

**LONDON BOROUGH OF BROMLEY**

**TOWN PLANNING  
RENEWAL AND RECREATION DEPARTMENT**

Committee (SC) on 5th February 2009

REPORT OF THE CHIEF PLANNER

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

---

**1. Application No : 08/03940/FULL1 Ward: Chislehurst**  
**Address : Babington House School Grange Drive Conservation Area:NO  
Chislehurst Kent BR7 5ES**  
**OS Grid Ref: E: 542607 N: 170812**  
**Applicant : The Governors Objections : YES**

**Description of Development:**

Demolition of existing assembly hall and drama studio and erection of part one/two/three storey extension to the north of the site to provide new dining area, assembly hall, changing room and music room (amendment to phase 3 of permission granted under refs. 00/002853 and 04/04633)

**Proposal**

This application seeks permission for a new building to provide additional classroom and dining facilities at Babington House School, Chislehurst. This application is an amendment of planning applications refs. 04/04633 & 00/02853.

The first two phases have now been completed and the school wishes to alter the design and footprint of phase 3.

The application proposes the demolition of the existing assembly hall and drama studio and erection of a part one/two/three storey extension to the north of the site to provide a new dining area (incorporating a kitchen and restaurant), assembly hall, changing room and music room. The Design and Access Statement states that the school's recent Ofsted Report outlined that there were no onsite catering or dining facilities and eating food in the classrooms was not recommended. The report also commented that there were no facilities for food technology to be practically taught to encourage good diet and cookery skills.

The site is located on the corner of Grange Drive and Clifford Drive. The proposed new building will be located to rear of the main building (which is a Locally Listed Building) and within the north-western corner of the site.

The new restaurant/kitchen building will measure approximately 17m in depth by 11m in width and have a maximum pitched roof height of approximately 8m.

The new assembly building will measure approximately 27m in depth by 16m in width and have a maximum roof height of 13.7m. Windows are only proposed in the ground floor north west, north east and south west elevations. No windows are proposed in the south east elevations which back onto No.19 Grange Drive and will be the neighbour most affected by the development.

## **Consultations**

Nearby owners/occupiers were notified of the application and two letters of objection were received. The main objections can be summarised as follows:

- trees would be damaged
- noise and debris created as a result of the construction work
- the building would be overbearing and unsympathetic in the context of the main building
- the increase in classroom capacity will lead to increased pupil numbers and traffic.

Highways raised no objection as the agent confirmed that there would be no changes to the number of teaching staff or pupil number to the site.

No technical objections are raised in respect of trees as all previous concerns had been addressed prior to the application being submitted. Several standard conditions are proposed to safeguard the well-being of the trees on site.

The Environmental Health Officer raised no objections.

From a Heritage and Urban Design point of view no objection was raised as the alterations to the scheme would largely be built on the same footprint and to the same scale as the approved scheme.

## **Planning Considerations**

The following is brief summary of the planning history of the site:

Under planning application ref. 04/04633 planning permission was approved for part two/three storey extension to school for classrooms, laboratories, sports hall changing facilities and nursery school (revised elevations permitted under ref: 00/02853).

Under planning application ref. 00/02853 planning permission was approved for a part two and three storey extension to school for new school classroom and labs sports hall and changing facilities and two storey detached building for a nursery school.

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

BE1 Design of New Development  
BE10 Locally Listed Buildings  
C7 Educational & Pre-School Facilities

## **Conclusions**

The main issue which are relevant in the considerations of this application are the amendments made to Phase 3 of the previously approved scheme, the impact on the nearby locally listed building and the visual impact on nearby residents.

The proposed site plan (drawing No. 08501/PL03) illustrates the changes made since the previously approved application. One interconnecting building is now shown as opposed to two separate buildings and the overall footprint is now slightly bigger to incorporate the kitchen and restaurant facilities. Both buildings have been slightly re-orientated to address to concerns raised by the Council's Tree Officer, at the pre-application stage, that the trees located along the boundary with No.19 Grange Drive could be affected by the new buildings being built so close to their root protection areas. The new assembly hall is now in line with the existing hall and the dinning hall will be connected at right angle creating an almost enclosed courtyard area. The new restaurant/kitchen building will now be located approximately 2m further away from the boundary with No.19 Grange Drive compared to the previously approved scheme.

From a heritage and urban design point of the view the main reception building (which is locally listed) is located a sufficient distance away to not have a detrimental impact on the architectural quality of the main building.

The school is bounded on all sides by residential properties. The properties likely to be most effected by the development are No.19 Grange Drive, No.8 Elmstead Glade and No.8 Clifford Avenue. The two letters of objection that have been received object in part to the inconvenience caused during the last two phases of building work at the site as a result of the noise, debris and hours worked by the construction workers. Whilst it is appreciated that construction works can be disruptive to local residents, this is not a planning consideration, and such matters are controlled under Environmental Health Legislation and Control of Pollution Act 1974. With regard to other matters relating to residential amenity, the visual impact to the neighbours immediately adjacent to the school will be lessened by the existing trees which border the site and it is not considered that the new scheme is likely to result in any additional impact in comparison to the previously permitted scheme under reference 04/04633.

On balance this proposal is considered acceptable in design and appearance terms. The proposal is not considered to harm the setting of the nearby listed building and whilst the overall footprint of Phase 3 is bigger the impact will be lessened on No.19 Grange Drive with the kitchen/restaurant being located further away from the boundary than the approved scheme. It is considered that the application complies with policies BE1, BE10 and C7 of the Unitary Development Plan.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03940, 04/04633 and 00/02853, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACA04<br>ACA04R | Landscaping Scheme - full app no details<br>Reason A04         |
| 3 | ACB01<br>ACB01R | Trees to be retained during building op.<br>Reason B01         |
| 4 | ACB02<br>ACB02R | Trees - protective fencing<br>Reason B02                       |
| 5 | ACB03<br>ACB03R | Trees - no bonfires<br>Reason B03                              |
| 6 | ACB04<br>ACB04R | Trees - no trenches, pipelines or drains<br>Reason B04         |

- 7     ACB19     Trees - App'ment of Arboricultural Super  
        ACB19R   Reason B19
- 8     ACC07     Materials as set out in application  
        ACC07R   Reason C07
- 9     ACD01     Surface water drainage - implementation  
        ACD01R   Reason D01
- 10    ACD04     Foul water drainage - no details submitt  
        ACD04R   Reason D04
- 11    ACH16     Hardstanding for wash-down facilities  
        ACH16R   Reason H16
- 12    The existing temporary classroom and assembly hall shall be demolished and the sites cleared within one month of the first occupation of the new buildings being permitted.  
**Reason:** To prevent an overdevelopment of the site and in the interests of the amenities of the area.
- 13    The accommodation hereby permitted shall only be used for purposes associated with the school.  
**Reason:** In the interests of the amenities of the area.
- 14    AJ02B     Justification UNIQUE reason OTHER apps

Policies (UDP)  
 BE1 Design of new development  
 BE10 Locally Listed Buildings  
 C7 Educational and Pre-School Facilities

Reference: 08/03940/FULL1

Address: Babington House School Grange Drive Chislehurst Kent BR7 5ES

Proposal: Demolition of existing assembly hall and drama studio and erection of part one/two/three storey extension to the north of the site to provide new dining area, assembly hall, changing room and music room (amendment to phase 3 of permission granted under ref:00/002853 and 04/04633)



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661

## SECTION '2' - Applications meriting special consideration

---

**2. Application No :** 08/02489/FULL2      **Ward :** Cray Valley East  
**Address :** Land Adj. To 1 Vinsons Cottages      **Conservation Area:NO**  
Hockenden Lane Swanley Kent  
**OS Grid Ref: E:** 549631 **N:** 169176  
**Applicant :** Mr R Smith      **Objections: YES**

### **Description of Development:**

Continued use of the land for the stationing of two caravans for residential use/2 utility trailers/1.2m high timber fencing/hardstanding septic tank and stable block with tackroom/store.

