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DATE: 24 November 2015

To: Members of the  
**PLANS SUB-COMMITTEE NO. 3**

Councillor Katy Boughey (Chairman)  
Councillor Douglas Auld (Vice-Chairman)  
Councillors Kevin Brooks, Alan Collins, Nicky Dykes, William Huntington-Thresher,  
Charles Joel, Alexa Michael and Stephen Wells

A meeting of the Plans Sub-Committee No. 3 will be held at Bromley Civic Centre on  
**THURSDAY 3 DECEMBER 2015 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 8 OCTOBER 2015**  
(Pages 1 - 8)
- 4 **PLANNING APPLICATIONS**

### SECTION 1 (Applications submitted by the London Borough of Bromley)

Report No.	Ward	Page No.	Application Number and Address
4.1	Farnborough and Crofton	9 - 24	(15/03456/FULL1) - Farnborough Primary School, Farnborough Hill, Orpington BR6 7EQ

### SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.2	Shortlands	25 - 32	(14/1464/FULL6) - 2 Rosemere Place, Shortlands, Bromley BR2 0AS
4.3	Chelsfield and Pratts Bottom	33 - 44	(15/01516/FULL1) - Fairtrough Farm, Fairtrough Road, Orpington, BR6 7NY
4.4	Chelsfield and Pratts Bottom		(15/01932/PLUD) - Knockholt Farm, New Years Lane, Knockholt, Sevenoaks TN14 7PQ <b>(REPORT TO FOLLOW)</b>

4.5	Plaistow and Sundridge	45 - 52	(15/03561/FULL1) - Sundridge Park Management Centre Ltd Plaistow Lane Bromley BR1 3TP
4.6	Plaistow and Sundridge	53 - 56	(15/03688/LBC) - Sundridge Park Management Centre Ltd Plaistow Lane Bromley BR1 3TP
4.7	Shortlands	57 - 68	(15/03804/FULL6) - 90 Malmains Way, Beckenham, BR3 6SF.

4.8	Plaistow and Sundridge	69 - 72	(15/03927/LBC) - Sundridge Park Management Centre Ltd Plaistow Lane Bromley BR1 3TP
4.9	Plaistow and Sundridge	73 - 82	(15/03928/FULL1) - Sundridge Park Management Centre Ltd Plaistow Lane Bromley BR1 3TP

**SECTION 3** (Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.10	Chislehurst	83 - 88	(15/03963/FULL6) - 25 Berens Way, Chislehurst, BR7 6RH
4.11	Hayes and Coney Hall	89 - 96	(15/04012/FULL6) - 22 Dartmouth Road, Hayes, BR2 7ME
4.12	Hayes and Coney Hall	97 - 104	(15/04013/FULL6) - 20 Dartmouth Road, Hayes, BR2 7NE

**SECTION 4** (Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
4.13	Chelsfield and Pratts Bottom	105 - 110	(15/03601/RECON) - Scout Hall, Highfield Avenue, Orpington.
4.14	Penge and Cator	111 - 122	(15/03813/FULL1) - 11 Provincial Terrace, Green Lane, Penge, London, SE20 7JQ.
4.15	Penge and Cator	123 - 134	(15/03823/FULL1) - 11 Provincial Terrace, Green Lane, Penge, London, SE20 7JQ

**5 CONTRAVENTIONS AND OTHER ISSUES**

Report No.	Ward	Page No.	Application Number and Address
	<b>NO REPORTS</b>		

**6 TREE PRESERVATION ORDERS**

Report No.	Ward	Page No.	Application Number and Address
	<b>NO REPORTS</b>		

## PLANS SUB-COMMITTEE NO. 3

Minutes of the meeting held at 7.00 pm on 8 October 2015

### Present:

Councillor Katy Boughey (Chairman)

Councillors Kevin Brooks, Alan Collins, Nicky Dykes, William Huntington-Thresher, Charles Joel, Alexa Michael and Richard Scoates

### Also Present:

Councillors Peter Dean and Tom Philpott

## 13 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Stephen Wells and Councillor Richard Scoates attended as his substitute. Councillor William Huntington-Thresher apologised for lateness.

## 14 DECLARATIONS OF INTEREST

Councillors Katy Boughey, Nicola Dykes and Alexa Michael declared a Personal Interest in Item 4.5 as they were members of the Bromley and Chislehurst Conservative Association which was the neighbouring property.

Councillor Charles Joel declared a Personal Interest in Item 4.13; he left the room for the duration of the item.

## 15 CONFIRMATION OF MINUTES OF MEETING HELD ON 13 AUGUST 2015

**RESOLVED** that the Minutes of the meeting held on 13 August 2015 be confirmed.

## 16 PLANNING APPLICATIONS

### SECTION 2

(Applications meriting special consideration)

16.1  
KELSEY AND EDEN PARK

(15/00060/FULL1) - Langley Park Sports and Social Club Hawksbrook Lane, Beckenham, BR3 3SR

Description of application – Construction of two storey and single storey linked building for use as an indoor sports training centre (Use Class D2).

Oral representations from Ward Member, Councillor Peter Dean, and on behalf of his fellow Ward Members, in support of the application were received at the meeting. It was reported that TfL and Sport England had no objection to the application. Councillors Boughey and Dean commended the quality of the planning report.

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

**16.2  
WEST WICKHAM**

**(15/00489/FULL3) - La Rioja, Wickham Road, West Wickham, BR4 0LZ**

Description of application – Change of use from A3 restaurant to A3/A5 restaurant with takeaway, alterations and extension to existing building and provision of new drive-thru lane, new car park, managed private woodland managed for nature conservation purposes and associated tree planting and landscaping.

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

It was reported that further objections to the application had been received.

A statement in support of the application from Councillors Nicholas Bennett JP and Hannah Gray was read. It was also reported that Highways Division had no objection to the application.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, for the Council's Highways Department to carry out a survey on traffic impact.

**16.3  
CHISLEHURST  
CONSERVATION AREA**

**(15/00998/FULL6) - 13 The Glebe, Chislehurst, BR7 5PX**

Description of application – Part one/two storey side/rear extension, glass balustrade to rear balcony, conversion of garage to habitable accommodation and elevational alterations.

Oral representations in support of the application were received at the meeting. It was reported that further objections to the application had been received. Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions and informative set out in the report of the Chief Planner with an amendment to Condition 5 and two further conditions to read:-

“5. Before the development hereby permitted is first occupied the proposed window(s) in the first floor flank elevation shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.

REASON: In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan.

7. The flat roof area over the rear ground floor element of the part one/two storey side/rear extension shall not be used as a balcony or sitting out area and there shall be no access to the roof area.

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

8: The existing privacy screen between the first floor rear balconies at Nos.12 and 13 The Glebe shall be permanently retained.

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

**16.4  
PENGE AND CATOR**

**(15/02635/FULL1) - Kent House Tavern, Thesiger Road, Penge, London, SE20 7NQ**

Description of application - Alterations internally and externally to create 6 No. one bed flats on the first and second floor.

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.

**16.5  
CHISLEHURST**

**(15/02784/FULL1) - 1-3 White Horse Hill,  
Chislehurst, BR7 6DG**

Description of application – Erection of pair of two storey 3-bedroom semi-detached houses and one detached 3-bedroom house.

Oral representations in support of the application were received at the meeting. It was reported that further objections to the application had been received and comments from Environmental Health were reported. Members having considered the report, objections and representations indicated they were **MINDED TO PERMIT** the application and **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, to ensure that the application met Environmental Health requirements, to include the increase in floor area and, if appropriate, the application be considered under the Chief Planner's delegated authority.

**16.6  
CHISLEHURST  
CONSERVATION AREA**

**(15/02867/OUT) - Norlands Gate, Norlands  
Crescent, Chislehurst, BR7 5QY**

Description of application – Proposed replacement dwelling to that permitted within application 92/00944 - outline permission for appearance, landscaping and layout.

Comments from a local resident in objection to the application were reported together with comments from Highways Division.

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

“13. 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.

14. 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 1995 (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.

15. Whilst the development hereby permitted is being carried out, provision shall be made to accommodate operatives and construction vehicles off-loading, parking and turning within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and such provision shall remain available for such uses to the satisfaction of the Local Planning Authority throughout the course of development.

REASON: In the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan.

INFORMATIVE: The developer should liaise with the owners of the road to agree monitoring of the condition of the road and any possible remedial work.”

**16.7  
PENGE AND CATOR**

**(15/03184/FULL1) - 30 St.John's Road, Penge, SE20 7ED**

Description of application - Conversion of existing dwelling to provide 1 no. 2 bed flat and 1 no. 3 bed flat, together with the construction of a ground floor extension and the provision of associated cycle and refuse storage.

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

**16.8  
PENGE AND CATOR**

**(15/03213/ADV) - 97 Croydon Road, Penge, SE20 7SX**

Description of application – 5 x non-illuminated fascia signs.

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

**16.9  
WEST WICKHAM**

**(15/03281/FULL6) - 19 Stambourne Way, West Wickham, BR4 9NE**

Description of application – Part two storey, part single storey rear extension. Alterations and extension to front porch with front roof lights.

Oral representations in objection to and in support of the application were received at the meeting. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the following reason:-

1. The proposed two storey rear extension, by reason of its height, bulk and depth, would be seriously detrimental to the amenities of the adjoining occupiers by reason of loss of light, privacy and outlook, thereby contrary to Policy BE1 of the Unitary Development Plan.

**SECTION 3**

(Applications recommended for permission, approval or consent)

**16.10  
CLOCK HOUSE**

**(15/02785/FULL6) - 6 Yew Tree Road, Beckenham BR3 4HT**

Description of application – Single storey rear extension.

Oral representations in objection to the application were received at the meeting. 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 an amendment to Condition 4 to read:-

“4. Notwithstanding the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking, re-enacting or modifying that Order), the use of the flat roofed extension hereby permitted shall be as set out within the application and shall not be used as a balcony, roof garden or similar outdoor amenity area, and the balustrading to the rear first floor window shall be permanently fixed shut.

REASON: In order to prevent any unacceptable loss of privacy to adjoining properties and the area generally and to comply with Saved Policy BE1 Design of New Development in the adopted Unitary Development Plan (2006).”

(The Chairman used her casting vote.)

16.11  
FARNBOROUGH AND  
CROFTON

**(15/02996/FULL6) - 125 Tubbenden Lane,  
Orpington, BR6 9PP**

Description of application – First floor side extension, single storey front porch and elevational alterations to incorporate conversion of garage to habitable accommodation.

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

16.12  
SHORTLANDS

**(15/03193/FULL6) - 79 South Hill Road Shortlands  
Bromley BR2 0RW**

Description of application – Two storey side extension and First floor rear extension.

Oral representations in objection to and in support of the application were received at the meeting. Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, to check whether a 1 metre side space would be provided for the full height and depth of the side wall of the extension and, if appropriate, the application should be considered under the Chief Planner's delegated authority.

16.13  
FARNBOROUGH AND  
CROFTON

**(15/03283/FULL6) - 62 Place Farm Avenue,  
Orpington, BR6 8DQ**

Description of application – Single storey front entrance porch extension and conversion of garage to store and garden room.

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

16.14  
KELSEY AND EDEN PARK

**(15/03529/FULL6) - 15 Balmoral Avenue,  
Beckenham, BR3 3RD**

Description of application – Two storey side extension and roof alterations incorporating hip to gable extension, rear dormer and front rooflights.

Members having considered the report, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with an Informative to read:-  
INFORMATIVE: You are advised to contact the following address regarding alignment of, connection to or diversion of a public sewer, or adoption of a

*Plans Sub-Committee No. 3*  
*8 October 2015*

sewer -  
Thames Water  
1 Kew Bridge  
Brentford, Middlesex  
TW8 0EF  
0845 850 2777  
Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk)

The Meeting ended at 9.03 pm

Chairman

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

**Application No :** 15/03456/FULL1

**Ward:**  
**Farnborough And Crofton**

**Address :** Farnborough Primary School  
Farnborough Hill Orpington BR6 7EQ

**OS Grid Ref:** E: 544497 N: 164204

**Applicant :** Mr Michael Miles

**Objections :** YES

### **Description of Development:**

Demolition of existing classroom extension, erection of two storey classroom extension, refurbishment of existing school buildings, provision of two temporary classroom buildings, bike store, refuse store and two sheds, with additional car parking and associated landscaping to enable expansion of school from 1 form of entry to 2 forms of entry

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
London Loop  
Smoke Control SCA 14

### **Proposal**

It is proposed to expand this primary school from its current single form of entry to two forms of entry, which would effectively double the size of the school over the course of 7 years. This would require the removal of an existing single storey classroom extension situated to the south of the main school building, and its replacement with a two storey extension which would contain 12 classrooms to accommodate Years 1-6.

Two temporary classroom blocks are also proposed for use during the construction process, one within the northern part of the playground adjacent to Nos.5-8 Farnborough Court (Block B), and the other on a slightly raised area adjacent to the western boundary which is currently used for climbing apparatus (Block C). This area would be lowered to the level of the existing playground (apart from a 4m wide bank retained to the western boundary), and would also contain two sheds. The additional tarmac areas required for the temporary buildings would be used as additional play space once the temporary classrooms are removed.

The existing bin store adjacent to the disused kiln would be removed and replaced with a small store, and a new bin store would be provided closer to the access

road, whilst the existing bike store would be relocated to a grassed area adjacent to the main hall.

Staff car parking is currently provided along the access road, and the removal of planters would allow for the provision of an additional parking space. Four further car parking spaces are proposed to be located on an area adjacent to Nos.6-13 Westfield, and a tree would be removed to accommodate this. A total of 5 additional car parking spaces would therefore be provided as part of the proposals.

A new canopy is also proposed to the rear of one of the new reception classrooms which would match the existing canopy at the adjacent reception classroom.

There are currently 219 pupils on the school roll, and there are 14 full-time and 25 part-time members of staff including teachers, classroom assistants, catering and administrative staff and a caretaker. The proposed expansion of the school would increase the capacity of the school to 420 pupils with an additional 7 full-time teachers and 14 part-time support staff.

The application is accompanied by a Transport Statement, a Tree Survey, an Ecological Appraisal, a Noise Report, an Historic Environment Assessment, an Energy Statement, a Foul Drainage and Surface Water Report, and an Air Quality Assessment.

## **Location**

Farnborough Primary School is located on the southern side of Farnborough Hill, and was originally built in the early 1990s on the site of an orchard. It is bounded to the north, east and west by residential properties, whilst its southern boundary adjoins Church Road. The site lies within the Green Belt, and adjoins Farnborough Village Conservation Area to the west, with a small part of the playing fields lying within the Conservation Area.

## **Consultations**

A large number of letters of objection have been received from nearby residents which raise the following main concerns:

- \* increased traffic and congestion in the surrounding area
- \* other nearby housing developments have already increased traffic in the area
- \* inadequate parking provided on site
- \* surrounding area is already heavily parked, and additional parking would add to the pressure
- \* hazardous to pedestrian and vehicular safety
- \* additional parking could restrict access for emergency vehicles, buses and tankers that empty the cesspits of some nearby residential properties
- \* alternatives to building on Green Belt land should be considered as insufficient justification is provided
- \* increase in traffic would change the character of the village, and would have a detrimental impact on the conservation area

- \* inaccuracies in the Transport Statement
- \* proposals would change the "village" feel of the school
- \* local bus service may be re-routed to the A21 at school times, to the detriment of residents
- \* local shops would suffer if people cannot park in the close vicinity
- \* increased air pollution from traffic and during construction works
- \* loss of trees
- \* overlooking and overshadowing of neighbouring properties
- \* two storey extension would be detrimental to the visual amenities of the area
- \* loss of part of play areas
- \* greater noise from increased number of pupils
- \* new tree planting adjacent to Arcadian would block out light
- \* construction works would be disruptive to children's education
- \* traffic has already increased with the bulge class that started in September
- \* a new school should be built elsewhere
- \* village does not have the infrastructure to cope with a larger school.

One letter has been received in support of the proposals.

### Comments from Consultees

The Council's Highway Engineer has made the following assessment of the proposals:

Farnborough Primary School is located in Farnborough Hill with a single vehicular/pedestrian access located almost opposite Tubbenden Lane South. The school currently has 219 pupils on the school roll with 14 full-time and 25 part time staff. The proposal is to have 420 pupils and an additional 7 full-time and 14 part-time members of staff. There are 19 parking spaces on the site and this will increase to 24 as a result of the proposals.

A Transport Statement was included as part of the planning application. A staff survey was carried out in April 2015 which showed the following modes of travel with a pro rata estimate for the additional staff:

Mode	Current staff	Mode,%	Add'l staff
Walk (all the way)	3	11.5	2
Car (straight from home)	20	76.9	16
Car (stopping to pick up)	2	7.7	2
Park & Stride	1	3.8	1
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Totals	26	100	21

Surveys of the staff car park for a week in April 2015 showed peak usage of between 13 and 16 spaces and, in addition, there appear to be staff who currently park on-street. Using a similar pattern, the additional staff would generate an extra demand for 12 spaces, giving a shortfall of 4 further spaces.

The modes of travel for pupils, with an estimate for the increased numbers are as follows (based on the assumptions that the existing proportions of modes of travel will be the same for the new pupils, and the catchment area for the school will not significantly change):

Mode	Current pupils	Mode %	Add'l pupils
Walk (all the way)	84	38.4	77
Car (straight from home)	62	28.3	57
Car (stopping to pick up)	4	1.8	4
Park & Stride	35	16.0	32
Bus	14	6.4	13
Cycle	1	0.5	1
Scooter/skateboard	19	8.7	17
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Totals	219	100	201

Further on-street traffic surveys were carried out in July 2015. Based on the surveys, the TS estimates that the 62 pupils (picking up 4 car-sharers on the way) generate 46 car trips adjacent to the school in each of the AM drop-off and PM pick-up periods, with a peak parking demand in the PM in the order of around 40 cars (allowing for early arrivals and late departures), spread over the adjacent roads. A further 35 pupils generate 26 car trips for "Park & Stride", driving from home but stopping some distance from the school and walking the rest of the way.

Applying the same modal share, the increase in pupil numbers would generate an additional 43 car trips adjacent to the School for pupil drop-off and pick-up times, with an additional peak parking demand in the order of 37 cars (allowing for early arrivals and late departures), and a further 21 car trips as "Park & Stride", using locations some distance from the School and walking the rest of the way.

However if the weather is bad or parents are running late, it may be that those parents using Park & Stride will park nearer the school.

Currently parents are parking mainly in Farnborough Hill, Tubbenden Lane South, Chartwell Drive and Palmerston Road. Parking presently seems to take place only on one side of Farnborough Hill and extends some distance away from the school. The Transport Statement indicated there was some evidence of the occasional blocking of driveways and parking that reduced visibility for people exiting their drives. The parking reduces the road width and there are sometimes difficulties for large vehicles to pass other vehicles. This is a similar situation that occurs further along the High Street outside the shops.

Tubbenden Lane South is reduced to one-way working and parents and children have to walk in the road due to the lack of footways.

Expanding the school and increasing the number of parents driving to the school is likely to push the associated parking further along Farnborough Hill, Palmerston



Road, Tubbenden Lane South and Chartwell Drive and may well extend into other nearby roads such as Cobden Road, Gladstone Road and Topcliffe Drive. There appears to be capacity in these roads to accommodate more short-term parking, but issues could arise if parents look to park closer to the school and start parking in more inappropriate locations. The most serious effect, from a highways point of view, is likely to be if drivers started to park on the north side of Farnborough Hill. This would reduce the road to one-way working and may cause difficulties for large vehicles, including buses, to pass. Parents do not park there at present, probably for those reasons, but if the alternative is a longer walk as parking demand increases, then there is the possibility that may happen.

The Transport Statement included a number of proposed mitigation measures which are listed below.

(1) Parking should be controlled on the north side of Farnborough Hill by the introduction of a daytime single yellow line control, extending from the bus stop into the downhill wooded section (past the houses on septic tank drainage).

(2) Parking on the south side of Farnborough Hill should be restricted to ensure that residents have adequate visibility at all times to exit their driveways by the introduction of a daytime single yellow line control.

(3) Also, this single yellow line should be extended a short distance past the access lane to the allotments, to provide adequate road width to maintain traffic flows for the times when the septic tank lorry is servicing the houses on the north side of Farnborough Hill.

(4) The School should pay for signs to be placed at the entrance to Chartwell Drive in the School's name asking School parents not to park in Chartwell Drive.

(5) Short-term yellow line parking restrictions should be introduced to Chartwell Drive from, say, 0830-0900 and 1500-1530, to deter parking during the School drop-off and pick-up periods. However any measures and restrictions must be agreed with and supported by the residents in Chartwell Drive.

(6) An improved and permanent pedestrian crossing should be provided across Farnborough Hill.

(7) A footway should be provided for the southern section of Tubbenden Lane, either on the currently overgrown edge of roadway, or at the least using the part of the existing width of carriageway occupied during the day by parked vehicles (and therefore not resulting in any loss of existing trafficked width).

Although the reasoning behind these suggestions seems sensible, school associated parking has particular characteristics which makes it difficult to control. Experience has shown that yellow lines around schools are difficult to enforce as unless an enforcement officer is present, they are often ignored and their introduction is unlikely to have the desired effect on controlling parking.

