant adverse effect on residential amenity.

The children's home proposed is for abused children at risk of sexual exploitation. Acorn Homes do not accept children who come from a background of gangs, violence or drugs. There will be up to four children, aged between 8 and 16, with two to three members of staff on shift when all children are at home. Children will be at a local school Monday to Friday, therefore only two members of staff will be on site during the day. It is common for children to go home at the weekend and, Acorn Homes is a sports and activities based organisation, who believe it is vital to take children out of the home and keep them active.

The applicant's agent has stated that they will be looking to employ nine people from the local community. This will consist of a Registered Manager, a Deputy Manager, two Team Leaders and five Support Workers. The role of the staff team is to ensure the children have the best possible upbringing and lead them in to semi-independence. All staff are given a vast variety of training to allow them to understand and help the young people in all ways possible. One company vehicle will be purchased that would be used to take the children to activities and school. Staff are encouraged to use public transport as much as possible, but there will only be 3 or 4 cars parked on site at any one time. The only exception to this would be if there was an important meeting at the house, where visitors would park on the road for a short period of time.

This subject site was chosen from due to its size and location within an established residential neighbourhood. It is a rural out of town environment which gives options for therapy, and a chance to break cycles of behaviour. The house is considered to meet the core aims of the applicants requirements in relation to the type of building considered suitable i.e. a large domestic style home and was also considered suitable as no structural alterations are required to accommodate this use.

The physical characteristics of the property will not change and therefore it would retain the capability of use as a dwelling in the future.

The site is located within a residential area, characterised by family housing. The proposed use is therefore considered appropriate in this location.

#### Impact upon character and appearance of the street scene

No external changes are proposed to the property and therefore there would be no impact upon the character and appearance of the street scene or the adjacent green belt.

#### Impact upon neighbouring amenities

No works are proposed to the existing building and there will therefore be no issues with regards to loss of privacy, outlook or sunlight/daylight to the neighbouring properties. A number of the objections received, relate to noise and disturbance. In many ways the proposed use is not significantly different from a relatively large family living in the house and this is considered entirely appropriate in a residential area such as this. There will be at least two trained carers on the premises. It is therefore not anticipated that the level of activity albeit four young people, would result in unacceptable noise or general disturbance to the neighbourhood. It is considered appropriate to limit the use to that described in the application and the number of children to a maximum of four. This can be controlled by a planning condition. The site is located within a residential area which is characterised by family housing and it is not considered that four children will cause undue noise and disturbance to the existing residents.

#### Highways and parking

The property has a double garage and additional hardstanding in front, to the rear of the property. This is considered adequate and Council's highways officer raises no objection.

The agent has confirmed that there will only be three to four cars parked onsite at any one time as this meets the normal expected traffic use and access faced by other large properties. The site has good access and visibility and the number of vehicle movements will be low and unlikely to lead to any more potential disturbance than if the property were occupied by a large family.

#### Conclusion

The proposed use as a children's home is considered appropriate in a residential area and there are adequate amenities nearby for occupants. The use is not expected to harm the amenity of neighbours by unacceptable noise and disturbance nor will it generate excessive or hazardous traffic movements. The proposal therefore complies with Policies BE1, C6 and T3 of the UDP.

Having had regard to the above, members may consider that the proposed use would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area or the adjacent green belt.

## **RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**Reason: Section 91, Town and Country Planning Act 1990.**

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

**In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of adjacent properties**

- 3 The premises shall be used for a children's home ; and for no other purpose (including any other purpose in Class C2; of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification**

**Reason: In order that the Council may consider any other changes to the use, given the property's location and in the interests of the residential amenities of the locality.**

- 4 No more than four children may be accommodated at the property at any one time.**

**Reason: In order to comply with the terms of the application and to prevent an over intensive use of the site in the interests of the residential amenities of the locality.**

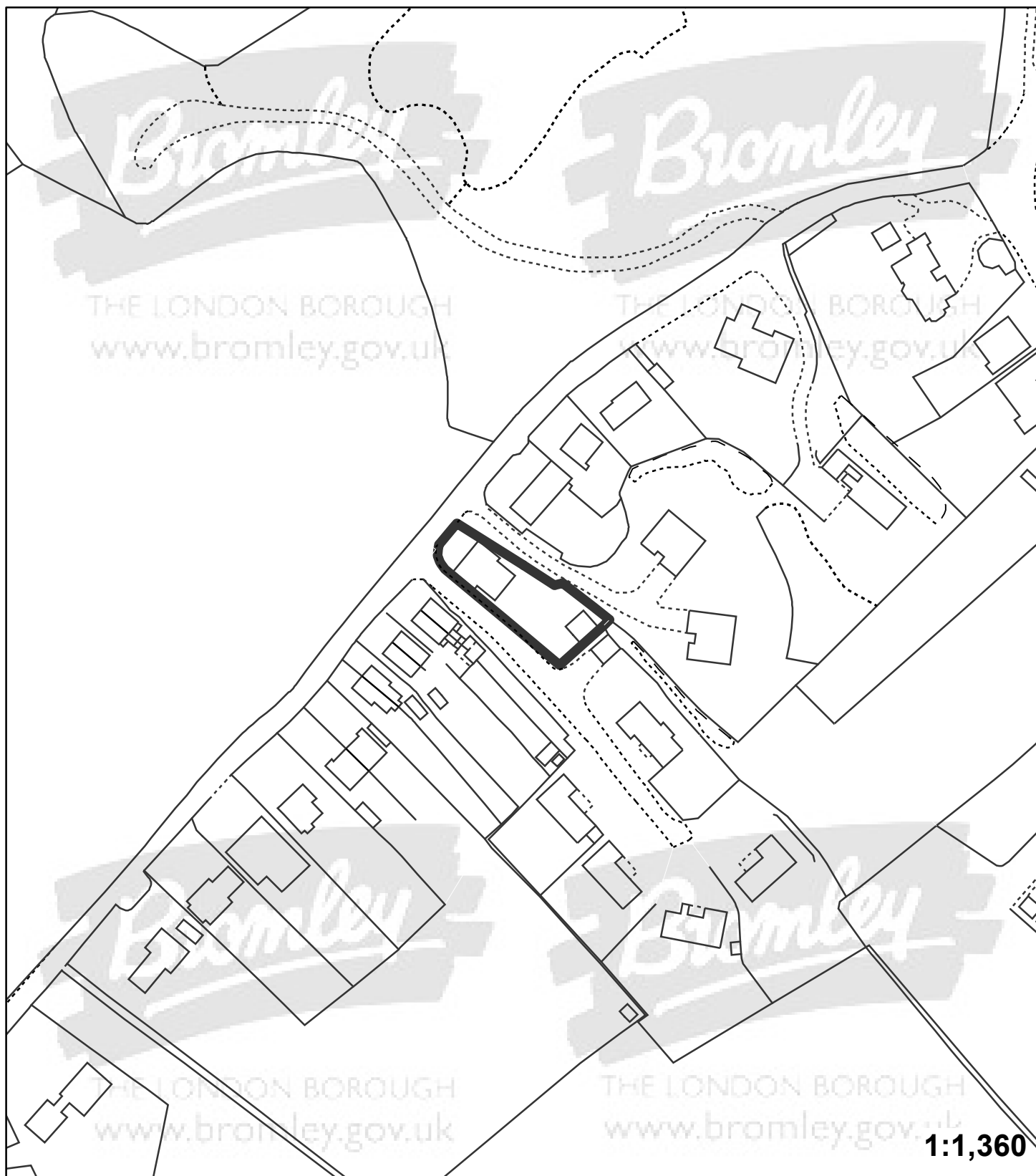
- 5 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.**

**Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.**

**Application:**16/02352/FULL1

**Address:** 29 Fox Lane Keston BR2 6AL

**Proposal:** Change of use from Class C3 (dwellinghouse) to Class C2 (residential institution) to allow use of the property as a childrens home.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/02838/FULL6

**Ward:**  
**Petts Wood And Knoll**

**Address :** 27 West Way, Petts Wood, Orpington  
BR5 1LN

**OS Grid Ref:** E: 544700 N: 167659

**Applicant :** Mr Cristian McDermott

**Objections :** YES

### **Description of Development:**

Single storey side extension.

Key designations:

Area of Special Residential Character  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 4

### **Proposal**

The proposal seeks planning permission for a single storey side extension that will be sited to the side of the house behind the previously permitted garage structure, which has not been completed. The extension will have a length of 4.9m, linking to the detached garage at the rear of the property. The extension will have a width of 2.8m and will be sited adjoining the flank boundary of the site. The roof will be flat with a height of 3.0m.

### **Location**

The property is located on the northern side of West Way. The site currently comprises a semi-detached two storey dwelling. The area is characterised by similar semi-detached houses set within relatively spacious plots. The area is characterised by generous side space between buildings and the area falls within the Petts Wood Area Of Special Residential Character.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations were received.

The Petts Wood & District Residents' Association has raised objection on the following grounds:

- Detrimental impact on the character and appearance of the Petts Wood Area of Special Residential Character (ASRC) - precedent would be set for

further similar side extensions that would impact on the character of the area, against the views of the Inspector.

- Spaces between dwellings would be reduced, altering the character of West Way and would be contrary to UDP policies that seek to preserve the gaps between buildings and prevent the erosion of the spaciousness of the area.

## **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development  
H8 Residential Extensions  
H10 Areas of Special Residential Character

## **Planning History**

Planning permission was refused under ref. 11/03348 for a part one/two storey side and rear extension. The refusal grounds were as follows:

'The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two storey development in the absence of which the extension would constitute a cramped form of development, out of character with the street scene and the Area of Special Residential Character, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies H9 and H10 of the Unitary Development Plan.

The proposed extension, by reason of its excessive bulk and scale, would result in a detrimental impact on the character and appearance of the Petts Wood Area of Special Residential Character, contrary to Policies BE1 and H10 of the Unitary Development Plan.'

The proposal was subsequently dismissed on appeal. The Inspector states:

'No 27 is a 2 storey semi-detached dwelling within Petts Wood Area of Special Residential Character, as defined by the adopted Bromley Unitary Development Plan (UDP). West Way contains other detached and semi-detached dwellings of varying styles. I saw when I visited the site that those on the opposite side of the road to the appeal side are designed in a slightly different manner and are positioned closer together than most of the dwellings on this side of West Way. On this side of the road the semi-detached dwellings, similar to No 27, have double driveway widths between them. This uniform rhythm of development and the space between the dwellings is an important part of the character and appearance of the street scene here.

The proposed garage would be built close to the side boundary and although the first floor side extension would be set off the boundary it would



still be close, at 1.5m. While, it would accord with UDP policy H9 in so far as it seeks to ensure that 2 storey extensions are positioned a minimum of 1m from the side boundary of the site, the large extension would result in an erosion of the rhythm of development here and in particular the space between the dwellings. As such, it would conflict with UDP policy H10 which seeks to protect the established character and appearance of Areas of Special Residential Character, such as this.

I am aware that some other dwellings in the surrounding area have been extended in a similar manner. Nevertheless, I have dealt with this case on its own merits and on the basis of the character and appearance of the dwellings nearby and on the same side of the road, since this is the context that the proposal would be seen within.

Given the orientation of the dwelling and its relationship to other dwellings nearby I am not convinced that the proposal would have a detrimental effect on local living conditions. However, this lack of harm is greatly outweighed by my findings in relation to the main issue.'

Planning permission was refused under ref. 12/02038 for a part one/two storey front/side and rear extension. The refusal grounds were as follows:

'The proposed extension, by reason of its design and siting, would erode the space between the buildings and would result in a detrimental impact on the character, rhythm and spatial standards of the street scene and this part of the Petts Wood Area of Special Residential Character, contrary to Policies BE1, H9 and H10 of the Unitary Development Plan.'

This application was also subsequently dismissed on appeal, with the Inspector raising similar concerns.

Planning permission was refused under ref. 13/02272 for a single storey front/side and rear and first floor rear extension, roof alterations to incorporate rear dormer extension. The refusal grounds were as follows:

'The proposed extension, by reason of its design and siting, would erode the space between the buildings and would result in a detrimental impact on the character, rhythm and spatial standards of the street scene and this part of the Petts Wood Area of Special Residential Character, contrary to Policies BE1, H9 and H10 of the Unitary Development Plan.'

The application was subsequently part allowed and part dismissed on appeal. The Inspector rejected the ground floor side section of the proposal and stated:

'The proposal seeks, in part, to construct a single storey flat roof side extension incorporating a garage, which would project beyond the main front elevation of the house, to a point broadly in line with the protruding bay windows to the front of the property. The single storey height of the proposed side extension would maintain the gap between properties at first floor level. However its prominent forward projection would, when viewed

from the street, emphasise the intrusion into the characteristic gap between dwellings, which would not have been the case had the front of the garage been aligned with the main façade, in the location of the existing wooden gates.

Moreover, the forward projection beyond the main building line to the side of the property would appear as an incongruous feature in its own right, projecting beyond the broadly uniform main facade where, characteristically, protrusions are limited to bay windows. As a result, I consider that the projecting garage would cause unacceptable harm to the character and appearance of the street scene and the ASRC.

Since the garage is an integral part of the design of the ground floor extension, I am unable to sever it from the rest of the proposal so as to enable me to grant a split decision excluding the garage. Consequently, I must conclude that the whole of the proposed single storey side extension is contrary to Policies BE1 and H10 of the Council's Unitary Development Plan, which seek that development in ASRCs respect or complement the established and individual qualities of the individual areas and that development should not detract from the street scene.'

Planning permission was refused under ref. 14/00698 for single storey side extension incorporating a garage to the front of the property. The refusal grounds were as follows:

'The proposed extension, by reason of its design and siting, would erode the space between the buildings and would result in a detrimental impact on the character, rhythm and spatial standards of the street scene and this part of the Petts Wood Area of Special Residential Character, contrary to Policies BE1, H8 and H10 of the Unitary Development Plan.'

This application was also subsequently dismissed on appeal. The Inspector states:

'I consider that the introduction of a solid and higher structure to the side of the building would result in an anomalous and incongruent feature. It would noticeably reduce the gap in this location and in turn unacceptably erode the strong pattern of development and sense of rhythm on this side of the street.

I conclude therefore that the proposal would be discernibly out of keeping with neighbouring development and it would fail to respect a gap that forms an important feature that contributes to the street's appearance and the character of the Petts Wood ASRC. Consequently the proposed development would unacceptably harm the character and appearance of the area, contrary to the design intent of UDP Policies BE1, H8 and H10.'

A Certificate of Lawfulness application was granted under ref. 15/00817 for a single storey side extension.

## Conclusions

The main issues relating to the application are the effect that it would have on the character of the Area of Special Residential Character (ASRC) and the impact that it would have on the amenities of the occupants of surrounding residential properties.

There is a lengthy planning history at the site including applications for two storey side extensions that have presented issues of adequate side space and the impact on the character of the ASRC. Following consents for the roof alterations and first floor extension, it was subsequently considered that a full-length single storey side extension at the property would close the gap between the dwellings and introduce an incongruous garage feature to the street scene, impacting harmfully on the spatial standards of the ASRC.

Under ref. 15/00817, a Certificate of Lawfulness application was granted for a single storey side extension to incorporate a garage towards the front of the house. This extension has not been constructed and therefore the original space to the side of the house remains.

It is considered that the certified garage, by occupying the space to the side of the building, would alter the sense of space between the buildings had it been constructed. As it has not, a planning application for the provision of an extension to side of the house would reintroduce the issue of the closing of this gap between the houses and would therefore require specific consideration in light of the Inspector's previous concerns regarding the spatial standards of the ASRC.

The proposed side extension will be sited a significant distance back from the building line and would not be prominently sited or excessive in bulk and height. The proposal would therefore differ significantly from that previously refused. It is considered that the modest nature of the proposal, along with the more sympathetic siting, would not erode the sense of space between Nos. 27 and 29 and would not create a harmful impact on the street scene and special characteristics of the ASRC.

In terms of the impact on the amenities of neighbouring residential properties, the erection of a structure a ground floor level at this part of the site has never been objected to either by the Council or the Inspector. It is considered that the low flat roof would continue to respect the amenities of No. 29, and provides a separation from the flank facing windows of this neighbouring house.

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a detrimental impact on the character and appearance of the Area of Special Residential Character and would not impact harmfully on the amenities of neighbouring residential properties. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 14/00698, 15/00817 and 16/02838 set out in the Planning History section above, excluding exempt information.

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**Reason: Section 91, Town and Country Planning Act 1990.**

- 2 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.**

**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.**

- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.**

- 4 The flat roof area of the single storey side extension shall not be used as a balcony or sitting out area and there shall be no access to the roof area.**

**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.**

**You are further informed that :**

- 1 The applicant is advised that, in order to benefit from the certified side garage granted a Certificate of Lawfulness under ref. 15/00817, both the development hereby permitted and the certified garage will need to be constructed as separate building operations. The construction of both developments under a single building operation would void both the permission hereby granted and the Certificate of Lawfulness previously granted.**

**Application:**16/02838/FULL6

**Address:** 27 West Way Petts Wood Orpington BR5 1LN

**Proposal:** Single storey side extension.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/02901/RECON

**Ward:**  
Chelsfield And Pratts  
Bottom

**Address :** Lilly's Farm, Chelsfield Lane, Orpington  
BR6 6NN

**OS Grid Ref:** E: 548176 N: 164335

**Applicant :** Mr T Pitham

**Objections :** YES

### **Description of Development:**

Variation of Condition 11 of planning permission 15/01024 (allowed at appeal) concerning accordance with the approved plans to enable the construction of basements beneath the permitted dwellings

Key designations:

Conservation Area: Chelsfield  
Areas of Archeological Significance  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding

### **Proposal**

Under reference 15/02024/FULL1 permission was granted at appeal for the demolition of all existing commercial buildings on the site and the erection of three detached residential dwellings with associated access road and parking. In effect, this proposal seeks to provide basements to all three dwellings. These basement areas will incorporate a combined floor area of 285.2sq m.

The planning application is accompanied by a supporting letter which sets out planning, heritage and design & access matters concerning the proposal.

The application has been amended since submission with the reduction of the proposed additional cumulative basement floorspace from 456.7sq m to 285.2sq m (by documents received 24.8.16).

### **Location**

The site is located within Chelsfield village within the Chelsfield Village Conservation Area. The village forms a rural settlement entirely within the Green Belt.

The site is bounded to the north by open Green Belt land. To the west is a large detached residential property known as Lilly's. To the east of the site lies Rosewood Farm a residential property which has two large detached outbuildings

to the rear, understood to be used for purposes ancillary to the residential use. To the south is Chelsfield Lane and the current vehicular and pedestrian access to the site joins Chelsfield Lane close to its junction with Warren Road.

## **Consultations**

### Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- total floor area of the proposed buildings exceeds that of the existing structures
- increase in floor area undermined basis on which appeal was granted for 2015 scheme for a reduction in the amount of development within the site
- no justification for this proposal
- local planning policy seeks to avoid a material net increase of more than 10% in relation to dwellinghouses in the Green Belt
- details of the proposed basements are unclear
- concerns relating to construction noise and traffic associated with the proposal
- need to take account of Party Wall Act
- construction method statement should be provided if permission is granted
- local environmental considerations should be taken into account, including the surrounding trees and natural habitats
- concern as to whether excavation work will undermine ebb and flow of water in the vicinity

Since the time that the above comments were received, the proposal has been amended to include smaller basement areas for each of the three houses.

### Comments from Consultees

The Council's Drainage consultant has raised no objection.

From an Environmental Health perspective, a contamination assessment should be undertaken.

From a technical Highways perspective, no objections have been raised.

## **Planning Considerations**

The application falls to be considered with regard to the following UDP policies:

- H1 Housing
- H7 Housing density and design
- T3 Parking
- G1 The Green Belt
- T11 New accesses
- T18 Road Safety
- EMP5 Development outside business areas
- BE1 Design
- BE3 Buildings in rural areas



NE5 Protected Species  
NE7 Development and trees

The Supplementary Guidance for the Chelsfield Village Conservation Area is also a relevant consideration.

London Plan 2015

3.3 Increasing Housing Supply  
3.4 Optimising Housing Potential  
3.5 Quality and Design of Housing Developments  
3.8 Housing Choice  
3.9 Mixed and Balanced Communities  
5.12 Flood Risk Management  
5.13 Sustainable Drainage  
5.14 Water quality and wastewater Infrastructure  
5.15 Water use and supplies  
5.21 Contaminated land  
6.13 Parking  
7.1 Lifetime Neighbourhoods  
7.2 An Inclusive Environment  
7.3 Designing Out Crime  
7.4 Local Character  
7.5 Public Realm  
7.6 Architecture  
7.8 Heritage assets and archaeology  
7.16 The Green Belt

Housing: Supplementary Planning Guidance. (March 2016)

National Planning Policy Framework

Paragraph 80, 89 and 90 of the NPPF are relevant to this application and relate to the Green Belt.

Technical housing standards - Nationally Described Space Standard (March 2015)

### **Planning History**

The site has an extensive planning history related to the current commercial use. There have been attempts to secure planning permission for residential development at the site before.

