



THE LONDON BOROUGH  
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DATE: 3 October 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 12 OCTOBER 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.**

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

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

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

## A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 17 AUGUST 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, Hayes

### SECTION 2

(Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.2	Kelsey and Eden Park		(17/01652/FULL1) - Langley Park School for Girls, Hawksbrook Lane, Beckenham BR3 3BE  <b><i>(Report to follow)</i></b>
4.3	Clock House	17 - 30	(17/02775/FULL1) - 14 Hayne Road, Beckenham BR3 4HY
4.4	Clock House	31 - 68	(17/02890/FULL1) - Carlton Court, Beckenham Road, Beckenham BR3 4PP
4.5	Crystal Palace	69 - 76	(17/03280/FULL1) - 17 Lawrie Park Crescent, Sydenham, London SE26 6HH
4.6	Cray Valley East	77 - 82	(17/03291/FULL1) - 5-7 Mountfield Way, Orpington BR5 3NR

### SECTION 3

(Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.7	Plaistow and Sundridge	83 - 94	(17/01846/RECON) - Imani Court, 49 Park Avenue, Bromley BR1 4EG
4.8	Bromley Town Conservation Area	95 - 106	(17/03758/FULL1) - Empire Cinemas, High Street, Bromley BR1 1PQ

### SECTION 4

(Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
4.9	Crystal Palace	107 - 126	(17/02479/FULL1) - Land rear of 120A Anerley Road, Penge, London

## 5 CONTRAVENTIONS AND OTHER ISSUES

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

## 6 TREE PRESERVATION ORDERS

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

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## PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 17 August 2017

### Present:

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

### Also Present:

Councillors Julian Benington, Peter Fookes, Colin Smith and  
Michael Tickner

## 5 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Richard Williams and Councillor Angela Wilkins attended as his substitute.

## 6 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

## 7 CONFIRMATION OF MINUTES OF MEETING HELD ON 22 JUNE 2017

**RESOLVED** that the Minutes of the meeting held on 22 June 2017 be confirmed and signed as a correct record.

## 8 PLANNING APPLICATIONS

### SECTION 1

(Applications submitted by the London Borough of Bromley)

### 8.1 BIGGIN HILL CONSERVATION AREA

**(17/02617/LBC) - St Georges Chapel, Main Road, Biggin Hill TN16 3EJ**

Description of application – Repair work to front boundary railings and set of gates.

Oral representations from Ward Member, Councillor Julian Benington, in support of the application were received at the meeting. It was reported that no objections to the application had been received. Members having considered the report and representations, **RESOLVED that LISTED BUILDING**

**CONSENT be GRANTED** as recommended, subject to the condition set out in the report of the Chief Planner with a further condition to read:-

“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.

## **SECTION 2**

### **8.2 COPERS COPE**

(Applications meriting special consideration)

#### **(15/02616/FULL1) - Crystal Palace F.C. Training Ground, Copers Cope Road, Beckenham**

Description of application – Demolition of various single storey office and associated buildings and erection of a new two storey extension to the existing main pavilion building, together with the rationalisation and enlargement of the parking areas.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Michael Tickner, in objection to the application were received at the meeting.

Councillor Tickner supported the Club but in his view the proposed development was an inappropriate overdevelopment due to mass and bulk on Metropolitan Open Land with insufficient parking and contrary to Policy G2 of the Unitary Development Plan and Policies 7.16, 7.17, 7.18 of the London Plan. In his view there were no special circumstances and he referred to pages 11 to 15 of the Chief Planner’s report that listed ninety two issues of concern raised by local residents.

A letter from the Chief Executive of Crystal Palace Football Club in support of the application had been received and circulated to Members. A further letter of support had also been received.

Councillor Mellor objected to the application and confirmed the site was designated MOL land in the Draft Local Plan which was of material consideration. He agreed with Councillor Tickner that the proposed development was an overdevelopment, inappropriate on MOL Land, and there were no very special

circumstances and its mass was contrary to the spatial standards of North Copers Cope area. He said that a comparison to other Premier League grounds was also inappropriate.

Councillors Fawthrop and Owen also objected to the application.

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

1. The proposal would result in inappropriate development on Metropolitan Open Land as a result of the overdevelopment of the site by way of the massing and bulk of the proposed extension, coupled with the extension to the parking area, which would result in a loss of openess, detrimental to the character, spatial standards and appearance of this area, of which no very special circumstances exist, thereby contrary to Policy G2 and BE1 of the Unitary Development Plan and Policy 7.4 and 7.17 of the London Plan.

### 8.3 HAYES AND CONEY HALL

#### **(16/03045/FULL1) - Fullers Wood, Nash Lane, Keston**

Description of application – Single storey wooden shed for storage of work tools and to provide shelter while maintaining woodland.

It was reported that an additional comment had been received on 16 August 2017.

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

### 8.4 PENGE AND CATOR

#### **(17/01837/FULL1) - 81A High Street, Penge, London SE20 7HW**

Description of application - Part one/part two storey rear extension and formation of one bedroom split level flat at 81 High Street, SE20 7HW.

Oral representations from Ward Member, Councillor Peter Fookes, in objection to the application were received at the meeting. He referred to the long planning history to this site and four dismissed appeals and objected to the potential loss of daylight to 83 High Street.

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

1. The proposal is considered detrimental to the amenities enjoyed by the occupants of No. 83 High Street by reason of loss of daylight, prospect and visual impact, therefore contrary to Policy BE1 of the Unitary Development Plan and Policies 7.4 and 7.6 of the London Plan.

**8.5  
BROMLEY COMMON AND  
KESTON  
CONSERVATION AREA**

**(17/02457/RECON) - 51 Forest Drive, Keston  
BR2 6EE**

Description of application – Variation of Condition 2 of planning permission ref: 16/02135/FULL1 for 'Demolition of existing house and construction of a two storey five bedroom detached dwellinghouse', in order to allow amended drawings to accommodate the construction of two obscure glazed dormer windows in the northern side roof slope.

Oral representations in objection to and in support of the application were received at the meeting. Comments from Ward Member, Councillor Stephen Carr, in objection to the application were reported and circulated to Members.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, to **SEEK CLARIFICATION AS TO WHETHER THE DORMER WINDOWS ARE OBSCURELY GLAZED AND FIXED SHUT BELOW A HEIGHT OF 1.7 METRES FROM FLOOR LEVEL** and, if standards are met, the application would be determined under Chief Planner's delegated authority with a recommendation for permission. If the standards were not met, the application would return to the Plans Sub-Committee for a decision as to whether the site should be subject to an enforcement notice.

**8.6  
CLOCK HOUSE**

**(17/02523/RECON) - New Bowers, 1 Thornsett  
Road, Penge SE20 7XB**

Description of application – Variation of Condition 1 of planning permission reference: 02/03198/FULL4 to allow the children attending the day nursery/playgroup to be between the ages of 0 and 5 years and not more than 32 children to be accommodated at any one time.



Oral representations in support of the application were received were received at the meeting. Comments from Ward Member, Councillor Vanessa Allen, in support of the application were received and circulated to Members. It was reported that Councillor Ian Dunn also supported the application.

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

“1. The children attending the day nursery/play group shall be between the ages of 0 and 5 years and not more than 32 children shall be accommodated at any one time.

REASON: In order to comply with Policy BE1 of the Bromley Unitary Development Plan (2006) and in the interest of the residential amenities of the area and to prevent an over intensive use of the site.”

### **SECTION 3**

(Applications recommended for permission, approval or consent)

#### **8.7 PETTS WOOD AND KNOLL**

**(17/01145/FULL6) - 75 Mayfield Avenue, Orpington BR6 0AH**

Description of application - Roof alterations to include increase in ridge height, first floor rear and single storey front extensions and two storey side extension.

Oral representations in objection to and in support of the application were received at the meeting. A late representation had been received in objection to the application and circulated to Members.

The application was deferred at Plans Sub-Committee 2 on 22 June 2017 to seek a reduction in the bulk and mass of the extensions. In Councillor Owen’s view the bulk of the proposed development had not been sufficiently reduced and the ridge height should be lowered and requested that permitted development rights be removed.

Councillor Fawthrop also objected to the application.

Councillor Peter Dean supported the application as there were insufficient grounds to refuse the application.

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

1. The proposed extensions, inclusive of the raising of the ridge height, would allow for an overtly bulky appearance of the dwelling which would appear out of character within the locality. The proposal would therefore be contrary to Policies BE1 and H8 of the Unitary Development Plan and the Council's Supplementary Guidance 1 and 2 and Policies 3.5, 7.4 and 7.6 of the London Plan.

**(Councillor Dean requested that his vote for permission be recorded.)**

**8.8  
CHISLEHURST  
CONSERVATION AREA**

**(17/02404/FULL1)- The Cottage, Church Row,  
Chislehurst BR7 5PG**

Description of application – First floor side extension.

Oral representations in support of the application were received at the meeting. It was reported that photographs had been received and circulated to Members.

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.

**8.9  
SHORTLANDS**

**(17/02524/FULL1) - 44 Westmoreland Road,  
Bromley BR2 0QS**

Description of application – Two storey rear extension, roof alterations and construction of side dormer extension, together with conversion of building to provide 6 flats, comprising 1 one bedroom and 5 two bedroom flats. Car parking to front, bin stores, cycle stores, amenity space and associated landscaping.

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

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

8.10  
CRYSTAL PALACE

**(17/02629/FULL1) - Cornerways, Sydenham Avenue, Sydenham SE26 6UH**

Description of application – Demolition of existing dwellinghouse and outbuildings and construction of a part 1.5, part 2 storey building comprising 4 two bedroom flats and 2 one bedroom flats with associated parking, hard and soft landscaping, refuse and recycling.

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

The Chief Planner's representative reported that a plan and photograph had been received in objection to the application and circulated to Members and further objections to the application had also been received. Comments from Sydenham Society in objection to the application were also reported and circulated to Members. He also reported that demolition work on the site had commenced.

Ward Member, Councillor Angela Wilkins, objected to the application as, in her view, the proposed development was an over development due to its mass and bulk, out of character with the surrounding properties, with insufficient parking and potential overlooking from the recessed balconies that would have an adverse impact on 56 Sydenham Avenue and the surrounding area.

Councillors Turner, Fawthrop and Owen also objected to the application.

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

1. The proposal represents a cramped overdevelopment of the site by reason of the limited size of plot available for the level of increased density of residential use, detrimental to the character of the area and context of two storey residential properties adjacent to the site in the immediate locality, contrary to Policies BE1 and H7 of the Unitary Development Plan and Policies 3.4, 3.5 and 7.4 of the London Plan.
2. The proposed development by reason of its prominent siting, scale massing and its sub-standard spatial relationship to adjacent dwellings in this prominent corner location would be harmfully at odds with the open spatial characteristics of the Sydenham Avenue/Crystal Palace Park Road junction which is an important characteristic to the existing development

pattern. It would therefore represent an inappropriate and visually obtrusive over development detrimental to the character and visual amenities of the locality contrary to Policies BE1, H7 and H9 of the Unitary Development Plan and Policies 7.4 and 7.6 of the London Plan.

3. The proposed development by reason of its overbearing nature, siting and proximity to neighbouring buildings and property boundaries would have a serious and adverse effect on the privacy and amenity enjoyed by the occupants of neighbouring property at No56 Crystal Palace Park Road contrary to Policies BE1, H7 and H9 of the Unitary Development Plan and Policies 7.4 and 7.6 of the London Plan.

**8.11  
CHISLEHURST**

**(17/02691/FULL1) - Hillcroft, South Hill,  
Chislehurst BR7 5EE**

Description of application – Demolition of existing dwelling and erection of detached two storey building with accommodation in roof space comprising 5 two bedroom flats with associated car parking and landscaping.

Oral representations in support of the application were received were received at the meeting. An observation from Chislehurst Society was reported.

It was noted that on page 109 of the Chief Planner's report, the first line of the second paragraph under the heading, 'Proposal' should refer to five parking spaces and not four. Also, on page 115 of the Chief Planner's report the paragraph under the heading 'Summary' should be amended to read,

"On balance it is considered that the proposal would not result in a detrimental impact on the character of the area and would not impact harmfully on the amenities of neighbouring residential owner/occupiers. It is therefore recommended that Members grant planning permission."

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

**8.12  
BICKLEY**

**(17/02905/RESPA) - 55 Liddon Road, Bromley  
BR1 2SR**

Description of application – Change of use of from Class B1(a) office to Class C3 dwellinghouses to form 11 flats (56 day application for prior approval in respect of highways, contamination, flooding and noise under Class O, Part 3 of the Town and Country Planning (General Permitted Development)(England)(Amendment) Order, 2015).

Oral representations from Ward Member, Councillor Colin Smith, in objection to the application were received at the meeting.

Councillor Smith referred to the history of the site and an additional application that had been received but undetermined. In Councillor Smith's view there were potential issues with parking access and seventeen parking spaces would be excessive for the 11 flats. He was also concerned that the applicant had not complied with Highways Division's request to provide a swept path analysis.

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

1. As a result of an inadequate parking layout exceeding the maximum standards set out in Policy T3 and Appendix II of the Unitary Development Plan, the proposal will generate additional pressure on the existing parking demand in the area, resulting in an unacceptable increase in the demand for on-street car parking, contrary to Policy T3 of the Unitary Development Plan, the National Planning Policy Framework and draft Local Plan Policy 30. The proposal is therefore not considered to comply with Class O.2(a) of the General Permitted Development Order (2015) as amended.

**SECTION 4**

(Applications recommended for refusal or disapproval of details)

**8.13  
PETTS WOOD AND KNOLL**

**(17/01073/FULL1) - 1 Melbourne Close, Orpington**

Description of application – Single detached dwelling to the rear of existing property at no. 1 Melbourne Close, Orpington.

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

from the applicant were received and circulated to Members.

Ward Member, Councillor Fawthrop, objected to the application being a back garden development in the proposed Area of Special Residential Character for the Knowle area that would impact the amenity of 37 Bicknor Road contrary to Policies H7, BE1 and the London Plan.

Councillors Owen and Mellor also objected to the application.

Members having considered the report and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reason set out in the report of the Chief Planner with a further reason to read:-

REASON 2. The proposed development constitutes an undesirable form of back land development, sited within a back garden, out of character and scale with the surrounding area and detrimental to the existing level of amenity which the occupants of neighbouring properties might reasonably expect to be able to continue to enjoy contrary to Policies H7 and BE1 of the Unitary Development Plan and Policy 3.5 of the London Plan.

## **9 TREE PRESERVATION ORDERS**

### **10.1 COPERS COPE**

**(17/01775/TPO) - 156 Bromley Road, Beckenham  
BR3 6PG**

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

The meeting ended at 9.00 pm

Chairman

## **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

### **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, near to the front edge of the pavement.

This proposal was presented to PSC last year (11/8/16) and was deferred to consider revised siting. The siting has now been reviewed and is now re-presented to Members for consideration.

### **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 (15/8/17) 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 proposal 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, near to the front edge of the pavement. 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.

**as amended by documents received on 15.08.2017**

**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).**

- 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**

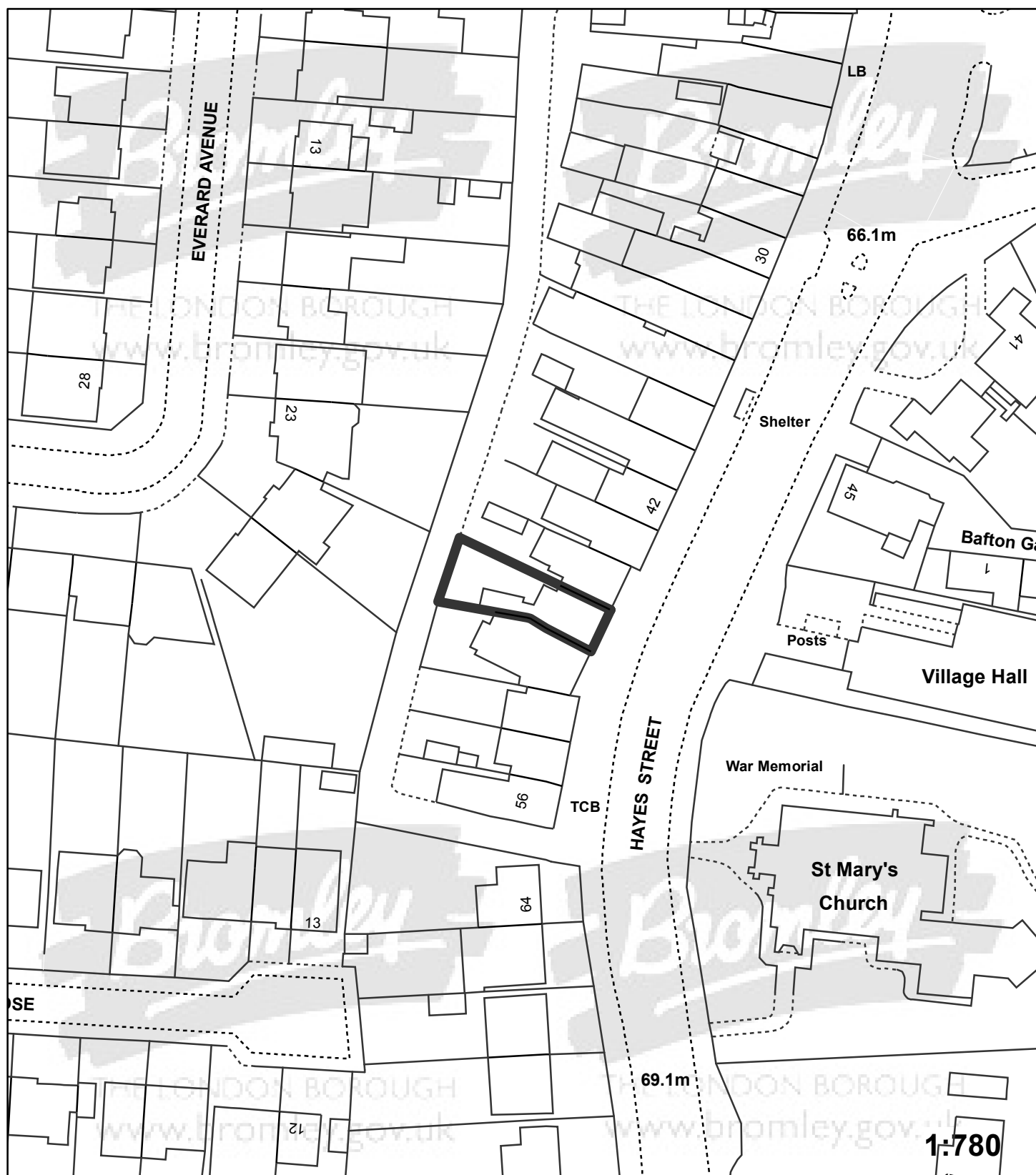
**You are further informed that :**

- 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 :** 17/02775/FULL1

**Ward:**  
**Clock House**

**Address :** 14 Hayne Road, Beckenham BR3 4HY

**OS Grid Ref:** E: 536776 N: 169638

**Applicant :** Mr K Crisp

**Objections :** YES

### **Description of Development:**

Erection of detached three bedroom dwelling comprising ground floor and basement accommodation, with associated residential curtilage, parking, cycle parking and refuse provision.

Key designations:

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

### **Proposal**

The host site is a two storey, detached character dwelling set on a long, narrow strip of land located to the west side of Hayne Road, on a corner plot with Whitstable Close. The south flank of the existing dwelling is set to the boundary (and to the back edge of the adjacent footpath). The severed part of the site which comprises the application site is set to the rear of 14 Hayne Road and accessed from Whitstable Close. The southern boundary continues along a footpath which is flanked by numbers 13-19 Whitstable Close. These properties face onto the application site. The north boundary abuts the garden to number 12 Hayne Road.

The scheme proposes the erection of a detached three bedroom (5 person) dwelling comprising ground floor and basement accommodation, with associated residential curtilage, parking, cycle parking and refuse provision.

### **Consultations**

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

- Garden grabbing - leading to an un-satisfactory sub-division of existing plot. Should remain as garden land
- Over-development
- Out of character
- Out of scale
- Incongruous design

- The proposed development would be the only dwelling with a drive for vehicles (all cars park in spaces on the road, most of which is controlled by the permit system) - out of keeping with existing properties
- Highway safety - impact on children playing in Close
- Residents living at numbers 13 and 14 would be faced with an enclosing effect of a solid wall - a claustrophobic, prison-like effect for the residents living in these houses
- Overgrown garden area is a natural habitat supporting a wide variety of plant life supporting a diverse population of insects and birds.
- Proposal has not addressed previous appeal decision concerns re 'the extended linear form of the building, coupled with the lack of space on either side, would result in an incongruous structure which would be poorly related to the existing pattern of development'.
- Previous appeal decision also considered the scheme to be overbearing in views from the front ground floor windows of numbers 13 and 14 Whitstable Close and in relation to the footpath serving numbers 13 - 19.... That it would have an unduly enclosing effect in relation to these two dwellings to a degree that would be harmful to living'.
- Incorrect information on Design and Access Statement - while there are a few unrestricted spaces in Whitstable Close and Hayne Road, the majority of spaces in Whitstable Close are restricted permit parking
- drainage - this is a crucial point which should be considered as part of the application rather than as an afterthought, particularly as the proposal would involve digging down to form a large basement for the three bedrooms.
- seems like a choice of a slightly avant-garde design in an attempt to make it so out of character that it will be acceptable because it is so different - strongly oppose this development which would be totally alien to its surroundings and detrimental to the character and amenity of Whitstable Close.

A petition has also been received containing approximately 18 signatories and relates to the following points:

- Garden grabbing
- Out of scale and character
- Loss of open aspect of the neighbourhood
- Squeezed in and in very close proximity to 13 and 14 Whitstable Close
- Create an enclosing effect for residents of 13 and 14 Whitstable Close

No Highways objections are raised and conditions and informatives are suggested in the event of a planning permission.

Drainage comments state: "We accept the applicant's statement in the submitted Design and access statement to use attenuation to store surface water run-off". Conditions are suggested in the event of a planning permission.

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  
H1 Housing Supply  
H7 Housing Density and Design  
H8 Residential Extensions  
H9 Side Space  
T1 Transport Demand  
T3 Parking  
T7 Cyclists  
T16 Traffic management and sensitive environments  
T18 Road Safety

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

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  
5.1 Climate change mitigation  
5.2 Minimising carbon dioxide emissions  
5.3 Sustainable Design and Construction.  
5.7 Renewable Energy  
5.12 Flood Risk Management  
5.13 Sustainable Drainage  
5.15 Water use and supplies  
6.9 Cycling  
6.13 Parking  
7.2 An Inclusive Environment.  
7.3 Designing out crime  
7.4 Local character  
7.6 Architecture

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

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances. Draft policies relevant to this scheme comprise:

Policy 37      General Design of Development  
Policy 1        Housing Supply  
Policy 4        Housing Design  
Policy 8        Side Space

Policy 99	Residential Accommodation
Policy 30	Parking
Policy 33	Access for All
Policy 32	Road Safety

## **Planning History**

The planning history of the site includes application reference 11/02526 for detached two bedroom single storey dwelling with vehicular access from Whitstable Close. This was refused for the following reasons:

The proposal involves the unsatisfactory subdivision of an existing plot, leaving inadequate space about the host dwelling that would be out of character and scale with adjoining development and with the area in general thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.