If the school wishes to install non-standard signs in Chartwell Drive they will need to contact the Council's Traffic section if they are intended to be in the highway.

There was no justification provided for the introduction of a zebra crossing. The Council has looked at introducing a crossing here previously and the necessary numbers of pedestrians and vehicles were not met. The demand needs to be over a number of hours, so increasing the number of pupils is unlikely to justify a crossing. I understand that the attendance of the School Crossing Patrol has been sporadic recently and a more consistent presence would be more beneficial.

A footway in Tubbenden Lane may have some benefit but there are no proposals for such a scheme at present. No costings have been produced. It is unlikely that the provision of a footway would have any impact on the number of vehicular trips associated with the school.

### Conclusions on Highways Issues

There are short term parking and congestion issues around most schools in the Borough during drop off and pick up times, and the current situation here does not appear to be particularly worse than at other schools.

The increase in pupils is likely to increase the area over which parking takes place, and hence the number of roads affected. The surveys shown in the Transport Statement indicate that there is spare capacity in surrounding roads for additional short term parking. These are obviously further from the school than where parents are parking at present. It is not possible to second guess what people will do in the future should the school expand, but if parents do choose to park in inappropriate locations closer to the school, then issues may arise.

Notwithstanding the previous comments about yellow lines, locations may emerge where it would be beneficial to introduce sections of waiting restrictions, and it would therefore be helpful if the applicant would lodge a sum of money, (eg. £3,000) with the Council and, if it is not used within 5 years, it would be returned.

A more permanent arrangement should be sought for the School Crossing Patrol, and the School Travel Plan should be updated.

Historic England - The site lies within an area of archaeological interest, and the applicant has submitted a desk-based archaeological assessment in support of the application. No objections are raised to the proposals subject to the submission (by way of a condition) of a two-stage process of archaeological investigation.

Crime Prevention - The Secured by Design statement contained within the Design and Access Statement clearly shows a commitment to achieving Secured by Design standards. This can be achieved by way of a condition.

Drainage - No objections are raised, subject to standard drainage conditions.

Thames Water - No objections are raised.

Any comments received from the Council's Tree Officer will be reported verbally at the meeting.

### **Planning Considerations**

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

BE1 Design of New Development  
NE7 Development and Trees  
G1 The Green Belt  
C1 Community Facilities  
C7 Educational and Pre-School Facilities  
T1 Transport Demand  
T2 Assessment of Transport Effects  
T3 Parking  
T18 Road Safety

The NPPF is also of relevance to these proposals.

### **Planning History**

A front extension to the main entrance to provide additional administration space was permitted in 2004 (ref.04/02424), whilst a single storey rear extension to provide 2 additional classes was permitted in 2005 (ref.05/01128).

More recently, permission was granted in 2010 (ref.10/01118) for two single storey extensions to provide an enlarged classroom and an additional classroom, and amendments were later approved under ref.11/02679.

### **Conclusions**

The main issues in this case are; whether the proposals comprise inappropriate development in the Green Belt, and if so, whether very special circumstances exist that clearly outweigh the harm by reason of inappropriateness or any other harm; the impact of the proposals on the open nature and visual amenities of the Green Belt; the impact on pressure for parking and road safety in surrounding roads; the impact on the amenities of nearby residents; and the impact on the character and appearance of the adjacent Conservation Area.

The proposed extension and temporary classroom buildings would be considered inappropriate development within the Green Belt as educational uses (Class D1) would not fall within the appropriate uses defined by Policy G1 of the UDP or the NPPF. However, they are required as part of the Council's agreed school expansion programme in areas of high demand for school places, and have been designed so as to minimise the impact on the open nature of the site (eg. the extension would be located immediately adjacent to the main built-up part of the site, and part of it would cover the existing single storey extensions that are to be removed). The provision of a two storey rather than single storey extension also helps to minimise the increase in the overall footprint of built development on the

site which would increase by 364sq.m. (this does not include the temporary classrooms as they would eventually be removed).

In support of the educational need for the application, the Council's Education Department states as follows:

"Farnborough lies within the Council's (education) pupil place planning area 5. The GLA alternative projections indicate that demand for places in Planning Area 5 will increase from 584 places in 2014/15 to 644 places in 2030/31. When the Council adds 5% for contingency and choice in line with its policy, the demand grows to 652 places by 2020/21 and 676 places by 2030/31.

The current permanent school capacity in Pupil Place Planning Area is 570. Princes Plain has taken bulge classes in 2013 and 2014 that have increased capacity to 600. The bulge class and expansion at Farnborough Primary School will increase capacity to 630 places from September 2015. It is proposed that at a later date Princes Plain School expands to 4 Forms of Entry that would provide sufficient capacity through to 2022. Including the 5% for uplift for contingency and choice, without expanding Farnborough Primary School there would be a deficit of 29 places in Planning Area 5 in 2015/16 rising to 52 by 2021.

Before adding the bulge class, the proximity distance at which the school was able to offer places for September 2015 was 0.327 miles. This meant that many Farnborough residents would not have been successful at obtaining a place at the school."

Members may, therefore, consider that these special circumstances outweigh the harm by reason of inappropriateness caused by the proposals.

With regard to the impact of the proposals on the open nature and visual amenities of the Green Belt, there would be two storey development on the site where there is currently only single storey buildings, however, the two storey extension would not be very visible within the street scene as it would be tucked behind the main school buildings, and it would be some distance from Church Road (60m). It would not encroach onto the main open playing field to the south of the buildings, and the flat roof design would keep the height of the extension to a minimum. The proposals are not, therefore, considered to have a detrimental impact on the open character or visual amenities of the Green Belt. The proposed classroom blocks within the northern and western parts of the site are for temporary purposes only, and would be removed in due course.

The Council's Highway Engineer considers that the proposals for the expansion of the school from one form entry to two form entry are likely to increase the area over which school parking takes place, and hence the number of roads affected, but that there are short term parking and congestion issues around most schools in the Borough during drop off and pick up times, and concludes that the current situation at Farnborough Primary School does not appear to be particularly worse than at other schools. It is suggested that if Members are minded to grant permission for the proposals, the applicant should lodge a sum of money, (eg.

£3,000) with the Council in order to pay for any waiting restrictions considered necessary in areas that may become problematic.

With regard to the impact on neighbouring residential properties, the dwelling known as Arcadian is located to the north-east of the extension, and would be 47m away, with its rear garden at least 26m away. First floor windows are proposed in the facing elevation, but additional planting is proposed along the boundary with Arcadian, and given the separation distances involved, the proposals are not considered to have a detrimental impact on the privacy and amenities of the adjoining residents.

The Manse is located approximately 33m away to the south-east of the extension, and there is significant screening along this boundary. The proposals are not, therefore, considered to adversely affect the amenities of the occupiers of this property.

The proposed temporary classroom buildings would be set at a lower level than the adjoining land at the level of the existing playground, and would be separated from neighbouring dwellings by grass banking. The buildings are temporary in nature and would not cause significant harm to residential amenity.

The four new parking spaces proposed would be located to the rear of Nos.6-13 Westfield, but planting is proposed to the rear of the spaces, and their use is not considered to be unduly harmful to the amenities of adjoining residents.

In terms of the impact on the adjacent Conservation Area, the extension would be situated some distance away, and although the western temporary classroom building would fall partly within the Conservation Area boundary, the building would be kept at a low level with a low roofline, and would not impact on the character and appearance of the Conservation Area.

The proposals are considered to merit very special circumstances which would outweigh any harm to the Green Belt. Taking into account the clear educational need, any additional impact on the highway network and local residents is, on balance, considered acceptable. Overall, the considered design and need for the accommodation outweigh any harm identified, and permission is recommended.

**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** Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

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

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

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

**4** Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

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

**Reason:** In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other

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

- 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** 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.

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

**Reason:**In 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** The development hereby permitted shall be carried out strictly in accordance with the slab levels shown on the approved drawing(s).

**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.

- 10** No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to the first use of the extension. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the

results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

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

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

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

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

**Reason:** To ensure satisfactory means of surface water drainage.

11 The temporary classroom buildings hereby permitted shall be removed within 3 months of the first occupation of the extension hereby permitted.

**Reason:** In order that the situation can be reconsidered in the light of the circumstances at that time in the interest of the amenities of the area.

12 Within 6 months of the commencement of the use of the extension hereby permitted, a revised School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include measures to promote and encourage the use of alternative modes of transport to the car. It shall also include a timetable for the implementation of the proposed measures and details of the mechanisms for implementation and for annual monitoring and updating. The Travel Plan shall be implemented in accordance with the agreed timescale and details.

**Reason:**In order to ensure appropriate management of transport implications of the development and to accord with Policy T2 of the Unitary Development Plan.

13 No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition or development shall take place other



than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1, then for those parts of the site which have archaeological interest, a stage 2 WSI shall be submitted to and approved in writing by the Local Planning Authority. For land that is included within the stage 2 WSI, no demolition or development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

(a) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

(b) The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

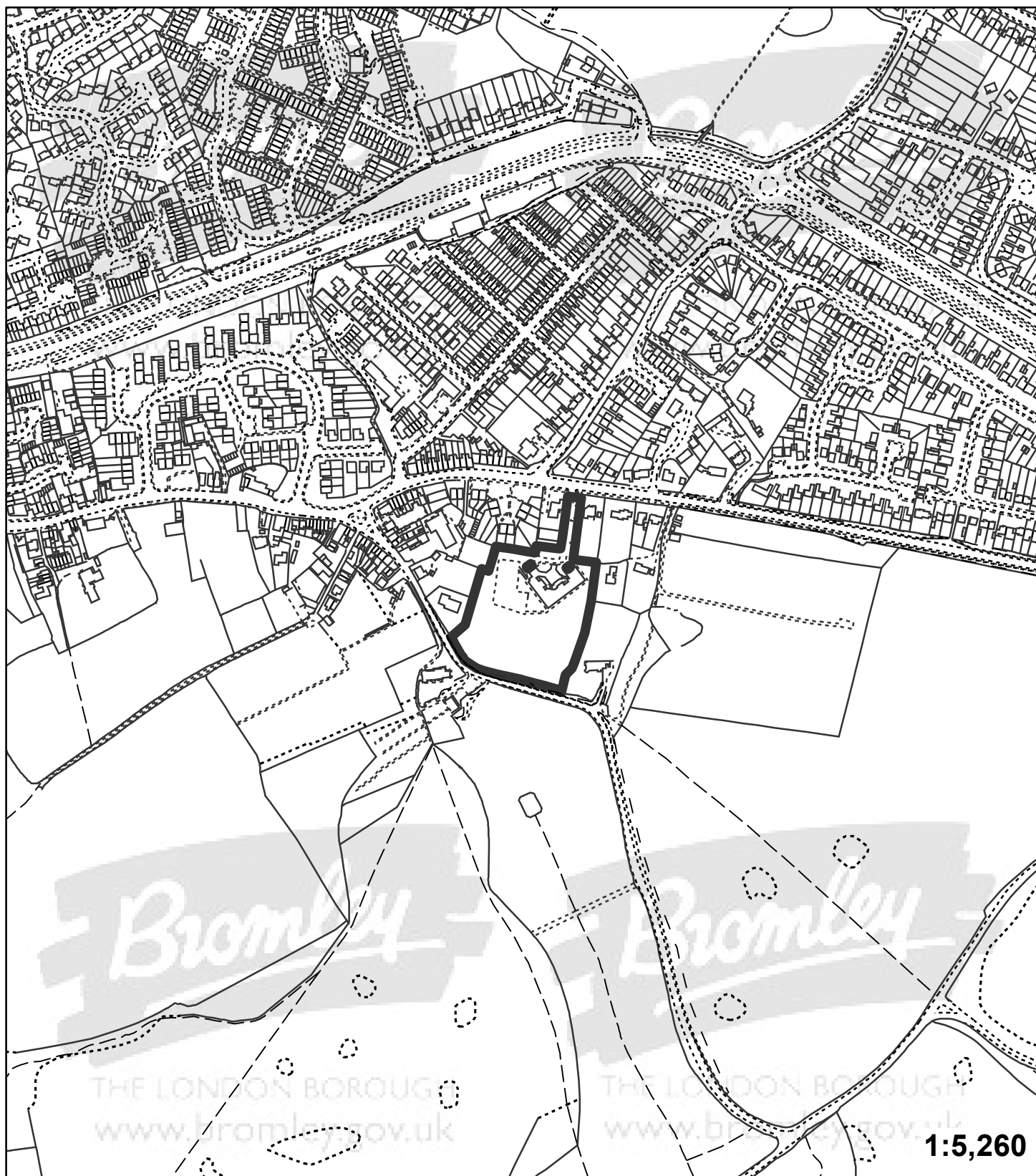
**Reason:** The site is of archaeological interest and detailed investigations should be undertaken to enable consideration to be given to preservation in situ and/or recording of items of interest in compliance with Policy BE16 of the Unitary Development Plan.

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**Application:**15/03456/FULL1

**Address:** Farnborough Primary School Farnborough Hill Orpington BR6 7EQ

**Proposal:** Demolition of existing classroom extension, erection of two storey classroom extension, refurbishment of existing school buildings, provision of two temporary classroom buildings, bike store, refuse store and two sheds, with additional car parking and associated landscaping to



"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 :** 14/01464/FULL6

**Ward:**  
**Shortlands**

**Address :** 2 Rosemere Place Shortlands Bromley  
BR2 0AS

**OS Grid Ref:** E: 539192 N: 168287

**Applicant :** Mr & Mrs O'Hara

**Objections :** YES

### **Description of Development:**

Single storey side and rear extensions

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

### **Proposal**

The application proposes to construct a single storey rear side extension 2.7m wide and 11.35m deep in depth of rearward projection. It would be located around 2.9m (reducing to around 2.2m) from the flank boundary of the rear gardens of No's 52 and 54 Kingswood Avenue.

The application also includes the construction of a 4.4m deep rear extension, 3.25m wide. Both extensions would have pitched roofs with eaves at 2.6m high and an overall ridge height of 3.8m.

Surface water management strategy has been submitted as part of this application. This strategy has indicated the use of an underground storage within the site.

A detailed report on the oak on the adjacent land has also been submitted.

Both reports are available to view on the file.

### **Location**

Rosemere Place was constructed as a residential development of 9 houses constructed to the rear gardens of 42 Kingswood Avenue and 51 - 63 South Hill Road. Number 9 is located at the southern end of Rosemere Place adjacent to the rear garden of 49 South Hill Road.

Rosemere Place was constructed as a residential development of 9 houses constructed to the rear gardens of 42 Kingswood Avenue and 51 - 63 South Hill

Road. Number 9 is located at the southern end of Rosemere Place adjacent to the rear garden of 49 South Hill Road.

### **Comment from Local Residents**

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

The construction of extension of this nature is unnecessary and the proposed elevations will be too close to neighbouring fences and gardens, causing a loss of privacy and amenity.

There are also issues about the flooding in neighbouring back gardens in Kingswood Avenue which has worsened since a substantial oak tree was removed to enable these houses to be built.

The proposed side extension brings the house within a few feet of this tree and we are very concerned about the possibility of damage to the root system which could compromise the health of the tree and consequently becoming a danger to the house.

2 Rosemere Place is built adjacent to my back fence. This has spoilt the outlook from the back of my house including my conservatory and sitting room. The proposed extension will reduce my lack of privacy still further. I will be directly overlooked by the two downstairs windows proposed

The water table in these gardens is very high as the construction of the new development has removed the soakaway from the stream. This is much worse than it was before the development creating a lake at the bottom of my garden after heavy rain. The laying of more foundations and a path will only exacerbate this problem.

The foundations for the extension are likely to disturb the roots of some very large trees, one which has a preservation order, at the bottom of my and my neighbours' garden, with the danger that the trees could fall and cause considerable damage to our properties, including 2 Rosemere Place, as well as the summerhouse at the bottom of my garden, adjacent to the fence.

In summary the house is already too close to my property, and the extension will only exacerbate this, leaving an unacceptably narrow gap between the walls of the extension and the back fence.

The full text of correspondence is available to view on file.

### **Comments from Consultees**

The drainage officer advises that the initial geotechnical report carried out by Knapp Hicks & Partners LTD concluded the poor permeability of the soil and the use of soakaways is deemed impractical, we then ask the applicant to consider

other options to dispose of surface water run-off like rainwater harvesting or an underground tank.

A subsequent report has indicated the use of an underground storage within the site.

Any further comments from the council's drainage engineer will be reported verbally.

In terms of the tree officers comments. Drg ref. 2180-14-200 shows a reduced area of disturbance as it relates to the RPA of the protected oak tree. If constructed in accordance with BS 5837 principles and under the supervision and input of the applicant's consultant, I would raise no further concerns.

### **Planning Considerations**

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

BE1 (Design of New Development), H8 (Residential Extensions)

The Council's adopted SPG guidance is also a consideration.

### **Planning History**

Planning permission was granted at appeal (Ref: APP/G5180/A/07/2054389) in July 2008 for the demolition of 42 Kingswood Avenue and the erection 5 four bedroom detached houses with attached garages and two detached four bedroom houses with detached garage buildings and two 5 bedroom detached houses with attached garages and associated estate road.

The successful appeal followed two unsuccessful appeals (Ref: APP/G5180/A/06/2016442 and 2016443) for similar developments on the site. In allowing the 2008 appeal the Inspector referred to the fact that the revised proposal incorporated hipped roofs with lower pitches and no rooms in the roof. He considered that the design would substantially reduce the bulk and massing, on plots 3 to 9, from what was previously proposed. Following the revisions to the scheme, the Inspector concluded that the proposal would not be overbearing or harm the living conditions of adjacent dwellings in terms of noise, disturbance, or outlook.

The Inspector also imposed a planning condition removing Permitted Development Rights, to ensure that the impact of any future proposals for extensions to these properties on the amenities of adjoining properties can be properly considered.

A subsequent planning application (Ref: 09/01048/FULL1) was granted planning permission in July 2009. The proposal comprised of 7 four bedroom and 2 three bedroom houses with plots 6 and 7 being the three bedroom units. This proposal

included a slight reduction in the size of some of the residential units granted under Ref: APP/G5180/A/07/2054389.

An application (Ref: 09/01048) was also subsequently submitted and approved for an amendment to the above application including; tiling, render, low level roof pitch.

## **Conclusions**

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

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

It is noted that the extensions are single storey. The properties in Kingswood Avenue have rear gardens to the boundary of the application site in the region of 30 metres in length. The height of the side extension being 2.6 metres nearest the boundary with Kingswood Avenue with the height of the extension increasing to 3.8 where it touches the host property.

The orangery element is separated from the other properties in Rosemere Ave by the existing access road. Overall members may consider that the impact of the extensions on the adjacent residents and the surrounding area is not unduly harmful.

The Tree officer is satisfied that the additional information shows a reduced area of disturbance as it relates to the RPA of the protected oak tree. If constructed in accordance with BS 5837 principles and under the supervision and input of the applicant's consultant there would be no further concerns.

In terms of drainage, an additional report has indicated the use of an underground storage within the site.

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

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

as amended by documents received on 13.11.2014 17.02.2015 26.03.2015  
11.08.2015



**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

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

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

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

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

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**Application:**14/01464/FULL6

**Address:** 2 Rosemere Place Shortlands Bromley BR2 0AS

**Proposal:** Single storey side and rear extensions



"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 :** 15/01516/FULL1

**Ward:**  
**Chelsfield And Pratts**  
**Bottom**

**Address :** Fairtrough Farm Fairtrough Road  
Orpington BR6 7NY

**OS Grid Ref:** E: 546924 N: 161369

**Applicant :** Mr & Mrs Morrice

**Objections :** YES

### **Description of Development:**

Conversion of existing barn and adjoining building to create 3 three bedroom dwellings including front and rear dormer extensions, elevational alterations and associated landscaping/car parking

Key designations:

Areas of Archeological Significance  
Special Advertisement Control Area  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding

### **Proposal**

This application was reported to Members at Plans-Sub Committee No. 3 on 13th August 2015. Members of the Committee resolved to defer the application in order for the following information to be provided:

- Bat survey
- Structural building survey

A Bat Survey was submitted on the 15th October 2015 which did find recent bat droppings, indicative of small numbers of brown long-eared bats within both buildings. It is stated that externally, potential was also noted for crevice dwelling bats. The Council instructed an ecology expert to review the survey and recommended that a bat mitigation scheme is submitted.

A structural report was submitted on 9th November which summarised that from visual inspection there "...is no reason why the existing structure cannot be retained and converted as indicated".

The statements in full are available on the planning file.

The previous report is repeated below:

Planning permission is sought for the conversion of an existing barn and adjoining building to create 3 three bedroom dwellings including the following:

- front and rear dormer extensions
- elevational alteration
- associated landscaping/car parking

Revised drawings received 8th June 2015 increased visibility splays and parking layout for 10 cars (2 for each of the 3 residential units, 2 visitor parking spaces and 2 for the office use).

The application is accompanied by a Design and Access Statement, Planning Statement and a structural overview of the barn building.