RETROSPECTIVE APPLICATION

### **Proposal**

This application seeks permission for the continued use of this site for the stationing of two caravans for residential use, 2 utility trailers, construction of 1.2m high timber fencing, hardstanding, septic tank and stable block with tackroom and store. The application is retrospective.

The applicant's agent has submitted a detailed supporting statement and also a supplementary letter which sets out the case for the applicant. These are discussed below and include examples of appeals and a court case, relevant policy, personal circumstances of the applicant and the need to balance all of these factors. Overall it is argued that there has been a significant change in circumstances which warrants further consideration following the previously dismissed appeal.

### **Consultations**

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

- application is being used as a means to circumvent the normal planning process and as a delaying tactic
- why should the applicant have different rights from any one else with regard to Green Belt land?
- the applicant appears to be able to work at the site and does not seem to have the inability to work suggested in the application. He has been seen tending his livestock, using a strimmer, a chainsaw and pushing a lawnmower
- travellers should not be allowed to use loopholes in the law to establish illegal residential sites in the Green Belt
- not small scale development and results in significant loss of openness
- no special circumstances have been demonstrated and the proposal is harmful to the Green Belt

Letters of support have been submitted with the application from 5 residents in Hockenden Lane which state that the occupants are good neighbours and keep the site clean and tidy and that they would be an asset to the community. A letter of support has also been received from the Light and Life Christian Fellowship expressing support.

Drainage comments suggest that the proposal should be referred to the Environment Agency as drainage will be to septic tank or cesspool

The Environment Agency consider that the proposal will have a low environmental risk.

Highways comments suggest that a speed survey ought to be carried out in order to ascertain whether the access is safe, however the Inspector in the previous decision did not find any highway safety issues with the proposal.

The Gypsy Project Worker was consulted on the application but has not responded.

### **Planning Considerations**

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

Unitary Development Plan:  
 BE1 Design of New Development  
 BE3 Buildings in Rural Areas  
 H6 Gypsies and Travelling Showpeople  
 G1 The Green Belt  
 T11 New Accesses  
 L3 Horses, stables and riding facilities



London Plan Policy 3A.14 London's travellers and gypsies states that Boroughs should, in co-ordination with neighbouring boroughs and districts, assess the accommodation needs of gypsies and travellers and review the pitch capacity of each borough.

PPG2 : Green Belts is also relevant

ODPM Circular 01/2006 entitled 'Planning for Gypsy and Traveller Caravan Sites' is relevant.

A recent Gypsy and Traveller Needs Assessment (GTANA) was published in March 2008 by Fordham Research, and it is understood that it will feed into the London Plan housing targets in due course, although these have not yet been published. The GTANA found a need for between 17 and 96 additional pitches within Bromley in the period 2007-2012. It should also be noted that during a recent Public Inquiry within Bromley concerns were raised regarding the accuracy of the Bromley base data within the GTANA and this is the subject of a review by Fordham Research.

The planning history of the site includes two applications refused in 2000 for a detached house and garage in outline form (99/03277 and 00/02228). In 2004 an application was refused for the siting of 2 caravans for residential purposes with hardstanding and access road (04/03558).

Following the refusal of application (04/03558) the Council took enforcement action in order to rectify the unauthorised occupation of the site. An appeal was submitted in 2006 against the Council's issue of enforcement notices relating to the use of land for stationing of caravans from agricultural use and the erection of a timber building, construction of hardstanding and an access road. The Inspector dismissed the appeals but allowed a period of 12 months for the appellant to vacate the site.

## **Conclusions**

The main issues relating to this application are the effect that it would have on the character of the area, in particular the character and openness of the Green Belt and the impact that it would have on the amenities of the area. It is also necessary to consider whether circumstances have changed significantly since the previous Inspector's decision to uphold the Council's enforcement notices.

The applicant's agent has provided a full planning statement with the application in an attempt to justify the continued occupation of this land in breach of the outstanding enforcement notices. Further information has been provided in a further letter dated 24 November 2008.

It is necessary to examine whether there are very special circumstances demonstrated to warrant the setting aside of normal planning policies for the Green Belt as set out in UDP Policy G1 and PPG2, and whether these have occurred since the previous dismissal at appeal where no such circumstances were acknowledged. The Council, in issuing enforcement notices, and the Inspector, in upholding these, acknowledged that the development and use at the site are harmful to the Green Belt through inappropriateness, a loss of openness and conflict with the purposes of checking unrestricted urban sprawl. Since there is a constraint on the land the Inspector considered that the proposal conflicted with Policy H6 (ii) of the UDP. Overall he concluded that although the personal circumstances of the appellant and the circumstances with regard to gypsy site availability were factors to be balanced, he concluded that these did not outweigh the clear harm to the Green Belt in this instance. He also considered that the harm could not be addressed by the imposition of conditions.

Specifically, the Inspector also concluded that the stable building was not sufficiently small to be considered as an essential facility within the Green Belt and in conjunction with the hardstanding, amounted to inappropriate development causing harm to the Green Belt.

There have been no changes to relevant national, regional or local policy since the appeal decision in August 2007. The agent states that there are five changes which they consider material since the appeal decision. These are set out below with comments:

a) Personal Circumstances:

It is claimed that the applicant is of limited means and has a back problem in the form of a disc protrusion - a letter has been provided which supports this claim, however letters from local residents suggest that the applicant has been witnessed carrying out a variety of manual activities including tending livestock, wielding a chainsaw and pushing a mower. Mrs Minnie Smith is expecting a baby in summer 2009 and is being treated for a form of skin cancer. This point with regard to Mr Smith's medical condition is considered to be unclear, and neither case is considered to be sufficient to constitute very special circumstances in any event, despite clearly being sensitive matters for the family.

b) Publication of London GTANA:

The London Gypsy and Traveller Needs Assessment (GTANA) was published in March 2008 by Fordham Research Limited on behalf of the London Councils. Although the GTAA report suggests that there is a minimum need for 17 additional pitches, this is in the period up to 2012 and the Council considers that such pitches should be provided in accordance with Policy H6, i.e. not on land subject to constraints such as Green Belt. Simply because there is a need, it does not follow that the Council should allow inappropriate development and use

of land within the Green Belt. It should be emphasized that the Council do not dispute that there may be a need for additional gypsy pitches, however the issue is where such provision is located.

c) Other Appeal Decisions:

The agent cites a recent appeal decision nearby in Hockenden Lane (November 2007) which found in favour of the applicant and granted for a temporary period of two years. There are significant differences between the appeal and this current application, including the fact that considerably more compelling detail was provided with regard to personal circumstances which the Inspector gave due weight to, and also the unauthorised stable building on this site which the previous Inspector concluded was inappropriate. In fact the medical evidence submitted in support of this case is almost 12 months old and no up to date evidence (in the form of a doctor's or hospital letter) has been provided. This decision is therefore not considered to be a compelling change in circumstances nor directly comparable.

