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DATE: 13 June 2017

To: Members of the
PLANS SUB-COMMITTEE NO. 2

Councillor Lydia Buttinger (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Peter Dean, Nicky Dykes, Simon Fawthrop, Russell Mellor, Tony Owen,
Richard Scoates and Richard Williams

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 22 JUNE 2017 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

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

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 27 APRIL 2017**
(Pages 1 - 10)
- 4 **PLANNING APPLICATIONS**

SECTION 1

(Applications submitted by the London Borough of Bromley)

Report No.	Ward	Page No.	Application Number and Address
4.1	Hayes and Coney Hall	11 - 16	(16/00931/ADV) - Land fronting 48 - 52 Hayes Street, Bromley

SECTION 2

(Applications meriting special consideration)

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4.3	Shortlands	23 - 44	(17/01390/OUT) - 44 Cumberland Road, Shortlands, Bromley, BR2 0PQ

SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.4	Hayes and Coney Hall	45 - 50	(17/00609/FULL1) - 20 Chilham Way, Hayes BR2 7PR
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4.6	Hayes and Coney Hall	61 - 66	(17/00829/ADV) - 20 Chilham Way, Hayes BR2 7PR
4.7	Plaistow and Sundridge	67 - 74	(17/01013/FULL6)- 16 New Street Hill, Bromley, BR1 5AU

4.8	Petts Wood and Knoll	75 - 84	(17/01145/FULL6) - 75 Mayfield Avenue, Orpington, BR6 0AH.
4.9	Bickley Conservation Area	85 - 94	(17/01196/RECON) - 3 Sundridge Avenue, Bromley, BR1 2PU
4.10	Cray Valley East Conservation Area	95 - 104	(17/01264/FULL6) - 13 Riverside Close, Orpington, BR5 3HJ
4.11	Clock House	105 - 124	(17/01634/FULL1) - St Michael and All Angels Church, Ravenscroft Road, Beckenham, BR3 4TP.
4.12	Shortlands Conservation Area	125 - 132	(17/01711/FULL6) - 39 Hayes Way, Beckenham, BR3 6RJ

SECTION 4

(Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
4.13	Kelsey and Eden Park	133 - 140	(17/01845/FULL6) - 33 Greenways, Beckenham, BR3 3NQ

5 CONTRAVENTIONS AND OTHER ISSUES

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6 TREE PRESERVATION ORDERS

Report No.	Ward	Page No.	Application Number and Address
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PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 27 April 2017

Present:

Councillor Lydia Buttinger (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Kathy Bance MBE, Peter Dean, Nicky Dykes,
Samaris Huntington-Thresher, Russell Mellor,
Neil Reddin FCCA and Richard Scoates

Also Present:

Councillors Julian Benington, Charles Joel and Melanie Stevens

25 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

All Members were present.

26 DECLARATIONS OF INTEREST

Ward Member, Councillor Julian Benington, declared a non-pecuniary interest in Items 4.1 and 4.2 as a Trustee of the Biggin Hill Memorial Museum Trust.

27 CONFIRMATION OF MINUTES OF MEETING HELD ON 2 MARCH 2017

RESOLVED that the Minutes of the meeting held on 2 March 2017 be confirmed and signed as a correct record.

28 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

28.1 BIGGIN HILL CONSERVATION AREA

(17/00728/FULL1) - St Georges RAF Chapel, Main Road, Biggin Hill, TN16 3EJ.

Description of application – Proposed Memorial Museum (Use Class D1) with ancillary café/ shop (Use Class A1/A3) with associated car parking, landscaping and alterations to the access points, demolition of modern annex building at St Georges Chapel and minor alterations to the listed building.

Oral representations in objection to and in support of

the application were received.

Oral representations from Ward Member, Councillor Julian Benington in support of the application were received at the meeting. Ward Member, Councillor Melanie Stevens, was present at the meeting and Councillor Benington said that she also supported the application.

Councillor Benington pointed out that on page 17 of the Chief Planner's report, line 10 the words, 'Aircraft Association' should read, 'Air Crew Association'.

The Chief Planner's representative reported that in excess of forty objections, four letters of support and a petition had been received since the agenda had been published which had been summarised and circulated to Members. A further late objection with photographs attached had been received from Downe Residents' Association and the London Borough of Bromley Residents' Federation and circulated to Members. Also, a condition with regard to parking would be amended.

Councillor Richard Scoates objected to the application and acknowledged that the proposed development currently fell within the Green Belt, but on the Council's adoption of the draft Local Plan, the site would be taken out of Green Belt. Councillor Scoates had parking concerns and he hoped that informal arrangements with the Air Training Corps could be formally agreed to accommodate future traffic demand.

Councillor Dean spoke in support of the project. With regard to the parking issue raised, the Council's highways team were happy with the current arrangements. In his view the project was viable with funding in place and it had the support of two ward members and some residents.

Councillor Turner also expressed his support in the proposed development.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions and informative set out in the report of the Chief Planner with the deletion of Condition 12, an amendment to Condition 18 and a further Informative to read:-

"18. Details of a scheme for the management of the car park, which shall include details of any formal

arrangement for offsite (overspill) parking shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is first occupied and the car park shall be operated in accordance with the approved scheme at all times unless previously agreed in writing by the Authority.

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 inconvenience to other road users and would be detrimental to amenities and prejudicial to road safety.

INFORMATIVE 2: The Local Planning Authority strongly advises the Applicant that prior to making an application to the local planning authority to discharge condition 3 and 6 a consultation period is undertaken with local residents and consultees with regard to brickwork/materials and landscaping details for the proposed development, and consideration be given to the use of solar panels on the site."

28.2
BIGGIN HILL
CONSERVATION AREA

(17/00736/LBC) - St George's RAF Chapel, Main Road, Biggin Hill, TN16 3EJ

Description of application – Listed Building Consent - Proposed Memorial Museum (Use Class D2) with ancillary café/ shop (Use Class A1/A3) with associated car parking, landscaping and alterations to the access points, demolition of modern annex building at St Georges Chapel and minor alterations to the listed building.

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

The Chief Planner's representative reported that in excess of forty objections, four letters of support and a petition had been received since the agenda had been published which had been summarised and circulated to Members. A further late objection with photographs attached had been received from Downe Residents' Association and the London Borough of Bromley Residents' Federation and circulated to Members. Suggested conditions had also been circulated to Members.

Members having considered the report, objections and representations, **RESOLVED that LISTED BUILDING CONSENT be GRANTED** as recommended subject to the following conditions:-

"1. The works hereby granted consent shall be commenced within 5 years of the date of this decision notice.

REASON: Section 18, Planning (Listed Buildings and Conservation Areas) 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 and BE8 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

3. Sample panels of facing brickwork showing the proposed colour, texture, facebond and pointing shall be provided on site and approved in writing by the Local Planning Authority before any work is commenced and the sample panels shall be retained on site until the work is completed. The facing brickwork of the development hereby permitted shall be carried out in accordance with the details of the approved sample panels.

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 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 work is commenced. The windows shall be installed 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.

5. Before any work is undertaken in pursuance of the consent, details shall be submitted to and approved in writing by the Local Planning Authority of such steps to be taken and such works to be carried out as shall, during the progress of works permitted by this consent, secure the safety and stability of that part of the building which is to be retained. The approved steps to secure the safety and stability of the retained building shall be in place for the full duration of the building works hereby granted consent.

Reason: In order to comply with Policy BE8 of the Unitary Development Plan and to protect the fabric of the Listed Building.

6. All internal and external works of making good to the retained fabric of the building shall be finished to match the adjacent work with regard to methods used and to material, colour, texture and profile. Details of the internal finishes of the accommodation within 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 and thereafter permanently retained as such.

REASON: In order to comply with Policy BE8 of the Unitary Development Plan and in the interest of the architectural and historic interest of the Listed Building.”

SECTION 2

(Applications meriting special consideration)

28.3 BROMLEY TOWN

(16/05119/MATAMD) - Multistorey Car Park, Simpsons Road, Shortlands, Bromley, BR1 1DS

Description of application – Section 73 application for the demolition of existing buildings and redevelopment with mixed use scheme comprising multi-screen cinema, 200 flats, 130 bedroom hotel, Class A3 units (restaurant and cafe) including 1 unit for flexible Class A1 (retail shop), Class A3 (restaurant and cafe) or Class A4 (drinking establishment), basement car parking, associated access arrangements (including bus parking), public realm works and ancillary development. Minor Material Amendment to application 13/01094/MATAMD to include elevational changes, reduction in residents car parking, internal layout changes, amendments to facade and roof detailing, re-alignment of (Core A) rear building line, commercial elevation changes, balcony adjustments and treatment of link bridge.

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

The Chief Planner’s representative reported that on page 52 of the Chief Planner’s report that the fourth paragraph from the bottom of the page should be amended to read, “Moats are taking 62 units, 46No. S106 and 16 additional units within Core D. Five wheelchair units and 10 additional car parking spaces will serve these 62 units in Core D, with the remaining 71 parking spaces allocated amongst the 138 general market apartments equating to a ratio of 0.51 spaces for each private residential apartment.”

Also, on page 53, paragraph 6 was amended to read,

“Policy: No policy objections given that there is to be an increase in affordable units by 16 over that as previously approved. Should permission be granted the legal agreement should be amended to include an updated schedule of accommodation.” It was reported that the Environment Agency had no further objections to the application.”

The original scheme was approved at Plans Sub-Committee 1 on 15 March 2012 and Councillor Nicky Dykes was concerned at potential loss of parking, a reduction in wheelchair units and amenity space and referred to a recent appeal decision which acknowledged that balcony windows gave the perception of overlooking and suggested obscured glazing.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration to seek an increase in car parking spaces and details of obscure glazing to limit concerns of potential overlooking.

**28.4
FARNBOROUGH AND
CROFTON**

**(17/00149/OUT) - 132 Crofton Road, Orpington
BR6 8JD**

Description of application - Demolition of existing dwelling and detached garage and erection of detached two storey building with accommodation in roof comprising 7 two bedroom flats with vehicular access from Crofton Lane to serve 9 car parking spaces, refuse store and cycle store (OUTLINE).

Oral representations in support of the application were received.

Oral representations from Ward Member, Councillor Charles Joel, in objection to the application were received at the meeting. He said that Ward Members, Robert Evans and Tim Stevens also objected to the application. Councillor Joel also spoke on behalf of Crofton Residents' Association, Crofton Place and Sparrows Drive Residents' Association and local residents. He referred to the third paragraph on page 84 of the Chief Planner's report under the heading, 'Comments from Consultees'. Councillor Joel said this misled Members as it should have referred to an access to an unused garage. The Chief Planner's report stated that refuse collection vehicles would reverse onto the site and he was concerned that a

potential overspill of parking onto the site may lead drivers to reverse onto Crofton Lane also. Previous applications had been refused and planning appeals dismissed and in Councillor Joel's opinion those reasons for refusal and dismissal had not been overcome or addressed.

The Chief Planner's representative reported that the recommendation on the Chief Planner's report had been amended to, 'Refuse', following receipt of the planning appeal decision received after publication of the agenda relating to application DC/1602147/OUT dated 14 March 2017 and revised comments from Highways Division were circulated to Members.

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

1. The proposed development, by reason of its size, bulk and layout would appear incongruous and out of character with the surrounding area and would be ultimately harmful to the character of locality, contrary to Policies BE1 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 and 2, London Plan Policies 3.4, 3.5 7.4 and 7.6 (2016) and the objectives of the National Planning Policy Framework (2012).
2. The proposals would result in an increase in vehicular movements to and from the site in close proximity to the junction of Crofton Lane and Crofton Road, which is considered to have a detrimental impact on road safety, thereby contrary to Policy T18 of the Unitary Development Plan.

**28.5
CHISLEHURST
CONSERVATION AREA**

(17-00555/FULL1) - 18 Greatwood, Chislehurst, BR7 5HU

Description of application – Demolition of single storey side extension and erection of a three storey three bedroom end of terrace house with associated vehicle access, parking spaces, landscaping and single storey rear extension to No. 18.

Oral representations in objection to and in support of the application were received at the meeting. A statement of objections and a letter of support had been received and circulated to Members. Comments from Ward Member, Councillor Katy Boughey, in objection to the application were read and circulated to Members.

In Councillors Russell Mellor and Neil Reddin's opinions the proposed development was backland/garden development and would be against the Unitary Development Policy. Councillor Samaris Huntington-Thresher agreed with Councillors Mellor and Reddin and in her view one parking space would be insufficient.

Councillor Michael Turner and Peter Dean supported the application and referred to the second paragraph on page 103 of the Chief Planner's report that stated, 'the provision of a new residential house on the land was acceptable in principle'.

The Chief Planner's representative confirmed that the tree nearest to the proposed development would be one metre away.

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

1. The proposed development would appear as an overbearing, incongruous and harmful form of development on this prominent corner plot that would fail to complement the cohesive pattern and layout of development in the area, harmful to the Chislehurst Conservation Area. As such, the proposal is contrary to the objectives of the National Planning Policy Framework (2012), 3.4, 3.5 and 7.6 of the London Plan (2015) and Policies BE1, BE11 H1, H7, H8, H9, H10 and T18 of the Unitary Development Plan (2006).

(Councillor Peter Dean asked for his vote against refusal to be recorded.)

SECTION 3

(Applications recommended for permission, approval or consent)

28.6 SHORTLANDS

(16/05835/FULL6) - 76A Elwill Way, Beckenham, BR3 6RZ

Description of application – First floor side extension.

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.

28.7 HAYES AND CONEY HALL

(17/00474/FULL1) - 53 Kechill Gardens, Hayes, Bromley, BR2 7NB

Description of application - Erection of one x two storey, 3-bed attached dwelling (amendments to

planning permission reference 16/01129 (allowed on appeal) to include amendment to roofline, additional ground floor window and single storey rear extension).

Members having considered the report and objections, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, to seek alterations to the proposed ground floor flank window in the southern elevation.

**28.8
WEST WICKHAM**

(17/00545/FULL6) - 20 Ravenswood Avenue, West Wickham, BR4 0PW

Description of application – Single storey detached outbuilding incidental to main dwelling. (Retrospective Application).

A replacement plan had been published and circulated to Members. It was reported that further objections to the application had been received and a further late objection to the application had been received and circulated to Members.

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

1. The proposal would, by reason of its size, scale and bulk, constitute in a cramped overdevelopment of the site, detrimental to the visual amenities of neighbouring residents, contrary to Policies BE1 and H8 of the Unitary Development Plan (2006), Supplementary Planning Guidance No 1 and 2, London Plan Policies 7.4 and 7.6 (2015) and the objectives of the NPPF (2012).

It was **FURTHER RESOLVED that ENFORCEMENT ACTION BE AUTHORISED** to seek the removal of the outbuilding.

Councillor Lydia Buttinger thanked Members of the Sub-Committee and Officers for their support throughout the Municipal Year.

The Meeting ended at 9.10 pm

Chairman

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

Application No : 16/00931/ADV

Ward:
Hayes And Coney Hall

Address : Land Fronting 48 - 52 Hayes Street
Hayes Bromley

OS Grid Ref: E: 540512 N: 166334

Applicant : Town Centre Management Team

Objections : YES

Description of Development:

Freestanding, non-illuminated advert sign

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 51

REPORT UPDATE

This application was deferred from PSC 11th August 2016 without prejudice to any future consideration, to seek further consultation regarding the siting of the proposal. Further local consultation was undertaken as well as checks in the pavement for any proposed siting to avoid utility supplies. Revised plans were received which have been the subject of neighbour re-notification and which are now before Members for consideration.

Proposal

The proposal is for the erection of a free standing, non-illuminated notice board for community type notices. The sign will be 1.875m high x 1m wide x 0.75 m deep and will be post mounted with angle cornered display case and aluminium polyflex glazed door. The site is located to the west side of Hayes Street and revised plans indicate the location to be mostly outside 50-52 Hayes Street.

Consultations

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

- The freeholder of Nos 48 and 48a does not wish for the sign to be located to the front of their property

Revised plans have subsequently been received and no additional comments have been received at the time of writing the report. Any additional comments received will be reported verbally to Committee.

Highways comments advise that the provision of such a notice board in the highway requires a Licence under section 115 (e) of the Highways Act 1980. They advise that the sign should be set back 450mm from the face of the kerb in Hayes Street. There are no objections to this proposal from the highway point of view subject to the necessary licence being issued.

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
BE21 Advertisements, Hoardings and Signs
T18 Road Safety

The Councils adopted SPG guidance is also a consideration.

Draft Policy 37
Draft Policy 102
Draft Policy 32

London Plan Policy 7.4

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.

BE1 requires a high standard of design for all development proposals and expects that development should not detract from the street scene.

Policy BE21 amongst other matters advises that signs should have regard to the character of the surrounding area and not be likely to create a hazard to road users.

Policy T18 seeks to ensure that road safety is not compromised.

The sign will be placed on a wide area of footway outside Nos 50-52 Hayes Street. There are trees, lamp posts, bin and cycle rack in the vicinity. The sign will not be illuminated, and is sufficiently separated from nearby residential properties so as not to result in any loss of amenity in this respect. No Highway concerns are raised.

Original neighbour concerns were raised in that they did not want the sign sited outside their property. Revised plans have been received indicating an alternative location. To support the application copies of emails from landlords at 50 and 52a Hayes Street, Hayes Village Association and Panagua Bikes have been submitted. There is a wide pavement frontage to the units in this location and it is considered that the sign is unlikely to result in any detrimental visual impact into or out of individual shop units.

Given the proposed design and size of the sign and the commercial location within which it is sited the proposed sign board is unlikely to result in such an unacceptable visual impact as to warrant a planning ground of refusal.

Having had regard to the above it was considered that the siting, size and design of the proposed sign is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/00931 and any other applications on the site set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: ADVERTISEMENT CONSENT GRANTED

subject to the following conditions:

- 1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 4. No advertisement is to be displayed without the permission of the owner of the site or any person with an interest in the site entitled to grant permission.**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 5. No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of , any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway, (including any coastal waters) or aerodrome (civil or military).**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 6 This consent shall be for a period of 5 years, beginning with the date of this decision notice.**

Reason: Regulation 14(5), Town and Country Planning (Control of Advertisements) Regulations 2007.