### **Location**

The application site is to north of Fairtrough Road, facing onto Port Hill. The site comprises a range of farm buildings including Kent Barn and the granary. There are also modern barns in agricultural use at the site. The buildings that form part of this application are Kent Barn and adjoining buildings that are arranged around it. The site is located within the Green Belt as defined by the Unitary Development Plan and is an Area of Archaeological Significance.

### **Consultations**

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

Comments from Pratt's Bottom Residents Association:

- have been concerned about the future of the site
- note policy on reuse of existing buildings in the Green Belt and would ask Council to carefully consider if complies with Para 88 of NPPF.
- if granted, informative should be added advising that decision should not be seen as a precedent for further residential development

### **Comments from Consultees**

Highways- No objections in principle subject to suggested conditions

Drainage/Thames Water- No objections in principle subject to suggested conditions

Environmental Health (Pollution)- no objections subject to condition due to risk of chemical residues in the soil as a result of past land use.

## Planning Considerations

In considering the application, the main policies are considered as follows:

- Policy BE1 - Design of New Development
- Policy G1- The Green Belt
- Policy H1- Housing Supply
- Policy H7- Housing Density and Design
- Policy H9- Side Space
- Policy H12- Conversion of non-residential buildings to residential use
- Policy T3- Parking
- Policy T18- Road Safety
- *Policy NE3- Nature Conservation and Development*
- *Policy NE5- Protected Species*

Supplementary Planning Guidance 1 and 2

London Plan Policy 3.4 Optimising Housing Potential  
London Plan Policy 3.5 Quality and Design of Housing Developments  
Mayor of London's Housing Supplementary Planning Guidance

National Planning Policy Framework-Chapter 9 (in particular para.89 and 90).

Policy G1 of the UDP states that states the re-use of buildings within the Green Belt will be inappropriate unless it meets all of the following criteria:

- (v) it will not have a materially greater impact than the present use on the open character of the land;
- (vi) use of the land surrounding the building and boundary treatments will not harm the openness of the land or conflict with the purposes of including land in the Green Belt;
- (vii) the building is of permanent construction and capable of conversion or re-use without extensive or complete reconstruction;
- (viii) the form, bulk and design of the building are in keeping with its surroundings;
- (ix) the proposed use does not entail external storage of materials, plant or machinery; and
- (x) the proposed use has no adverse effect on the recreational enjoyment or appearance of the countryside.

Policy G1 also states that the openness and visual amenity of the Green Belt should not be injured by any proposal which might be visually detrimental by reasons of scale, siting, materials or design.

Para 90 of the NPPF also states that certain other forms of development (in addition to those outlined in Para 89) are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. Of particular relevance in this case is point 4:

- the re-use of buildings provided that the buildings are of permanent and substantial construction; and

## **Planning History**

There is a long and complex planning history at the site. From looking at the Council's records the most relevant to this pre-application are summarised as follows:

- 02/01184- A Certificate of Lawfulness was refused and dismissed on appeal of the Reinstatement of fire damaged house
- 00/01161- Planning permission refused and dismissed on appeal for the demolition of existing dwelling and erection of a detached five bedroom house and detached double garage
- 98/00292- Change of use and conversion of old barn and stable to provide six craft/studio units with parking and service area
- 91/01399- Outline planning permission refused for a replacement dwelling
- 90/01947- Outline planning permission refused for a detached replacement dwelling

Members will also note that there is a long and complex enforcement and appeal history at the site, in particular with regard to the fire damaged farmhouse (not included in this current application).

## **Conclusions**

The primary considerations in this case are the impact of the proposal on the Green Belt, including whether or not the development is appropriate and if it is not, whether there are any very special circumstances to justify the development which mean that the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, as set out in the NPPF and Policy G1 of the UDP. The impact of the proposal on the openness of the Green Belt and on the visual amenities of the locality are important associated considerations.

The National Planning Policy Framework (NPPF) sets out that the re-use of buildings is not inappropriate provided that the buildings are of permanent and substantial construction and provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The Applicant has submitted structural information which concludes that the building is suitable for the proposed conversion into residential accommodation and in this case the limited alterations and formations of the buildings preserve openness to an acceptable degree, therefore Members may agree that the re-use of this building would be compliant with Paragraph 90 of the NPPF.

The most recent planning permission for Kent Barn was given under ref. 98/00292 for the change of use and conversion to provide six craft/studio units with parking and service area. Whilst it is evident that some internal alteration work had been commenced, it is evident that the permitted use was not implemented. It is likely that the last known use of the buildings was for agricultural purposes. Members may be satisfied that the change of use would preserve the openness of the Green



Belt and does not conflict with the purposes of including land within it, as required by para.90.

In terms of the external alterations, the application includes the addition of front and rear dormer extensions, rooflights and elevational alteration. The dormers are small scale with pitched roofs and are set well within the roofslope. Members may consider that the external alterations are well designed, in-keeping with the host building and would not detract from the visual amenities of the Green Belt being proportionate additions to the original building.

With regards to access and parking, the Council's Highways engineer does not object on the basis of the revised plan received 8th June 2015 showing improved visibility splays. The amount of proposed parking is also considered to be acceptable in this location.

The London Plan paragraph 3.5, details outlined in Table 3.3 and the Mayor's Housing SPG outline the minimum requirements for new dwellings. The Mayor's housing SPG requires a minimum internal area for a 3 bedroom 6 person (house) of 95sqm, with the proposed dwellings measuring approximately 207sqm, 124sqm and 114sqm. The proposed bedrooms also meet the minimum requirement of 8sqm for single bedrooms and 12sqm for double bedrooms. On the basis of the drawings submitted, it is considered that the proposed dwelling would provide a satisfactory living environment for future occupiers.

On the basis of the above, Members may agree that Kent Barn may in principle be capable of being converted into residential accommodation. Careful consideration will need to be given to the resulting quality of the residential units proposed and the visual impact of the proposal upon the openness of the Green Belt. Members may consider that the proposed external changes to the existing building are relatively minimal. The existing unique formation of the buildings around a central courtyard restricts the sprawling of development further into the Green Belt. However, there are private amenity spaces proposed for each property and the removal of permitted development rights by way of condition is suggested to protect the interests of the visual amenities of the Green Belt.

Background papers referred to during production of this report comprise all correspondence on the file ref.15/01516 set out in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

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

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

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

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

**3** 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.

**4** Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

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

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

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

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

**7** Whilst the development hereby permitted is being carried out, provision shall be made to accommodate operatives and construction vehicles off-loading, parking and turning within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and such provision shall remain available for such uses to the satisfaction of the Local Planning Authority throughout the course of development.

**Reason:** In the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan.

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

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

- 9** 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 surface water drainage and to accord with Policy 4A.14 of the London Plan and Planning Policy Statement 25.

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

In the interests of the visual amenities of the Green Belt and in order to comply with Policy G1 of the Unitary Development Plan.

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

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

- 12** Prior to any works commencing on the site, a further 3 dusk emergence surveys in accordance with BCT Guideline (Hundt 2012) in order to confirm the species and number of bats using the building to roost and the status population (to be carried out between May and September, with at least 2 of the 3 surveys carried out from May to August with a 2 week gap between each survey) will be submitted to the Local Planning Authority. Following the submission of the additional surveys, details shall be submitted to the Local Planning Authority of the timing of the works and any necessary mitigation measures. The works shall be carried out in accordance with the approved timing and mitigation measures.

**Reason:** In order to comply with Policy NE3 of the Unitary Development Plan and in order to safeguard the interests and well-being of bats on the site which are specifically protected by the Wildlife and Countryside Act 1981 (as amended).

You are further informed that :

**1** 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)

**2** With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge from the site prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777

(Reason) To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

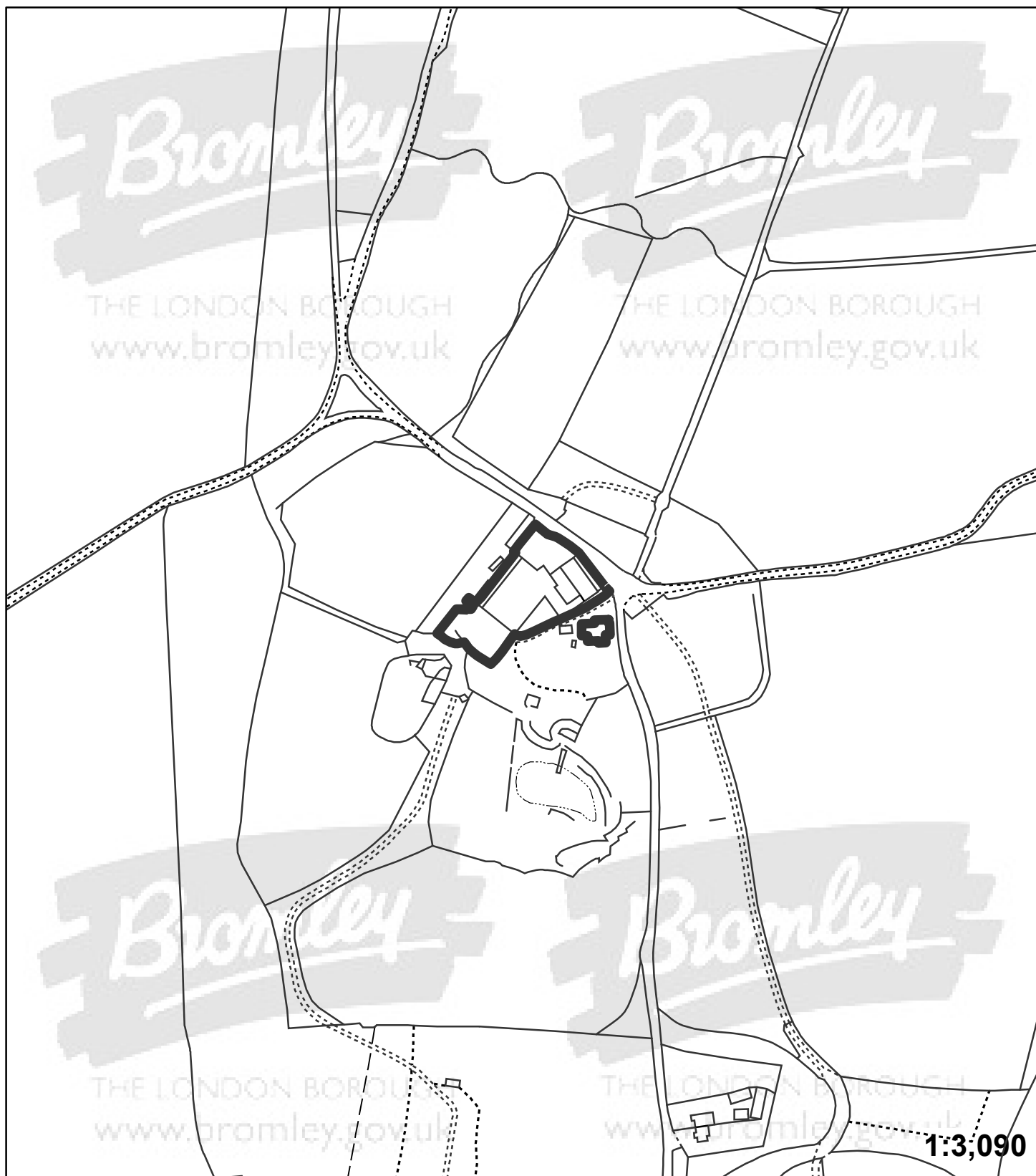
**3** You should seek the advice of the Building Control Section at the Civic Centre regarding the need for Building Regulations approval for the works on 020 8313 4313, or e-mail: [buildingcontrol@bromley.gov.uk](mailto:buildingcontrol@bromley.gov.uk)

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**Application:**15/01516/FULL1

**Address:** Fairtrough Farm Fairtrough Road Orpington BR6 7NY

**Proposal:** Conversion of existing barn and adjoining building to create 3 three bedroom dwellings including front and rear dormer extensions, elevational alterations and associated landscaping/car parking



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

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

**Application No :** 15/03561/FULL1

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

**Address :** Sundridge Park Management Centre Ltd  
Plaistow Lane Bromley BR1 3TP

**OS Grid Ref:** E: 541757 N: 170738

**Applicant :** Mr Richard Barter

**Objections :** YES

### **Description of Development:**

Partial demolition and single storey extension to gate house and erection of garage and related works

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Chain  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Metropolitan Open Land  
Sites of Interest for Nat. Conservation  
Smoke Control SCA 10

### **Proposal**

Partial demolition and single storey extension to gate house and erection of garage and related works.

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Chain  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Metropolitan Open Land  
Sites of Interest for Nat. Conservation  
Smoke Control SCA 7  
Smoke Control SCA 10

Joint Report with application 15/03927 (The associated Listed Building Consent)

This application seeks permission for partial demolition and single storey extension to gate house and erection of garage and related works at Gate House Willoughby Lane Bromley. The Sundridge Park estate is set within Metropolitan Open Land (MOL), which extends to include the Gate House site. It is also within the designated Grade II Sundridge Park Historic Park and Garden, which also includes the two Golf Courses. The Gate House is located within the setting of the Grade I Mansion House.

It is considered that the lodge is listed by being within the curtilage of Sundridge Mansion.

This is a joint application with an associated application 15/03927 for a Listed Building Consent.

There is also an application for the demolition of the existing Gate House and erection of a two storey 2-bedroom dwelling with detached garage, entrance piers to Willoughby Lane, and alterations to vehicular and pedestrian access under 15/03928 and associated Listed Building Consent 15/03688. These cases are also on this agenda.

### **Location**

The property is an existing gate house for the Sundridge Park Mansion located on the Northern side of Plaistow Lane. Plaistow Lane bends sharply to the West.

### **Planning History**

An application for Demolition of existing Gate House and erection of a two storey 2 bedroom dwelling with detached garage, gates and Pillars to Willoughby Lane and alterations to vehicular and pedestrian access under reference 14/04249/FULL1 and associated Listed Building Consent was considered on the 21st May 2015 Plans Sub Committee. This application was refused for the following reason:

"The proposal would result in the unacceptable loss of the existing Statutory Listed Building, thereby contrary to Policies BE1 and BE8 of the Unitary Development Plan."

### **Consultations**

#### **Comments from Local Residents**

Nearby properties were notified and representations were received which can be summarised as follows:

In opposition:

The building has been allowed to fall into disrepair. The building should be kept as a place to appreciate. Few Listed buildings in Bromley

Gate House was part of Sundridge Park Estate Historic asset loss unacceptable

In support:

Poor state of building.  
Not worthy of protection  
Need of junction improvements  
In favour of the replacement.

In respect of the previous application Environmental Health - no objections in principle. However, a contamination assessment on the adjacent site 2003-2005 found elevated concentrations of lead, zinc, arsenic across the site. A condition is recommended.

### **Highways**

Requested a larger garage to meet their requirements, the plans have been revised to reflect this.

### **Historic England Advice**

Historic England comment as follows:

Sundridge Park Lodge forms part of a Repton-designed landscape which is listed at Grade II in English Heritage's Register of Historic Parks and Gardens, and is specifically mentioned in the list entry. The building is also listed within the curtilage of Grade I Sundridge Park Mansion which was built in the late 18th century to a design by John Nash and Samuel Wyatt. It is believed to be contemporary with the Mansion and its octagonal form bears strong similarities to lodges by both Nash and Wyatt. We therefore consider the lodge to be a designated heritage asset of much architectural and historic interest.

As you know, Historic England (formerly English Heritage) was consulted on the previous proposals for the lodge last year which involved total demolition. We strongly objected to the proposals and urged an alternative solution to be explored involving the retention of the building, whilst expressing that a modest extension to the rear would be acceptable to us. We also stressed that opportunities to enhance the significance of the registered park and listed building should also be explored in support of any revised scheme.

Historic England is very pleased to see that that this advice has been taken on board in the current scheme. The proposals seek to retain the historic octagonal form and pedimented porches, and demolish the later accretions. A single storey extension to the rear is proposed which would be visually subservient, but at the same time complement the lodge in its simple Classical detailing with pedimented gables and sash windows. A modest detached garage is also proposed which would be located behind the lodge and set back from the carriageway.

It is also proposed to reinstate traditional rainwater goods where these have been replaced with uPVC, and the rusticated gatepiers as evident in early photographs would be reinstated as part of the work. These elements of the proposals demonstrate that opportunities are being taken to enhance the significance of both the curtilage listed lodge and Registered Park, and in our view this supports overarching historic environment policies 131 (point 3) and 137 of the National Planning Policy Framework.

Nonetheless we note that Section 6 of the submitted Heritage Report states that the work would include the replacement of the roof structure, floors, roof coverings, flashings, internal plaster finishes, and extensive repairs to the brickwork. We continue to regret that the building has been left to deteriorate to such an extent over a relatively short period. The replacement of these features should only be approved subject to a full condition survey by a structural engineer or surveyor accredited in the conservation of historic buildings. It is very important that any replacement fabric which is visible externally, such as the roof form, matches the original as closely as possible. It would also be helpful if the assessment included a colour coded demolition plan so the extent of removal of historic fabric can be fully understood. These details could be provided by condition if your Council is minded to approve the application

#### **From a Listed Building point of view:**

This proposal appears acceptable to bring the building back in to use.

#### **Planning Considerations**

Planning Considerations

Planning Considerations  
Policies within the Bromley Unitary Development Plan including BE1  
BE8 G2

In considering these proposals, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a duty the Authority to consider the impact of development proposal upon listed buildings. It states that the determining authority 'shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

The National Planning Policy Framework (NPPF) sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. Conserving heritage assets in a manner appropriate to their significance forms one of the core principles that define sustainable development.

In strategic terms the most relevant London Plan policies are:

- 2.8 Outer London: Transport
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality And Design Of Housing Developments
- 5.3 Sustainable Design And Construction

## **Conclusions**

The main issues to be considered are:

- the impact on the setting and character of the Statutory Listed Building
- the impact on the amenities of neighbouring residential properties
- the impact on highway safety and parking
- the impact on Metropolitan Open Land

### Impact on the Metropolitan Open Land

The planned extension and garage are modest in scale. It is noted that part of the existing building will be replaced as part of this application and would bring a building back to use.

### Impact on the Statutory Listed Building

The proposal would appear acceptable in relation to the building and following on from English Heritage advice. There are some internal alterations planned. However, these are also found to be acceptable.

### Impact on the amenities of neighbouring residential properties

The proposed development is considered to have a limited impact on the amenities of neighbouring residential properties in terms of prospect, sunlight and daylighting, other properties are a considerable distance away.

### Impact on highways and car parking

In terms of the revised access layout the development appears to be acceptable.

### Summary

This application appears acceptable in this location and to allow the building to return into use.

Background papers referred to during production of this report comprise all correspondence on file ref(s). 14/04252, 14/4252, 15/03927, 15/03561, 15/03928 and 15/03688, excluding exempt information.

In terms of the associated Listed Building Consent application 15/01527. This is also acceptable.