This case was challenged in the High Court by Bromley as the Council was concerned that the Inspector had granted a temporary permission contrary to advice in Circular 11/95 i.e. to reduce harm to the Green Belt when in fact the correct decision should have been to dismiss the appeal. It was argued that the Inspector had balanced all of the material considerations in the case and decided that a temporary permission was appropriate as there was an unmet need but no alternative site provision within the area but a reasonable expectation that new sites would become available in the area at the end of the period which would meet the need. The temporary period would allow for the Council to acquire and refurbish the existing gypsy sites and would allow the situation to be reviewed at the end of that period. The High Court reported that the temporary permission should not be regarded as setting a precedent for the determination of future applications for permanent use and concluded that the Inspector had not erred in law on that point. This decision does suggest that a temporary permission may be granted where the circumstances are appropriate, however in the case of this application, the 12 month period granted by the Inspector for the appellant to make alternative accommodation arrangements was not a temporary planning permission, it was a time frame for compliance with the enforcement notices which the Inspector upheld - he did not take the same view as the Inspector in the other Hockenden Lane case - a decision which is quite normal as each site and situation requires a careful balancing exercise.

The agent also cites an appeal decision from Knockholt Station (June 2008) which was allowed for a 3 year period. This site is again not comparable being located in a mixed commercial and residential location (including nearby car parking for the station), and this site is clearly in a rural location. Elements of the development which impacted upon openness, including fencing had been longer established and were lawful and not part of the proposal. The Inspector found

that there was a need for gypsy sites in the area and that the accommodation needs for the appellant and his family were 'significant and immediate'. This is not the case in this application and the very special circumstances which the Inspector concluded were present in that case are not considered to be present in this case. This decision is therefore not considered to be a compelling change in circumstances nor directly comparable.

#### d) Court of Appeal Decision

The Lord Carnworth Court of Appeal Decision at Wychavon in June 2008 suggests that the approach in Green Belt cases should be that paragraph 49 of the Circular 1/2006 does not preclude the granting of permission in the Green Belt for gypsy sites. He also suggests that the loss of a gypsy's home with no immediate prospect of replacement could be a very special 'factor' in considering such a case. The agent states that this judgement emphasises the balanced approach and how more weight should be given to the circumstances of gypsies as special circumstances. In this case the argument of 'last resort' and personal circumstances are not sufficiently compelling in comparison to other cases cited, and therefore not directly comparable.

Of most importance in the cases cited by the agent are that none had been the subject of a thorough and conclusive appeal decision as that issued in August 2007 on this site which came to clear conclusions regarding whether this case warranted very special circumstances and the appropriateness of the development in the Green Belt. The decision was based specifically on the merits of this development and use on this site and was clear in its conclusions

#### e) Authorised Sites in Bromley

The agent states that the authorised sites at Star Lane and Old Maidstone Road have been handed back to the Council. This would not seem to have any particular bearing upon the effectiveness of the argument in this case. This argument is elaborated in her letter of 24 November which suggests that no plots will become available at Council owned sites. Whether this is the case or not, there is no evidence before the Council that Mr Smith has made any efforts to seek alternative accommodation or move from the site as required by the extant enforcement notices. It is understood that he has not even put his name on the waiting list for either Council owned site and it would appear he has no intention of complying with the enforcement notices. The Council sites are scheduled for improvements in the short to medium term and additional pitches have been identified and granted planning permission at the Star Lane site.

The agent states that Bromley have not identified suitable locations for gypsy traveller sites. On the contrary, Policy H6 clearly identifies the provision of sites within the Borough and sets out that the Council will maintain this supply. The

proposal fails to meet the majority of the criteria within Policy H6 for suitable circumstances for sites for the stationing of gypsy caravans.

In further detail the case for the applicant suggests that the stables are appropriate development - this has already been dealt with by the Inspector who concluded that this was clearly not the case. The agent argues that the horse keeping is essential for parts of the gypsy community, and this is not disputed, however again this does not constitute a very special circumstance and the proposal clearly does not satisfy the requirements of Policy L3 and guidance in PPG2 or Policy G1 in particular.

Whilst the argument regarding ethnicity of the applicant is acknowledged, and the need for accommodation for this particular group is also acknowledged this is not accepted as a strong material planning consideration which outweighs harm to the Green Belt in this particular case.

In summary, it is considered that there are no very special circumstances demonstrated and additionally no changes in circumstance since the previously dismissed appeal and upheld enforcement notices. Most critically there is no evidence whatsoever that any attempt has been made by the applicant to seek alternative accommodation. This was the purpose of the Inspector allowing 12 months for compliance with the enforcement notices.

Having had regard to the above it was considered that the development in the manner proposed is not acceptable in that it would constitute inappropriate development, resulting in harm to the openness of the Green Belt and the character of the area.

Consideration has been given to the Human Rights Act 1998 and the appropriate Convention Rights. Officers are satisfied that these rights will not be breached or alternatively any breach is justified under the doctrine of proportionality.

Background papers referred to during production of this report comprise all correspondence on files refs. 99/03277, 00/02228, AP/06/00350 and 08/02489, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

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

- 1 The site is located in the Green Belt wherein there is a general presumption against inappropriate development, and no very special circumstances have been demonstrated to justify making an exception to Policy G1 of the Unitary Development Plan and Planning Policy Guidance Note 2 'Green Belts'.

- 2 The use of the land for the siting of gypsy caravans and associated development is harmful to the character and visual amenities of the area, including the openness of the Green Belt, contrary to Policies G1 and BE1 of the Unitary Development Plan and PPG2 – Green Belts.
- 3 The use of land for the siting of gypsy caravans and associated development is contrary to Policy H6 of the Unitary Development Plan since the proposal is located within the Green Belt and therefore will be located within an area of constraint, does not relate well to schools, shops, medical facilities and public transport and will have an adverse effect upon the amenities of the area to the detriment of local residents.

Reference: 08/02489/FULL2

Address: Land Adj. To 1 Vinsons Cottages Hockenden Lane Swanley Kent

Proposal: Continued use of the land for the stationing of two caravans for residential use/2 utility trailers/1.2m high timber fencing/hardstanding septic tank and stable block with tackroom/store.

RETROSPECTIVE APPLICATION



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661





---

**3. Application No : 08/02802/FULL1 Ward : Darwin**

**Address : Land At Jct With Sheep Barn Lane And Conservation Area:NO  
Layhams Road Keston Kent**

**OS Grid Ref: E: 539721 N: 161137**

**Applicant : Messrs N And L Reid Objections: YES**

**Description of Development:**

Use of land for stationing of caravans including boundary fencing and landscaping (to provide two Showmens family Plots)

**Proposal**

This application seeks permission for the use of land for stationing of caravans including boundary fencing and landscaping to provide two Showmens' family plots. The site is bounded by Layhams Road and Sheepbarn Lane on two sides, and open land and the existing Showmen's site to the other.

The application has been submitted with detailed justification including information regarding the search for suitable sites for the applicants and copies of letters sent to local authorities seeking appropriate sites. No positive responses were received. There are also numerous letters from landowners who are unable to assist the applicants with suitable accommodation for their caravans, rides and other vehicles.

The applicant's agent has provided a detailed justification based on Circular 04/2007 which provides guidance on Planning for Travelling Showpeople. This argues that there is an identified need for the site, there is a lack of any suitable or available alternative sites within the area of search and that the applicant's have strong working ties to this area of South London.

A further letter received from the agent dated 27 October 2008 elaborates the applicant's case, primarily based on the need for Showmen's sites within Bromley as identified in the recent Gypsy and Traveller Needs Assessment (GTAA). The agent points out that there is a requirement for Local Authorities to

identify need and provide sites for Showmen as set out in Circular 04/2007. The case regarding the landscape and buffer value of the site explains that the site is mostly hardstanding put down by former gypsy occupation. It is considered that any new development could be suitably screened and the writer considers that the presence of the Showmen on the site would not have a significant impact.