Under reference 83/02578 permission was refused by the Council for an outline proposal for a detached bungalow and garage as the site was located in the Green Belt, an Area of Great Landscape Value and the Cray Valley Area of Special Character and no very special circumstances had been provided to warrant an exception to the policies for such areas.

In 1984, under reference 84/02587, a planning permission for a detached three bedroom house with garage was refused for similar reasons as the 1983 proposal, and dismissed at appeal, as the case for an agricultural dwelling had not been suitably demonstrated and the residential development was inappropriate.

The storage building to the NE corner of the site was originally constructed under an agricultural notification but was never used for agricultural purposes. This was the subject of an appeal decision dated 24.06.1992, following an enforcement notice issued by the Council. The Planning Inspector considered that the non-agricultural uses of the building were inappropriate in the Green Belt and harmful to the Conservation Area. The building itself has remained in place.

In 2003 application 03/01398 was refused for outline permission for a detached dwelling on the basis that the proposal was inappropriate development and no very special circumstances had been demonstrated, and that the proposal would harm the Area of Special Landscape Character within which the site was then located.

Under ref. 11/03108 planning permission was refused in respect of the existing commercial buildings and the erection of 4 x four bed, 1 x five bed and 1 x six bed detached residential dwellings with associated vehicular access and parking, and formation of community car parking area and village pond. This was refused for the following reasons:

- (1) that the proposal constituted inappropriate development in the Green Belt and no very special circumstances had been demonstrated to warrant the setting aside of normal policy considerations;
- (2) the proposal by reason of its density, size and siting would result in unacceptable visual impact and harm to the openness of the Green Belt;
- (3) the proposal would, by reason of its density, size and siting, fail to preserve or enhance the character and appearance of the Chelsfield Village Conservation Area.

#### 2012 application: 12/02558

Under this scheme (which was accompanied by a corresponding application for Conservation Area Consent for the demolition of the existing buildings, ref. 12/02559), an application involving the demolition of existing commercial buildings and the erection of 5 x 4 bed residential dwellings with associated vehicular access and parking, and formation of community car parking area was refused, in August 2012. The application submission included an explanation about the current business, and its needs to relocate to a more accessible location in order to remain viable. The application was refused on the following grounds:

1. "The proposal constitutes inappropriate development in the Green Belt and no very special circumstances have been demonstrated to warrant the setting aside of normal policy considerations, contrary to Policy G1 of the Unitary Development Plan and the National Planning Policy Framework 2012."
2. "The proposed development by reason of its density, size and siting would result in unacceptable visual impact and harm to the openness of the Green Belt,

therefore contrary to Policy G1 of the Unitary Development Plan and the National Planning Policy Framework 2012."

3. "The proposed development would, by reason of its density, size and siting, fail to preserve or enhance the character and appearance of the Chelsfield Village Conservation Area, contrary to Policies BE1, BE3 and BE11 of the Unitary Development Plan and the Chelsfield Village Conservation Area Supplementary Planning Guidance."

A subsequent appeal was dismissed in September 2013. Key findings of the Appeal Decision are listed as follows:

"The existing built development is focused towards the rear of the site, but in comparison, the proposed scheme would extend and spread largely two-storey built development across a much greater extent of the site. There would be some gain in openness towards the very rear of the site, with the removal of the single storey warehouse commercial building, and replacement with the rear garden to the house on Plot 5... Across the main part of the site, and notwithstanding the reduction in the area of hardstanding used for car parking, I consider that there would be a significant increase in both the overall spread and massing of mainly two storey built development in the layout and form of the houses proposed, together with their driveways and ancillary development. The proposed village car park on the very front part of the site, bounding onto Chelsfield Road, would introduce a more formal hard surfaced layout compared with the existing position." (Para 7)

The Inspector concluded (in Para 9) that, overall, the proposal would have a materially greater impact on the openness of the Green Belt and the purpose of including land in it than the existing development. This would constitute inappropriate development in terms of the NPPF.

In regard to the Chelsfield Village Conservation Area, the Inspector commented and considered that this would detract from the more open and sporadic form of development which is characteristic of this part of the village.

The Inspector welcomed the introduction of a landscaped area with a village pond along part of the Chelsfield Lane frontage, but considered that this benefit would be reduced by the area of hard standing for a new village car park which would be situated toward the front of the site. Overall, the Inspector did not consider that the development would preserve the character and appearance of the Chelsfield Village Conservation Area.

The Inspector did not raise a specific objection in respect of the loss of the business site, although she noted that whilst "references in some of the representations [allude] to the busy nature of the site and large commercial vehicles entering the site, there is no direct evidence... to indicate that the existing commercial activities have a harmful effect on the living conditions of adjoining residents." She therefore afforded this matter "very limited weight in support of the proposal."

2015 application: 15/01024

Under this scheme, planning permission was sought for the change of use and demolition of existing commercial buildings and erection of 3 x four-bedroom houses, garage for plot 3, associated access road and parking. This scheme incorporated a total floor area of 1135.89sq m: this amounting to a reduction in the built floor area of 286.4sqm. There was a proportionate decrease in the volume from 5378.9cu m to 4130.5cu m (amounting to a total reduction of 1248.4cu m). This application was refused by the Council in August 2015 on the following grounds:

"The proposed development would, by reason of its size and siting, fail to preserve or enhance the character and appearance of the Chelsfield Village Conservation Area, contrary to Policies BE1, BE3 and BE11 of the Unitary Development Plan, the Chelsfield Village Conservation Area Supplementary Planning Guidance, and the National Planning Policy Framework 2012."

"The proposed development constitutes inappropriate development and by reason of its size siting and would result in unacceptable visual impact and harm to the openness of the Green Belt, therefore contrary to Policy G1 of the Unitary Development Plan and the National Planning Policy Framework 2012."

A subsequent appeal was allowed in April 2016, the Planning Inspector concluding that the development site comprised previously developed land wherein the provision of housing would be acceptable in principle. The Inspector noted that, cumulatively, the proposed new buildings would have a significantly smaller volume and footprint than the existing range of buildings which the appellant would demolish. There would also be a significant reduction in the area of land occupied by the mass of building towards the back of the appeal site. This would not result in encroachment into the countryside. The Inspector concluded that the proposed development would not be inappropriate development in the Green Belt as defined by the NPPF. In addition, the Inspector did not find fault with the development in terms of its impact on the character and appearance of the Conservation Area.

## **Conclusions**

The main issues for consideration are: the appropriateness of this development in the Green Belt, including its impact on the openness of the Green Belt and the purpose of including land within it; and whether, if the development is inappropriate in the Green Belt, the harm by reason of inappropriateness or any other harm, would be outweighed by other considerations so as to amount to very special circumstances.

As outlined above, the site is the subject of a detailed planning history. Whilst the Council previously refused for the redevelopment of the site for residential use, following the Appeal Decision of April 2016 the principle of residential development at the site has now been accepted. This proposal seeks to enlarge the overall floor area of the permitted houses by incorporating a basement area for each of the three houses. In this case, the proposal will result in a similar total floor area to the

existing development occupying the site. The resulting floor area will be 1421.09sq m.

Members will need to carefully consider whether they agree that the proposal constitutes appropriate development in the Green Belt, as there would now no longer be a substantial decrease in built development compared to the previous scheme granted at appeal. The Inspector placed considerable weight on the overall reduction in floorspace in deciding that the previous proposal was appropriate and did not conflict with the purposes of including land within the Green Belt. The application was considered to meet the test of appropriateness in bullet point 6 of paragraph 89 of the NPPF *"complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."*

The Inspector stated: *"Cumulatively, the proposed new buildings would have a significantly smaller volume and footprint than the existing range of buildings which the appellant proposes to demolish. Whilst the three dwellings would attract normal domestic outdoor paraphernalia, such as garden equipment, overall the proposed development would result in an increase in the openness of the Green Belt. Although one of the three proposed dwellings would be built on land which is currently used as car park and which has a generally open appearance, the site is situated within the built boundary of the village and there would be significant reduction in the area of land occupied by the mass of building towards the back of the appeal site. Overall, the development would not result in encroachment into the countryside and it would not be contrary to any of the five purposes of the Green Belt identified in Framework paragraph 80."*

Although the additional built development would be in the form of basement accommodation, this would still impact on openness despite the obvious lack of visual impact, and it would intensify the proposed residential uses. The benefit of the reduction in overall built development identified previously is now reduced and Members will wish to carefully consider whether the proposal still complies with bullet point 6 of paragraph 89 of the NPPF.

On balance it is considered that although the floor area of proposed development would now be almost the same as that existing, the reduction in the area of land towards the rear of the site occupied by buildings identified by the Inspector would still mean that there would be a marginal benefit to openness as a result of the proposal and permission is recommended.

In order for the Council to assess any future proposals for additions and alterations to the proposed houses, and to avoid excessive enlargements of the dwellings at a later date, a condition restricting permitted development rights is suggested for inclusion in the interest of safeguarding the character and openness of the Green Belt. This condition is justified on the basis of the enlarged floor area - amounting to an additional 285.2sq m - which is now sought and which will result in a more intensive form of residential development at the site, albeit that the proposed enlargements are proposed at basement level. The 2015 scheme was allowed at

appeal partly on the basis that this would result in a significant reduction in the existing floor area, whereas this proposal seeks to restore the original floor area. Accordingly, any further potential additions should be subject to planning control.

Please note that although this application relates to the variation of condition 11 all conditions previously imposed by the Inspector need to be included in this permission due to the variation of the plans condition.

Background papers referred to during production of this report comprise all correspondence on the file refs set out in the Planning History section above, excluding exempt information.

**as amended by documents received on 24.08.2016**

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than 4th April 2019.**

**REASON: Section 91, Town and Country Planning Act 1990.**

- 2 No development shall commence until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include: means of enclosure and retaining structures; boundary treatments; materials of paved areas, vehicle parking and turning layouts and other hard surfaces.**

**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.**

- 3 The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied or in accordance with the agreed implementation programme and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.**

**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.**

- 4 No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the**

arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837:2012 Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.

**Reason:** In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained on the site are adequately protected.

- 5** Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

- 6** No development shall commence until details of the arrangements for the storage of refuse and recyclable materials, including means of enclosure, shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

- 7** No building hereby permitted shall be occupied until foul and surface drainage works shall have been implemented in accordance with details that shall first have been submitted to and approved in writing by the local planning authority. Before any details are submitted to the local planning authority an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system, having regard to Defra's non-statutory technical standards for sustainable drainage systems (or any subsequent version), and the results of the assessment shall have been provided to the local planning authority. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii) include a timetable for its implementation; and,

iii)provide, a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

**REASON:** To ensure satisfactory implementation of the foul and surface drainage proposals and to accord with Policy 5.13 of the London Plan.

- 8 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

**Reason:**In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 9 No development shall commence until an assessment of the risks posed by any contamination shall have been submitted to and approved in writing by the local planning authority. This assessment must be undertaken by a suitably qualified contaminated land practitioner, in accordance with British Standard BS 10175:2011+A1:2013 Investigation of potentially contaminated sites - Code of Practice and the Environment Agency's Model Procedures for the Management of Land Contamination (CLR 11) (or equivalent British Standard and Model Procedures if replaced), and shall assess any contamination on the site, whether or not it originates on the site.

**REASON:** To reduce the impact of flooding both to and from the proposed development and third and to accord with Policy 5.13 of the London Plan.

- 10 No development shall take place where (following the risk assessment) land affected by contamination is found which poses risks identified as unacceptable in the risk assessment, until a detailed remediation scheme shall have been submitted to and approved in writing by the local planning authority. The scheme shall include an appraisal of remediation options, identification of the preferred option(s), the proposed remediation objectives and remediation criteria, and a description and programme of the works to be undertaken including the verification plan. The remediation scheme shall be sufficiently detailed and thorough to ensure that upon completion the site will not qualify as contaminated land under Part IIA of the Environmental Protection Act 1990 in relation to its intended use. The approved remediation scheme shall be carried out and upon completion a verification report by a suitably qualified contaminated land practitioner shall be submitted to and approved



**in writing by the local planning authority before any part of the development is occupied.**

**Reason:**In order to comply with Policy ER7 of the Unitary Development Plan and to prevent harm to human health and pollution of the environment.

**11** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

**Reason:**In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

**12** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 2015 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

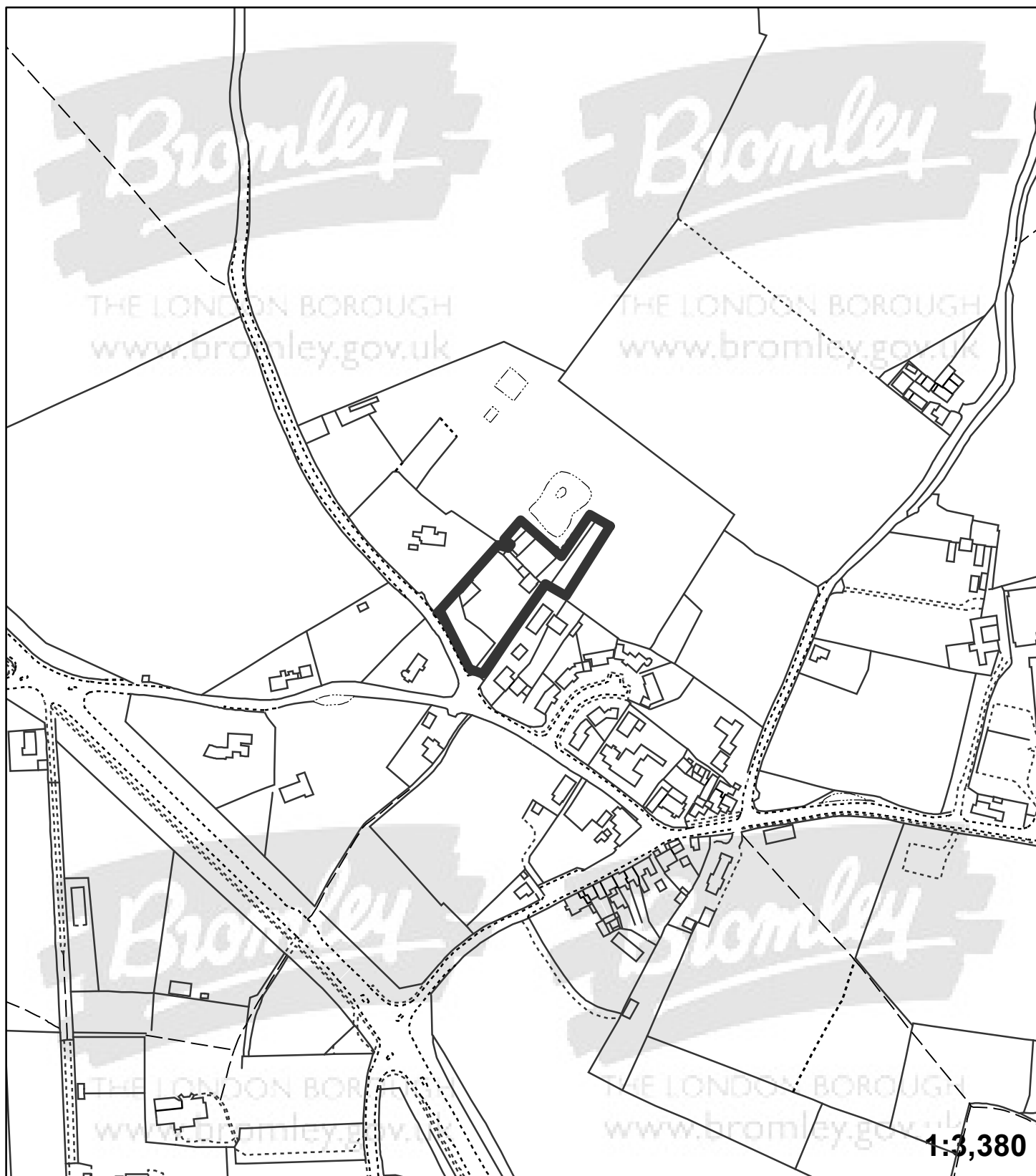
**REASON:** In the interest of the visual amenity and openness of the Green Belt and to accord with Policies G1 and BE1 of the Unitary Development Plan and Section 9 of the National Planning Policy Framework.

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**Application:**16/02901/RECON

**Address:** Lilly's Farm Chelsfield Lane Orpington BR6 6NN

**Proposal:** Variation of Condition 11 of planning permission 15/01024 (allowed at appeal) concerning accordance with the approved plans to enable the construction of basements beneath the permitted dwellings



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/03000/FULL1

**Ward:**  
**Bickley**

**Address :** 6 Beaconsfield Road, Bickley, Bromley  
BR1 2BP

**OS Grid Ref:** E: 541959 N: 168663

**Applicant :** Mr C Allen

**Objections :** YES

### **Description of Development:**

Demolition of existing building and erection of 3 two storey three bedroom terraced houses with accommodation in roof space and associated car parking, cycle and refuse stores and landscaping.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 12  
Smoke Control SCA 13

### **Proposal**

Permission is sought for the demolition of Nos.6 and 6A Beaconsfield Road and the erection of 3 two storey three bedroom terraced dwellings with accommodation in the roof space and rear dormers. Three vehicle accesses onto Beaconsfield Road would be provided with car parking for each house to the front of the building. Refuse storage and cycle storage areas will be provided, with refuse collection areas at the front of the site.

The footprint of the building will measure 14.8m in width and 15.m in depth, including a stepped architectural style to reflect the curve of the road and siting of adjacent buildings. The proposed building will have a part-pitched roof with a height of 8.6m, replacing the existing building that has a height of 9.0m.

The application is accompanied by a Tree Survey Report, Planning Statement and a Parking Stress Survey.

Location

This site is located on the northern side of Beaconsfield Road, and is occupied by a detached two storey building which has been divided into two residential dwellings, 6 and 6A. It occupies the south-eastern part of the site whilst the northern and western parts comprise garden areas for the dwellings. The PTAL rating of the site is 2 (poor).

The site is bounded to the east by a similar size detached two storey dwelling at No.4, and to the west by a pair of semi-detached two storey dwellings, Nos.8 and 8A. The rear boundary backs onto the rear gardens of properties in Clarence Court, a row of four terraced properties, beyond which lies the railway line.

The surrounding area contains a mixture of detached and semi-detached dwellings set within modest grounds.

## **Consultations**

### Comments from local residents

Nearby owners/occupiers were notified of the application and representations were received, including from Beaconsfield Road Residents' Association, which can be summarised as follows:

- \* Overdevelopment of the site
- \* Excessive bulk, footprint and scale
- \* Loss of attractive building which forms one of a pair with No.4
- \* New building would not respect the street scene
- \* Proposals would double the width of the built development at the site
- \* Overlooking of neighbouring properties and impact on visual amenities and daylight
- \* Development would be too close to neighbouring properties forming an oppressive and uncomfortable relationship
- \* Excessive hardstanding to front of building
- \* frontage parking would be out of character with the area
- \* Inadequate parking would exacerbate pressure for parking in already congested road
- \* lack of on-site manoeuvring space leading to dangerous reversing onto the highway
- \* Noise and disturbance during construction works
- \* Permission was refused for a development between Nos. 3 and 3a.
- \* Undesirable precedent would be set for similar developments
- \* Development would be out of character with the surrounding area.
- \* Increased pressure on utilities
- \* Plans do not generally overcome previous concerns

### Consultations

Highways - the provision of one car parking space per house is considered to be unsuitable within a low PTAL rating area. 1.5 spaces would be required for each three bedroom unit. A Parking Stress Survey was therefore requested to justify this and subsequently submitted. Following the submission of the survey, further consultation with highways confirms that no objection is raised subject to appropriate conditions.

Drainage - no objections are raised to the proposals in principle.

Waste Services - no comments received.

Environmental Health (Housing) - no comments received.

Tree Officer - no comments received at time of writing the report. Any comments will be reported verbally at the meeting.

Thames Water - no objections raised subject to an informative.

### **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan

BE1 Design of New Development

H1 Housing Supply

H7 Housing Density & Design

H9 Side Space

T3 Parking

T18 Road Safety

NE7 Development and Trees

SPG1 General Design Principles

SPG2 Residential Design Guidance

London Plan Policies:

3.3 Increasing Housing Supply

3.4 Optimising Housing Potential

3.5 Design and Quality of Housing Developments

3.8 Housing Choice

5.1 Climate Change

5.2 Minimising Carbon Dioxide Emissions

5.3 Sustainable Design and Construction

5.13 Sustainable Drainage

6.9 Cycling

6.13 Parking

7.3 Designing Out Crime

7.4 Local Character

7.6 Architecture

The National Planning Policy Framework (NPPF)

The Mayor's Housing Supplementary Planning Guidance (March 2016)

DCLG Technical Housing Standards (March 2015)

## **Planning History**

Planning permission was refused under ref. 16/00240 for demolition of existing building at 6 and 6A Beaconsfield Road, and erection of detached two storey building with accommodation in roof comprising 4 two bedroom flats with associated car parking, cycle and refuse stores and landscaping.