**as amended by documents received on 10.11.2015**  
**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

- 2 Details of 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**

- 3 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.**

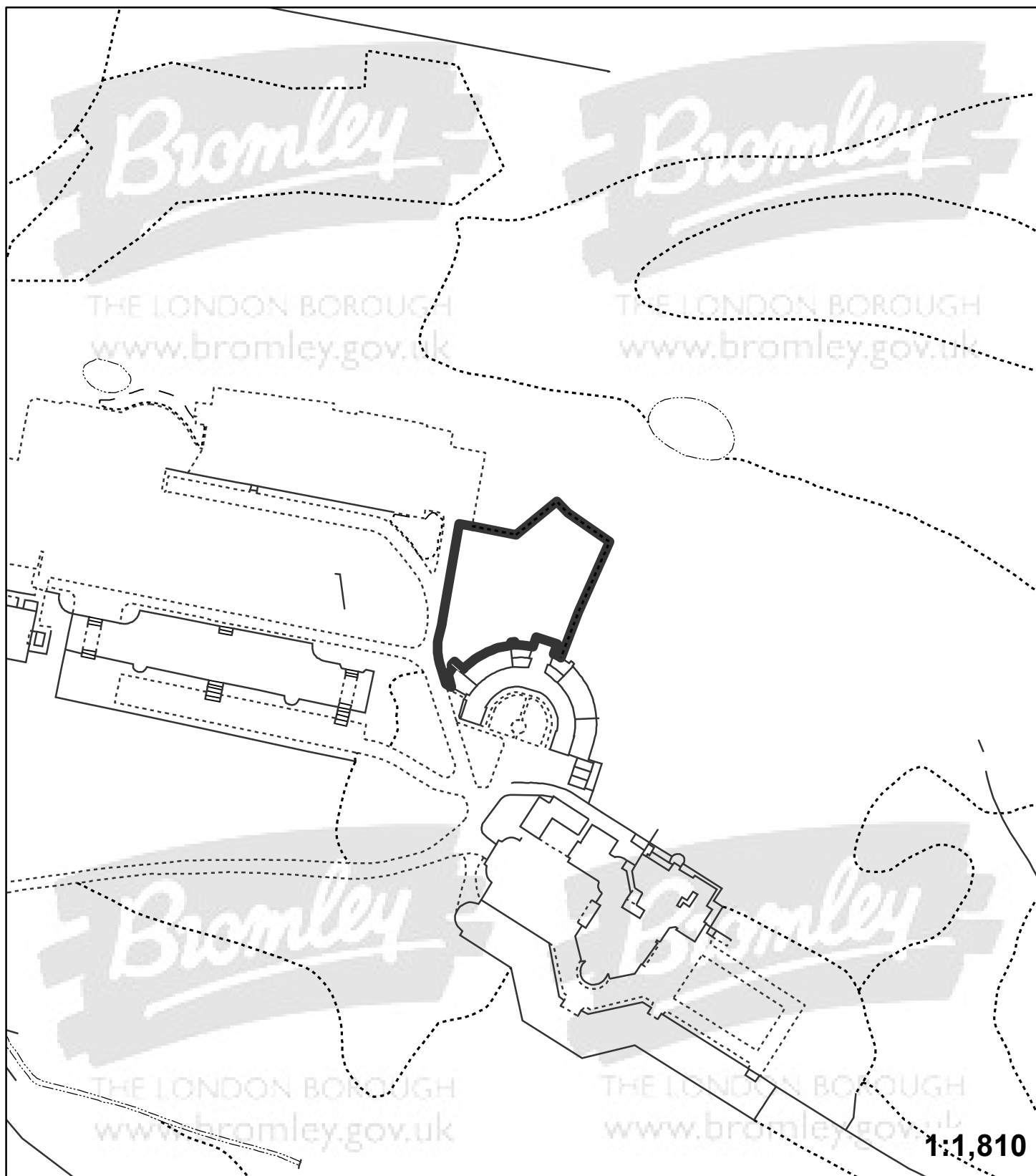
- 4 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

**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.**

**Application:**15/03561/FULL1

**Address:** Sundridge Park Management Centre Ltd Plaistow Lane  
Bromley BR1 3TP

**Proposal:** Partial demolition and single storey extension to gate house  
and erection of garage and related works



"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 :** 15/03688/LBC

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

**Address :** Sundridge Park Management Centre Ltd  
Plaistow Lane Bromley BR1 3TP

**OS Grid Ref:** E: 541757 N: 170738

**Applicant :** Mr Richard Barter

**Objections :** YES

### **Description of Development:**

Demolition of the existing Gate House and erection of a two storey 2-bedroom dwelling with detached garage, entrance piers to Willoughby Lane, and alterations to vehicular and pedestrian access (Listed Building Consent)

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Chain  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Metropolitan Open Land  
Sites of Interest for Nat. Conservation  
Smoke Control SCA 7  
Smoke Control SCA 10

### **Proposal**

Joint report with application 15/03928:

This application is for Listed Building Consent for Demolition of existing Gate House and erection of a two storey 2 bedroom dwelling with detached garage, gates and Pillars to Willoughby Lane and alterations to vehicular and pedestrian access.

### **Conclusions**

The main issue relating to this application is the effect that the proposal would have on the Statutory Listed Building.

The proposal seeks to demolish and replace building with a new lodge building. The building is at present in need of renovation.

The application for Listed Building Consent is, however, accompanied by a full planning application This corresponding planning application is considered

unacceptable and therefore it is considered premature to grant Listed Building Consent without a suitable corresponding planning permission.

Having had regard to the above it is recommended that Members refuse Listed Building Consent.

Background papers referred to during production of this report comprise all correspondence on file ref(s). 15/03927, 15/03561, 15/03928 and 15/03688, excluding exempt information.

**RECOMMENDATION: APPLICATION BE REFUSED**

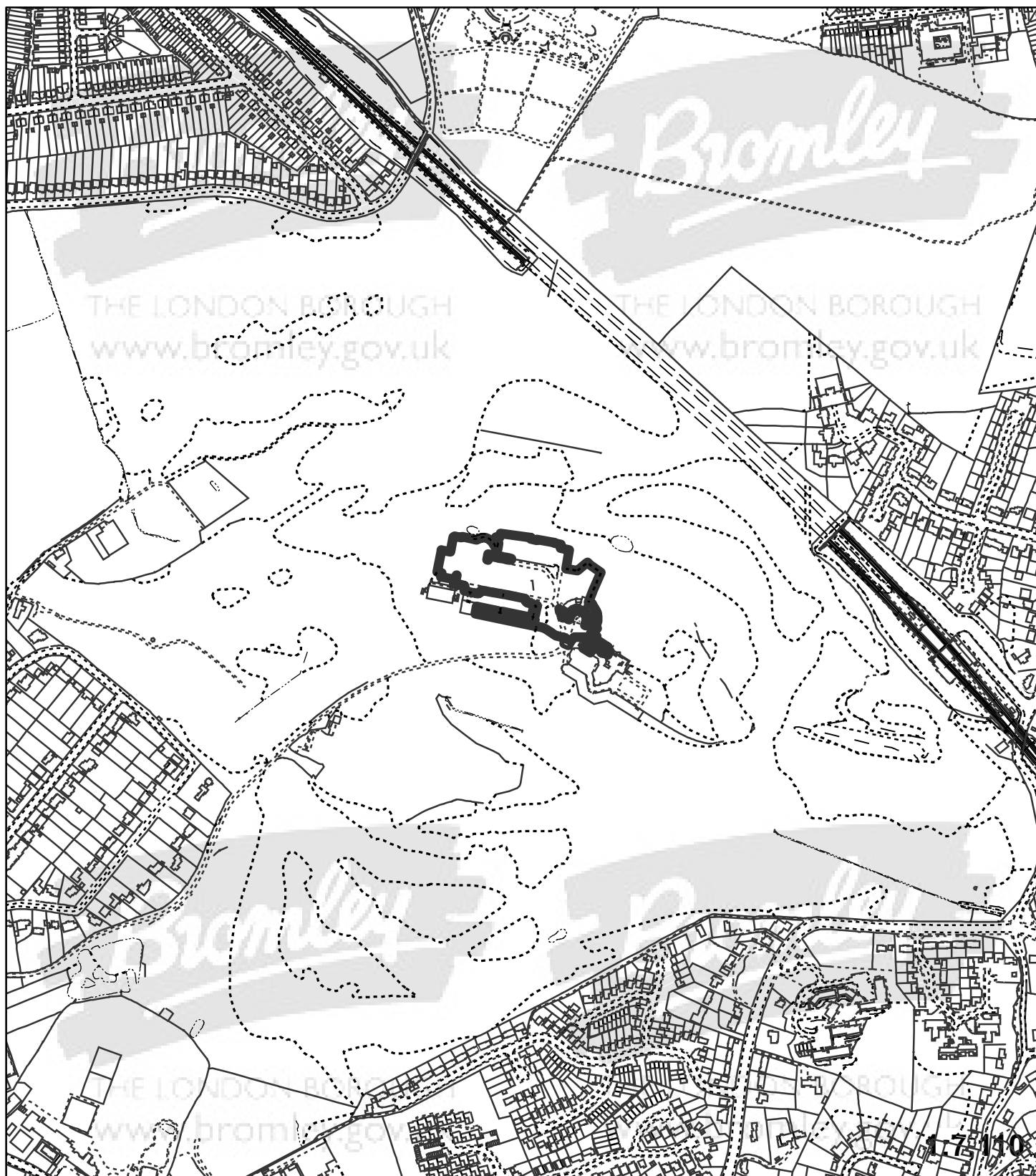
**The reasons for refusal are:**

- 01 In the absence of a suitable planning permission for the a replacement of the Listed Building, it would be premature to grant consent for the Listed Building works, thereby contrary to Policy BE8 of the Unitary Development Plan.**

**Application:**15/03688/LBC

**Address:** Sundridge Park Management Centre Ltd Plaistow Lane  
Bromley BR1 3TP

**Proposal:** Demolition of the existing Gate House and erection of a two storey 2-bedroom dwelling with detached garage, entrance piers to Willoughby Lane, and alterations to vehicular and pedestrian access (Listed Building Consent)



"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 :** 15/03804/FULL6

**Ward:**  
**Shortlands**

**Address :** 90 Malmains Way Beckenham BR3 6SF

**OS Grid Ref:** E: 538837 N: 167746

**Applicant :** Dr Sivalingam Sivathanan

**Objections :** YES

### **Description of Development:**

First floor front, side, rear extension.

Key designations:

Area of Special Residential Character  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 21  
Smoke Control SCA 9

### **Proposal**

The application property is a detached dwelling, designed with a front gable feature and a pitched 'catslide' roof orientated away from the north-western site boundary.

The application proposes a first floor front/side/rear extension. The existing front gable feature would be replicated at the opposite side of the house and this gable would have a width of 3.41metres. The flank wall of this gable would extend rearwards for 9.72m towards the first floor rear element of the proposal, which would project by 0.83m towards the boundary with No. 88 Malmains Way.

The first floor rear extension would have a depth of 4.5m and a width of 4.24m.

The first floor flank elevation of the extension would incorporate windows serving a landing area, en-suite and walk in wardrobe.

The existing ground floor retains 1.1m separation to the boundary. The first floor extension would retain 1.93m to the flank boundary at the front, the rear element of the extension being flush with the existing ground floor and retaining 1.1m separation to the boundary.

The application is supported by a Design and Access statement, in addition to a covering letter which states with regards to the current proposal:

"Following the successful Appeal Decision dated 14th July 2015, it has been found that all previous drawings for this property were incorrect in showing the actual size of the existing building, and therefore the proposed extensions were larger than actually required or practical."

The proposed rear element of the extension which is annotated 'bedroom 5' has a width of 4.24m. The permitted extension had a width of 4.75m. The projection of this element beyond the extended first floor flank wall has been reduced from 1.32m to 0.83m. In respect of the separation to the boundary, the separation at the rear, at 1.1m is as previously proposed and permitted, and the separation between the flank elevation of first floor extension in a central position and towards the front of the extension has reduced from 2.42m to 1.93m.

The covering letter was accompanied by a letter dated 22nd June 2015 from a chartered building surveyor which provided the applicant with advice in response to a previous Committee report (in respect of application 15/00546 which was refused planning permission). The letter states, inter alia, that the guidance within the BRE Second Edition 2011 is not mandatory and needs to be applied flexibly, that there is no guidance within the BRE with regard to outlook or right to a view, and that the acceptability of a scheme or adverse effect is subjective. The daylight and sunlight report which was reported to Committee in respect of 15/00546 also related to 14/04076, which was subsequently allowed on appeal.

## **Location**

The property is located at the south-eastern end of Malmain Way close to the junction with Bushey Way. The street is characterised by detached dwellings of varied design mostly dating from the 1920-50's set within an attractive tree-lined setting. The property falls within Park Langley Area of Special Residential Character (ASRC) and is described within the Unitary Development Plan (UDP) as follows:

"...built sporadically between the 1920's and 1950's, whilst not of the same exceptional standard [as the Conservation Area] has the character of a garden estate given by the high quality and appearance of the hedges, walls, fences, and front gardens. The area, which comprises almost exclusively large detached two storey family homes on generous plots ...represents a coherent, continuous and easily identifiable area, which has maintained its character and unity intact."

## **Consultations**

### **Comments from Local Residents**

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

- o The application is similar to a previous scheme which was dismissed at appeal, with the latest plan reverting back to plan no. 2K13/02/2/1
- o Instead of setting the extension in from the boundary where it is opposite the kitchen window at No. 88, the plan has a straight flank elevation, which

- appears to bring the new build closer to the kitchen window which was the main area of concern at Committee and of 4 previous appeal Inspectors
- o The decrease in area is not 7m<sup>2</sup> but 0.75m<sup>2</sup>.
  - o The measurements of the latest plan have been manipulated, with the measurements of the existing rooms and the location of the boundary not tallying with the previous plan.
  - o The extended house would dominate No. 88
  - o The daylight/sunlight issue has not been resolved and would be worsened by the proposed extension coming closer to the kitchen window
  - o Loss of light and detrimental to living conditions
  - o The windows at No. 88 were there long before No. 90 was built
  - o Other neighbours in the locality have been required to step in their extensions from the boundary, even where they would not have the same amount of impact as the current scheme.

Comments were also received from the Park Langley Residents' Association, stating that the proposal is very similar to 13/03290 which was dismissed on appeal. The proposal would still result in a loss of light to the occupants of 88 Malmaison Way. The proposed development would square off the house and would add nothing to the aesthetics of the area.

### **Planning Considerations**

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

In considering the application the main policies are H10, H8 and BE1 of the Unitary Development Plan.

Policy H10 concerns Areas of Special Residential Character, applications in these areas will be required to respect and complement the established and individual qualities of the area.

Policy H8 concerns residential extensions and requires the design and layout of proposals to complement the scale and form of the host dwelling, respect spaces and gaps between buildings where contribute to the character of an area.

Policy BE1 requires a high standard of design in new development generally, and seeks to protect the amenities of the occupants of neighbouring properties.

Supplementary Planning Guidance relevant to the determination of the application includes:

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

Policy 7.4 of the London Plan is of particular relevance, relating to Local Character.

### **Planning History**

The application property has been subject to a number of previous planning applications, as detailed in the section below, as well as a number of appeals, including 5 schemes which were dismissed at appeal. Under reference 14/04076 planning permission was granted on appeal. The applicant's agent has stated that the plans which were considered under previous applications inaccurately represented the size of the host dwelling, as a consequence of which the rear projecting element of the proposals has been reduced in width, although the separation to the boundary has been retained in respect of this element, and the separation between the first floor flank element of the proposal has been reduced.

The planning history is summarised as follows.

03/01919: Planning permission GRANTED for a single storey side/rear extension and single storey rear extension for conservatory

10/02118 Planning permission REFUSED for a first floor side extension. Planning permission was refused on the grounds that the proposal, which extended for the full width of the ground floor, would have had a detrimental impact on the amenities of the neighbouring residential dwelling, and would have been harmful to the character and appearance of the ASRC.

A subsequent appeal against the refusal of planning permission was dismissed.

11/03032 Planning permission REFUSED for a first floor side and rear extension which incorporated the stepping in of part of the first floor side element from the ground floor flank elevation below. Permission was refused on the grounds of the impact of the proposal on residential amenities of the neighbouring property in addition to the appearance of the host dwelling and the character and appearance of the ASRC.

A subsequent appeal against the refusal of planning permission was dismissed.

13/00771 Planning permission was REFUSED for a first floor side and rear extension. This application again incorporated the setting back from the ground floor flank elevation of the first floor side extension. Permission was refused on the grounds that the proposed extension would be detrimental to the amenities of the occupiers of No. 88, resulting in a loss of light.

The subsequent appeal against the refusal of planning permission was dismissed.

13/03290 Planning permission REFUSED for a first floor front/side and rear extension which retained a separation to the flank boundary at first floor level of 2.15m, with the rear element of the extension flush with the first floor element. Permission was refused on the grounds that the extension would be detrimental to the amenities of the occupiers of No. 88 resulting on a loss of light.

A subsequent appeal against the refusal of planning permission was dismissed, with the Inspector noting that the central section of the extension would have been closer to the kitchen than the scheme shown on the concurrent appeal regarding



13/003395, and that the proposal would result in an unacceptable loss of light to the kitchen of No. 88 and would be harmful to the living conditions of the occupants of that property. The lack of information to enable the effects on outlook to be adequately assessed added weight to the conclusion that the appeal should be dismissed.

13/03395 First floor side and rear extension. Planning permission was REFUSED for a scheme which included a staggered building line, with a separation of 2.15m from the shared boundary at the front, increasing to 2.9m in the central section, and 1.1m at the rear. The application was supported by a daylight and sunlight report and it was recommended that permission be granted. Permission was refused on the grounds of the impact of the proposal on the neighbouring property at No. 88.

A subsequent appeal against the refusal of permission was dismissed, with the Inspector reasoning that while the Council decision notice only referred to loss of light, and that impact was in itself unacceptable, the raised concerns regarding outlook, commented on by neighbours and previous Inspectors, was material. The Inspector concluded: "Even if I had concluded that the loss of daylight was within acceptable limits, I would have requested additional information in relation to the effects on outlook. In the absence of such information I could not have satisfied myself that the development would not be harmful to the amenity of the neighbours at No. 88, particularly given that the proposed extension would occupy the full depth of the existing house, as did the previous proposals."

14/04076 Planning permission was REFUSED for a first floor side and rear extension on the grounds that:

"The proposed extension would result in an unacceptable reduction in the light received by the adjacent kitchen window at the neighbouring property, No. 88 Malmaison Way. In addition, the extension would appear as an overbearing and visually intrusive feature, which would result in a loss of outlook from this window. The proposal is therefore contrary to Policy BE1 of the Council's Unitary Development Plan."

An appeal against the Council's refusal of planning permission was allowed. The Inspector acknowledged that the outlook from the side window of No. 88 would be affected by the proposed extensions, but concluded that the outlook would not be unduly restricted in an urban or suburban context. The Inspector took the view that the internal layout of the neighbouring house "has not made the most of the potential outlook towards its own garden," and stated that "it would not be right for a side window at Number 88 to have an overriding effect, in principle, of preventing desirable improvements to the neighbouring house."

The development granted planning permission on appeal has not been implemented, and would provide a fall-back position for the extension of the application dwelling. However, the grant of planning permission was subject to condition 2 which required that the development should be carried out in accordance with the approved drawings, including 2K13/02/2/4. It is not clear to

what extent the inaccuracies in the permitted plan would prevent implementation of the permitted scheme.

15/00546 Planning permission was REFUSED for a first floor side and rear extension on the grounds of the impact of the proposal on the light to the neighbouring kitchen window, in addition to the overbearing and visually intrusive appearance of the extension when viewed from the neighbouring window.

The application was supported by a daylight and sunlight report dated 26th January 2015 which referred to proposals shown on plans 2K13/02/2/5 (15/00546) and 2K13/02/2/4 (14/04076)

An appeal against the refusal of planning permission was withdrawn after the Inspector allowed the appeal which related to plan 2K13/02/2/4 under reference 14/04076.

## **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 particularly the loss of light to the neighbouring property at No.88, and the impact on the outlook from the kitchen window of this property.

The planning history of the site is a material planning consideration in the determination of this application, including the appeal history of the site.

The current application differs from that which was allowed on appeal (ref. 14/04076) in that rather than providing a separation between the first floor side extension and the party boundary of 2.42m, a separation of 1.93m would be provided. The relationship between the proposed rear bedroom extension and the boundary remains as permitted, with 1.1m space retained to the boundary. The width of the proposed first floor study has been increased from 3.28m to 3.55m, while the width of bedroom 5 has been reduced from 4.75m to 4.24m.

Appeals were dismissed for first floor extensions at the host property where a greater side separation to the boundary was provided, notably application ref. 13/00771 which was also similar in terms of the layout of the extension relative to the party boundary. In that application, a side space of 2.15m to the boundary was shown to be provided for the stepped in first floor side element of the extensions proposed. It should be noted that that application, and subsequent appeal, was not supported by the daylight and sunlight report submitted in relation to applications refs. 14/04076 and 15/00546.

In assessing the appeal reference 14/04076, the Inspector in afforded less weight to the significance of the ground floor flank window at No. 88 than the previous appeal Inspectors. The Inspector considered that the proposed development in that case would have had a satisfactory impact on the amenities of the occupants at No. 88, and placed significant weight on the submitted daylight and sunlight report findings. In concluding that the development would be acceptable, the Inspector

stated that "the loss of light would not be so serious, in the context of the urban setting and the flank location of the window in question, as to justify a refusal of planning permission." With regards to the loss of outlook, the Inspector referred to "an urban or suburban context", stating that the effect of the proposals on the outlook from the window at No.88 would not be so serious as to warrant the refusal of planning permission.

The Inspector agreed that the room served by the flank window is a habitable room, well-used and in important element of the house. However, he concluded:

"I have also noted that the internal layout of the house (as it seems to have evolved over the years) has not made the most of the potential outlook towards its own garden. Moreover, I am convinced that it would not be right for a side window at No. 88 to have an overriding effect, in principle, of preventing desirable improvements to the neighbouring house."

The additional information submitted (the daylight and sunlight survey) was taken into account, and the Inspector stated that he afforded greater weight to the "effect of the internal layout of the house at No. 88 and its relationship with its side boundary. Moreover, I am particularly conscious of the urban location of the site and I accept that reasonable expectations of light and outlook from a flank window in such a location are not likely to be the same as would be the case for principal windows."

This application has been submitted with a supporting letter dated 22nd June 2015 entitled "Daylight and Sunlight Report". The report was submitted in response to the Committee Report and refusal of planning permission under 15/00546 and states that an adequate quantum of daylight would remain, and that this would provide adequate internal illuminance. While the reduction in the VSC level of the window would be discernible to the human eye, the impact would not be unacceptable. The report continues, to refer to extent to which the development would accord with the BRE Second Edition 2011 and emphasises that there is no guidance in the BRE Second Edition 2011 with regard to outlook and no one has a right to a view. Whether an impact is considered acceptable is subjective.

It should be noted that this report was prepared to specifically relate to the development proposed under refs. 15/00546 and 14/04076, both of which proposed a more significant retention of space adjacent to the boundary in proximity to the neighbouring flank window.