- 7 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

You are further informed that :

- 1 You should seek engineering advice from the Environmental Services Department at the Civic Centre regarding a licence under section 115 (e) of the Highways Act 1980 (Street Enforcement, Environment & Community Services Department)**

Application:16/00931/ADV

Address: Land Fronting 48 - 52 Hayes Street Hayes Bromley

Proposal: Freestanding, non-illuminated advert sign



"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 : 17/01298/FULL6

Ward:
Hayes And Coney Hall

Address : 30 Gates Green Road West Wickham
BR4 9JW

OS Grid Ref: E: 539709 N: 165110

Applicant : Mr Dean Remfry

Objections : YES

Description of Development:

Single storey front extension and elevational alterations
RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The site is a two storey detached dwelling located to the south-west of Gates Green Road. This application seeks retrospective consent for single storey front extension and elevational alterations. The application form and associated correspondence specifies the application to relate to front extension, the re-clad of front elevation with half height tile hanging and render. The overall works include re-tiling the main roof with slate effect tiles and to replace existing windows with grey upvc units.

The application has been 'called in' to Committee by a local Councillor.

Consultations

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

- Concern over lack of accompanying detail
- Small front garden removed including tree and plants - not shown
- An additional third front velux added - not shown on plans
- Overdevelopment
- Out of character detrimental to the character and appearance of the area and street scene
- Appeal decision noted (effectively supported new porch)
- Concern over local, and on-site parking provision
- No building control evidence in relation to retrospective works

- Loft space not included as part of application although velux windows have been installed.
- Concern with small pebbles to front garden - dangerous if spill onto public highway.
- Request for front wall to be re-instated to enable shared parking and maintain character of street
- Size of windows reduced and black tiles introduced to front elevation - not in keeping
- Removal of front wall and plants gives over dominance of parking area - replace wall and tree to soften the whole aspect

Highways comments include that the drive should not be surfaced with gravel or any loose material as they are a source of danger for road users.

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
H8 Residential Extensions

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan will be to the Secretary of State in mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 37
Draft Policy 7

London Plan

London Plan Policy 3.5
London Plan Policy 7.4
London Plan Policy 7.6

Planning history

The planning history includes application reference 16/02148 for Roof alterations to incorporate front and rear dormers and rooflights, single storey front extension, canopy and single storey rear extension which was refused for the following reasons:

The proposed increase in ridge height and front dormers represents a cramped appearance and overdevelopment of the site out of character with adjacent

properties harmful to the appearance of the street scene and character of the surrounding area thereby contrary to Policy BE1, H7 and H9 of the Unitary Development Plan and Policies 3.5, 7.4 and 7.6 of The London Plan.

This was subsequently dismissed at appeal.

Conclusions

The main issues relating to the application are the effect that it would have on the architectural integrity of the host property, the street scene and character and appearance of the surrounding area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Policy H8, amongst other things, requires for the scale, form and materials of construction to respect or complement those of the host dwelling and be compatible with development in the surrounding area.

Policy BE1 expects high standards of design and for development to respect amenity of occupants of neighbouring buildings and those of future occupants.

The Inspector found, in the appeal decision, that although the single storey elements were acceptable it was clear they formed part of a comprehensive alteration and refurbishment of the property. As the Inspector found therefore that they were not physically and functionally independent of the greater refurbishment a split decision was not appropriate.

Local concerns have been raised in that the development is out of character and detrimental to the character and appearance of the area and street scene. The principle of the single storey extensions has not been challenged by the Inspector's findings however as the single storey extension formed part of a wider refurbishment including the use of tile hanging and render to the front elevation it is the overall appearance which needs to be carefully considered. Policy H8 requires the materials of construction to respect or complement those of the host dwelling and be compatible with development in surrounding areas.

The roof has recently been re-tiled in slate effect tiles; the same tiles have been used to roof the pitch roof of the new single storey front extension. The windows have been reduced in scale and replaced with dark frame casements. Tile hanging has been introduced to the first floor and the single storey front element and extension has been rendered and painted white.

The extension itself is not considered to result in an unacceptable impact on neighbouring amenity and the principle of the single storey extension is found to be acceptable. The materials used do result in a significant visual difference to those used in the original host building and it is for careful consideration as to whether the impact on the street scene is so great as to warrant a planning ground of refusal. The application site is a detached dwelling and the use of the said materials is a contemporary choice. The house is clearly visible from the road, given the clearing in the tree line, but views of the front of the house are relatively limited within the greater street scene.

Whilst the choice of materials does have a visual impact, on balance, given that it is a detached dwelling and that impact on the wider street scene is limited it may be considered, in this particular instance, the scheme does not cause such significant harm and detriment to the street scene as to refuse consent.

Other local concerns include matters relating to the removal of the front wall and the resultant impact on street parking. This has not been included as part of this planning application and therefore has not been considered within the remit of this planning report. Planning investigation may be appropriate to consider if any breaches of planning control have taken place by other works carried out.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/01298 and any other applications on the site set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1. 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: To comply with Policy BE1 of the Unitary Development Plan.

Application:17/01298/FULL6

Address: 30 Gates Green Road West Wickham BR4 9JW

Proposal: Single storey front extension and elevational alterations
RETROSPECTIVE APPLICATION



"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 : 17/01390/OUT

Ward:
Shortlands

Address : 44 Cumberland Road Shortlands
Bromley BR2 0PQ

OS Grid Ref: E: 539661 N: 168531

Applicant : Mr Rafael Porzycki

Objections : YES

Description of Development:

Demolition of the existing residential 2 storey dwelling and erection of one block containing 6 residential units with associated access, 6 parking spaces, refuse store and cycle storage (Outline application)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 9
Smoke Control SCA 21

Proposal

Outline permission is sought for the demolition of the existing house and the construction of 6 two bedroom self-contained flats with associated parking.

The application has been submitted in 'outline' for provision of an access to a front parking area just off Cumberland Road and also for the layout and landscaping of the development. All other matters regarding appearance and scale are reserved.

The proposal would provide 6 parking spaces to the front of the property.

Location

The application site is located on a corner plot at the junction of Cumberland and Winchester Road. There is an existing detached residential dwelling, which would be demolished under the current proposal. The application property forms one of four detached dwellings on this section of Cumberland Road, which step downwards in height towards Winchester Road, accounting for a change in gradient. Immediately opposite the site is a pedestrian crossing.

The surrounding area is residential in character and there is a mixture of single residential dwellings and flatted developments.

The property is not located within a conservation area

Consultations

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

- The proposal is same as the one dismissed at appeal under 16/01121/OUT. The Inspector passed the building but had highway concerns
- Objections to the vehicular and pedestrian safety
- Objections to moving the pedestrian crossing and associated impact for people and families, particularly at school pick up and drop off
- The relocated crossing is too close to a bus stop, junction and neighbouring drive. There will be a conflict
- Concerns about the accuracy of the road safety audit
- There are no problems with the existing crossing so why change it
- The previous scheme was only allowed by Members due to the reduced number of residential units within the block. The developers already advertising the proposed scheme on their website
- Errors on the plans and description
- Errors within the design and access statement
- The case has already been dismissed by the Council
- The development exceeds recommended number of habitable rooms per hectare/number of habitable units per hectare.
- Balconies appear to be screened at the sides but not at the front - harmful to privacy. They will also be used for storage due to cramped conditions and lack of storage space within the flats. Harmful to the character and appearance of the streetscene.
- No sketches showing the front of the building with cars in place, bike and bin stores. Difficult to see how they could enhance this corner.
- Spacing - closer to No 42 than the current building and much larger scale.
- Overshadowing to neighbouring garden
- Appear awkward in relation to No 42 due to larger bulk and spacious setting of the other buildings.
- Will destroy uniformity and the spacious suburban rhythm of this corner.
- Road Safety Audit only covers feasibility and Road Safety Audit Stage 2 should be carried out. This should be done when the pedestrian island is most in use as concerns about pedestrians could be obscured from view, effect on driving line on the bend in the road, land discipline and speeding.
- No indication what will be done to safeguard children crossing the road whilst the island is being moved.
- At the previous committee meeting 5 of the 8 Councillors present abstained from the vote, indicating concerns have not been addressed.

Highways - The site is located on the corner of Cumberland Road and Winchester Road.

Vehicular access is from Cumberland Road via a new vehicular crossover leading to the car parking area; it is proposed that the pedestrian crossing is relocated some 10.5m southeast of its current position. The proposed access will take the

form of a footway crossover arrangement. The proposed position of the relocated pedestrian crossing will enable cars to access and egress the site in forward gear.

Car Parking -Five car parking spaces are indicated on the submitted plans which are satisfactory in principle.

Cycle parking - Six spaces are shown; however 12 spaces are required the applicant is required to increase the number of cycle parking spaces.

The applicant should be aware that all highway works inclusive of relocation of the street lighting column is subject to Section 278 agreement.

Please include the following conditions and informatives with any permission:

H01 (Access and relocation of pedestrian island)

H02 (Car Parking)

H18 (Refuse)

H22 (12 Cycle parking spaces)

H29 (Construction Management Plan)

H32 (Highway Drainage)

Nonstandard informative - 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.

Drainage - No objections pleased include Conditions D02 and D06.

Environmental Health - No objections within the grounds of consideration.

The application site is within an Air Quality Management Area declared for NOx. I would therefore recommend that the following conditions are attached:

The application site is located within an Air Quality Management Area declared for NOx: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan)

and

An electric car charging point shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 20% of spaces. (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policies 6.13 and 7.14 of the London Plan)

I would recommend that the following informatives are attached:

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.

Planning Considerations

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and Trees
- ER10 Light pollution
- T3 Parking
- T7 Cyclists
- T18 Road Safety

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

- SPG No.1 - General Design Principles
- SPG No.2 - Residential Design Guidance

London Plan (2016)

- Policy 3.3 Increasing Housing Supply.
- Policy 3.4 Optimising Housing Potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.8 Housing choice
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 5.7 Renewable energy
- Policy 5.9 Overheating and cooling
- Policy 5.10 Urban greening
- Policy 5.11 Green roofs and development site environs
- Policy 5.12 Flood risk management
- Policy 5.13 Sustainable drainage
- Policy 5.14 Water quality and wastewater Infrastructure
- Policy 5.15 Water use and supplies

Policy 6.9 Cycling
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 7.15 Reducing and Managing Noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
Policy 8.3 Community infrastructure levy

Housing: Supplementary Planning Guidance. (2015)

DCLG: Technical Housing Standards (2015)

National Planning Policy Framework (NPPF) - Relevant chapters include Chapters 6, 7, 11, 12.

Emerging Plans

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan will be to the Secretary of State in mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Policy 1 Housing Supply
Policy 3 Backland and Garden Land Development
Policy 4 Housing Design
Policy 8 Side Space
Policy 30 Parking
Policy 32 Road Safety
Policy 37 General Design of Development
Policy 73 Development and Trees
Policy 115 Reducing Flood Risk
Policy 116 Sustainable Urban Drainage
Policy 118 Contaminated Land
Policy 119 Noise Pollution
Policy 122 Light Pollution
Policy 123 Sustainable Design and Construction

Planning History

01/01844/FULL1: 1.8 metre high front boundary wall. Permission granted on the 11.07.2001

97/01955/FUL: Boundary fence. Refused on the 03.09.1997

97/03138/FUL: Boundary fence. Permission on the 14.01.1998

07/01252/FULL1 Two-storey detached house with accommodation in roof space/2 car parking spaces and bin stores on land adjacent to no.44 Cumberland Road with new access fronting Winchester Road. Refused on the 17.05.2007

Refused for the following reasons:

1. The proposal involves the unsatisfactory sub-division of an existing plot resulting in a cramped overdevelopment of the site and a retrograde lowering of the spatial standards of the area, harmful to the character of the streetscene and contrary to Policies H7, H9 and BE1 of the Unitary Development Plan.
2. The proposed building, because of its design siting and materials, would result in a structure out of character with and harmful to the appearance and character of its surroundings, contrary to Policies H7 and BE1 of the Unitary Development Plan.

The above was subsequently dismissed at appeal on the 8th April 2008 (APP/G5180/A/07/2059853).

15/03404/OUT: Demolition of existing dwelling and erection of single block containing 6 x 2-bed flats with associated parking and access. Refused on the 15.1.2016.

Refused for the following reasons:

1. The proposed development, by reason of its scale, mass, intensification, prominent siting and encroachment onto the open setting of the junction would result in a cramped overdevelopment that would result in a retrograde lowering of the spatial standards of the area, harmful to the character of the streetscene contrary to Policies 3.4 Optimising Housing Potential, 7.4 Local Character of the adopted London Plan (2015); Policies BE1 Design of New Development, H7 Housing Density and Design and H9 Side Space of the Unitary Development Plan, the Council's adopted Supplementary Planning Guidance 1 and 2 and the National Planning Policy Framework.
2. The proposed development by reason of its layout, scale, mass, intensification and proximity with the side boundary would result in a dominant and intrusive form of development harmful to the visual amenities of neighbouring properties contrary to Saved Policy BE1 Design of New Development of the adopted Unitary Development Plan (2006) and the Council's adopted Supplementary Planning Guidance 1 and 2
3. The proposed balconies and intensification of the site would result in unacceptable overlooking and a loss of privacy for neighbouring residents contrary to Policy BE1 Design of New Development of the adopted Unitary Development Plan (2006).

An appeal against the refusal, PINS Ref. APP/G5180/W/16/3144993, was dismissed on 2nd August 2016. The Inspector noted the contribution that the side garden at No 44 made to the open, spacious character of the acute Cumberland Road/ Winchester Road corner, and that although some of the side garden would be retained the proposed flats would erode this character. The closer proximity and the additional depth of the building, together with the more bulky roof form and gables to front and rear would result in an intrusive and discordant building on a prominent corner site and also when viewed along Winchester Road where the flats would project in front of the building line. The existing and proposed boundary screening would fail to mitigate against this impact. (paragraph 6). The Inspector also agreed that the corner site required a higher standard of spatial separation and considered that the proposal conflicted with policies BE1, H7 and H9 of the Unitary Development Plan.

In regard to the impact on the living conditions of surrounding residents, the Inspector found that the appeal proposal would roughly align with the front and rear elevations of the detached house at 42, Cumberland Road and he therefore thought that there would therefore be no perceptible effect on outlook from its windows. Whilst acknowledging that the flats at the rear would have balconies at first and second floor levels the Inspector noted that these would be screened with solid sides and it was thought that only oblique views would be provided over the rear garden of No.42. The rear elevation would be set back from the rear boundary with No.39 and there would be screening proposed to mitigate the impact. Two windows at No.39 were identified, both serving bedrooms. He identified potential for inter-looking between the front bedroom window and two balconies at the rear of the proposed block of flats but considered that the oblique nature of this together with the separation between the properties and boundary screening (not yet specified, as in outline) would offset this.

16/01121/OUT - Demolition of the existing dwelling and erection of single residential block containing 6x2 bed flats, with associated access and parking.

Refused for the following reasons:

1. The proposed development, by reason of its scale, mass, intensification, prominent siting and layout would represent an incongruous form of development, which does not compliment or respect the scale, continuity or pattern of adjacent development, resulting in an encroachment onto the open setting of the junction and a cramped overdevelopment harmful to the character and appearance of the streetscene contrary to Policies 3.4 Optimising Housing Potential, 7.4 Local Character of the adopted London Plan (2015); Policies BE1 Design of New Development , H7 Housing Density and Design and H9 Side Space of the Unitary Development Plan, the Council's Supplementary Planning Guidance 1 and 2 and the National Planning Policy Framework.
2. The proposed development by reason of its layout, position, scale and mass would result in a dominant, overbearing and intrusive form of development harmful to the visual amenities of neighbouring properties at No 39

Winchester Road and 42 Cumberland Road contrary to Saved Policy BE1 Design of New Development of the adopted Unitary Development Plan (2006) and the Council's Supplementary Planning Guidance 1 and 2

3. The location of the proposed vehicular access, in close proximity to a pedestrian crossing on Cumberland Road, would be prejudicial to the free flow of pedestrian and vehicular traffic, thereby constituting a safety hazard contrary to Policies H7 Housing Density and Design, T6 Pedestrians, T11 New Accesses and T18 Road Safety of the Unitary Development Plan (2006).
4. The proposed high level terraces and intensification of the site would result in unacceptable overlooking and a loss of privacy for neighbouring residents which is both real and perceived contrary to Policy BE1 Design of New Development of the adopted Unitary Development Plan (2006)

The above application was appealed under ref: APP/G5180/W/16/3156491. The inspector of the above appeal found in favour of the applicant in relation to the scale and mass of the development and also in respect of neighbouring amenity. Objections were however raised to the proximity of the entrance to an existing pedestrian crossing, thereby being prejudicial to highway safety.

16/03768/OUT: Demolition of an existing dwelling and erection of single residential block containing 4 x 2-bed flats with associated access and parking. Members resolved to grant planning permission at Plans Sub Committee on the 16.3.17.

Conclusions

The main issues relating to the application are the principle of the development and the effect in principle that a residential development would have on the character and appearance of the locality, the effect of the design layout and scale on the locality and visual amenity of the area, access arrangements and the impact the scheme would have on the living conditions and amenities of nearby properties. Consideration should also be given to the previous reasons for refusal and a number of recent appeal decisions.

Principle of development

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.

Policy H7 of the UDP sets out criteria to assess whether new housing developments is appropriate 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, community safety and refuse arrangements.

The site is currently in residential use and is located adjacent to residential dwellings to the north east and south east of the site. In this location the Council will consider residential infill development provided that it is designed to complement the character of surrounding developments, the layout makes 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 the new dwelling units on the land is acceptable is 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, community safety and refuse arrangements. It is noted that there have been numerous applications for redevelopment of this site into a flatted development, which have been both allowed and refused, however no objections have been previously raised to the principle of development.

Layout

The National Planning Policy Framework (NPPF) states that a key role for planning is to seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Further to this, paragraph 58 of the NPPF states that planning decisions should aim to ensure that developments function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; establish a strong sense of place, respond to local character and history, and reflect the identity of local surroundings and materials; and are visually attractive.