The refusal grounds were as follows:

1 The proposal, as a result of its design, considerable bulk and mass and projection beyond the established front building line, is considered to represent an overdevelopment of the site that would be out of character with the streetscene and result in a diminution of spatial standards that would be harmful to the area, thereby contrary to policies BE1 and H7 of the Unitary Development Plan (2006).

2 The proposed balconies are considered to cause actual and perceived overlooking of the neighbouring properties and will result in a loss of privacy that will be detrimental to the residential amenities of the adjoining properties, contrary to Policy BE1 of the Unitary Development Plan (2006).

3 The proposed development, by virtue of the loss of green amenity space, is considered to adversely impact upon the verdant character of the wider locality contrary to Policy BE1 of the Unitary Development Plan (2006).

## **Conclusions**

The main issues relating to the application are whether the proposals would constitute an over-intensive use of the site, the effect on the character and appearance of the surrounding area and the amenities of the occupants of nearby residential properties, the impact on parking and road safety in the highway and on any important trees on the site. The standard of accommodation provided for future occupants is also a consideration.

Whilst the principle of residential development on this site may be acceptable in this location under Policies H1, H7 and 3.3, the proposal must be assessed against the wider context in terms of the character, spatial standards and townscape value of the surrounding area.

Policy H7 of the UDP allows for the redevelopment of older, lower-density properties, but stresses that such development should be sympathetic to and complement the surrounding residential area. It recognises that many residential areas are characterised by spacious rear gardens and well-separated buildings, and that developments which would undermine this character or would be harmful to residential amenity will be resisted.

With regard to the density of the proposed development, Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan (2015) gives an indicative level for the density for new housing developments. In this instance, the proposal represents a density of 60 dwellings per hectare with the table giving a suggested level of between 35-95 dwellings per hectare in suburban areas with a 2 PTAL



location. The proposals would therefore result in a suitable density of residential development that would be within the thresholds in the London Plan.

Beaconsfield Road is largely characterised by detached and semi-detached dwellings set within modest sized plots, however, the application property has been divided into two residential units, 6 and 6A, and occupies one of the wider plots in the road. The immediate area however has other examples of terraced houses and narrow plot widths such as the dwellings to the immediate north at Clarence Court and the west at 15-19 Beaconsfield Road. The proposed replacement building would have a staggered form which reflects the curve of the road and addresses the current set back of No.8 to the west of the site. The proposed row of terraced houses would be set further back in the plot than the existing building, and would maintain separations of 1.3m to the eastern flank boundary with No.4, and between 1.1-2.7m to the western flank boundary with No.8, in compliance with Policy H9.

The new building would result in built development across most of the width of the site, part of which is currently open, however given that the western dwelling would have a significant setback, the roofs are partially pitched to reduce the bulk of the previous scheme, the roof height will not exceed that of surrounding development, and good separations would be provided to the side boundaries, the proposals are not, on balance, considered to appear overly cramped within the street scene. The roof which height of the building will also be staggered to reflect the topography of the site and surrounding land, with the removal of bulk from the front of the site by pitching the roof results in a structure that reflects the building line and scale of surrounding development. The proposal is therefore not considered to impact detrimentally on the form, character and appearance of the area and accords with Policies BE1 and H7 of the UDP. It is considered that the first ground of refusal under ref. 16/00240 has been addressed.

The previous application refused under ref. 16/00240 was considered unacceptable in that the bulk, footprint and massing was considered excessive on the site. The current scheme reduces the footprint of the building substantially, retaining a larger rear garden area. The bulk has also been substantially reduced by removing the previously proposed gabled roof. A partially pitched roof is now proposed, giving the houses a more modest and appropriate design and appearance in this residential area. The new building would continue to occupy a greater footprint on the site than the existing building, however the scheme will provide rear gardens of between 10m and 12m for all three dwellings. This increase in amenity space, along with an increase in proposed soft landscaping to the front and sides of the development, is considered to address the third ground of refusal under ref. 16/00240. The proposal therefore complies with Policy BE1 of the UDP.

With regard to the impact on neighbouring properties, the proposed building would project to the rear of the adjacent house, No.4, and further rearwards than the existing house, however there would still be reasonable separations between the buildings, and the outlook and light to the adjacent property would not be unduly affected. There are no flank windows proposed that would affect either neighbouring property, and this can be controlled by condition.

The proposed building would be sited considerably closer to the adjacent dwelling at No.8 than the existing building, but it would still retain a generous separation (between 1.1m and 2.7m). Some loss of light and outlook may occur to side windows in the facing flank wall of No. 8, but given the separation distances involved, this would not be to such an extent to warrant a refusal. It is noted that the previous application was refused on the basis of the impact of proposed rear balconies on the amenities of neighbouring properties, which have been removed from the proposal, rather than the relationship between the immediate buildings.

The London Plan suggests that the minimum size of a three bedroom six person three storey house should be 108 sq.m. The submitted plans indicate a floor area of 118sqm for each of the three proposed houses and therefore the dwellings are considered to comply with the requirements of the Technical Space Standards.

With regard to parking/highway matters, the Council's Highway Engineer has confirmed that the proposals are acceptable following the submission of a Parking Stress Survey. In accordance with Policy 6.13 of the London Plan, it is considered that further provision at the site would not be necessary given the proximity to the railway station and the availability of car parking demonstrated to exist in the local highway network. The application is therefore considered to be acceptable from a highway point of view, subject to safeguarding conditions.

With regard to trees, no important specimens would be affected and the Tree Report accompanying the application provides protection measures. No comment has been made by the Council's Tree Officer at the time of writing the report, however any late comments will be reported verbally at the meeting. It is also noted that the previously refused application was not refused on the basis of any impact on trees at the site or on surrounding land.

Whilst the proposal would increase the amount of built development on the plot, it is not considered to have a detrimental impact on the character and spatial standards of the surrounding area, nor impact detrimentally on the amenities of adjoining residents to such an extent to warrant a refusal. It is therefore, on balance, recommended that Members grant planning permission.

## **RECOMMENDATION: PERMISSION**

### **Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**Reason: Section 91, Town and Country Planning Act 1990.**

- 2 Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever**

is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

- 3** Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of visual amenity and the amenities of adjacent properties.

- 4** Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any above ground work is commenced. The works shall be carried out in accordance with the approved details.

**In order** to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

- 5** Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any above ground work is commenced. The windows shall be installed in accordance with the approved details.

**In order** to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 6** No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details

**Reason:** To ensure a satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

**7** Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

**Reason:** In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

**8** No wall, fence or hedge on the front/side boundary or on the first 2.5 metres of the flank boundaries shall exceed 1m in height, and these means of enclosure shall be permanently retained as such.

**Reason:** In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

**9** Before the access hereby permitted is first used by vehicles, it shall be provided with 3.3 x 2.4 x 3.3m visibility splays and there shall be no obstruction to visibility in excess of 1m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

**REASON:** In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

**10** While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

**Reason:** In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

**11** The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

**12** Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

**Reason:** In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

**13** Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and be implemented before the development is first occupied and the lighting shall be permanently retained thereafter.

**Reason:** In order to comply with Policy T3 and Appendix II of the Unitary Development Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

**14** The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details of an enclosure to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such.

**Reason:** In order to comply with Policy T11 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

**15** Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

**Reason:** In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 16 Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of above ground works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

To ensure a satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

- 17 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

In order to comply with Policy BE1 of the Unitary Development Plan and in order to prevent the overdevelopment of the site.

- 18 No windows or doors shall at any time be inserted in the flank elevation(s) of the development hereby permitted, without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 19 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 20 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 21 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be permanently retained thereafter.

To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.

- 22 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.**

**In order to comply with Policy T18 of the Unitary Development Plan and in the interest of highway safety.**

**You are further informed that :**

- 1 This is a summary of the main reasons for this decision as required by law. The application has been determined in accordance with the development plan insofar as it is relevant and taking into account all other material planning considerations, including all the representations received. For further details, please see the application report (if the case was reported to Committee), the Unitary Development Plan and associated documents or write to Chief Planner quoting the above application number.**
- 2 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.**
- 3 Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.**
- 4 Street furniture/ Statutory Undertaker's apparatus - Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.**
- 5 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.**
- 6 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).**

**If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop**

**notice to prohibit further development on the site and/or take action to recover the debt.**

**Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)**



**Application:**16/03000/FULL1

**Address:** 6 Beaconsfield Road Bickley Bromley BR1 2BP

**Proposal:** Demolition of existing building and erection of 3 two storey three bedroom terraced houses with accommodation in roof space and associated car parking, cycle and refuse stores and landscaping.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/03241/FULL1

**Ward:**  
Cray Valley East

**Address :** Old School Studio, Main Road, St Pauls  
Cray, Orpington BR5 3HQ

**OS Grid Ref:** E: 547393 N: 169120

**Applicant :** Mr Joel Vian

**Objections :** YES

### **Description of Development:**

Proposed conversion of building to form three residential apartments comprising 1x 3 bed, 1x 2 bed and 1x studio. Demolition and re-build of boundary outbuilding, raising of the ridge and new clerestory dormer with elevational alterations and access ramp.

Key designations:

Conservation Area: St Pauls Cray  
Areas of Archaeological Significance  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 20

### **Proposal**

Planning permission is sought for the change of use of the existing school studio to three separate residential units. Apartment 1 is proposed to be located to the front of the building. The apartment will host two bedrooms at first floor level with a void allowing views down to the ground floor level from the upper floors. Apartment 2 proposes a studio mezzanine apartment with a bed deck and open plan ground floor. Apartment 3 proposes three bedrooms (one at ground floor and two at first floor) with an open living ground floor area, encompassing the existing outbuilding to the northern elevation. Alterations to the elevations are proposed including the raising of the ridge to allow for a clerestory roof feature, rear facing dormer window, access ramp to the front elevation and conservation roof lights. No off street parking is proposed.

### **Location**

The site is located on the eastern side of Main Road within St Pauls Cray. The building forms an original cluster of school buildings including both the School Hall and the School House which are both within residential occupation. The group of buildings, along with the cottages to the north, are locally listed and lie adjacent to the Grade II\* statutory listed church to the south (St Paulinus). The site is also located within the St Pauls Cray Conservation Area.

## Consultations

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- Concern about the unspecified changes as to the exact height of the clerestory roof extension
- The new plans offer no relief on the harmful impact of the overshadowing and privacy of the Old School House and neighbouring properties
- The new dormer window and clerestory roof would change the character of the conservation area
- No plans specify the exact position and height of the 'conservation roof lights' and dormer window overlooking the front and rear garden of the Old School house
- Objections received from 6 River Cottages

### Comments from Consultees

Thames Water - No Objection

Drainage - No Comments

Highways- The highway aspects of the proposal are the same as with the previous application. There is no parking provided with the units. The site is within a very low (1a) PTAL area and so residents are likely to own vehicles. A Lambeth type parking stress survey was supplied with application carried out with photographs indexed on a plan. Residents are likely to want to park as close to their property as possible. In both surveys there is a parking available for more than 3 vehicles in the vicinity of the site. On that basis I would raise no objection to the application.

Registered footpath 157 runs along the southern boundary of the application site. It is outside of the site and should not be affected by the granting of planning permission. However, due to its close proximity to the development, the applicant should be made aware of the need to safeguard pedestrians using the route, and that it must not be damaged or obstructed either during, or as result of, the development.

Historic England (Archaeology) - No objections subject to building recording condition.

Conservation Officer - The previously refused scheme is noted and was not dismissed on any heritage grounds and this scheme is similar. No objections subject to a condition requiring the submission of materials.

Previous comments were received from the Conservation Officer which are considered pertinent to this application: The proposal drawings are not particularly good in terms of presentation but nonetheless the main changes would be the ramp at the front and the roof/clerestory extension on the central spine roof which

would be visible from the church and the adjacent close but not the street. There is a heritage benefit to reusing the building.

Environmental Health Housing - Concern is raised as to the lack of adequate outlook, ventilation and natural light provision. Concern is also raised as to the lack of outdoor amenity space.

Environmental Health Pollution - No objections subject to informatives.

### **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development  
BE10 Development affecting a locally listed building  
BE11 Conservation Areas  
H1 Housing Supply  
H7 Housing Density and Design  
H11 Residential Conversions  
C1 Community Facilities  
T18 Road Safety  
T3 Parking  
NE7 Development and Trees

SPG1  
SPG2

St Paul Cray Conservation Area SPG

London Plan Policies:

3.3 Increasing Housing Supply  
3.4 Optimising Housing Potential  
3.5 Design and Quality of Housing Developments  
3.8 Housing Choice  
5.1 Climate Change  
5.2 Minimising Carbon Dioxide Emissions  
5.3 Sustainable Design and Construction  
6.9 Cycling  
6.13 Parking  
7.2 An inclusive environment  
7.3 Designing out crime  
7.4 Local character  
7.6 Architecture  
7.15 Noise  
8.3 Community infrastructure levy

National Planning Policy Framework

## History

02/02937/FULL1 - Formation of doorway in existing outbuilding wall to provide access to Garden Cottages - Permitted

15/03169/FULL1 - Proposed conversion of existing school building into 1x 3 bed, 1x 2 bed and 1x studio apartments facilitated by the raising of the ridge, introduction of dormer windows, alterations to the elevations and access ramp to front entrance - Refused

The reasons for refusal were:

1. The proposed development, due to inadequate head room, outlook, fenestration and provision of outdoor amenity space would fail to provide a satisfactory standard of living accommodation for its future occupants. The proposals are therefore contrary to Policy 3.5 Quality and Design of Housing Developments of the London Plan (2011), The London Plan Supplementary Planning Guidance: Housing (November 2012) and Policies BE1 and H7 of the Unitary Development Plan.

2. The development, by virtue of the raised ridge height would unduly compromise the residential amenity afforded to the owner occupiers of The School House and number 1 River Cottages and would allow for an unduly prominent structure that would cause a detrimental loss of natural light and overshadowing. By virtue of the fenestration design, overlooking will occur from the ground floor flank windows contributing to a loss of privacy contrary to Policy BE1 and H7 of the Unitary Development Plan.

The application was the subject of an appeal (Ref:APP/G5180/W/16/3141896) which was dismissed. Points to note from the appeal decision are as follows:

- The Inspector found in favour of the Appellant in terms of the potential impact on loss of light, overshadowing and privacy for the occupiers of The School House and 1 River Cottages, the provision of garden space and the overall amount of floor space provided.
- The Inspector agreed that the proposal would result in areas of floorspace at first floor level which would have insufficient head height and therefore would result in an unacceptable impact on the living conditions of future occupiers. This issue was the only reason the previous scheme was dismissed.

## Conclusions

The main issues in this case are whether this type of development is acceptable in principle in this location, the likely impact of the proposed scheme on the character and appearance of the surrounding area, and on the amenities of neighbouring residential properties, having particular regard to the indicative layout and design of the proposed scheme, and the impact upon the St Paul Cray Conservation Area, Locally Listed Building and neighbouring II\* Listed church.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

The application has been amended from the previously dismissed scheme in the following ways:

- The red lined application site has been slightly varied to omit a small part of the land towards the eastern side of the plot, and the gated access from the church pathway which previously led to a small garden area to be allocated to apartment 1. A small rectangular piece of land has been incorporated to serve apartment 3. Apartment 1 will no longer have private amenity space.
- All glazing in Apartment 1 and 2 towards River Cottage to the north will be obscurely glazed.
- Amendments to the internal layout of Apartment 3 to change the location of the staircase to the north-western corner of the proposed lounge to ensure restrictions to head height are to non-habitable spaces.
- Alterations to the room layouts of Apartment 3.
- The floor level of the first floor bedroom of Apartment 3 has now been lowered by 200mm to increase the head heights upstairs. The ground floor level of Apartment 3 has been levelled to take account of the lowering of the first floor deck upstairs.

No amendments are made to the external appearance of the development.

### Principle of Development

Planning permission will not be granted for proposals that would lead to the loss of community facilities unless it can be demonstrated that there is no longer a need for them or alternative provision is to be made in an equally accessible location. The school has evidently been used within a residential capacity since its closure however there is no planning history to this effect. Council tax records show that the Studio has been in residential use since 1993 and it is therefore the accepted lawful use of the building. In light of this there is no conflict with policy C1.

Policy H11 states that a proposal for the conversion of a single dwelling into two or more self contained residential units or into non self-contained accommodation will be permitted provided that the amenities of occupiers of neighbouring dwellings will not be harmed by loss of privacy, daylight or sunlight or by noise and disturbance; the resulting accommodation will provide a satisfactory living environment for the intended occupiers; on street or off street parking resulting from the development will not cause unsafe or inconvenient highway conditions nor affect the character or appearance of the area; and the proposal will not lead to the shortage of medium or small sized family dwellings in the area.

The building has been previously been used within a residential capacity however the exact layout of the units is unknown except for the front portion of the building as indicated on the existing floor plans. The Inspector raised no concern as to the

principle of residential redevelopment of the site. The principle of conversion will therefore come down to the scheme satisfactorily addressing the above criteria.

### Design

The proposed scheme would include the construction of a clerestory roof feature which would require the ridge height of the central portion of the school building to be raised by 0.8m, and also a dormer window to the rear of Apartment 1. Roof lights are proposed along the south elevation with a pitched glazed roof proposed to the existing toilet outbuilding, which is to become part of the residential accommodation for Apartment 3. A canopy and access ramp is proposed to the front elevation to provide level access to the units.

The design alterations to the ridge height and introduction of the dormer window, conservation roof lights and clerestory roof addition would be contained to the rear of the building and will not be visible from the highway. The pitched roof over the existing outbuilding to the northern elevation will be sited 1m above the existing boundary wall, however, this pitches away from Garden Cottages minimising the views of this addition. The clerestory roof feature will be visible from both the north and south of the site, however the Conservation Officer raises no objection to the impact on the setting or special interest of the adjacent Listed Building or locally listed cottages. The Inspector found that the external alterations to the buildings made a neutral contribution to the Conservation Area and the setting of the nearby statutory listed church and no specific concerns are raised.

In terms of design, Members may consider that the application is acceptable subject to conditions for the submission of materials and larger scaled drawings of the clerestory roof feature and windows, given the sensitive location of the application site.

### Standard of accommodation

The London Plan sets out minimum floor space standards for dwellings of different sizes. These are based on the minimum gross internal floor space requirements for new homes relative to the number of occupants and taking into account commonly required furniture and spaces needed for different activities. New residential accommodation is required to meet these standards.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants.

Apartment 1 proposes a GIA of 82sqm exceeding the London Plan standard. Apartment 2 proposes a floor area of 64.5sqm exceeding the London Plan Standard. Apartment 3 proposes a floor area of 105.6sqm exceeding the London Plan Standard.

The Mayor's Housing SPG requires all new residential development to meet minimum good practice sizes. Concern was specifically raised by the Inspector as to the head room provision within Apartment 3.



With regard to Apartment 1, it is noted that the ground floor open plan living area and first floor open bedroom decks have apertures facing onto the access ramp to the building to the front, as well as across the front amenity space of the neighbouring property School House to the south and to the north, 1.3m from the flank elevation of number 1 River Cottage. The Inspector considered that the utilisation of obscure glazing was sufficient to overcome concerns relating to loss of privacy, despite Officer's concerns in this regard in terms of loss of outlook and light.

It is noted within the planning statement that the Applicant states that the glazing within the north elevation of Apartment 1 towards River Cottages will be obscurely glazed however given that there is an absence of flank windows at this point within 1 River Cottages, this is not considered a necessary measure. Furthermore, considering the comments of the Inspector, whilst concern was raised as to the impact on transient pedestrian movements from the ramp to the main living area of Apartment 1, it is considered that this arrangement is not unusual when considering flatted developments and could be overcome by the use of blinds or other internal methods, similar to the windows that overlook School House to the south.

With regard to Apartment 2, the windows within the northern elevation serve both the ground and first floor levels and are sited 1m from the boundary with number 1 River Cottage and 2.5m from the side elevation of the neighbouring dwelling. The habitable room window within the southern elevation is located 950mm from the side elevation of The School House flank side elevation. The first floor level is served by the insertion of 3 x conservation roof lights as well as the high level windows within the northern elevation.

The Inspector found within his report that the windows within the northern elevation could be obscurely glazed to prevent actual and perceived overlooking into the rear amenity area of 1 River Cottage. Whilst Officers attach weight to the findings of the Inspector within his report, Officers have significant concern as to the resultant impact on future occupiers amenity should these windows be obscurely glazed. One non-obscured window is proposed to the south, 0.9m from the flank elevation of The School House, which would be the primary means of ventilation and outlook should the double height windows be obscurely glazed. It does not appear from the appeal decision that the Inspector considered this aspect of the need for obscure glazing, stating only that he did not agree that obscure glazing impedes on light provision, yet not commenting on the absence of outlook for future occupiers.

Whilst Officers note the Inspectors comments as to the provision of light through obscurely glazed windows, the proximity of the flank elevation of School House to the only non-obscured aperture is not considered to provide reasonable outlook or ventilation to Apartment 2. Whilst it is appreciated that the Inspector has not explicitly stated that the double height window should not be openable, Officers consider this would principally go against the requirement of the window to be obscured in order to prevent overlooking to the property to the north. On balance, the impact to the amenity of future owner/occupiers of Apartment 2 as a result of obscurely glazing the double height windows is considered to outweigh the recommendations of the Inspectors findings in this regard.