The location of the proposed dwelling and the amenity space provided would not provide a satisfactory living environment for future occupiers by reason of overlooking and loss of privacy contrary to Policies H7 and BE1 of the Unitary Development Plan.

A subsequent appeal was dismissed.

An earlier planning application reference 04/02910 for 2 detached three bedroom houses with 5 car parking spaces which was refused for the following reasons:

The proposal is out of character with the surrounding area in terms of scale, form and layout and comprises a cramped form of development of the site, resulting in inadequate amenity space for future residents, thereby contrary to Policies E.1 and H.2 of the adopted Unitary Development Plan and Policies BE1 and H6 of the second deposit draft Unitary Development Plan (September 2002).

The proposal would have a detrimental impact on the visual and residential amenity of adjacent properties, in particular an unacceptable loss of privacy and light, thereby contrary to Policies E.1 and H.2 of the adopted Unitary Development Plan and Policies BE1 and H6 of the second deposit draft Unitary Development Plan (September 2002).

## **Conclusions**

The main issues relating to the application include the 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, impact on the amenities of neighbouring properties (i.e. relationship to existing buildings, overlooking, noise, disturbance etc.) and impact on the character of the area, the quality of living conditions for existing and future occupiers, highways and traffic issues and sustainability.



## Principle of development

Paragraph 14 of the National Planning Policy Framework (NPPF) sets out the presumption in favour of sustainable development. Whilst this site cannot be regarded as previously developed land for the purposes of the NPPF (as it comprises private residential garden) this does not necessarily preclude residential development of the land. The previous appeal decision particularly noted that "... I do not consider that there is an objection in principle to the loss of garden land in this case...".

Local objections are raised to the loss of garden land. Given the above and the view of the Planning Inspector it is considered that the principle of development is considered acceptable, however it remains necessary to assess whether or not this particular development could be successfully assimilated into its surroundings.

## Design and Appearance

Policy 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.

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

The appeal decision noted that the '...extended linear form of the building, coupled with the lack of space on either side, would result in an incongruous form of development. Moreover, the relatively steep roof pitch would result in a dominant roof form which would be overbearing in views from the front ground floor windows of Nos 13 and 14 Whitstable Close and in relation to the footpath serving Nos 13-19....'. The Inspector did accept that the proposed plot sizes would be similar to others nearby but was concerned in relation to the visual impact of the proposed building in relation to its surroundings.

The proposed design now includes basement accommodation, the use of light wells, a flat, green roof, west and east oriented windows and a staggered footprint. Boundary treatment uses inset landscaped areas with the aim of visually softening the boundary treatment to the pedestrian footway serving Nos 13-19 Whitstable Close.

Local objections are raised to, amongst other things, over development, out of scale, out of character and the design approach and object that the use of a slightly avant-garde design in an attempt to make it so out of character that it will be acceptable because it is so different will result in development which would be

totally alien to its surroundings and detrimental to the character and amenity of Whitstable Close.

The NPPF advises that planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness. There is a variety of design form within the vicinity, which includes a number of flat roof design references and the location is not subject to any particular designations. Given these considerations and subject to the use of high quality materials it is considered that the proposed design offers an innovative approach to the site and would represent an acceptable design solution to its constraints.

#### Impact on the amenities of neighbouring properties

As noted, previous applications have included and raised planning concern in respect of over-dominant, un-neighbourly form of development. Neighbour concerns are raised in respect of the proximity of the development and the enclosing effect that will result. It is for careful consideration as to the impacts that would arise from this proposal.

Neighbours have pointed out the proximity of development to the rear of the site which makes the openness to the front of the site of increased amenity value. The layout of the ground floor of the houses to 13 and 14 Whitstable Close, which are arguably the most vulnerable in respect of impact on neighbouring amenity, provide an open plan kitchen and dining area. They each have a main front window and a glazed panel/window facing the front of the site. The design of these houses provides a flat roof single storey element which projects from the front of each house and to which partially glazed front doors are located.

The height of the proposed front wall scales at 1.8m and will be set c 8m from the front windows of the terraces at Whitstable Close. Behind the front wall and directly in front of No 14 the proposed development is staggered back and the overall height of the building is c 3.3m and will be c 11.6m from No 14's front window.

The boundary wall situation to the front of No 13 is the same but the wall of the proposed development (3.3m high) will be c 10.10m away, reducing to 9.4m from a c 75 degree angle from the front window.

It is understood the highest element of the building, which sits to the north of the proposed building, reaches c 3.8m in height and includes the use of PV panels.

The site itself is overgrown and the ground levels cannot be easily viewed. When viewed from the street there is a notable rise in level to the footpath outside No13. The relationship between the application site and (particularly) Nos 13 and 14 is sensitive. Having carefully considered the proposal in relation to the existing development it is officer view that, subject to the agreement of slab levels, the impact from the proposed development is unlikely to result in such a degree of enclosure and overbearing as to warrant a planning ground of refusal.

In the event of a planning permission it is recommended that permitted development rights be removed given the relationship to nearby dwellings.

To No 12 Hayne Road (the site to the north of the application site) there will be a height of c 3.3m to the boundary for a length of c 18m (stepping down to 1.8m high wall treatment). This is a significant height to a garden boundary but when considered within the scale and context of the adjacent garden the visual impact may not be considered to be so great as to result in a planning refusal ground in this respect.

Regarding the amenity to the host dwelling at 14 Hayne Road, a rear garden of c 15.20m is proposed. This will result in a parking area adjacent to the proposed rear boundary. A degree of noise and disturbance to this private amenity area will arise but given the existing situation and that the proposed parking will serve the one household it is unlikely that such a significant degree of disturbance will arise. Parking for the host dwelling will remain to the front of that property. No Highway concerns are raised.

#### Quality of living conditions for future occupiers

Policies 3.5 and 3.8 of the London Plan apply. The proposal addresses minimum space requirements specified. The design results in windows facing east and west and thus helps address previous concerns that windows on either side looking directly onto boundary fencing creating a cramped effect for future occupiers. The design does result in a limited aspect from bedrooms two and three resulting in limited outlook from these rooms. Light levels will also be reduced. The supporting statement advises that the light well will be south facing which will provide highlighting levels to the stairway and bedrooms 2 and 3. Environmental Health (Housing) comments will be reported verbally in respect of the impact of the basement areas on living conditions for future occupiers.

Policy 3.8 seeks a genuine choice of homes of different sizes and types, and of the highest quality. Housing quality assessment criteria (with particular regard to accessibility and adaptability) is aligned with the Building Regulations (replacing the previous requirement for Lifetime Homes). The supporting statement advises that the development will meet Lifetime Home and Codes for Sustainable Homes (as incorporated to Building control requirements).

#### Highways and traffic issues

Neighbour comments are raised in respect of local parking arrangements and concern for highway safety matters with the additional vehicle movements. The scheme includes off-street parking and no technical objections are raised from the highways point of view. Additional vehicle movements that are likely to arise from a development of this size will be nominal and are not considered to result in an unacceptable impact on highway safety. It is noted that no concerns were raised by the planning Inspector in this respect.

## Sustainability

The supporting statement advises that the design includes for water conservations and high energy/thermal efficiency providing a sustainable design. Solar gain has also been factored in to the building allowing for renewable energy sources in the use of PV panels.

## Community Infrastructure Levy

The proposal is CIL liable.

## Summary

The principle of residential development in this location is not considered unacceptable and, on careful balance, it may be considered that the proposed development, subject to conditions relating to slab levels and restriction to any future permitted development rights, will not result in such significant detrimental impact on neighbouring amenity or the street scene.

Background papers referred to during production of this report comprise all correspondence on file references 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 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** 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 the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

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

**7** 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 drainage

**8** 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 drainage**

- 9 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.**

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

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

- 11 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.

- 12 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 ensure satisfactory means of drainage

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

**Reason:** In the interest of highway safety

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

**Reason:** In the interest of neighbouring amenity and in order to comply with Policy BE1 of the adopted Unitary Development Plan

You are further informed that :

- 1 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.

- 2 **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 formation of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant**



**Application:**17/02775/FULL1

**Address:** 14 Hayne Road Beckenham BR3 4HY

**Proposal:** Erection of detached three bedroom dwelling comprising ground floor and basement accommodation, with associated residential curtilage, parking, cycle parking and refuse provision.



"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 :** 17/02890/FULL1

**Ward:**  
**Clock House**

**Address :** Carlton Court, Beckenham Road,  
Beckenham BR3 4PP

**OS Grid Ref:** E: 536726 N: 169466

**Applicant :** Cobalt Equity Management

**Objections :** YES

### **Description of Development:**

Demolition of existing buildings and garages at 23 Beckenham Road and construction of a four storey building to provide 30 residential units, with associated amenity space, landscaping, vehicular access, car parking, refuse and recycling storage and cycle storage.

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 15

### **Proposal**

- Demolition of existing block of 6 flats and garage block to rear
- Three/four storey replacement block of 30 flats (1 x 3 bed, 18 x 2 bed, 11 x 1 bed)
- Car parking for a total of 15 cars is proposed with 13 spaces situated towards the rear of the site accessed via Hayne Road with a further two spaces fronting Hayne Road, adjacent to the car park entrance. Three bays are to be allocated as disabled.
- Refuse storage is located within an internal storage area to the south elevation
- Cycle parking for 12 bicycles is proposed to be provided externally to the front elevation of the building facing Beckenham Road with 49 bicycle spaces located internally, accessed from the car park area.
- An illustrative landscaping scheme has been provided

Amended plans were received in September 2017 which pulled the fourth floor 500mm back from the principle elevation facing Beckenham Road.

The applicant has submitted the following reports in support of the application which are summarised below:

### Air Quality Assessment by ACO2 (June 2017)

This assesses the air quality impacts associated with the construction and operation of the proposed development. It acknowledges that the site is within an AQMA. The report states that during the construction phase, the site has the potential to generate dust nuisance beyond the application boundary. However, through the implementation of a Dust Management Plan, the impacts will be effectively minimised and are unlikely to be significant. Emissions from operational traffic associated with the proposed development are not anticipated to significantly affect local air quality, however dispersion modelling of emissions from traffic on the local road network has been undertaken to ascertain whether future occupants of the proposed development will be exposed to elevated nitrogen dioxide and particulate concentrations. The assessment indicates that pollutant concentrations at the façade of the building will be within the relevant air quality standards.

The proposed development has been assessed as air quality neutral.

### Daylight and Sunlight Assessment by Dixon Payne (June 2017)

Analysis was carried out to examine the impacts of the proposed development on the amount of daylight enjoyed by neighbouring buildings, specifically 22 Hayne Road and 25 Beckenham Road, in line with assessment criteria prescribed by the BRE Guideline. It concludes that the proposals will not cause a shadow over the rear garden of 22 Hayne Road whatsoever and there is no particular overshadowing of 25 Beckenham Road after 10:00. With regard to internal illuminance, the proposals accord with the relevant guidance.

The windows to the flank elevation of 22 Hayne Road serve a staircase and landing and as such do not meet the criteria for analysis as determined by the BRE Second Edition 2011.

### Energy Statement by Element Sustainability (May 2017)

This sets out the methodology and results in order for the scheme to meet the energy conservation target of a 35% carbon reduction required to meet policy 5.2 of the London Plan.

The statement notes that the proposed energy strategy will incorporate an enhanced 'fabric led' material specification, along with high quality design and construction standards to improve the energy efficiency of the buildings and exceed regulatory standards. The fabric led approach to limiting CO2 emissions from the site will be supplemented by a high efficiency combination gas fired boilers and a 15kWp photovoltaic array.

Combined Heat and Power (CHP) has been explored to be located on the site however was discounted given that there will be a very low space heating and hot water demand at the development the commercial viability of this type of system cannot be proved. Connection to a District Heating System was also explored however it was determined that there are no existing or proposed heat networks/energy centres within a moderate radius from the development and there

are no existing networks local to the site. Solar hot water is not considered feasible for the site given that the reduction of the building's energy demand and carbon dioxide emissions would be insufficient to meet the reduction target.

It is acknowledged that the energy conservation target cannot be met and as such a S106 contribution will offset all remaining regulated Co2 emissions. It is acknowledged that the carbon offset fee which the developer will be liable to pay in respect of this development is £36,000.

#### Drainage Strategy by Rossi Long Consulting (June 2017)

This report has been produced to assess the flood risk to and the potential for increased flood risk from the proposed development. The site is identified as being within Flood Zone 1 (land assessed as having a <0.1% (1 in 1000) probability of river or sea flooding. Therefore the risk from fluvial or tidal sources is considered to be low.

Porosity testing has revealed moderate soakage potential in the shallow depth soils and a sustainable approach to surface water management is proposed using soakaways for roof run-off and permeable paving for the access road and parking areas. Further porosity testing is recommended at the detailed design stage and, if infiltration of run-off is not viable, alternative drainage options incorporating partial infiltration and/or attenuation storage are available to the developer. A foul water sewer is available and direct connection should be made to the public sewer, subject to the approval of Thames Water.

#### Transport Statement by Vectos (June 2017)

This report assesses the existing transport opportunities to the site. The report states that parking surveys were undertaken in the vicinity of the site and showed that there is ample on-street spare capacity in the area. The site is within walking distance to Beckenham Town Centre and benefits from access to local rail, tram and bus services which is reflected in the PTAL 5 rating of the site. The Applicant has agreed a contribution towards the implementation of a car club space on Hayne Road which will further reduce car ownership in the area.

The development proposals include 65 secure and sheltered bicycle parking spaces which exceed minimum standards.

A trip generation assessment has been undertaken. The results show that the increase in trips generated by the proposed scheme in comparison with the existing and consented flats is minimal. The impact is further reduced when breaking down the additional trips by mode, using Census 2011 method of travel to work data.

The statement concludes that there will not be an adverse effect on either the operation of the local highway network or create any additional stress on the local public transport network and on local parking demand.

Arboricultural Report (including tree Survey, Arboricultural Impact Assessment and tree Protection Specification) by Sylvan Art (15th June 2017)

This records the condition of trees on the site, sets out the tree constraints including root protection areas and how this should inform the design of the scheme, assess the impacts of the development on existing trees which may arise and sets out a methodology for the implementation of any aspects of the development which may result in the loss or damage to a tree and measures which should be undertaken to prevent loss and damage.

The survey identifies seven individual trees and five groups of trees (1 individual class B, 6 individual Class C, 5 groups of Class C). 4 individual Class C trees and two small Class C groups are to be removed to facilitate the development. Minor incursions are proposed 3 trees and 1 small group however mitigation details have been provided.

An individual is to be appointed with responsibility for all arboricultural affairs during development.

The Applicant provides an indicative landscaping plan which highlights additional planting.

Phase One Contamination Assessment (Desk Study by Idom Merebrook (June 2017))

The site has a residential landscape since the 1890's. A conceptual model has been produced which highlights the following potential contamination sources (although risks are likely to be low, rising to moderate in the case of asbestos)

- i. possible made ground associated with the former and current buildings on site that may contain asbestos, heavy metals, petroleum hydrocarbons or polyaromatic hydrocarbons
- ii. Potential hazardous gas/vapours within the soil associated with the main ground
- iii. Potential for contamination of the shallow aquifer associated with the Harwich formation that may extend beneath the entire site

It is recommended that a Phase II intrusive ground investigation should be undertaken primarily for geotechnical purposes but also to include confirmatory testing and inspection with respect to land contamination issues.

Acoustic Assessment by Cass Allen

The purpose of an acoustic assessment is to assess the suitability of the site for the proposed development with regards to noise. A noise survey was carried out at the site and the noise levels at the site are dictated by road traffic noise emissions from the A234.

Acceptable internal noise levels are predicted to be achieved in habitable rooms of the development subject to the adoption of acoustically upgraded glazing and ventilation in the development design. This will be investigated further at the detailed design stage and may be secured by the imposition of a noise related condition.

Noise levels in external amenity areas will generally comply with recommended levels, and are considered acceptable in other areas for the reasons given in this report.

A lift noise assessment has been submitted given the proximity of the lift shaft to habitable space. The statement says that at this stage it is not possible to know the exact noise emissions from the lift itself, therefore it is necessary to include a partition construction capable of providing a high level of sound insulation between the lift and habitable rooms to help minimise the risk of noise impact as far as possible. The statement provides an example of a scenario where the construction of the lift shaft would result in a lift noise level compliant with the BS8233 criteria. This will be reviewed at the detailed design stage.

The application was also accompanied by a Design and Access Statement and a Planning Statement in which the applicant submits the following comments in support of the application:

- The D&A provides a comprehensive design evolution process
- Details of the public consultation was undertaken stating that a public meeting was held on Thursday 27th April between 3-7pm at venue 28 in Beckenham. 38 visitors attended the exhibition including local ward Members.
- The proposed layout has been carefully designed to interact and respond to the junction of Beckenham Road and Hayne Road
- The proposal enhances the landscaping
- The building is in line with neighbouring building lines
- The proposal seeks inspiration from the surrounding architectural forms
- The scale is similar to surrounding buildings
- All materials proposed are to be of high quality and will be finished to an equally high standard. The proposals key architectural feature is its contemporary design with the heritage of the surrounding context.
- The development is set back from the edges of the site, with landscaping provided along both elevations.
- The development proposes large openings which ensure all elevations are active and that all units are well served by natural light. This approach reduces the perception of bulk
- The materials have been updated following public consultation
- All materials are of high quality and will be finished to a high standard. Where possible materials will be locally sourced to increase sustainability.
- The design is a marriage of contemporary with the heritage of the surrounding area

- 10% will be built as wheelchair adaptable units in accordance with M4 (3) of the Building regulations. These will be provided with an allocated disabled parking space. The remainder of the units will be built to M4(2)
- All units have secure and private amenity space
- The density falls comfortably within the prescribed density levels.
- The proposed residential mix is appropriate for the site
- The application meets the London Plan Policy 3.5 internal room size standards
- The scheme does not cause any adverse impact upon residential amenity
- There are no single aspect north facing units proposed
- The scheme complies with the strategic and local objectives for the highway network.

### Location

The application relates to an existing two-storey flatted development, which is located on the corner of Beckenham Road and Hayne Road. The block of flats is set back from the adjacent property at number 25 Beckenham Road and is broadly in line with the building line along Hayne Road retaining an open and spacious frontage and junction setting to the north-east. There are 6 existing garages accessed from Hayne Road located to the rear as well as shared amenity space which extends up to the common side boundary with number 22 Hayne Road.

The site is located adjacent to the Elm Road Conservation Area to the west and the surrounding area is largely residential in character and is sited approximately 240m from the start of Beckenham High Street. There is a mixture of large traditional single-family dwelling houses and more contemporary three/four storey flatted developments within the immediate locality as well as the Kings College building adjacent to the site.

The site is within an Air Quality Management Area (AQMA) and Flood Zone 1.

### **Consultations**

Nearby owners/occupiers were notified of the application by letter. Site notices were displayed and an advertisement was placed in the local press. Representations are summarised below:

- The development is too large and there is an over density of people
- It will impact the whole area and is bulky
- Destroy the character of the conservation area and detract from the Victorian and Edwardian local architecture such as the Church in Elm Road and neighbouring Victorian houses
- Unattractive to look at
- The height of the proposal create a dominating and bombastic structure which is out of keeping with the local properties
- It will overshadow the area
- Creates a dangerous precedent



- The development takes the peak of nearby properties as the height and breaches the height line of the road
- There is no justification for four storeys
- Rubbish and noise at night will increase due to the number of dwellings
- The development is on a very dangerous roundabout which is an access route for the fire and ambulance services. There have been many near misses. The introduction of 30 new units with an access on Hayne Road significantly increases the risks and dangers and compromise fire and ambulance services
- Insufficient parking
- The parking spaces on the front do not fit and look ugly. They will obscure vision
- The bin enclosure is sited too near to the property of 22 Hayne Road and is too far from the majority of the properties it serves
- It is questionable whether the drainage system will cope
- Safety issues for neighbouring properties
- The balconies are unnecessary and may become unsightly
- Incorrect information has been communicated at the public consultation meeting
- Insufficient outside area or greenery for the development
- Loss of parking bays on Hayne Road
- The density of the development is contrary to the GLA Housing Supplementary Guidance. The site is suburban
- The footprint of the building could be reduced
- The frontages of both Hayne Road and Beckenham Road could be set further back
- 13 flats would be acceptable given the location of the site
- Loss of mature trees which are fine, mature specimens and provides screening to surrounding properties.
- Potential overlooking
- Misleading statements submitted within the documentation
- No evidence has been provided that the majority of attendees at the public consultation event were broadly positive
- The planning statement states that none of the garages are used and parking spaces are vacant, this is misleading, a number of the units are empty and therefore the respective garage and parking spaces are not used.
- The roof is flat rather than the traditional pitched roofs which are the majority of local properties
- The façade materials and design are heavy and do not respect the character or appearance of the site
- Parking should be underground to provide more garden area
- Comparison parking on other developments in the TA Appendix H are all in inner London Boroughs and therefore are not comparable
- Parking permits must not be allowed to be purchased.
- Electric car charging points should be provided.
- The Code of Construction Practise and Method Statement provided is a generic document. Since there is no indicative structural design it cannot

properly address foundation (piling?) and precast floors installation and the plant required, and therefore the nuisance likely to be caused to local residents during construction and how this will be mitigated. Further details of this must be conditioned and construction times adhered to.

- Requirements for on-going maintenance and upkeep of the gardens must be written into planning conditions
- All of the units only have a single bathroom, high quality developments should have en-suites
- Beckenham is a location for family units not studio, 1&2 bedroom units
- Photovoltaics are not shown on the drawings
- Green roof should be provided across the whole development
- It's disconcerting that the company that has left the building to fall into a bad state of repair are those that state they can maintain a large block of flats
- Pollution from the development
- It appears on its face to have responded to a brief to create the smallest habitable rooms to enable the maximum number of units available rather than to create a space that fits and complements its surroundings.
- The car club space should be located on the owners development.
- Where will construction traffic park?
- It is incomprehensible that demolishing a block of 6 flats and replacing it with a far larger block of 30 should make it economically impossible to provide any affordable housing within the block.
- The development should not exacerbate the flood risk.

Objections have also been forthcoming from the West Beckenham Residents Association and Copers Cope Residents Association.

As well as the objections received to the application, a survey was undertaken to evidence local objections. The results of the survey sought to demonstrate that the information put forward by the developer is inaccurate.