The London Plan further reiterates the importance of ensuring good design, and states, in Policy 7.4, that development should improve an area's visual or physical connection with natural features and, 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. Policy 7.6 of the London Plan also states that development should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm and should comprise details and materials that complement, not necessarily replicate, the local architectural character.

BE1 states that 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.

The existing development within Cumberland Road is a mixture of single residential dwellings and flatted developments. The architectural language is also varied. However, it is noted that the pattern of development and space surrounding the buildings within the locality has a regular continuity and rhythm, allowing for a suburban and spacious character.

The junction setting of the site also has a relatively spacious feel as original intended in the street layout. In this location any intervention on the flank of properties on any of the corner areas may appear obtrusive and incongruent unless they were of a subservient mass and scale. The existing property on this site forms one of four, two-storey detached dwellings, which step down in height towards Winchester Road. The existing built form is set back from this junction and provides a generous side space. The neighbouring properties to the north east (39-35 Winchester Road) are also two-storey detached dwelling that have also been set back from the highway adding to the spatial qualities of this junction and wider locality.

Policy H9 requires proposals of two or more storeys in height to be a minimum of 1m from the side boundary. However, H9(ii) states that 'where higher standards of separation already existing in residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties'. Para 4.48 explains that the Council consider it important to 'prevent a cramped appearance and is necessary to protect the high spatial standards and visual amenity which characterise many of the Borough's residential areas'.

The current application is a resubmission of application ref: 16/01121, which was refused by the Council for the reasons outlined above. The proposal is identical in terms of layout, scale and the number of units to the above application. The applicant subsequently appealed the decision and, in terms of character and appearance, the Inspector of that appeal (APPG5180/W/16/3156491) observed that while 'the footprint and bulk of the proposed building would be greater than that of the existing dwelling, a significant Cumberland gap would be retained along its side boundary with No 42. Furthermore, when viewed from Cumberland Road, the building would be situated at a lower ground level compared to this adjacent dwelling in accordance with the slope of the road. In this context the proposal would not appear obtrusive'.

In paragraph 12 of the above appeal decision the Inspector went on to find that 'the depth proposed building would be greater than that of the existing dwelling. Whilst this would be evident in the side elevation, prominent at higher ground level in relation to Winchester Road, the building would be sited sufficiently inside the plot to ensure the retention of generous spacing to the north west boundary. With the possibility of additional landscaping, the building would not therefore appear cramped or dominant in this corner plot location'.

There have been a number of other applications for residential development on this site, including two refusals, both of which were subsequently dismissed at appeal. This included ref: 07/01252/FULL1 for a detached dwelling and 15/03404/OUT for a flatted scheme. In both cases, the buildings would have encroached further into the spacious corner garden area of the plot, very significantly more so in the case of the dwelling and are not considered to be readily comparable to the appealed scheme and current proposal.

Furthermore, the Inspector noted that the appealed scheme included terraces which were substantially recessed from the front and rear elevations of the building. This arrangement is identical within the current proposal and this arrangement was found to assist in making the building markedly narrower in relation to Cumberland Road, which is more in keeping with the adjacent two-storey dwellings.

The Inspector also observed that 'Each of the apartments would incorporate ancillary external terrace space projecting from the main side elevation of the building at the upper floor levels. Whilst this is not a prevalent characteristic of the area, the terraces would be subordinate in scale and proportionate to the main building. Rather than appearing dominant and incongruous, I consider they would add visual interest to the prominent side of the block close to the street corner. Whilst the development would result in a relatively large forecourt to the front of the site, its visual impact would be mitigated to a degree with screen planting. This would avoid the creation of a cluttered and unattractive streetscene'. The Inspector considered that this would not therefore be harmful to justify refusal of permission on character and appearance grounds.

The density of this proposal equates to approximately 264 habitable rooms per hectare or 88.23 u/ha which exceed the London Plan guidance for both u/ha and hab room/ha. The above numbers also exceed the density guidance outlined within Policy H7 of the UDP; however the Inspector disregarded previous concerns regarding density and considered that 'calculations should not be applied mechanistically, particularly when the proposal would be compatible with the design of its surroundings'.

The inspector concluded that 'the proposal would not harm the character and appearance of its surroundings. Whilst the proposal would not strictly comply with density guidelines set out within the London Plan (LP) and UDP, it would conform with policies 3.4 and 7.4 of the LP, Policies BE1, H7 and H9 of the UDP, the Council's Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design Guidance (SPG) and the National Planning Policy Framework insofar as they seek to promote good design, compatibility with existing forms and layout and respect for local distinctiveness'.

It is also noted that Members resolved to grant planning permission for a residential development comprising 4 units for this site under ref: 16/03768/OUT. The current application is also virtually identical in terms of layout, scale and access to the scheme considered at appeal and, in light of the Inspectors comments, which are considered material in respect of the current proposal, there

appears to be no reason to disagree with the conclusions drawn or object to the layout of the development.

Neighbouring amenity

Policy BE1 seeks to ensure that new development proposals 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 proposed development would be on neighbouring residential occupiers.

No 39 Winchester Road is located directly to the rear of the site and sits at a right angle to the proposed development. Whilst No 42 Cumberland Road is located to the south east of the application site and is set at a slightly higher ground level.

The proposed building would project 3.5m beyond the rear of No 42 but would include a setback from the common side boundary. There would also be 9m between the rear elevation of the development and the side elevation of No 39 Winchester Road. The spatial relationship between the development and neighbouring properties is similar to the application considered at appeal.

The Council previously objected to the development on the grounds that there would be harm to neighbouring residential amenities. However at appeal, the Inspector considered that whilst there would be some impact on outlook from the rear of No 42, the degree of projection (3.5m) was limited and the building would have been at a markedly lower level compared to No 42 and off set from the boundary. The Inspector concluded that "The proposal would not result in a significant degree of enclosure that it would result in an overbearing presence and cause oppressive living conditions for residents". No 42 is also located to the south east, which would prevent any significant loss of light or overshadowing.

In relation to No 39 the inspector observed that the front elevation of the property would be 'Perpendicular to and further away from the rear of the proposed building. As such the orientation of the proposal would not interfere with the outlook for residents of that dwelling. Whilst it would be possible to overlook No 39 from windows in the proposed apartment block, the relative orientation of the buildings means that such views would be over the area forward of the front elevation of the dwelling, which being close to the public realm would, not enjoy high standards of privacy in any event'.

Finally, in relation to overlooking the Inspector considered that 'The proposed building, including terraced areas would be sufficiently separated from the house on the opposite side of Winchester Road, No 63 St Mary's Avenue, not to result in any undue loss of privacy to that property from overlooking'. Accordingly the development was found to not conflict with Policy BE1 of the UDP or the SPG insofar as they seek to protect the living conditions of residents.

The location, position and separation of the proposed development from No 42 Cumberland Avenue and 39 Winchester Avenue are similar to the appealed scheme. Therefore, in light of the conclusions drawn by the Inspector, no objections are raised to the current proposal. Members may therefore consider that the impact on neighbouring amenity would be on balance acceptable.

Standard of Residential Accommodation

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments states the minimum internal floor space required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

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

The proposed would provide 6 two-bed units. The proposed drawings indicate an intended occupancy of 3 persons. Each of the units would meet the minimum internal GIA requires set out within Policy 3.5 and Table 3.3 of the London Plan.

All rooms would meet the minimum baseline standards set out within the Mayors Housing Supplementary Planning Guidance.

The development would provide a communal garden, together with balconies and verandas for each of the units.

The bedrooms of the top floor units would only be served by roof lights, however no objections were raised to this arrangement within the 16/01121 appealed scheme. Therefore on balance the standard of proposed accommodation is considered to be acceptable.

Highways, car parking and access

Cumberland Road is an unclassified local distributor road that links St Marys Avenue with Westmoreland Road in a north / south direction. It is a 2 way single carriageway road and has footways present along both sides. Residential properties front on both sides with off road parking provision. Objections have been raised to previous applications in relation to the location of the proposed vehicular entrance adjacent to an existing pedestrian crossing/refuge, which is located outside of the site on Cumberland Road, and the potential harm to pedestrian and vehicular safety. These concerns were subsequently upheld by the Inspector of the most recent appeal. In assessing the appeal scheme the inspector stated that 'The relevant drawing suggests that there would be vehicle conflict with the existing crossing and a requirement for it to be relocated'. He goes on to state that 'There is no evidence before me to provide satisfactory reassurance that the pedestrian crossing could be relocated to a safe and convenient alternative location'.

In response to these concerns the applicant now proposes to relocate the existing pedestrian crossing approximately 10.5m to the northwest along Cumberland Road. The application is supported by a Stage 1 Road Safety Audit relating to the relocation of the crossing and this has been reviewed by the Council's Highways

Team. There have been objections relating to the relocation of this crossing, with many representations raising concerns with its proximity with Highfield Drive and a bus stop. The existing crossing is also used by families of the nearby Highfield Junior School. However, no objections have been raised by the highways officer regarding the content of the audit, feasibility of relocation or subsequent safety issues. The current arrangements for the relocation of the pedestrian island were previously accepted by Members under ref: 16/03768/OUT, subject to the condition that the applicant enters into a S278 agreement with the Highway Authority in order to finalise the technical details of the relocation.

The application would provide off-street vehicular parking for 6 cars. The level of parking provision is considered to be acceptable and generally accords with the London Plan, which seeks less than one space per unit for 1-2 bedroom dwellings. The highways officer has not raised any objections to this level of parking provision and the proposal is therefore considered to be acceptable in parking terms.

Trees/Landscaping

There are a number of trees and shrubs within the site; however they are not subject to Tree Preservation Orders. The application is supported by an Arboricultural Report and tree constraints plan. The Council's Tree Officer has reviewed the proposal raised no objections to the scheme subject to satisfactory tree planting. The specific detail of replacement tree planting is not clear and it is therefore considered reasonable to condition the submission of a full hard and soft landscaping plan.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL contributions will be sought in connection with any subsequent reserved matters applications.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/01390/OUT and any other applications on the site set out in the Planning History section above, excluding exempt information

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 (i) Details relating to appearance and scale shall be submitted to and approved by the Local Planning Authority before any development is commenced.**
- (ii) Application for approval of the details referred to in paragraph (i) above must be made not later than the expiration of three years beginning with the date of this decision notice.**
- (iii) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the details referred to in paragraph (i) above, or in the**

case of approval on different dates, the final approval of the last such matter to be approved.

No such details have been submitted and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 2 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.

- 3 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.

- 4 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.

- 5 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: In order to comply with Policy T3 of the Unitary Development Plan (2006)

- 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 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 the layout of the access road and turning area including its junction with Cumberland Road and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be substantially completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 0.9m in height within the approved splays except for trees selected by the Authority, and which shall be permanently retained.**

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

- 9 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.**

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.12 of the London Plan

10 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 satisfactory means of surface water drainage and to accord 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 (i) Prior to commencement of the works the applicant shall enter into a S.278 Agreement with the Local Highway Authority in order to:

o Relocate the pedestrian island opposite the site entrance and lighting column as outlined within the application hereby approved.

(ii) All highway works shall be completed prior to the first use of the development to the satisfaction of the Local Planning Authority.

Reason: In the interest of highway safety and to comply with saved Policy T18 Road safety of the adopted Unitary Development Plan (2006)

13 The development hereby permitted shall not be carried out otherwise than in complete accordance with plans references AX08-S3-101; AX08-S3-102; AX08-S3-103; AX08-S3-104; AX08-S3-105 and 5313/SK/201 Rev A, unless previously agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policies BE1, T3, T11 and T18 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area and the general conditions of highways safety and free flow of traffic.

14 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.

15 Unless otherwise agreed in writing by the Local Planning Authority, the trees hereby approved as part of the landscaping scheme shall be of standard nursery stock size in accordance with British

Standard 3936:1980 (Nursery Stock art 1:Specification for Trees and Shrubs), and of native broad-leaved species where appropriate.

Reason: In order to comply with Policy NE8 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

You are further informed that:

- 1 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.

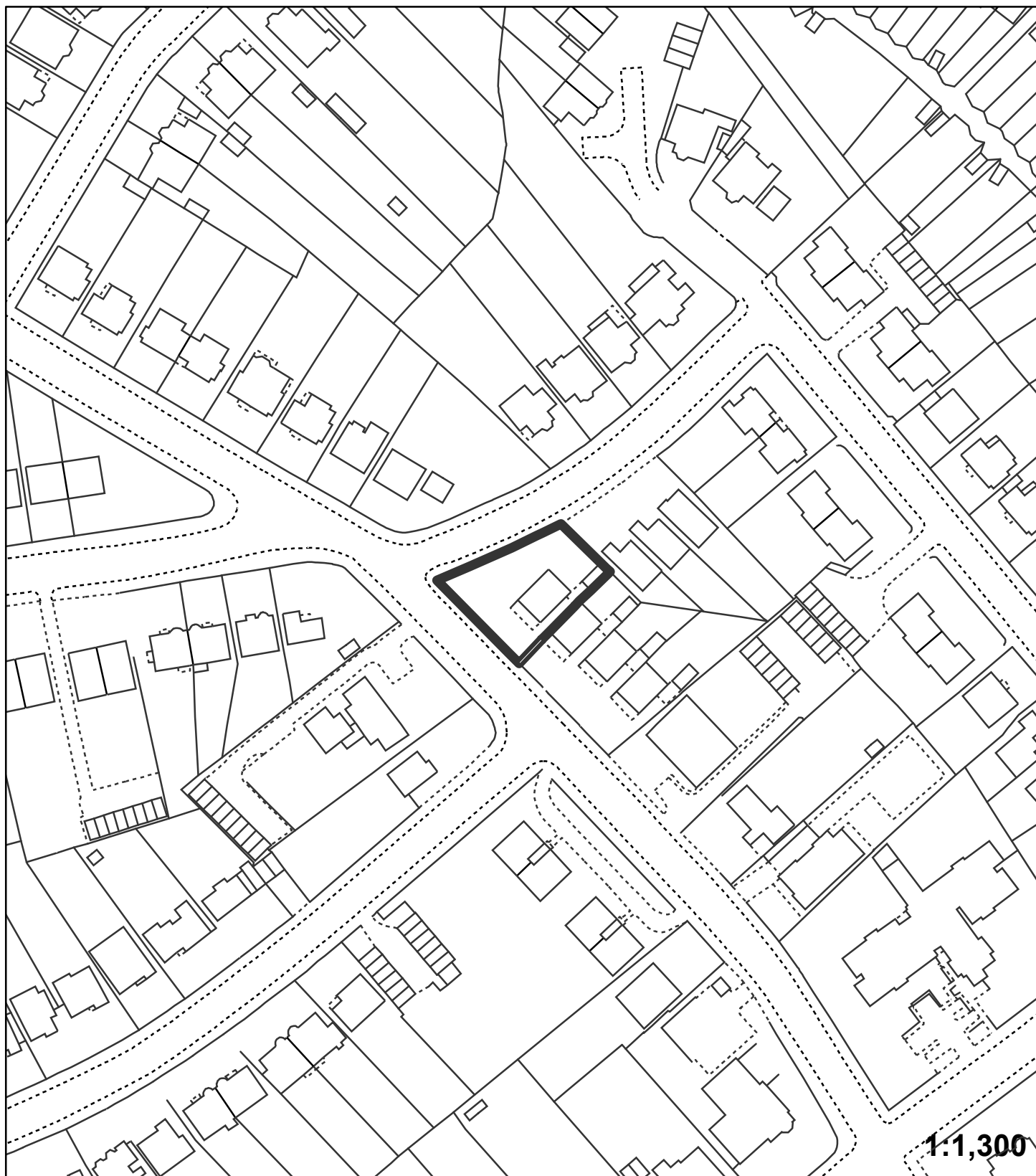
- 2 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on 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**

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Application:17/01390/OUT

Address: 44 Cumberland Road Shortlands Bromley BR2 0PQ

Proposal: Demolition of the existing residential 2 storey dwelling and erection of one block containing 6 residential units with associated access, 6 parking spaces, refuse store and cycle storage (Outline application)



"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 : 17/00609/FULL1

Ward:
Hayes And Coney Hall

Address : 20 Chilham Way Hayes Bromley BR2
7PR

OS Grid Ref: E: 539999 N: 166848

Applicant : Mr James Wilson

Objections : NO

Description of Development:

Single storey shed in rear garden for storage purposes in connection with the commercial use

Key designations:

Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The site is a single storey mid-terrace commercial building located within a local parade to the west side of Chilham Way. The parade is primarily occupied by non-retail uses including a training centre and a food manufacturing facility. The surrounding area is a mix of residential and commercial properties.

This application proposes a single storey shed in the rear garden for storage purposes in connection with the commercial use. The maximum height of the proposed shed scales at 2.4m, lowering to 2.2m, with a rearward projection of 4.8m and width of 4m. It will be sited just off the east and south boundaries and c 4m from the west boundary.

Supporting information advises that the storage facility will be less than half of the rear garden space, that the rear door will be used for deliveries and that the delivery timings will change according to the companies delivering.

Consultations

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

No objections are raised from an Environmental Health (Pollution) point of view.

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

London Plan Policy 7.4

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan will be to the Secretary of State in mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

37 General Design of Development

The planning history includes application reference 15/03653 which was granted permission for the change of use from Class A3 to Class A3/A5 restaurant and takeaway.

Application reference 16/03246 for externally illuminated sign was refused and there is a revised application, ref 17/00829, currently under consideration for an illuminated sign.

Earlier planning history includes application reference 90/01770, permission for the change of use from retail to a solarium, application reference 00/00706 permission for change of use from solarium to workshop with ancillary retail sales and application 07/03382, permission for the change of use from workshop/retail to café (Class A3).

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.

The size, siting and design of the proposed shed is not likely to result in a detrimental visual impact on the character of the area nor on neighbouring amenity.

On the basis that the shed will be used purely for storage purposes and for no other purpose in connection with the commercial use, the use as a storage shed is considered acceptable.

No details in respect of deliveries have been provided other than that delivery times will be varied. Given the proximity to residential and in the absence of any

details, in the event of a planning permission a planning condition is suggested concerning delivery times.