Apartment 3 benefits from the addition of the clerestory roof feature which runs through a centralised position along the roof space and also the addition of rooflights along the south elevation. The windows at ground floor level serving the lounge and lower seating area overlook the neighbouring rear garden of the School House and the front private amenity space of the School Hall. In order to prevent overlooking these windows would be required to be obscurely glazed and non-opening unless above 1.7m from ground floor level. Whilst Officers previously raised concerns with regard to the impact on natural light provision and outlook should the windows be obscurely glazed, the Inspector raised no such issue stating that whilst the windows would be required to be obscurely glazed, this would not impede natural light provision. The Inspector again did not address issues regarding loss of outlook which Officers consider to be a significant issue when assessing future owner/occupiers amenity.

The Inspector found within his report that inadequate head room was provided specifically within Apartment 3. The Inspector noted that it is clear, when looking at the submitted plans, that whilst the clerestory element proposed would create a taller ceiling height in parts of the proposal, there are also other parts where the ceiling height would fall below 1.8 metres. The Inspector then goes on to state that 'it is clear to see that the bedrooms furthest to the east would have a large area of its floorspace which would not benefit from the highest internal ceiling height. Factors such as these mean that the internal ceiling height would reduce the amount of both 1.8 metres high ceilings and, from a practical viewpoint, the usable full height area of certain rooms'.

The application has now been amended to take account of the Inspector's comments. The level of the new first floor bedrooms related to Apartment 3 have now been lowered by 200mm to increase the height upstairs as well as amendments to the layout of rooms. The London Plan states that for new residential development, the minimum floor to ceiling height is 2.3m for at least 75% of the Gross Internal Area where it also states that to address the unique heat island effect of London and the distinct density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. The application now provides almost 72% which is not far short of the 75% required in the SPG. Giving weight to the fact that the building is locally listed and the requirement to keep external modifications to a minimum, this on balance is considered acceptable and now overcomes the concerns as raised by the Inspector.

With regard to amenity space, the Inspector raised no issue with the provision of the external amenity areas. The application has been amended from the previously refused application in so far that Apartment 1 no longer has the provision of a private amenity area. The Inspector noted within his appeal decision that there is provision of open space within close proximity to the site which could readily be used as amenity space. On this basis, no further objections are raised.

### Impact on adjoining properties

The Inspector stated within his appeal decision that given the orientation of the site, the increase in height and introduction of the clerestory feature would not cause any loss of light to neighbouring properties, specifically School House. Furthermore he goes on to state that in practise, the east facing garden of The School House is likely to retain current levels of sunshine and light into its garden, given the east-west solar path. The Inspector concludes that the proposed development would not unduly compromise the residential amenity afforded to occupiers of these dwellings in terms of loss of light, overshadowing or privacy.

### Impact upon the Conservation Area, Locally Listed Building and adjacent Listed Buildings

The Conservation Officer raises no objections to the scheme and welcomes the re-use of the vacant building. It is not considered that the proposed external additions and alterations would adversely impact upon the setting or special character of the listed building nor wider conservation area and as such are considered compliant with policies BE11 and BE10 of the UDP.

### Housing Land Supply

Within an appeal decision for a separate site issued on 2 August 2016 the Inspector concluded that the Council does not have an adequate five year Housing Land Supply. Whilst Officers acknowledge that substantial weight should be given to the contribution the application makes to the provision of additional residential units within the Borough by introducing three new units, this potential limited contribution is not considered to outweigh the impacts in terms of future owner/occupiers amenity as discussed within the report in accordance with development plan policy.

### Highways

No objections are made on behalf of highways who consider there to be sufficient on street parking within the vicinity of the application site, evidenced by the submission of a parking survey.

### Cycle parking

The Applicant has provided sufficient cycle parking.

### Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has not provided details of the location of refuse storage bin storage or their means of enclosure, however a condition could secure these details if permission was to be forthcoming.

## Conclusion

In conclusion, whilst the previous reason for refusal regarding inadequate ceiling heights within the upstairs bedroom has been sufficiently addressed, Officers consider that the impact of the outlook from the residential units as a result of the level of obscure glazing that would be required to prevent overlooking has not been adequately assessed. The resultant impact would create a sub-standard quality of residential accommodation that is considered to impact detrimentally upon future owner/occupiers residential amenity.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 16/02341/FULL1 and 15/03169/FULL1 as set out in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: APPLICATION BE REFUSED**

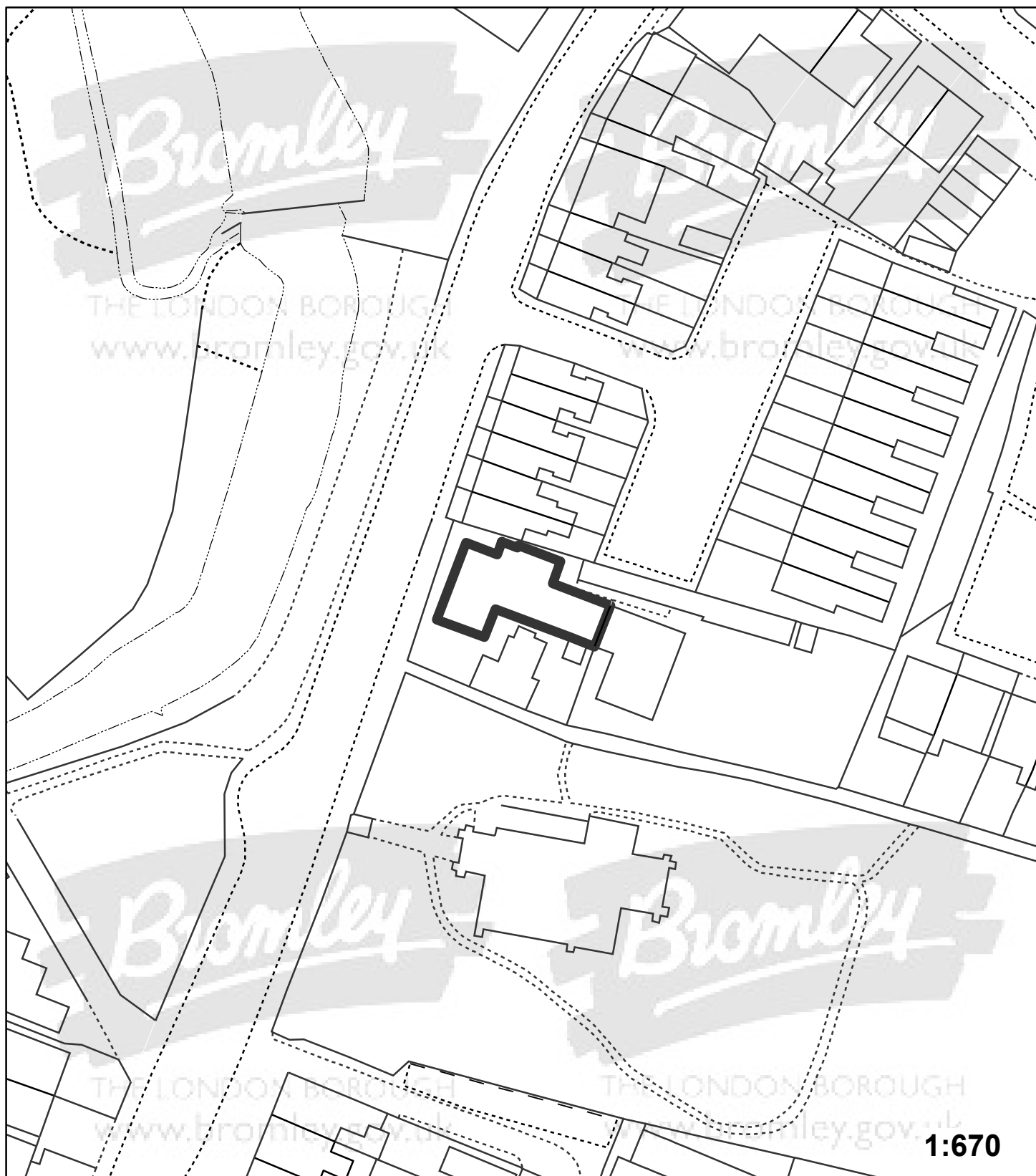
**The reasons for refusal are:**

- 1 The proposed development, due to the need for obscure glazing to protect neighbouring amenities would result in inadequate outlook from the proposed flats which would fail to provide a satisfactory standard of living accommodation for its future occupants. The proposals are therefore contrary to Policy 3.5 Quality and Design of Housing Developments of the London Plan (2015), The London Plan Supplementary Planning Guidance: Housing and Policies BE1 and H7 of the Unitary Development Plan.**

**Application:**16/03241/FULL1

**Address:** Old School Studio Main Road St Pauls Cray Orpington BR5 3HQ

**Proposal:** Proposed conversion of building to form three residential apartments comprising 1x 3 bed, 1x 2 bed and 1x studio. Demolition and re-build of boundary outbuilding, raising of the ridge and new clerestorey dormer with elevational alterations and access ramp.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/03358/FULL6

**Ward:**  
**Plaistow And Sundridge**

**Address :** 6 Lawn Close Bromley BR1 3NA

**OS Grid Ref:** E: 540708 N: 170490

**Applicant :** Mr Raymond Duncan

**Objections :** YES

### **Description of Development:**

Single storey front and rear extension

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 7

### **Proposal**

The site is a detached two storey dwelling house located on the west side of the Lawn Close cul-de-sac. A railway line runs to the rear of the site and the site, at its southern tip, lies adjacent to Garden Road Conservation Area. This application proposes single storey front and rear extensions.

### **Consultations**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- \* Out of character and spoil openness of the Close
- \* Over-development - Already been extended to the maximum
- \* Set a precedent
- \* Width and depth of extension would be out of proportion and detrimental to the pleasant appearance of the Close
- \* Seems the same to that previously refused
- \* No objection to the rear extension
- \* Impact on the amenity of sitting room, the window of which is at right angles to the proposed development
- \* Site plan is incorrect - closer to No 7 than shown

### **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

## BE1 Design of New Development H8 Residential Extensions

### London Plan Policy 7.4

The planning history includes permission reference 02/02500 for two storey side and rear extension and canopy to front elevation and more recently planning application reference 16/01247, single storey front and rear extensions, roof alterations to form habitable accommodation incorporating rear dormer, was refused for the following reasons:

*The proposed development by reason of its size, siting, design, the context within which it sits and relationship to the adjacent dwelling at No 7 would result in a cramped, overbearing form of development harmful to neighbouring amenity, the appearance of the host dwelling and to the street scene generally, contrary to Policies H8 and BE1 of Bromley's Unitary Development Plan and Policy 7.4 of the London Plan.*

*The proposal would result in an overdevelopment of the site and be out of scale and form of adjacent buildings detrimental to the host dwelling, the street scene and character of the area thereby contrary to Policies H8 and BE1 of Bromley's Unitary Development Plan and Policy 7.4 of the London Plan.*

This application, 16/01247, is currently the subject of an appeal the decision of which is still awaited.

A previous application, reference 15/05295, was also refused permission for single storey front and rear extensions, Roof alterations to form habitable room incorporating rear dormer and elevational alterations. It was refused for the following reasons:

The proposed development by reason of its size, siting, design, the context within which it sits and relationship to the adjacent dwelling at No 7 would result in a cramped, overbearing form of development harmful to neighbouring amenity, the appearance of the host dwelling and to the street scene generally, contrary to Policies H8 and BE1 of Bromley's Unitary Development Plan and Policy 7.4 of the London Plan.

The proposal would result in an overdevelopment of the site and be out of scale and form of adjacent buildings detrimental to the host dwelling, the street scene and character of the area thereby contrary to Policies H8 and BE1 of Bromley's Unitary Development Plan and Policy 7.4 of the London Plan.

### **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties and whether the current scheme addresses previous grounds of refusal.



As noted in the previous report "Lawn Close is a development of 12 detached houses set in a square, around a circular road layout. There are a variety of house designs within the development. There is generally a feeling of openness to the Close and although there are differing house designs there appear to be certain characteristics along with the absence of front garden fencing which bring a distinct and coherent character to the Close.

The host dwelling has been extended with a two storey side and rear extension and porch to the front elevation. The 'corner' siting of No 6 to the far side of the Close and the size of the house as extended result in No 6 being a prominent house within the Close, appearing visually to stretch virtually the site frontage".

In relation to the proposed front element the previous report noted, "... Whilst the revisions and reductions are noted from that previously proposed, it remains that a forward extension in this location will add a form of development that is incompatible with the layout of adjacent buildings and produces an alien and incongruous form of development within the street scene, detracting from the openness and character of the Close".

This proposal is reduced from the previous application in that the raised ridge and rear dormer are deleted from the scheme. A number of local objections have been received raising concern with the impact on the character of the Close and over-development of the site. As mentioned, the dwelling has been previously extended and has a prominent bearing within the Close. Therefore, whilst on its own the front extension may not give rise to such planning concern in respect of its impact on the character of the area, it is the cumulative impact and whether the additional front element gives rise to overdevelopment of the site and causes such harm to the visual amenities of the area as to continue to raise planning concern. It is considered that, on balance, the front extension, on its own, may not form such an unacceptable form of development as to continue to raise planning concern.

Neighbour concern is also raised in respect of the impact of the front extension on the amenity of the sitting room, the window of which is at right angles to the proposed development. The previous report noted: "...The neighbouring window is to the north north-west of the proposed development and although unlikely to have such a significant impact in respect of light (there are two large windows which serve this sitting room) the relationship of the development to the amenity of this room will remain to have some impact on the prospect, however may now not create such a sense of enclosure as with the previous design....".

The single storey extension to the rear will not impact on neighbouring amenity and no planning objection is raised to this element of the proposal.

Members will note, as stated previously in the report, that there is an outstanding appeal decision in respect of the previous planning refusal.

Having had regard to the above Members may consider that the development in the manner proposed is acceptable in that it would not result in such a significant

loss of amenity to local residents nor impact detrimentally on the character of the area such to raise planning grounds of refusal.

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**REASON: Section 91, Town and Country Planning Act 1990.**

- 2 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.**

**REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.**

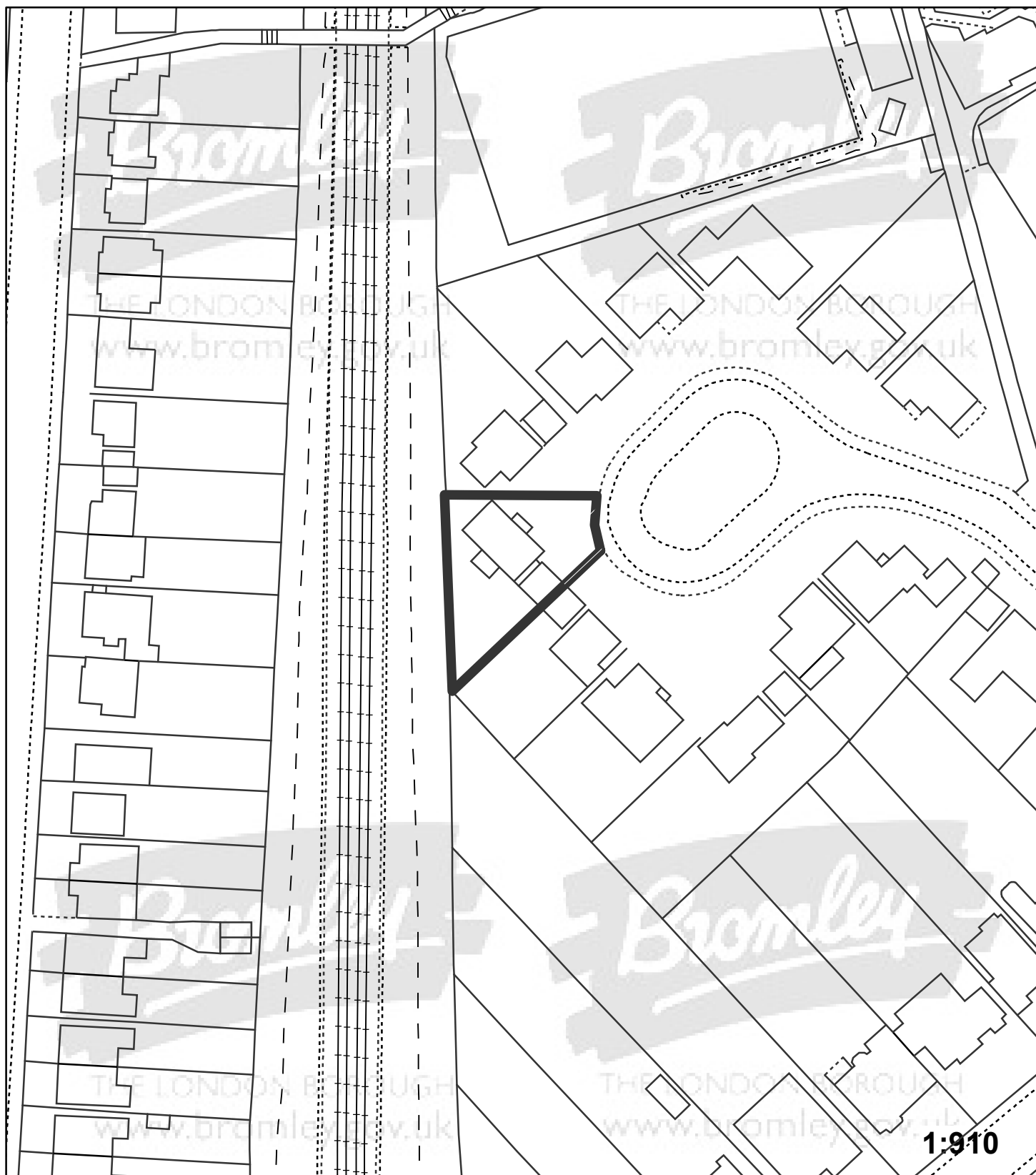
- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

**REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.**

**Application:**16/03358/FULL6

**Address:** 6 Lawn Close Bromley BR1 3NA

**Proposal:** Single storey front and rear extension



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/03424/FULL6

**Ward:**  
**West Wickham**

**Address :** 15 The Drive, West Wickham BR4 0EP

**OS Grid Ref:** E: 538622 N: 166572

**Applicant :** Mr & Mrs Paul Brinkley

**Objections :** YES

### **Description of Development:**

Roof extensions incorporating dormer windows to front and rear and rooflights to all elevations and part one/two storey side, single storey front, first floor side and rear extensions and conversion of garage to habitable accommodation

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 2

### **Proposal**

The application proposes to extend at both the ground floor and first floor, convert the garage and alter the roof to create habitable accommodation in the roofspace.

This is a resubmission of a previously refused application (ref:15/05117/FULL6) that was also dismissed at appeal. The amendments include the retention of the existing double gable and an increase of the window above the entrance to be aligned with the opening below. There is also a reduction of the height of the projecting rear gable.

The application site hosts a two storey detached dwelling on the northern side of The Drive, West Wickham. The surrounding area is characterised by traditional family dwelling, set within large mature landscaped plots. The property has a prominent front gable feature.

### **Consultations**

Nearby owners/occupiers were notified of the application and one letter of representation has been received which can be summarised as follows;

- The front facing roof dormer window and roof light is out of character
- A front facing dormer was refused at No.,6A and a consistent policy should be adopted

## **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan:

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration in the determination of planning applications. These are:

SPG No1 - General Design Principles  
SPG No2 - Residential Design Guidance

## **Planning History**

Under planning reference 15/03588 the application was refused permission for roof extensions incorporating dormer windows to front and rear and rooflights to all elevations and part one/two storey side, single storey front, first floor side and rear extensions and conversion of garage to habitable accommodation

Planning permission was refused on 4th January 2016 (ref: 15/05117/FULL6) for roof extensions incorporating dormer windows to front and rear and rooflights to all elevations and part one/two storey side, single storey front, first floor side and rear extensions and conversion of garage to habitable accommodation

It was refused for the following reasons:

The extensions in the manner proposed would create a bulky and over dominant form of development, which would be harmful to neighbouring amenity and the character of the area, contrary to policies BE1 and H8 of the Unitary Development Plan (2006)

The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two-storey development in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, contrary to Policy H9 of the Unitary Development Plan (2006).

The application was also dismissed at appeal.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area, the impact that it would have on the amenities of the occupants of surrounding residential properties and whether it has overcome the previous dismissed appeal decision.

## Design

The previous appeal decision APP/G5180/D/16/3146248 states that the 'front and rear gable projections would be increased in height, which would increase their prominence within the street scene and the rear garden environment. Within the street scene the height of the building would be emphasised by the spacious setting of the site and more modest height of the adjacent dwellings. Although the smaller gable feature would reflect that of the original dwelling the proposed tall glazing panels to the west of it would increase the perceived height of the gable. At the same time the ground and first floor elements of this glazing would be out of alignment with each other and the first floor element would detract from the otherwise balanced appearance of the double gable'.