- The survey considered two areas which included all non-residential or residential sites on either side of the street. The survey was undertaken with a preconfigured questionnaire and highlighted types, size and styles of buildings.
- The survey details surrounding buildings within close and a wider range of the site.
- A total of 121 separate sites were identified which had 122 primary buildings on them. 89% were residential, 10% were non-residential, 1% were mixed non-residential/residential.
- The buildings sit in a suburban landscape
- The General Area surveyed consists of 2 and 3 storey buildings, many of which are regarded as important and protected by being placed in a conservation area, which fits in neatly with the LHDG definition of suburban.
- There are no non-residential buildings above 3 storeys.
- There is only one 4 storey residential building in the area on Beckenham road [no. 15 The Sanderson Apartments].
- The survey details numbers of detached, semi-detached, town houses and flats in the area.

- The site lies a minimum of 865m from the centre of Beckenham which further evidences that the site is in a suburban area
- The maximum number of units on this site to comply with the density matrix should be 18

Comments of support have also been submitted which can be summarised as:

- It is a better use of the space
- The new design is well thought out
- The old block looks very old and overgrown
- This creates more homes for people in the Beckenham area.
- The proposed block is no taller than the properties either side of it and so will be in keeping with both Beckenham and Hayne Road
- The architect has taken into account the building lines and architecture styles of the surrounding roads.
- Pleased to see that comments about the materials have been taken into consideration
- There is still a lot of garden area proposed
- The CGIs are impressive and the building looks smart

#### Consultee Comments:

##### The Council's Highways Engineer:

The site is located on the corner of Beckenham Road and Hayne Road and is within a high PTAL of 5. Hayne Road is within Control Parking Zone (CPZ) and there are waiting restrictions on Beckenham Road.

**Vehicular Access-** A new access is proposed from Hayne Road leading to fifteen car parking spaces. The redundant vehicular crossover should be reinstated to footway level and an extension (of 6.0m) to the existing on-street permit holder's bay should be introduced.

**Car Parking-** A total of 15 car parking spaces are indicated. Thirteen spaces to the rear, including three accessible bays for use by residents of the flats. In addition, two bays would be located perpendicular to the access road; which is satisfactory. Twenty percent of all car parking spaces are active Electric Vehicle Charging Points (EVCPs) and a further 20% are passive EVCPs.

**Cycle parking-** A total of 49 spaces internal cycle parking spaces with a further 12 external cycle parking spaces would be provided; this is acceptable.

**Refuse storage/ Servicing -** This is indicated on the submitted plan.

The footway and carriageway on the A234 Beckenham Road should not be blocked during the works of the development. Temporary obstructions during the works should be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or obstruct the flow of traffic on the

A222 Croydon Road. All vehicles should only park/ stop at permitted locations and within the time periods permitted by existing on-street restrictions.

No objections are raised subject to contributions towards car club spaces, provision of car club membership for 15 units, a financial contribution towards a future traffics scheme within the area and conditions.

The Council's Drainage Engineer:

The submitted surface water strategy carried out by Rossi Long with Ref No. 171132 Rev 01 Dated June 2017 to use soakaways and permeable paving in the driveway and parking area are acceptable at this stage subject to further porosity testing. No objections are raised subject to conditions.

The Council's Environmental Health Officer:

No objections in principle to permission being granted. The Phase One Assessment (Desk Study) prepared by Idom Merebrook (Report DS-20622-17-148, June 2017) has been reviewed and the findings are agreed with subject to conditions requiring further details.

The Cass Allen Report (ref RP01-17295) identifies the main source of noise as the A234 Beckenham Road and makes suggestions for mitigation measures. However as the design is at an early stage and the applicant is not in a position to confirm glazing and ventilation details conditions are required for further consideration of these matters.

No provision has been made for electric charging points to any of the parking spaces and would recommend that this be addressed (subsequently clarified by the submission of an addendum to the design and access statement)

The XCO2 Report (Ref 8.903, June 2017) deals with air quality both from the construction phase as well as the operational phase. A condition is required to ensure compliance with the report

A condition is required for the demolition and construction works on the site to ensure compliance with the submitted Code of Construction Practise and Method Statement.

The Metropolitan Police Designing out Crime Advisor:

There is insufficient details provided within the submission to allow comments in respect of 'Secure by Design' measures.

It is considered that should this application proceed, it should be able to achieve the security requirements of Secured by Design with the guidance of Secured by Design New Homes 2016 and the continued involvement of the South East Designing Out Crime Office. A conditioned is requested to this effect.

### Thames Water:

With regard to sewerage infrastructure capacity no objection. With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, they would not have any objection to the above planning application subject to conditions and informatives.

### Conservation Officer:

The existing building lies just outside the Elm Road Conservation Area, with the neighbouring property at 25 Beckenham Road being within that CA. The conservation policy relevant to this development in BE13, Development Adjacent to a Conservation Area which requires us to pay regard to views into and out of that area. The NPPF also requires us to consider the setting of heritages assets (the Conservation Area) when determining applications.

The proposed building is of a good contemporary design using quality materials such as brick and aluminium windows. The use of brick in particular would help the building respond to its surroundings without resorting to pastiche. The building line along Beckenham Road has been observed and the height would not exceed the gable on no. 25 Beckenham Road. It is disappointing though that the top storey has not been set back at all as this would mitigate any appearance of being overly bulky.

Amended plans were subsequently submitted which stepped the top floor of the development back from the principle elevation by 500mm.

Subsequent comments from the Conservation Officer states that following the revised drawings received the set back of the top floor by 400-500mm would make the proposal an acceptable one in terms of impact on the adjoining Conservation Area.

### Arboricultural Officer

The arboricultural report submitted in support of the application has addressed the tree constraints at the site address. There are no protected trees within the site and trees proposed to be removed to facilitate the development are insignificant. No objections are raised subject to conditions.

### **Planning Considerations**

The application falls to be determined in accordance with the following policies of the London Borough of Bromley Unitary Development Plan (UDP) 2006:

BE1 Design of New Development  
BE4 Public Realm  
BE6 Environmental Improvements  
BE7 Railings, Boundary Walls and Other Means of Enclosure

BE13 Development Adjacent To Conservation Areas  
ER10 Light Pollution  
H1 Housing Supply  
H2 and H3 Affordable Housing  
H7 Housing Density and Design  
H9 Side Space  
NE2 Development and Nature Conservation sites  
NE3 Nature Conservation and Development  
NE5 Protected Species  
NE7 Development and Trees  
T1 Transport Demand  
T2 Assessment of Transport Effects  
T3 Parking  
T6 Pedestrians  
T7 Cyclists  
T8 Other Road Users  
T9 and T10 Public Transport  
T11 New Accesses  
T12 Residential Roads  
T15 Traffic Management  
T17 Servicing of premises  
T18 Road safety

Affordable Housing Supplementary Planning Document (SPD)  
Planning Obligations Supplementary Planning Document (SPD)

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

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Relevant policies from the Draft Local Plan include:

Draft policy 1: Housing Supply  
Draft policy 2: Provision of Affordable Housing  
Draft policy 4: Housing Design  
Draft policy 8: Side Space  
Draft policy 26: Health & Wellbeing  
Draft policy 30: Parking  
Draft policy 32: Road Safety  
Draft policy 33: Access for All  
Draft policy 37: General Design of Development  
Draft policy 42: Development Adjacent to a Conservation Area  
Draft policy 72: Protected Species  
Draft policy 73: Development and Trees  
Draft policy 77: Landscape Quality and Character  
Draft policy 78: Green Corridors

Draft policy 79: Biodiversity and Access to Nature  
Draft policy 116: Sustainable Urban Drainage Systems (SUDS)  
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  
Draft policy 124: Carbon dioxide Reduction, Decentralised Energy Networks and Renewable Energy  
Draft policy 125: Delivery and Implementation of the Local Plan

In strategic terms, the application falls to be determined in accordance with the following policies of the London Plan (March 2015):

2.18 Green Infrastructure  
3.3 Increasing housing supply  
3.4 Optimising housing potential  
3.5 Quality and design of housing developments  
3.6 Children and young people's play and informal recreation  
3.7 Large residential developments  
3.8 Housing choice  
3.9 Mixed and balanced communities  
3.10 Definition of affordable housing  
3.11 Affordable housing targets  
3.12 Negotiating affordable housing on individual private residential and mixed use schemes  
3.13 Affordable housing thresholds  
5.2 Minimising carbon dioxide emissions  
5.3 Sustainable design and construction  
5.7 Renewable energy  
5.9 Overheating and cooling  
5.10 Urban greening  
5.11 Green Roofs and Development Site Environs  
5.12 Flood risk assessment  
5.13 Sustainable Drainage  
5.14 Water quality and wastewater infrastructure  
5.15 Water use and supplies  
5.21 Contaminated land  
6.3 Assessing effects of development on transport capacity  
6.9 Cycling  
6.10 Walking  
6.13 Parking  
7.1 Lifetime neighbourhoods  
7.2 An inclusive environment  
7.3 Designing out crime  
7.4 Local character  
7.5 Public Realm  
7.6 Architecture  
7.8 Heritage assets and archaeology  
7.13 Safety, security and resilience to emergency

- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodlands
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

The 2015-16 Minor Alterations (MALPs) have been prepared to bring the London Plan in line with the national housing standards and car parking policy. Both sets of alterations have been considered by an independent inspector at an examination in public and were published on 14th March 2016. The most relevant changes to policies include:

- 3.5 Quality and Design of Housing Development
- 3.8 Housing Choice
- 6.13 Parking

The relevant London Plan SPGs are:

- Housing (March 2016)
- Homes for Londoners (August 2017)
- Accessible London: Achieving an Inclusive Environment (2014)
- Sustainable Design and Construction (2014)
- Control of Dust and Emissions During Construction and Demolition ( 2014)
- Providing for Children and Young People's Play and Informal Recreation (2012)

Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF) (2012) and National Planning Practice Guidance (NPPG) must also be taken into account. The most relevant paragraphs of the NPPF include:

- 14: achieving sustainable development
- 17: principles of planning
- 47-50: housing supply
- 56 to 66: design of development
- 69, 73, 74: promoting healthy communities
- 109 -111, 118, 120 - 121: nature conservation and biodiversity
- 128 -137: heritage assets
- 196-197: Determining applications
- 203-206: Planning conditions and obligations

#### Planning History

16/03105/FULL1 - The construction of a new second floor to create four self-contained flats, demolition of existing garages to provide a new parking court for 9 cars and elevational alterations - Permitted. This permission remains extant.



## Conclusions

The NPPF, at paragraph 14, sets out a presumption in favour of sustainable development and states that for decision-taking this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
- specific policies in this Framework indicate development should be restricted.

The weight to be afforded to individual policies, alongside other material considerations, falls to the decision-maker to consider within the balance of paragraph 14.

The main issues to be considered in respect of the current proposal are:

- Housing Land Supply
- Design
- Density
- Impact on Neighbouring Amenity
- Housing Issues
- Highways Impacts
- Trees, Landscaping and Ecology
- Energy and Sustainability
- Pollution and Contamination
- Drainage
- Planning Obligations

### Housing Land Supply

Paragraph 49 of the NPPF states that:

Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

Policies including 3.3 of The London Plan 2016, H1 of the UDP 2006 and Draft Policy 1 have the same objectives. The London Plan's minimum target for Bromley is to deliver 641 new homes per year until 2025.

The Council's latest Five Year Housing Land Supply paper was reported to and agreed by Development Control Committee on 24.11.2016. It concludes that the Council does have five years' worth of housing supply and it has informed the

Council's Proposed Submission Draft Local Plan (November 2016) that was out for public consultation until the end of December 2016.

The proposal for an additional 24 residential units at this site could therefore be seen as making a small but positive contribution to the London Plan's targets for new homes in the Borough. The following sections of the report consider whether the development in the manner proposed would constitute sustainable development and should be granted in accordance with paragraph 14 of the NPPF or if it would have adverse impacts which would significantly and demonstrably outweigh the benefits of the increase in the Borough's housing supply.

### Design

The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. 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 (Para's 56-57, NPPF).

Planning policies and decisions should aim to ensure that developments will function well and add to the overall quality of the area; establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development; respond to local character, reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation; create safe and accessible environments; and ensure that development are visually attractive as a result of good architecture and appropriate landscaping (Para.58, NPPF).

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. UDP Policy BE1 sets out a list of criteria which proposals will be expected to meet, the criteria is clearly aligned with the principles of the NPPF as set out above.

The London Plan at policy 7.1 requires developments to be designed so that the layout, tenure and mix of uses interface with surrounding land and improve people's access to social and community infrastructure (including green spaces). Development should enable people to live healthy, active lives, maximise the opportunities for community diversion, inclusion and cohesion and the design of new buildings and spaces should help reinforce the character, legibility, permeability and accessibility of the neighbourhood. Buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of existing spaces and streets in orientation, scale, proportion and mass and contributes to a positive relationship between the urban structure and natural landscape features. Furthermore, development should be human in scale and create a positive contribution with street level activity (policy 7.4, London Plan).

Consistent with this policy BE1 of the London Borough of Bromley Unitary Development Plan (UDP) requires new developments to be imaginative and attractive to look at; 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; the space about buildings should provide opportunities to create attractive settings and security and crime prevention measures should be included in the design and layout of buildings and public areas. Draft Policy 37 of the proposed submission Draft Local Plan takes a similar stance and, additionally, requires that recycling and waste storage facilities are incorporated within the design layout.

UDP policy BE13, Draft policy 42 and London Plan policy 7.8 all seek essentially to preserve and enhance the setting of the adjacent conservation area and not detract from views into or out of the area.

Policy H7 of the UDP and Draft policy 4 also require development to comply with the relevant density ranges. Whilst a quantitative assessment could be made using a numerical calculation of density, however, it also recognises the importance of considering the qualitative feel of the development in terms of its character and appearance and relationship to the established qualities of the area. Policy H9 of the UDP and Draft Policy 8 requires developments to maintain a minimum of 1m separation distance from the boundaries. However, this is a minimum and in areas characterised by greater separation distances a more generous spacing should be achieved.

The character of development in the surrounding area includes detached and semi-detached dwellings and flatted developments interspersed with clusters of commercial units along Beckenham Road. The adjacent property is an educational institution. In principle it is an area where flatted residential development is considered acceptable with the site currently housing a flatted development however of a smaller nature.

The development wraps around the corner of Hayne Road and Beckenham Road, providing a dual frontage at 3-4 storeys in height. Vehicular access is to be taken via a new cross-over from Hayne Road with parking for 13 vehicles to be provided within an area of surface car parking to the rear with two further spaces located adjacent to the highway. Access to the internal bike store and some residential units are also taken from the rear. The block has two separate pedestrian entrances from both the Beckenham and Hayne Road frontage adding a level of activity and movement to the dual frontage. The top floor is set back from the principal front elevation by 500mm following the submission of amended plans, which seeks to reduce the bulk of the proposal and adds visual interest to the block when viewed from the surrounding street scene, further enhanced by the change in material on the top floor.

In terms of siting, Officers are satisfied that the proposed development does not appear incongruent within its setting and consider that the development addresses the corner setting well, making the most of the spacious site whilst retaining the open aspect of the frontage which is characterful of the junction setting. The

development is sited 8-5.6m back from the highway along the Hayne Road frontage and 7.8m-8m back from the frontage along Beckenham Road which is considered acceptable and is not considered to result in any overbearing impact or loss of spaciousness within this open, undeveloped setting. The proposed development does not project forward of either building line and Officers consider that the set back of the front elevation facing Beckenham Road, in line with the front elevation of the neighbouring college building is reflective of the existing character and setting of the area and does not detract from the bay feature of number 25 which is the final property within the Conservation Area boundaries. It is acknowledged that both the bicycle store and two of the parking spaces breach this linear building line on both frontages resulting in an encroachment onto the open land surrounding the development however given the extent in which the development is set back from the junction corner for the majority of its setting and the small amount of hardstanding required to enable the parking, the encroachment into the openness of the site in this location is not considered so detrimental to warrant a refusal on this application on this basis alone. The cycle parking is sited adjacent to the boundary and will be low scale in nature, therefore not causing any harmful incongruent impact.

The spacing between the building and the surrounding built form is considered reflective of properties along Hayne Road. Given the considerable differences in appearance between the proposal and the neighbouring properties, it is considered that the spacing provided between the development and 22 Hayne Road is acceptable and retains the lower rise, primary break in the built form which is currently evident within this location. The scheme complies with Policy H9 in that it provides a minimum of 1m side space to be retained to both flank boundaries. The separation between the flank elevation of 22 Hayne Road and the development also allows for views of the neighbouring property to be retained which contribute to the character of the area given the characterful appearance of the neighbouring property and allows for planting along this boundary which softens the impact of the scheme. Whilst there is a greater amount of site coverage as a result of the proposal, Officers do not consider that the building would appear cramped within its setting.

In terms of height, the building is proposed as a part 3-4 storey building and would be the largest of the buildings on the four-way junction. Nevertheless, the development is no taller than the surrounding buildings and special consideration has been given to minimise the bulk and massing of the development, resulting in the set-back of the top floor by 500mm from the principal elevations. The development, when viewed from inside the Conservation Area, would not sit proud of the hipped gable frontage of number 25 Beckenham Road therefore would not appear unduly prominent when viewed from the west.

The proposed building is of a good contemporary design using quality materials such as brick and aluminium windows. The deep reveals, large windows and differing brick patterns would result in an interesting scheme, which whilst larger than that it replaces, would not appear unduly prominent and would add interest to the corner site. The use of brick in particular would help the building respond to its surroundings without resorting to a pastiche appearance. Comments have been received raising concern as to the nature of this form of modern development in

this area that it is not reflective of the wider locality however Officers are of the opinion that a more modern, contemporary appearance would be welcomed in this location and would not appear out of place with the surrounding locality given the variance in building designs. A more contemporary development would also sit well with the adjacent conservation area of which the materiality of the scheme is reflective of this designated area. The Conservation Officer raises no objections to the design or siting of the development. Should permission be forthcoming, a condition is added to require the submission and approval of the materials prior to commencement of development.

Whilst it is acknowledged that some of the CGIs submitted show a low boundary wall to the front of the site, a condition can be added to ensure that boundary treatments are subject to future consideration.

### 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 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 London Plan states that residential density figures should be based on net residential area, which includes internal roads and ancillary open spaces.

The London Plan advises that development plan policies related to density are intended to optimise not maximise development and density ranges are deliberately broad to enable account to be taken of other factors relevant to optimising potential such as local context, design and transport capacity, as well as social infrastructure, open space and play (para.3.28).

The Housing SPG (March 2016) provides further guidance on implementation of policy 3.4 and says that this and Table 3.2 are critical in assessing individual residential proposals but their inherent flexibility means that Table 3.2 in particular should be used as a starting point and guide rather than as an absolute rule so as to also take proper account of other objectives, especially for dwelling mix, environmental and social infrastructure, the need for other land uses (e.g. employment or commercial floorspace), local character and context, together with other local circumstances, such as improvements to public transport capacity and accessibility (para.1.3.8).

It is acknowledged that various comments received assert that the site is located within a suburban setting, and not an urban setting as considered by the Applicant within the submission. The reasoning for this is given that the development is over 800m from the district centre, the area is characterised by lower density development such as detached and semi-detached houses, is predominantly residential and has small building footprints.

Officers do not agree with this, considering the site to relate more to the 'urban' category than 'suburban'. Whilst the data provided to the Council clearly shows the

site within a residential area, consideration should be given to the location of the site upon Beckenham Road which is characterised by its mix of uses which includes Kings College in the neighbouring building, the Fire Station, library, church and Beckenham Spa to the west of the site. Flatted developments are also found within the street scene of medium footprints and of 2-4 storeys. Furthermore, the boundary of Beckenham District Centre as defined by the proposals map, is approximately 400m from the development site, there is no provision in policy that this distance must be taken from a centralised point. As previously stated, Table 3.2 should be used as a starting point and guide, rather than as an absolute rule and paragraph 1.3.10 states that greater weight should not be given to local context over location or public transport accessibility unless this can be clearly and robustly justified. Therefore the London Plan allows Officers to apply judgement when considering relative density parameters and on this occasion it is considered the site is located within an urban setting.

This site is considered to be in an 'urban' setting and has a PTAL rating of 5. The London Plan gives an indicative density range of between 35-260 units/ha (dependent on the unit size mix) and 150-700 habitable rooms/ha. UDP Policy H7 also includes a density/location matrix which supports a density of 165-275units/ha and 450-700 habitable rooms/ha for locations such as this provided the site is well designed, providing a high quality living environment for future occupier's whilst respecting the spatial characteristics of the surrounding area.

Taking into account the accommodation schedule submitted, the density calculations for the proposed development are approximately 416 habitable rooms/ha and 158 units/ha which is within the density ranges for the London Plan and below that of the UDP. This is considered appropriate in this location given the residential location of the site and good PTAL rating.

#### Impact on neighbouring amenity

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.

The proposed development will have an appreciable impact mostly on the amenity of the owner/occupiers of number 22 Hayne Road and the Kings College London building at number 25 Beckenham Road.

With regard to number 22 Hayne Road, Officers note that the new vehicular entrance to the scheme is set adjacent to the boundary with the neighbouring property. It is acknowledged that there will be some impact as a result of the transient movements within this area however a landscaped strip is proposed along this boundary which is considered sufficient to mitigate the resultant noise. The closest parking space to the boundary is set 4.2m away which is considered sufficient to protect against undue noise and disturbance. It is acknowledged that there are two windows sited within the flank elevations of number 22 however these serve habitable spaces and no detrimental harm would result to residential

amenity in this regard. With regard to the visual impact of the development upon neighbouring amenity, the closest element of the development (being at three storeys in height) would not project past the rear elevation of the neighbouring dwelling. The four storey element of the proposal which is sited to the north of the neighbouring dwelling is sited over 25m from the common side boundary which is considered sufficient to prevent any undue impacts.

It is acknowledged that there will be balconies positioned on the southern elevation of the building however these are sited over 24m from the boundary with number 22 which is considered a suitable distance to prevent any actual overlooking from occurring. Trees are proposed to be planted along the boundary with the development which will further mitigate any perceived overlooking.

Given the limited extent in which the built form is proposed to extend past the front and rear elevations of the Kings College London building to the west of the site, it is not considered that the development would cause any detrimental impact upon the education establishment. The balconies on the southern and western elevations will overlook the rear of number 25 Beckenham Road, however given that this site is in an educational use and not residential, the harm which would occur as a result of this is not considered to be so detrimental to warrant the refusal of the application.

A daylight/sunlight assessment and noise assessment were submitted as part of the application and it was not found that the proposal would result in undue loss of light, overshadowing or noise impacts.

### Housing Issues

To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups on the community; identify the size, type, tenure and range of housing that is required in particular locations; and where they have identified that affordable housing is needed, set policies for meeting this on site, unless off-site provision can be robustly justified (Para 50, NPPF).