## **Consultations**

Objections have been received from the Wickham Common Residents Association (WCRA). They are concerned about precedent this proposal may set for the other sites in Layhams Road currently been dealt with through the planning system. They suggest that the use proposed is semi-industrial and that the site is in the Green Belt and is currently agricultural.

Comments from a Drainage aspect suggest that the proposal must be referred to the Environment Agency as there are no public foul sewers near to this site.

The Environment Agency comment that any visibly contaminated or odorous material encountered on the site during the development work must be investigated. The Planning Authority must be informed immediately of the nature and degree of contamination present. Conditions are recommended regarding surface water drainage as the site is in an area of High Risk Groundwater and a groundwater protection zone (3). Informatives are also suggested relating to drainage. Further advice is also provided relating to fuel storage and drainage design and also septic tanks. Conditions and informatives are likely to be required should permission be granted.

Environmental Health comment that the site would need to be licensed under the Caravan Site and Development Act 1960 and the Mobile Homes Act 1983

Highways comments have been received and express concern that access ought to be through the adjacent Showmen's Site. Concern is also raised that the use would give rise to more vehicle movements than a gypsy or agricultural use, and that no demonstration has been made that large vehicles could adequately enter and exit the site safely, how vehicles would be accommodated on the site or how they would turn on the site. The agent has responded to these comments and discussions with the Highway Engineer have resulted in no objections, subject to further clarification (which is being sought) regarding the length of vehicles using the access, and suitable conditions.

## **Planning Considerations**

The proposal falls to be considered with regard to Policies H6 (Gypsies and Travelling Showpeople), T18 (Road Safety), BE1 (Design of New Development), NE12 (Landscape Quality and Character) and G1 (Green Belt). PPG2 entitled 'Green Belts' is also relevant.

London Plan Policy 3A.14 London's travellers and gypsies states that Boroughs should, in co-ordination with neighbouring boroughs and districts, assess the accommodation needs of gypsies and travellers and review the pitch capacity of each borough.

ODPM Circular 01/2006 entitled 'Planning for Gypsy and Traveller Caravan Sites' and Circular 04/2007 entitled 'Planning for Travelling Showpeople' are also both relevant.

A recent Gypsy and Traveller Needs Assessment (GTANA) was published in March 2008 by Fordham Research, and it is understood that it will feed into the London Plan housing targets in due course, although these have not yet been published. This reveals a need for Showmen's Plots within Bromley. It defines Travelling Showpeople as follows: "Travelling Showpeople is a term used to describe those who organise and run fairgrounds. They live on sites (or 'yards') in static caravans or mobile homes, along with smaller caravans used for travelling, with their equipment (including rides, kiosks and stalls) kept on the same plot. The site is traditionally used as 'winter quarters' from which Showpeople travel during the summer months, although older family members and children may live on the site all year round. Pressure for land in London means Showpeople sites have closed in recent years, while the declining popularity of fairgrounds means employment opportunities are more limited. Showpeople do not constitute an ethnic group, but are recognised as occupational travellers with a long tradition and history."

The GTANA continues to discuss the need for sites in Greater London for Travelling Showpeople. It states that the Showmen's Guild claim that there are 185 families currently operating as Travelling Showpeople in Greater London. From these facts and research work the GTANA concludes that from 2007-2012 a further 48 additional plots will be required in Greater London. The specific figures relating to Bromley states that there are currently 16 plots, that 4 are required between now and 2012 and a further 2 by 2017. This need for a total of 22 plots would already appear to have been catered for since the planning permission for the Showmen's Site at Layhams Road is for 23 plots. This therefore provides in excess of the total requirement up to 2017.

There is relevant planning history for this site which is exclusively related to the use of the land for stationing of gypsy caravans, and dates back to the early 1990s, the most recent being in 2001. All applications were either refused or withdrawn, and those appealed were dismissed at appeal.

The latest application reference 01/00502 was for the use of land for stationing of 4 caravans with two washroom buildings, hardstanding areas and access road. This was dismissed at appeal. In consideration of this appeal the Inspector made the following comments:

"The previous appeal decisions have clearly shown that the site is prominent, next to a busy crossroads and readily visible in an area of acknowledged character. Any development there would be easily seen through the roadside trees and would appear obtrusive in this contravening one of the purposes of including land in the Green Belt, as defined in PPG2. As a result there would be clear harm to the visual amenity of the Green Belt."

He continued: "The showmens' land is set further back from the more open southern frontage of the appeal site and in my opinion the appeal proposal would be significantly more intrusive and would harm the openness of the Green Belt, which PPG2 says is its most important attribute; the fundamental aim of the Green Belt policy is to keep land within them permanently open. In my opinion the presence of the showmens' quarters does not justify the significant harm which the proposal would cause to the openness and visual amenity of the Green Belt. It rather reinforces the need to avoid visually damaging development close to the roadside."

In a 1992 appeal the Inspector came to a similar conclusion, stating that the appeal development causes considerable harm to this particular site.... the severe disadvantages of a gypsy site at this location are too substantial to be outweighed by the evidence of special circumstances put forward at the Inquiry.

## **Conclusions**

The applicants in this case would appear to be Travelling Showpeople as defined in Circular 04/2007. The recent London-wide GTANA concludes that there is a need for Showmen's Plots in Greater London. It is acknowledged that there may be a need for Showmen's plots, however clearly any site requirement identified would need to be accommodated in a manner which accords with local and national policy and any such need would not necessarily override other planning policy objectives. As the agent points out in the supporting documentation, the requirement for Showmen's sites must be identified as for housing and employment land, however such designations and any specific planning permissions for such land / development have regard to existing land designations and would rarely be considered within the Green Belt as they would be inappropriate development, harmful by definition. Only where it can be demonstrated that other policy considerations can be overcome or addressed would such highly valued land as Green Belt be proposed to meet a need and only then if it was considered that very special circumstances existed. In this case the consideration by Inspector's and the Council (as set out below) draws what is considered to be a firm conclusion regarding the suitability of this land for occupation or development.

The Council has not been able to carry out specific survey work itself to identify any specific need within the Borough, however the existing Showmens' site on Layhams Road was granted planning permission on appeal in 2001 and therefore the Borough has accommodated considerable need in the last decade for families, many of whom have previously resided outside of the Borough and potentially had no particular need or reason to live within Bromley specifically. This existing site provides 23 plots. The GTANA does provide Borough breakdowns and these show that 8.6% of Showmen in Greater London already reside in Bromley, and that only Hillingdon and Hounslow have a greater population. The requirement for a total of 22 plots up to 2017 within Bromley set out in these breakdowns would appear to have already been met with the existing Layhams Road site in accordance with Policy H6 of the UDP.

No pre-application advice was sought in this case as suggested in Circular 04/2007 and the Council has not been previously made aware of the needs of the applicants.

There is considerable history of refusals and dismissed appeals for this land. The site is within the Green Belt and it is clear that this use would impact upon the openness of the Green Belt, also being an inappropriate use and therefore harmful by definition. It is necessary to balance these considerations against the merits of this case including the very special circumstances suggested in the supporting information.

Whilst the applicants' case does show efforts to secure a site without any success, this in itself is not considered to be suitably compelling to warrant the setting aside of established Green Belt policy, and this view is supported by previous decisions for this site for a similar use for gypsies which acknowledged its visual importance as a buffer to the Showmens' site beyond on this prominent junction.

The applicants argue that there will be suitable screening along the boundary, however this is not considered to be the case and there will clearly be views into the site from a number of directions. The hardsurfacing which was previously laid on the site is now barely visible and for all intents and purposes the site is viewed as a green and pleasant landscape buffer protecting the openness and visual amenities of the Green Belt and the area from the Showmens' site beyond.