Having had regard to the above it is considered that the siting, size and design of the proposed development is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/00609 and any other applications on the site 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 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 The shed hereby permitted shall be used for storage use for goods in connection with the commercial use at 20 Chilham Way and for no other purpose, or processes, including food preparation and serving.**

Reason: In order to comply with Policy BE1 of the adopted Unitary Development Plan and in the interest of nearby residential amenity.

- 4 No machinery shall be installed on or used within the shed hereby permitted without the prior approval in writing by or on behalf of the Local Planning Authority**

Reason: In order to comply with Policy BE1 of the adopted Unitary Development Plan and in the interest of nearby residential amenity.

- 5 No external lighting shall be installed on the premises without the prior approval in writing by or on behalf of the Local Planning Authority**

Reason: In order to comply with Policy BE1 of the adopted Unitary Development Plan and in the interest of nearby residential amenity.

- 6 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 nearby residential amenity, the appearance of the building and the visual amenities of the area.

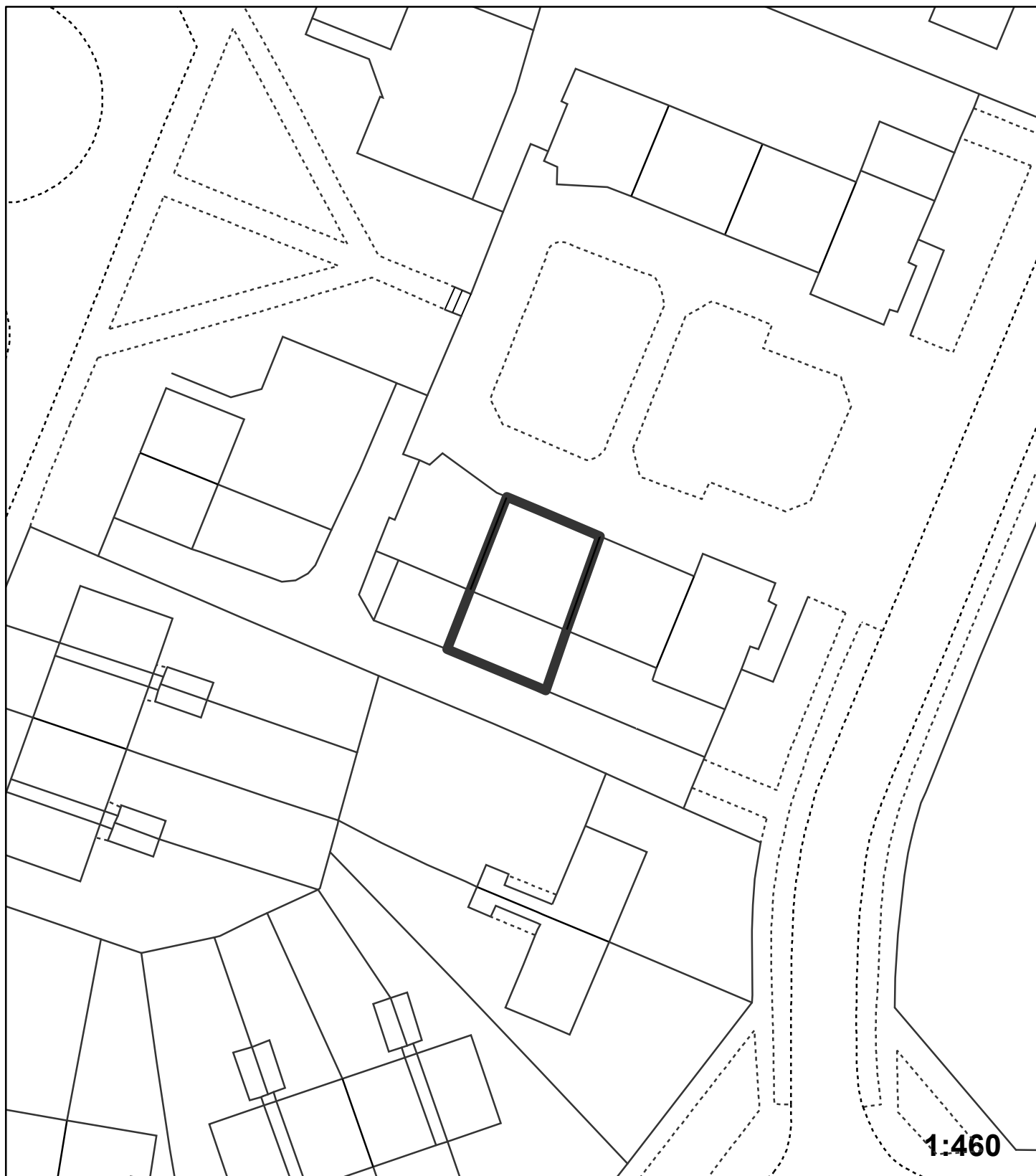
- 7 Deliveries shall take place between 10.00 hours and 18.30 hours on any day excluding Sundays and Bank Holidays.**

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of nearby residential amenity.

Application:17/00609/FULL1

Address: 20 Chilham Way Hayes Bromley BR2 7PR

Proposal: Single storey shed in rear garden for storage purposes in connection with the commercial use



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"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 : 17/00620/FULL6

Ward:
Plaistow And Sundridge

Address : 36 Avondale Road Bromley BR1 4EP

OS Grid Ref: E: 540098 N: 170840

Applicant : Mr Ronald Robb

Objections : YES

Description of Development:

First floor side extension, two storey rear extension and roof alterations to incorporate rooflights.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 7
Urban Open Space

Proposal

The application seeks consent for the construction of a first floor side extension, two-storey rear extension, amendments to the front elevation and roof slope.

Location

The property is a two storey (with single garage to side) detached single dwellinghouse located on the northern side of Avondale Road opposite the junction with Quernmore Road.

The surrounding area is dominated by detached and semi-detached, two storey dwellinghouses. The site is neither listed nor located within a conservation area.

Consultations

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

- The property has a number of different people living in it and is constantly raided.
- Disturbance from the existing occupants
- Its used as a commercial HMO and the extension would fit more people in the property
- Multiple families use the property and overcrowding
- Rubbish left outside - Vermin and health concerns

- Impact on lighting and privacy
- Overlooking
- Loss of amenity
- The property is not maintained
- Not in keeping with the rest of the street

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

SPG 1 - General Design Principles
 SPG 2 - Residential Design Guidance

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan will be to the Secretary of State in mid 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Relevant policies:

Policy 6 Residential Extensions
 Policy 8 Side Extensions
 Policy 37 General Design of Development

Planning History

07/04153/FULL6 - Single storey front extension/part one/two storey side extension and two storey rear extension. Permission 08.01.2008

08/01474/FULL6 - First floor front extension. Refused 07.07.2008

08/01476/FULL6 - Single storey rear extension. Permission 07.07.2008

14/00968/FULL6 - Roof alterations to incorporate rear dormer, part one/two storey front/side/rear extension and elevational alterations. Refused 27.05.2014

Refused for the following reasons:

1. The proposal by reason of its size, bulk and location would be out of scale and character with the existing dwelling and detrimental to the visual

amenities of the area contrary to Policies BE1 and H8 of the Unitary Development Plan.

2. The proposal would be over-dominant and result in a loss of privacy and outlook and increased sense of enclosure detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of its location, size, depth of rearward projection and proximity to the flank boundaries of the site contrary to Policies BE1 and H8 of the Unitary Development Plan.

15/02505/FULL6 - Roof alterations to incorporate rear dormer, part one/two storey front/side/rear extension and elevational alteration. Refused 18.08.2015

Refused for the following reasons:

1. The proposed front, side and rear extensions, by reason of their size, bulk and lack of subservience would be out of scale with the existing dwelling, harmful to its character and appearance and contrary to saved policies contrary to Policies BE1 and H8 of the Unitary Development Plan (2006) and Supplementary Planning Guidance No 1 General Design Principles and No 2 Residential Design guidance.

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 previous reasons 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 current scheme is a revision of an application refused under DC/14/00968 and 15/02505. The applicant has sought to overcome the previous reasons for refusal by amending depth and width of the rear projections, removing the rear dormer, removing one of the proposed front bays and setting the first floor extension back from the front elevation. It is noted that there have been a number of applications for this site, including a lapsed permission for a two-storey side extension relating to this property. In 2008 (07/04153/FULL6) Planning Permission was granted for 'Single storey front extension/part one/two storey side extension and two storey rear extension.'

Within the 2014 application it is observed that the 'the development 'includes a two storey front extension that is not set down from the ridge either rearwards or laterally and thus will appear over dominant, bulky and also top-heavy as opposed to subservient'. Similarly, within the 2015 application it was considered that the

'front/side element would sit above the garage and has not been set back from the front elevation or down at ridge level. A new double height bay window would be installed to the front, which essentially creates a new double fronted property. The above are not considered to be sympathetic or subservient to the host dwelling'.

The current proposal has sought to address these concerns within the regard to the front/side first floor extension, with the removal of a front gable and additional bay window. The first floor side extension has also been set back from the front elevation by 800mm. Whilst the form of the original property would be lost, the amendments to the current application would result in a development which is more subservient and in keeping with the scale of wider development. Avondale Road includes a variety of detached and semi-detached properties with varying architectural treatments; accordingly there is some flexibility in terms of design. The proposal has therefore, on balance, satisfactorily addressed previous objections. The proposal would also comply with the requirements of Policy H9 in that a 1m side space would be provided between the flank elevation of the development and the side boundary.

The proposal would also see the construction of a 3.5m two-storey rear extension. This has been set in from each flank elevation by 0.5m. The crown roof and continuation of the ridge line would still result in bulkier form than the existing property; however the 0.5m set-back would help break up its mass, being more subservient in appearance and the overall the height of the roof is approximately 1.5m lower than the original height at its apex. The dormer on the rear roof slope has now been removed and three roof lights are now proposed. On balance, Members may consider that the above changes to the front/side and rear have overcome previous objections and would be in compliance with Policies BE1 and H8 of the UDP.

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.

Planning application 07/04153 granted planning permission for the construction of 4m deep rearward extension. The current application seeks permission for a 3.5m depth extension, which has been reduced since the 2014 refusal by approximately 1m. Furthermore, this element of the proposal has also been set back from each side boundary by 1.5m. The rear dormer has also been removed.

The neighbouring property to the east at No 34 benefits from an existing single-storey garage and extension to the rear of the garage. The proposed extension would follow the line of this neighbouring extension and would not project significantly past its rear elevation. It would also be set away from the common boundary by 1m and the rear projection would be set away by 1.5m. The reduction in depth from the 2014 refusal, together with the fact that it has been set in by a further 0.5m and the removal of the rear dormer has reduced the massing of the rear additions. Accordingly of the proposal would not appear significantly dominant

or visually intrusive. No loss of light or significant overshadowing is therefore anticipated due to the reduction in depth, neighbouring development and orientation of the property.

The rear extension would also be set away from the common boundary with No 38 by 1m. This property has been extended by way of a side/rear extension, which partially sits along the common side boundary. There are a number of existing windows within the side elevation; however these already experience a degree of incursion from the existing bulk of the dwelling. The reduction in the depth of the extension from the 2014 refusal, removal of the dormer and 0.5m set-in has lessened the mass of the scheme to a more acceptable degree, especially when talking into account the set back from the boundary and neighbouring development, which partially mitigates the visual impact. No significant loss of light is anticipated due to the orientation of the site, location of the extension in relation to neighbouring development and amendments to the height and width of the rear addition. Concerns have been raised by neighbours regarding overlooking and a loss of privacy as a result of direct views from the upper floors of the extension into the conservatory below. Currently, the existing rear building line is set back from this neighbouring conservatory. There is however an established degree of overlooking from upper floor windows onto the rear gardens. The additional depth of the proposal and proximity with boundary would result in some additional overlooking; however the windows proposed within the upper floors of the side elevations would serve a bathroom and stairwell. These windows could therefore be reasonably conditioned to be obscured and non-opening to protect neighbouring privacy. The additional overlooking is not therefore considered significant enough to warrant a refusal when taking into account the established position.

Concerns have been raised that the property is being used as a HMO. There is no planning history relating to a change of use, however the applicant has applied on the basis that the house is a single-dwelling. It is noted that the scheme would now provide 5 double bedrooms with en-suites. If permission is granted it is considered necessary to include an informative on the decision to notify the applicant that a change of use application would be necessary in the event that the dwelling was being used by more than 6 unrelated individuals

Given the above, Members may consider the impact on the visual amenities of neighbouring properties would be acceptable.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/00620 and any other applications on the site 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 Before the development hereby permitted is first occupied the proposed window first floor east and west facing elevations 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

You are further informed that:

1 The applicant is advised that if the dwelling is to be used by more than 6 unrelated people then a full planning application would be required for a change of use.

2 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

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Application:17/00620/FULL6

Address: 36 Avondale Road Bromley BR1 4EP

Proposal: First floor side extension, two storey rear extension and roof alterations to incorporate rooflights.



"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 : 17/00829/ADV

Ward:
Hayes And Coney Hall

Address : 20 Chilham Way Hayes Bromley BR2
7PR

OS Grid Ref: E: 539999 N: 166848

Applicant : Mr James Wilson

Objections : YES

Description of Development:

Internally illuminated fascia sign

Key designations:

Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

The site is a single storey mid-terrace commercial building located within a local parade to the west side of Chilham Way. The parade is primarily occupied by non-retail uses including a training centre and a food manufacturing facility. The surrounding area is a mix of residential and commercial properties.

This application proposes the retention of an illuminated fascia sign and follows previous planning refusal reference 16/03246. This proposal advises that the illumination will be static with maximum luminance of 8.89 cd/m², green pixel led, black background and red logo.

Consultations

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

- Query the extent of local consultation
- general concerns with flashing element of sign and neon blue colour

A document was submitted as part of the application with a number of signatories supporting the proposals.

Additional local consultation was undertaken on 15th May 2017.

No objections are raised from a Highways or Environmental Health (Pollution) point of view.

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
BE21 Advertisements, Hoardings and Signs
T18 Road Safety

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan will be to the Secretary of State in mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

32 Road Safety
37 General Design of Development
102 Advertisements

The planning history includes application reference 15/03653 which was granted permission for the change of use from Class A3 to Class A3/A5 restaurant and takeaway.

Application reference 16/03246 for externally illuminated sign was refused for the following reason:

"The intermittent illuminated fascia sign at this location, by reason of the intermittent illumination, would be an overdominant feature in this local shopping parade detrimental to the amenities and totally out of character within this predominantly residential area thereby contrary to Policy BE21 of Bromley's Unitary Development Plan.

Further Recommendation:

Enforcement proceedings be authorised to seek removal of the sign"

Conclusions

The main issues in this case are whether the advertisements are in keeping with the character and appearance of the surrounding area, whether the amenities of neighbouring properties are respected and highway safety issues and whether the previous grounds of refusal have been overcome.

The unit within this local parade directly faces other commercial units and has oblique views to nearby residential. Policy BE21 advises that signs should have regard to the character of the surrounding area.

The planning history notes the previous grounds of refusal (copied above for convenient reference).

This application seeks retention of the illuminated sign but with static illumination as opposed to intermittent flashing illumination. The fascia sign itself is considered to be of sympathetic design, which complements the existing building and preserves the character of the area. Low luminance levels have been cited with static, internal illumination.

Having had regard to the above it is considered that the fascia sign itself with solely static illumination at the cd/m² advised would provide appropriate visual interest without appearing unduly prominent or conspicuous in the wider street scene. On the basis that static illumination is provided it is considered that the proposal would not impact adversely on the character of the area, amenities of adjoining properties nor on pedestrian and vehicular safety.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/00829 and any other applications on the site set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: ADVERTISEMENT CONSENT GRANTED

subject to the following conditions:

- 1. Any advertisements displayed, and any site used for the display of advertisements, shall be maintained in a clean and tidy condition to the reasonable satisfaction of the Local Planning Authority.**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 2. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a safe condition.**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

- 3. Where an advertisement is required under these Regulations to be removed, the removal shall be carried out to the reasonable satisfaction of the Local Planning Authority.**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

4. **No advertisement is to be displayed without the permission of the owner of the site or any person with an interest in the site entitled to grant permission.**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

5. **No advertisement shall be sited or displayed so as to obscure, or hinder the ready interpretation of , any road traffic sign, railway signal or aid to navigation by water or air, or so as otherwise to render hazardous the use of any highway, railway, waterway, (including any coastal waters) or aerodrome (civil or military).**

Reason: Regulation 14(1) (a) of the Town and Country Planning (Control of Advertisements) Regulations 2007.