### Unit type/size:

London Plan policy requires new housing development to offer a range of housing choices in terms of the mix of housing sizes and types taking into account the housing requirements of different groups. Policies within the Bromley UDP do not set a prescriptive breakdown in terms of unit sizes however the priority in the London Plan is for the provision of affordable family housing, generally defined as having three or more bedrooms. The site's size and location in an urban setting with good access to local amenities and transport links make it suitable for the provision of family housing as well as housing for other groups. The applicant is proposing a mix of studio, 1, 2 and 3 bedroom flats. On balance, the mix of units proposed would provide a range of housing choice taking into account the requirements of different groups and are considered acceptable in this instance.

## Affordable Housing:

The development is considered liable for the provision of affordable housing on site as set out in the Policy H2 and contributions by way of planning obligations under Policy IMP1. Policy H2 requires 35% affordable housing (on a habitable room basis) to be provided. The Council's adopted SPG on affordable Housing confirms that a proposal for sheltered housing is subject to policy H2 and other residential policies in the UDP. The London Plan (Table A5.1) identifies a need for affordable specialist housing with a specific requirement for intermediate sale.

Where it has been determined that a site meets the size threshold and is suitable for affordable housing, payment in-lieu of affordable housing on site or provision in another location will be acceptable only in exceptional circumstances and where it can be demonstrated that: (i) it would be impractical to transfer the affordable housing to a registered social landlord (RSL) - now referred to as registered providers; (ii) on site provision of affordable units would reduce the viability of the development to such a degree that it would not proceed; or (iii) on site provision of affordable units would not create mixed and balanced communities and there would be benefit in providing such units at another location (Policy H3 UDP).

A lower provision of affordable housing can only be accepted where it is demonstrated that the viability of the scheme cannot support policy compliant provision. The applicant has submitted a financial appraisal to accompany the application, which seeks to demonstrate that the provision of affordable housing would reduce the viability of the development to such a degree that it would not proceed. The Council commissioned an independent assessor to scrutinise the applicant's appraisal and confirm whether the development would be able to provide any affordable housing. After scrutinising the applicant's submission, the Council's assessor has confirmed that the development would result in a substantial deficit and is not viably able to provide any on-site affordable units or off-site payment in lieu contributions.

Whilst this is regrettable, the viability assessment has been robustly tested and found to be sound. The Applicant has also considered the availability of grant funding to assist in the provision of affordable housing on site, however would not be eligible in this instance. The Mayor of London 'Homes for Londoners' Supplementary Planning Guidance document (August 2017) states that where an application does not meet the threshold level (35%) and where permission is granted, review mechanisms should be applied to these developments to ensure that if there is an improvement in viability, this contributes to the delivery of the maximum reasonable amount of affordable housing up to 50%. Review clauses including early and late stage review triggers, will be set out in the section 106 agreement. It is therefore considered reasonable to require the applicant to carry out viability reviews in order to ensure that a further appropriate contribution towards affordable is secured should it be concluded that profits from the scheme exceed 20%. The applicant has agreed to this approach.



### Standard of living accommodation:

Development plan policy, including policies BE1 and H7 of the UDP require that proposals for residential development provide a satisfactory form of living accommodation to serve the needs of the particular occupants and provide adequate private or communal amenity spaces.

Policy 3.5 of the London Plan, which was amended by the Minor Alterations in 2016, sets out the Mayor's aspirations for the quality and design of housing developments. The Housing SPG sets out further guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. New housing should promote and enhance the quality and character of local places and should meet the needs of all Londoners at different stages of life, particularly those of children and older people. Housing should be designed so that people can use it safely, easily and with dignity regardless of their age, disability, gender or ethnicity. It should meet inclusive design principles by being responsive, flexible, convenient, accommodating, and welcoming (para.2.1.4).

The 2016 Minor Alterations to the Plan adopted the nationally described space standard. This standard is set by Government and clearly set out in the Technical housing standards -nationally described space standard document (March 2015). The standards apply to all tenures. The proposed units all meet the minimum internal space standards and the proposed wheelchair units exceed the minimum standards.

In accordance with the London Plan Policy 3.8 ninety percent of new housing should meet Building Regulation requirement M4 (2) 'accessible and adaptable dwellings' and ten per cent of new housing should meet Building Regulation requirement M4 (3) 'wheelchair user dwellings', i.e. is designed to be wheelchair accessible, or easily adaptable for residents who are wheelchair users. The Housing SPG advises that affordable dwellings (where the Council has nomination rights) should be provided as wheelchair accessible homes (that are readily usable by a wheelchair user at the point of completion). Affordable wheelchair units will additionally be required to comply with South East London Housing Partnership (SELHP) standards.

The applicant proposes 3 wheelchair adaptable units on the ground floor of the building in compliance with M4 (3). The remaining flats will be built to M4 (2) standards which is considered to accord with policy 3.8 of the London Plan and Housing SPG.

With regards to Part M4(2) (accessible and adaptable dwellings), for blocks of four storeys or less, the London Plan advises that Boroughs should seek to ensure that dwellings accessed above or below the entrance storey have step-free access. The plans show a lift will be provided at all levels. The relevant category of Building Regulation will therefore need to be secured through planning conditions.

The London Plan Housing SPG says that developments should minimise the number of single aspect dwellings. Single aspect dwellings that are north facing, or exposed to noise levels above which significant adverse effects on health and

quality of life occur, or which contain three or more bedrooms should be avoided. The floor plans submitted show some units which are single aspect however none of these are north facing. The majority of units provide dual aspect which is considered acceptable.

#### Amenity Space:

All units must benefit from private amenity space which must comply with the requirements set out in the SPG. A minimum of 5sqm of private outdoor space should be provided for 1-2 person dwellings and an extra 1sqm should be provided for each additional occupant. Dwellings on upper floors should all have access to a terrace, roof garden, winter garden, courtyard garden or balcony. For all new residential developments generating more than 10 children (as determined by the application of child occupancy assessments) suitable play space should be provided as part of the development scheme.

The proposed apartments would all have access to a private balcony or patio area which all meet the minimum space requirements, as well as the lawned area to the front of the development. This is to a limited degree, however given its location it is considered acceptable for the number of children expected to reside in the development. The London Plan play space strategy requires amenity space totalling 23sqm and as such the quality and amount of amenity space which would be provided as part of the development is therefore considered acceptable and, overall, it is considered that the development would provide a satisfactory form of living accommodation for future occupants.

#### Highways impacts:

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site; safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limits the significant impacts of the development. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (Para.32).

Plans and decisions should also ensure that developments that generate significant movement are located where the need to travel will be minimised and the use of sustainable transport modes can be maximised while at the same time taking into account policies set out elsewhere in the Framework. Therefore developments should be located and designed to, among other things: accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; create safe and secure layouts which minimise conflicts between traffic

and cyclists or pedestrians; incorporate facilities for charging plug-in and other ultra-low emission vehicles; and consider the needs of people with disabilities by all modes of transport (Paras.34-35, NPPF).

London Plan and UDP Policies also encourage sustainable transport modes whilst recognising the need for appropriate parking provision.

In accordance with paragraph 39 of the NPPF, if setting local parking standards for residential development, local planning authorities should take into account the accessibility of the development, its accessibility in relation to public transport, the type, mix and use of development, local car ownership levels and the overall need to reduce the use of high-emission vehicles. Car parking standards within the UDP and the London Plan should therefore be used as a basis for assessment.

15 parking spaces are proposed, 13 to the rear of the building and 2 adjacent to Hayne Road. Three parking spaces are proposed to be designated specifically for use by the three identified wheelchair units. A new access is proposed from Hayne Road with works required to the redundant vehicular crossover to be reinstated to footway level which can be conditioned should Members be minded to approve the application. No objections from the Highways Officer have been received as to the level and siting of the parking provision proposed. Whilst only 15 parking spaces are proposed the Applicant has agreed to provide 15 car club memberships for the remainder of the units. A total of 49 spaces internal cycle parking spaces with a further 12 external cycle parking spaces would be provided; this is acceptable and would comply with the London Plan requirements set out in Table 6.3.

Twenty percent of all car parking spaces are active Electric Vehicle Charging Points (EVCPs) and a further 20% are passive EVCPs. This is confirmed within the Applicants Design and Access Statement addendum.

Refuse storage/ Servicing is indicated on the submitted plan as being located in an internal location to the south elevation within close proximity to the highway. This is considered acceptable and is not expected to result in any adverse impacts upon residential amenity and would allow for easy manoeuvring to the edge of the highway.

No objections are raised by the Highways Officer subject to contributions towards car club spaces, provision of car club membership for 15 units, a financial contribution towards a future traffic scheme within the area and conditions.

Overall, it is considered that the development, as proposed, would not give rise to any significant parking or highways impacts. Highways, cycling and refuse conditions are recommended accordingly.

### Trees, Landscaping and Ecology

The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, and minimising impacts on biodiversity and providing net gains in biodiversity where possible (Para 109, NPPF).

Policy NE7 of the UDP requires proposals for new development 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.

Policy NE3 of the UDP seeks to protect wildlife features and where development is otherwise acceptable will seek through planning conditions or obligations suitable mitigation measures and the creation, enhancement and management of wildlife habitats and landscape features where damage to and/or loss of such features cannot be avoided. Policy NE5 prohibits development which would have an adverse effect on protected species. The presence of protected species is a material planning consideration.

An arboricultural report has been submitted to accompany the proposal, this records the condition of trees on the site, sets out the tree constraints including root protection areas and how this should inform the design of the scheme, assesses the impacts of the development on existing trees which may arise and sets out a methodology for the implementation of any aspects of the development which may result in the loss or damage to a tree and measures which should be undertaken to prevent loss and damage.

The survey identifies seven individual trees and five groups of trees (1 individual class B, 6 individual Class C, 5 groups of Class C). 4 individual Class C trees and two small Class C groups are to be removed to facilitate the development. Minor incursions are proposed to 3 trees and 1 small group however mitigation details have been provided. It is recognised within the report that an individual is to be appointed with responsibility for all arboricultural affairs during development.

The Applicant provides an indicative landscaping plan which highlights additional planting including throughout the parking area and adjacent to the boundary with the 22 Hayne Road. The landscaping plan at this time is indicative however should Members be minded to approve the development further details can be conditioned for approval.

Comments have been received by the Council's Tree Officer who states he has no objections to the proposed scheme.

### Energy and Sustainability

The NPPF requires Local Planning Authorities to adopt proactive strategies to mitigate and adapt to climate change. London Plan and Draft Local Plan Policies advocate the need for sustainable development. All new development should address climate change and reduce carbon emissions. For major development proposals there are a number of London Plan requirements in respect of energy assessments, reduction of carbon emissions, sustainable design and construction, decentralised and renewable energy. Major developments are expected to prepare an energy strategy based upon the Mayors energy hierarchy adopting lean, clean, green principles.

In accordance with the energy hierarchy in policy 5.2 of the London Plan, updated following the implementation of the 2013 Building Regulations (see the Mayor's guidance: Energy Planning (guidance on preparing energy assessments (2015)), developments should provide a reduction in expected carbon dioxide emissions through the use of on-site renewable energy generation, where feasible. The strategy shall include measures to allow the development to achieve a reduction in carbon dioxide emissions of 35% above that required by the 2013 Building Regulations. The development should also achieve a reduction in carbon dioxide emissions of at least 20% from on-site renewable energy generation.

The energy statement submitted as part of the application demonstrates that the scheme can achieve at least a 35% reduction in carbon emissions above the 2013 Building Regulations, through the use of a combination of energy efficiency improvements and an array of PV panels mounted on the roof of the development. The applicant has also agreed, in principle, to a cash in lieu payment of £36,000 to the Council to offset the remaining regulated carbon emissions up to 100%. This would need to be secured through the section 106 legal agreement attached to any subsequent grant of planning permission.

The proposal is therefore considered acceptable in respect of energy and sustainability.

#### Pollution and contamination

The planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability; and remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate (Para.109, NPPF).

The application site is located within an Air Quality Management Area where London Plan policy 7.14 requires developments to be air quality neutral and not lead to further deterioration of existing poor air quality. The applicant has submitted an Air Quality Assessment to support the application which concludes that the development is Air Quality Neutral. The Environmental Health Officer requests conditions to ensure compliance with the report should permission be granted.

#### Drainage

Policy 5.13 of the London Plan requires developments to utilise sustainable urban drainage systems (SUDS), unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water is managed as close to its source as possible in line with the hierarchy in policy 5.13. The supporting text to policy 5.13 also recognises the contribution 'green' roofs can make to SUDS.

A surface water strategy has been submitted and proposes to use soakaways and permeable paving in the driveway and parking area which are considered

acceptable at this stage subject to further porosity testing. Conditions are requested on behalf of the Councils Drainage Officer should permission be recommended.

### Planning obligations

The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled. The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development.

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests. From 5th April 2015, it is necessary to link Education, Health and similar proposals to specific projects in the Borough to ensure that pooling regulations are complied with.

Policy IMP1 (Planning Obligations) and the Council's Planning Obligations SPD state that the Council will, where appropriate, enter into legal agreements with developers, and seek the attainment of planning obligations in accordance with Government Guidance.

The development, as proposed, would give rise to the following contributions which the applicant has agreed, in principle, to pay should the application be considered acceptable overall:

Health: £32,336.00  
Education: £65,119.85  
Carbon Off-Setting: £36 000

Therefore a legally binding planning obligation will be required to secure the above contributions.

The scheme would also be subject to Mayoral CIL and contributions towards highways works totalling £15,000 for potential future highways requirements following completion of the development.

## Summary and Conclusions

The development, as proposed, would not unduly impact upon the character or setting of the locality or the adjacent Conservation Area, allowing for a modern and contemporary design which addresses the dual frontage. The proposed development is not considered to result in any undue impact on the visual or residential amenities of the area and would not adversely impact upon the wider highways network, providing sufficient vehicular and cycle parking within the site.

Overall it is considered that the proposal represents a sustainable form of development which would make a small but positive contribution to the Boroughs housing supply and the application should be approved in accordance with paragraph 14 of the NPPF.

### **RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT**

**and 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 following plans and documents unless previously agreed in writing by the Local Planning Authority:**

**PR66.01 Rev A  
PR66.02 Rev A  
PR66.03 Rev A  
PR66.04 Rev A  
PR66.05 Rev A  
PR66.06 Rev A  
PR66.07 Rev A  
PR66.08 Rev B  
PR66.09 Rev A  
PR66.10 Rev A  
PR66.11 Rev A  
Pr66.12 Rev A  
PR66.13 Rev B  
5218 Drawing no. 1  
5218 Drawing no. 2  
5218 Drawing no. 3  
5218 Drawing no. 4  
5218 Drawing no. 5**

**Reason:** In order to comply with Policies BE1, BE4, BE6, ER7, NE7, NE12, T2, T3, T5, T7, T9, T11 and T18 of the Unitary Development Plan and in the interest of the amenities of the area.

- 3** 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.

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

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

- 5** Details of a scheme for the management of the car park 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 inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

- 6** 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.**

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

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

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

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

- 9 Details of a scheme of landscaping, which shall include the location, species and sizes of trees and shrubs marked up on a labelled plan and 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.**

- 10 The Mitigation measures detailed in the XCO2 Report ref 8.903 should be implemented during the construction phase of the development and those measures detailed for the operational phase shall be implemented prior to the use commencing.**

**Reason: 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.**

**11 The development hereby permitted shall be carried out in complete accordance with the Energy Statement by Element Sustainability including the provision of Photovoltaic panels on the roof of the building. The hereby approved details shall be implemented prior to first occupation and shall be retained thereafter in operational working order.**

**Reason: In the interest of the visual amenities of the area and in order to seek to achieve compliance with the Mayor of London's Climate Change Mitigation and Energy Strategy and to comply with Policy BE1 of the UDP and policies 5.2, 5.3 and 5.7 of the London Plan.**

**12 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.**

**13 The development hereby permitted shall be built in accordance with the criteria set out in Building Regulations M4(3) for wheelchair adaptable dwellings and M4(2) 'accessible and adaptable dwellings' for the units identified in the application as non-wheelchair units and shall be permanently retained thereafter.**

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

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

**Reason: To reduce the impact of flooding both to and from the proposed development and third parties**

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

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

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

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

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

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

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

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

**16** Before the use commences the Applicant shall submit to the Local Planning Authority for written approval a scheme of noise mitigation for the habitable rooms and the external amenity areas. Once approved, the recommendations shall be implemented in full and permanently maintained thereafter.

**Reason:** In order to protect the residential amenities of surrounding residential uses in compliance with Policy BE1 of the unitary Development Plan.

**17** The provisions of the Code of Construction Practice and Method Statement issued by Cobalt Equity Management shall be implemented in full during the construction period of the development hereby permitted.

**Reason:** In order to protect the residential amenities of surrounding residential uses in compliance with Policy BE1 of the unitary Development Plan.

**18** The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Secured by Design, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retained.

**Reason:**In the interest of security and crime prevention and to accord with Policies H7 and BE1 of the Unitary Development Plan.

You are further informed that :

**1** 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

**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](http://www.bromley.gov.uk/CIL)**

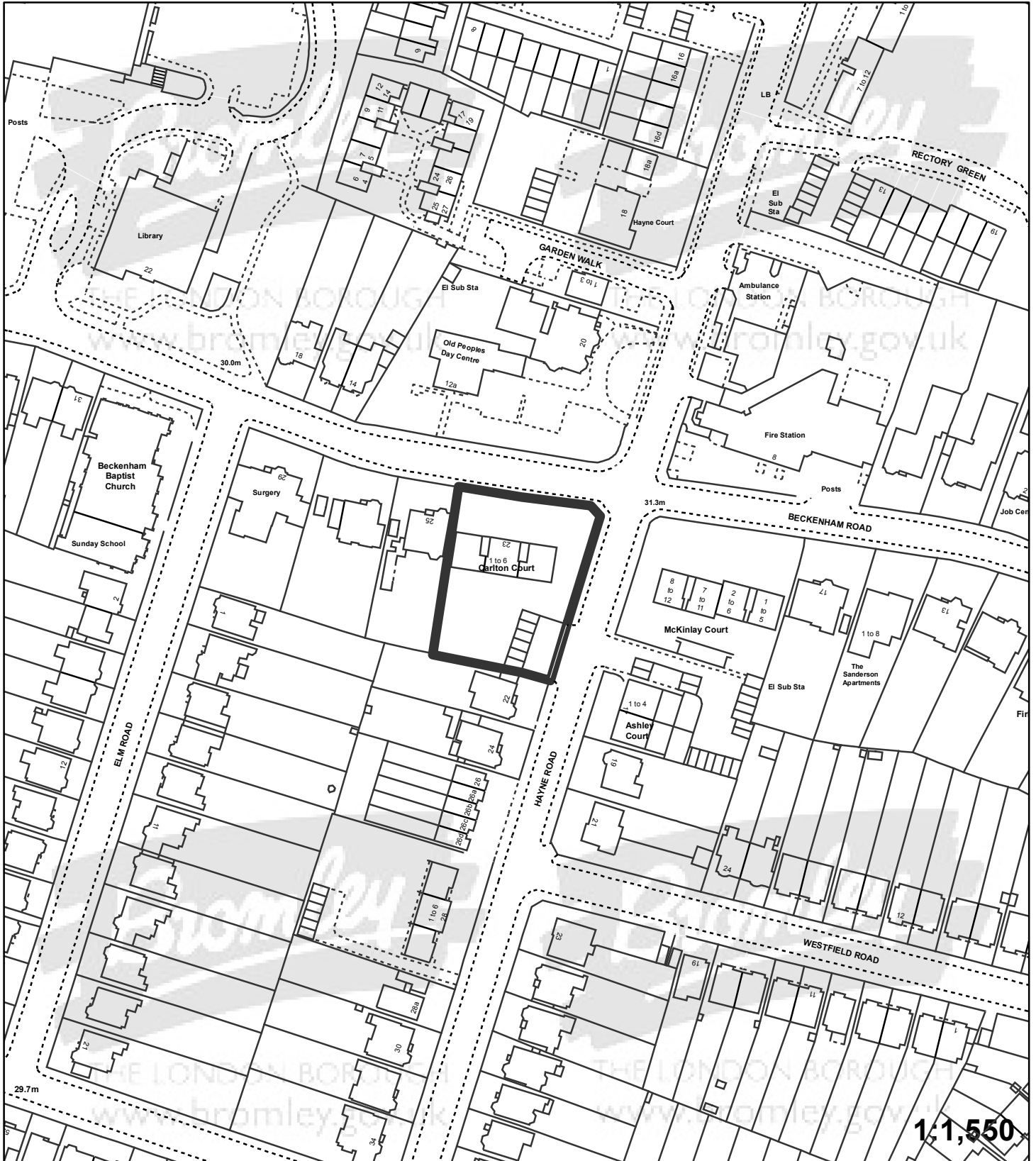
- 3 Conditions imposed on this planning permission require compliance with Part M4 of the Building Regulations. The developer is required to notify Building Control or their Approved Inspector of the requirements of these conditions prior to the commencement of development.**
- 4 You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering.**

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**Application:**17/02890/FULL1

**Address:** Carlton Court Beckenham Road Beckenham BR3 4PP

**Proposal:** Demolition of existing buildings and garages at 23 Beckenham Road and construction of a four storey building to provide 30 residential units, with associated amenity space, landscaping, vehicular access, car parking, refuse and recycling storage and cycle 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 '2' – Applications meriting special consideration**

**Application No :** 17/03280/FULL1

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

**Address :** 17 Lawrie Park Crescent, Sydenham,  
London SE26 6HH

**OS Grid Ref:** E: 534907 N: 171178

**Applicant :** Mr John Kelly

**Objections :** YES

### **Description of Development:**

Single storey rear extension to existing garage

Key designations:

Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 25

### **Proposal**

Planning permission is sought for a proposed single storey rear extension. The proposed extension will have a depth of 6.65m, a width of 5.3m, with a height to the eaves of 2.4m with an overall height of 3.65m to the hipped roof. The development will extend from the existing side garage along the southern flank elevation. The proposal is intended to be used as a garage, as indicated on the submitted drawings.

The application site is a large two storey detached dwelling located on the west side of Lawrie Park Crescent, Sydenham. Lawrie Park Crescent is a residential road characterised by a variety of detached dwellinghouses of varying ages.