The current proposal would effectively provide a lesser separation to the boundary at the front/side of the flank elevation than the permitted scheme. It is necessary to consider whether the previous Inspector's reasoning with regards to the weight afforded to the impact of development on the flank facing window, which provides the principal daylight/sunlight to and outlook from the kitchen at the neighbouring dwelling remains pertinent. Similarly, it is necessary to consider whether the most recent appeal decision overrides that of the Inspector in the appeal relating to 13/00771 which while similar to the current proposal, provided a more generous separation to the flank boundary, taking into account the provision in the previous case (and referred to in the current application) of a daylight and sunlight report.

The applicant has not specified to what extent the daylight and sunlight report submitted in relation to reference 14/04076 would remain accurate in respect of the current application's closer proximity to the party boundary.

The increase in width of the extension at the front, and commensurate encroachment towards the boundary, is reasonably modest, at a little under 0.5m. However, the relationship between the host dwelling and the neighbouring property which was erected some years prior to the erection of No. 90, is sensitive. The sensitivity of the relationship is evidenced by the extensive planning history and the finely balanced yet subtly contradictory appeal decisions relating to the development of the host dwelling and the weight afforded to the flank window at No. 88.

While it is acknowledged that in some more densely developed areas, a lower expectation is reasonable with regards to flank outlook, in the case of the host dwelling, and the neighbouring property, they lie within an ASRC which is notably suburban in its character, described as a garden estate in the ASRC description. The limited outlook acceptable in an urban area is not considered relevant to an appraisal of the extent to which the amenities of the occupants of the neighbouring property should be afforded weight.

The applicant has submitted a letter supplied in relation to the daylight and sunlight report, following the refusal of permission for application ref. 15/00546, which highlights the approach taken in assessment of the impact of development on daylight and sunlight, citing the BRE Second Edition, 2011. It is stated that the guidance in the document is not mandatory and needs to be applied flexibly. The amount of daylight available should be considered rather than solely the amount lost. It further emphasises that the sunlight to the flank window would exceed the minimum even if that development was to be implemented; again, it is considered by the surveyor that it is not the loss of daylight and sunlight that is significant so much as the quantum of light that remains.

The letter additionally concedes that with regards to outlook, assessment of impact is entirely subjective, referring to further diagrams to support the analysis of sky view remaining. These diagrams have not been submitted with this application, and, in that they relate to the previous applications for permission each of which provided a more generous separation to the flank boundary towards the centre/front of the extensions, would not be directly relevant to the assessment of this proposal. The principles of the BRE Second Edition 2011 are noted.

As the primary window to the neighbouring kitchen, which is noted to be well-used and 'the hub of the home', it is considered that significant weight should be afforded to the outlook from the window, as well as to the impact of the proposed development on the daylight and sunlight to the room.

On balance, it is considered that the proposal would have a greater impact than not only the past dismissed proposals which were not supported by a daylight and sunlight report, but also the most recent permitted proposal which was. While relatively modest, the 0.49m reduction in separation shown to be provided between

the first floor flank elevation and the boundary would have an appreciably greater adverse impact on the residential amenities of the neighbouring property, leading to an unacceptable loss of daylight/sunlight to the sole window to the kitchen and an overbearing impact on outlook from that window.

The application has not been accompanied by a daylight and sunlight report tailored specifically for the development currently proposed. Reference has been made, however, to the previous report which highlighted not only the extent to which the assessment of impact on outlook is subjective, but also that consideration should be made of the quantum light remaining, rather than concentrating on the light that is lost.

The flank facing window at No. 88 serves an important room within the house, which is habitable, serves a well-used kitchen and is well-lit by daylight and sunlight. Members may consider that the reduction in separation between the flank facing elevation of the extension and the boundary would result in a more appreciably adverse impact than that which was allowed at appeal, and replicates more closely past proposals where appeals against the Council's refusal were dismissed. The extension would have an overbearing impact, increasing the sense of enclosure and diminishing the outlook from the neighbouring property to an unacceptable degree. The proposal would also reduce the daylight/sunlight to the window, which is the sole window to the kitchen, and would therefore have an unacceptable impact on the amenity of the occupants of the property.

In terms of the impact of the proposal on the visual amenities of the street scene, it is noted that in previous cases, the principle of a first floor extension to the property at this location has been considered to have an acceptable impact on the character and appearance of the ASRC. It is not considered that this proposal would have a significant adverse impact on the character and appearance of the ASRC, taking into account the existing planning permission, and the relationship between the proposed front gable and the existing front gable on the other side of the property.

## **RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

- 1 The proposed extension by reason of its proximity to the boundary would result in an unacceptable reduction in the light received by the adjacent kitchen window at the neighbouring property, 88 Malmaison Way, in addition to which the extension would appear as an overbearing and visually intrusive feature which would result in an unacceptable loss of outlook. The proposal is thereby contrary to Policy BE1 of the Unitary Development Plan.**

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**Application:** 15/03804/FULL6

**Address:** 90 Malmaims Way Beckenham BR3 6SF

**Proposal:** First floor front, side, rear extension.



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

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

**Application No :** 15/03927/LBC

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

**Address :** Sundridge Park Management Centre Ltd  
Plaistow Lane Bromley BR1 3TP

**OS Grid Ref:** E: 541757 N: 170738

**Applicant :** Mr Richard Barter

**Objections :** YES

### **Description of Development:**

Partial demolition and single storey extension to gate house and erection of garage and related works (Listed Building Consent)

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
Green Chain Walk  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Metropolitan Open Land  
Sites of Interest for Nat. Conservation  
Smoke Control SCA 7 / SCA 10

### **Proposal**

Joint report with application 15/03561:

This application is for Listed Building Consent for partial demolition and single storey extension to gate house and erection of garage and related works

### **Conclusions**

The main issue relating to this application is the effect that the proposal would have on the Statutory Listed Building.

The building is at present in need of renovation. The application for Listed Building Consent is considered acceptable in that it retains the main fabric and setting of the Listed Building. Having had regard to the above is recommended that Members granted Listed Building Consent.

Background papers referred to during production of this report comprise all correspondence on file ref(s). 15/03927, 15/03561, 15/03928 and 15/03688, excluding exempt information.

**RECOMMENDATION: GRANT LISTED BUILDING CONSENT**

**subject to the following conditions:**

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

**Reason: Section 18, Planning (Listed Buildings and Conservation Areas) Act 1990.**

**Application:**15/03927/LBC

**Address:** Sundridge Park Management Centre Ltd Plaistow Lane  
Bromley BR1 3TP

**Proposal:** Partial demolition and single storey extension to gate house  
and erection of garage and related works (Listed Building Consent)



"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 :** 15/03928/FULL1

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

**Address :** Sundridge Park Management Centre Ltd  
Plaistow Lane Bromley BR1 3TP

**OS Grid Ref:** E: 541757 N: 170738

**Applicant :** Mr Richard Barter

**Objections :** YES

### **Description of Development:**

Demolition of the existing Gate House and erection of a two storey 2-bedroom dwelling with detached garage, entrance piers to Willoughby Lane, and alterations to vehicular and pedestrian access.

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Chain  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Metropolitan Open Land  
Sites of Interest for Nat. Conservation  
Smoke Control SCA 7  
Smoke Control SCA 10

### **Proposal**

Joint Report with application 15/03688 (The associated Listed Building Consent)

This application seeks permission for redevelopment of the Gate House Willoughby Lane Bromley. The Sundridge Park estate is set within Metropolitan Open Land (MOL), which extends to include the Gate House site. It is also within the designated Grade II Sundridge Park Historic Park and Garden, which also includes the two Golf Courses. The Gate House is located within the setting of the Grade I Mansion House.

It is considered that the lodge is listed by being within the curtilage of Sundridge Mansion.

This is a joint application with an associated application 15/03688 for a Listed Building Consent.

There is also an application for Partial demolition and single storey extension to gate house and erection of garage and related works under 15/03561 and

associated Listed Building Consent 15/03927. These cases are also on this agenda.

### **Location**

The property is an existing gate house for the Sundridge Park Mansion located on the Northern side of Plaistow Lane. Plaistow Lane bends sharply to the West.

### **Planning History**

An application for Demolition of existing Gate House and erection of a two storey 2 bedroom dwelling with detached garage, gates and Pillars to Willoughby Lane and alterations to vehicular and pedestrian access under reference 14/04249/FULL1 and associated Listed Building Consent was considered on the 21st May 2015 Plans Sub Committee. This application was refused for the following reason:

"The proposal would result in the unacceptable loss of the existing Statutory Listed Building, thereby contrary to Policies BE1 and BE8 of the Unitary Development Plan."

### **Consultations**

#### **Comments from Local Residents**

Nearby properties were notified and representations were received which can be summarised as follows:

In opposition:

The building has been allowed to fall into disrepair. The building should be kept as a place to appreciate. Few Listed buildings in Bromley  
Gate House was part of Sundridge Park Estate Historic asset loss unacceptable

In support:

Poor state of building.  
Not worthy of protection  
Need of junction improvements  
In favour of the replacement.

In respect of the previous application Environmental Health - no objections in principle. However, a contamination assessment on the adjacent site 2003-2005 found elevated concentrations of lead, zinc, arsenic across the site. A condition is recommended.

### **Highways**

I am satisfied with the technical note submitted with the application and would agree that the junction could benefit from this proposal.

I have now seen details of technical drawings of suggested improvement to the junction.

All new works on the highway at junction of Willoughby Lane with Plaistow Lane will be subject to the section 278 agreement. Please include the following with any permission:

Condition  
H29 (Construction Management Plan)  
H32 (Highway Drainage)

Non Standard Condition

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

Before any work is commenced on the access/highway works a Stage 1 and where appropriate a Stage 2 Road Safety Audit (these may be combined with the prior agreement of the local Planning Authority) shall be submitted to and approved in writing by the local Planning Authority. The works shall be implemented strictly in accordance with the approved details to the satisfaction of the local Planning Authority before any part of the development hereby permitted is first occupied. A Stage 3 Audit shall be submitted to and approved in writing by the local Planning Authority following satisfactory completion of the works and before they are opened to road users. The Road Safety Auditor should note that a member of Bromley's Traffic team should be invited to attend each audit site visit (contact [lisa.allen@bromley.gov.uk](mailto:lisa.allen@bromley.gov.uk))

Non standard informative

Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant."

## **English Heritage**

English Heritage maintain their previous comments as follows:

English Heritage advise that The Gate House is located at the junction between Plaistow Lane and the historic carriageway to the Mansion which is now known as

Willoughby Lane. It forms part of a Humphry Repton designed landscape which is listed at Grade II in English Heritage's Register of Historic Parks and Gardens, and is specifically mentioned in the list entry.

The building is also listed within the curtilage of Grade I Sundridge Park Mansion which was built in late 18th century to a design by John Nash and Samuel Wyatt. As identified in the submitted Design and Access Statement, the Gate House is likely to be contemporary with the Mansion (p10) and although the architect

remains unknown, the building bears architectural similarities to a number of gatehouses by both Nash and Wyatt. The building has suffered from undesirable later extensions and alterations, and now possesses a somewhat plain and dilapidated character. Nonetheless, it is considered by English Heritage to be a designated heritage asset of both architectural and historic interest.

Impact.

The proposals seek to demolish the existing Gate House and erect a two storey replacement gate lodge and garage. It is also proposed to reconstruct the removed gate piers using salvaged and new material. The design of the proposed new building uses traditional building materials. Improvements to the pavement along Plaistow Lane would be secured by the pulling back of the new build from the roadside.

Policy

In considering these proposals, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a duty on your Authority to consider the impact of development proposal upon listed buildings. It states that the determining authority 'shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

The National Planning Policy Framework (NPPF) sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. Conserving heritage assets in a manner appropriate to their significance forms one of the 12 core principles that define sustainable development.

Specific policies relevant to this case include Paragraphs:

- o 128 which refers to the need of fully understanding the heritage significance of a site when making decisions
- o 130 which indicates that where there is evidence of deliberate neglect or damage to a heritage asset, the deteriorated state of the asset should not be taken into account in any decision
- o 131 which advises local authorities to take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- o 132 which states that any harm to a designated heritage asset should require clear and convincing justification
  
- o 134 which states that when a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

English Heritage's Position:



The total demolition of the Gate House would cause a significant amount of harm which in our view has not been justified or supported in terms of national planning policy. As identified in this advice letter, we consider the Gate House to be of architectural significance and of much historic significance. It contributes to the significance of both the Grade I listed Mansion, and the Grade II Registered Park.

Although the submitted Design and Access Statement argues the acceptability of the proposed work, it does acknowledge that the building is likely to be contemporary with the Mansion and bears architectural similarity to similar lodges by both Nash and Wyatt. The submitted information stresses that the building is in a poor condition and does not provide sufficient accommodation to support refurbishment for sale on the open market. We understand the building has been in the same ownership for some time, and if so, the dilapidated state of the structure cannot be used as justification for the work (Para 130, NPPF). Furthermore, without market testing, or the submission of a full condition survey, we do not consider that clear and convincing justification for the demolition has been provided (Para 132, NPPF). We recognise that there would be some public benefit in improving the pavement around the lodge as expressed in Dermot McCaffery letter of 18th July. However, we do not consider that this public benefit is sufficient to offset the harm caused by the total loss of the original Gate House (Para 134, NPPF).

#### Recommendation

We are therefore currently unable to support these proposals and we would encourage revisions to be explored to retain the existing structure. The submitted documentation stresses the limitations of the existing accommodation and therefore English Heritage can accept an extension to the rear to meet these desires. Historic research has already been carried out by the applicant on similar lodges of the period, and this information could be used to inform the design of such an extension. For example, the East Lodge (Palmer's Lodge) at Holkham Hall bears a striking similarity to the Gate House at Sundridge Park. However, unlike the Gate House, East Lodge features pedimented entrances, and a generous range to the rear. The removal of the modern accretions, reinstatement of gate piers, and an appropriate extension based on scholarly research could present a real opportunity to enhance the significance of both the curtilage listed building and the Registered Park (Para 131, NPPF).

In addition, EH have commented on the Building Survey for Sundridge Park Gate House prepared by Kempton Carr Croft Property Consultants.

English Heritage's position is as we indicated, we consider the Gate House to be a designated heritage asset by virtue of its age and location within the curtilage of the Grade I listed Sundridge Park Mansion, as well as being a key feature within the Grade II Registered Park. As such, we do not consider that the current proposals to demolish the building comply with national planning policy. The submitted Report provides some additional justification for the proposals which we have now reviewed.

We note from the Report that the survey was subjected to limited visual inspections only and specialist tests have not been applied. Therefore the overall opinion in the Report that substantial rebuilding and underpinning is required has not been fully demonstrated in our view. Our Surveyor has indicated that whilst the building is in need of urgent attention, its condition appears typical to that of a building which has been left unoccupied for a significant period and subjected to theft of its roofing materials. The various repairs and improvements listed on page 3 of the Report are the usual works to be expected following such deterioration and each has a practicable solution, whether involving repair or local rebuilding. It is also considered that any need for underpinning or for chimney rebuilding could easily be achieved, and although the concrete flooring may have exacerbated the structural problems, there are several acceptable proprietary methods of upgrading solid masonry structures to the levels of insulation to acceptable standards. Regarding the concerns about insurance, there are countless examples of historic buildings throughout the country which have suffered severe structural deformations, often through settlement, and that have been subsequently very satisfactorily repaired for residential use utilising a range of professional advices available in the market place. In light of the Report and our on-site inspection, our Surveyor has stressed the need for secure access to the building to make it safe from illegal entry, and also for protective treatments to make the building wind and watertight including the fitting of a protective roof supported by scaffolding over the top of the building. Some monitoring of the building would also be required.

We therefore rest on the comments in the attached letter and would strongly recommend that options are explored to retain the existing structure.

From a Listed Building point of view:

EH deem its loss to cause "less than substantial harm" to the listed building and therefore paragraph 134 of NPPF applies. There is no public benefit proposed that would in my view justify its loss. Furthermore EH are of the view that it has not been satisfactorily demonstrated that the building cannot be repaired. On this basis I recommend we strongly resist

### **Planning Considerations**

Policies within the Bromley Unitary Development Plan including BE1, BE8 and G2

In considering these proposals, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a duty the Authority to consider the impact of development proposal upon listed buildings. It states that the determining authority 'shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

The National Planning Policy Framework (NPPF) sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. Conserving heritage assets in a manner appropriate to their significance forms one of the core principles that define sustainable development.

In strategic terms the most relevant London Plan policies are:

2.8 Outer London: Transport

3.3 Increasing Housing Supply

3.4 Optimising Housing Potential

3.5 Quality And Design Of Housing Developments

5.3 Sustainable Design And Construction

## **Conclusions**

The main issues to be considered are:

- the loss of Listed Building
- the quality of the replacement housing proposed
- the acceptability of residential development within the MOL
- the impact on the setting and character of the Statutory Listed Building
- the impact on the amenities of neighbouring residential properties
- the impact on highway safety and parking

### Density and quality of housing

The replacement house in itself may be acceptable were it not for the fact the existing gate house building in within the grounds of Statutory Listed building and therefore Listed itself. The loss of which is unacceptable.

London Plan Policy 3.3 sets out minimum space standards and the unit would all provide a suitable internal layout in this regard.

### Impact on the Metropolitan Open Land

The site lies within MOL, new buildings are inappropriate unless very special circumstances are demonstrated. It is noted that this would replace an existing building but with a similar footprint.

### Impact on the Statutory Listed Building

The proposal to remove the statutory Listed Building this would seem unacceptable following on from English Heritage advice.

### Impact on the amenities of neighbouring residential properties

The proposed development is considered to have a limited impact on the amenities of neighbouring residential properties in terms of prospect, sunlight and daylighting, other properties are a considerable distance away.

### Impact on highways and car parking

In terms of the revised access layout the development appears to be acceptable.

## Summary

Having regard to the above it is considered that the proposal is unacceptable in terms of the loss of the Listed Gate house  
It is therefore recommended that Members refuse planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref(s). 14/04252, 14/4252, 15/03927, 15/03561, 15/03928 and 15/03688, excluding exempt information.

In terms of the Listed Building Consent application the proposal seeks to demolish and replace building with a new lodge building. The building is at present in need of renovation the application for Listed Building Consent is, however, accompanied by a full planning application This corresponding planning application is considered unacceptable and therefore it is considered premature to grant Listed Building Consent without a suitable corresponding planning permission.

Having had regard to the above is recommended that Members refuse Listed Building Consent.

**as amended by documents received on 12.11.2015**

**RECOMMENDATION: APPLICATION BE REFUSED**

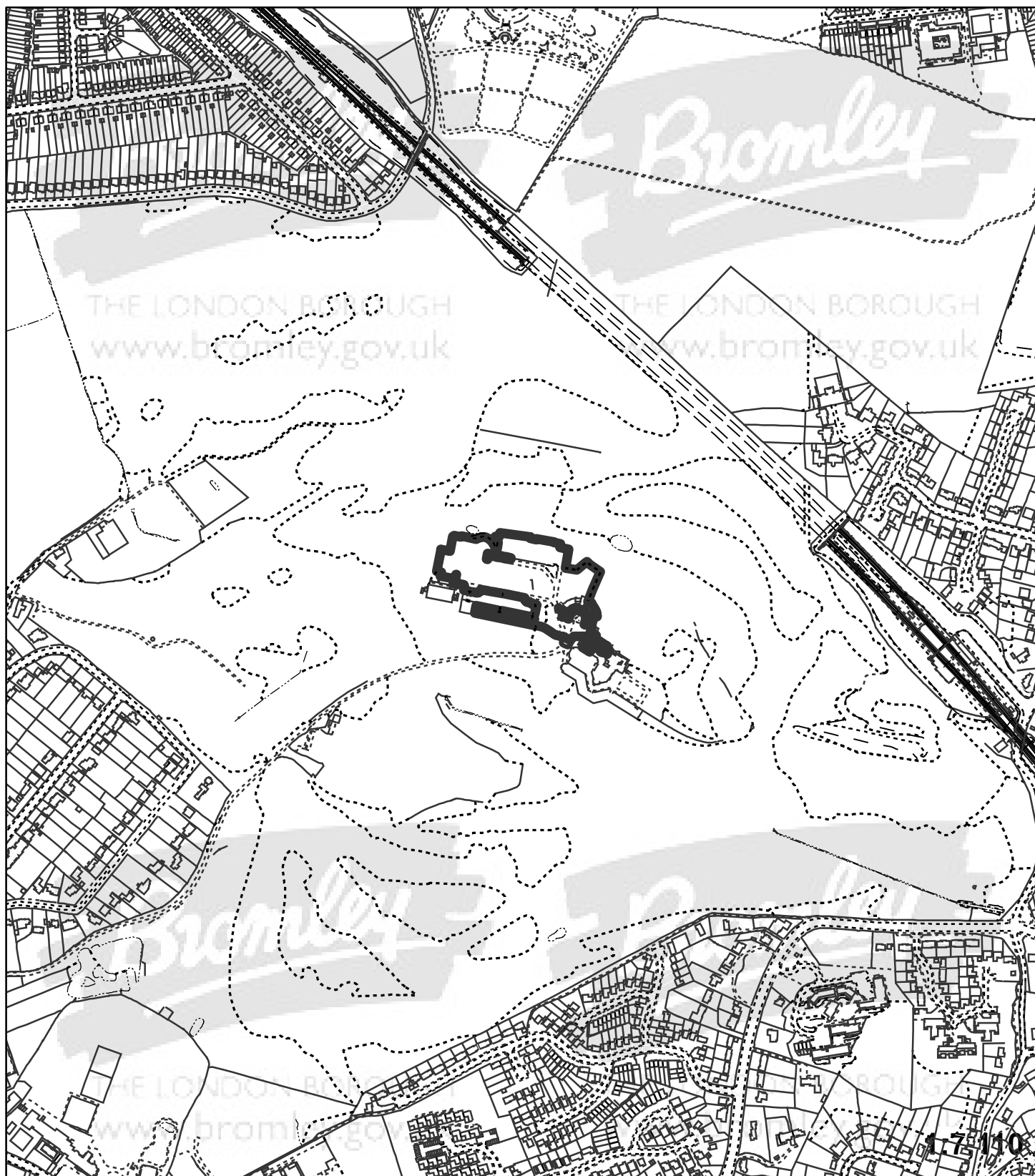
**The reasons for refusal are:**

- 01 The proposal would result in the unacceptable loss of the existing Statutory Listed Building, thereby contrary to Policies BE1 and BE8 of the Unitary Development Plan.**

**Application:**15/03928/FULL1

**Address:** Sundridge Park Management Centre Ltd Plaistow Lane  
Bromley BR1 3TP

**Proposal:** Demolition of the existing Gate House and erection of a two storey 2-bedroom dwelling with detached garage, entrance piers to Willoughby Lane, and alterations to vehicular and pedestrian access.