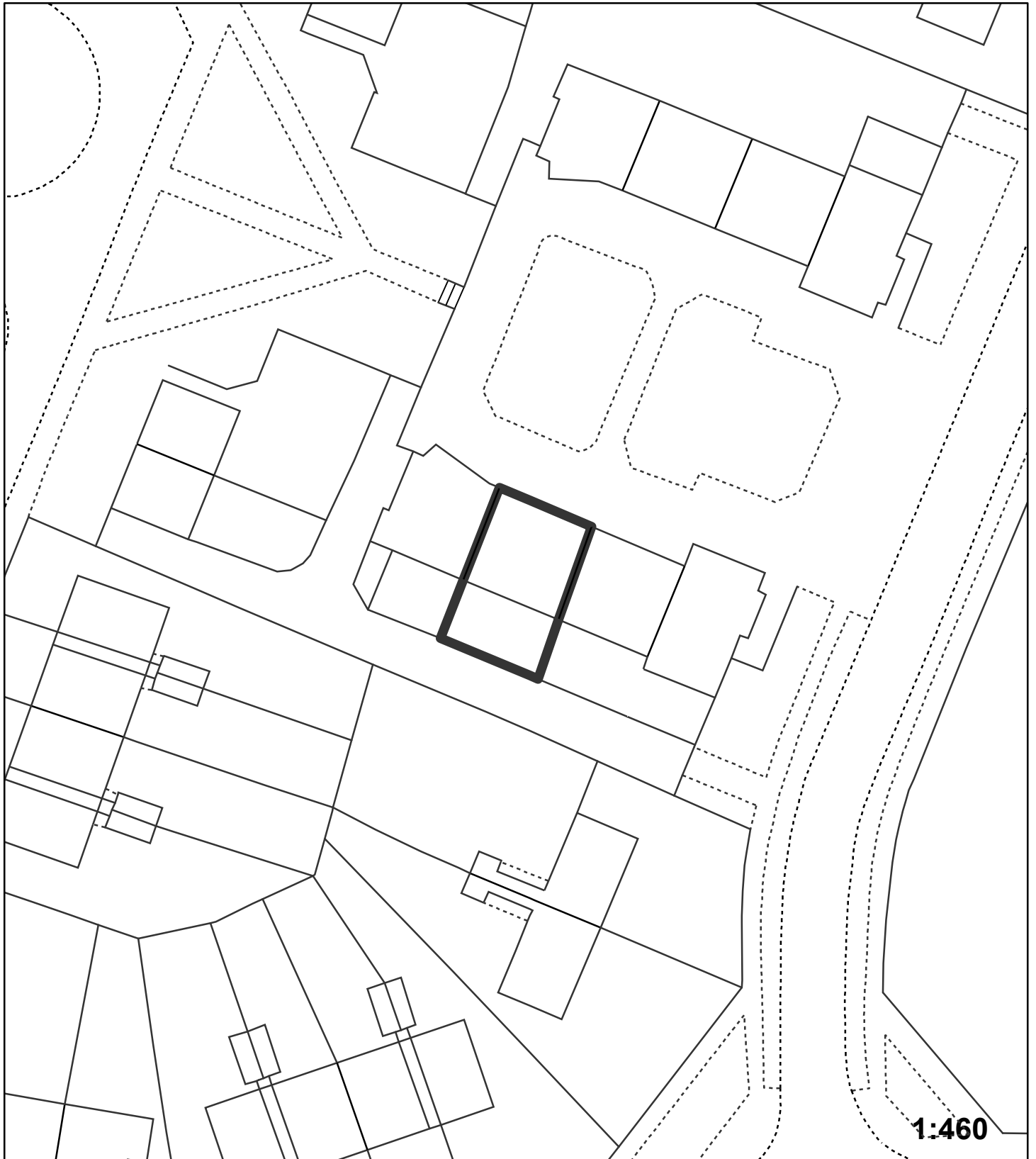
- 6 **The signs hereby permitted must not have any intermittent light source, moving feature, animation or exposed cold cathode tubing. It must not move, flash or change colour in any way.**

Reason:In order to comply with Policy BE21 of the Unitary Development Plan and to comply with the terms of the application and in the interest of the visual amenities of the area.

Application:17/00829/ADV

Address: 20 Chilham Way Hayes Bromley BR2 7PR

Proposal: Internally illuminated fascia sign



1:460

"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 : 17/01013/FULL6

Ward:
Plaistow And Sundridge

Address : 16 New Street Hill Bromley BR1 5AU

OS Grid Ref: E: 540787 N: 171146

Applicant : Mr Nick Langham

Objections : No

Description of Development:

Two storey side and single storey rear extension

Key designations:

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

Proposal

The application seeks planning permission for a proposed two storey side extension and single storey rear extension. The proposed extension will have a depth of 9m, with a rearward projection of 3m. The proposed extension will have a width along of 4.2m, extending to approximately 12.9m along the rear; the height of the extension will be 7.5m to match that of the existing ridge height, whilst the rear extension will have a height to the shallow pitched roof of 3m.

The application site is a two storey end of terrace property located on the south side of New Street Hill, Bromley.

Consultations

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

Network Rail:

The developer/applicant must ensure that their proposal, both during construction and after completion of works on site, does not:

- encroach onto Network Rail land
- affect the safety, operation or integrity of the company's railway and its infrastructure
- undermine its support zone
- damage the company's infrastructure
- place additional load on cuttings

- adversely affect any railway land or structure
- over-sail or encroach upon the air-space of any Network Rail land
- cause to obstruct or interfere with any works or proposed works or Network Rail development both
- now and in the future

The full list of comments received is available online.

Planning Considerations

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

National Planning Policy Framework:

Chapter 7- Requiring Good Design

London Plan:

Policy 7.4 Local character

Policy 7.6 Architecture

Unitary Development Plan:

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

SPG1 General Design Guidance

SPG2 Residential Design Guidance

According to paragraph 216 of the NPPF decision takers can also give weight to relevant policies in emerging plans according to:

The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);

The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);

and The degree of consistency of the relevant policies in the emerging plan to the policies in the NPPF, the greater the weight that may be given).

As set out in paragraph 216 of the National Planning Policy Framework, emerging plans gain weight as they move through the plan making process.

The following emerging plans are relevant to this application.

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the draft Local Plan will be submitted to the Secretary of State in mid-2017. These

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

Draft Policy 6 Residential Extensions
Draft Policy 37 General Design of Development
Draft Policy 8 Side Space

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.

Design

Policies H8, H9, 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. Consistent with this, the National Planning Policy Framework (NPPF) states that new development should reflect the identity of local surroundings and add to the overall quality of the area.

Both national and local planning policies recognise the importance of local distinctiveness in ensuring an effective planning system which achieves favourable design. Paragraph 60 of the NPPF states that it is proper to seek to promote or reinforce local distinctiveness, whilst paragraph 61 refers to the fact that although visual appearance and architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Similarly, policies BE1 and H8 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.

Whilst London Plan Policies 7.4 and 7.6 seek to enhance local context and character, as well as encouraging high quality design in assessing the overall acceptability of a proposal.

Furthermore, Policy H9 of the UDP and Draft Policy 8 of Bromley's emerging Local Plan requires planning proposals for two or more storeys in height, including first floor extensions to retain a minimum 1 metre space from the side boundary for the full height and depth of the proposal.

The application site forms part of a row of terrace dwellings, all of which are similar in style and appearance. To the front of the dwellings, in this section of the street, is an area of green space with a number of trees and natural vegetation, adjacent to the rail track. The host dwelling is located on the end plot closest to the rail line. The layout of the locality means that the host dwelling is not easily identifiable from the street scene, with the area of green space and trees/shrubs situated in front of the building.

Policy H9 of the UDP outlines (in part):

'When considering applications for new residential development, including extensions, the Council will normally require the following:

(i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building;'

This policy seeks to ensure 'that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas.'

It is noted that, the presence of the term 'normally' in the body of UDP policy H9 strongly implies, a need for discretion in the application of the having regard to several factors including the characteristics of the site and its surroundings, the precise nature of the proposal and the objectives of the policy as set out in the explanatory text.

Taking the above into account, the development is not anticipated to appear cramped within its plot size, lead to any unrelated terracing from occurring, or have a detrimental impact to the spatial standards and visual amenities of the surrounding area when considering the property is situated adjacent to the rail line. Furthermore, the design of the extension would complement the character and appearance of the host dwelling and adjoining properties. As such, the proposal is considered to comply with the policy objectives of Policy H9 of the UDP.

Impact on Residential 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.

It was noted on the site visit that the adjoining neighbouring property at No.14 benefits from a part one/two storey rear extension along the boundary line. In addition, it is considered that the proposed extension is of modest proportions. As such, no such loss of amenity is foreseen to the neighbouring occupiers of No.14.

Summary

Taking into account the above, Members may therefore consider that the development in the manner proposed is on balance acceptable. Whilst it is recognised that the proposal would fail to retain a 1 metre side space from the boundary for the full height and depth of the proposal. Due to the location of the host property situated away from public vantage points and adjacent to the rail line the proposal would not be in conflict with the policy objectives of H9. As a result, it

is considered that the proposal would comply with the Policy objectives of H9 of the UDP.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/01013/FULL6 and any other applications on the site 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.

You are further informed that:

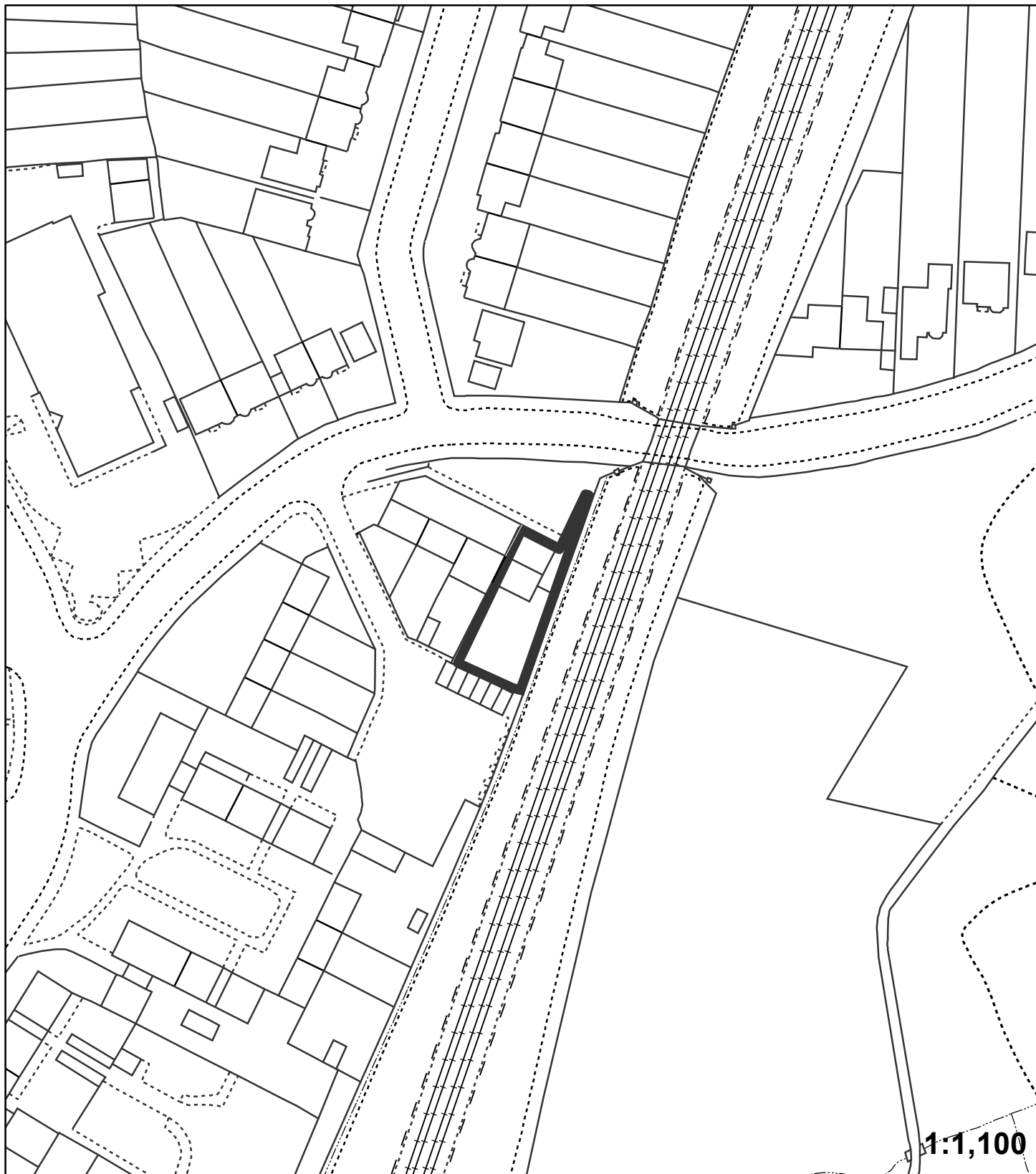
- 1 The applicant is strongly advised to contact Network Rail prior to any works commencing on the site on: AssetProtectionkent@networkrail.co.uk; more information can also be obtained at www.networkrail.co.uk**

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Application:17/01013/FULL6

Address: 16 New Street Hill Bromley BR1 5AU

Proposal: Two storey side and single storey 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 '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 17/01145/FULL6

Ward:
Petts Wood And Knoll

Address : 75 Mayfield Avenue Orpington BR6 0AH

OS Grid Ref: E: 545624 N: 166289

Applicant : Mr & Mrs David Gurr

Objections : YES

Description of Development:

Roof alterations to include rooflights to provide habitable accommodation in roofspace, first floor rear and single storey front extensions and two storey side extension

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 4

Proposal

The proposal involves roof alterations incorporating an increase in ridge height by 0.5m, one side rooflight and change in roof pitch to provide a perimeter pitched roof with a flat roof above.

A two storey side extension is proposed which would have a width of 4.5m and a length of 9.7m with a set back of 0.6m from the adjacent front elevation of the main dwelling.

The proposed first floor rear extension would have a rearward projection of 2.9m to match the ground floor rear building line and square off the existing rear elevation. The first floor rear extension would have a width of 5.7m.

The proposed two storey side extension and first floor rear extension would have a perimeter pitched roof with a ridge height of 7.8m.

A single storey front extension is also proposed incorporating a porch which would have a forward projection of between 1.2m and 1.9m, a total width of 5.7m and a false pitched roof with a height of 3.4m.

Amended plans were received dated 10th May 2017 reducing the number of proposed rooflights from three rear rooflights to one side rooflight.

Location

The site hosts a two storey detached dwelling which is situated on the eastern side of Mayfield Avenue and it is not located on any designated land.

Consultations

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

Knoll Residents Association and neighbouring residents' objections:

- Much larger and out of proportion with the plot size
- Additional accommodation in roof will appear much more bulky
- Visually dominate especially to residents of Broxbourne Road
- height of second floor is too high
- significantly alters appearance of the original design of the property
- Lies within an area which has recently applied to be an ASRC, although not yet confirmed
- Driveway is to extend to accommodate max 4 vehicles
- No details of front or rear landscaping
- Not in-keeping with other in the road and contriving ASRC guidelines
- Our house, No. 70 Broxbourne is directly behind No. 75
- Would be one of families most affected by the development
- Extensive and excessively large extension
- Increase in floor area of a further 125%
- View from first floor rear window of elderly father would be dominated by large mass of the extensions and new roof
- Whole family would see a greatly increase building size
- Overbearing and overwhelming nature
- Appearing almost on back boundary
- The property is 2m higher
- Much higher and larger roof over substantial side and rear extension
- Would dominate outlook
- Towering and invasively close
- Wide rear elevation lacks characterful design of the front elevation and surrounding development
- Unrelenting and adds further to overbearing nature
- Privacy of garden and house would be compromised
- Loss of privacy to surrounding properties
- Having two first floor windows 3m forwards of their current position, and one new window
- impression of being constantly overlooked
- exacerbated in winter by large three panel window to two storey side extension
- overshadowing, sun sets behind no. 75 from their property
- loss of evening light earlier on from higher roof

- wide two storey extension would block sun as it goes around over the summer
- excessive overdevelopment of the site
- other recent large development have much longer/larger gardens
- far too large mass for comparatively small plot with mere 10m depth
- 50% ratio of proposed floor area to garden
- Not in keeping
- There are chalets and bungalows at top of the road which are more sympathetic low builds
- Appears as three stories
- Roof will be higher than most in the area
- Higher than neighbouring low builds and is also higher up the hill
- Chimney appears very tall at front and back
- Plans show only two trees in the back garden
- Tall 4-6m evergreen would need to be planted to screen development
- Contravenes ASRC policy
- Front elevation is quite pleasing and style is in keeping with the area
- Primary concern is the height of the loft extension and height and size of proposed rooflights
- Proposed could be achieved without contravening ASRC guidelines by reducing its height and inserting shorter and higher rooflights or withdrawing loft conversion
- Height of second floor is too high
- Overlooks rear gardens and five properties to the rear including bed rooms, bathrooms, toilets, kitchen, living rooms, in particularly no. 68
- Proposed extension significantly alters the external appearance of the original design of the property
- And privacy and character of those 5 properties to the rear
- Will cause a loss of amenities to the homes around
- Could set a precedent for further unsuitable development
- significant impact on community in terms of local landscape, environmental and neighbour harmony
- would like to see a scaled down plan

Comments from Consultees

No objection to the proposal from a Highways point of view subject to standard conditions. Proposal would increase the property from 3 to 5 bedrooms and includes the loss of the existing garage. The PTAL rating is good (5) and additional driveway area is proposed to accommodate additional off-street parking.

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

Emerging Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that submission of the draft Local Plan to the Secretary of State in mid 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 37 - General Design of Development
Draft Policy 6 - Residential Extensions
Draft Policy 8 - Side Space
Draft Policy 32 - Road Safety

The Knoll is proposed to be designated as an Area of Special Residential Character however the designation has not yet been implemented and therefore holds limited weight at this time.

Supplementary Planning Guidance 1 and 2

London Plan (2015)

Policy 7.4 Local character

The National Planning Policy Framework

Planning History

Planning permission was granted under ref. 75/01403 for a two storey rear extension to kitchen with bedroom over.

Planning permission was granted under ref. 80/02207 for a single storey rear extension.

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.

The proposal involves a two storey side extension with a width of 4.5m in addition to an increase in ridge height of 0.5m which the proposed extension would match in height. The proposal would have a 1.3m side space towards the front of the proposed extensions, however the property is situated at a slightly oblique angle to the boundary so that the gap is narrower along the flank wall towards the rear of the proposal (1.1m side space to the rear of the flank wall). There would be a

minimum side space of slightly less than 1m from the proposed chimney stack to the northern side boundary which would not technically comply with the minimum 1m side space requirement of Policy H9, where a minimum of 1m side space is required for the full height and length of the flank wall. However the chimney stack is only slightly under 1m from the side boundary (as it would be at least 0.95m from the boundary) which is very minor infringement of side space policy and the main part of the flank wall would comply with side space requirements and it is not considered to result in an unrelated terracing effect or a detrimental impact on the spatial standards of the area.

The proposal would significantly increase the width of the original dwelling and add significant bulk to the roof. Having said this, the host dwelling is a fairly substantial sized detached dwelling, having an existing width of 10m therefore the extension would be in context with the main house and would have a pitched roof and use of materials which would be in-keeping with the character of the existing property. Additionally, the neighbouring property to the north is a detached property of a reasonably significant size and therefore the proposal would not appear over-dominant in the street scene given the extensions to No. 73 or appear out of character with the area by virtue of the variety of property types and architectural styles in the local area. The two storey side extension would be stepped back from the front gable feature by 0.6m which would lessen its impact on the host dwelling. The single storey front extension would not project beyond the front gable and is not considered to result in a harmful impact on the host dwelling or the established building line of the surrounding development.