### **Consultations**

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

#### Comments in support:

- Having the capability to garage cars is an advantage as it keeps cars off Lawrie Park Crescent where parking can become congested
- The style of the proposed elevation is in keeping with the existing house
- I am impressed by the detail of the proposed extension of the garage
- There is a need for more garage space to meet the growing number of cars parked in our road. I am happy with design and note that our own garage opens out to our back garden

- The proposed extension would not cause any detrimental impact to design and external appearance of the development/impact on lighting or highway safety, in fact the addition of the garage space would in our opinion result in less parking and therefore a welcome addition to the area
- I support the plans for this modest extension to the garage, which will be aesthetically in keeping with the current property and the neighbourhood
- It will also enable cars currently taking up space to the front garden and the on-street parking to be stored in-side the garage, improving the aesthetic of the front of the property
- While the residents were on holiday the neighbour cut down and removed plans and trellising from along the hedge line next to where the extension would be, invading the privacy of the back garden, presumably to make the extension more visible from their neighbouring property
- Our latest proposals were re-designed to substantially reduce the impact of our garage extension on the side of number 15 and we indeed carefully took into account retaining the natural screening that previously existed.
- The proposed new garage extension is being constructed along the same wall line of the existing garage and commences from the existing garage rear elevation and is therefore being built further away from the habitable rooms of number 15
- Our neighbour's actions concerning the destroying of the natural screening was purposefully and maliciously undertaken in an effort to enhance their argument on the effect of our extension to their amenity
- We therefore request that the planning department considers our application based on the existence of the previous natural screening or on the understanding that a 2.1m fence or higher if deemed necessary would be constructed along the entire length of the boundary to protect our neighbour's amenity.

### Comments in Objection

- The closeness, bulk and its usage means the building would have a seriously detrimental effect on the outlook of No.15 and the amenity of its occupants
- It is notable the proposal appears popular with those cannot see it and those are unaffected by it
- The building will be within centimetres of our habitable rooms and will extend 6.65m along the boundary of our rear garden, the proposed will dominate us
- The proposal would permanently and detrimentally change our outlook
- The shunting of vehicles at the front and side of our house already interferes with the peaceful enjoyment of our property
- The unreasonable disturbance we already experience would be exacerbated
- There has been no substantial reduction in the building
- A minimal adjustment has been made and there are material inaccuracies

From a Technical Highway perspective no objection was raised.

## **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

SPG1 General Design Guidance

SPG2 Residential Design Guidance

According to paragraph 216 of the NPPF decision makers 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. The submission of the Draft Local Plan was made to Secretary of State on 11th August 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

### Planning History

01/01777/FULL1-Single storey rear extension for conservatory- Application

Permitted- Date issued-10.10.2001

11/01350/FULL6-Alterations to window on front elevation to form a dormer extension- Application Permitted- Date issued-08.07.2011

11/01545/PLUD-Roof alterations including rear dormer window extension and insertion of roof lights on side elevation-CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT- Proposed Development is Lawful- Date issued- 26.07.2011

17/00916/FULL6-Single storey rear extension to existing garage- Application Refused- Date issued-02.05.2017

Refusal Grounds: The proposed extension would, by reason of its excessive rearward projection and height, have a detrimental impact on the outlook and visual amenities of the neighbouring property at No. 15 and the prospect which the occupants of that dwelling might reasonably expect to be able to continue to enjoy, contrary to Policy BE1 and H8 of the Unitary Development Plan (2006) and Supplementary Planning Guidance 1 and 2.

## **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.

Members should be aware of the past planning history on the site, the current proposal is a revised application from the previously refused application under reference: 17/00916/FULL6 also for a 'Single storey rear extension to existing garage'. The previous application sought to extend from the rear of the host dwelling by 7.3m and had an overall height of 4.6m. It was considered that the proposed extension would, by reason of its excessive rearward projection and height have a detrimental impact on the outlook and visual amenities of the neighbouring property at No.15, contrary to policies BE1 and H8 of the UDP. To address the previous refusal grounds the applicant has reduced the depth by 0.65m to 6.65m and the height by 0.95m to 3.65m (eaves 2.4m).

## Design

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.

Consistent with the previous application the proposed rear extension is not anticipated to have a detrimental impact on the character of the surrounding area. The rear extension would be sited to the rear of the host dwelling, well-screened from public vantage points, set into the gradient of the site. Furthermore, the materials for the external surfaces of the building would complement those of the host dwelling, compliant with the Policy Objectives of the UDP, London Plan and NPPF.

### Impact on Residential Amenity

It is considered that the main concern is the impact the proposal would have to the amenities of the neighbouring property at No.15 Lawrie Park Crescent. 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. This is supported by London Plan policy 7.6.

As referred to above, the excessive height and depth of the previous proposal was considered to have a detrimental impact on the outlook and visual amenities of the neighbouring occupiers of No.15. It was considered that the proposed extension would have appeared as a dominant, unsightly and bulky form of development detrimental to the outlook and the visual amenities of the occupiers of No.15. The proposal would have towered over the fence by approximately 2.4m, thus appearing as a constant eyesore to the occupiers of No.15 due to the height, depth and scale of the development, when considering the development's proximity to the boundary. As a result, it was advised that a substantial reduction to the height and depth of the proposal would be considered more so acceptable.

The height of the proposal has been reduced by 0.95m and the depth by 0.65m. A number of representations have been received in relation to the removal of the hedge line and trellising along the adjoining boundary line with No.15, which was in place from the site visit undertaken in March/April 2017. Whilst this is a civil matter between the applicant and the neighbour, for argument sake a 2m boundary fence could be erected and the assessment of this application has been considered with this in mind.

It is considered that the new application has made a significant reduction to the height of the extension. Although concerns are still raised in regards to the depth of the extension which would protrude beyond the rear wall of No.15 by approximately 5.6m, it is considered a reduction of 0.65m is not considered significant enough to overcome the concerns raised previously. Thus the extension would still lead to a substantial loss of outlook and visual amenity considering the extension's close proximity to the boundary and ground floor windows adjacent to the boundary line. Having said this consideration is given to the fact the both properties are large detached properties. Therefore, whilst the extension is substantial, the proposal would not lead to a sense of enclosure, given the size of the property.

## Summary

Therefore, Members will have to consider whether there has been a substantial reduction to the height and depth of the extension in order to overcome the refusal grounds from the previous application and whether the scale and bulk of the development would lead to a significant loss of outlook and visual amenity to No.15. It is considered that the current application has failed to significantly reduce the depth of the extension in order to overcome the previous refusal grounds, thus the development in the manner proposed is not acceptable in that the development due to its scale and depth would appear as a dominant, obtrusive and unsightly form of development detrimental to both the outlook and visual amenities of the neighbouring occupiers of No.15, contrary to Policy BE1 and H8 of the UDP and Supplementary Planning Guidance 1 & 2.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/03280 and any other applications on the site set out in the Planning History section above, excluding exempt information.

### **RECOMMENDATION: APPLICATION BE REFUSED**

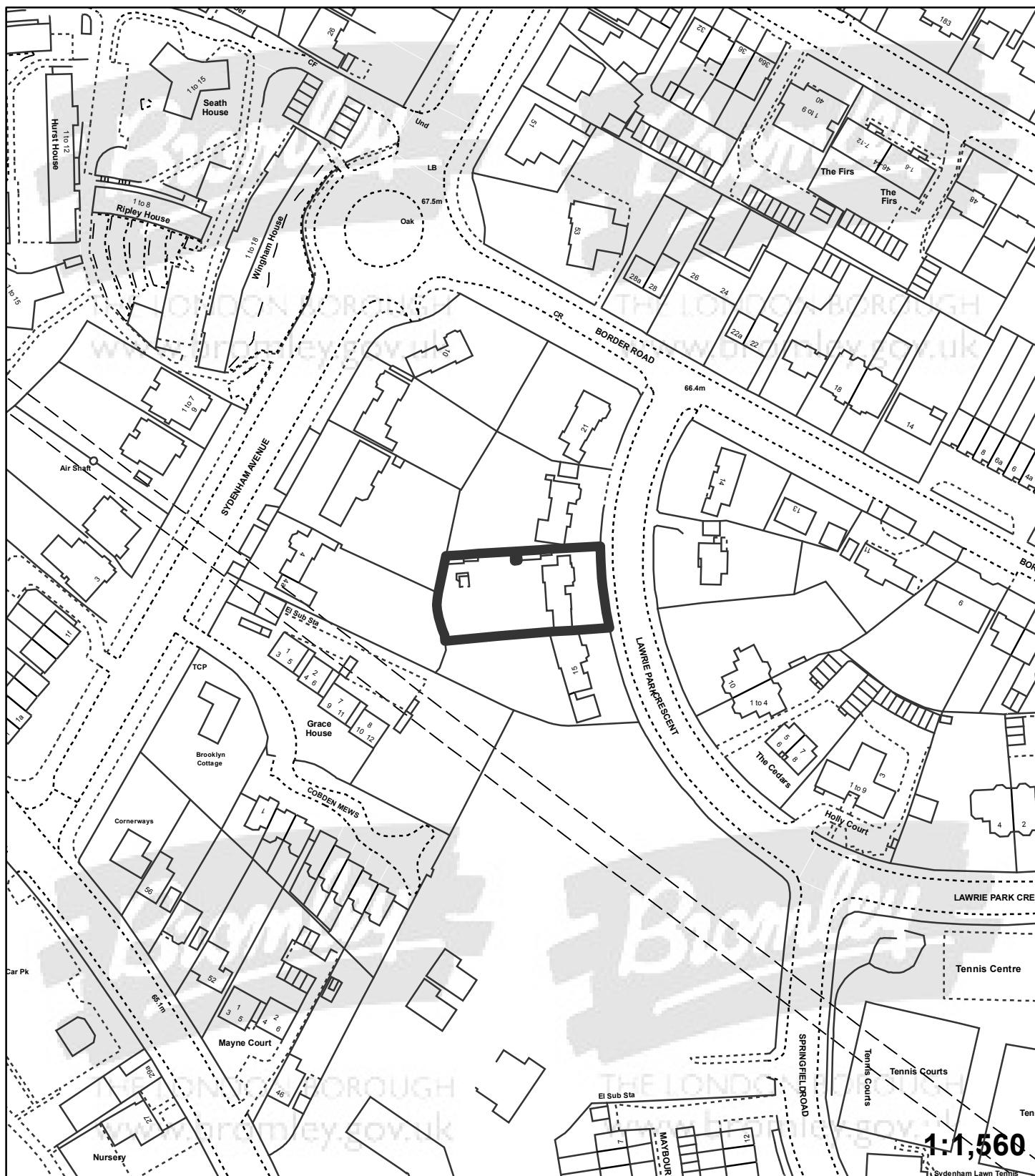
#### **The reasons for refusal are:**

**The proposed extension would, by reason of its excessive rearward projection and scale, would have a detrimental impact on the outlook and visual amenities of the neighbouring property at No. 15 and the prospect which the occupants of that dwelling might reasonably expect to be able to continue to enjoy, contrary to Policy BE1 and H8 of the Unitary Development Plan (2006) and Supplementary Planning Guidance 1 and 2.**

**Application:**17/03280/FULL1

**Address:** 17 Lawrie Park Crescent Sydenham London SE26 6HH

**Proposal:** Single storey rear extension to existing garage



"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 :** 17/03291/FULL1

**Ward:**  
Cray Valley East

**Address :** 5 - 7 Mountfield Way, Orpington  
BR5 3NR

**OS Grid Ref:** E: 547319 N: 168173

**Applicant :** Ms T Patel

**Objections :** YES

### **Description of Development:**

Retrospective installation of roller shutters.

Key designations:

Areas of Archeological Significance  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 26

### **Proposal**

The application relates to the retrospective installation of roller shutters at the commercial unit 5-7 Mountfield Way.

The newsagents and post office is a combined unit situated to the east of Mountfield Way. The roller shutters form part of the front elevation facing Mountfield Way. The property lies within a local shopping parade with residential units above accessed from Mountfield Way.

The application was previously heard by Planning Sub-Committee 4 on the 14<sup>th</sup> September, appearing on List 4. It was confirmed at the meeting that the application shall be deferred to be considered at a later committee to appear on List 2. Apart from an updated consultee section, this report replicates that as previously considered and there are no other changes.

### **Consultations**

Nearby owners/occupiers were notified of the application and over 230 comments of support were received. The letters made the same points which can be summarised as:

- The plain fronted shutters do not have a negative effect on the appearance of the parade
- The shutters are colour coded and match the signage
- The shutters are not down for long periods given the opening hours
- The shutters are always kept clean

- It is important from a security perspective not to allow people to see through the shutters during the hours of darkness

Highways - No objections

## **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

BE19 Shopfronts

BE20 Security Shutters

Draft Local Plan (2016)

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The following policies are most relevant:

Draft Policy 37 General Design of Development

Draft Policy 101 Shop fronts and shutters

Supplementary Planning Guidance 1 General Design Principles

Supplementary Planning Guidance 2 Residential Design Guidance

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

7.2 An Inclusive Access

7.4 Local Character

7.6 Architecture

The National Planning Policy Framework is also a key consideration 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.

## History

14/04258/FULL1 - Proposed 2 no. illuminated fascia signs, new shopfront, roller shutters and 3 no. condensing units to the rear- Permitted

## **Conclusions**

The main issue in this case is to judge the level of harm that the proposed roller shutters would cause to the appearance of the host building and streetscene. Consideration should also be given to accessibility and any highways issues.

The application is retrospective in nature. Roller shutters were approved to be installed under application ref: 14/04258/FULL1 with the details of the appearance subject to a pre-commencement condition. On submission of the details in May 2017, it was found that the installed shutters were not in compliance with those approved in 2014, being solid in appearance, and therefore a retrospective application was sought.

No objections have been raised by the highways officer with regarding to vehicular or pedestrian safety.

Policy BE20 states when considering applications for security shutters, the Council will resist solid shutters, or those shutters that give the appearance of being solid. It will normally permit shutters of an open type where:

- (i) shutter boxes are not over dominant, are contained within the shopfront and do not project from the face of the building; and
- (ii) both shutter boxes and shutters are not of untreated metal and are colour co-ordinated to match the shopfront.

Paragraph 6.51 of the above policy states that the design of shop fronts has a critical role to play in the creation of attractive and vibrant town centres. They are frequently replaced and altered as tenants change. As the character and appearance of a shopping parade or street is determined by its individual components, it is important that any proposals are viewed in respect of the wider environment as well as the individual unit. It goes on to state that good design can make a positive contribution to urban character. It is vital that designs and materials of shopfronts are sympathetic to the scale and existing features of the host building and its surroundings. In particular the standardisation of shop design is often at odds with the traditional scale of the buildings. The original character and individual qualities of buildings in shopping centres should be preserved.

The area is characterised by several commercial properties on Mountfield Way, some have solid roller shutters installed and which it is stated within the Applicants planning statement, are not known to have planning history. Officers would agree with this statement.

Policy BE20 is explicit in stating that the Council will resist solid shutters or those of a solid appearance. The shutters which are sited upon the commercial premises are considered contrary to Policy BE20, and whilst examples of solid shutters are found within the street scene these, as previously stated, have been erected without the benefit of planning permission and are not a reason to allow the development. The shutters appearance allows for a 'deadening effect' along the parade of shops and do not allow for views through to the shop front when pulled down adversely impacting the appearance of the street scene.

The security shutter box projects from the face of the building and therefore is contrary to policy requirements. However, the box is painted to match the wider shop front and Members may consider that this works within the context of this particular shopfront and does not appear to be too visually intrusive within the street scene or have a significant detrimental impact on the character and appearance of the area and therefore in this particular instance may not be considered unacceptable.

The Applicant has submitted a planning statement which references the requirement to have a solid shutter based on continuing crime at the commercial premises. Several crime reference numbers have been provided in evidence including instances of burglary and robbery. The Applicant states that the replacement shutters are like for like to the previous installation (however no evidence to this effect has been submitted), are an essential crime deterrent, are a necessity to keep insurance premiums at a minimum, are in keeping with the existing shop front and improve the visual quality of the row of shops as a whole.

While the Council is aware of the mitigating circumstances advanced, it is considered that these do not outweigh the material harm that the proposal would have on the character and appearance of the street scene in general. The shopfront is wider than most in the surrounding area, and the resultant visual impact of an expanse of solid shutters would be unacceptable, resulting in a deadening of the retail frontage and lending an uncompromising and visually intrusive appearance to a wide frontage. Having had regard to the above, Members may consider that the roller shutter is considered to be of an unsympathetic design which harms the appearance of the wider street scene of which the mitigating circumstances raised do not outweigh the harm as a result of the installation.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 17/03291/FULL1 and 14/04258/FULL1 as set out in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: APPLICATION BE REFUSED**

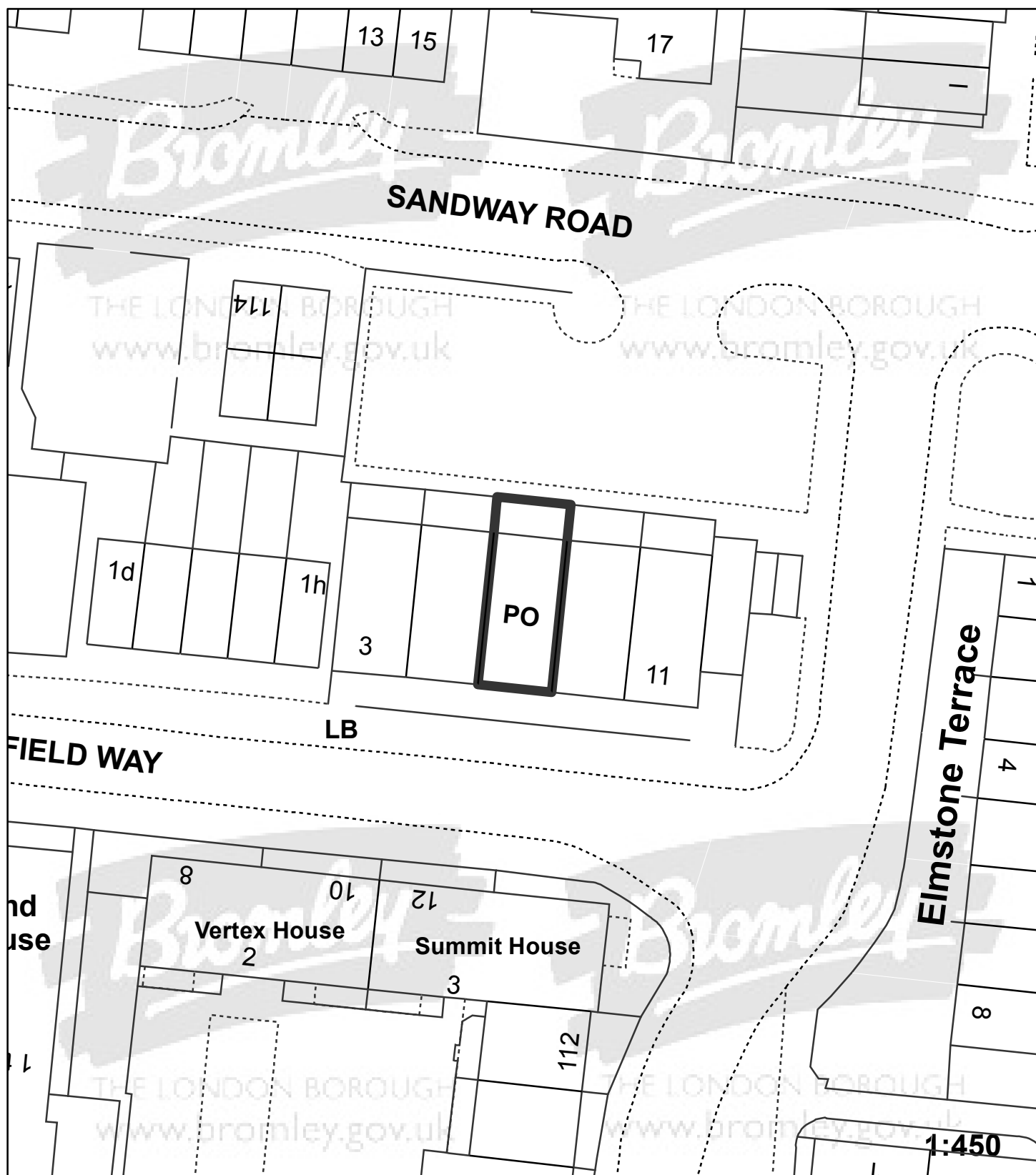
**The reasons for refusal are:**

- 1 The proposed shutters, by reason of their design and solid appearance, would have a seriously detrimental impact on the visual amenities and character of the locality thereby contrary to Policies BE1 and BE20 of the Unitary Development Plan and SPG1.**

**Application:**17/03291/FULL1

**Address:** 5 - 7 Mountfield Way Orpington BR5 3NR

**Proposal:** Retrospective installation of roller shutters.



"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 :** 17/01846/RECON

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

**Address :** Imani Court, 49 Park Avenue, Bromley  
BR1 4EG

**OS Grid Ref:** E: 540126 N: 170600

**Applicant :** Mr D Francis

**Objections :** YES

### **Description of Development:**

Variation of conditions 3, 6, 8 and 9 (relating to soft landscaping, hard landscaping, waste and recycling facilities and cycle storage respectively) of permission 14/02727 allowed on appeal for the demolition of existing dwelling and erection of two/three storey building containing 3 no. 1 bed flats and 5 no. 2 bed flats with associated parking and landscaping, to allow the retention of soft and hard landscaping, refuse and cycle storage as built/provided.

Key designations:

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

### **Proposal**

Permission is sought to vary conditions 3.6.8 and 9 of permission reference 14/02727 (allowed on appeal) for the demolition of the existing dwelling and erection of a two/three storey block of residential flats.

Following the grant of planning permission on appeal the applicant submitted details pursuant to conditions imposed by the appeal Inspector. Among these details were those relating to:

Condition 3 - soft landscaping  
Condition 6 - hard landscaping

These details were approved.

The construction of the residential block has been completed and it is apparent that the development does not accord with the details approved under reference 14/02727/CONDIT. The hard and soft landscaping has not been provided in accordance with the approved details.

Furthermore, conditions 8 and 9 imposed by the Inspector required that prior to the occupation of the residential block the proposed refuse/recycling storage and cycle

parking be provided in accordance with the details submitted with the application. The application flatted block is now occupied and the refuse and cycle storage provision does not accord with the details assessed as acceptable by the Inspector and referred to in conditions 8 and 9.

This application seeks approval retrospectively for the hard and soft landscaping as has been provided on site as well as for the cycle parking and refuse/recycling storage.

With regards to condition 3, the planting provided within the site and to the site boundaries is less varied than that which was approved, with the soft landscaping limited to the laurel shrubs along the outside boundaries. Where the approved layout provided for the planting of beds in front of the application building, that area is instead hard landscaped with the block paved parking area covering the frontage with the exception of the somewhat shallow beds at the front on either side of the vehicular access and to either side.

With regards to condition 6, the hard surfaces within the site comprise a wholly block paved front parking area, along with a block paved pathway on either side of the host building. The front block paved area incorporates a two tone effect with inset pattern and a grey block to define the individual parking bays. The pathways to the side of the building are predominantly a single colour with grey blocks marking the outer edges of the paths. At the rear the patio/terrace areas are as approved in terms of their extent, finished in larger stone paving slabs. A patio area has also been provided towards the rear of the site. The submitted drawings and as built front boundary treatment includes brick piers to either side of the front boundary landscaping planting (with this provision covered by the description of development to refer to Condition 6 of the Inspector's decision notice which referred to details being required of boundary treatments).