With regard to the vehicular access it would seem to have been unused for a number of years and is no longer clearly visible. Potentially the change of use of the site from agriculture to a Showmens' site would involve an intensification of the use of the access and has been considered on that basis, however subject to clarification the Highway Engineer has no objection subject to conditions.

The supporting statement suggests that due to the advice in Circular 01/2006 following the previous history of the site, that the Council may have regarded the

uses differently, however it is clear from the historic documents, including the appeal decision, that the primary issue is one of visual impact and harm to the Green Belt and it is considered that despite the advice in Circular 01/2006, the harm caused in this instance still outweighs other considerations. Although landscaping is proposed, it is clear that this cannot mitigate against harm to the openness of the Green Belt and could never be entirely effective in screening a use which involves the parking of numerous vehicles for much of the year and movements in and out of the site.

Policy H6 of the Unitary Development Plan requires that sites for use by travelling showpeople be situated outside of any areas of constraint. This proposal clearly does not comply with this criteria being within the Green Belt. Circular 04/2007 clearly states that its advice does not supersede Green Belt policy and for the reasons discussed above, the very special circumstances claimed in this case would be clearly outweighed by the harm which would be caused to the openness of the Green Belt and the character of the area. Whilst the existing Showmens' site is fairly well screened and contained, it is not considered that such an effective degree of visual protection could be achieved in this instance without subsequent harm to the character of the area and the Green Belt, thereby contrary to Policy NE12 of the Unitary Development Plan. There are not considered to be suitable very special circumstances in this case to warrant the setting aside of normal Green Belt Policy considerations, therefore refusal is recommended accordingly.

Background papers referred to during production of this report comprise all correspondence on files refs. 91/01391, 92/01582, 94/02129, 94/02739, 99/02264, 01/00502 and 08/02802, excluding exempt information.

Consideration has been given to the Human Rights Act 1998 and the appropriate Convention Rights. Officers are satisfied that these rights will not be breached or alternatively any breach is justified under the doctrine of proportionality.

## **RECOMMENDATION: PERMISSION BE REFUSED**

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

- 1 The site is located in the Green Belt wherein there is a general presumption against inappropriate development. No very special circumstances have been demonstrated to justify making an exception to Policy G1 of the Unitary Development Plan and Planning Policy Guidance Note 2 'Green Belts'.
- 2 The proposal constitutes an undesirable form of urbanised development on a prominent site within the Green Belt, harmful to the open character and visual amenities of the area, and which will undermine the screening the site currently offers to the existing Showpeoples' site beyond, thereby

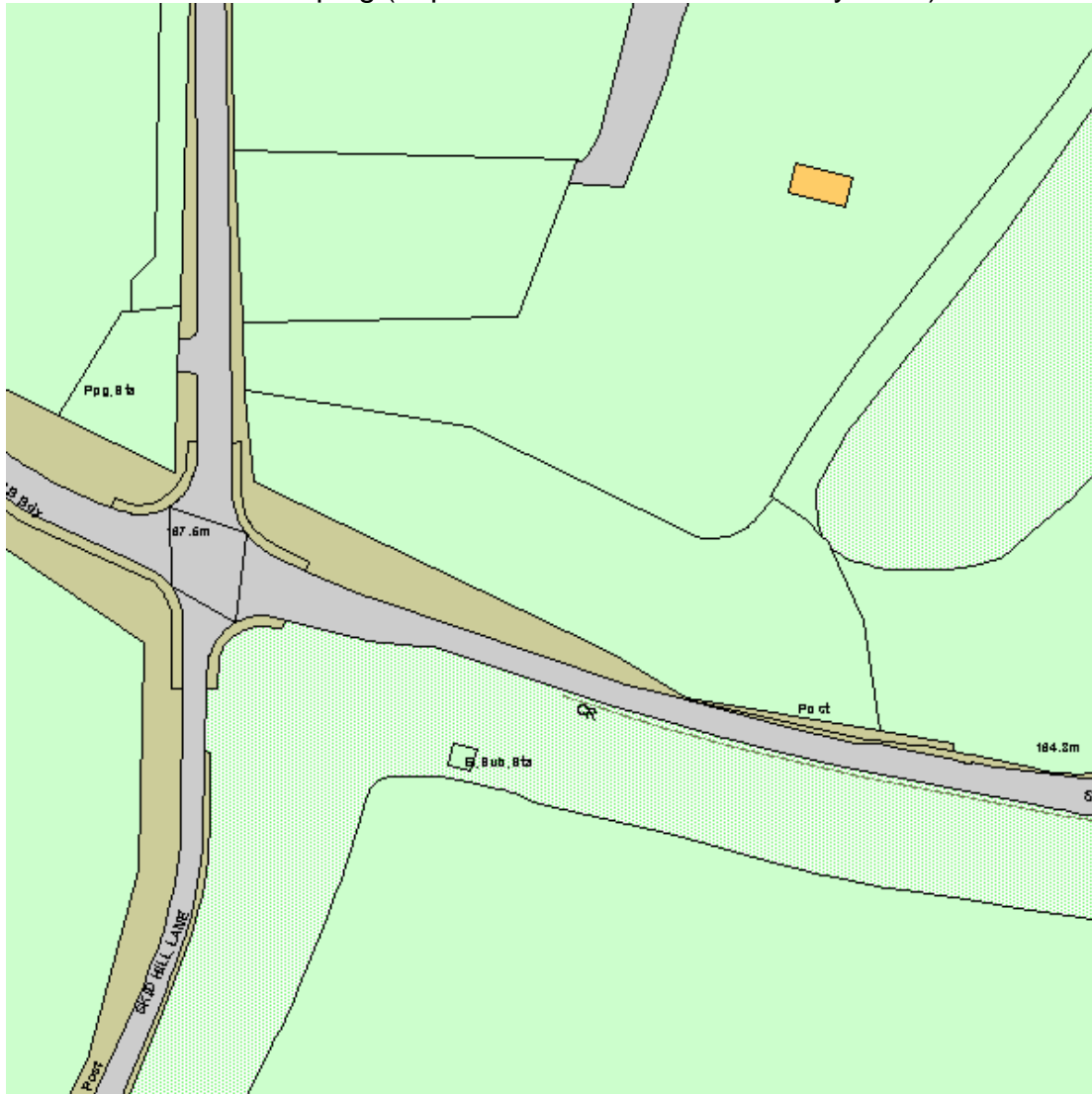
contrary to Policies G1 and NE12 of the Unitary Development Plan and PPG2 - Green Belts.

- 3 This proposed site for travelling showpeople lies within the Green Belt within an area of constraint and is therefore contrary to Policy H6 of the Unitary Development Plan.

Reference: 08/02802/FULL1

Address: Land At Jct With Sheep Barn Lane And Layhams Road Keston Kent

Proposal: Use of land for stationing of caravans including boundary fencing and landscaping (to provide two Showmens family Plots)



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



---

**4. Application No : 08/03516/FULL6 Ward : Kelsey And Eden Park**

**Address : 82 Manor Way Beckenham Kent BR3 3LR Conservation Area: ManorWay Beckenham**

**OS Grid Ref: E: 537539 N: 168562**

**Applicant : Mr Nigel Brown Objections: YES**

**Description of Development:**

First floor rear extension, front and rear dormer extensions, new window to side elevation and balcony at rear

**Proposal**

The application site hosts a two storey detached property with habitable accommodation within the roofspace, located on the western side of Manor Way. The property falls within the Manor Way, Beckenham Conservation Area. The road is mainly fronted by large detached properties all of varying design, on similar sized plots. The majority of the properties along this road are built to a regular building line.