The area is characterised by large rear gardens and has a spacious and verdant suburban character. The rear garden of the site is of a smaller depth than other plots in the area as Mayfield Avenue and Broxbourne Road converge at angle resulting in the site having a tapered rear boundary line. The proposed extension would not reduce the depth of the rear garden land as it involves a first floor rear extension which is constructed above an existing single storey rear extension. The proposed two storey side extension would replace an existing side garage and hardstanding which would mitigate the loss of space to the side of the dwelling to some extent. Consequently, it is not considered that the proposal would significantly erode the rear amenity space for the dwelling and it would not overdevelop the site.

The proposal involves an increase in ridge height of 0.5m and alterations to the pitched roof profile. Policy H8 states that 'the scale, form and materials of construction should complement those of the host dwelling and be compatible with development in the surrounding area and that extensions above the existing ridgeline will not normally be permitted'. Mayfield Road is on a hill and the topography of the land level slopes down towards the north west and therefore the ridge levels are stepped along the road with the site being situated on higher ground level. The proposed increase in ridge height would be 0.5m which is not excessive. Therefore, it is considered that the increase in ridge height would continue to complement the stepped ridge levels along this part of Mayfield Road and would not appear incongruous or overbearing in the street scene.

Objections from local residents have been received which relate to the site lying within an area which is proposed to be designated as The Knoll Area of Special Residential Character (ASRC) in the Draft Local Plan, however the area has not yet been formally designated as an ASRC and therefore would carry very limited weight at this stage. Nevertheless, it should be noted that a side space in excess of the minimum 1m required would be retained to the northern flank boundary and to the south, a generous separation in excess of 3m would be retained. It is not therefore considered that the spatial qualities of the proposed ASRC would be compromised in this case.

With regards to neighbouring amenities, the neighbouring property to the south is a chalet bungalow with a side dormer which contains two windows including a habitable room window. The proposal involves a first floor extension to this side which would have a rear projection of 3m and an increase in height of the existing flat roof rear extension from 5.7m to 8m but would have an eaves height of 5.4m which is modest. The roof would continue to be hipped away from the side boundary and the separation between the proposed first floor rear extension and No. 75A is 5.6m which is significant and therefore it is not considered that the impact on this neighbouring properties first floor flank windows would be so harmful to warrant a refusal of the application, in particular given that the principal habitable room windows of this property would not be adversely affected by the proposal. There would not be any loss of outlook or privacy to the rear windows of this neighbouring property as this property projects significantly further rearward than the host dwelling and the proposed extensions would still be set back significantly from the rear elevation of No. 75A.

To the north, No. 73 has previously been extended by way of a two storey side extension adjacent to the shared boundary with the site in 2006. The proposal involves a two storey side extension and an increase in ridge height and roof alterations increasing the bulk of the existing roof. There is a first floor bedroom window and conservatory to no. 73 in close proximity to the shared boundary. This property is located to the north of the host dwelling and therefore a level of overshadowing may result however it is not considered to result in a serious loss of light to this neighbouring property. The conservatory has no openings in its flank elevation near to the shared boundary and the proposal would not project beyond the rear elevation of this neighbours' conservatory. The two storey side extension would project by 2.8m beyond the part of rear elevation of No. 73 which is adjacent to boundary, however the main rear elevation of No. 73 would be approximately level with the proposed rear elevation of the host dwelling. The first floor flank windows would serve en-suite bathrooms which would be restricted to have obscure glass by way of a condition imposed on any planning permission to prevent a loss of privacy to No. 73. Therefore, on balance, it is not considered that a significant loss of amenity would result to this neighbouring property.

The rear boundary line is tapered significantly so that the rear garden varies in depth from 12.8m to 24.8m. The host dwelling is on higher ground level than the properties to the north and west. The proposed first floor extension would be situated opposite the narrowest part of the garden, there is an en-suite and study window in its rear elevation. The study is therefore located further away from the boundary than the en-suite window (which would be obscure glazed and secured

by way of a condition if permission were recommended) so that the study window would be at a distance of at least 15m from the rear boundary which is not considered to result in any harmful additional overlooking over the existing level. Additionally, the two storey side extension has a bedroom and lounge windows in its rear elevation, these would be located a substantial distance from the rear boundary of at least 21.2m therefore no significant additional loss of privacy is considered to result to the rear gardens and rear windows of the properties to the rear of the site along Broxbourne Road.

The proposal involves roof alterations include a change in the pitched roof profile to a steeper pitch, an increase in height by 0.5m and the replacement of the existing flat roof of the two storey rear extension to a pitched roof which would match the height of the main dwelling. Along with the increase in width resulting from the two storey side extension, this would result in an increase in bulk to the original dwelling. There is a considerable distance to the properties to the rear of the site of over 50m and the orientation between the properties is such that the Nos. 70-66 Broxbourne Road do not directly face onto the host dwelling. Therefore, it is not considered that the proposal would appear overbearing or result in a harmful visual impact on these neighbouring properties to an extent which would warrant a refusal of the application on this basis.

Amended plans were received 10th May 2017 reducing the number of rooflights proposed from three to one and relocating the rooflight from the rear roofslope to the flank.

Background papers referred to during production of this report comprise all correspondence on file ref.17/01145, excluding exempt information.

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 a significant loss of amenity to local residents or impact detrimentally on the character of the area.

**RECOMMENDATION: PERMISSION
as amended by documents received on 10.05.2017**

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 Before the development hereby permitted is first occupied the proposed first floor rear ensuite window and windows in the first floor 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

- 4 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the first floor 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 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 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.

Application:17/01145/FULL6

Address: 75 Mayfield Avenue Orpington BR6 0AH

Proposal: Roof alterations to include rooflights to provide habitable accommodation in roofspace, first floor rear and single storey front extensions and two 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 '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 17/01196/RECON

Ward:
Bickley

Address : 3 Sundridge Avenue BR1 2PU

OS Grid Ref: E: 541566 N: 169516

Applicant : Mr Sam Hampton

Objections : YES

Description of Development:

Variation of Conditions 3 and 5 pursuant to planning permission ref. 13/01321 granted at appeal for demolition of existing dwelling and erection of three 5 bedroom two storey detached dwellings with accommodation in roofspace and associated landscaping and parking arrangements to allow for block paving driveways to all plots and timber/sleeper retaining wall (max height 2.7m) to flank elevation of Plot 3

Key designations:

Conservation Area: Sundridge Avenue
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 10

REPORT UPDATE

The application was deferred at Plans Sub-Committee on the 25th May to seek a viable solution to the concerns raised over the construction methods used for the retaining wall, and to address inconsistencies within the application regarding ownership of the site. Further information has been received dated 05/06/17 concerning additional investigative works at the site that confirm no damage to the structural integrity of the neighbouring house. Clarification of the land ownership and signing of Certificate A of the planning application form has also been provided. The report is repeated below with updates wherever necessary.

Proposal

Variation of Conditions 3 and 5 pursuant to planning permission ref. 13/01321 granted at appeal for demolition of existing dwelling and erection of three 5 bedroom two storey detached dwellings with accommodation in roofspace and associated landscaping and parking arrangements to allow for block paving driveways to all plots and timber/sleeper retaining wall (max height 2.7m) to flank elevation of Plot 3

Approval is sought to vary the above Conditions in order to allow for block paving for the driveways of all three dwellings along with the provision of a sleeper

retaining wall and timber fence on top along the northern flank boundary of the site adjoining No. 5 Sundridge Avenue.

Location

The site is located on the western side of Sundridge Avenue and comprises three detached two storey dwellings that have recently been constructed. The wider area is characterised by detached dwellings. The site is located adjacent to the Sundridge Avenue Conservation Area, which is to the north of the site.

Comments from Local Residents

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

- Ownership certificate is incorrect
- Materials for wall are unsuitable and have been constructed in front of an existing wall behind the timber retaining wall.
- Support of neighbouring land is compromised by the proposal and the materials used, with subsidence a possibility and tree damage.
- Proposed paving is considered acceptable however it may present a flood risk to Sundridge Avenue

Consultations

Drainage - no objections raised. The driveway material will include a permeable drainage channel at each plot.

Highways - no objections raised subject to a standard condition to prevent drainage from the paved driveways onto the highway.

Thames Water - no comments received.

The Advisory Panel for Conservation Areas (APCA) did not inspect the application.

Planning Considerations

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

BE1 Design of New Development
BE13 Development Adjacent to a Conservation Area
H1 Housing Supply
H7 Housing Density And Design
H9 Side Space
T3 Parking
T18 Road Safety
NE7 Development And Trees

London Plan Policy 3.4 Optimising Housing Potential

London Plan Policy 3.5 Quality and Design of Housing Developments
London Plan Policy 5.13 Sustainable Drainage

National Planning Policy Framework, 2012

Chapter 4 Promoting Sustainable Transport
Chapter 6 Delivering a Wide Choice of High Quality Homes
Chapter 7 Requiring Good Design

The most relevant London Plan policies are as follows:

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

London Housing Supplementary Planning Guidance

SPG1 - General Design Principles
SPG2 - Residential Design Guidance

Emerging Local Plan

The Council is preparing a Local Plan and the final consultation on its proposed submission draft of the Local Plan closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). The updated Local Development Scheme was submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, and indicated the submission of the draft Local Plan to the Secretary of State in mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 1 - Housing Supply
Draft Policy 4 - Housing Design
Draft Policy 8 - Side Space
Draft Policy 30 - Parking
Draft Policy 32 - Road Safety
Draft Policy 33 - Access for All

Draft Policy 37 - General Design of Development
Draft Policy 44 - Development Adjacent to a Conservation Area
Draft Policy 73 - Development and Trees
Draft Policy 77 - Landscape Quality and Character
Draft Policy 113 - Waste Management in New Development
Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
Draft Policy 123 - Sustainable Design and Construction

Planning History

Planning permission was granted at appeal under ref. 13/01321 for demolition of existing dwelling and erection of three 5 bedroom two storey detached dwellings with accommodation in roof space and associated landscaping and parking arrangements.

The development is currently nearing completion.

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. The impact on highway safety is also a consideration.

Permission was granted under ref: 13/01321 for the demolition of existing dwelling and erection of three 5 bedroom two storey detached dwellings with accommodation in roof space and associated landscaping and parking arrangements.

Following a recent visit to the site, there are no aspects of the completed development that are considered to be harmful to the character of the area or the amenities of neighbouring properties. Subject to the submission of the required details to the Council, it is considered that the variation of these conditions accordingly would not be objected to. The Council's Highways Officer has confirmed that adequate drainage measures have been implemented for the block paving and their appearance is considered to complement the character of the area. The retaining wall and fence to the northern boundary presents a 1.8m tall boundary fence to No. 5, which is sited on higher ground. The fencing would not, therefore, impact on the amenities of this neighbouring house.

As the proposed variation of conditions does not alter the bulk, scale design or access arrangements from the permitted scheme, it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the setting of the host dwelling or the character of the area. The variation of the conditions gives the Council the same control over the required details, and these can be approved post-development as and where necessary. It is therefore recommended that Members approve the proposal.

Background papers referred to during production of this report comprise all correspondence on the file refs. 13/01321/FULL1 and 17/01196/RECON set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPROVAL

subject to the following conditions:

- 1 The development hereby permitted shall be carried out in accordance with approved plan SA/533/MATS Rev A.**

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.

- 2 The hard and soft landscaping details hereby permitted shall be competed in complete accordance with the approved details and permanently maintained as such thereafter unless otherwise agreed in writing by the Local Planning Authority. The approved scheme shall be carried out in the first planting and seeding seasons following the first occupation of the buildings or the completion of the development, whichever is the sooner. 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.

- 3 In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars and paragraphs (i) and (ii) below shall have effect until the expiration of 1 year from the date of the first occupation of the buildings. This time limit does not apply to those trees which are otherwise protected by a Tree Preservation Order. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).**

i) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

ii) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and

particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.

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

- 4 The boundary treatment hereby permitted shall be permanently maintained in complete accordance with the approved plans 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 visual amenity and the amenities of adjacent properties.

- 5 The approved surface water drainage system, which prevents the discharge of surface water from the site onto the highway, shall be permanently maintained at the site unless otherwise agreed in writing by the local planning authority.

Reason: In order to comply with Policy 5.13 of the London Plan and to ensure the adequate drainage of the site.

- 6 The garages, parking areas and turning space at the site shall be permanently retained at the site in complete accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority. No development whether or not permitted by the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting that order) shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to them.

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 inconvenience to other road users and would be detrimental to amenities and prejudicial to road safety.

- 7 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking, re-enacting or modifying that Order), no windows other than those expressly authorised by this permission shall be constructed on the north side elevation of the dwelling hereby permitted on Plot 3 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 to protect the amenities of neighbouring residential properties.

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Application:17/01196/RECON

Address: 3 Sundridge Avenue BR1 2PU

Proposal: Variation of Conditions 3 and 5 pursuant to planning permission ref. 13/01321 granted at appeal for demolition of existing dwelling and erection of three 5 bedroom two storey detached dwellings with accommodation in roofspace and 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 : 17/01264/FULL6

Ward:
Cray Valley East

Address : 13 Riverside Close Orpington BR5 3HJ

OS Grid Ref: E: 547373 N: 169233

Applicant : Mrs Tina Priestman

Objections : YES

Description of Development:

Detached timber outbuilding

Key designations:

Conservation Area: St Pauls Cray
Areas of Archeological Significance
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 20
Urban Open Space

REPORT UPDATE

The planning application was deferred at Plans Sub-Committee on the 25th May 2017 in order to seek a reduction in the size and scale of the proposed outbuilding. Revised plans have been received dated 31/05/17 indicating a reduction in the height and footprint of the proposed outbuilding and the report is repeated below, updated where necessary.

Proposal

This application is for a single storey outbuilding located at the rear of the site, on land that adjoins the communal rear car park. The outbuilding will have dimensions of 5.5m by 2.6m and the roof will be sloped with a height of 2.7m. Originally, the outbuilding was proposed at 6.4m by 4.6m with a height of 2.9m.

A supporting statement has been submitted by the applicant which is summarised as follows:

Permission was recently granted at appeal (planning reference 16/03633 at No. 8) for a similar single storey timber outbuilding on the mirrored section of fenced in land in the rear car park of Riverside Close. The Planning Inspectorate concluded that the development preserves the character and appearance of the Conservation Area and does not have an adverse effect on the purpose of the Urban Open Space designation. There are several larger single story extensions and outbuildings in the immediate vicinity all which have been granted planning

permission.

Location

The application site is a mid-terraced property located on Riverside Close, a row of 18 properties. The site is located within St Paul's Cray Conservation Area and adjacent to a Site of Importance for Nature Conservation (SINC).

Comments from Local Residents

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

- The plans indicate a larger building than the one that has previously been refused.
- Appeal process has been avoided and therefore the proposal should be considered unacceptable.
- The proposed outbuilding will not be incidental to the main dwelling.
- Proposed doors to the building will block access way that other houses on Riverside Close have access to.
- The proposal would have a harmful impact on the character of the Conservation Area.
- Several supporting letters have been received stating that the building would have no negative effects to the close, and would mirror the shed at No. 8. As it would be built within a fenced area, it wouldn't be imposing and would enhance the look of the car park area whilst reflecting the existing shed at No. 8.

Following the receipt of amended plans, local residents were notified of the amendment and further comments received are summarised as follows:

- One further comment in support received.

Consultations

None.

Planning Considerations

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

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

Chapter 12 - Conserving and enhancing the historic environment

The London Plan (2015)

Policy 7.4 Local Character
Policy 7.6 Architecture
Policy 7.8 Heritage Assets

Unitary Development Plan (2006)

BE1 Design of New Development
BE11 Conservation Areas
G8 Urban Open Space

Emerging Local Plan

The Council is preparing a Local Plan and the final consultation on its proposed submission draft of the Local Plan closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). The updated Local Development Scheme was submitted to Development Control Committee on November 24th 2016 and Executive Committee on November 30th 2016, and indicated the submission of the draft Local Plan to the Secretary of State in mid-2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policy 37 – General Design of Development
Draft Policy 41 - Conservation Areas
Draft Policy 55 - Urban Open Space

Other Guidance

Supplementary Planning Guidance 1 - General Design Principles

Planning History

The site has been subject to previous planning applications:

86/00020/OUT - Land at Main Road, St Pauls Cray Orpington. Erection of 32 terraced 2 bedroom dwellings with garages, parking spaces and estate road for residential use OUTLINE - Refused 06.03.1986

87/01265/FUL - Main Road, St Pauls Cray - 18 terraced one, two and three bedroom houses with parking spaces, estate road and public open space - Permitted 27.08.1987

Planning permission was retrospectively refused under ref. 16/03480 for a 2 metre high fence to enclose owned land. The application was refused at Plans Sub-Committee on the 20th October 2016. The refusal grounds were as follows:

'The fence results in an unsatisfactory departure from the existing open visual qualities of the estate layout, thereby harmful to local character and contrary to Policies BE7 and G8 of the Unitary Development Plan.

The fence by reason of its height and location constitutes an insensitive form of the development, which would fail to preserve or enhance the character and appearance of the St Pauls Cray Conservation Area, and contrary to Policy BE11 of the Unitary Development Plan.'

This application was subsequently allowed at appeal and has been built.

Planning permission was refused under ref. 16/04278 for a detached outbuilding. The refusal grounds were as follows:

'By reason of its size and location and encroachment onto an open grassed area, the development serves to undermine the open visual qualities of the estate layout, is harmful to the Urban Open Space designation and fails to preserve or enhance the character and appearance of the St Paul's Cray Conservation Area, contrary to Policies BE1, G8 and BE11 of the Unitary Development Plan.'