Refuse storage is provided by way of an open area to the left hand (western) side of the main building. The area is openly accessible from the front of the site and no gates were provided at the time of the officer site visit. The area is uncovered and there is no enclosure - the various bins are arranged adjacent to the boundary fence with the adjacent care home. A site visit confirmed that a large Euro 1100 bin has been provided along with 5 wheelie bins in different colours to mark what recyclable refuse should be placed in each bin.

A cycle storage area has been provided at the north eastern corner of the rear amenity space. The storage structure has the appearance of a timber pergola with a flat roof but the storage is open-sided. 8 metal cycle stands have been provided. An exterior light appears to have been fixed to the inside of the structure. It is noted that no security gate has been provided to the eastern flank passageway between the building and the eastern boundary as a consequence of which there is free passage from the front to the rear of the site. With regards to the lighting to the facility, the applicant's agent has confirmed:

"The lighting to the cycle store are up and down lights with no side spillage. The lights also have a dusk till dawn timer."



The applicant's agent has stated that the applicant is awaiting the outcome of the planning application prior to the completion of the work which would include the installation of the side gates.

### Site and surroundings

The application site was formerly occupied by a detached, two storey single family dwelling house. The site is now occupied by a two/three storey residential flatted block providing 8 flats. It is located on the north side of Park Avenue, within a predominantly residential area. There is a nursing home immediately adjacent to the west (No. 47) and a single storey dwelling to the east (51A) with a two storey building converted into flats (51) attached. To the north of the site lie the rear gardens of properties in Quernmore Road and Quernmore Close.

Park Avenue is a wide, straight road with mature street trees and mostly single dwelling houses, some of which have attractive landscaped front garden areas although it is noted that the immediately adjacent property at No. 47 has a front parking/access area that is almost wholly block paved. Generally the residential dwellings and flats in the locality have front amenity areas that are marked by planting to the front and side around hardstanding parking areas.

### **Consultations**

- Brick pillars have been constructed in front of the site
- Overdevelopment of the site by a combination of the building and hard surfaces
- Out of character with and harmful to the area
- The brick pillars have a detrimental impact on the street scene
- Installation of meter boxes along the front of the building has replaced soft landscaping
- The soft landscaping planted has not been maintained and failure to maintain the soft landscaping adversely affects the street scene
- The refuse store required under the terms of the approval should be installed. The existing bin storage is unsightly and the bins are directly exposed to the sun for long periods during hot days
- The site plan submitted by the applicants shows only one wheelie bin for waste and recycling rather than the four waste and recycling bins required under the terms of the approval
- The rear of the building and the cycle racks are readily accessible to intruders.
- Conditions 6, 8 and 9 of the approval has been breached and cannot be remedied because the flats are already occupied.
- The side gates should be installed.
- The hard landscaping at the rear of the site would provide a location for bonfires and barbeques and is close to the boundary with neighbouring properties

## Technical Comments

From a technical highways perspective concern is expressed regarding the adequacy of the cycle storage as installed, with particular reference to the need for a covered and secure cycle storage facility such that can accommodate 13 cycles.

No comments have been received regarding the refuse storage facility. Any comments will be reported verbally at committee.

## **Planning Considerations**

The application falls to be considered in the context of the following planning policies and guidance:

### Unitary Development Plan

Policy H7 - Housing Density and Design  
Policy BE1 - Design of New Development  
BE7 - Railings, Boundary Walls and other Means of Enclosure  
Policy T3 - Parking  
Policy T7 - Cyclists

### Draft Local Plan (November 2016)

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Draft Policies of relevance to the assessment of the proposals include:

Policy 4 - Housing Design  
Policy 37 - General Design of Development  
Policy 30 - Parking  
Policy 122 - Light Pollution

### London Plan

3.5 Quality and Design of Housing Developments  
5.3 Sustainable Design and Construction  
5.13 Sustainable Drainage  
6.9 Cycling  
6.13 Parking  
7.4 Local Character  
7.6 Architecture

### National Planning Policy Framework

## **Planning History**

The planning history of the site includes proposals under application refs. 05/03784 and 06/00980 to demolish the house in order to extend the adjacent nursing home. These applications were refused by the Council and dismissed at appeal, regarding issues such as overdevelopment and intensification of use by the Nursing Home.

More recent history includes permission for a two storey side extension, ref.11/03069.

Planning permission was refused by the Council for a residential redevelopment under reference 13/04198 for the following reasons:

*1 The extent of proposed development would leave a deficiency in the provided amenity area resulting in an overdevelopment of the site by reason of the amount of site coverage by buildings and hard surfaces and would be out of character with the area contrary to Policies H7 and BE1 of the Unitary Development Plan.*

*2 The proposed development by reason of its excessive bulk, mass and site coverage, and insufficient car parking would constitute an overdevelopment of the site, harmful to the character of the area, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.*

Planning permission was refused under reference 14/02727 for the development which has now been implemented. An appeal against the Council's refusal of planning permission was allowed. The Inspector imposed a number of conditions on the permission.

Under reference 15/02783 permission was refused for a material amendment to the scheme which proposed the installation of enlarged balconies.

Under reference 16/02066 approval was granted for the variation of condition 16 to allow the installation of a side dormer projection to serve a lift shaft.

## **Conclusions**

The main issue in the determination of this application is whether the variation of the conditions as proposed would have/has a serious detrimental impact on the visual and residential amenities of the occupiers of neighbouring residential properties and the locality in general.

It is acknowledged that there is local concern at the retrospective nature of the application, which seeks approval of alterations to the approved scheme which have already been implemented. That the application is retrospective cannot weigh against the proposals and is not a material consideration in the assessment of the proposals. The amendments are readily visible at the site and photographs are available on file of the development as it stands.

It is noted that the development as constructed provides overall enlarged areas of hardstanding within the site and that the proportion of the site given over to the building and hard surfaces has changed as a consequence. On balance, however, while in terms of the frontage of the site it is noted that a less substantial scheme of soft landscaping has been implemented what soft landscaping is provided is broadly complimentary when the front of the site is viewed in the context of surrounding sites including the adjacent nursing home and the frontage of dwellings opposite and on the same side as the application site. The concerns expressed regarding the health and long-term retention of the frontage planting are noted although it is considered that the terms of the condition regarding the 5 year maintenance/replacement requirements is satisfactory in the context of the development site.

While it would have been preferable for the development to have provided the level of landscaping shown in past applications, including in the discharge of the conditions pursuant to 14/02727, it is not considered that the soft landscaping as provided would be unsatisfactory in the context of the site and surroundings, nor that grounds exist on this basis to refuse to vary the details. This assessment is in the context of the arrangement and layout of frontages in adjacent and opposite sites and it is considered that the layout and quantum of the soft site landscaping is not uncharacteristic of the locality.

With regards to the cycle storage provision at the site, it is noted that the storage facility as provided is open in appearance and would appear to accommodate less than the 13 bicycles considered appropriate from a technical highways perspective. However it is also noted that the documents submitted with the application granted on appeal (14/02727) included drawing PA-655-PD-030 which showed an open storage area and a number of storage racks commensurate with that which has been installed although the structure under consideration has a more residential gazebo-like appearance than the structure shown in the previous application. Condition 9 referred to the need for the bicycle storage facility to be provided in accordance with the approved drawing (referred to above), including covered storage facilities where appropriate. It is not considered that the installation currently in place is significantly different to that which was considered acceptable by the Inspector in allowing the appeal ref. 14/02727.

With regards to the lighting to the cycle store, it is noted that there is a light affixed to a vertical pillar, which faces into the site and is positioned at a slightly lower level than the flank boundary fencing. The drawing approved under reference 14/02727 showed the provision of small low level bollard lights but did not further detail the operation of the lighting (i.e. whether motion/light triggered). It is not considered that the operation of this light on a dusk to dawn timer would have a significantly adverse impact on residential amenity.

With regards to the refuse storage, it is noted that on site the provision does not tally with that which was shown on drawing PA-655-PD-030 and required by condition 8. It falls to consider whether the lack of a covered/enclosed storage shed would in itself have a significant impact on the quality and standard of refuse storage at the flatted site so as to warrant the refusal of planning permission. The refuse storage area lies adjacent to a blank side elevation associated with the

adjacent nursing home and the bins are stored set back from the main front elevation along the side accessway. On balance, it is considered that the storage as provided is satisfactory and that while the provision of a storage building as conditioned by the Planning Inspector would be preferable, the refusal of planning permission on this basis would not be reasonable. If the application is approved it would be appropriate to condition the provision of a side gate (along with the gate proposed to be provided on the other side of the building) so as to further screen the refuse storage area and to improve the security of development site.

It is noted that the application and previous applications relating to the site have elicited a number of local objections to the proposals. The concerns raised are acknowledged, but on balance it is not considered that there are strong and reasonable grounds to refuse to vary the conditions as submitted.

The applicant was asked to confirm that the side gates as shown on the approved drawing would be installed and has confirmed (via the agent) that this is correct. If members are minded to grant this application it would be appropriate in view of the completion of the development to impose a condition setting a time limit for this security measure to be implemented as in the absence of side gates the rear cycle parking area and refuse storage area are exposed and easily accessible from the front of the site.

Background papers referred to in the preparation of this report comprise all correspondence on files refs. 14/02727, 15/02783, 16/02066 and 17/01846 excluding exempt information.

#### **RECOMMENDATION: APPROVAL**

**subject to the following conditions:**

- 1 Within 3 months of the date of this decision side gates to the eastern and western boundaries of the site shall be installed in accordance with details to be submitted to and approved in writing by the Local Planning Authority (these details to provide the height and position of gates). The side boundary gates shall be permanently retained as such thereafter.**

**Reason: In the interest of the residential amenities and security of residents, to accord with Policies BE1 and H7 of the Unitary Development Plan.**

- 2 The soft landscaping works as provided shall be maintained hereafter, and any trees, shrubs or hedges which die, become seriously damaged or diseased within a period of 5 years shall be replaced during the next planting season with specimens of the same size and species unless otherwise agreed in writing by the Local Planning Authority.**

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

- 3 The refuse and recycling facilities provided on site shall be permanently retained for their designated use.**

**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.**

- 4 The bicycle/parking storage facilities hereby approved shall be permanently retained as such 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.**

- 5 The access drive and car parking space lighting scheme shall accord with the details approved on drawing PA-655-PD-SITE PLAN rev. B.**

- 6 The windows to the first and second floor flank western and eastern elevations of the building shall be permanently retained as obscure glazed as per the details submitted under reference 14/02727 and approved by decision notice dated 12th August 2015 unless agreed in writing by the Local Planning Authority.**

**Reason: In the interest of the residential amenities of the occupiers of neighbouring properties and to accord with Policy BE1 of the Unitary Development Plan.**

- 7 No windows or doors additional to those shown on the permitted drawings shall at any time be inserted in the flank walls of the development hereby permitted without the prior written consent of the Local Planning Authority.**

**Reason: In the interest of the residential amenities of the occupiers of neighbouring properties and to accord with Policy BE1 of the Unitary Development Plan.**

- 8 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. Security measures shall be implemented in accordance with the details submitted under reference 14/02727/CONDIT and approved by decision notice dated 12th August 2015, shown on PA-655-PD-02 COND dated March 2015.**

**Reason: In the interest of security and crime prevention and to accord with Policies H7 and BE1 of the Unitary Development Plan.**

- 9 No windows shall at any time be inserted in the dormer roof projection shown on the plans approved under reference 16/02066, without the prior approval in writing of the Local Planning Authority.**

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

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

**Reason: In the interest of the residential and visual amenities of the area and to accord with Policies BE1 and H7 of the Unitary Development Plan.**

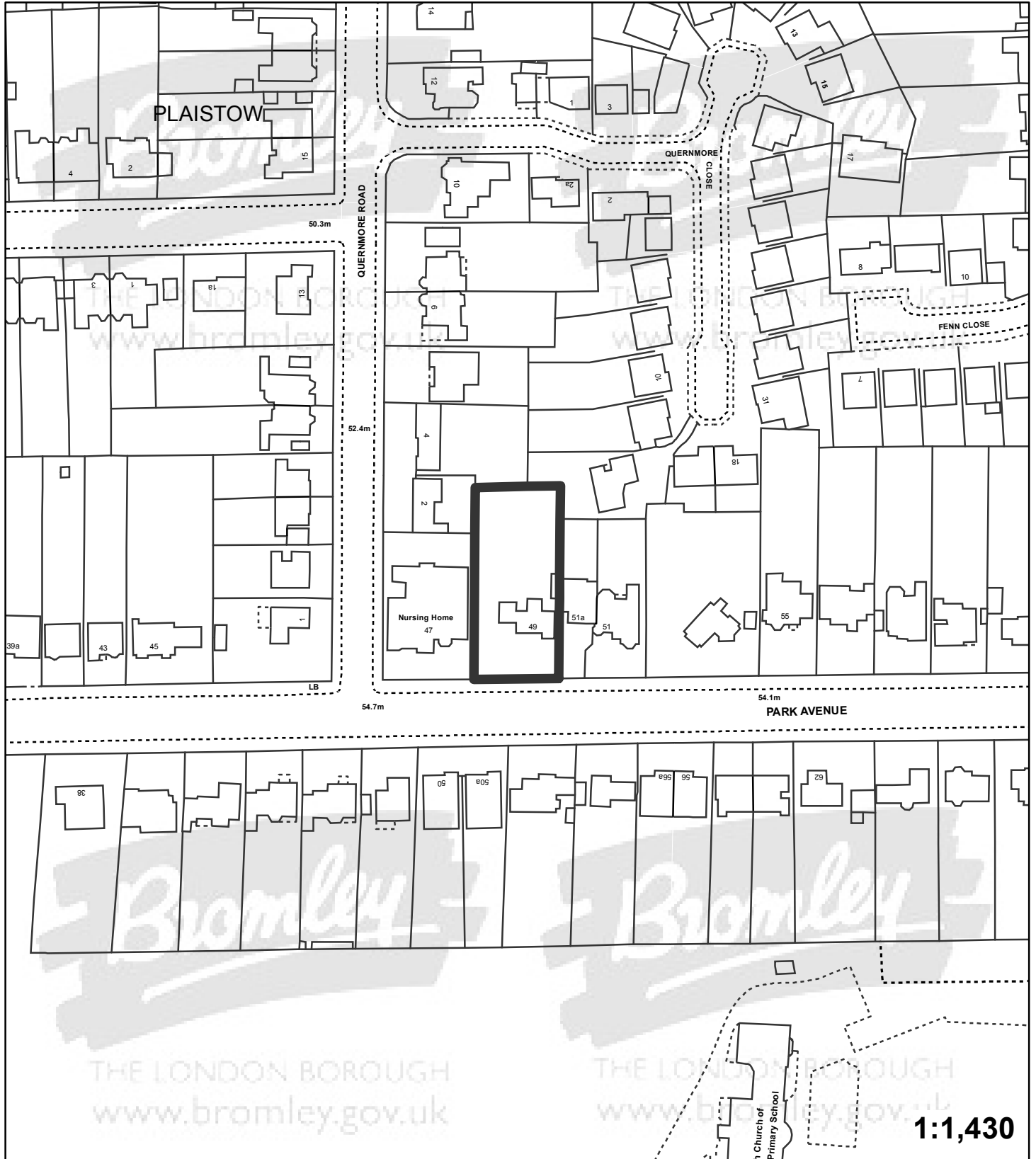
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**Application:**17/01846/RECON

**Address:** Imani Court 49 Park Avenue Bromley BR1 4EG

**Proposal:** Variation of conditions 3, 6, 8 and 9 (relating to soft landscaping, hard landscaping, waste and recycling facilities and cycle storage respectively) of permission 14/02727 allowed on appeal for the demolition of existing dwelling and erection of two/three storey building



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## **Section '3' – Applications recommended for PERMISSION, APPROVAL or CONSENT**

**Application No :** 17/03758/FULL1

**Ward:**  
**Bromley Town**

**Address :** Empire Cinemas, High Street,  
Bromley BR1 1PQ

**OS Grid Ref:** E: 540042 N: 169403

**Applicant :** Adam Barylak

**Objections :** YES

### **Description of Development:**

Extensions and re-modelling of the building to provide two new auditorium rooms and change of use of office at rear of site to form café in connection with existing cinema use.

#### **Key designations:**

Conservation Area: Bromley Town Centre  
Areas of Archeological Significance  
Biggin Hill Safeguarding Area  
Bromley Town Centre Area  
London City Airport Safeguarding  
Smoke Control SCA 3

### **Proposal**

The proposal is for the construction of a roof extension to the front section of the building to provide an additional auditorium room for the existing cinema. Towards the rear of the site, the existing Odeon Call Centre office building will be used as a café in connection with the main cinema use at the site. This will include a partial demolition and rebuild, including an additional storey for a further auditorium. A small single storey link will be erected to join the café to the main cinema building.

Elevation alterations are also proposed, including the renovation of parts of the building including the front façade. At the rear of the site, the existing wall and mural adjoining the footpath will be removed and replaced as part of the café and redevelopment of the rear part of the site.

The application is submitted accompanied by a Planning and Heritage Statement, an Energy Statement, an Acoustic Report, a Construction Management Plan and a Design and Access Statement.

### **Location**

The application site is on the western side of the High Street and forms a three storey cinema building fronting the High Street, with additional cinema building to the rear of the site adjacent to Harmony Way. The building is Locally Listed and falls within the Bromley Town Centre Conservation Area. The site is located within Bromley Town Centre location.

## **Comments from Local Residents**

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

- This is one of the most exciting planning applications for the town centre in recent years. It is great that such a high quality brand Cineworld are so keen to invest in the town. This is a once in a lifetime opportunity for the town.
- So much of the original design of the building has been researched. Lots of the features will be restored. The cinema will bring back some of the romance and decadence of the original venue. This is lost in many modern multiplex cinemas. If the new cinema looks anything like the original 1936 photos it will be unlike anything in the area and will become a much loved centrepiece to the Bromley Conservation Area.
- The cinema is already much loved by the local community and the plans will only make the community fall in love with it even more.
- There is a need for the 2 additional auditoria as film availability currently is very limited due to only 4 auditoria.
- The new bar and restaurant will again revive some of the past glamour, romance and decadence or going to the cinema. The restaurant will be very convenient for families during the popular daytime viewings but also a real boost for Bromley's night time economy.
- This is an extremely exciting application and a great opportunity for Bromley not to be missed.
- General support received as the proposal will restore a historic building and add a much-needed facility to the High Street.
- The proposal would offer an alternative cinema experience and enhance this end of the High Street.
- Noise and disturbance from cinema and café should not disturb occupants of the flats adjacent to the site and measures should be taken to ensure that this is the case.

## **Comments from Consultees**

Highways – all customers travelling on cars will be using existing car parking facilities with Bromley Town Centre others will use public transport so no objections are raised.

Conservation Officer – The Odeon cinema dates from the 1930s and is in the art deco style. The proposal to restore and upgrade it represents a strong public benefit to Bromley and will hopefully secure the original use for future years. The restoration of the front parapet features and the overall tidy up is much needed as the building currently looks rather bereft, and this is particularly welcomed. The roof void will become an extra screen and whilst this entails some roof height increase this would not be harmful and it would only be visible from some very oblique and longer range angles. The extension to the rear will necessitate partial demolition of the boundary wall so some of the zoo mural would go too. By their nature murals are not generally permanent in any event. Whilst not listed, any harm caused by its removal would certainly be outweighed by the benefits of the scheme.

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

Drainage – no comments made.

Environmental Health (Pollution) – there are some reservations raised regarding the performance of the boundary walls, particularly that adjoining St James’ Court, however no principle objections are raised.

Historic England – the development is unlikely to impact on heritage assets of archaeological interest.

Bromley Town Centre Team – no objections raised.

Arboricultural Officer - It would appear that some trees affected are located outside the boundaries of the conservation area and outside the confines of the application site. The trees are positioned adjacent to a public footpath and are therefore seen as a positive feature of this part of the Town Centre. Previous reduction works have taken place and are considered necessary in terms of future maintenance. As the reconstruction of the boundary wall is being proposed as part of this application, it is necessary to address the impact upon these trees. Should planning permission be granted, a condition is recommended to secure non-invasive construction techniques via an Arboricultural Method Statement.

Bromley Civic Society – no comments received.

Bromley North Traders’ Association – no comments received.

## **Planning Considerations**

The National Planning Policy Framework (2012)

London Plan Policies (2016):

2.15	Town Centres
4.2	Offices
4.6	Support for and Enhancement of Arts, Culture, Sports and Entertainment
4.7	Retail and Town Centre Development
5.1	Climate Change Mitigation
5.2	Minimising Carbon Dioxide Emissions
5.3	Sustainable Design and Construction
5.7	Renewable Energy
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
6.3	Assessing Effects of Development on Transport Capacity
6.9	Cycling
6.13	Parking
7.2	An Inclusive Environment
7.3	Designing Out Crime
7.4	Local Character
7.6	Architecture
7.8	Heritage Assets and Archaeology
8.3	Community Infrastructure Levy

The most relevant Unitary Development Plan policies are as follows:

BE1	Design of New Development
BE10	Locally Listed Buildings
BE11	Conservation Areas
EMP3	Office Development
EMP5	Development Outside Business Areas
T1	Transport Demand
T2	Assessment of Transport Effects
T3	Parking
T5	Access for People with Restricted Mobility
T6	Pedestrians
T7	Cyclists
T18	Road Safety
S6	Retail and Leisure Development
S9	Food and Drink Premises
S10	Non-Retail Uses in Shopping Areas

### Emerging Bromley Local Plan

The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

The most relevant Emerging Local Plan policies are as follows:

Draft Policy 30	–	Parking
Draft Policy 31	–	Relieving Congestion
Draft Policy 32	–	Road Safety
Draft Policy 33	–	Access For All
Draft Policy 37	–	General Design of Development
Draft Policy 39	–	Locally Listed Buildings
Draft Policy 41	–	Conservation Areas
Draft Policy 80	–	Strategic Economic Growth
Draft Policy 83	–	Non-Designated Employment Land
Draft Policy 90	–	Bromley Town Centre Opportunity Area
Draft Policy 91	–	Proposals for Main Town Centre Uses
Draft Policy 112	–	Planning for Sustainable Waste Management
Draft Policy 116	–	Sustainable Urban Drainage Systems
Draft Policy 119	–	Noise Pollution

### Supplementary Planning Guidance

Supplementary Planning Guidance 1 - General Design Principles

Supplementary Planning Guidance for the Bromley Town Centre Conservation Area

Bromley Town Centre Area Action Plan (AAP)

### **Planning History**

Planning permission was granted under ref. 00/02117 for alterations to front elevation.

Planning permission was granted under ref. 96/01924 for a side and rear extension to provide four additional auditoria.

## **Conclusions**

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

- The impact on the character of the Bromley Town Centre Conservation Area and the character of the Locally Listed Building
- The proposed café use and loss of office space (Class B1)
- Impact on adjoining properties
- Impact on parking and highway safety

## Principle of Development

The site lies within a Town Centre location and forms a long-established cinema use. The proposal seeks to improve, renovate and expand this existing use and it is considered that such a proposal should be generally encouraged by the Council as a suitable use within the High Street. The proposal would generate activity and business to the Town Centre that would increase footfall and enhance the vitality and commercial viability of this part of the northern end of Bromley.