The Inspector therefore felt that the front double gable would appear unduly large, awkward and unbalanced, and it would unacceptably harm the character and appearance of the host dwelling and the general street scene. This revised application now retains the existing double gable of the host property. Whilst the windows have been increased above the entrance they now align with the opening below, rather than the extent of glazing which was previously proposed that increased the prominence of the property. There is no uniformity of architectural style along this road, however the reduced bulk and mass of the roof extensions are now considered to be acceptable on balance and would not be detrimental to the character and appearance of the host dwelling and general street scene.

The previous application was also refused as it did not comply with a minimum 1 m space between the flank wall and the boundary, in accordance with Policy H9, as there was an existing ground floor extension within 0.3m of the boundary. On this point, the Inspector felt that the existing ground floor extension was modest in height and the proposed first floor side extensions were both setback from and materially lower than the main gable front projections. Given that the site is wider than adjacent plots, the Inspector felt that the first floor extensions would be particularly spacious in the street scene, and as a consequence, the overall scheme would comply with the objectives of Policy H9 of the UDP and thus the conflict with this policy would not on its own, amount to a reason for dismissing the appeal.

The side extensions remain in the same position and are of the same footprint as the previous proposal. Given the Inspector's decision is a material consideration to this appeal, where the Inspector felt the side extensions would comply with objectives of Policy H9, the Council does not object to this element of the proposal.

## Residential Amenity and Impact on Adjoining Properties

In regards to the impact upon neighbouring properties, the Inspector felt that whilst the resultant dwelling would project beyond the first floor rear elevations of 13 and 17 The Drive, it would not have a material impact on the main outlook from the dwellings at Nos 13 and 17. Whilst the Inspector acknowledged that the upper floors of the proposed rear gable projection would be visually prominent and the large areas of glazing could result in actual and perceived loss of privacy, she felt that the 'resultant dwelling would not be visually overbearing and any actual or

perceived loss of privacy would not be uncommon in an area that is characterised by uniformly sited two storey dwellings'.

Therefore given that the side and rear extensions will remain the same footprint as previously considered by the inspector and combined with the reduction in the size of the roof extension, it is not considered that there would a detrimental overbearing impact upon the neighbouring properties.

The principle of converting the garage to habitable accommodation is considered acceptable due to a large driveway at the front of the dwelling and on-street parking available.

Having had regard to the above, members may wish to consider in light of the previous appeal decision and the reduction in the bulk and mass of the roof extensions, the development in the manner proposed is considered acceptable on balance, in that it would not result in a significant loss of amenity to local residents and impact negatively on the character of the area.

#### **RECOMMENDATION: PERMISSION**

##### **Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**REASON: Section 91, Town and Country Planning Act 1990.**

- 2 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.**

**REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.**

- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

**REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.**

- 4 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the side elevation(s) of the**



**extension hereby permitted, without the prior approval in writing of the Local Planning Authority.**

**REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.**

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**Application:**16/03424/FULL6

**Address:** 15 The Drive West Wickham BR4 0EP

**Proposal:** Roof extensions incorporating dormer windows to front and rear and rooflights to all elevations and part one/two storey side, single storey front, first floor side and rear extensions and conversion of garage to habitable accomodation



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/03621/FULL6

**Ward:**  
**Shortlands**

**Address :** 36A Elwill Way, Beckenham BR3 6RZ

**OS Grid Ref:** E: 538588 N: 168280

**Applicant :** BYNES

**Objections :** YES

### **Description of Development:**

Roof alterations to incorporate rear dormer, part one/two storey rear extension and porch canopy

Key designations:

Conservation Area: Park Langley  
Area of Special Residential Character  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 21  
Smoke Control SCA 9

### **Proposal**

The application seeks consent for roof alterations including a rear dormer and increased in the height of the roof by 575mm. The application also proposes a two-storey rear extension that would measure 2m in depth at first floor and 4m in depth at ground floor. The extension would span the full width of the dwelling. Finally, the application seeks the construction of a porch extension to the front of the property.

### **Location**

The application relates to a two-storey detached residential dwelling south west side of Elwill Way, close to the corner with Whitecroft Way. The property is an infill development and the surrounding area is characterised by modest sized detached dwellings. The property is located within an Area of Special Residential Character and abuts the Park Langley Conservation Area, which runs along the west boundary of the property.

This case has been "called-in" by a ward Councillor.

### **Consultations**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- Inaccurate plans
- Proposed development, given its substantial and dominant dormer roof would result, by reason of its design, scale and depth, in a building that does not respect the scale of the host dwelling or the special character of the area and setting of the adjacent conservation area.
- Increase in the ridge remains unchanged from the application that was refused. This increase gives greater bulk to the buildings on all elevations, including the streetscene, adjoining conservation area and neighbouring properties. The previous reason for refusal remains valid.
- The dormer is lower than the ridge line but this is minimal and not significant enough to make the dormer and roof less dominant
- There are doors and an external balcony on the dormer. Neighbouring gardens would substantially more overlooked.
- If the council is minded to approve the application then permission for the doors and balcony should be refused on the grounds of neighbouring privacy.
- 36A is an infill house and there may be covenants/restrictions should be checked.
- The area is characterised by large detached dwellings set within substantial gardens with views of gardens between the dwellings and the feeling of spaciousness.
- Site within the Langley Park Area of Special Residential character, with the character of a garden estate. Unsympathetic development would threaten the established character and residential amenity. Adjacent Conservation Area.
- Extension would substantially increase the bulk of the dwelling, increasing the flank elevation. The proposal would appear over dominant and would not complement the scale of the existing dwelling.
- Would fail to comply with policies H8, H10, BE1, BE11 and BE13.
- Unacceptable and insensitively designed form of development.
- The extension has been scaled back but would still represent an unacceptable impact on the visual and residential amenities of No 36 Elwill Way by reason of bulk, scale and depth
- Overdevelopment of plot.

### **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development  
 BE10 Areas of Special Residential Character  
 B11 Conservation Areas  
 BE13 Development Adjacent to Conservation Areas  
 H8 Residential Extensions

SPG 1 General Design Principles  
 SPG 2 Residential Design Guidance

## Park Langley Conservation Area SPG

Appendix 1 of the Unitary Development Plan provides descriptions for each of the Areas of Special Residential Character. The Park Langley description is as follows:

*"The original Edwardian Core of the Park Langley "garden suburb" is a Conservation Area. The remainder, built sporadically between the 1920's and 1950's, whilst not of the same exceptional standard, has the character of a garden estate given the quality and appearance of the hedges, walls fences and front gardens. The area, which comprises almost exclusively large detached two-storey family houses on generous plots, is bounded by Wickham Way to the West, by Barnfield Wood Road to the south, and by Hayes Lane to the north and east. It represents a coherent, continuous and easily identifiable area, which has maintained its character and unity".*

### Planning History

19/66/64 - Detached house with integral garage. Outline Permission granted on the 18/03/16. Subject to the following condition:

- (1) Detailed drawings of the approved development shall be submitted to and approved in writing by the LPA before any work commences and the development shall be carried out and completed in all respects in accordance with the drawings so approved before the buildings are occupied. Such drawings to show (a) the layout of the site, siting of buildings, means of access (b) the design and external appearance of the buildings. This permission is for a limited period only expiring on the 22nd March 1969 unless that before that date detailed drawings have been submitted to and approved by the LPA.

Reason: To ensure satisfactory layout (ii) does not prejudice the free flow of traffic and conditions of general safety along the neighbouring highway. (b) to ensure the proposed development does not prejudice the appearance of the locality (ii) in order to prevent an accumulation of permissions in respect of which no details have been submitted.

4942 - Four bedroom house and garage. Permission dated 9.9.66

19/66/1924 - Four bedroom house and garage. Permission dated 3.10.66.

Conditions:

- (1) Details of materials to be used in the external surface of the building shall be submitted and approved by the local planning authority before any work commences.

Reason: To ensure the proposed development does not prejudice the appearance of the locality.

16/01738/FULL6 - Roof alterations to incorporate rear dormer, two-storey rear extension and porch canopy. Refused on the 21.6.16 for the following reason:

1. The proposed rear extension and roof extension, by reason of their design, scale and depth would result in a bulky and dominant form of development, which would not respect or complement the scale of the host dwelling, harmful to the character and appearance of the host dwelling, special residential character of the area and setting of the adjacent Conservation Area contrary to Policy 7.4 of the London Plan (2015); Policies BE1 Design of New Development, BE10 Areas of Special Residential Character, BE11 Conservation Areas, BE13 Development Adjacent to Conservation Areas and H8 Residential Extensions of the Unitary Development Plan (2006).

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties. Consideration should also be given to the previous reason for refusal.

## Design

Policies H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development

The application property is a modest two-storey infill development and is located within the Park Langley Area of Special Residential Character (ASRC) It also abuts the neighbouring Park Langley Conservation Area and is characterised by detached dwellings within spacious plots. The above has resulted in an open and spacious character, which provides distinct views between the properties. It is however noted that the properties within the locality do vary in terms of their form and architectural style.

The existing dwelling already represents an infill development, which is currently sits well within the plot and generally compliments the scale and form of neighbouring dwellings. The proposal has been amended since the previous refusal and the rear extension at first floor level has been reduced by 2m. It would now therefore measure 2m in depth at first floor and 4m in depth at ground floor. The proposed dormer has also been marginally set down at roof level and no longer incorporates a continuous ridge line. The height of the building would be raised by 575mm at ridge level.

As noted above, the application property is an infill development and the size of the plot is shorter than neighbouring examples. Architecturally, there are a wide variety of dwellings within the streetscene but there is no defining style. The proposed extensions would be contained to the rear of the property but would be visible from the public realm and adjoining Conservation Area (CA). In terms of massing, the reduction in the depth of the first floor rear extension has reduced the bulk of the property as a whole and is considered to be more complementary in terms of its scale and proportions. The existing dwelling is not overly large, but the additional depth at ground and first floor levels would not result in a property which is



disproportionately larger than neighbouring examples. It is considered that it would have an acceptable footprint in terms of its plot size and ample amenity space would remain. The increase in ridge height would also not appear incongruous within this setting given the detached nature of the property and wide architectural variety of neighbouring development.

The dormer has also been set down at ridge level and would incorporate a pitched roof. The face of the dormer, in terms of its glazing pattern and fenestration arrangement, is not particularly sympathetic to the appearance of the property, however it would face the rear garden and this detail would only be seen from neighbouring gardens. The height of the dwelling at ridge level would increase by 575mm, which has been reduced since the previous refusal. The size of the dormer is not considered to be overly large and it has been set back from each roof pitch, and from the eaves line. The reduction in the depth of first floor extension and changes to the dormer are now more in keeping with the appearance and scale of the host dwelling, and they would no longer appear as bulky and visually dominant from the streetscene. The spacious character and setting of the ASRC and CA would therefore be retained. Subject to the use of matching materials, which could be controlled by way of a condition, it is considered that the revised scheme has satisfactorily addressed the previous reasons for refusal. It would therefore not result in significant harm to the character and appearance of the host dwelling, streetscene and special interest of the ASRC. The site is also located adjacent to the Park Langley Conservation Area, but is not directly within it. The proposal would no longer appear overly prominent from the public realm and would therefore have a neutral impact on its character and appearance

The application also seeks consent for a porch. This structure would have a porch overhang, supported by pillars. Visually, this would not appear intrusive within the streetscene and is of a size and scale that would have limited impact on the host dwelling.

### Neighbouring Amenity

Policy BE1 seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The main impact of the proposal would be on the immediate neighbouring occupiers.

No 36 Elwill Way is located to the south east of the application site. The building is set back from the application property, meaning that the rear elevation currently projects beyond the rear elevation of No 36A. The proposed extension would not project beyond this neighbouring property. There is also a detached garage at No 36, which abuts the common side boundary with the host dwelling. This layout and setback would ensure that the development would not appear overly intrusive or dominant for this neighbouring property. There are a number of windows within the flank elevation of No 36, however these windows appear to serve non-habitable rooms and there would also be a modest setback between the dwellings. Together

with the orientation of the site, no significant loss of light or overshadowing is anticipated.

No 23 Whitecroft Way is set at a right angle to the application property, with its rear elevation and rear garden facing the flank elevation of the development. This property is located north west of the application site and has been extended by way of a side extension. The property is located within a generous plot and is situated on an open corner at the junction of Whitecroft Way and Elwill Way.

No 23 already experiences some degree of visual incursion at the end of the garden due to the flank elevation of the existing property. The increase in the depth and height of the dwelling would add to this existing bulk and would therefore make the neighbouring garden marginally more enclosed. However, the development is set some 20m from the rear wall of neighbouring property and the neighbouring garden measures approximately 20m in width. No 23 is also located on an open corner, meaning that there is an open prospect to the north. This arrangement would ensure that an acceptable level of openness would be maintained. Whilst it is acknowledged that there would be some impact from the bulk of the extension, it is considered that the existing building arrangement, size of neighbouring garden and location on the corner would sufficiently mitigate this harm and would not be a sufficient reason to withhold planning permission.

In regards to light, the orientation of the building, in relation to No 23, may result in some additional overshadowing during the morning hours. However, the size of the extension, existing built form of No 36a in relation to No 23, and depth/width of the rear garden are factors that limit this harm. On balance, it is considered that any overshadowing would be on balance acceptable.

In respect of overlooking and a loss of privacy, there is already an established degree of overlooking towards the rear of the property. The proposed dormer would result in neighbouring gardens being marginally more overlooked due to its elevated position and Juliette balcony however this is not considered to be significantly worse than the established position.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in harm to the character and appearance of the dwelling, special interest of the ASRC and setting of the adjacent Conservation Area.

## **RECOMMENDATION: PERMISSION**

### **Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**REASON: Section 91, Town and Country Planning Act 1990.**

- 2** Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.

**REASON:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 3** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

**REASON:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

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**Application:**16/03621/FULL6

**Address:** 36A Elwill Way Beckenham BR3 6RZ

**Proposal:** Roof alterations to incorporate rear dormer, part one/two storey rear extension and porch canopy



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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 16/03654/FULL1

**Ward:**  
**Bromley Common And**  
**Keston**

**Address :** Woodlands, Holwood Park Avenue,  
Orpington BR6 8NQ

**OS Grid Ref:** E: 542801 N: 164678

**Applicant :** Mr John Ruprai

**Objections :** YES

### **Description of Development:**

Demolition of existing dwelling and construction of a replacement two storey 7 bedroom dwelling with additional roofspace and basement accommodation, associated landscaping and parking.

Key designations:

Conservation Area: Keston Park  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 14

### **Proposal**

Planning permission is sought for the demolition of the existing dwelling and erection of a replacement 7 bedroom detached house, including basement, accommodation in the roofspace, two car lifts and an indoor swimming pool.

The application site is located on the west side of Holwood Park Avenue. The area is characterised by large detached dwellinghouses of varying designs but these predominantly have pitched roofs, and traditional/arts & crafts style. Woodlands is a large detached house in a mock Tudor style and dates back from early phase of the Holwood Park Development. It is set back from the road and is set within significant landscaping.

The area is particularly notable for the long green front gardens and extensive plots. The site is located within the Keston Park Conservation Area.

The application is a resubmission of a previous application 15/03657/FULL1 for a similar development that was refused planning permission on 9th November 2015. The application was also dismissed at appeal on 25th April 2016.

## Consultations

Nearby owners/occupiers were notified of the application and representations of support and objection were received from neighbours, which can be summarised as follows:

### Letters of support

- Fully support the development and Mr Ruprai's objective to enhance and uplift the area. In doing so he is following a trend that is already apparent in the Avenue and adding to the architectural quality and mix.

### Letter of objection

- The changes are only minor and the current proposal still maintains an imposing and bulky appearance which continues to have a negative impact on the character and appearance within the Conservation Area.
- The proposed new development significantly exceeds the existing footprint of the existing property and while the new proposal has been moved the away from the boundary with The Dormers, there remains an uncomfortable high density feel about the development, in what should be and has traditionally always been, an open park like environment.
- Concerned by the depth of the proposed new dwelling and the loss of significant trees which currently provides natural beauty and screening (including the large Wellingtonia tree at the front of the property).
- A substantial Palladian and Georgian style development is uncharacteristic for a conservation area and inappropriate in a private residential park environment that has always been primarily "arts and craft" style housing and this has been an important characteristic and feature of Keston Park that should not be allowed to be diluted.

### Consultee comments

#### Highways - no objections

APCA - Object. Overdevelopment and poor design, materials described in application do not match those shown on the drawings. Does not justify the loss of the existing building which makes a positive contribution to the Conservation Area in accordance with Historic England criteria.

Conservation Officer - The inspector appeared to accept demolition of the house despite saying it made a positive contribution which is a pity as it is one of the few original houses in the CA. The proposed replacement was dismissed because of its dominant design and I feel that the retention of the full height central bay, with pediment and balustrading to the parapet, means that this is still a harmful proposal. They have however removed the portico.

Environmental Health (Pollution) - no objection in principle subject to a condition in relation to the swimming pool.



Drainage - The Council expects a prestigious development like this one to maximise the use of SUDS on site to provide surface water run-off attenuation for all events including the 1 in 100 plus climate change storm event.

Thames Water - no objection

### **Planning Considerations**

In determining planning applications, the starting point is the development plan and any other material considerations that are relevant. The adopted development plan in this case includes the Bromley Unitary Development Plan (UDP) (2006) and the London Plan (July 2015). The National Planning Policy Framework 2012 (NPPF), as well as other national planning guidance is also relevant.

The most relevant Unitary Development Plan policies are as follows:

- BE1 Design of Development
- BE11 Conservation Areas
- BE12 Demolition in Conservation Areas
- BE14 Trees in Conservation Areas
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and trees
- T3 Parking
- T7 Cyclists
- T18 Road Safety

SPG No.1 - General Design Principles  
SPG No.2 - Residential Design Guidance  
Keston Park Conservation Area Guidance

The most relevant London Plan policies are as follows:

- Policy 3.5 Quality and design of housing developments
- Policy 3.8 Housing choice
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 6.13 Parking
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local character
- Policy 7.6 Architecture
- Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

## Planning History

Planning application reference: 15/03657/FULL1 was dismissed at appeal on the 25th April 2016.

Under planning application reference: 15/03657/FULL1 planning permission was refused for demolition of existing dwelling and erection of replacement 7 bedroom dwelling with accommodation over two floors and accommodation in the roofspace and basement. The application was refused for the following reason:-

*The proposed development would constitute an overdevelopment of the site by reason of its bulk, height and depth which would cause harm to the character and appearance of the Keston Park Conservation Area, contrary to Policies BE1 and BE11 of the Unitary Development Plan.*

*The design of the proposed dwelling would be poor and conspicuous in the street scenes, and harmful to the character and appearance of the Keston Park Conservation Area, contrary to policies BE1 and BE11 of the Unitary Development Plan.*

Under planning application reference: 96/01160/CON planning permission was granted for demolition of existing garage/garden store and single storey rear extension. Conservation Area consent.

Under planning application reference: 96/01159/FUL planning permission was granted for front porch single storey side/rear extension including cellar with bin store for demolition of existing garage/garden store and single storey rear extension.

Under planning application reference 01/00174 planning permission was refused for a single storey detached building for use as a granny annex.

Under planning application reference 88/02790 planning permission was granted for single storey rear extension and pitched roof to existing single storey rear extension.

Under planning application reference 84/00495 planning permission was granted for two storey side extension with integral garage.

Under planning application reference: 84/0060/FUL planning permission was granted for single storey detached building for changing rooms and plot room detached house.

Other replacement dwelling planning history on Holwood Park Avenue

At "Ravenshill" Demolition of existing dwelling and erection of a two storey replacement dwelling with basement and accommodation in the roof space with link detached triple garage and swimming pool was approved under reference: 16/01216/FULL1

At "Munde Dorrie", a replacement dwellinghouse was approved under reference 14/01371/FUL in 2014.

At "The Dormers", a replacement 7 bedroom dwelling was approved under reference 10/02794/FUL . This property is immediately south of the site.

## **Conclusions**

### Principle of a replacement dwelling

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

Policy BE12 states that 'A proposal for a development scheme that will involve the total or substantial demolition of an unlisted building in a conservation area that makes a positive contribution to its character or appearance will not be permitted unless the following can be demonstrated:

- (i) there is clear and convincing evidence that reasonable efforts have been made to continue the present use or to find a viable use for the building and these efforts have failed and it is demonstrated that preservation of the building as part of the scheme or in some form of charitable or community ownership is not possible or suitable, or
- (ii) the costs of repairs or maintenance of the building cannot be justified against its importance or the value derived from its retention, provided that the building has not been deliberately neglected, or
- (iii) there will be substantial planning benefits for the community from redevelopment which would decisively outweigh loss from the resulting demolition.

Following on from the appeal decision the demolition of the existing building on site is considered acceptable in principle but must be considered in light of its impact on the Keston Park conservation area. The Council is aware of other replacement dwellings that have been permitted on Holwood Park Avenue over recent years but careful consideration must be given to the style and design of the replacement dwelling.