Planning permission was retrospectively refused at No. 8 Riverside Close under ref. 16/03633 for a detached outbuilding. The application was refused at Plans Sub-Committee on the 20th October 2016. The refusal grounds were as follows:

'By reason of its size and location and encroachment onto an open grassed area, the development serves to undermine the open visual qualities of the estate layout, is harmful to the Urban Open Space designation and fails to preserve or enhance the character and appearance of the St Paul's Cray Conservation Area, contrary to Policies BE1, G8 and BE11 of the Unitary Development Plan.'

This application was subsequently allowed at appeal. The Inspector states:

'This is a small timber garden shed with the appearance of a domestic outbuilding. I have attributed considerable importance and weight to the duty and the presumptive desirability of preserving the character and appearance of the Conservation Area. Due to the small scale and the design of the shed, I consider that it appears as a discrete domestic addition to the rear garden/parking area. As such, it does not have an adverse effect on the significance of the Conservation Area designation. Therefore, I consider that the shed preserves the character and appearance of the Conservation Area.

Saved UDP Policy G8 restricts development in areas defined as Urban Open Space unless satisfying criteria that includes the development being related to the existing use. Whilst the site was a private open area adjacent to the parking area, in these circumstances, I consider that the shed is related to the domestic use of the property at 8 Riverside Close within the wider residential use of the land at Riverside Close. Due to the scale and

position of the shed I do not consider that it impacts significantly on, and does not undermine, the purpose of the Urban Open Space designation.

In reaching my conclusion, I have had regard to all matters raised upon which I have not specifically commented. For the reasons stated above, I conclude that the development preserves the character and appearance of the Conservation Area and does not have an adverse effect on the purpose of the Urban Open Space designation. Thus, the development is in accordance with saved UDP Policies BE1, G8 and BE11.'

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.

This application seeks permission to erect a single storey outbuilding located to the rear of No. 13 Riverside Close. The outbuilding will be constructed on land adjoining the communal car park which is under the ownership of the applicant. Conditions 4 and 30 of permission 87/01265/FUL specifically prohibits permitted development therefore the erection of any outbuilding requires planning permission.

London Plan Policy 7.4 requires developments to have regard to the form, function, and structure of an area. 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 and form of the host dwelling and is compatible with surrounding development. Policy BE1 also 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 site lies within the St Pauls Cray Conservation Area; therefore Policy BE11 of the UDP and London Plan Policy 7.8 is relevant to this application. These policies seek to preserve and enhance the character and appearance of Conservation Areas.

A number of objections have been received in relation to the outbuilding setting a precedent for similar developments in the area that would impact harmfully on the character of the area. Several supporting comments have also been received.

It has recently been considered by the Inspector that the outbuilding in existence at No. 8 Riverside Close would not impact harmfully on the character of the Conservation Area or the visual amenities of the Urban Open Space (see planning history above). This view must be considered as a material consideration in the assessment of the current application, which matches that previously refused by Members at Plans Sub-Committee on 17th November 2016.

The outbuilding allowed at appeal at No. 8 has a width of 2.3m and a depth of 4.35m. It has an eaves height 2.15m and a maximum height of 2.65m. The

proposed outbuilding at No. 13 will have a length of 5.5m, a width of 2.6m and a maximum height of 2.7m. The proposed outbuilding will therefore exceed the footprint of that allowed at No. 8, however the height, appearance and materials will be similar. The building will also be used for purposes incidental to the main dwelling. The size and scale of the proposed outbuilding is considered to be subservient and acceptable for domestic use within a rear garden environment, bearing in mind the views of the Inspector. In addition, the fencing around the site has been erected and this would largely obscure views of the outbuilding.

On balance it is considered that the addition of a domestic shed in this residential setting would be considered not to impact detrimentally on the character and appearance of this part of the St Pauls Cray Conservation Area and would not impact harmfully on the Urban Open Space setting. The development is therefore considered to comply with the overarching aims and objectives of Policies BE1, BE11 and G8 of the UDP, Policies 7.4, 7.6 and 7.8 of the London Plan and the NPPF. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref(s): 16/03480, 16/03633, 16/04278 and 17/01264 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. 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. 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 outbuilding hereby permitted shall be used for purposes incidental to the enjoyment of the main house at No. 13 Riverside Close and for no other purpose without the approval in writing by the Local Planning Authority.**

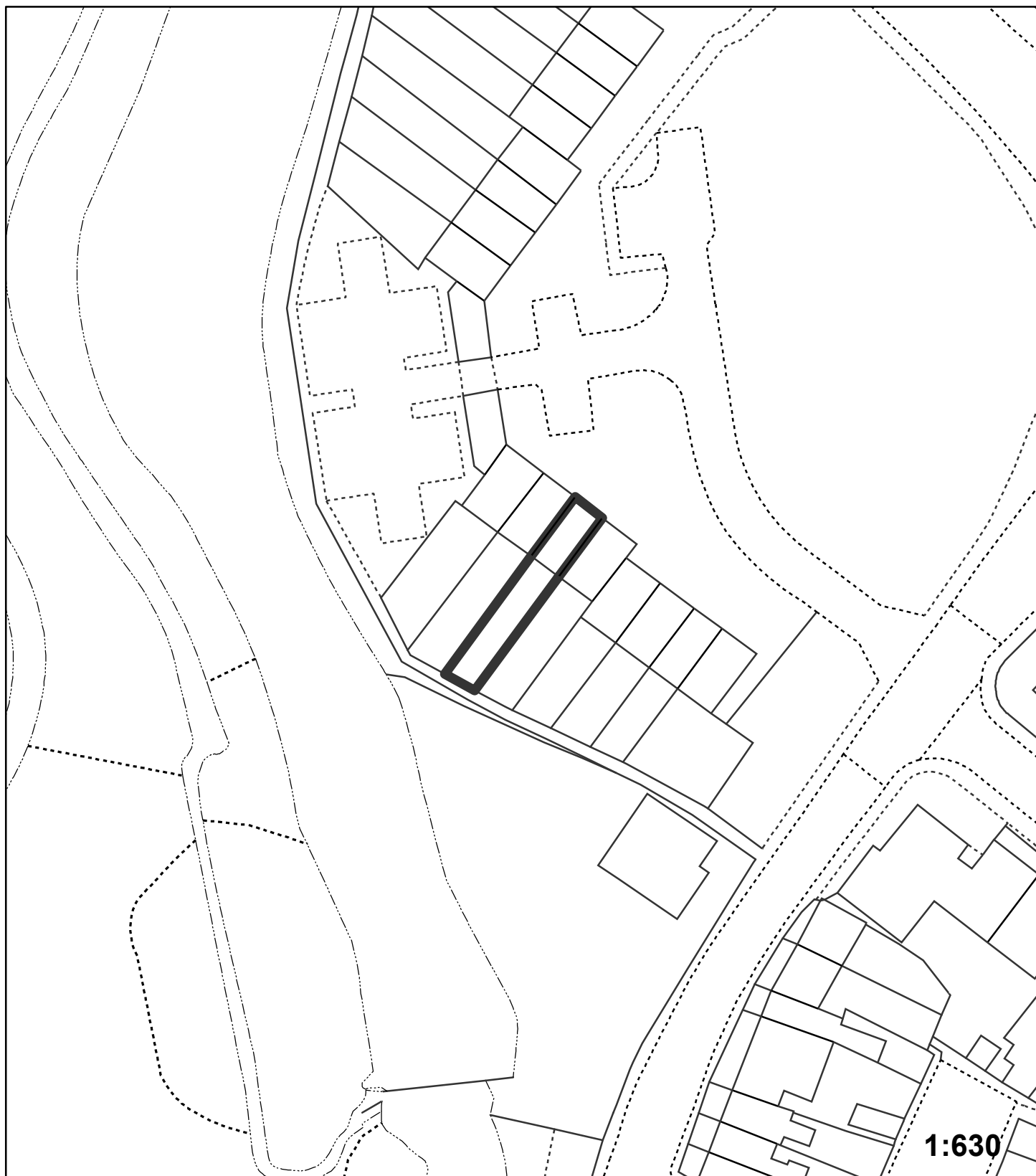
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in order to prevent the over-intensive use of the site.

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Application:17/01264/FULL6

Address: 13 Riverside Close Orpington BR5 3HJ

Proposal: Detached timber outbuilding



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Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 17/01634/FULL1

Ward:
Clock House

Address : St Michael And All Angels Church
Ravenscroft Road Beckenham BR3 4TP

OS Grid Ref: E: 535607 N: 169419

Applicant : Mr James Ashdown

Objections : YES

Description of Development:

Construction of three 3 bedroom dwellings fronting Ravenscroft Road with associated car parking spaces, landscaping and refuse storage.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 30

Proposal

Planning permission is sought for the construction of three 3 bedroom dwellings fronting Ravenscroft Road with associated car parking spaces, landscaping and refuse storage.

The terraced building footprint is set back approximately 6.2m from the footway with each house measuring 5m by 11.2m, 4.7m by 11.7m and 4.7m by 11.7m respectively to a maximum height at the roof ridge of 9.7m and 6.2m minimum height to the eaves. The footprint is set in from the flank boundaries at the front elevation building line by 1.098m to the property boundary to No115 Ravenscroft Road to the east and 1m to the western boundary to the church building. The terrace buildings principle elevation will face Ravenscroft Road. Parking arrangements are provided in the front curtilage comprising three parallel spaces.

Internal layout plans indicate 3 three bedroom six person dwellings. The rear curtilage will be approximately 15.41m depth divided into private areas. An external refuse store is located within the front curtilage of each house adjacent to the footway.

Materials are indicated as render for the upper levels and traditional brick for the lower levels with a traditional clay tiled roof. A large feature gable design is incorporated within the front elevation roof slope over plots 1 and 2.

Location

The application site fronts Ravenscroft Road and comprises an open section of land originally part of the church grounds of St Michael and All Angels Church. The site is undeveloped except for a small garage building with access to Ravenscroft Road. A mature street tree is located in the footway to the front of the site. North east and south west of the site are a mix of terraced houses and closely spaced semi-detached houses divided.

The site is not in a conservation area, however the building outside and to the rear of the site at 120 Birkbeck Road is locally listed.

Consultations

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

Support

- Three properties are entirely appropriate.
- No reasonable reason for refusal of previous application for three houses.
- Housing need is more acute now.
- Housing polices all support the approval of the scheme.

Objection

- The need to retain small open spaces is as important as the need for housing.
- Parking is a problem in the area. Development will add to congestion and parking problems in the vicinity of the church and increase problems of road safety.
- One parking space is not enough.
- Concerns regarding the adequate supply of utilities to the site.
- Concerns regarding overshadowing of adjacent property to the rear and to a non-habitable first floor bathroom window breaching the 45 degree rule of thumb.
- Loss of view of St Michael's church.
- Loss of light to rear and side of adjacent property.
- Upstairs windows of proposed dwelling will unfairly overlook adjacent property.
- Insufficient separation distance to adjacent property.
- Foundations will jeopardise existing adjacent structures.
- This section of Ravenscroft Road will look overcrowded. Clockhouse is overcrowded already.
- Loss of possibility of vehicular access to the side of neighbouring property currently an option with the church.
- Concerns regarding maintenance to adjacent property at a future date.
- Comments regarding the price paid for the land.

Internal consultations

Highways:

The site is located in an area with medium PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible). No objection in principle.

Environmental Health - Pollution:

No objections within the grounds of consideration. The application site is also within an Air Quality Management Area declared for NOx. Standard conditions suggested.

Drainage:

No objection.

Arboriculture:

The proposed scheme will not impact any significant trees. Trees proposed for removal are generally low quality. For a development of this scale, I would expect to see a level of landscaping included to a satisfactory standard. I would therefore recommend details of landscaping to be requested under condition.

Arboriculture - Street Trees:

Objection to the design of the proposed development as the configuration of the vehicle crossovers require would necessitate the removal of a mature LBB street tree. The subject tree has a CAVAT (Capital Asset Value for Amenity Trees) of a substantial amount. If the developers were to agree to meet a valuation in compensation we would however consider its removal. This sum would then be utilised in the forthcoming tree planting programme for 2017/18 and help to fund tree replacements in Ravenscroft Road and its vicinity.

Planning Considerations

Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF) (2012) and National Planning Practice Guidance (NPPG) include:

- 14: Achieving sustainable development
- 17: Principles of planning
- 29 to 32, 35 to 37: Promoting sustainable transport
- 49 to 50: Delivering a wide choice of high quality homes
- 56 to 66: Design of development

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.
- 7.16 Green Belt
- 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
- T17 Servicing of Premises
- T18 Road Safety

Supplementary Planning Guidance 1: General Design Principles
Supplementary Planning Guidance 2: Residential Design Guidance

Emerging Bromley Local Plan:

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan will be to the Secretary of State in mid 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

- Draft Policy 1 - Housing supply
- Draft Policy 4 - Housing design
- Draft Policy 8 - Side Space
- Draft Policy 30 - Parking
- Draft Policy 32 - Road Safety
- Draft Policy 33 - Access for All
- Draft Policy 34 - Highway Infrastructure Provision
- Draft Policy 37 - General design of development
- Draft Policy 73 - Development and Trees
- Draft Policy 77 - Landscape Quality and Character
- Draft Policy 112 - Planning for Sustainable Waste management
- Draft Policy 113 - Waste Management in New Development
- Draft Policy 115 - Reducing flood risk
- Draft Policy 116 - Sustainable Urban Drainage Systems (SUDS)
- Draft Policy 117- Water and Wastewater Infrastructure Capacity
- Draft Policy 118 - Contaminated Land
- Draft Policy 119 - Noise Pollution
- Draft Policy 120 - Air Quality
- Draft Policy 122 - Light Pollution
- Draft Policy 123 - Sustainable Design and Construction

Planning History

13/03082/FULL1: Demolition of church hall, reconfiguration of access to the church of St. Michaels and All Angels with new glazed screen and improved access ramp together with the erection of a terrace of 4 dwellings fronting Birkbeck Road and a pair of 4 bedroom dwellings fronting Ravenscroft Road with associated car parking spaces and cycle space. Approved 28.03.2014.

13/03082/CONDIT: Details of conditions submitted in relation to planning permission ref: 13/03082. Approved 17.02.2016

15/04636/MATAMD: Minor material amendment under Section 73 of the Town and Country Planning Act 1990 to allow a variation of the planning permission (DC/13/03082) dated 28 March 2014 for demolition of church hall, reconfiguration of access to the church of St. Michaels and All Angels with new glazed screen and improved access ramp together with the erection of a terrace of 4 dwellings fronting Birkbeck Road and a pair of 4 bedroom dwellings fronting Ravenscroft Road with associated car parking spaces and cycle space to allow in relation to the 4 dwellings fronting Birkbeck Road, fenestration alterations, additional study/storage accommodation in the roof space and the addition of three rear roof lights to each dwelling. Approved 17.12.2015.

15/04636/CONDIT: Details of conditions submitted in relation to planning permission reference: 15/04636/MATAMD. Approved 14.04.2016

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 area and locality
- The quality of living conditions for future occupiers
- Access, highways and traffic Issues
- Impact on adjoining properties
- Sustainability and energy

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 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.

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.

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 primarily residential area and is currently undeveloped forming originally part of the open grassed area for the adjacent church. The site is not protected as open space in the UDP or Draft Local Plan and therefore in this location the Council will consider a residential development on such sites 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 a small terrace of residential houses on the land appears 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.

Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Chapter 7 of the plan and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL).

The site has a PTAL rating of 4 and is within a suburban setting. In accordance with Table 3.2, the recommended density range for the site would be 55-115 dwellings per hectare. The proposed development would have a density of 52 dwellings per hectare.

Therefore, the proposed development of the site would be marginally below these ranges and maybe considered a suitable level of development for the site. However, a numerical calculation of density is only one aspect in assessing the acceptability of a residential development and Policy 3.4 is clear that in optimising housing potential, developments should take account of local context and character, design principles and public transport capacity which are assessed below.

Design

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 BE1 and 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 H9 of the UDP 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 submitted Design and Access Statement goes some way to explain the design process and rationale that has led to the current proposed design.

The predominant character in the vicinity of the site in this part of Beckenham is of a mix of terraced and semi-detached houses on Ravenscroft Road in mature landscaped settings. This also includes the properties on surrounding roads and has resulted in a cohesive character to the area that it is considered desirable to conserve within the locality.

The proposed terraced houses are two storey in height to the streetscene elevation with a feature front gable elevation under a pitched roof between plots 1 and 2 on the church side. It is noted that a previous scheme with similarities to that now proposed was amended in a previous application, following concerns raised by Members, to two dwellings which subsequently gained planning permission. (See history above).

To overcome the issues raised by Members the current scheme has sought to make amendments to address the issues previously raised. These involve aligning the rear elevation of the houses with adjoining property and setting back the houses to align with the church building as opposed to No 115. This results in a building line that is set back by 1.8m to the main elevation of plot 3 and 1m to the bay fronted projections. The double height bay window projections are also now individually placed in the front elevations concurrent with other similarly styled properties. The width of the houses has also been reduced as detailed above. This has allowed a greater side space to be incorporated to each end of the terrace providing a 1m separation to the church and 1.098m to No115. The first floor elevation has also been set back at the rear from the ground level rear elevation to reduce any sense of overbearing to adjoining property.

Therefore with overall building and eaves heights that are approximately the same as existing and adjacent terraced housing in Ravenscroft Road, the proposed houses sit within the prevailing building heights in the vicinity and given the buildings greater set back from the street elevations than previously, the impact of the building in terms of its mass and scale is considered minimal to the streetscene representing an unobtrusive infill development.

The justification paragraph in respect of Policy H9 details that the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. This is to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas.

The current scheme has increased the separation distances to adjacent sites and on balance, it is considered that the greater level of separation indicated between properties is sufficient to now maintain the established and individual qualities of the area given the predominance of terraced properties and closely situated semi-detached properties in the area.

In terms of design approach, the opportunity to construct a similar style of development with a traditional architectural style has been achieved with the terraced style undertaken and feature gable design that takes its design precedence from a similar style building at No's 111/113. As such it is considered that the impact on the character and context of the locality is positive as the terraced building does not punctuate streetscene views negatively but rather adds a suitable infill building between existing developments of residential period buildings.

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).