"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 :** 15/03963/FULL6

**Ward:**  
Chislehurst

**Address :** 25 Berens Way Chislehurst BR7 6RH

**OS Grid Ref:** E: 545728 N: 168531

**Applicant :** Mr Levent Ibrahim

**Objections :** YES

### **Description of Development:**

Part one/two storey rear and first floor side extensions, front porch and conversion of garage to form granny annexe

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Open Space Deficiency  
Smoke Control SCA 17

### **Proposal**

The application site is a two storey detached property located on the Northern side of Berens Way.

The proposal is for a first floor side, single storey front and single storey rear extensions, a front porch and conversion of garage to form granny annexe.

The first floor side extension will project 2.7m from the flank elevation and will be 8.3m deep to match the depth of the existing building. It will provide 1.3m to the side boundary thereby compliant with policy H9 of the Unitary Development Plan.

The single storey rear extension will project 7.82m from the rear elevation and will be 16.610m wide to match the width of the existing property. It will replace the existing utility room and dining room, projecting 4.5m further to the rear than the existing rear projection.

The proposed front extension will be 2m deep and 4.1m wide, located close to the western boundary. The front porch will project 1.4m from the front elevation and will be 2m wide.

The proposed garage conversion to a habitable room will create a granny annexe ancillary to the main dwelling. The elevational alterations include removing the garage door and replacing with brickwork and a window.

## Consultations

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

- o Impact on surface water drainage?
- o Plan appears incorrect - should be shown on the boundary line
- o Impact on neighbouring foundations?
- o Concern regarding where the water from flat roof will discharge
- o Building and future maintenance of flank wall?

Highways Officer raised no objection as there is sufficient space within the curtilage which would be utilised for parking.

## Planning Considerations

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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

The site has been subject to previous planning applications:

- o 83/01217/FUL - Two storey side extension - Refused 11.08.1983
- o 85/01139/FUL - Two storey side extension - Permitted 13.06.1985
- o 88/02875/FUL - Single storey rear extension and single storey front extension to porch - Permitted 31.08.1988

## Conclusions

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

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

The proposed first floor side extension will project 2.7m from the flank elevation and will be 8.3m deep to match the depth of the existing building. It will provide 1.3m to the side boundary thereby compliant with policy H9 of the Unitary Development Plan which requires a minimum of 1m for the full height and length of a two storey development. Two additional front dormers are proposed that are of similar size and design to the existing front dormers on this property. From visiting the site it was noted that several neighbouring properties have similar front



dormers and is a feature of the area. Therefore this element is considered to be in keeping with design of the host property and will not impact significantly on the host dwelling or street scene in general.

The single storey rear extension will project 7.82m from the rear elevation and will be 16.610m wide to match the width of the existing property. It will replace the existing utility room and dining room, projecting 4.5m further to the rear than the existing rear projection. It will provide 2m side space to the eastern flank boundary. From visiting the site it was noted that the both side boundary lines currently benefit from established vegetation therefore it is not considered to impact significantly on either neighbouring property with regards to loss of light, outlook or visual amenity, over and above that already existing.

The proposed front extension will be 2m deep and 4.1m wide, located close to the western boundary. This is modest in size and is in keeping with the design of the host property therefore is not considered to impact significantly on the street scene. The front porch will project 1.4m from the front elevation and will be 2m wide. It is similar to the front porch which was permitted under planning ref: 88/02875/FUL and is considered acceptable.

The proposed garage conversion to a habitable room will create a granny annexe ancillary to the main dwelling. The elevational alterations include removing the garage door and replacing with brickwork and a window. Paragraph 4.47 of Policy H8 which states that residential extensions (or 'granny annexes') can provide accommodation which enables a family to care for an elderly or disabled relative. Problems can arise when this type of development constitutes a self-contained unit which could potentially be severed from the main dwelling resulting in substandard accommodation. It is therefore considered appropriate to include a condition to prevent the severance of the granny annexe. The conversion of the garage will result in the loss of one parking space however as there is sufficient space within the sites curtilage, which would be utilised for parking, no objection was raised by the Councils' Highways Officer.

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

**as amended by documents received on 13.10.2015**

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

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

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

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

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

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

- 4** The additional accommodation shall be used only by members of the household occupying the dwelling and shall not be severed to form a separate self-contained unit.

**REASON:** In order to comply with Policy H8 of the Unitary Development Plan, to ensure that the accommodation is not used separately and unassociated with the main dwelling and so as to prevent an unsatisfactory sub-division into two dwellings.

**Application:** 15/03963/FULL6

**Address:** 25 Berens Way Chislehurst BR7 6RH

**Proposal:** Part one/two storey rear and first floor side extensions, front porch and conversion of garage to form granny annexe



"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 :** 15/04012/FULL6

**Ward:**  
Hayes And Coney Hall

**Address :** 22 Dartmouth Road Hayes Bromley BR2  
7NE

**OS Grid Ref:** E: 540237 N: 166838

**Applicant :** Mr Chris Symes

**Objections : NO**

### **Description of Development:**

Two storey rear and side extension and front porch

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
Flood Zone 3  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 51

### **Proposal**

Planning permission is sought for a two storey rear extension, single storey side extension and porch to front. The proposal seeks to add a study, utility room and new kitchen and family room to the ground floor and two new bedrooms and an en-suite to the first floor. The side extension measures 7.2m in height x 3.2m in width x 6.5m in depth. The single storey rear extension measures 6.5m in height x 9.5m in width x 4m in depth. The existing garage is proposed to be demolished.

This application should be considered in conjunction with an application at No.20 Dartmouth Road (the adjoining semi) (Ref: 15/04013/FULL6), which is for a near identical application. The application site is a two storey semi-detached property located on the western side of Dartmouth Road, Hayes.

### **Consultations**

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

Consultee comments

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  
H8 Residential Extensions  
H9 Side Space

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

### Planning History

Under planning application reference: 02/00964 planning permission was granted for a single storey side and rear extension.

## **Conclusions**

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

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

### Design

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

The proposed side/rear extension has been set down from the ridge of the main dwelling and back from the front elevation at first floor level, it therefore has a subservient appearance. The overall width would also be less than half the width of the main dwelling, which again adds to the subservient nature of the scheme.

Policy H9 of the UDP requires applications for new residential development, including extensions to retain, for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site for the full height and length of the flank wall of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.

In terms of side space it is noted that the proposed first floor side element is located 1m from the boundary. Given the set back of the extension from the front elevation and lower roof line ridge it is considered that the spatial characteristics of

the area and the buildings character is maintained to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. As such the proposal does not represent a cramped appearance and does not result in unrelated terracing and therefore maintains the spatial standards and level of visual amenity of the streetscene in this case.

The side addition would then wrap around the rear elevation. It would incorporate two pitched roofs. Whilst it is acknowledged that the rearward projection of 4m does add bulk to the dwellinghouse but the pitched nature of the roof lessens the overall mass. The scheme for a near identical application at No.20 (the adjoining semi) would mean that the proposal would not look out of character when viewed in the street scene.

In terms of massing the extension is considered to be in proportion with the host dwelling and the overall design would not significantly harm the appearance of the property. The proposed facing materials would match the existing dwelling, which is considered to be sympathetic.

Elevation all alterations would be made to the front of the property. This includes the removal of the existing garage door and the installation of a replacement window. The proposed window would match the proportions of the existing finest rafter and is considered an acceptable alteration that would not harm the appearance of the host dwelling.

#### Residential Amenity and Impact on Adjoining Properties

Policy BE1 seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The proposed side/rear addition would abut the common boundary with No 24 at ground floor level. No.24 has been extended by way of a single storey side and conservatory to rear. Whilst it is acknowledged that the 4m depth is slightly larger than normally permitted, on balance it is considered acceptable. The design of the roof would also pitch away from this common boundary, helping to lessen the visual bulk of the scheme. Given the above, officers consider that the two-storey side/rear projection would not result in a significantly intrusive or overbearing form of development for No 24.

As detailed above there is an identical application currently pending consideration which means there will be no impact to No.20 as the proposed rearward projection will be the same as that proposed at No.22. No significant loss of light or overshadowing is anticipated due to the existing orientation of the site.

The proposed fenestration would primarily face the front and rear of the property where there is already an established degree of overlooking. No significant loss of privacy or overlooking is therefore anticipated. One window is located within the flank elevation of the side extension which would also be obscured and not result in no loss of privacy.

## Highways and Traffic Issues

The property has a drive to the front which provides for two off-road car parking spaces. The loss of the garage is not considered would not have any effect on highway safety and the proposal would not cause increased on street parking. The Highways Officer has not raised any objection to the proposal.

## Summary

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area and street scene in general.

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

## **RECOMMENDATION: PERMISSION**

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

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

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

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

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

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

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



- 4 **Before the development hereby permitted is first occupied, the proposed window(s) shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.**

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

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**Application:**15/04012/FULL6

**Address:** 22 Dartmouth Road Hayes Bromley BR2 7NE

**Proposal:** Two storey rear and side extension and front porch



"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 :** 15/04013/FULL6

**Ward:**  
Hayes And Coney Hall

**Address :** 20 Dartmouth Road Hayes Bromley BR2  
7NE

**OS Grid Ref:** E: 540237 N: 166841

**Applicant :** Mr Chris Symes

**Objections :** NO

### **Description of Development:**

2 storey rear extension, single storey side extension and porch to front

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
Flood Zone 3  
London City Airport Safeguarding  
Open Space Deficiency  
Smoke Control SCA 51

### **Proposal**

Planning permission is sought for a two storey rear extension, single storey side extension and porch to front. The proposal seeks to add a study, utility room and new kitchen and family room to the ground floor and two new bedrooms and an en-suite to the first floor. The side extension measures 7.2m in height x 3.1m in width x 6.6m in depth. The single storey rear extension measures 6.6m in height x 9.3m in width x 4m in depth. The existing garage is proposed to be demolished.

Planning permission was granted for a similar development on 1st May 2015. The scheme has now been revised with the roof to the front porch being pitched as opposed to flat and the rear element of the extension is now wholly two storey where it was previously part two/part single storey.

This application should be considered in conjunction with an application at No.22 Dartmouth Road (the adjoining semi) (Ref: 15/04012/FULL6), which is for a near identical application. The application site is a two storey semi-detached property located on the western side of Dartmouth Road, Hayes

### **Consultations**

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

Consultee comments

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  
H8 Residential Extensions  
H9 Sidespace

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

### Planning History

Under planning application ref: 15/00963 planning permission was granted for a part one/two storey on 01.05.2015.

Under planning application ref: 88/04614 planning permission was granted for a single storey front extension to garage and front porch. 25.01.1989

Under planning application ref: 84/00969 planning permission was granted for a single storey rear extensions. 06.06.1984

## **Conclusions**

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

### Design

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

The proposed side/rear extension has been set down from the ridge of the main dwelling and back from the front elevation at first floor level, it therefore has a subservient appearance. The overall width would also be less than half the width of the main dwelling, which again adds to the subservient nature of the scheme.

Policy H9 of the UDP requires applications for new residential development, including extensions to retain, for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site for the full height and length of the flank wall of the building or where higher standards of separation

already exist within residential areas, proposals will be expected to provide a more generous side space.

In terms of side space it is noted that the proposed first floor side element is located 1m from the boundary. Given the set back of the extension from the front elevation and lower roof line ridge it is considered that the spatial characteristics of the area and the buildings character is maintained to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. As such the proposal does not represent a cramped appearance and does not result in unrelated terracing and therefore maintains the spatial standards and level of visual amenity of the streetscene in this case.

The side addition would then wrap around the rear elevation. It would incorporate two pitched roofs. Whilst it is acknowledged that the rearward projection of 4m does add bulk to the dwellinghouse but the pitched nature of the roof lessens the overall mass. The proposal would generally be in keeping with design of the host dwelling and at the time of the site visit officers noted a slightly smaller side/rear projection at No.18. The scheme for a near identical application at No.22 (the adjoining semi) would mean that the proposal would not look out of character when viewed in the street scene.

In terms of massing the extension is considered to be in proportion with the host dwelling and the overall design would not significantly harm the appearance of the property. The proposed facing materials would match the existing dwelling, which is considered to be sympathetic.

Elevational alterations would be made to the front of the property. This includes the removal of the existing garage door and the installation of replacement windows at both ground and first floor level. The proposed window would match the proportions of the existing fenestration and is considered an acceptable alteration that would not harm the appearance of the host dwelling.

#### Residential Amenity and Impact on Adjoining Properties

Policy BE1 seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The proposed side/rear addition would abut the common boundary with No 18. This property has been extended by way of a two-storey side addition that has a small rearward projection. No windows are located within the flank elevation of this extension. Whilst it is acknowledged that the 4m depth is slightly larger than normally permitted, the depth is considered acceptable in this instance as the proposal would only project 0.9m beyond the rear elevation of this neighbouring extension. The design of the roof would also pitch away from this common boundary, helping to lessen the visual bulk of the scheme. Given the above, officers consider that the two-storey side/rear projection would not result in a significantly intrusive or overbearing form of development for No 18.

No 18 is located to the north of the application site, however given the limited rearward projection in relation with the existing neighbouring extension, together with the pitched roof would unlikely result in a significant loss of light or overshadowing.

The adjoining property at No 22 is located to the south of the site and has been extended by way of a single-storey wrap around extension. As detailed above there is an identical application currently pending consideration which means there will be no impact to No.22 as the proposed rearward projection will be the same as that proposed at No.20. No significant loss of light or overshadowing is anticipated to due to the existing orientation of the site.

The proposed fenestration would primarily face the front and rear of the property where there is already an established degree of overlooking. No significant loss of privacy or overlooking is therefore anticipated. One window is located within the flank elevation of the side extension; however this would overlook a brick wall. The window would also be obscured which would result in no loss of privacy.

#### Highways and Traffic Issues

The property has a drive to the front which provides for two off-road car parking spaces. The loss of the garage is not considered would not have any effect on highway safety and the proposal would not cause increased on street parking. The Highways Officer has not raised any objection to the proposal.

#### Summary

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area and street scene in general.

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

#### **RECOMMENDATION: PERMISSION**

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

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

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



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

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

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

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

- 4 Before the development hereby permitted is first occupied, the proposed window(s) shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.**

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**Application:**15/04013/FULL6

**Address:** 20 Dartmouth Road Hayes Bromley BR2 7NE

**Proposal:** 2 storey rear extension, single storey side extension and porch to front



"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 :** 15/03601/RECON

**Ward:**  
**Chelsfield And Pratts**  
**Bottom**

**Address :** Scout Hall Highfield Avenue Orpington

**OS Grid Ref:** E: 545791 N: 164149

**Applicant :** Mr Stuart Milne

**Objections :** YES

### **Description of Development:**

Variation of Condition 99 of planning permission reference 83/02042, to extend hours of operation from 9am-12 noon Monday to Friday to 7:30am- 9am and 3pm-6.30pm during school times Monday to Friday, and to 7:30am- 6:30pm during school holidays Monday to Friday

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Smoke Control SCA 28

### **Proposal**

This application relates to the use of the scout site for the provision of pre-school and after-school childcare, and its use during the summer months for similar purposes for extended hours. The applicant has confirmed that the use accommodates up to 24 children.

Under reference 83/02042 planning permission was granted in respect of the continued use of the scout hall for playgroup purposes. This application seeks to extend the hours of operation of the playgroup operating from 9am-12 noon Monday to Friday, to the following times:

- 7:30am- 9am and 3pm-6.30pm during school times Monday to Friday
- 7:30am- 6:30pm during school holidays Monday to Friday

The childcare use currently operates for the extended hours sought in this application. This report assesses its continued use of the site for those extended hours. This application follows complaints from local residents, and as a result, the applicant was asked to formally apply for planning permission.

Location

The application site comprises a scout hut which fronts the western end of Highfield Road. The surrounding area is entirely residential with the southern site

boundary adjoining the rear gardens of 9, 10 and 11 Glentrammon Close, the western site boundary adjoining the rear gardens of 13 and 24 Briarswood Way, and the northern site boundary adjoining 6 King Henrys Mews.

The scout hut is located toward the western half of the site and is surrounded to its western and southern sides by a grassed area which is used for recreational activities. The eastern side of the site contains an area of gravel which is used for parking.

### **Consultations**

Nearby owners/occupiers were notified of the application no representations were received which are summarised below:

- no need for this use as there are after-school clubs at Green Street Green and Warren Road schools
- scout use has not been a problem
- neighbouring amenity has been undermined
- noise levels have intensified following the introduction of a pre/after school club
- need for 1983 condition even more valid today given additional housing
- grassed area adjacent to 13 and 24 Briarswood Way is not an appropriate area for outdoor play given noise generated by over 20 children in a confined area
- due to proximity of neighbouring properties, the noise is intense
- concern that activities will increase at the site
- lack of measures to limit noise and disturbance
- risk to children's safety

### **Consultee Comments**

From an Environmental Health perspective, there are concerns over the potential impact on surrounding residential amenity of intensifying the use and extending hours of operation. The background noise level in this location is likely to be low and residential properties are situated within very close proximity. As the application stands it is recommended that it is refused.

In order to address these concerns the applicant may consider employing an acoustic consultant to measure background level, accurately assess the effect and if applicable to recommend mitigations to prevent adverse effects on surrounding residents.

### **Planning Considerations**

Policy BE1(v) of the Unitary Development Plan is relevant. This advises that all development proposals will be expected to respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

## **Planning History**

Under reference 83/02042 planning permission was granted in respect of the continued use of the scout hall for playgroup purposes. Condition 99 of that permission required that:

*"The use of the premises for the purpose permitted shall be limited to Mondays to Fridays inclusive and only between the hours of 9am to 12 noon"*

The condition was justified for the following reason:

*"In order to limit the change of use of the building from its primary use to the use indicated in the application and to safeguard the amenities and character of the locality."*

## **Conclusions**

The principal consideration in this case relates to the impact of the hours of operation which are formally sought on neighbouring amenity.

The site is occupied by a long-established scout hall which forms the designated site use. The site has been hired for use by other groups over time, and it does benefit from an earlier planning permission enabling its use by a playgroup for more restricted hours from Monday - Friday.

This proposal will entail an intensified use of the application site for pre-school and after-school activities and for longer periods during the summer months, essentially enabling extended child supervision throughout the working day. The site encompasses a garden area to the west of the scout hall which contains various paraphernalia and which has been used for outdoor recreation. That garden area adjoins the residential properties at 13 and 24 Briarswood Way with the boundary with those properties bounded by a retaining wall up to approximately 1 metre high and a 6ft-high single-panel close-boarded fence. The site is elevated in relation to Briarswood Way.

The Council has received various objections from neighbouring residential properties purporting to the excessive noise levels associated with the pre- and after-school activities at the site, which have seemingly occurred in contravention of Condition 99 of the 1983 planning permission. Given the nature of the objections raised, as well as the Environmental Health comments concerning the sort of background noise levels which may be expected in this location, it is considered that these objections are justified; furthermore, no evidence has been submitted by the application to demonstrate that noise levels are within tolerable levels. As such, and in the absence of such evidence presented by the applicant, it is considered that the proposal fails to respect the amenity of occupiers of neighbouring buildings by reason noise and disturbance. Furthermore, in the absence of noise abatement measures to limit background noise levels, it would be premature to grant planning permission.

Taking account of the above, it is considered that the proposal adversely affects neighbouring amenity and should be refused.

**RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

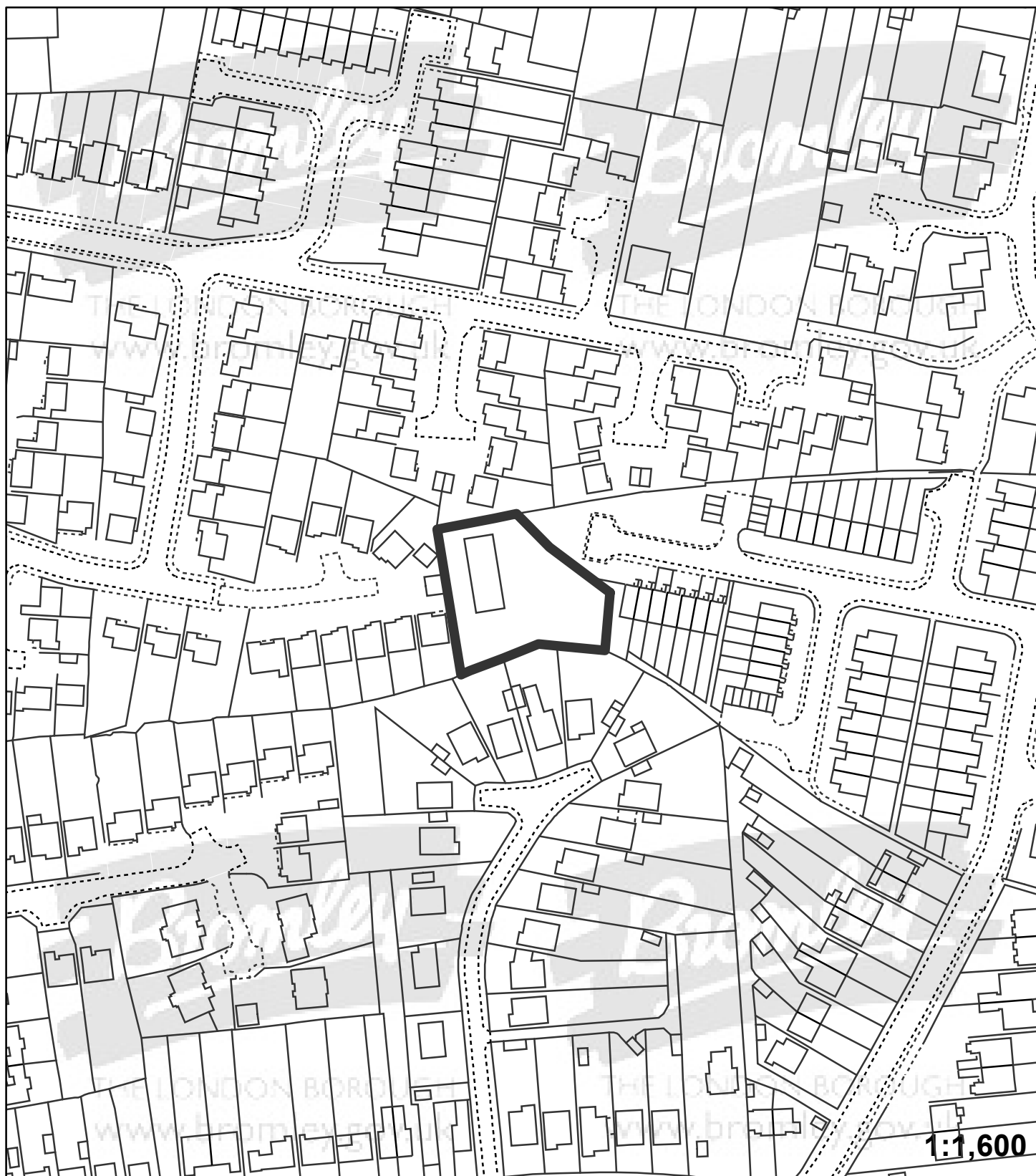
**The proposed increase in hours of operation would be seriously detrimental to the amenities that surrounding residents might reasonably expect to be able to continue to enjoy by reason of noise and general disturbance associated with the use of the site, thereby contrary to Policy BE1(v) of the Unitary Development Plan.**



**Application:**15/03601/RECON

**Address:** Scout Hall Highfield Avenue Orpington

**Proposal:** Variation of Condition 99 of planning permission reference 83/02042, to extend hours of operation from 9am-12 noon Monday to Friday to 7:30am- 9am and 3pm-6.30pm during school times Monday to Friday, and to 7:30am- 6:30pm during school holidays Monday to Friday



"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 :** 15/03813/FULL1

**Ward:**  
Penge And Cator

**Address :** 11 Provincial Terrace Green Lane Penge  
London SE20 7JQ

**OS Grid Ref:** E: 535774 N: 170281

**Applicant :** Akers Dev. Ltd.

**Objections :** YES

### **Description of Development:**

Demolition of two-storey side extension and creation of access road; erection of a pair of 1 1/2 storey semi-detached two bedroom houses with associated parking and residential curtilage

### **Key designations:**

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
London Distributor Roads  
Open Space Deficiency  
Smoke Control SCA 1

### **Proposal**

This application was submitted with application ref: 15/03823; each application seeks to overcome the grounds of refusal for residential development schemes which were refused planning permission under references 13/04058 and 13/01166.

The scheme proposes the demolition of an existing two-storey side extension to 11 Provincial Terrace and the creation of an access road leading to a pair of semi-detached two bedroom houses with associated parking and refuse store. The applicant describes the development as being 1 ½ storey dwellings.

A side space of 1.4m is shown to be provided between the two storey flank elevation of the pair of dwellings and the north-eastern boundary of the site with dwellings fronting Parish Lane. These dwellings have rear gardens with a depth of approx. 12m. The dwellings in Provincial Terrace have shorter rear gardens, with deep side returns, of approx. 4.4m deep.

### **Location**

The site is located on the north side of Provincial Terrace, Green Lane and encompasses a two storey end of terrace property. It is bounded mostly by

residential gardens to the north-east and south-east, and by the flank elevation of Parish Mews and railway land to the north-west and south-west respectively. At present the site has no access other than through the host dwelling at No.11 Provincial Terrace, although it is appreciable in part from the street where the open railway land leading to maintenance access is bounded by a fence constructed of open metal railings. The site is visible from the rear gardens and first floor rear facing windows of the residential dwellings surrounding the site.

The site measures 0.4 hectares and is broadly rectangular in shape, being approx. 15m wide by 20m deep, excluding the proposed formed access.

Green Lane is a reasonably busy road, comprising a mix of commercial and residential properties. Dwellings are generally two storey and terraced, although flatted blocks lie on the corner of Green Lane and Parish Lane and on the site of a former depot opposite Provincial Terrace.

## **Consultations**

### **Comments from Local Residents**

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

- o The proposal would not be beneficial to the local community or the best use of the land
- o Loss of natural light into neighbouring property at Parish Mews
- o Loss of secluded space at rear of properties fronting busy roads
- o Family homes are required rather than 2 bedroom dwellings
- o Security risk to neighbouring dwellings associated with the opening up of access to the land
- o Access for emergency vehicles
- o The ground floor kitchen window of No. 6 Parish Mews directly overlooks the rear gardens of the proposed dwellings
- o Loss of part of the existing more substantial dwellinghouse to provide the access to the rear
- o The Parish Mews development does not set a precedent for backland development as it involved the conversion of an existing factory
- o The extension at No 11 which would be demolished is actually an original part of the dwelling
- o The access would be dangerous as there are many parked cars on this side of the road
- o Intrusive and out of character
- o The site is actually a garden
- o The houses would overlook neighbouring properties and result in loss of outlook to dwellings on Parish Lane
- o Loss of light, privacy and overshadowing to dwellings fronting Parish Lane
- o Vehicle noise and disturbance at the rear of the short neighbouring gardens
- o The lack of space between the development and the boundary with neighbouring gardens would have a negative impact on the rear gardens of dwellings fronting Parish Lane

- o Loss of value to neighbouring dwellings
- o Disturbance during construction period
- o Impact on pets of construction and opening of an access point onto Green Lane
- o Impact on wildlife

A petition with 32 signatories was received.

### **Comments from Consultees**

Environmental Health (public health) comments raise concerns that the minimum recommended GIA referred to in the London Plan (July 2015) is 83m<sup>2</sup>, and the GIA for the proposed development falls significantly short of the minimum recommended.

Furthermore, in both dwellings, the proposed means of escape in the event of fire from the bedrooms would be through the living room, which is a high risk room and therefore not desirable.

Environmental Health (pollution) raised no objections in principle, subject to conditions relating to contaminated land and air quality. It is also recommended that an acoustic assessment be submitted in order to determine noise levels from the adjacent railway line and if necessary, to specify the glazing/ventilation requirements to achieve satisfactory residential amenity.

No objections are raised from a Drainage point of view and informatives are suggested in the event of a planning permission.

Thames Water raised no objection in respect of sewerage infrastructure capacity or water infrastructure capacity but suggested informatives in the event of a planning permission

From a Highways point of view it is noted that Green Lane (A213) is a London Distributor Road. The site is located in an area with medium PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible).

The applicant has stated that the site is accessed via an existing crossover. This is incorrect as there is no crossover in place. Furthermore, there is a BT pole and a tree which may need relocating. The cost of the works should be met by the applicant.

The site is accessed via a new access road approximately 3.10m wide. The applicant should explain how emergency vehicles i.e. fire services can service the site. Also, the applicant is to submit a state 1 and stage 2 road safety audit and the works should be implemented strictly in accordance with the approved details to the satisfaction of the Local Planning Authority.

Two car parking spaces would be provided, which is satisfactory in principle. Four cycle parking spaces should be provided. The Waste Management Team should

be consulted and the refuse store should be located within 18m of the nearest accessible point for the refuse vehicle.

Planning conditions are suggested if planning permission is granted.

Network Rail raised no objection to the previous scheme, which was substantially similar to the current proposal.

No specific concerns were raised from a Crime point of view although principles of Secured by Design were suggested in the event of a planning permission and the use of external lighting and perimeter fencing requirements were also suggested.

### **Planning Considerations**

The application falls to be determined in accordance with the National Planning Policy Framework (NPPF), the London Plan and the following policies of the Unitary Development Plan:

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T11 New Accesses
- T18 Road Safety

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

The above policies are considered to be consistent with the principles and objectives of the NPPF, a key consideration in the determination of the application. London Plan Policies include:

- Policy 3.3 Increasing Housing Supply
- Policy 3.4 Optimising Potential
- Policy 3.5 Quality and Design of Housing Developments
- Policy 5.3 Sustainable Design and Construction
- Policy 5.13 Sustainable Drainage
- Policy 7.3 Designing out Crime
- Policy 7.4 Local Character

### **Planning History**

The planning history of the site includes a number of extensions in relation to the dwelling house and a refusal, reference 71/02234 for the demolition of the existing dwelling and the erection of block of 4 flats, block of 2 garages, associated parking and new access road for the following reasons:

1. The proposal constitutes an over-intensive cramped form of backland development resulting in an unacceptably poor standard of open space and prospect for the occupiers of the proposed flats
2. The proposal does not comply with the Council's standard as regards the access facilities generally and the proposed parking provision

The more recent planning history sees a planning refusal for application reference 13/01166 for the demolition of two storey side extension and creation of access road; erection of pair of two storey semi-detached two bedroom houses with associated parking and residential curtilage. The refusal grounds were as follows:

1. The proposed constitutes a cramped form of backland development out of character and poorly related to adjoining property and thereby contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.
2. The proposed development, in view of its scale, height and siting would be harmful to the amenities of adjoining occupants by reason of visual impact, loss of prospect and light and contrary to Policies BE1 and H7 of the Unitary Development Plan.
3. The proposed dwellings would lack adequate amenity space for future occupants and would thereby be contrary to Policy H7 of the Unitary Development Plan.

Planning permission was refused under reference 13/04058 for the demolition of the two storey side extension, creation of access road, and erection of a pair of two storey semi-detached two bedroom houses, with associated parking and residential curtilage. The refusal grounds were:

- "1. The proposed development constitutes an unsatisfactory form of backland development, out of character with the area, poorly related to neighbouring property and seriously detrimental to the existing level of amenity which the occupants of neighbouring properties might reasonably expect to continue to enjoy in the form of secluded rear garden areas, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
2. The proposed development by reason of the proposed access road running along the party boundary and the general disturbance which would arise from its use would be seriously detrimental to the existing level of amenity which the occupants of neighbouring properties might reasonably expect to continue to enjoy, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
3. The proposed development, in view of its scale, height and siting would be harmful to the amenities of adjoining occupants by reason of visual impact, loss of prospect and light, and overshadowing, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan."
4. The proposal represents a cramped overdevelopment of the site by reason of its bulk, height, siting and the restrictive size of plot available, and would appear

cramped, obtrusive and out of character with adjoining development and unsuited to this backland area thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

5. The proposed dwellings would lack adequate quality of space for future occupants and would thereby be contrary to Policy H7 of the Unitary Development Plan.

A concurrent application has been submitted under reference 15/03823 for the erection of a dormer bungalow single dwelling on the site.

## **Conclusions**

The main issues for consideration are the effect of the development on the character and appearance of the locality and the effect on the amenity of occupiers of neighbouring buildings and those of future occupants and whether this application has sufficiently addressed the previous grounds of refusal so as to merit a planning permission.

Whilst it is recognised that new development should seek to optimise the potential of a site Policies BE1 and H7 of the Unitary Development Plan (UDP) are concerned with the character and appearance of the area and require development to complement adjacent buildings, not detract from the street scene and expect that buildings and space about buildings are designed to a high quality. Paragraphs 56 and 57 of the National Planning Policy Framework (NPPF) place great importance on the design of the built environment including high quality design for individual buildings.

In considering the current planning applications for the residential development of the site the planning history, and grounds for refusal, are material planning considerations. It is worthwhile to consider the ways in which the current proposal for a pair of semi-detached dwellings differs from the previous schemes in order to assess the success or otherwise of this attempt to overcome the previous grounds for refusal.

In terms of siting and means of access, the current proposal replicates that of the development proposed under 13/04068. The footprint, siting, amenity space and relationship to the boundary are also broadly replicated. Where the previous application proposed an asymmetrical roofline, with a gable to the south-western flank elevation and a hipped roof to the north-eastern flank, facing the neighbouring residential dwellings, the current proposal shows the provision of hipped roofs to each elevation.

Policy H7 notes that although in certain instances some backland development may be acceptable this should be small scale and sensitive to the surrounding residential area, additional traffic should not cause an unacceptable level of disturbance to neighbouring properties and a high standard of separation should be provided.



Given the constraints of the site and the relationship to the neighbouring dwellings it is not considered that a high level of separation has been provided; just over the minimum has been provided to the boundary with the dwellings fronting Parish Lane and the limited size of rear gardens to dwellings in Provincial Terrace results in an unacceptable proximity of parking areas and traffic movements to their private rear gardens.

It is considered that the comings and goings associated with the creation of two dwellings and the associated parking, vehicle movements and lighting, with very limited buffer zone, will have a detrimental impact on existing residential amenity. The level of activity, noise and disturbance associated with new dwellings in this location in such close proximity to the surrounding boundaries is considered to be unacceptable and is indicative of the cramped nature of the proposal. The current proposal incorporates the provision of a 1.8m acoustic fence at the rear of Nos.9-11 Provincial Terrace. However, the access road would immediately abut the flank elevation and rear garden of No.11 and it is considered that the general increase in activity and the introduction of residential activities of 2 households into close proximity with the rear garden and flank wall of No. 11 and the rear boundaries of Nos. 9 and 10 would result in an unacceptable increase in noise and disturbance to those properties. Concerns relating to the lighting of the parking area and disturbance from vehicle headlights would not be wholly mitigated by the provision of an acoustic fence, taking into account the very truncated rear gardens of the adjacent dwellings. Increased height screening, including soft-landscaping would not be neighbourly given the limited depth of the neighbouring gardens.

The proximity of the flank elevation of the proposed pair of dwellings to the rear gardens of dwellings fronting Parish Lane would limit the extent to which effective screening could be planted or provided between the proposed dwellings and the rear gardens, to mitigate additional noise and disturbance as well as the impact on outlook. The visual impact of the proposal would result in an uncomfortable relationship between existing and proposed development.

The access arrangements and number of residential units served by the narrow access in close proximity to neighbouring properties are as refused. While the roof form is more attractive when viewed as a semi-detached pair, the height and siting of the dwellings are as previously proposed. The deletion of the gable end would improve the appearance of the development when viewed from the Provincial Terrace gardens, with the flank elevation appearing less prominent and visually intrusive. However, the proposed dwellings would be as tall as those previously proposed, and would be clearly appreciable from neighbouring residential properties.

At present the open land at the rear of the tightly positioned terraced dwellings provides a buffer between existing dwellings with their reasonably modest gardens and the railway, and provides an enhanced level of amenity for the Provincial Terrace dwellings which have very short rear gardens, limiting the extent to which these dwellings have a feeling of being hemmed in at the rear.

It is noted that the land does not form part of a residential garden. Functionally, however, it gives rise to an impression of openness which is considered valuable in

the context of the densely developed locality. The development of the site should be small-scale and sensitive to its surroundings. The neighbouring development at Parish Mews followed the grant of planning permission for the conversion and enlargement of an existing commercial building, rather than the introduction of development in a rear position relative to the surrounding streets.

The provision of hipped roofs to each flank elevation improves the appearance of the pair of dwellings but is not considered to wholly address the concerns raised in the reasons for refusal relating to the development comprising unsatisfactory backland development, out of character and detrimental to the amenities of neighbouring residential properties. While an acoustic fence is shown to be provided for a section of the boundary with dwellings fronting Provincial Terrace, it is considered that the intensity of the residential use of the site, combined with the proximity of the access and parking to neighbouring residential dwellings would be likely result in unacceptable noise and disturbance and a general diminishing of the residential amenities that the occupiers of those dwellings might reasonably expect to continue to enjoy.

There is a flank facing window in the ground floor elevation of Parish Mews which directly looks into the site. However, this window is obscure glazed, and accordingly it is not considered that the proposed development would have a significantly adverse impact on the amenities of the property to which the window relates, taking into account the separation between the rear elevation of the proposed dwellings and the boundary.

It is noted that the GIA of the proposed dwellings would fall significantly short of that stipulated within the London Plan, if each dwelling was considered capable of accommodating 4 people. However, the submitted floor plans are annotated to show 1 double bedroom and 1 single bedroom which would fall short of the minimum floor area for a double bedroom. The minimum GIA for a 2 storey, 2 bedroom (3 person) dwelling would be 79m<sup>2</sup>, and the proposals would fall short of this standard, even taking into account the level of occupation predicted by the applicant.

Members may consider that this proposal does not address and overcome previous grounds of refusal and continues to result in a cramped overdevelopment of the site out of keeping with the established character of the area. Additionally, the level of accommodation for future occupiers is compromised. The proposal is substantially similar to the previously refused application reference 13/04058 in terms of the amount of development proposed, the siting and access arrangements. Accordingly Members may consider that the previous grounds for refusal should apply to this current proposal.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 15/03823, 13/04058, 13/01166 set out in the Planning History section above, excluding exempt information.