The Inspector in her decision letter regards the previously refused application stated that "the proposal to demolish the existing house and replace it with one influenced by Neo Classical design would therefore conform to the SPG and given the lower number of buildings on the road influenced by Neo Classical Design."

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan (2015) generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement

the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

### Housing Supply

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development. The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

At the time of writing a recent appeal decision has indicated that the Council does not have an adequate five year Housing Land Supply. The absence of a five year housing land supply means in brief that under the NPPF paragraph 49 the Council should regard relevant development plan policies affecting the supply of housing as 'out of date'. This does not mean that 'out of date' policies should be given no weight or any specific amount of weight. In this case the following sections of the assessment of this application will be given appropriate weight in the consideration of the scheme. The Planning Inspector commented on the previous scheme that even if the Council could not demonstrate a five year housing land supply, the adverse impact of the proposal on the character and appearance of the area would significantly and demonstrably outweigh the benefits. Substantial weight is given in this respect in the determination of this application

### Character and appearance of the Keston Park Conservation Area

The Keston Park SPG provides guidance on new development within the Keston Park conservation area. This states that:

*'The chief interest of Keston Park Conservation Area lies in its historical connection with the Holwood House Estate, and in the way that the landscape is incorporated from Holwood Park into a high quality built development, allowing scope for the construction of large and individualistic private homes in a manner typical of*

*American suburban development. The survival of individual estate dwellings is significant: a keeper's cottage and a gate lodge remain and every effort will be made to retain these elements of an earlier phase of the Park's history.*

*The Council will expect all proposals for new development to conform with the highly dispersed and wooded character of the conservation area, and with the approach taken by surrounding dwellings, especially in regard to the scale and height of construction, location with a plot (where material), design and materials used. It is hoped that all improvement works will take account of the character of original buildings and alter them as little as possible.'*

*Houses in the conservation area generally are of traditional construction and employ materials that pay reference to building types of past ages. This includes features such as timber framed construction, weatherboarding, red brick elevations and tile hanging. Design and construction has tended to be influenced by the Arts & Crafts movement (or neo Classical tradition) rather than modern buildings.*

The Inspector when considering the previously refused application felt that the proposal would fail to preserve or enhance the character or appearance of the Keston Park conservation area because of the design particularly the arched dormers on both the front and sides roofs, giving the property a three storey appearance which is not typical along the street. Secondly, that the proposal would have a substantial double height front portico which would add bulk to the front elevation.

The current application has been amended and the design changed to take account of the Inspectors comments with the main changes being the removal of the front and side arched dormers, reduction in the overall building height by 1m, general revision of the design to give it more of a two storey appearance, reduction in the width of the house so the existing trees to the boundary with The Dormers are unaffected by the proposals and the double height front portico reduced in scale to eliminate undue dominance.

The conservation officer has raised objection to the new proposal stating that whilst the inspector appears to accept demolition of the house despite saying it made a positive contribution, it remains one of the few original houses in the Conservation Area. The proposed replacement was dismissed because of its dominant design and I feel that the retention of the full height central bay, with pediment and balustrading to the parapet, means that this is still a harmful proposal. They have however removed the portico which is positive. The Advisory Panel for Conservation Areas (APCA) have also objected to the scheme.

### Design, Siting and Layout

Policy BE1 of the UDP requires new buildings to complement the scale, form, layout and materials of adjacent buildings and areas and seeks to protect the amenities of neighbouring properties.

The Keston Park Conservation Area is mixed in character with a variety of architectural styles. The proposed dwelling would be significantly larger than the

existing dwelling on site and there is concern that a building of such a significant footprint and size would be detrimental to the character and appearance of the area. This is notwithstanding the fact that a number of large replacement dwellings have been approved in the area.

The appeal Inspector when considering the previously refused scheme stated that 'no two houses are the same' on Holwood Park Avenue and that 'the majority on Holwood Park Avenue have been influenced by the Arts and Crafts movement and that there are examples of neo-classical design. All houses are set in large plots with significant planting and trees creating a landscaped setting.

The proposed replacement house would retain a reasonable amount of side space to both neighbouring properties however the replacement dwelling will appear visual more prominent than the existing mock tudor style house with the bulk, scale and height being more than the current dwellinghouse.

The ridge height has been lowered by 1m and the arched dormers removed to attempt to give the property more of a two storey appearance. The double height front portico has also been removed from the front elevation and replaced with bulk of the roof level proposed is considered excessive and additional bulk and mass would be added to the south-western side of the site adjacent to the neighbouring property The Dormers.

It is noted that the proposals feature a neo-Georgian style. The conservation area is characterised by a mixture of dwelling styles but predominantly traditional styles. Members will need to consider if the changes made differ enough to warrant approval of the application. Whilst it is accepted the appeal Inspector has stated the house the existing house can be demolished it is whether the design changes are sufficient to ensure that the Keston Park Conservation area can be preserved or enhanced.

#### Residential Amenity, Standard of Residential Accommodation and impact on Adjoining Occupiers

Policy 3.5 of the London Plan (2011) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit. The proposals would comply with these requirements.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants and should also respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

It is noted that the proposals include an extensive basement area but that no habitable accommodation is proposed to this area of the house.

The proposed dwelling would be unlikely to cause harm to neighbouring residential or visual amenity given its siting a significant distance to either boundaries.

Windows to the flank elevations can all be obscure glazed as these form en-suite bathrooms to respect the privacy between neighbours.

The neighbours at The Dormers have objected to the development on the basis that the proposed replacement dwelling is imposing and has a bulky appearance which will have a negative impact on the character and appearance within the Conservation Area of Keston Park where the proposal fails to preserve and enhance the area. These issues have been considered above in the report.

### Trees

Policy BE14 states that 'Development will not be permitted if it will damage or lead to the loss of one or more trees in conservation area, unless:

- (i) removal of the tree/s is necessary in the interest of good arboricultural practice, or
- (ii) the reason for the development outweighs the amenity value of the tree/s.
- (iii) in granting permission for the development, one or more appropriate replacement trees of a native species will be sought either on or off site through the use of conditions or planning obligations.

The Tree Officer has provided a consultation response stating they have no objections to the proposed redevelopment of the site providing tree protection is addressed under condition. The redwood tree to the front of the application site should form the main feature in respect of protection measures.

### **Conclusions**

It is acknowledged that the proposed dwelling would be substantially larger than the existing dwellinhouse. However, the application site is wide and the proposed dwelling would retain significant space to either boundary. The development would retain mature landscaping, and the proposed planting of specimen trees would, subject to condition, make a positive contribution to the character and appearance of the conservation area. Technical issues relating to foul and surface water drainage of the site can be addressed by way of conditions.

It is considered that the proposal would preserve the character and appearance of the conservation area and would have no significant impact on residential or visual amenities.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

### **RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1** The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

**Reason:** Section 91, Town and Country Planning Act 1990.

- 2** Details of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

- 3** Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

- 4** No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

**i)** provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

**ii)** specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

**iii)** provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other



arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details

- 5 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 6 Before the development hereby permitted is commenced, details of the specification and position of fencing (and any other measures to be taken) for the protection of any retained tree shall be submitted to and approved in writing by the Local Planning Authority. The areas enclosed by fencing shall not be used for any purpose and no structures, machinery, equipment, materials or spoil shall be stored or positioned within these areas. Such fencing shall be retained during the course of building work.

**Reason:** In order to comply with Policies NE7 and NE8 of the Unitary Development Plan to ensure works are carried out according to good arboricultural practice and in the interest of the health and visual amenity value of trees to be retained.

- 7 The noise level from all fixed plant in terms of dB(A) must remain at all times 5 decibels below the relevant minimum background noise level (LA90 15mins) when measured at any location on the curtilage of the property. Should the plant have a distinctive tonal or intermittent nature the plant noise level shall be increased by a further 5dBA for comparison with the background level.

You are further informed that :

- 8 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

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**Application:**16/03654/FULL1

**Address:** Woodlands Holwood Park Avenue Orpington BR6 8NQ

**Proposal:** Demolition of existing dwelling and construction of a replacement two storey 7 bedroom dwelling with additional roofspace and basement accommodation, associated landscaping and parking.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT**

**Application No :** 16/02531/FULL1

**Ward:**  
Penge And Cator

**Address :** 40A Jasmine Grove, Penge, London  
SE20 8JW

**OS Grid Ref:** E: 534901 N: 169827

**Applicant :** Mr Tim Kuti

**Objections :** YES

### **Description of Development:**

Elevational alterations and change of use of middle building from workshop/storage building to include Class D1 use to allow use as a place of worship.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 32

### **Proposal**

Planning permission is sought for elevational alterations and the conversion of an existing building on the application site from a workshop/storage building to Class D1 to allow the use of the building as a place of worship. Internally, the existing open space would be partitioned to provide a separate foyer, disabled toilet/changing facilities with the most part of the internal space laid out with pews oriented to face the long side elevation.

2 no. windows are proposed to be provided in the flank elevation facing the courtyard. The existing front roller shutters would be retained, and behind the shutters it is proposed to install entrance doors.

The host site is described by the applicant as an industrial/storage yard. There are three buildings on the site:

- A 2 storey front building used as offices ancillary to the use of the site
- A single storey middle building used for storage
- A single storey warehouse building at the rear

The applicants have submitted a design and access statement which refers to the hours of operation of the proposed use:

Office hours - Monday to Friday, 10am - 4.30pm.

Meeting times - Wednesday 7pm - 9pm, Sundays 10am - 1pm, Saturdays 10am - 1pm.

The design and access statement refers to the membership of the church being approx. 30 individuals. The middle building on the site, the subject of this application, was formerly used for vehicle repair and restoration but is currently disused. The application proposes the installation of sound insulation and internal partitioning and minor plumbing/electrical works.

The surrounding area is predominantly residential in character. To the south east are 2 blocks of flats forming Readman Court, with the driveway of that property running adjacent to the boundary with the application site. To the north east are modest terraced dwellings and flats on the other side of Jasmine Grove. The middle building the subject of this application is sited in close proximity to the north western boundary, on the other side of which are the flank elevations of Nos. 1 and 5 Sheldon Close and the access roads leading to those dwellings and to a block of 4 dwellings fronting Jasmine Grove.

### **Consultations**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- Concern that planning permission has already been granted and neighbours object
- Concern regarding the potential for noise disturbance. The previous use of the premises was within routine office hours and did not cause any disturbance. The Methodist Church in Jasmine Grove allows its premises to be used at various times and the music can be heard in the wider area. This premises is right next to residential homes.

### **Technical Comments**

The Highways engineer requested the submission of a parking stress survey formulated using the Lambeth Methodology. This has been submitted and on the basis of this information no objections are raised with regards to the parking provision and highways impacts of the development.

From an Environmental Health (Pollution) perspective, it is noted that the site is likely to be suitable in principle given its size and the proposed hours of use. However, the use has potential for a noise impact on surrounding residents and it is recommended that an acoustic assessment be provided to determine likely noise and recommend mitigations to the building to reduce noise break out from music/singing associated with worship. This could be requested by way of condition as long as the hours of use are also limited by condition to those proposed in the application.

No drainage comments are made.

## **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan

BE1 Design of New Development  
C1 Community facilities  
T3 Parking  
T7 Cyclists  
T18 Road safety  
EMP5 Development outside business areas

The following London Plan policies are of relevance:

3.16 Protection and enhancement of social infrastructure  
7.4 Local Character  
7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.

The NPPF is material to the determination of the application.

### Planning History

Under reference 88/01040 planning permission was refused for a single storey extension to a detached storage building. Permission was subsequently granted under reference 88/03710 and under 91/00532 for single storey extensions to the storage building.

Planning permission was refused under reference 98/00831 for two single storey portable buildings for use as offices and toilet facilities in conjunction with the change of use of the site from warehouse to motor cycle rider training. Permission was refused on the grounds that the use of the site for motor cycle training would have been seriously detrimental to residential amenities by reason of noise and general disturbance.

Permission was granted under 99/03681 for a detached portable building.

A previous application for the demolition of the existing workshop building and erection of detached chapel building, elevational alterations to warehouse building at rear and frontage office building and change of use of site from Class B1/B8 office/warehouse use to allow use as a place of worship falling within Class D1 was withdrawn by the applicant.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area, the impact that it would have on the amenities of the occupants of surrounding residential properties and the transport/parking implications of the proposed development. The loss of business premises also falls to be considered with reference to Policy EMP5 of the Unitary Development Plan.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

#### Loss of business use

The proposal would result in the loss of business use in part of the application site. The applicant has not provided marketing details confirming the non-viability and unsuitability of the premises for B1/B2 or B8 use. On balance it is not considered that the proposed change of use would have an unacceptable impact on the supply of independent business sites in the borough in view of the fact that a significant proportion of the site would be retained in the existing use, with the proposed conversion not prejudicing the on-going business use of the majority of the site.

It appears that historically the different buildings within the site have been used for business purposes sometimes independent of each other and sometimes by a single operator. The frontage office building would be retained as existing along with the large warehouse building at the rear of the site. It is not considered that the conversion of the smaller middle building to a D1 use of the nature proposed would undermine the site's existing and potential business use. The applicants have expressed the wish that the proposal 'includes' a D1 use rather than superseding the existing B1/B8 use. While in practice the granting of planning permission for the use proposed would, if implemented, have the effect of changing the use rather than including an additional use (in view of the fact that the internal alterations - including seating etc. to facilitate the D1 use would tend to preclude a co-existing/concurrent B1/B8 use) it is recommended that if permission is granted it be subject to a condition to secure the reversion to the existing use should the proposed place of worship no longer operate from the premises.

#### Impact of the proposal on the visual amenities of the area

It is considered that the elevational alterations to the building would not have a significant impact on visual amenity, being limited in their scope and the extent to which they would be appreciable from outside the site.

#### Impact of the proposal on residential amenity

The application building lies in close proximity to neighbouring residential dwellings and as such the potential impact on amenity resulting from unacceptable noise and disturbance falls to be carefully considered. In doing so it is appropriate to consider the existing/former potential use of the building (falling within Class B1/B8) in comparison with that proposed, taking into account the opportunity for improving sound insulation of the building associated with this application.

While the proposal would result in comings and goings associated with a congregation of the size referred to in the design and access statement, in view of the existing scope of the B1/B8 use of the site and the limited meeting hours



proposed, it is not considered that the proposal would have a detrimental impact on neighbouring properties in this respect. The information submitted with the application suggests that only 2 car parking spaces would be associated with the proposed use of the building and on this basis it is not considered that the proposal would result in a significant increase in vehicular comings and goings/car doors slamming and engines revving that might cause a disturbance to neighbouring residents.

The previous refusal of planning permission in 1998 for the change of use of the property to a motor cycle training facility is a material consideration in the assessment of the current proposal. However it may be considered that that use would have resulted in greater noise and disturbance than the current proposal, including as it did a more intensive use in terms of hours of operation and especially potential for loud vehicular comings and goings and noise not contained within a building, but within the open part of the site.

The concerns expressed in response to the neighbour notification have been considered. However, no technical environmental health objections are raised to the proposal on the basis of the proposed scale of use and the size of the site, alongside the proposed hours of use.

It is noted that the use may have a potential noise impact on surrounding residents, but that if a full acoustic assessment is undertaken to determine likely noise associated with the uses, along with recommended mitigations and the implementation of these mitigations, the proposal is considered acceptable in principle. Potential noise break out from music/singing associated with worship is of particular relevance, and while the application design and access statement states that there would be no "excessive PA systems" it is considered appropriate to seek greater technical information of the proposed systems and mitigations in the interest of the residential amenities of neighbouring residents.

#### Impact of the proposal on highways safety, parking provision and the free flow of traffic

From a technical highways perspective the applicant has provided a parking stress survey which is considered to adequately demonstrate that there is on-street car parking capacity in the locality at the relevant times. No objections are raised to the proposal from a technical highways perspective although if permission is granted it would be expedient to apply a condition safeguarding the provision of parking/cycle parking as shown on the submitted plan to ensure that in practice the use parking associated with the use operates as described.

Having had regard to the above it is considered that the proposal as submitted would not have a significant detrimental impact on the visual and residential amenities of the area, the business use of the site, nor on parking demand/highways safety and that conditional planning permission should be granted for the proposal.

as amended by documents received on 15.08.2016

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**Reason: Section 91, Town and Country Planning Act 1990.**

- 2 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.**

- 3 Prior to the commencement of the development hereby permitted an acoustic assessment to determine likely noise and recommend mitigations to the building to achieve a reasonable resistance to airborne sound transference and reduce noise break out associated with the proposed use shall be submitted to the Local Planning Authority and approved in writing. The acoustic assessment shall include detailed information regarding any public address (PA) system, including the siting of speakers, details of the frequency and nature of use i.e. for the amplification of music/human speech, its volume and technical specification.**

**The recommended mitigations shall be implemented in accordance with the approved details prior to the first use of the building for the purposes hereby granted planning permission and shall be permanently retained as such thereafter and any PA system shall be operated in complete accordance with the approved details.**

**Reason: In order to comply with Policy 7.15 of the London Plan and in the interest of the residential amenities of the occupants of neighbouring properties.**

- 4 The building shall not be used for congregation/collective worship outside of the hours 19.00 - 21.00 on Wednesday, and 10.00 - 13.00 on Saturdays and Sundays.**

**Reason: In the interest of the residential amenities of neighbouring residents and to accord with Policy 7.15 of the London Plan.**

- 5 The building shall be used as a place of worship and for no other purpose within Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification. If the use of the building as a place of worship ceases, the use will revert to the existing Class B1/B8 use.

**Reason:** In the interest of the residential amenities of the area and in order that a change of use within the Use Class can be considered in the light of the specific use/user and the circumstances at the time.

- 6 Before commencement of the use of the land or building hereby permitted parking spaces and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or parking spaces indicated or in such a position as to preclude vehicular access to the said land or spaces.

**REASON:** In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

- 7 Before the use hereby permitted first commences, bicycle parking shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

**REASON:** In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 8 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

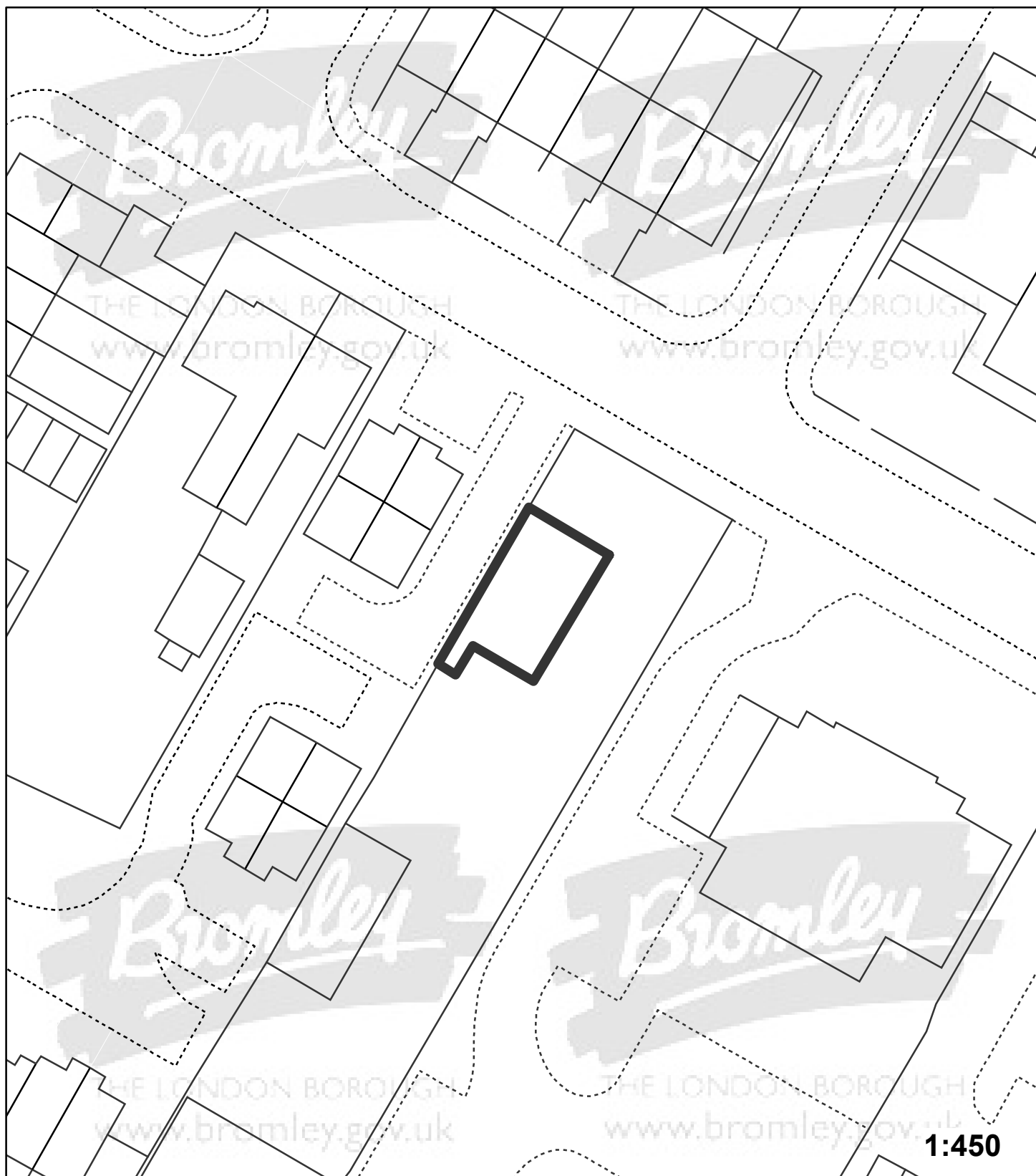
**Reason:** In the interest of the residential and visual amenities of the area and to accord with Policy BE1 of the Unitary Development Plan.