## Impact on the Conservation Area and Locally Listed Building

Buildings deemed to be of local or historical interest are included on the Council's Local List as they contribute to the townscape or character of the Borough and the Council deems these buildings worthy of protection. The Council will encourage the preservation and conservation of buildings on the Local List. Policy BE10 of the Unitary Development Plan requires proposals to alter, extend or for the change of use of locally listed buildings to be sympathetic to the character, appearance and special local interest of the building; and to respect the setting of the Locally Listed Building.

Policy BE11 of the Unitary Development Plan requires new development to enhance and preserve the character and appearance of Conservation Areas. New development will be expected to respect or complement the layout, scale, form and materials of existing buildings and spaces; and respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area. This policy is consistent with Draft Policy 41 of the Draft Local Plan.

The proposal includes the raising of the front parapet by up to 1.8m, including a sloping roof to accommodate an additional auditorium above the front façade of the building. The bulk of this addition will not be clearly perceived from the High Street and publicly viewable areas of the Conservation Area, with the roof slope angled away from the High Street so that the bulkiest part of the roof will be at the rear. Similarly the raising of the office roof by approximately 1.5m to accommodate a new storey will not impact in terms of visual amenity due to its siting behind the building line addressing the High Street.

From a Conservation perspective the proposal is generally welcomed as it would retain the original use of the locally listed building and hopefully secure its future. The main physical change that would be readily visible is the restoration of the original

façade as the infill of the roof section would have minimal visual impact. From a Conservation perspective, the overall restoration of the building and safeguarding of the building's use into the future is considered to outweigh any harm resulting from the partial loss of the mural and wall to the rear of the site, which is not listed and is considered to carry only a temporary and limited heritage merit.

### Café Use and Potential Loss of Office Accommodation

Policy EMP3 of the Unitary Development Plan only permits the conversion of an office to other uses where it can be demonstrated that there is no local shortage of office floor space and there is evidence of long-term vacancy despite marketing of the premises; and where there is no likely loss of employment resulting from the proposal.

Policy EMP5 states that development of business sites outside of designated Business Areas will be permitted provided that:

- (i) the size, configuration, access arrangements or other characteristics make it unsuitable for uses Classes B1, B2 or B8 use, and
- (ii) full and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for those uses.

These criteria are reflected in Policy 83 of the Draft Local Plan.

In this case, the unit is vacant and has clearly been so for a number of years. It is also understood that the previous office use was ancillary to the cinema and did not form a separate planning unit. On this basis, it is not considered that the loss of the office use should be opposed and the above policy would not apply. In any case, the building is clearly not viable for future office use without substantial renovation and it is accepted that market testing would be very likely to prove unsuccessful.

The proposed café and bar will be used as part of the cinema, with access via the main building and small link extension. The applicant has confirmed that access to the café will not be available for pedestrians via the side access at the site, as use of this shared vehicle access may be considered undesirable.

The proposed café use, as an ancillary use to the main cinema, is not considered to result in a detrimental impact on the character of the area or the existing cinema use and therefore is considered suitable for the site. The proposed café will include a ventilation system with extract ductwork on the roof, and the appearance of this is considered acceptable. A planning condition can be imposed to prevent the severance of the café/bar to operate separately from the cinema.

### 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. This is supported by Policy 7.6 of the London Plan.

The proposed extensions to the building will be located behind an existing façade and flank parapets towards the front of the building and above the existing rear office structure. The additional bulk will not therefore be perceived from any neighbouring



residential or commercial properties. At the rear of the site, the new first floor auditorium will be constructed on top of the café and will not project beyond the rear wall of St James Court. The closest buildings to the north of the site include an empty office building owned by the cinema and another commercial unit fronting the High Street. A similar commercial unit is located to the south of the site and the site is bound by the car park to the rear. The intensification of the use of the site that would result from the proposal would generate a degree of additional noise and disturbance, however this is considered to be suitable and commensurate to a use in a Town Centre location.

It is therefore considered that the proposal would not impact harmfully on amenities and would comply with Policy BE1 of the Unitary Development Plan in this regard.

### Highways, Car Parking and Refuse Storage

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the UDP and London Plan should be used as a basis for assessment. The proposal includes no additional car parking at the site.

The site is located to the south of High Street, Bromley and is part of Bromley Town Centre's Controlled Parking Zone (CPZ). Also there are number of public car parks within walking distance of the proposal. The development is within a high PTAL rate of 6a on a scale of 0 – 6b, where 6b is the most accessible.

All customers travelling on cars will be using existing car parking facilities with Bromley Town Centre others will use public transport so no objections are raised.

### Summary

Having had regard to the above it was considered that the proposal would preserve the character and appearance of this part of the Bromley Town Centre Conservation Area and would not impact harmfully on the character of the Locally Listed Building. The provision of the additional auditoriums and café would not impact harmfully in terms of highway safety and would be considered suitable uses for a Town Centre location. 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): 17/03758/FULL1, 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 the materials to be used for the external surfaces of the building, including the materials for the rebuilding of the wall at the rear of the site, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.**

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

- 4. 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. The café/bar hereby permitted shall be used ancillary to the main cinema use and shall not be severed to form a separate commercial use from the cinema.**

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

- 6. Details of soundproofing to be used for the cinema auditoria hereby permitted shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The approved details shall permanently be maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In order to ensure the satisfactory soundproofing of the proposal and in the interests of the amenities of neighbouring residential properties.**

- 7. Details of the proposed ventilation system to be used for the café/bar, including technical specifications and noise reducing measures, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The approved details shall permanently be maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.**

**Reason: In order to ensure the satisfactory ventilation of the proposal and in the interests of the amenities of the area.**

8. **No demolition, site clearance or building works shall be undertaken, and no equipment, plant, machinery or materials for the purposes of development shall be taken onto the site until an arboricultural method statement detailing the measures to be taken to construct the development and protect trees is submitted to and approved in writing by the Local Planning Authority.**

**The statement shall include details of:**

**Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;**  
**Type and siting of scaffolding (if required);**  
**Details of the method and timing of demolition, site clearance and building works**  
**Depth, extent and means of excavation of foundations and details of method of construction of new foundations**  
**Location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of cement or concrete;**  
**Location of bonfire site (if required);**  
**Details of the location of underground services avoiding locating them within the protected zone**  
**Details of the method to be used for the removal of existing hard surfacing within the protected zone**  
**Details of the nature and installation of any new surfacing within the protected zone**  
**Methods proposed for the watering of the trees during the course of the project**

**The method statement shall be implemented according to the details contained therein until completion of building works, and all plant, machinery or materials for the purposes of development have been removed from the site.**

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

#### **Informatives**

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 are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The**

**London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010).**

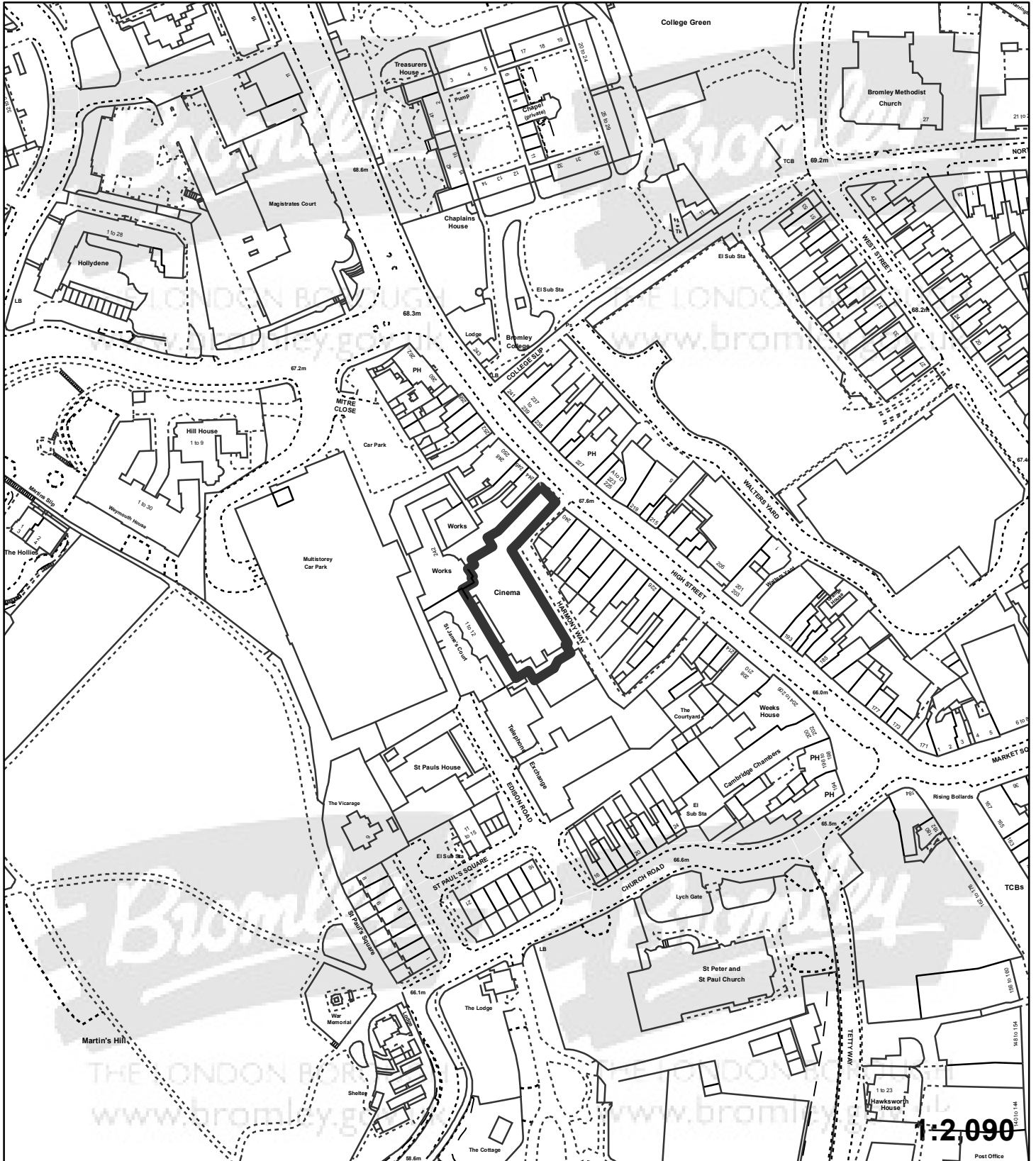
**If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.**

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

**Application:**17/03758/FULL1

**Address:** Empire Cinemas High Street Bromley BR1 1PQ

**Proposal:** Extensions and remodelling of the building to provide two new auditorium rooms and change of use of office at rear of site to form café in connection with existing cinema use.



"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 :** 17/02479/FULL1

**Ward:**  
Crystal Palace

**Address :** Land Rear Of 120A Anerley Road,  
Penge, London

**OS Grid Ref:** E: 534156 N: 170253

**Applicant :** Mr Raj Shah

**Objections :** YES

### **Description of Development:**

Erection of 2 no. part two/part three storey buildings with basement on land to the rear of No. 120a Anerley Road to provide 9 flats (8 x two bedroom and 1 x one bedroom) with associated amenity space, landscaping, refuse, recycling and cycle storage.

Key designations:

Smoke Control SCA 6  
Belvedere Road Conservation Area  
Adjacent to Conservation Area

### **Proposal**

It is proposed to erect two separate blocks of residential flats. Block 1 would be sited in close proximity to the eastern boundary of the site with the railway embankment. The eastern elevation of the block would be 3 storeys in height, with floor levels staggered to address the topography of the site with the front section of the building comprising an upper ground floor level, first floor and second floor and the rear section of the building being formed of a lower ground floor, first floor and second floor. The eastern elevation of the building would be parallel to the eastern boundary with the railway land, with a separation at lower ground and upper ground level to the boundary of approx. 1m. The height of the main building would be 7m towards the front of the site, with a maximum overall height of the building being approx. 10m towards the centre of the building, taking into account the gradient of the site. The rear elevation of Block 1, which is set at an angle to the dwellings fronting Maberley Road, would be approx. 7m high.

In terms of amenity space, a shallow terrace would be provided at lower ground and upper ground levels, running in front of the eastern elevation of flats 1 and 2. This terrace would face directly towards the eastern charcoal brick wall boundary treatment which is shown to incorporate transparent panels looking onto the railway. The terrace to flat 1, which is set to the rear of the building, would also include a triangular space wrapping around the south eastern corner of the building. The first floor flats would each incorporate an overhanging balcony which would project above the ground floor terrace and beyond the ground floor windows

below. At second floor level the northern flat (Flat 6) would incorporate a broadly triangular terrace enclosed by the side/front walls of the building below. The southern flat (Flat 5) would have a larger roof terrace sited above the two storey rearmost flat in the block (Flat 7).

A separate two storey residential flat is proposed to be provided immediately adjacent to the flank boundary of the site with the rear gardens of dwellings fronting Hamlet Road. Block 2 would have a flat roof and would be 3m high with a single storey appearance when viewed from the rear of Hamlet Road, and would be 4.2 - 5.8m high as measured from the internal courtyard between the buildings. A separation of approx. 3.5m would be provided at the closest point between Blocks 1 and 2. Block 2 would provide 2 two bedroom flats, with the lower ground floor level being single aspect, facing towards the communal courtyard which includes the pedestrian entrances to Block 1. In terms of amenity space for occupants, the lower ground floor flat would have a terrace between the south eastern elevation of the building and the communal terraced gardens which are proposed to be provided between the blocks. The ground/first floor flat would have a terrace situated at a raised level relative to the lower terrace associated with Flat 8.

There would be no vehicular access to the site. Pedestrian access to the site would be provided by way of a narrow (approx. 2.5m wide) access running between the flank elevation of No. 120A Anerley Road and the boundary with the adjacent railway embankment. The access would be level and would comprise an area of hardstanding leading to an entrance to flat 9 (Block 2) and stairs/a stair lift which would lead to the main entrances to Flat 8 (Block 2) and Flats 1 - 7 (Block 1).

In terms of materials, the application forms refer to the use on walls of a mixed palette comprising charcoal and buff brickwork, black stained timber and zinc cladding. The roofs would be grey in colour.

### Site and surroundings

The site comprises a triangular area of vacant land adjacent to the railway embankment. The site is bounded to the southeast by a railway line, to the northwest by the rear gardens of houses fronting Hamlet Road and to the southwest by the rear garden of No. 5 Hamlet Road beyond which lie Nos. 70 - 76 Maberley Road. It is noted that the buildings comprising Nos. 70 and 72 Maberley Road are set deep into their sites, while Nos. 74 and 76 have longer rear gardens and are positioned closer to the back edge of the pavement of Maberley Road.

The adjacent railway line is referred to in the submitted Acoustic Assessment as typically carrying 480 trains in each direction during the day time period and approx. 90 trains passing through during the night time period from 23.00 to 07.00 hours.

The site slopes down from Anerley Road and towards the railway line. The site is visible from the railway bridge adjacent to the site.

Access to the site is provided by a narrow gap between the railway bridge and the single storey commercial premises of 120A Anerley Road. There is no vehicular



crossover leading to the access and access to the site is pedestrian only, with that access blocked by hoardings.

The access point and a short portion of the site adjacent to 120A lie within the Belvedere Road Conservation Area, with the remainder of the site adjacent to the CA. The SPG for the Conservation Area states that the character of the area is derived from harmonious diversity. Unifying factors which have been identified include the mainly residential character of the area and the large scale of the original houses. The SPG states with regards to new development that proposals should conform with the character of the particular section of the conservation area surrounding the proposal site, including scale, height of construction, location within a plot, design and materials used.

A Tree Preservation Order No. 2613 covers the site, protecting all trees.

### **Consultations**

Neighbouring owners/occupiers were notified of the application, which was also advertised by way of a press advert and site notice. A number of representations were received in response to the notifications, in objection as well as in support (including a petition).

### **Local comments**

#### Objections

- Concern regarding discrepancies/inconsistencies in the labelling of the site address
- The Construction Method Statement states that the access is expected to be a maximum of 3m wide when in fact the distance in a straight line between the shop at 120A and the railway bridge parapet is only 2.5m
- The construction method statement refers to the intent to block off part of Anerley Road to facilitate access to the site during the development but there is no technical assessment of the impact of that blockage upon local congestion, air pollution and road safety
- The shop at No. 120A has a window to the side wall of the building and also has a right of access to the pathway and side of the building where the access is
- There appears to be some inconsistency in how many floors Block 2 will have i.e. whether the building would be 1 or 2 storeys above ground level
- The building would sit against the boundary fence between the garden of No. 3 Hamlet Road
- Concern as to whether the flat roofs would be used as terraces and also how any unauthorised use would be enforced against
- It is unclear how high the wall adjacent to the boundary with No. 3 would be, and whether the existing fence would be retained.
- Information should be provided regarding plans to keep disturbance during construction to a minimum

- The creation of flats on this site is not consistent with the leafy and well-spaced character and feel of the area
- It will have a detrimental impact on the character and feel of the local area
- The design of the development makes no effort to fit in with the local built environment despite its siting in relation to Belvedere Road Conservation Area
- The flat roofs and dark materials will be visually obtrusive, including the blank and windowless wall which is planned to border the Hamlet Road property
- The development has most of the characteristics of backland development and by carving out a plot which was historically used for gardens, surrounded by buildings, the proposal is likely to create negative impacts on the local area.
- The access is inadequate, with only a narrow pedestrian gate. With no road access of any kind it is likely to be poorly suited for the needs of future residents and the design will impede access by essential or emergency services
- The proposal is likely to create a dangerous drop-off zone near the railway bridge, encouraging cars to pull up and wait in a congested and unsuitable area
- There is a bus stop directly facing the development's pedestrian entrance which creates a pinch-point for traffic congestion if cars are waiting (dropping off/picking up near the development's entrance
- Residents will be tempted to cross unsafely where there is poor visibility
- Block 2 crosses a root protection zone, and this tree is on the property of No. 3 Hamlet Road. No plan is advanced to deal with this issue. The root protection zone overlaps where a proposed basement is to be dug and the development would therefore compromise the mature tree in question
- While the planning application states that the development is outside of the conservation area, part of the proposed development appears to lie within the conservation area
- The development will block sunlight from some or all of the gardens used by residents of the houses in Hamlet Road
- Would contravene the Human Rights Act Protocol 1, Article 1 which states that a person has the right to peaceful enjoyment of all their possessions, including homes and other land
- Loss of privacy to people using adjacent gardens and some windows appear to be overlooked. The terraces would also overlook existing gardens and properties
- Loss of earnings to neighbours who work from home
- The proposal would not complement the existing pattern and appearance of development in the locality
- The applicant has cherry-picked the few nearby 20th century buildings to give a misleading impression of mixed housing stock and railway-side development
- The proposed development is inward looking and misses an opportunity to add to the urban environment
- Impact on outlook from neighbouring flats

## Support

- The development would contribute to the regeneration of Anerley Road
- Would support local businesses
- There are a number of flats above every shop and these flats have not caused a parking problem to date
- Will provide additional housing and help local businesses
- There is a demand for housing locally

The applicant has submitted a statement in response to the comments which were received stating:

- The development would occupy lowered slab levels in order to minimise the perceived height and the height would be sensitive to the area's character
- The principle of a contemporary design is unobjectionable
- The proposed development would be built from yellow brick with dark metal cladding which would complement the use of slate locally.
- The site does not fall inside the conservation area but has been designed to respect the area's prevailing character and setting
- The application site is not a backland site as it takes access from and has a presence on Anerley Road
- The site is vacant, developable and lies in a sustainable and accessible part of the Borough
- The density of the development falls within the guideline standard
- Flatted accommodation is characteristic of the area and the provision of flats would optimise the use of the site
- Building 2 occupies a lowered ground level, standing only a single storey above natural ground level within the gardens on Hamlet Road and Building 1 would be separated from the closest rear facing window serving the flats in Hamlet Road by approx. 35m.
- There would not be adverse light impact
- The site is suitably located for car-free development
- Building 2 would stand at 2 storeys in height when viewed from the communal garden proposed, but would appear only single storey above natural ground level and this is shown on the submitted drawings
- The flat roofs would not be used as amenity space and no access is provided to these from within the development.

## **Technical comments**

### Environmental Health (housing)

There are no objections in principle from an environmental health (housing) perspective although it is noted that there is no mention of insulation/energy usage or potential onsite generation of heating and/or power from renewable sources or collection, storage and reuse of either rain or greywater or both for onsite irrigation and WC flushing purposes. The comments are provided on the presumption that the development meets or exceeds current building regulation standards for fire

separation, thermal efficiency and sound proofing between units and from external noise sources and in this case particularly the adjacent railway.

### Environmental Health (Pollution)

From an environmental health (pollution) perspective it is noted that the Acoustic Assessment submitted with the application acknowledges that the design is at an early stage and anticipates a condition being imposed regarding acoustic glazing. There are no objections in principle but a condition is recommended should permission be granted which would require a scheme of mitigation to comply with the submitted Acoustic Assessment in order to achieve suitable internal noise levels.

### Drainage

No technical objections are raised from a drainage perspective, subject to conditions.

### Trees and landscaping

It is considered that the scheme results in very little opportunity for landscaping. There appears to be scope at the site for an improved design layout. The independent dwelling located on the north western boundary appears to be squeezed into the plot to maximise occupancy and is sited within potential amenity space for the main block. It is recommended that the application be refused on the grounds of negative impact to third party trees protected under the conservation area. The poor design of the plot, insufficient amenity space and lack of opportunity for soft landscaping should be addressed. It is considered that the application conflicts with Policies NE7, BE14 and H7 of the Unitary Development Plan.

### Conservation

The proposal site is largely outside the Belvedere Road Conservation Area but is accessed through a small section of the conservation area beside the railway bridge. The built form would be adjacent to the conservation area but this end of Anerley Road is considered to be a peripheral part of the area, with less sensitivity than the upper areas around Belvedere Road and Fox Hill. BE13 is relevant in terms of views out of the conservation area which is essentially over the bridge along the side of the railway track and not of any particular interest in landscape or townscape terms. In terms of Policy BE11 there is only a modest change to create an access and this is not considered to be harmful to the conservation. While the proposal would be visible from the backs of the gardens along Hamlet Road these are private views and given the separation and gradient this is not considered unacceptable in the urbanised conservation area.

### Highways

From a highways perspective, it is noted that the site lies within an area with a high PTAL rate of 5. No car parking is proposed and this is considered to be unsatisfactory. There are a number of other committed developments within the

vicinity which would reduce the number of on-street car parking spaces in the area. The proposal, if permitted, would be likely to lead to an undesirable increase in the demand for on-street parking. The Transport Note states that the car ownership in Crystal Palace ward is 54% which would translate to a minimum of 4 car parking spaces when measured against the Draft Local Plan residential parking standards, which are considered to reflect the NPPF which encourages local planning authorities to develop their own standards.