The proposal is a retrospective application for a reduction in bulk of the rear dormer extension and the provision of a balcony that has been built into the rear dormer extension located in the rear elevation of the roof slope of the host dwellinghouse. A hardwood and steel vision screen has been erected along the northern flank of the balcony in order to attempt to prevent loss of privacy for the residents of the neighbouring property.

A new window at first floor level in the southern elevation is also proposed.

**Consultations**

Nearby owners/occupiers were notified of the application and the following representations were received:

- the new rear second floor roof deck is a major intrusion of privacy;

- the vision screen does not offer adequate privacy;
- the vision screen is unsightly and out of keeping with the conservation area;
- amendments to the scheme should be sought to block the use of the balcony;
- screening is only provided on one side of the property, not both;
- the new window in the flank wall directly overlooks neighbouring property and is often left open – this should be obscure glazed and fixed shut if it is to be retained;
- the front dormer extensions have now got pitched roofs rather than flat roofs which were approved;
- windows have been introduced into the flank walls of the front dormers – these are out of keeping in the conservation area and are unsightly;
- the photographs offered as supporting evidence are misleading.

No Heritage and Urban Design comments have been received to date.

Any further comments will be reported verbally at the meeting.

### **Planning Considerations**

The proposal falls to be considered under Policies BE1, BE11 and H8 of the Unitary Development Plan.

With regards to history, an application was granted permission for a first floor rear extension with accommodation in roof including front and rear dormer extensions under ref. 05/03804.

Enforcement proceedings have since been started under reference 08/00608/OPDEV with regards to the possible unauthorised balcony at the rear of the second floor dormer extension. This case is currently with the Legal Department.

The current application has been submitted in order to prevent the enforcement proceedings from being taken.

### **Conclusions**

The main issue relating to the application is the effect of the development upon the amenities and privacy of the residents of neighbouring properties, and if harm is caused, whether it is to such a degree that enforcement proceedings should be continued to remove the unauthorised structure, or whether the proposed vision screen outweighs that harm.

The current application follows on from development that was built partly in accordance with a previously approved application, ref. 05/03804, and some

development that was built without planning permission. The application has been submitted due to investigations carried out by a Planning Enforcement Officer who found that the second floor balcony had been built without planning permission.

To either side of the application site are detached properties which do not appear to have windows in the flank elevations at first floor level. However, No. 84 Manor Way does have bay windows in the rear elevation at first floor level and since the introduction of the new window in the flank elevation of the host dwellinghouse have blacked out the side panel of their bay window due to issue they have faced with regards to loss of privacy.

In terms of the balcony located at second floor level, it is important to assess whether this aspect of the proposal is in keeping with the host dwellinghouse or whether it is considered excessive in terms of the form of development. The issue of privacy for both the applicants and the residents of the neighbouring properties is also imperative. Whilst the applicants have submitted supporting evidence in terms of the retention of the second floor balcony, and have stated in effect that the vision screen that they have introduced will reduce the impact it may have upon the privacy of the neighbouring properties, questions remain as to whether the screen would have a significant impact upon reducing the privacy intrusion or not. In addition, the screen has only be introduced at one end of the balcony so the residents of No. 84 will not benefit from this and will continue to be overlook should permission be granted for this.

The new window that has been built into the southern flank wall at first floor level of the application property is currently not obscure glazed nor fixed. As a result, it is possible to look directly out of it and to fully open the window. This may not be considered to be an acceptable form of window and if this element is to be acceptable it may be necessary to impose a planning condition in order to ensure that the window is fixed shut and obscure glazing introduced.

Accordingly, Members Views are requested on this matter to ascertain whether the proposal is unduly harmful to the privacy and amenities of the residents of neighbouring properties to warrant permission being refused and enforcement proceedings continued, or whether a suitable alternative has now been found, taking into consideration the vision screen that has been introduced.

Background papers referred to during production of this report comprise all correspondence on files refs. 05/03804 and 08/03516, excluding exempt information.

#### **RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

- 0      D00002      If Members are minded to grant planning permission the following conditions are suggested:

- |   |        |  |
|---|--------|--|
| 1 | ACI11  | Obscure glaz'g/details of opening (1 in) in the first floor southern flank |
|   | ACI11R | Reason I11 (1 insert) BE1 and H8   |
| 2 | ACI24  | Details of means of screening-balconies                                    |
|   | ACI24R | Reason I24R  |
| 3 | AJ02B  | Justification UNIQUE reason OTHER apps                                     |

Policies (UDP)

BE1 Design of New Development

BE11 Conservation Areas

H8 Residential Extensions

D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The provision of the second floor balcony gives rise to undesirable overlooking of the neighbouring properties, resulting in lack of privacy and amenities for the residents of the neighbouring properties, contrary to Policies BE1 and H8 of the Unitary Development Plan.

Further action recommended:

Enforcement action be continued in order to ensure the removal of the second floor balcony and associated vision screen.

Reference: 08/03516/FULL6

Address: 82 Manor Way Beckenham Kent BR3 3LR

Proposal: First floor rear extension, front and rear dormer extensions, new window to side elevation and balcony at rear



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661





- concern over construction of basement is likely to cause disruption to groundwater with potential adverse effects on surface water discharge.

APCA have objected to the proposal on the grounds that the proposed replacement building is of a very poor architecturally, they consider this proposal to be an inadequate scheme and would result in a bulky over-development of the site. They also consider that the loss of the host building would not be justification for such a replacement.

No comments were received from Built Heritage (Heritage Urban Design).

From a technical trees point of view there are no objections subject to the standard conditions placed to protect the trees if permission is granted.

There are no objections from Drainage point of view.

### **Planning Considerations**

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

BE1 Design of New Development  
BE11 Conservation Areas  
H8 Residential Extensions  
H9 Side Space  
NE7 Development and Trees

#### **Keston Park SPG**

The chief interest of Keston Park Conservation Area lies in its historical connection with the Holwood House Estate, and in the way that the landscape is incorporated from Holwood Park into a high quality built development, allowing scope for the construction of large and individualistic private homes in a manner typical of American suburban development. The survival of individual estate dwellings is significant: a keeper's cottage and a gate lodge remain and every effort will be made to retain these elements of an earlier phase of the Park's history.

The Council will expect all proposals for new development to conform with the highly dispersed and wooded character of the conservation area, and with the approach taken by surrounding dwellings, especially in regard to the scale and height of construction, location with a plot (where material), design and materials used. It is hoped that all improvement works will take account of the character of original buildings and alter them as little as possible.

### **Conclusions**



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

The existing house is of a modern design and maybe considered to have no particular architectural merit, making only a neutral contribution to the Conservation Area.

With regard to the proposed replacement dwelling, the new building would sit more centrally on the site (as the existing dwelling sits to the north-eastern boundary), and would extend significantly further to the rear. However, this would not project further than the neighbouring property to the north-east The Hollies

There would be additional bulk and mass added to the south-western side of the site adjacent to Bourne. There is concern that if permission is granted for the replacement dwelling it might dominate the outlook to that currently enjoyed at Bourne. However, the proposed dwelling at Mundendorrie is approximately 12m from the south-western boundary with Bourne. Therefore, given this large separation, the impact in terms of loss of light, privacy or visual amenity, Members may not consider that the amenity of the occupiers of Bourne would be significantly harmed.

With regard to the impact on The Hollies to the north-east, the current property sits on this boundary; the proposal will leave approximately 5m side space between the new dwelling and the boundary with the Hollies thereby ensuring that the spacious character of this part of the conservation area is adequately protected.

There is also concern over the building line along Holwood Park Avenue, this proposal at Mundendorrie would be inline with The Hollies to the north-east, however it would sit approximately 13m behind Bourne to the south-west. There is a strong building line along Holwood Park Avenue, therefore Members must consider if the siting of this replacement dwelling is in character with the conservation area and not detrimental to the street scene generally.