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**Application:**16/02531/FULL1

**Address:** 40A Jasmine Grove Penge London SE20 8JW

**Proposal:** Elevational alterations and change of use of middle building from workshop/storage building to include Class D1 use to allow use as a place of worship.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT**

**Application No :** 16/02605/FULL1

**Ward:**  
West Wickham

**Address :** 60 The Alders, West Wickham BR4 9PG

**OS Grid Ref:** E: 537579 N: 165897

**Applicant :** .

**Objections :** YES

### **Description of Development:**

Demolition of existing dwelling and construction of a pair of two storey five bedroom semi-detached dwellings with roofspace accommodation, together with front rooflights and rear dormers, associated parking, additional vehicular access and amenity space.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
River Centre Line  
Smoke Control SCA 51

### **Proposal**

Planning permission is sought for the demolition of the existing dwelling and construction of a pair of two storey five bedroom semi-detached dwellings with roofspace accommodation, together with front rooflights and rear dormers, associated parking, additional vehicular access and amenity space.

The dwellings would each have a maximum width of approximately 7.4m and a maximum depth of 11m. The dwellings would be two storey with a hipped roof with a maximum height of approximately 8.1m, incorporating flat roofed rear dormers and front rooflights to facilitate the provision of habitable accommodation at second floor level. The dwellings would incorporate two storey hipped roof front bay projections. A separation gap of 1.46m and 2.23m is indicated to the front elevation from the side boundaries to No 62 and Aldersbrook Court respectively.

Materials are indicated as tiled roof with brick wall and separate plinth brickwork, conservation style roof lights and a tiled bay window.

### **Location**

The site comprises a small detached chalet bungalow, situated on the western side of The Alders. To the north is a block of flats known as Alderbrook Court. To the south is No 62, which is another, somewhat larger, detached chalet bungalow. In common with nearby properties on this side of the road, No 60 has a very deep

plot, through the middle of which runs a watercourse known as The Beck. The site is also situated lower by approximately 1.5m in ground level difference sloping down from the level of the highway.

The site as a whole falls within Flood Zones 2 and 3. The site is not in a conservation area nor is the building listed.

## **Consultations**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- Plans appear to be same. Houses are too large with limited parking.
- No 62 will be heavily overshadowed with changing aesthetic for properties opposite.
- Increased parking congestion and indiscriminate parking.
- Two properties are overdevelopment.
- Flooding has occurred on the site.

Note: A petition has been received with signatories from 12 addresses objecting to the proposal on the grounds of the previous reasons for refusal.

Internal Consultations

Highways:

The site is located to the west of The Alders. The development would be using the existing and proposed vehicular crossovers to gain access to the car parking area for each proposed dwelling. This is acceptable in principle. Two iron bollards may need to be removed or relocated. The applicant shall fund all the expense associated with the creation of the new crossover.

Two car parking spaces for each property are indicated on the submitted plan which is satisfactory. Two cycle parking spaces per unit are required.

Environmental Health - Pollution

No objections within the grounds of consideration.

Drainage:

The proposed mitigation included in the submitted FRA carried out by Herrington Consulting Ltd dated May 2016 is acceptable.

Environmental Health - Housing

General concerns raised regard minor deficiencies in single bedroom sizes and outlook from second floor study area.



## External Consultations

### Environment Agency:

Having reviewed the documents submitted for this updated planning application, the EA has no objection to the proposed development subject to conditions. Without these conditions the proposed development on this site poses an unacceptable risk to the environment. We note that an updated Flood Risk Assessment (Issue 5, Revision 3, Herrington Consulting Ltd., 31 May 2016) has been submitted, which was based upon amended site plans in line with a number of the recommendations previously made by the EA within a former response dated 14 October 2015.

The proposed development area is situated within Flood Zone 2 and is considered to be at medium flood risk. The proposed development is considered 'more vulnerable' and would be considered acceptable under certain conditions.

While the EA accept that the proposed development area is fully within Flood Zone 2, there are portions of area within the site boundary that fall within Flood Zone 3 which borders the watercourse within the site.

Reviewing the submitted FRA the EA note that the proposal has identified flood levels for the site as well as identifying the finished floor levels of the ground floor. These have been set at more than 300mm above the flood level and all sleeping accommodation is set on the first floor. The EA are pleased with the flood resilience proposed and fully support its inclusion.

As recommended within the FRA, residents should register with the Environment Agency's flood warning service, 'FloodLine'

The EA draw attention to the watercourse situated to the rear of the property. The submitted FRA indicates the watercourse is approximately 10m from the edge of the building. The EA are pleased to note this is further away than the initial proposals; the patio remains within 8m of the watercourse though again is located further away in the amended drawings. During construction the EA would need to ensure that appropriate pollution prevention is applied during the works to ensure no pollution to the watercourse. Please be aware that the river The Beck, is a designated 'main river' and under the jurisdiction of the Environment Agency for its land drainage functions as stated within Water Resources Act 1991 and associated byelaws. Any works in, over, under or within 8m of the top of bank will require consent from the EA. The EA would encourage the applicant to ensure that their works are outside the 8 metre byelaw and if they do encroach that they contact the Partnerships and Strategic Overview team at [PSO.SELondon&NKent@environment-agency.gov.uk](mailto:PSO.SELondon&NKent@environment-agency.gov.uk) to apply for consent.

### Thames Water:

On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity there is no objection to the above planning application.

## Planning Considerations

London Plan 2015:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.10 Urban Greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.12 Road Network Capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 7.19 Biodiversity and Access to Nature
- 8.3 Community Infrastructure Levy

Housing: Supplementary Planning Guidance. (March 2016)

Technical housing standards - Nationally Described Space Standard (March 2015)

Unitary Development Plan:

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure

- ER7 Contaminated Land
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and Trees
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles  
 Supplementary Planning Guidance 2: Residential Design Guidance

#### Emerging Bromley Local Plan:

A consultation on the Draft Local Plan policies was undertaken early in 2014 in a document entitled Draft Policies and Designations Policies. In addition a consultation was undertaken in October 2015 in a document entitled Draft Allocation, further policies and designation document. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

- Draft Policy - Housing supply
- Draft Policy - Housing design
- Draft Policy - Side Space
- Draft Policy - Parking
- Draft Policy - General Design of Development
- Draft Policy - Landscape Quality and Character
- Draft Policy - Sustainable waste management
- Draft Policy - New Waste Management Facilities and Extensions and Alterations to
- Draft Policy - Existing Sites
- Draft Policy - Reducing flood risk
- Draft Policy - Sustainable Urban Drainage Systems
- Draft Policy - Water and Wastewater Infrastructure Capacity
- Draft Policy - Contaminated Land
- Draft Policy - Noise pollution
- Draft Policy - Air Quality
- Draft Policy - Sustainable Design and Construction
- Draft Policy - Development and Trees
- Draft Policy - Carbon dioxide reduction, Decentralise Energy networks and Renewable Energy

#### Relevant Planning History

89/03257/FUL: Single storey rear extension

14/04972/FULL1: Demolition of existing dwelling and erection of a pair of semi-detached 5 bedroom dwellings, with new vehicular access. Refused 03.03.2015. Dismissed At appeal on 6/2/2016.

## **Conclusions**

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

### Principle of Development

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan (2015) generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

Paragraph 53 of the NPPF details that local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land within Annex 2 of the NPPF

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

The site is located in a residential location where the Council will consider a greater density of infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of an additional dwelling unit on the land in the form of pair of semi-detached houses as opposed to a single detached house is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

## Housing Supply

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

At the time of writing the Council does not have an adequate five year Housing Land Supply. The absence of a five year housing land supply means in brief that under the NPPF paragraph 49 the Council should regard relevant development plan policies affecting the supply of housing as 'out of date'. This does not mean that 'out of date' policies should be given no weight or any specific amount of weight. In this case the following sections of the assessment of this application will be given appropriate weight in the consideration of the scheme.

## Flood Zone

The application site is located within Flood Zone 2, with part of the site falling within Flood Zone 3.

The National Planning Policy Framework states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk but where development is necessary, making it safe without increasing flood risk elsewhere. The Technical Guidance published alongside the Framework states that for these purposes "areas at risk of flooding" constitutes land within Flood Zones 2 and 3. The National Planning Policy Guidance also classifies the erection of a new dwelling as a more vulnerable use which requires the application of the Sequential Test, and if required the Exception Test.

The previous scheme on the site was refused on the basis that the submitted information was insufficient in relation to its proximity to The Beck. The current revised scheme has relocated the footprint of the proposed semi-detached building forward on site by 1.4m and removed a rear projection resulting in no part of the main building being within 8m of The Beck. The submitted FRA has been updated to reflect this. The EA has not raised objection to the revisions subject to suitable compliance conditions. On this basis the implications to flood risk are considered acceptable.

## Design, Siting and Layout.

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.

Policies 3.4 and 3.5 of the London Plan reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 58 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

Policy H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy BE1 of the UDP requires development to be imaginative and attractive to look at and to complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and the relationship with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy H9 requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained and where higher standards of separation already exist within residential areas. Proposals will be expected to provide a more generous side space.

The existing dwelling is a bungalow, set at a lower land level than the road at The Alders and of simple pitched roof design. The existing bungalow is sited closer to the road than the buildings on the adjacent sites and given its low height and level in relation to the road, it is relatively inconspicuous within the street scene. The siting of the bungalow is such that generous space is retained to both side boundaries, particularly to the south.

In the previous scheme the Council raised concerns with respect to the design, bulk and proximity of the proposal to the side boundaries of the site, appearing as an overly cramped form of development which would fail to respect the established character of the area and being detrimental to the appearance of the area. At the subsequent Appeal the Inspector opined that the houses would be set further forward on the plot and would, therefore, appear as a little higher and the ridge would be nearly 1 metre higher than that of No 62. The proximity to No62 was also seen to emphasise the top heavy effect of the crown roof on the proposed dwellings, and in combination with the side dormers the houses were seen to have an overbearing impact on No 62 within the street scene. In conclusion the combination of the width and height, together with the apparent bulkiness caused by the side dormers and chimneys, the houses were considered detrimental to the street scene.

The current revised scheme has been submitted to address these concerns. The proposed pair of semi-detached dwellings would remain sited further back within the site than the existing dwelling and are now sited approximately 1.5m behind the front building line of No62. Officers are of the view that the proposed building remains considered more in line with the surrounding properties. The ground floor level of the building is also sited approximately 1.5m below the highway which helps to reduce the prominence of the building in street scene vistas. The flank walls of the dwellings would be located approximately 1.46m from the southern site boundary and 2.1m from the northern site boundary tapering to 1.05m at the rear elevation. The height of the building at the ridge point has been reduced by 500mm, the original side dormers and chimney stacks are now omitted and the single storey rear projections have been removed. The rear dormer is also more subservient with a flat roof. The front mock Tudor elevation has been altered to brick materials to blend in the front elevations with the surrounding properties.

The dwellings in the locality are generally semi-detached in form, with the majority benefitting from single storey garages to the side which allow for a good distance to be retained from the flank walls of the dwellings to the side boundaries of the sites. The proposed pair of semi-detached dwellings would have two storey flank walls sited in closer proximity to the side boundaries of their sites than is generally characteristic of the area. However, it shall be noted that the separation is however greater than 1m as required by Policy. On balance, given the revisions to the scheme in terms of the substantially reduced bulk and height and altered elevational design it is considered that the revised scheme has overcome the objections to the previous scheme and now represents a scheme acceptable to the character and appearance of the area.

#### Standard of Residential Accommodation

Policy 3.5 of the London Plan and the Housing SPG (2016) states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit should comply with Nationally Described Housing Standards (2015).

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants.

The floor space size of each house is 185.2m<sup>2</sup>. The nationally described space standard requires a Gross Internal Area of 121m<sup>2</sup> for a 4 bedroom 7 person dwelling house on three levels. On this basis the floorspace provision is considered acceptable.

Generally the shape, room size and layout of the rooms in the proposed building is considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use.

Concern has been raised in respect of a minor shortfall of 1m<sup>2</sup> of floorspace in respect of the single bedroom in each property and outlook only being achieved by a roof light from the study room. Given the generous floor space of the dwelling overall and compliance generally these minor shortfalls are not considered sufficient to warrant refusal of the application. All other habitable rooms would have satisfactory levels of light and outlook.

In terms of amenity space the depth of the rear garden is comparative with similarly sized properties in the vicinity and of sufficient proportion to provide a usable space for the purposes of a four bedroom dwellinghouse.

In accordance with Standard 11 of Housing: Supplementary Planning Guidance. (March 2016) of the London Plan 90% of all new dwellings should meet building regulation M4(2) 'accessible and adaptable dwellings'. No information has been supplied in this regard. It is recommended that compliance with this standard can be secured by condition.

#### Impact on Adjoining Properties

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

In terms of outlook, the fenestration arrangement will provide front and rear outlook to habitable rooms. Windows indicated to the flank elevations are to non-habitable rooms with upper level windows indicated to be obscure glazed on plan. Overall, Officers consider the outlook from windows to maintain a suitable level of privacy to existing neighbouring property.

#### Car Parking and Access

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the UDP and London Plan should be used as a basis for assessment.

The Council's Highway Officer has reviewed the current application and not raised objection due to adequate on site provision and suitable access and manoeuvring arrangements.



### Cycle parking

Cycle parking is required to be two spaces for the dwellings proposed. The applicant has not provided details of a location for lockable cycle storage for two cycles. Further details regarding this can be conditioned as necessary.

### Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has not provided details of refuse storage for the unit. Further details can be conditioned regarding a location and a containment structure.

### Landscaping

An indicative landscaping layout has been submitted as shown on the proposed ground floor site plan drawing that details the areas given over to garden for external amenity for future occupiers. No objections are raised in this regard.

### Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is liable on this application.

### Summary

The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers, subject to suitable conditions nor impact detrimentally on the character of the area. It is considered that standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

On balance the positive impacts of the development are considered of sufficient weight to approve the application with regard to the presumption in favour of sustainable development to increase housing supply.

## **RECOMMENDATION: PERMISSION**

### **Subject to the following conditions:**

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.**

**Reason: Section 91, Town and Country Planning Act 1990.**

- 2 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning**

permission unless previously agreed in writing by the Local Planning Authority.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 3** Details of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

- 4** Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

- 5** Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of visual amenity and the amenities of adjacent properties.

- 6** Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

- 7** Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be

submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

**Reason:** To reduce the impact of flooding both to and from the proposed development and third parties and to accord with Policy 5.13 of the London Plan.

- 8** Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

**Reason:** In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 9** While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

**Reason:** In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

- 10** The development hereby permitted shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan.

**Reason:** To reduce the impact of flooding both to and from the proposed development and third parties and to comply with Policy 5.13 of the London Plan.

- 11** Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

**Reason:** In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

**12** Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

**Reason:** In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

**13** The development permitted by this planning permission shall only be carried out in accordance with the updated and approved Flood Risk Assessment (FRA) by Herrington Consulting Limited dated May 2016 and the following mitigation measures detailed within the FRA:

- o Flood resilient construction measures detailed in Section 7.3 on page 29.
- o Finished floor levels for the lower ground floor are set no lower than 68.75m AOD.

The approved works shall be carried out in strict accordance with the approved plan and document and shall be permanently retained in operational order thereafter.

**Reason:** To reduce the impact and risk of flooding to the proposed development and future occupants and to comply with Policy 5.12 of the London Plan.

**14** The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(2) 'accessible and adaptable dwellings' and shall be permanently retained thereafter.

**Reason:** To comply with Policy 3.8 of the London Plan 2015 and the Mayors Housing Supplementary Planning Guidance 2016 and to ensure that the development provides a high standard of accommodation in the interests of the amenities of future occupants.

**15** No extensions or alterations to the building hereby approved, whether or not permitted under Article 3 to Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order) of that Order, shall be carried out without the prior written permission of the local planning authority.

**Reason:** In order that, in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policy BE1 of the Unitary Development Plan and Policy 5.12 of the London Plan.

**You are further informed that :**

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.**
- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at [www.bromley.gov.uk](http://www.bromley.gov.uk)**
- 3 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).**

**If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)**
- 4 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.**
- 5 Before demolition commences, the Applicant is advised to have a full pre-demolition survey carried out to identify any asbestos containing products which may be in the building, and then contact the Health & Safety Executive to ensure compliance with all relevant legislation. The Applicant should ensure compliance with the Control of Asbestos Regulations 2012 and the Health and Safety at Work Act 1974 in relation to the safe removal of any asbestos on site prior to demolition.**
- 6 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.**

- 7 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.**
- 8 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.**
- 9 It is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.**
- 10 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.**
- 11 Residents are advised to register with the Environment Agency's flood warning service, 'FloodLine', so that they may prepare themselves in case of a flood event. This can be done by calling 0345 988 1188 to register. We note the proposed flood evacuation plans and support safe dry access and egress to the site in a flood event. Any plans should be submitted to the LPA's Emergency Planning Department (EPD) for their suitability.**
- 12 During construction the applicant is required to ensure that appropriate pollution prevention is applied during the works to ensure no pollution to the watercourse.**
- 13 The applicant is advised that the river 'The Beck', is a designated 'main river' and under the jurisdiction of the Environment Agency for its land drainage functions as stated within Water Resources Act 1991 and associated byelaws. Any works in, over, under or within 8m of the top of bank will require consent from the Environment Agency. The applicant is encouraged to ensure that their works are outside the 8m byelaw and if they do encroach that they contact the Partnerships and Strategic Overview team at [PSO.SELondon&NKent@environment-agency.gov.uk](mailto:PSO.SELondon&NKent@environment-agency.gov.uk) to apply for consent.**
- 14 Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify**

**Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.**

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**Application:**16/02605/FULL1

**Address:** 60 The Alders West Wickham BR4 9PG

**Proposal:** Demolition of existing dwelling and construction of a pair of two storey five bedroom semi-detached dwellings with roofspace accommodation, together with front rooflights and rear dormers, associated parking, additional vehicular access and amenity space.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT**

**Application No :** 16/03296/FULL1

**Ward:**  
**Shortlands**

**Address :** 143 Westmoreland Road, Bromley  
BR2 0TY

**OS Grid Ref:** E: 539354 N: 167795

**Applicant :** Mr Abdullah Sarfraz

**Objections :** YES

### **Description of Development:**

Erection of storage container (RETROSPECTIVE) with associated increase in height of boundary wall to provide screening.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 2

### **Proposal**

Retrospective permission is sought for a storage container which has been positioned to the side/rear of No. 143 Westmoreland Road.

The structure is fabricated from metal and has the appearance of a shipping container. It measures 6.1m long and 2.4m wide and has a flat roof 2.6m high. Doors are sited in the rear elevation facing into a rear service yard and this elevation incorporates white stencilled print and vertical bars to lock/unlock the container.

The application is supported by a Planning, Design and Access Statement which states that the storage container provides ancillary storage accommodation in connection with the applicant's business operations.

The current application includes the proposed increase in height of the flank boundary wall. An existing brick wall runs along the side of the site is approx. 2.5m high towards the front of the site. Its height decreases towards the rear of the site, taking into account the gradient of the street, with the rearmost part of the wall nearest Woodlea Drive being approx. 1.6m high. It is proposed to increase the height of the wall so that the top of the wall is level rather than incorporating a staggered height, such that at the rear of the site the height above the pavement would be 2.8m. An additional wall would be erected at a right angle to the flank wall to partially enclose the rear yard within which the container is sited.

## **Location**

The application site is situated on the southern side of Westmoreland Road at the junction with Woodlea Drive. The property consists of a ground floor commercial use with residential above. The ground floor commercial use is accessed via a side door which is positioned between the brick walls enclosing the side/rear service yard and Westmoreland Road.

## **Consultations**

The application was advertised by way of a site notice as well as by neighbour notification letters. In response to the notification representations were received which can be summarised as follows:

### Local residents

- the increased height boundary wall would have a detrimental impact on the view of the property from Woodlea Drive. This would have a negative impact on the street scene.
- The wall would leave a gap within which rubbish might accumulate
- Children may fall between the wall and the container.
- The container is not an appropriate means for storage in this space
- Once the wall is built the removal of the container would be made more difficult, which undermines the suggestion that the container is temporary
- There are alternative storage facilities in the area which could be used by the applicant
- No business case has been made for the container
- Natural light to the offices will be impacted
- The applicant failed to seek planning permission prior to siting the container on the property despite knowing permission would have been required.
- The wall on the other side of the road is part of a permanent structure and has not been erected to hide an unauthorised development.