The level of cycle parking provision proposed is considered acceptable, as is the refuse store.

### Transport for London

TfL was consulted on the application and has comments that the car-free nature of the development is welcomed, as is the offer to provide two years free car club membership to the prospective occupants. TfL request that this provision be secured through a Section 106 agreement. The cycle parking provision would comply with the London Plan standards.

### Network Rail

The developer must ensure that their proposal during and after completion of works on the site would not encroach onto Network Rail land nor affect safety, operation or integrity of the railway/infrastructure. Comments refer to requirements for new development adjacent to NR land assets, recommended planting species and vegetation management. It is stated that no storm water, surface water or effluent should be discharged onto railway land and that soakaways must not be constructed near/within 10-20m of the boundary or at any point that might affect stability of the NR property. Guidance is also provided regarding scaffolding, plant and materials, pilings and landscaping. With regards to noise and vibration, it is noted that the potential for noise and vibration impacts caused by the proximity between the proposed development and any existing railway must be assessed in the context of the National Planning Policy Framework which holds relevant national guidance information. The current level of usage may be subject to change at any time without notification including increased frequency of trains, night time train running and heavy freight trains. It is recommended that the developer contact Asset Protection Kent prior to the commencement of any works

### **Planning Considerations**

The application falls to be determined in accordance with the policies contained in the development plan and any other material planning considerations that are relevant.

The adopted development plan is the Bromley Unitary Development Plan (2006). The Council is preparing a Local Plan. The submission of the Draft Local Plan was made to Secretary of State on 11th August 2017. These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

## Unitary Development Plan

Policy H1	Housing Supply
Policy H7	Housing Density and Design
Policy H9	Side Space
Policy T3	Parking
Policy T7	Access
Policy T18	Road safety
Policy BE1	Design of New Development
Policy BE11	Conservation Areas
Policy BE13	Development Adjacent to a Conservation Area
Policy BE14	Trees in Conservation Areas
Policy NE7	Development and Trees

## Draft Local Plan

Policy 1	Housing Supply
Policy 3	Backland and Garden Development
Policy 4	Housing Design
Policy 8	Side Space
Policy 30	Parking
Policy 32	Road Safety
Policy 37	General Design of Development
Policy 41	Conservation Areas
Policy 42	Development Adjacent to Conservation Areas
Policy 43	Trees in Conservation Areas
Policy 73	Development and Trees
Policy 123	Sustainable Design and Construction
Policy 119	Noise Pollution
Policy 116	Sustainable Urban Drainage Systems (SUDS)

## Supplementary Planning Guidance

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

Supplementary Planning Guidance for the Belvedere Road Conservation Area

## The London Plan

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking

- 7.21 Trees and Woodlands
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.

Mayor of London Housing Supplementary Planning Guidance.

## **Planning History**

There is no recent planning history to report.

## **Conclusions**

The main issues in the determination of this application are considered to be the impact of the proposal on the residential and visual amenities of the area in general and the Conservation Area in particular, the highways impacts of the proposal and the extent to which the proposal would provide residential accommodation of a high standard of amenity. The impact of the proposal on the health and long-term retention of trees also falls to be considered.

### Principle of development

Housing is a priority use for all London Boroughs and Policies 3.3, 3.4 and 3.8 of the London Plan generally encourage the provision of residential development 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 at present is vacant. It appears that the site may once have formed garden land associated with the large residential buildings fronting Hamlet Road although the land has since been severed from these residential curtilages. It is not clear when this occurred. The planning history of the site does not indicate that the land was formerly developed and there is no record regarding a former use of the site other than as garden land at the rear of the houses fronting Hamlet Road.

In view of the siting of the land in relation to the frontage access (albeit small) onto Anerley Road the consideration of whether the site comprises a backland plot is finely balanced. While the land has an access point onto Anerley Road, it is extremely narrow and unsuitable for vehicular access. Its position in relation to the adjacent railway line and the relationship between the first third of the depth of the site and the rear yards of commercial properties fronting Anerley Road tends to suggest that the major part of the rear of the site would not once have had direct access onto Anerley Road and that the formation of a pedestrian only access (pedestrian only) may have been contrived by the rearrangement of boundaries at the rear of properties fronting Hamlet Road.

On balance, the residential development of the site is not considered unacceptable in principle. While the application site may historically have been associated with the large villas fronting Hamlet Road/the rear yards of the commercial premises fronting Anerley Road, its position relative to the railway line, the periphery of the surrounding residential area and in conjunction with a useable pedestrian access, the residential development of the site may be acceptable so long as it is sensitive to the surrounding residential area and conservation area, provides accommodation of a satisfactory standard of amenity for prospective residents and subject to there being no significant impacts on protected trees, on-street parking demand and conditions of highways safety.

#### Impact of development on residential amenity of neighbouring properties

It is acknowledged that the proposed residential blocks would occupy land which is at present open and undeveloped and as such there would be an inherent contrast between the existing and proposed appearance of the site. The topography of the site and surroundings mitigates the residential impact of the development to an extent as the two storey building which provides flats 8 and 9 would have a single storey appearance from the adjacent residential site. The building would have a height to the top of the flat roof of approx. 3m above the natural ground level of the rear garden of Hamlet Road, and while this building would be higher than a standard rear boundary fence, it would be separated from the buildings fronting Hamlet Road by an adequate distance and would not appear overdominant or excessively bulky when viewed from the adjacent garden. The rear wall of Block 2 would be constructed from buff stock brick and if permission is granted for the development it would be appropriate to seek the prior approval of the materials to



be used for the development in view of the sensitive location relative to neighbouring dwellings and in part within the Conservation Area.

While Block 1 would be appreciably higher than Block 2, and would incorporate windows facing towards the boundary with the rear gardens of dwellings fronting Hamlet Road, the separation between these windows and rear windows in the Hamlet Road buildings and the siting of Block 2 between Block 1 and the boundary would tend to limit the impact in terms of overlooking and loss of privacy, with the siting of the higher block towards the railway boundary mitigating the visual impact upon the Hamlet Road properties.

Approx. 18m space is retained between the rear elevation of the dwellings fronting Maberley Road and the site boundary. The development would be visible from the Maberley Road properties, but it is noted that these dwellings lie in an elevated position relative to the application site. The southern elevation of Block 1 incorporates a raised terrace which serves as amenity space for the second floor Flat 2. This terrace would be positioned approx. 16m from the boundary. On balance, taking into account the site's topography and the screening to the boundary it is not considered that the impact in terms of loss of privacy and overlooking associated with the terrace would be unacceptable.

#### Impact on the visual amenities and character of the area

The application site relates physically to the commercial frontage and urbanised street scene of Anerley Road while also relating to the open rear gardens of the residential buildings which surround the backland site.

While the surrounding area is fundamentally urban in character it benefits also from the large and generous rear gardens associated with grand Victorian villas and other buildings (generally converted to flats) which surround the application site on three sides. At present the railway embankment leads towards the application site and the combination of the two open areas contributes to provide a break in development which contributes to the character of the area. The openness of the site along with its relationship to neighbouring large rear gardens provides a visual break from the intensity of development in the locality, with this openness making a positive contribution to the visual amenities of the area.

It is considered that the amount of the site covered by buildings and hard surfaces would be uncharacteristic of the prevailing pattern of development in the locality with the combined impact of two blocks and their close proximity to each other and to the boundaries of the site resulting in an unacceptably cramped form of development in the context of the developed part of the site's position relative to the adjacent residential gardens. This is considered to result in an unsatisfactory relationship between the proposed development and the surroundings, the development proposal fails to recognise and complement the character of the land/pattern of development at the rear, drawing more reference from Anerley Road than from the residential sites to which the development would most closely physically relate.

That the development is set to the rear of the neighbouring shops would not adequately mitigate the visual impact and cramped appearance of the development in relation to the site and in terms of the relationship between the buildings. The larger Block 1 would dominate the aspect outlook from the squeezed in Block 2 and from surrounding sites. The appearance of the development is undermined by its scale and cramped position within the site.

While the backland position of the buildings and the gradient of the site would tend to limit the extent to which they would be immediately appreciable from the public realm of Anerley Road, the bulk of Block 1 and its proximity to the railway boundary would be apparent from the raised railway bridge and from adjacent sites. Similarly, the relationship of the buildings to the site boundaries would be appreciable from the dwellings fronting Maberley Road and Hamlet Road. Furthermore, the cramped nature of the development would be immediately noticeable from within the site, with the bulk and massing of Block 1 dominating the proposed communal gardens and the outlook from Block 2 (with limited physical separation between the buildings being provided).

The principle of a smaller scale development may be acceptable, with potential to overcome highways concerns and to sit more comfortably within the site, but as submitted the proposal would appear as a cramped overdevelopment. It is acknowledged that in terms of the density of development the proposal would sit well within the numerical density standards for the site's location but in terms of the visual impact and physical relationship between the built development and its surrounding the proposal would appear unduly cramped and overdominant in context with the specific site.

#### Residential amenity of prospective occupants

It is noted that each of the units would appear to meet the minimum space standards for residential development. In terms of the quality of the residential environment it is also noted that the visual dominance of Block 1 in relation to Block 2 would result in the windows to 8 on the ground floor having limited single aspect outlook towards the bulk of Block 1. Furthermore the quality of the amenity space and outlook from the ground floor flats at Block 1 (and in particular Flat 2 would be limited in view of the constrained depth of the terrace, the shadowing of the space by the first floor terraces and the proximity to the barrier between the development and the railway line.

It is acknowledged that the proposal makes provision for a communal terraced space between the buildings but the practical utility of the space is not considered to be high in view of the relationship between this space and the circulation/access to the building and the relationship between this space and the windows/terraces within the development. It is noted that the space would be terraced to address the gradient of the land.

The close proximity of the residential blocks to each other would tend to result in Block 1 dominating the outlook from Block 2, with the height and bulk of Block 1 being clearly visible in views from the largely single aspect Block 2.

It is noted that the flats in the block adjacent to the railway would be dual aspect but that their amenity terraces would be positioned in close proximity to and would face the railway land and line beyond. The submitted plans show the provision of large bi-fold doors to the combined living/kitchen/dining room of Flats 1, 2, 3 and 4 which lead onto the terrace and that the second floor flats would have open sided private terraces. It is acknowledged that the application has been accompanied by an Acoustic Assessment which states that mitigation measures could be adopted which would result in acceptable internal noise levels being achieved, referring to the provision of thermal double glazing and a combination of acoustically updated through frame trickle ventilators and standard hit and miss trickle vents. It is not clear how these measures would relate to the large doors leading to the terraces, which would realistically be openable and would also be likely to be open particularly in the summer months in order to maximise the utility and quality of the private amenity spaces. It is difficult to reconcile the detailed design the subject of this application, with the access to and siting of the terraces being intrinsically related to the fenestration on that side of the building, with the mitigation measures considered necessary and appropriate in order to ensure that the development is not unacceptably vulnerable to noise impacts associated with the operation of the adjacent railway line.

With regards to the impact of noise upon the terraces, the report refers to noise levels on terraces overlooking the road, stating that these would be expected to marginally exceed the BS8233 recommended levels. This is considered acceptable in the report on the basis that residents would rather have a noisier external amenity area than none at all, that most urban balconies/terraces are subject to noise levels above those recommended for balconies and terraces and, finally, that there is no evidence that high noise levels on balconies/terraces present a risk to health and wellbeing.

It is not considered that these three justifications would outweigh the concerns expressed above regarding the utility of the terraces in providing high quality amenity space, in addition to the conflict between providing good quality accessible amenity space and adequately limiting/mitigating noise from the adjacent noise and railway upon the internal rooms. It is noted that the calculations provided within the acoustic assessment are based on typical dimensions for façade elements, including glazing of approx. 1.5m<sup>2</sup> for bedrooms and 2m<sup>2</sup> for living rooms. The detailed elevations submitted with the application show the provision of significantly larger glazed openings in the elevation of the building facing towards the railway line which, along with the inherently openable nature of the windows and their relationship with the external amenity space appears to throw into question the extent to which the assessment provides reassurance that this specific development would be capable of adequate mitigation from railway noise in particular. Policy 7.15 of the London Plan specifically advocates the separation of new noise sensitive development from major noise sources through the use of distance, screening or internal layout, in preference to sole reliance on sound insulation. Where this is not possible without unduly impacting on sustainable development objectives, potential adverse effects should be mitigated and controlled through the application of good acoustic design principles. On the basis of the application submission it is not considered that the proposal would meet the requirements of Policy 7.15 in this respect.

Overall, taking into account the concerns regarding the amenity space provision, the single aspect of some of the flats and the relationship between the proposed residential blocks and the adjacent railway line, it is not considered that the proposal would provide residential accommodation of a satisfactory standard of amenity for prospective occupants.

#### Impact on the character and appearance of the Conservation Area

In terms of the impact of the proposal on the character and appearance of the conservation area it is considered that the location of the site in relation to the periphery of the conservation area and the position of the buildings adjacent to the CA would not result in the proposal failing to preserve the character and appearance of the conservation area.

#### Highways impacts of the development

While it is noted that Transport for London does not raise objections to the proposals, technical Highways objections are raised in relation to the lack of vehicular access to the development and the potential impact of the development on on-street parking demand in the locality. The servicing of the building's residential use falls to be carefully considered, taking into account the day-to-day requirements of residents relating to deliveries, removals, visitors and so on. The application is supported by a Transport Statement which concludes that the site is accessible to public transport and that residents would be closely located to everyday goods and services. The Statement also offers access to the Zipcar car club scheme, referring to the there being two Zipcar vehicles available approx. 800m to the north west of the site and a further space approx. 850m to the south west of the site.

While it is appreciated that the provision of Zipcar membership to prospective residents attempts to overcome the concerns relating to the potential impact of the entirely car free (with no vehicular access whatsoever) development, it is not considered that this would address the concerns relating to on-street parking demand and the parking associated with the development being pushed outside of the site onto the public highway. The Zipcar locations referred to in the Transport Statement are located some distance from the application site and it is noted that in terms of servicing of the residential development (food and other deliveries, removals etc.) there would be no alternative other than parking on the adjacent busy highway. With regards to the difficult and impractical nature of servicing the site which would have no vehicular access, the Transport Statement refers to servicing taking place on the street with short stay on-street parking to facilitate the servicing of the site. What parking there is on Anerley Road is limited to Mon- Sat short stay loading with stays in excess of 30mins being prohibited. The statement refers to the willingness of the applicant to cover the costs of converting one of the existing on-street parking spaces to a dedicated loading bay with a potential additional parking space to the north to ensure no associated loss in on-street parking.

If planning permission was granted for the proposals these provisions would fall to be secured by way of a legal agreement rather than by planning condition. On balance, however, it is not considered that the detailed provisions would adequately address the concerns raised regarding the realistic and practical long-term operation of the residential site and the impact that the development would have upon on-street parking demand in the locality.

#### Impact on the health and long term retention of protected trees

The comments of the Trees Officer have been sought in respect of the proposals. It is noted that the submitted Tree Survey refers to the potential removal of T6 which is a 10m high sycamore, the trunk of which appears to be sited in the adjacent residential garden. The potential removal of a lime tree (T1) which is also sited outside of the application site is also referred to.

Block 2 of the proposed development would be sited immediately adjacent to the boundary the other side of which lies T6 and it is noted that concern has been expressed by neighbouring residents regarding the potential impact of the development on the health and long term retention of the tree, suggesting that the potential agreement to its removal referred to in the Tree Survey could prove to be problematic, while the erection of the building in close proximity to the tree and within its root protection area could have implications for its health and long term retention.

The siting and site coverage of block 2 is considered to undermine the extent to which meaningful soft landscaping could be provided to improve the visual amenity of the site and surroundings and to soften the appearance of the development, as well as potential impacting upon the third party trees adjacent to the site. Overall, the proportion of the site covered by buildings and hard surfaces is considered to be unacceptable, lending a cramped appearance and with the terraced amenity space appearing contrived rather than serving a functional utility as a usable space for the amenity of prospective occupants.

#### Other matters

It is noted that concern has been expressed regarding the Human Rights Act implications of the development.

Loss of earnings is not a material planning consideration, and is closely allied with the principle that impacts associated with the period of construction (noise/disturbance etc.) do not comprise material planning considerations since all building work is likely to have some impact for a temporary period.

Concern has been expressed regarding the continued right of access to the rear of the adjacent shop premises. The Council does not hold records of land ownership and it is not considered that this would constitute a material planning consideration in the assessment of the scheme.

## Summary

While the residential development of the site may in principle be acceptable, in view of the constrained access to the land along with its siting in relation to surrounding development and upon former garden land, it is considered that the current proposal represents a cramped development which would appear "squeezed in" and which would have a detrimental impact on the visual amenities of the area. As a consequence of the siting of the buildings in relation to each other and the boundaries of the site and the size and number of units proposed within the application site it is considered that the proposal would fail to provide accommodation of a high quality of residential amenity, including outlook and amenity space. The proposal fails to adequately address highways concerns regarding the potential parking demand associated with a development of this size and nature, alongside concerns regarding the practicality of the site from the perspective of vehicular servicing of the residential units.

Background papers referred to in the preparation of this report comprise all correspondence on file ref: 17/02479 excluding exempt information.

### **RECOMMENDATION: APPLICATION BE REFUSED**

The reasons for refusal are:

- 1 The proposal by reason of its size and siting would constitute a cramped development out of character with the pattern of development in the locality, detrimental to the visual amenities of the area, providing accommodation with an inadequate quality of residential amenity, detrimental to the health and long term retention of third party trees protected by reason of their siting within the conservation area, and lacking opportunities for soft landscaping thereby contrary to Policies H7, NE7, BE14 and BE1 of the Unitary Development Plan, Policies 3, 4 and 37 of the Draft Local Plan and Policies 7.4 and 3.5 of the London Plan.**
- 2 No off-street car parking facilities or vehicular access can be provided within the curtilage of the site in the absence of which the proposal which provides 9 residential flats would generate an unacceptable increase in the demand for on-street car parking which would be prejudicial to the free flow of traffic, conditions of safety and on-street parking demand along the adjacent highway, thereby contrary to Policies T3 and H7 of the Unitary Development Plan, Policies 30 and 4 of the draft Local Plan and Policy 6.13 of the London Plan.**
- 3 Inadequate information has been provided to demonstrate that specific design of Block 1 would meet the requirements of Policy 7.15 of the London Plan with regards to the management of noise, in the absence of which the proposal would fail to provide accommodation of a satisfactory standard of residential amenity, thereby contrary to Policy H7 and BE1 of the Unitary Development**

**Plan, Policies 119 and 4 of the Draft Local Plan and Policies 3.5 and 7.15 of the London Plan.**

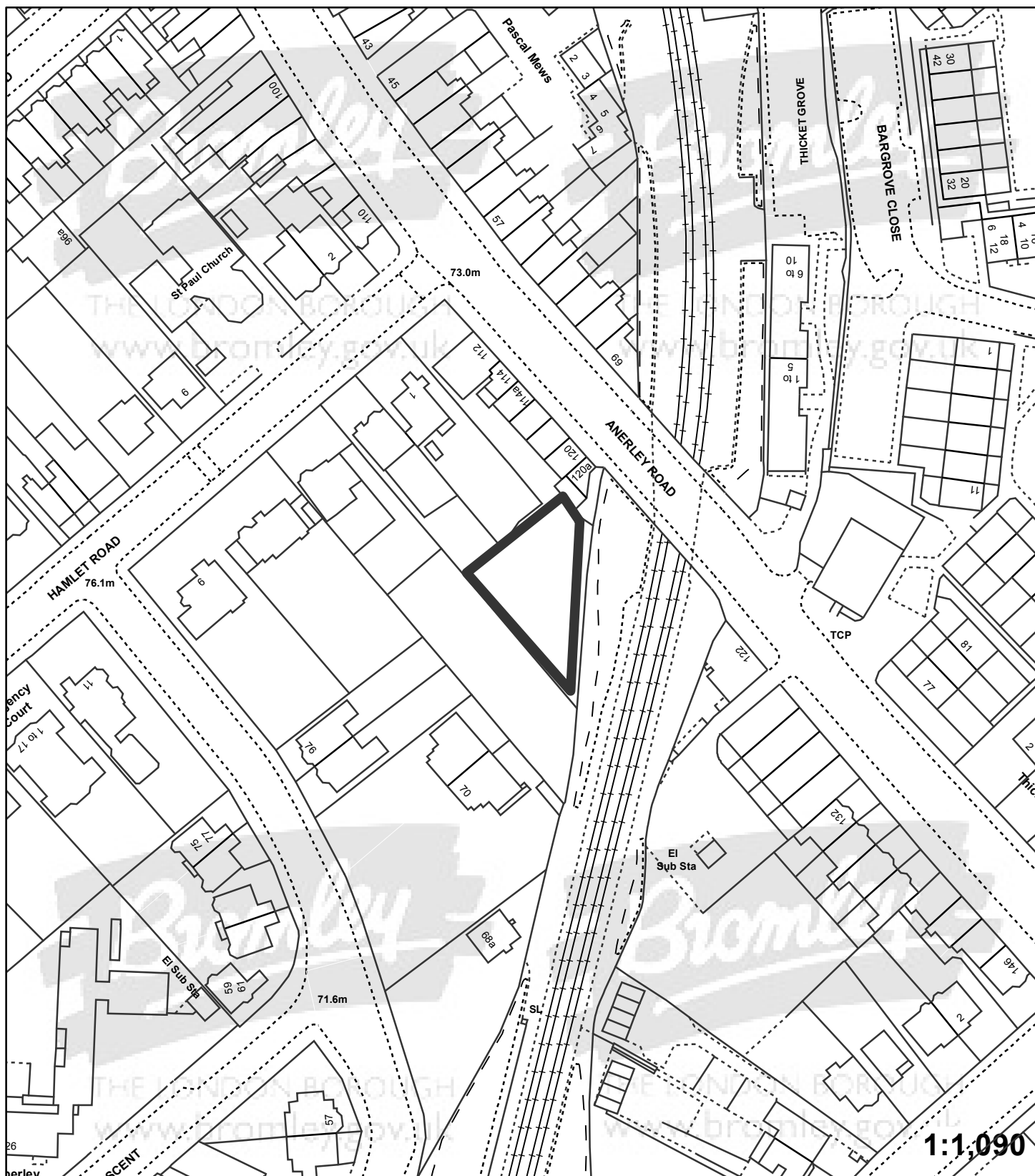
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**Application:**17/02479/FULL1

**Address:** Land Rear Of 120A Anerley Road Penge London

**Proposal:** Erection of 2 no. part two/part three storey buildings with basement on land to the rear of No. 120a Anerley Road to provide 9 flats (8 x two bedroom and 1 x one bedroom) with associated amenity space, landscaping, refuse, recycling and cycle 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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