Members are asked to consider if the redevelopment of this site in the manner proposed is an acceptable replacement of an existing dwelling which maybe considered to make a neutral contribution to the conservation area and which would not be significantly harmful to the amenities of adjoining residents nor the character and appearance of the Keston Park Conservation Area in general.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03734 and 08/03735, excluding exempt information.

## RECOMMENDATION: PERMISSION

### Subject to the following conditions:

- 1     ACA01       Commencement of development within 3 yrs  
      ACA01R     A01 Reason 3 years
- 2     ACB01       Trees to be retained during building op.  
      ACB01R     Reason B01
- 3     ACB02       Trees - protective fencing  
      ACB02R     Reason B02
- 4     ACB03       Trees - no bonfires  
      ACB03R     Reason B03
- 5     ACB04       Trees - no trenches, pipelines or drains  
      ACB04R     Reason B04
- 6     ACC08       Satisfactory materials (all surfaces)  
      ACC08R     Reason C08
- 7     Before the development hereby permitted is first occupied the proposed window(s) on the first and second floors on the north-eastern and south-western elevations shall be obscure glazed in accordance with details submitted to and approved in writing by the Local Planning Authority, incapable of being opened and shall subsequently be permanently maintained as such.  
      ACI11R     Reason I11 (1 insert)           BE1 and H8
- 8     ACI01       Restriction of all "pd" rights  
**Reason:** In the interest of the openness, character of the conservation area and the amenities of the neighbouring properties and in order to comply with Policy BE11 of the Unitary Development Plan.
- 9     AJ02B       Justification UNIQUE reason OTHER apps

#### Policies (UDP)

BE1 Design of New Development

BE11 Conservation Areas

H8 Residential Extensions

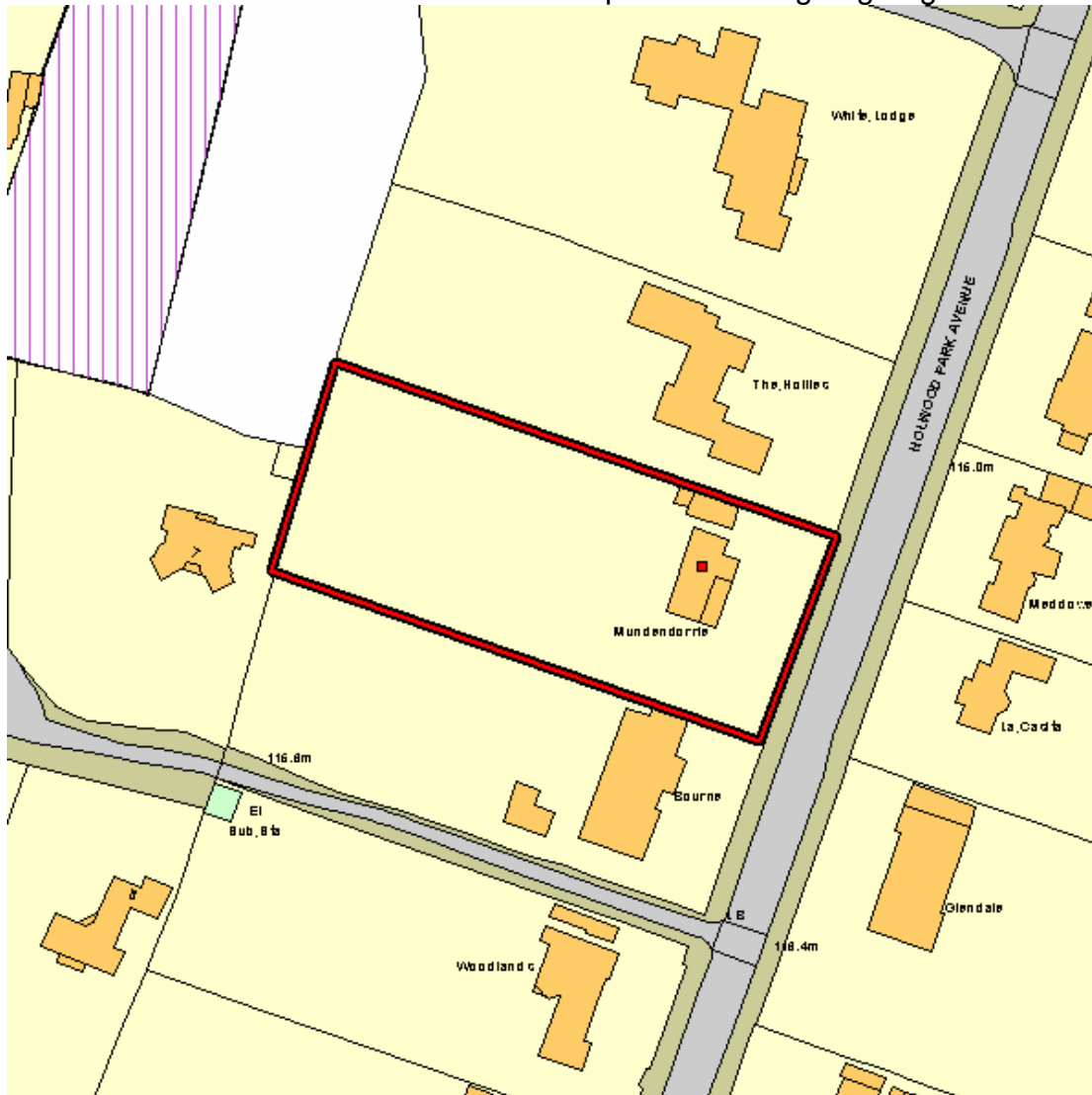
H9 Side Space

NE7 Development and Trees

Reference: 08/03734/FULL1

Address: Mundendorrie Holwood Park Avenue Orpington Kent BR6 8NQ

Proposal: Replacement 8 bedroom detached house including basement, accommodation in the roof space and integral garage



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



---

**6. Application No : 08/03735/CAC Ward : Bromley Common And Keston**

**Address : Mundendorrie Holwood Park Avenue Conservation Area: Orpington Kent BR6 8NQ Keston Park**

**OS Grid Ref: E: 542825 N: 164752**

**Applicant : Mrs J Lambert Objections: YES**

**Description of Development:**

Demolition of existing dwelling CONSERVATION AREA CONSENT

**Proposal**

This application should be viewed in conjunction with ref. 08/03734/FULL1 for a replacement 8 bedroom detached house including basement, accommodation in the roof space and integral garage. This application seeks Conservation Area consent for the demolition of the existing dwelling as the property is located on the western side of Holwood Park Avenue within the Keston Park Conservation Area.

**Consultations**

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

- loss of privacy due to the proposed windows at 1st and 2nd floors;
- concern over the harm to the trees at Mundendorrie and neighbouring properties;
- concern over construction of basement is likely to cause disruption to groundwater with potential adverse effects on surface water discharge.

APCA have objected to the proposal on the grounds that the existing dwelling is a n extremely fine house, and is considered one of the best in the park. They consider this house to make a positive contribution to the character and appearance of the conservation area in which it maybe worth of locally listing.

They consider demolition totally unacceptable and contrary to the aspirations of the conservation area designation and established best practice.

No comments were received from Built Heritage (Heritage Urban Design).

### **Planning Considerations**

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

BE12 Demolition in Conservation Areas

Keston Park SPG

### **Conclusions**

There are a number of buildings within the conservation area that make a positive contribution towards the character or appearance of the estate. Therefore, members are asked to consider if this dwelling is considered to make a positive contribution or not. Where a building is not identified in this way, there maybe considered no obstacle in principle to its demolition and replacement, subject to the satisfactory design of a replacement.