## **Planning Considerations**

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

### Unitary Development Plan

Policy BE1 of the Unitary Development Plan is of particular relevance to the proposal, seeking to ensure that development proposals are of a high standard of design and layout and do not detract from the existing landscape nor harm the amenity of occupiers of neighbouring buildings.

Supplementary Planning Guidance 1: General Design Principles is also material to the determination of the application.

## National Planning Policy Framework

Significant weight is placed on the need to support economic growth through the planning system, and it is stated at paragraph 18 that the Government is committed to securing economic growth.

Paragraph 56 of the NPPF relates to design and states that the Government attaches great importance to the design of the built environment, is indivisible from good planning and should contribute to making places better for people. Paragraph 60 states that it is appropriate to seek to promote or reinforce local distinctiveness.

The Planning Practice Guidance on the Use of Conditions is of relevance to the assessment of the proposal and the extent to which the use of planning condition(s) would be appropriate to enhance the quality of development and to mitigate any adverse impacts of the development.

## London Plan

Policy 7.4 of the London Plan relates to Local Character and states that development should have regard to the form, function and structure of an area, place or street.

## **Planning History**

Planning permission has previously been granted for a first floor rear extension under ref. 01/01140.

Permission was granted under reference 01/02694 for single storey side and part two storey/first floor rear extensions.

Under reference 02/03337 permission was granted for single storey and first floor side and rear extensions.

Permission was refused under reference 02/01525 for part first floor rear and two storey side/rear extensions.

Under reference 10/00512 planning permission was granted for a temporary 2 year period from 17th June 2010 until 17th June 2012 for the retention of a storage container which had been installed on the site of the existing container. The container in that instance was larger than the current container. Permission was granted on a temporary basis in order to allow the situation to be reconsidered in the light of the circumstances at that time, in the interest of the amenities of the area.

Planning permission was refused under reference 16/02177 for the retention of the existing container on the grounds:

The prefabricated and temporary appearance of the storage container has a detrimental impact on the character and appearance of the street scene and the quality and distinctiveness of the surrounding predominantly residential area,

appearing as an unduly conspicuous and incongruous feature, thereby contrary to Policy BE1 of the Unitary Development Plan, Policy 7.4 of the London Plan and the National Planning Policy Framework.

Enforcement action was authorised to secure the removal of the container.

## **Conclusions**

The main issues in the assessment of the proposal are the impact of the siting of the shipping container on the visual and residential amenities of the area.

The visual impact of the existing container is most pronounced from the side/rear and from either side of Woodlea Drive. Woodlea Drive slopes down from the junction with Westmoreland Road, and the front wall facing Westmoreland Road is effective in screening much of the container from view from the immediate front of the site. However, the internal ground level of the yard is set at a higher level than the adjacent pavement and street in Woodlea Drive and as a consequence of the somewhat elevated position of the container within the yard and the less satisfactory screening to the side/rear the container is clearly appreciable from outside the site.

The current proposal seeks to address the visibility of the container from the street scene by proposing boundary screening to the rear in conjunction with an increase in the height of the flank boundary wall to provide more effective screening.

In view of the provision of an increased height brick wall, previous concerns regarding the paint finish and quasi-industrial appearance of the container are considered to have less weight since the extent to which the container is visible within the street scene is lessened as a consequence of the erection of the screening walls.

In assessing the visual impact of the proposal in its entirety it is necessary to consider what impact the increased height boundary wall and proposed rear wall would themselves have upon the visual amenities of the area. It is noted that opposite the site the rear yard of the corner property is partly occupied by a substantially high brick wall which forms part of a detached commercial building and which immediately abuts the boundary with Lynden, Woodlea Drive. In view of this structure, it is considered that the provision of more imposing boundary screening to the rear and side of the application site would not appear jarring or out of context with the locality. The proposed rear wall would mark the boundary between commercial development fronting Westmoreland Road with rear service yards and the suburban residential environment of Woodlea Gardens. The proposed rear wall would be separated from the nearest residential dwelling at No.2 Woodlea Drive by approx. 10m - a more generous separation than that which exists between the development opposite and Lynden and sufficiently generous as to limit impact on residential amenity including outlook.

It is therefore considered that the proposed wall development would in itself be acceptable in terms of its appearance and welcomed in the extent to which it would screen views of the storage container located within the rear yard of the frontage

premises. It is not considered that adequate grounds exist to refuse planning permission on grounds of impact on visual or residential amenity.

Under section 72 of the Town and Country Planning Act 1990 it is provided that local planning authorities may grant planning permission for a specified temporary period only. It is stated in the Planning Practice Guidance on the use of planning conditions that it will rarely be justifiable to grant a second temporary permission - "further permissions should normally be granted permanently or refused if there is clear justification for doing so." It continues, stating: "there is no presumption that a temporary grant of planning of planning permission should be granted permanently."

It is noted that retrospective planning permission was previously granted by the Plans Sub Committee for a larger container on a temporary basis (personal to the applicant) and that the previous container was longer than that currently installed on the site. That the current container is smaller than that which was granted temporary planning permission under reference 10/00512 is noted. This current application does not seek a renewal of the temporary permission granted under reference 10/00512 (which in any case expired in 2012). It is not considered that the granting of temporary permission for the previous larger container should lead to the presumption that the current proposal should be granted planning permission. The previous consent was limited to a defined time period and particular user to allow the Council to reconsider the situation in the light of contemporary circumstances. The previous container was removed and then the current container subsequently installed some 2 years later.

The shipping container is inherently temporary in its appearance and its lack of physical permanence would to an extent undermine the case that permission for the siting of the container should be granted on a permanent basis. It is a visibly temporary structure which would, however, be surrounded by a permanently increased height flank wall and a new permanent rear wall.

The guidance referred to above discusses the undesirability of granting second or subsequent temporary permissions. On balance, however, in view of the temporary appearance of the container itself, and taking into account the design and access statement's agreement that a temporary permission for the container would be a viable and pragmatic solution to the applicant's storage requirements it is considered that a temporary planning permission would be appropriate, personal to the applicant. This takes into account the fact that this current container is materially different to that which was previously positioned on the site.

If planning permission is granted it is considered appropriate to apply a reasonable time limit for the implementation of the proposed wall development in the interest of the residential and visual amenities of the area. Since it has previously been determined that the retention of the storage container without screening is unacceptable, it is considered imperative that the screening proposed as part of this application be installed promptly. The screening has been proposed by the applicant specifically to address the previous grounds for refusal and as such its provision by way of a planning condition is considered reasonable and appropriate.

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1 The development hereby granted planning permission shall be completed within 3 months of the date of this decision.**

**Reason: In the interest of the residential and visual amenities of the area and to accord with Policy BE1 of the Unitary Development Plan.**

- 2 The storage container hereby permitted shall be removed on or before the 6th October 2019.**

**REASON: In order that the situation can be reconsidered in the light of the circumstances at that time in the interest of the amenities of the area and to accord with Policy BE1 of the Unitary Development Plan.**

- 3 The storage container shall only be used by Mr Abdullah Sarfraz in conjunction with the commercial use of 143 Westmoreland Road.**

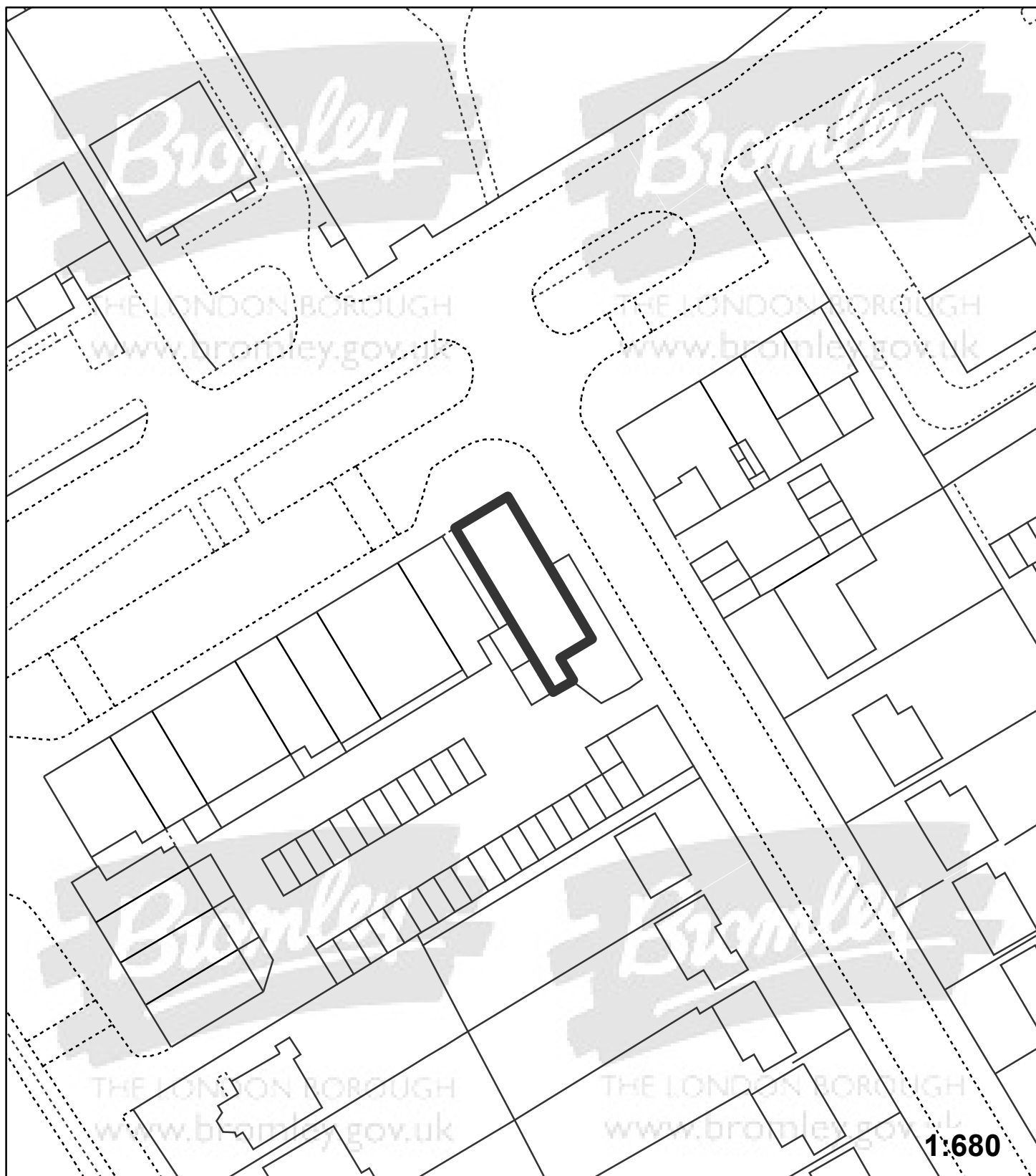
**REASON: To enable the Council to reconsider the situation in the event of a change of user in the interest of the amenities of the area.**



**Application:**16/03296/FULL1

**Address:** 143 Westmoreland Road Bromley BR2 0TY

**Proposal:** Erection of storage container (RETROSPECTIVE) with associated increase in height of boundary wall to provide screening.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## **Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT**

**Application No :** 16/03526/FULL6

**Ward:**  
Cray Valley West

**Address :** 7 Sherborne Road, Orpington BR5 1GX

**OS Grid Ref:** E: 545737 N: 167997

**Applicant :** Mr Jemal Yusuf

**Objections :** YES

### **Description of Development:**

Creation of basement, roof alterations to include partial hip to gable and rear dormer, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 23

### **Proposal**

Permission is sought for the creation of basement, roof alterations to include partial hip to gable and rear dormer, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear. (Revised plans were received 07/09/2016).

The proposed basement will be 6m wide and 19m in length. It will not project beyond the footprint of the dwelling.

The existing garage will be removed to accommodate the proposed two storey front side extension and provides a 1m side space. It will project 5.3m from the existing flank elevation and will be 19m deep, projecting 1.3m forward of the existing front elevation.

The proposed roof alterations include a partial hip to gable extension and a rear dormer, utilising the roof space created by the proposed side extension. One skylight is proposed for the flat central section of roof.

Elevational alterations include alterations to the front entrance and the insertion of a first floor window within the existing rear elevation. A raised terrace with steps to the rear is also proposed.

Revised plans were received on the 7th September which reduced the proposed roof from a full gable extension to a half hip extension. The side space has also

been increased to provide 1 metre to the flank boundary for the full height and length of the development.

## **Location**

The application site is a two storey detached property located on the northern side of Sherborne Road. The site is not located within a Conservation Area nor is the property listed.

## **Consultations**

Nearby owners/occupiers were notified of the application and representations were received which can be summarised as follows:

- Part of the front driveway/garden will be lost, resulting in a loss of parking
- Basement does not complement surrounding development, contrary to Policy H7(iii) and H8(i)
- Basement may cause subsidence and structural issues.
- Insufficient side space to western boundary, contrary to Policy H9
- Loss of garage and impact on on-street parking
- Cat slide roof is an architectural feature of many houses in this area and will be lost
- Proposed roof line is incongruous within the street scene
- Proposed basement would be the first in the area and, if permitted, would set an unwelcome precedent in the wider area of Petts Wood
- Age of the property (1930) means that it is likely the properties have shallow foundations and digging the basement will potentially have an adverse effect on neighbouring properties.
- Noisy and disruptive during excavation
- Water displacement from basement
- Did not seek pre-application advice
- Two storey side extension is not subservient to the host dwelling
- Loss of amenity to neighbouring rear gardens which will be overlooked from the proposed dormer
- Footprint will increase from 79.6 m<sup>2</sup> (excluding garage) to 129.3m<sup>2</sup> - an increase of 62%. (34.5% increase if garage is included). Therefore considered an overdevelopment of the property
- Road is a bus route and there is already problems with the bus negotiating around parked cars.
- Out of character with surrounding area
- The plot is a fairly narrow plot and the proposal would result in overdevelopment
- Loss of privacy
- Against Party Wall Act
- Loss of light and overshadowing
- Loss of original features

Revised plans were received 07/09/2016 and neighbours were notified of the changes. Representations were received in response to the amended plans which can be summarised as follows:

- Minor amendments do not address the basement extension which presents a great risk to neighbouring properties.
- Basement will result in noise and disruption for neighbours
- Will set an unwelcome precedent
- Remains an overdevelopment of a narrow plot
- Ugly and asymmetric roof line would look out of character in the road.
- Box shaped full width dormer will not integrate well with the pitched roof and will overlook neighbouring gardens
- Due to proximity to neighbours, it will result in loss of light and overshadowing
- Loss of garage and impact on on-street parking
- Cat slide roof is an architectural feature of many houses in this area and will be lost
- Increase in side space to 1m is not sufficient to mitigate against possible damage to neighbouring properties

Comments were received from the Councils Highways Officer and can be summarised as follows:

- The existing garage appears from the plans to be too small to be used as a garage
- One parking space on the frontage and it is not clear if the intention is to increase the hardstanding.
- Proposal will result in a 5bed dwelling therefore 2 spaces would be more appropriate but there appears spaces available on Sherbourne Road

No objection was received from the Councils Drainage officer.

### **Planning Considerations**

The application falls to be determined in accordance with the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space  
T3 Parking  
T18 Road Safety

SPG No.1 - General Design Principles  
SPG No.2 - Residential Design Guidance

There is no planning history on this site.

## Conclusions

The main issues relating to the application are its design and the impact that it would have on the character of the area and on residential amenities of the occupants of surrounding residential properties.

Policies H8, BE1 and the Council's Supplementary Design Guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development. Policy BE1 also requires development to have a relationship with neighbouring buildings that allows for adequate daylight and sunlight to penetrate in and between buildings, respect the amenity of existing and future occupiers of neighbouring buildings and ensure that their environments are not harmed by reason of noise and disturbance or by inadequate daylight, sunlight, privacy or overshadowing.

The proposed basement will be 6m wide and 19m in length and it will not project beyond the footprint of the dwelling. Due to the nature of the proposed basement being below the property it is considered that this would have no impact on the amenities of any adjoining residential properties with regards to loss of light, outlook or visual amenity, nor an impact on the street scene. A number of objections have been received in relation to the basement setting a precedent for similar developments in the area, however any future applications will be assessed on their own merits. In this particular case the proposed basement will not impact on neighbouring amenity, therefore the size and siting is considered acceptable. Concerns raised by the neighbouring property with regards to the structural stability of the extension and effect on the stability of neighbouring properties are noted, however, these matters would be considered under Building Regulations and would not be a material planning consideration.

The proposed two storey front/side extension will project 5.3m from the existing flank elevation and will be 19m in length, projecting 1.3m forward of the existing front elevation. It has been designed to respect the existing features and materials of the property; a small front gable is proposed to reflect the existing gable feature and materials are indicated to match the existing property. The existing garage will be demolished to accommodate the proposal. Policy H9 of the Unitary Development Plan (UDP) seeks to prevent a cramped overdevelopment of a site. It requires any extensions of two or more storeys to have a minimum of 1m side space for the full height and length of an extension. The revised proposal will provide 1m to the western boundary thereby compliant with Policy H9 of the UDP. The proposal includes the insertion of two first floor windows in the western flank elevation to serve a landing and bathroom. It is considered appropriate to impose a condition on any approval to ensure the first floor windows are non-opening below 1.7m and obscure glazed to prevent any additional opportunities for overlooking and subsequent loss of privacy to both the host dwelling and neighbouring property.

The proposed roof extension will enlarge the roof and changing its design to include a partial hip. The proposal also includes a dormer located within the rear roof slope and one skylight in the flat central section of roof. The existing property

has a catslide roof and concerns have been raised regarding the loss of this architectural feature. It was noted that whilst No.9 is of a similar design, the street consists of a variety of roof forms and design features and therefore the proposed side extension and roof alterations are not considered to result in a detrimental impact on the character of the area or the street scene in general, in compliance with Policy H8 of the UDP. With regards to neighbouring amenity, the proposed dormer will contain two windows in the rear elevation. The dormers would result in some additional overlooking due to their elevated position, however this is not considered to be materially worse than the existing situation.

The elevational alterations include alterations to the front entrance and insertion of a first floor window within the existing rear elevation. The proposed alterations to the entrance include removing the arch over the front door. The loss of this arch raised concern from local residents in respect of the loss of original features, however, the property is set back approximately 9.4m from the front boundary therefore it is not considered to impact significantly on the character of the area or street scene in general, thereby compliant with Policy H8 of the UDP.

With regards to the proposed raised terrace at the rear of the dwelling, both the host dwelling and neighbouring properties have existing rear patio areas, albeit at a lower level than proposed. To the western boundary the properties are separated by dense vegetation which will provide screening. To the east, the properties are currently separated by a low level close boarded fence and therefore a degree of mutual overlooking between these properties already exists. Although the proposal would increase the height of the terrace, the terrace would not extend to the boundaries. Therefore taking into account the level of privacy that currently exists between the properties, and the proposed siting of the terrace away from the boundaries, it is considered that the proposed raised terrace would not unreasonably increase the level of overlooking. As such, the requirements of Policy BE1 would not be compromised.

Having had regard to all the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to adjacent properties nor impact detrimentally on the character and appearance of the host dwelling or area in general due to the wide variation in the design of dwellings and roof forms within the immediate locality. The proposed development is therefore considered to be compliant with the overarching aims and objectives of Policies BE1, H8 and H9 of the UDP and the NPPF.

In respect of the proposed car parking arrangements, concerns have been raised from local residents regarding the impact on highways safety and on-street parking as a result of the loss of the garage. The existing garage will be lost however no objection was raised from the Councils Highways Officer as sufficient spaces are available on Sherbourne Road.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

as amended by documents received on 07.09.2016

**RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1 The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

**REASON:** Section 91, Town and Country Planning Act 1990.

- 2 Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.

**REASON:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

**REASON:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

- 4 Before the development hereby permitted is first occupied the proposed first floor window(s) in the western flank elevation shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.

**REASON:** In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan

- 5 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the flank elevation(s) of the extension hereby permitted, without the prior approval in writing of the Local Planning Authority.



**REASON:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 6** A side space of 1 metre shall be provided between the western flank wall of the extension hereby permitted and the flank boundary of the property

**REASON:** In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.

- 7** During the construction works hereby approved no operations including deliveries to or from the site shall be carried out on the site other than between the hours of 07.30 to 17.00 Mondays to Fridays inclusive and to 13.00 on Saturdays and no operations shall be carried out at all on Sundays or on statutory Bank Holidays.

**REASON:** To maintain the residential amenity of the surrounding residential development in accordance with policy BE1 of the Unitary Development Plan and the aims and objectives that the National Planning Policy Framework seeks to protect and promoted with regard to amenity.

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**Application:**16/03526/FULL6

**Address:** 7 Sherborne Road Orpington BR5 1GX

**Proposal:** Creation of basement, roof alterations to include partial hip to gable and rear dormer, demolition of garage and erection of two storey front/side extension, elevational alterations and terrace with steps to rear.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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