## **RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

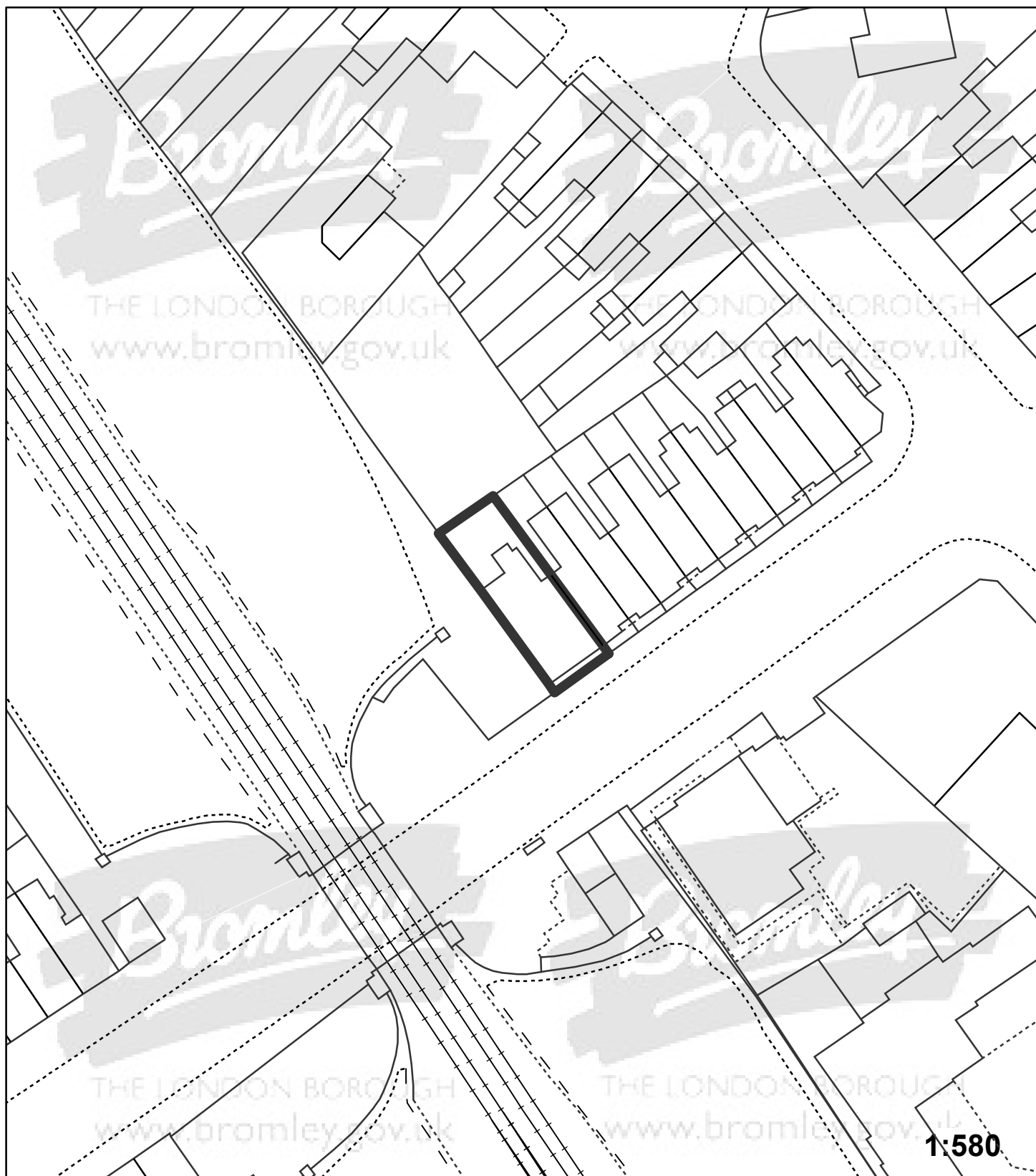
- 1 The proposed development constitutes an unsatisfactory form of backland development, out of character with the area, poorly related to neighbouring property and seriously detrimental to the existing level of amenity which the occupants of neighbouring properties might reasonably expect to continue to enjoy in the form of secluded rear garden areas, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.**
- 2 The proposed development by reason of the proposed access road running along the party boundary and the general disturbance which would arise from its use would be seriously detrimental to the existing level of amenity which the occupants of neighbouring properties might reasonably expect to continue to enjoy, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.**
- 3 The proposed development, in view of its scale, height and siting would be harmful to the amenities of adjoining occupants by reason of visual impact, loss of prospect and light, and overshadowing, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.**
- 4 The proposal represents a cramped overdevelopment of the site by reason of its bulk, height, siting and the restrictive size of plot available, and would appear cramped, obtrusive and out of character with adjoining development and unsuited to this backland area thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.**
- 5 The proposed dwellings would lack adequate quality of space for future occupants and would thereby be contrary to Policy H7 of the Unitary Development Plan.**

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**Application:**15/03813/FULL1

**Address:** 11 Provincial Terrace Green Lane Penge London SE20 7JQ

**Proposal:** Demolition of two-storey side extension and creation of access road; erection of a pair of 1 1/2 storey semi-detached two bedroom houses with associated parking and residential curtilage



"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 :** 15/03823/FULL1

**Ward:**  
Penge And Cator

**Address :** 11 Provincial Terrace Green Lane Penge  
London SE20 7JQ

**OS Grid Ref:** E: 535774 N: 170281

**Applicant :** Akers Dev. Ltd.

**Objections :** YES

### **Description of Development:**

Demolition of two-storey side extension and creation of access road and 2 car park spaces, and erection of a two bedroom dormer bungalow with residential curtilage

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
London Distributor Roads  
Open Space Deficiency  
Smoke Control SCA 1

### **Proposal**

Demolition of two-storey side extension and creation of access road and 2 car park spaces, and erection of a two bedroom dormer bungalow with residential curtilage

It is proposed to demolish an existing two storey side extension to an end of terrace dwelling in order to create an access to land at the rear.

A dormer bungalow would be erected on the land, retaining 1.4m side space between the vertical flank elevation and the north-eastern boundary, excluding the width of a modest projecting canopy which wraps around the flank/rear elevations of the dwelling. The bungalow would accommodate 2 double bedrooms and a bathroom in the roofspace provided by front and rear dormers and gable ends. On the ground floor a kitchen/living dining area is proposed in addition to a study and bathroom.

### **Location**

The application site lies on the northern side of Provincial Terrace and encompasses a two storey end of terrace property. The surrounding area is mainly residential with some commercial uses near by. The site does not fall within the boundaries of any designated conservation area.

The site itself is bounded to the south west by the boundary with the elevated railway embankment. To the north east lie the rear gardens of dwellings fronting Parish Lane and to the north west the flank elevation of the residential mews at Parish Mews. To the south east the site adjoins the short rear gardens of terraced dwellings forming Provincial Terrace.

The site measures 0.4 hectares and is broadly rectangular in shape, being approx. 15m wide by 20m deep, excluding the proposed formed access.

## **Consultations**

Comments from local residents

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

- o The proposal would not be beneficial to the local community or the best use of the land
- o Loss of natural light into neighbouring property at Parish Mews
- o Loss of secluded space at rear of properties fronting busy roads
- o Family homes are required rather than 2 bedroom dwellings
- o Security risk to neighbouring dwellings associated with the opening up of access to the land
- o Access for emergency vehicles
- o The ground floor kitchen window of No. 6 Parish Mews directly overlooks the rear gardens of the proposed dwellings
- o Loss of part of the existing more substantial dwellinghouse to provide the access to the rear
- o The Parish Mews development does not set a precedent for backland development as it involved the conversion of an existing factory
- o The extension at No 11 which would be demolished is actually an original part of the dwelling
- o The access would be dangerous as there are many parked cars on this side of the road
- o Intrusive and out of character
- o The site is actually a garden
- o The houses would overlook neighbouring properties and result in loss of outlook to dwellings on Parish Lane
- o Loss of light, privacy and overshadowing to dwellings fronting Parish Lane
- o Vehicle noise and disturbance at the rear of the short neighbouring gardens
- o The lack of space between the development and the boundary with neighbouring gardens would have a negative impact on the rear gardens of dwellings fronting Parish Lane
- o Loss of value to neighbouring dwellings
- o Disturbance during construction period
- o Impact on pets of construction and opening of an access point onto Green Lane
- o Impact on wildlife



A petition with 32 signatories was received.

### **Comments from Consultees**

From an Environmental Health perspective, no objections are raised in principle, subject to conditions relating to contaminated land and air quality. It is also recommended that an acoustic assessment be submitted in order to determine noise levels from the adjacent railway line and if necessary, to specify the glazing/ventilation requirements to achieve satisfactory residential amenity.

Environmental Health (Housing) comment that the only apparent means of natural ventilation to the study would appear to be the external patio doors, presenting a conflict between providing natural ventilation to the room, retaining warmth in the winter and adequate security.

From a technical highways perspective, it is noted that the site is located in an area with a public transport accessibility level of 4 on a scale of 0 - 6b, where 6b is the most accessible.

With regards to the vehicular access, the applicant states that the access is via an existing crossover which is incorrect and in fact there is a BT pole and tree which may need relocating.

The proposed access road would be approx. 3.1m wide and the applicant should explain how emergency vehicles can service the site. A Stage 1 and Stage 2 road safety audit should also be submitted.

The provision of 2 car parking spaces is satisfactory in principle, and 4 no. car parking spaces should be provided.

The refuse store should be located within 18m of the nearest accessible point for the refuse vehicle.

No objections are raised from a Drainage point of view and informatives are suggested in the event of a planning permission.

Thames Water raised no objection in respect of sewerage infrastructure capacity or water infrastructure capacity but suggested informatives in the event of a planning permission.

Network Rail raised no objection to the previous scheme, which was substantially similar to the current proposal.

No specific concerns were raised from a Crime point of view although principles of Secured by Design were suggested in the event of a planning permission and the use of external lighting and perimeter fencing requirements were also suggested.

### **Planning Considerations**

The application falls to be determined in accordance with the National Planning Policy Framework (NPPF), the London Plan and the following policies of the Unitary Development Plan:

BE1 Design of New Development  
H1 Housing Supply  
H7 Housing Density and Design  
H9 Side Space  
T3 Parking  
T11 New Accesses  
T18 Road Safety

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

The above policies are considered to be consistent with the principles and objectives of the NPPF, a key consideration in the determination of the application. London Plan Policies include:

Policy 3.3 Increasing Housing Supply  
Policy 3.4 Optimising Potential  
Policy 3.5 Quality and Design of Housing Developments  
Policy 5.3 Sustainable Design and Construction  
Policy 5.13 Sustainable Drainage  
Policy 7.3 Designing Out Crime  
Policy 7.4 Local Character

### **Planning History**

The planning history of the site includes a number of extensions in relation to the dwelling house and a refusal, reference 71/02234 for the demolition of the existing dwelling and the erection of block of 4 flats, block of 2 garages, associated parking and new access road for the following reasons:

1. The proposal constitutes an over-intensive cramped form of backland development resulting in an unacceptably poor standard of open space and prospect for the occupiers of the proposed flats
2. The proposal does not comply with the Council's standard as regards the access facilities generally and the proposed parking provision

Planning permission was refused under refs. 13/01166 and 13/04058 for the residential redevelopment of the garden land to the rear of dwellings fronting Parish Lane and Provincial Terrace, with 2 two storey semi-detached dwellings and 2 one/two storey semi-detached dwellings respectively.

The grounds for refusal of application 13/01166 were:

1. The proposed constitutes a cramped form of backland development out of character and poorly related to adjoining property and thereby contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.
2. The proposed development, in view of its scale, height and siting would be harmful to the amenities of adjoining occupants by reason of visual impact, loss of prospect and light and contrary to Policies BE1 and H7 of the Unitary Development Plan.
3. The proposed dwellings would lack adequate amenity space for future occupants and would thereby be contrary to Policy H7 of the Unitary Development Plan.

The grounds for refusal of application 13/04058 were:

1. The proposed development constitutes an unsatisfactory form of backland development, out of character with the area, poorly related to neighbouring property and seriously detrimental to the existing level of amenity which the occupants of neighbouring properties might reasonably expect to continue to enjoy in the form of secluded rear garden areas, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
2. The proposed development by reason of the proposed access road running along the party boundary and the general disturbance which would arise from its use would be seriously detrimental to the existing level of amenity which the occupants of neighbouring properties might reasonably expect to continue to enjoy, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
3. The proposed development, in view of its scale, height and siting would be harmful to the amenities of adjoining occupants by reason of visual impact, loss of prospect and light, and overshadowing, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
4. The proposal represents a cramped overdevelopment of the site by reason of its bulk, height, siting and the restrictive size of plot available, and would appear cramped, obtrusive and out of character with adjoining development and unsuited to this backland area thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
5. The proposed dwellings would lack adequate quality of space for future occupants and would thereby be contrary to Policy H7 of the Unitary Development Plan.

A concurrent application has been submitted for a pair of semi-detached two bedroom dwellings under reference 15/03813.

## **Conclusions**

The main issues for consideration are the effect of the development on the character and appearance of the locality and the effect on the amenity of occupiers

of neighbouring buildings and those of future occupants. It falls to be considered whether this application has sufficiently addressed the previous grounds of refusal to such an extent as to warrant the grant of planning permission.

Whilst it is recognised that new development should seek to optimise the potential of a site Policies BE1 and H7 of Bromley's Unitary Development Plan (UDP) are concerned with the character and appearance of the area and require development to complement adjacent buildings, not detract from the street scene and expect that buildings and space about buildings are designed to a high quality. Paragraphs 56 and 57 of the National Planning Policy Framework (NPPF) place great importance on the design of the built environment including high quality design for individual buildings.

The supporting design and access statement draws attention to the low residential density of the development, and the ways in which the scale of the development has been reduced. It is suggested that the provision of an acoustic fence around the boundary would mitigate against potential noise and disturbance to neighbouring property.

In order to evaluate the extent to which the reasons for refusal for application 13/04058 it is helpful to consider the ways in which the proposed development differs from that scheme.

The current scheme proposes the erection of a single dwelling with a reduced ridge and eaves height. The footprint is similar that refused, although the width of the building has been reduced by approx. 0.25m. A similar separation to the boundary with the Parish Lane dwellings would be retained, although it is noted that a projecting canopy at eaves height would extend within 1m of the site boundary. The dwelling would provide 2 double bedrooms, which represents an overall reduction in the intensity of the residential use of the site, as the previous scheme proposed 2 dwellings each with a single and a double bedroom. In terms of the built form of the development, the current proposal relates to the erection of what is described as a dormer bungalow, although the built form incorporates gable ends, formers and 2 first floor bedrooms. The scheme proposed under 13/04058 incorporated a hipped roof adjacent to the boundary where the existing application shows the provision of a gable end adjacent to the north-eastern boundary. An acoustic fence is shown to be provided between the proposed car parking area and the rear gardens of dwellings fronting Provincial Terrace.

The merits of the proposal are quite finely balanced; while the proposal represents an improvement in some respects over the previous scheme, in other respects the concerns relating to the proposed development of the site have not been overcome.

It is considered that the reduction in the number of residential units from 2 to 1 would limit the extent to which the proposed access road would result in unacceptable noise and disturbance to neighbouring residents, in particular No. 11. The provision of an acoustic fence between the truncated rear gardens of these dwellings and the proposed parking area would provide a level of mitigation of noise and disturbance, since the proposed parking area and access would serve

the comings and goings of one household rather than two households as was previously proposed.

With regards to the extent to which the proposal would constitute an acceptable form of development in the context of the backland site and the character of the area, it is considered that while the number of units has been reduced with an associated reasonably modest reduction in the scale of the development, the siting of the proposed dwelling and its relationship to neighbouring property and the locality in general is unsatisfactory.

The development would be surrounded by residential dwellings which in the case of those facing Provincial Terrace and Parish Lane are of a consistent design, appearance and siting within their curtilages. The built form of the proposed dwelling, as a detached single dwelling centrally sited in a backland position would neither complement nor reflect the locally distinctive pattern of development, in siting and form.

The roof is lower than the previously refused scheme, but where the previous proposal incorporated a hipped roof design facing the rear of properties fronting Parish Lane, the current proposal provides prominent gable ends to each flank elevation, with a projecting canopy at eaves height (above the boundary fence line). This projecting canopy would bring the development within 1m of the north-eastern boundary (as scaled from the submitted plans) and the cumulative impact of the built form of the development in relation to the boundary, with gable end and prominent flank elevation, would be to result in the development appearing cramped in this part of the plot.

It is acknowledged that a space of more than 3m is retained to the south-western boundary of the site, which in conjunction with the adjacent railway land would maintain some openness on one side of the site. In contrast, the relationship between the dwelling and the boundary would appear more uncomfortably cramped.

While it is noted that the residential layout of Parish Mews includes a rear sited building, the relationship between the buildings in the Mews are more sympathetic to the pattern and grain of the residential area, reflecting the history and original layout of the neighbouring streets. The development at Parish Mews comprised in the main the conversion of an existing factory building, with the existing buildings informing the layout of the development on the site which was accessed via an existing access point from the highway.

In terms of the impact of the proposal on residential amenity, while the height of the development has been reduced, the roof form is itself more bulky than that which was previously proposed, and the distance between development and the north-eastern boundary has not been increased; rather the introduction of a canopy feature wrapping around the north-eastern corner of the dwelling brings the development even closer to the boundary. While the gardens of the dwellings fronting Parish Lane are more generously proportioned than those of the Provincial Terrace dwellings, they are not so deep as to limit the visual impact of the prominent flank wall of the proposed bungalow to a satisfactory degree. The

existing open land provides a valuable visual buffer and an open aspect from the rear of the densely developed adjacent properties. The proposed bungalow would have prominent appearance from the side as a consequence of the dormer and gable features, and would project significantly above the fence height. The proximity of the flank elevation to the boundary would limit the extent to which screening planting could soften the appearance of the development, particularly in view of the substantial glazing at ground floor level of the flank elevation of the proposed dwelling and the projecting canopy.

Numerous local objections are raised to the revised scheme, not least in respect of the cramped and obtrusive nature of the development, how out of character it will be and impacts from increased noise and activity.

Members may consider that this proposal does not address and overcome all previous grounds of refusal and continues to result in a cramped development of the site out of keeping with the established character of the area and detrimental to the amenities of neighbouring residential dwellings, appearing bulky and resulting in a loss of prospect and outlook from the neighbouring secluded gardens.

It is acknowledged that the proposal would provide one additional dwelling it is not considered that this would outweigh the material harms to residential and visual amenity identified above.

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

## **RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

- 1 The proposal constitutes an unsatisfactory form of backland development, out of character with the area, poorly related to neighbouring property and seriously detrimental to the residential amenities that the occupiers of neighbouring property might reasonably expect to continue to enjoy in the form of secluded rear gardens, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.**
- 2 The proposed development, by reason of its scale, height and siting in proximity to the boundary would be harmful to the amenities of adjoining occupants by reason of visual impact, loss of prospect and overshadowing to rear gardens, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.**

- 3 The proposal represents a cramped overdevelopment of the site by reason of its bulk, height and siting and the restrictive size of plot available, and would appear cramped and obtrusive in relation to neighbouring properties in view of scale of the dwelling and its proximity to the boundary of the site, thereby contrary to Policy H7 of the Unitary Development Plan.**

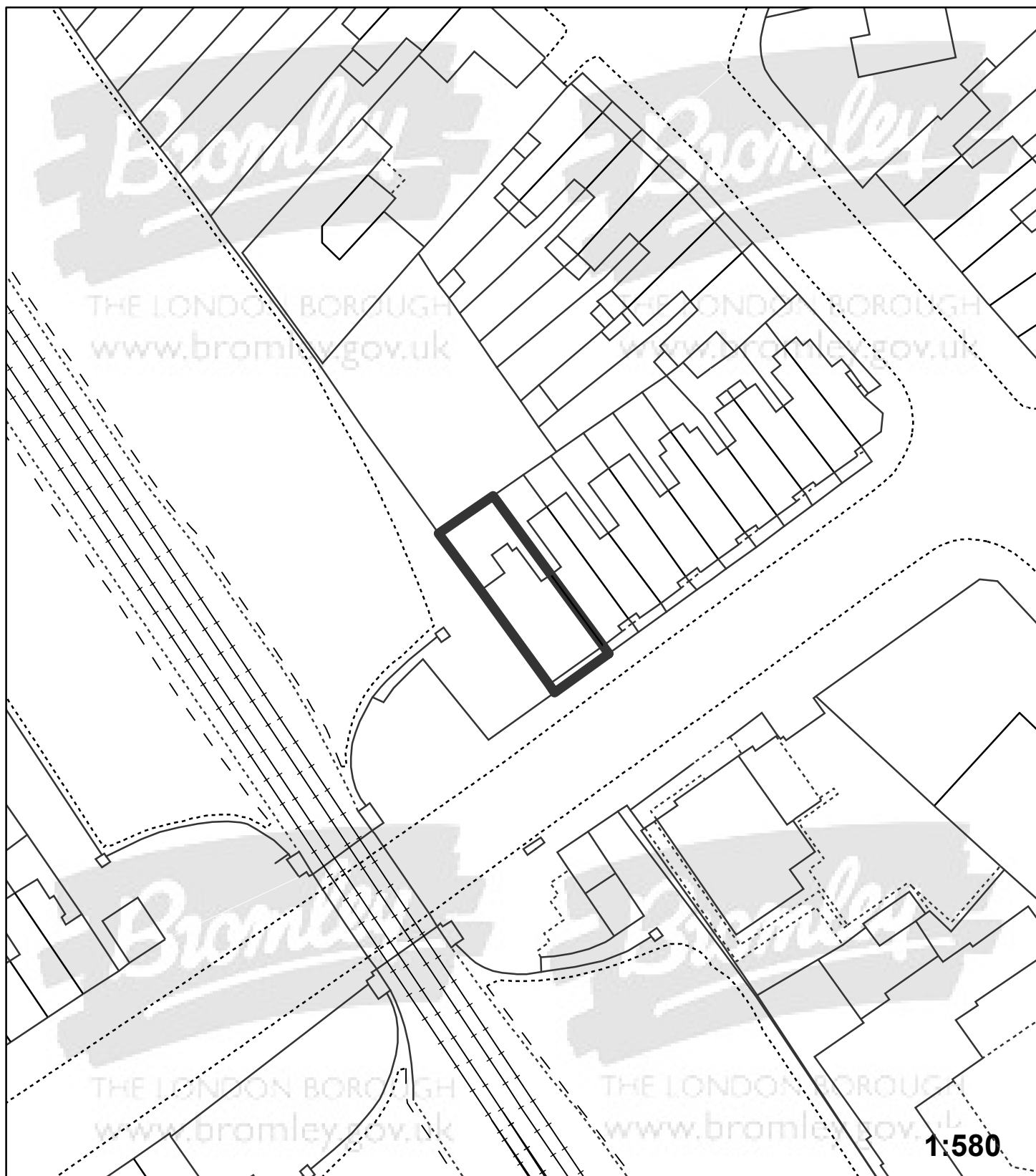
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**Application:**15/03823/FULL1

**Address:** 11 Provincial Terrace Green Lane Penge London SE20 7JQ

**Proposal:** Demolition of two-storey side extension and creation of access road and 2 car park spaces, and erection of a two bedroom dormer bungalow with residential curtilage



"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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