The floor space size of each of the houses ranges between 123.4m² and 129.9m² respectively. The nationally described space standards require a GIA of 108m² for a three bedroom three person unit in relation to the number of persons and bedrooms. On this basis, the floorspace size provision for all of the units is compliant with the required standards and is considered acceptable.

The shape and room size in the proposed units is generally considered satisfactory for the ground and first floors where none of the rooms would have a particularly convoluted shape which would limit their specific use.

It is noted that bedroom three in plot 3 would have a reduced outlook from roof lights only. However, given the general compliance of the room size and sufficient light ingress, on balance the quality of the space is considered acceptable.

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'.

A Part M compliance review has been submitted as part of submitted Design and Access Statement that details compliance with the relevant sections of Part M. A compliance condition is recommended with any permission in this regard.

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 for each unit overlooking amenity space or overlooking the street. The outlook from windows from the proposed properties is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property. Concerns raised regarding overlooking of adjoining neighbours rear gardens are not considered a reason for refusal as this is a normal situation in any urban environment laid out in this context. There are no flank windows in either end of the terrace building.

Concerns from adjoining occupiers have been raised regarding the impact of the terraced building being overbearing to the rear resulting in loss of light to a bathroom and loss of outlook and view to the open church site and buildings. It is noted that a bathroom is considered a non habitable room and the plans indicate that no part of the proposed building will interrupt a notional 45 degree line from the nearest habitable room adjacent to the site at upper level. Furthermore, while the application site will become urban in form and will change the neighbouring environment to some extent it is not considered that the mass and scale of the buildings in the manner proposed will have an amenity impact to neighbouring property that would warrant refusal of the application.

On balance, it is considered that the building will not be detrimental to neighbouring residential amenity.

Highways and Car parking

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the London Plan should be used as a basis for assessment.

The Council's Highway Officer has reviewed the current application and not raised any objection to the level of parking provided at the site. It is therefore considered that there will be minimal impact on parking in the vicinity. Therefore, the proposal is considered generally acceptable from a highways perspective.

Cycle parking

Cycle parking is required to be 2 spaces for dwellinghouses as proposed. The applicant has provided details of a location for cycle storage within rear garden sheds. This is considered acceptable. A planning condition is recommended in this regard for further details to ensure the storage is secure and lockable.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of a refuse storage area adjacent to the front curtilage footway boundary of the site. A planning condition is recommended in this regard for further details of a containment structure and capacity.

Trees and landscaping

Policy NE7 states that proposals for new development will be required to take particular account of existing trees on the site and on adjoining land, which in the interests of visual amenity and/or wildlife habitat, are considered desirable to be retained.

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to landscaping. Notwithstanding this full detail of hard and soft landscaping and boundary treatment is also recommended to be sought by condition as necessary.

Three trees are indicated to be removed on site to facilitate the development close to the boundary with No115. The Council's Arboricultural Officer has reviewed the scheme and not raised any objections in this regard as detailed above.

In respect of street trees, the parking layout indicated shows the positioning of car parking spaces that will require the removal of a street tree and its replacement with a suitable specimen. The Council's Street Tree Officer has reviewed the application and raised objection unless a suitable asset value is received to compensate the Council for tree replacements locally. The street tree is outside the

application site and therefore a condition to ensure an agreement is reached prior to the commencement of development is recommended in this regard.

Sustainability and Energy

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

An informative is recommended with any approval to ensure that the development strives to achieve these objectives.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is liable on this application and the applicant has completed the relevant form.

Summary

The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers. It is considered that the density and house type of the proposed scheme is acceptable and that the development would not be detrimental to the character and appearance of the locality. The 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.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/01634/FULL1 and any other applications on the site 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 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** 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.

- 8** Details of an arrangement for a replacement street tree in the footway to the front of the site on Ravenscroft Road as indicated on Drawing 5968-PD-01 shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted.

Reason: In the interests of protecting the visual amenities and character of the site and locality and to comply with Policy NE7 of the Unitary Development Plan and Policy 7.21 of the London Plan.

- 9** 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.

- 10** The development permitted by this planning permission shall not commence until a surface water drainage scheme and details of general drainage works 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 accord with Policy 5.13 of the London Plan.

11 Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) for 2 bicycles for each dwelling 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.

12 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.

13 No windows shall at any time be inserted in the flank elevations of the terrace building hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policy BE1 and H7 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

14 The application site is located within an Air Quality Management Area declared for NO_x: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NO_x emission rate of <40mg/kWh

Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area in accordance with Policy 7.14 of the London Plan.

15 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 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.

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 regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk**
- 3 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.**
- 4 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

- 5 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.
- 6 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.
- 7 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.
- 8 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.
- 9 The applicant is advised that the development shall strive to achieve the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy of Policy 5.2 of the London Plan.

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Application:17/01634/FULL1

Address: St Michael And All Angels Church Ravenscroft Road
Beckenham BR3 4TP

Proposal: Construction of three 3 bedroom dwellings fronting Ravenscroft Road with associated car parking spaces, landscaping and refuse storage.



"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 : 17/01711/FULL6

Ward:
Shortlands

Address : 39 Hayes Way Beckenham BR3 6RJ

OS Grid Ref: E: 538458 N: 168506

Applicant : Mrs M Brown

Objections : YES

Description of Development:

Part one/two storey side and rear extension to include first floor side dormer.

Key designations:

Conservation Area: Park Langley

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 the construction of a part one/two-storey side and rear extension, including first floor side dormer.

The proposed two-storey rear extension would measure 5.6m in depth at ground floor level and 4.2m at first floor level. The proposed single-storey side extension would be located to the east side of the property. It would span to almost the full depth of the dwelling and would incorporate a pitched roof with a maximum height of 3.5m and an eaves height of 2.35m.

A dormer is proposed on the western roof slope.

Location

The application relates to a two-storey detached residential dwelling, which is located on the north side of Hayes Way. It benefits from off-street parking and a large rear garden. The surrounding area is residential in character and the property is located within the Park Langley Conservation Area. There is a tree located to the front of the property, which is subject to a Tree Preservation Order.

Consultations

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

- The neighbouring property at No 37 has a north facing and is situated on a lower ground level. This property has been extended by way of a 4m ground floor and 3m first floor rear extension.
- The proposed projection is too deep.
- Overbearing impact on neighbouring house, resulting in loss of view and light
- Loss of outlook
- The extension to the dormer in length and width and to build up to No 41's boundary line is too large in scale, disproportionate to neighbouring properties.
- Loss of light to west side of No 37 from the rear projection and bulky dormer. Resulting in a small tunnel of light to neighbouring bedroom, bathroom, hallway and kitchen windows.
- Not in keeping with other extensions due to its size within the Conservation Area. Does not adhere to guidelines on Bromley's Planning Portal. Adverse effect on the character and appearance of the area.
- Would set a precedent.

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
 BE11 Conservation Areas
 H8 Residential Extensions
 H9 Side Space

Supplementary Planning Guidance
 No 1 General Design Principles
 No 2 Residential Design Guidance

Park Langley Conservation Area SPG

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan will be to the Secretary of State in mid 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Relevant policies:

Policy 6 Residential Extensions
 Policy 37 General Design of Development
 Policy 41 Conservation Areas

Planning History

14/01597/FULL6 - Single storey side extension, alterations to front elevation and conversion of garage to habitable accommodation and outbuilding to rear.
Permission granted on the 17.06.2014

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.

The existing dwelling is a modest sized detached property, which is set within a residential street. The area is characterised by detached residential dwellings within generous plots, set back from the highway. The architectural language is varied and there is evidence of dwellings which have been extended at the rear. The proposed extension would also be contained primarily to the rear. The principle of two-storey rear extensions has been established with neighbouring examples, including the immediate property at No 37 Hayes Way.

The overall depth of the rear projections are considered to be deep and they are marginally larger than neighbouring examples. However, the overall form of the original building would be retained. The design includes a steeply sloping cat-slide roof with pitched rear gable. This design respects the appearance of the original property and whilst the extensions are deep, they would not appear overly bulky or out of proportion with the host dwelling or site in general. The use of matching materials would also be a sympathetic design approach. The dormer extension on the side facing roof slope is not overly large and would not dominate the existing slope. It is set back from the eaves and ridge lines and would not be significantly prominent. The extensions would not therefore result in significant harm to the host dwelling or area in general and no objections have been received from the Council's Conservation Officer. The development would therefore preserve the character and appearance of the Conservation Area.

In relation to neighbouring amenity the main impact would be on adjoining neighbours.

No 37 is located to the west of the application site and has been extended by way of a part one/two-storey rear extension. This property is located at a slightly lower ground level and has a number of windows within the side elevation, which directly face the development site. These windows appear to either serve non-habitable rooms, such as a stairwell, or are secondary in nature. The proposal would extend marginally beyond the neighbouring first floor addition, however it has been design to include a cat-slide roof immediately adjacent to the common side boundary. The whole development has been set back from this boundary by approximately 700mm. Whilst it is clear there would be some impact on the neighbouring residential amenities as a result of the depth of the extension, the overall form of the proposal and use of a cat-slide roof reduces its visual bulk. The roof pitches away from the boundary and the neighbouring two-storey development

would prevent the extensions appearing overbearing or any unacceptable sense of enclosure. There may be some overshadowing during the morning hours, however this is not considered sufficient grounds to withhold planning permission given the existing orientation and neighbouring development.

A dormer extension is proposed on the side facing roof slope and would sit directly opposite the flank of No 37. The existing dormer currently includes two windows, which serve bedrooms. This dormer would be extended and would now include a number of windows which would serve a walk-in dressing room and bathrooms. A further window (which previously served the existing bedroom) would be retained. Accordingly, it is considered reasonable to condition the new windows within the dormer to be obscured glazed and non-opening in order to protect neighbouring privacy.

No 41 is located to the east of the application site. This property has not been extended at the rear and there are no windows in the side elevation. There is an existing single-storey store at the application property, which abuts the common side boundary and projects for a depth of around 4.5m beyond the neighbouring rear elevation. There is also an existing side extension between the two dwellings which would be rebuilt.

The proposed ground floor side/rear extension would also abut the common side boundary; however it would not extend significantly beyond the line of the existing store. The first floor rear element would have a depth of 4.2m, however due to the rear building line of No 41 being set slightly forward of the application property, the proposed first floor element would only project approximately 3.2m beyond its rear elevation. This would also be set back from the boundary by around 1.5m. The applicant has highlighted that the 45 degree splay would not be breached by the first floor addition. The depth of the extension would have some impact on the visual amenities of No 41, however this is somewhat mitigated by the generous size and width of the gardens, which would prevent any unacceptable sense of enclosure. The depth of the built development on the boundary has been established and whilst the proposal would be higher, this is not considered to be significantly harmful. Given the relationship between the properties and generous size of the gardens it is considered that the proposal would, on balance, not result in a significantly dominant or overbearing form of development. There may be some overshadowing during the afternoon hours, however this is not considered to be sufficient grounds to withhold permission.

In relation to privacy the scheme would include a number of windows within the flank elevation at first floor level. This would include primary windows to a bedroom, a secondary window to a bedroom and a window to a stairwell. The existing property included a bedroom and primary window within the side elevation. The applicant has proposed to obscure the proposed windows within the side facing elevation, which would prevent any unacceptable loss of privacy beyond the current arrangement.

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 a significant loss of amenity to local residents nor impact detrimentally 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 Before the development hereby permitted is first occupied the proposed window(s) in the dormer extension and east 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

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Application:17/01711/FULL6

Address: 39 Hayes Way Beckenham BR3 6RJ

Proposal: Part one/two storey side and rear extension to include first floor side dormer.



"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 '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 17/01845/FULL6

Ward:
Kelsey And Eden Park

Address : 33 Greenways Beckenham BR3 3NQ

OS Grid Ref: E: 537381 N: 168994

Applicant : Mr Novica Jevric

Objections : YES

Description of Development:

Single storey rear and first floor side extensions

Key designations:

Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding
Smoke Control SCA 18

Proposal

Planning permission is sought for roof alterations to incorporate first floor side extension and a single storey rear extension. Demolition of the existing conservatory, garage and car port is also proposed.

The proposed first floor extension would be situated above the existing study and would span the full depth of the host dwelling and would incorporate a hipped roof at a 40 degree angle. The plans show two bedrooms and a bathroom are to be added to the side of the property. The proposed single storey rear extension measures 3.6m in depth & 2.8m (closest to the adjoining neighbour), 9.1m in width x 3.7m in height with four rooflights.

The application has been 'called-in' by a ward Councillor.

Location

The application site comprises one half of a pair of two storey semi-detached properties located on the north eastern side of Greenways, Beckenham. The property is of brick and tile construction and benefits from a front drive and car port. The surrounding area is residential in character with housing of varying architectural styles

Consultations

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

- This planning application follows 'close on the heels' of a Certificate of Lawfulness issued in October 2016. Building works to the roof-space are currently underway. The new build (albeit obscured by scaffolding at present) imposes on the street scene & skyline notably & to further exacerbate this by the addition of further bulk & mass to the side is very much to the detriment of both the host building & the street scene.
- This new application bears some similarities to a refused planning application (2015) and a subsequent appeal which was not upheld (2016), for example it includes an additional window to the front .
- All of the semi-detached houses are in pairs. The first floor side extension would dramatically and detrimentally affect the character of the property, the symmetry of the building being a major feature of the period and this has been and will be further deteriorated.
- The addition of another window to the front of the property would not match the adjoining property
- The current application should be refused for the same reasons as the previous application & appeal.
- There is an issue that the increased height at the border will affect privacy and light.
- The only difference is that the roof hip/line to the proposed side extension is in actual fact longer than was previously rejected with a resultant style that is entirely out of keeping with the street scene.

Full copies of objections from neighbours are contained on the Planning Application file.

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

Supplementary Planning Guidance 1 - General Design Principles
Supplementary Planning Guidance 2 - Residential Design Guidance

The London Plan and national Planning Policy Framework are also key considerations in the determination of this application.

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework.

Draft Local Plan

The Council is preparing a Local Plan and commenced a period of consultation on its proposed submission draft of the Local Plan on November 14th 2016 which closed on December 31st 2016 (under The Town and Country Planning (Local Planning) (England) Regulations 2012 as amended). It is anticipated that the submission of the draft Local Plan will be to the Secretary of State in mid 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Planning History

Under planning application reference: 16/04983/PLUD a Certificate of Lawfulness was permitted for a hip to gable roof extension, three front rooflights and loft conversion to include a rear dormer extension.

Application Reference: 16/02810 was also dismissed at appeal on 24th October 2016 with the Inspector commenting that the proposed first floor side extension would not show any subordination to the host dwelling and no recess from the façade would mean that the greater width brought about by the side extension would imbalance the relationship between the appeal dwelling at No.35.

Under planning application reference: 16/02810 planning permission was refused for roof alterations to incorporate rear dormer and three rooflights to front roof slope, single storey rear extension, first floor side extension and elevational alterations. The application was refused for the following reason:-

"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".

Under planning application reference: 15/04063 planning permission was refused for roof extension to incorporate rear dormer and single storey rear extension. The application was refused for the following reason:-

"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".

Conclusions

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

This is the fourth planning permission submitted for the site since January 2016. Three of the four planning applications have been refused as set out in the planning history section above. A Certificate of Lawfulness for a hip to gable roof extension, three front rooflights and loft conversion to include a rear dormer extension was permitted as the submitted drawings complied with permitted development legislation. This permission has been built out by the applicant and effectively unbalances the pair of semi-detached properties with No.33 having a gabled ended roof. The rear dormer extension has also been built out.

The applicant is now seeking to build a first floor side extension and single storey rear extension, similar to that proposed under planning application reference: 16/02810 which was refused by the Council in August 2016 and then subsequently dismissed at appeal.

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.

Policy H8 of the UDP requires residential extensions to blend with the style and materials of the host dwelling, and ensure that spaces or gaps between buildings are respected where these contribute to the character of the area.

Policy H9 of the UDP requires that when considering applications for new residential development, including extensions, the Council will normally require for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

Design

As a semi-detached property it is important to consider whether the proposal would unbalance the pair of semi-detached dwellings or appear unduly bulky and top heavy in the context of the host dwelling. The appeal inspector when considering planning application 16/16/02810 dismissed the appeal for two main reasons 1) that the first floor side extension would not show any subordination to the host dwelling and 2) that there would be no recess from the façade resulting in a greater width brought about by the side extension which would imbalance the relationship between the appeal dwelling at No.35. No.33 has become unbalanced from its neighbour by virtue of the fact that the hip to gable roof alterations have been built.

The first floor side extension, whilst having a hipped roof and sitting down from the main ridge height would still sit flush with the existing front building line. Furthermore the relationship between the first floor side extension and that of the gable end roof would look awkward and contrived and would appear detrimental when viewed as part of the street scene. For this reason the Council considers that planning permission should be refused.

It was noted from the site visit that immediate surrounding properties remain un-extended at first floor level but that some in the wider area have been extended but at a time preceding current UDP policies.

The proposed single storey extension would be located to the rear and the property not visible from the public realm. The overall size and design is considered acceptable and in keeping with the host dwelling. In relation to the proposed dormer extension this too is located to the rear and the dimensions proposed are considered acceptable. The Inspector also agreed as part of application reference: 16/02810 that the single storey rear extension was acceptable.

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 No 35 Greenways which is located to the south of the application site. The proposed rear extension would abut the common boundary with this property; however the depth of the extension on this side is modest at 2.8m. The single storey extension would not be significantly deeper than the existing conservatory at the host dwelling.

The first floor of the proposed first floor extension would be set away from the flank party boundary with sufficient separation retained to limit the impact of this part of the proposals on the residential amenities of the adjoining dwelling No.31.

Whilst a new window is proposed to the side at first floor this can be obscure glazed being a bathroom. The size and position of the first floor addition would add additional bulk and mass to the property but on balance isn't considered to give rise to a loss of privacy or overlooking.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/01845/FULL6, 16/04983/PLUD, 16/02810/FULL6 & 15/04063/FULL6 and any other applications on the site set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 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.**

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Application:17/01845/FULL6

Address: 33 Greenways Beckenham BR3 3NQ

Proposal: Single storey rear and first floor side extensions



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