The Council will expect all proposals for new development to conform with the highly dispersed and wooded character of the conservation area, and with the approach taken by surrounding dwellings, especially in regard to the scale and height of construction, location with a plot.

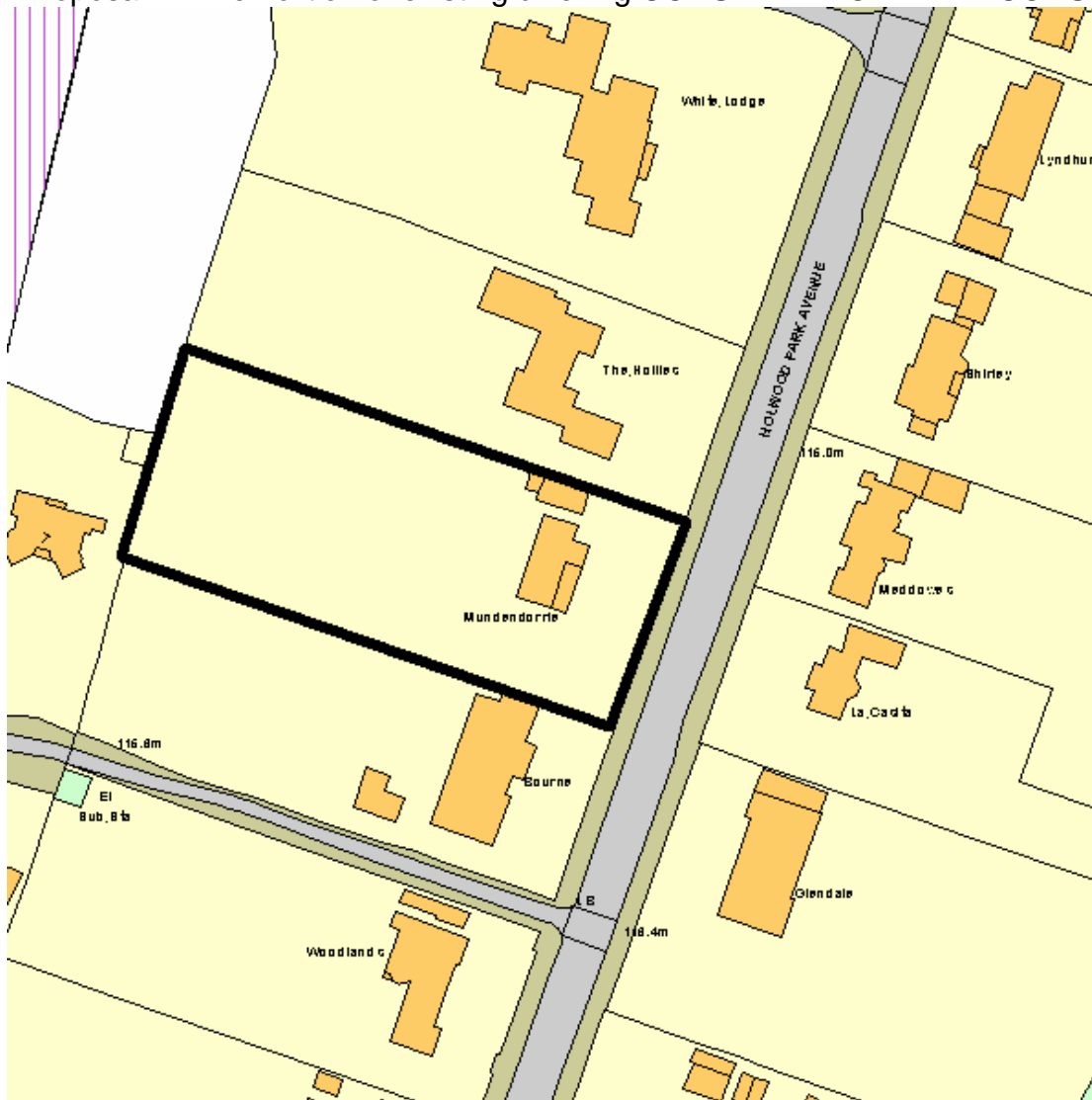
Background papers referred to during production of this report comprise all correspondence on files refs. 08/03735 and 08/03734, excluding exempt information.

### **RECOMMENDATION: GRANT CONSERVATION AREA CONSENT**

#### **subject to the following conditions:**

- |   |        |  |
|---|--------|--|
| 1 | ACG01  | Comm.of dev-Listed Building and Con.Area |
|   | ACG01R | Reason G01                               |

Reference: 08/03735/CAC  
Address: Mundendorrie Holwood Park Avenue Orpington Kent BR6 8NQ  
Proposal: Demolition of existing dwelling CONSERVATION AREA CONSENT



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661





---

**7. Application No : 08/03774/FULL6 Ward : Farnborough And Crofton**

**Address : 58 Darrick Wood Road Orpington Kent Conservation Area:NO BR6 8AW**

**OS Grid Ref: E: 544734 N: 165629**

**Applicant : Mr Jonathan Chandler Objections: YES**

**Description of Development:**

Two storey side/rear extension.

**Proposal**

The site is located on the southwest side of Darrick Wood Road in close proximity to the junction with Rusland Avenue. The area is characterised by predominantly semi-detached two-storey residential properties sited within generous plots, giving the area a pleasant suburban character.

The application proposes the erection of a two storey extension sited to the side and rear of the property. The extension will retain a 1m side space to the flank boundary with No. 56 and will be subservient to the main property with a roof height of 6.4m (5.0m to the eaves). The extension will project approx. 2m rear of the existing property and will be sited behind the existing garage, which is to be retained. The extension will be sited approx. 7m back from the building line.

**Consultations**

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

- loss of light and prospect
- loss of privacy
- excessive height and bulk.

Any further comments received will be reported verbally at the meeting.

## **Planning Considerations**

The application falls to be determined in accordance with Policies BE1 (Design of New Development), H8 (Residential Extensions) and H9 (Side Space).

There is no recent planning history at the site.

## **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 side/rear extension will be sited behind the existing garage and will retain a 1m side space to the flank boundary with No. 56. The roof will be subservient to the main roof of the dwelling, with a height of 6.4m (5.0m to the eaves). The extension will have a hipped roof matching the original house and will be set back approx. 7m from the front of the property. As a result it is not considered to impact detrimentally on the character of the pair of semi-detached properties or the wider street scene in general. The extension will project approx. 2m to the rear of the original dwelling.

To the north, the property at No. 56 is separated from the flank boundary by approx. 4m. The dwellings share a common building line and as a result, the two storey rear extension will project 2m to the rear of this building line. This separation and projection is considered to be suitable and not result in a significant loss of outlook from the rear of adjacent properties. The adjacent property at No. 56 is, however, sited to the north of the application site and will therefore suffer some loss of light as a result of the extension. The flank windows at No. 56 serve a first floor bedroom within the first floor extension, and 2 flank kitchen windows on the ground floor flank, one of which is within the rear extension. There is also a car port adjacent to one of the flank kitchen windows at No. 56 and this currently compromises light levels reaching the property. These factors, along with the separation of 5m to the extension, are considered to result in no harm to existing lighting and prospect on balance.

Similar extensions exist within the locality, including a two storey side extension at No. 52, however this extension was built in 1995 without planning permission and does not include a rear extension.

Having had regard to the above it is considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. It is therefore recommended that Members grant planning permission for the proposed extension.

Background papers referred to during production of this report comprise all correspondence on file ref. 08/03774, excluding exempt information.

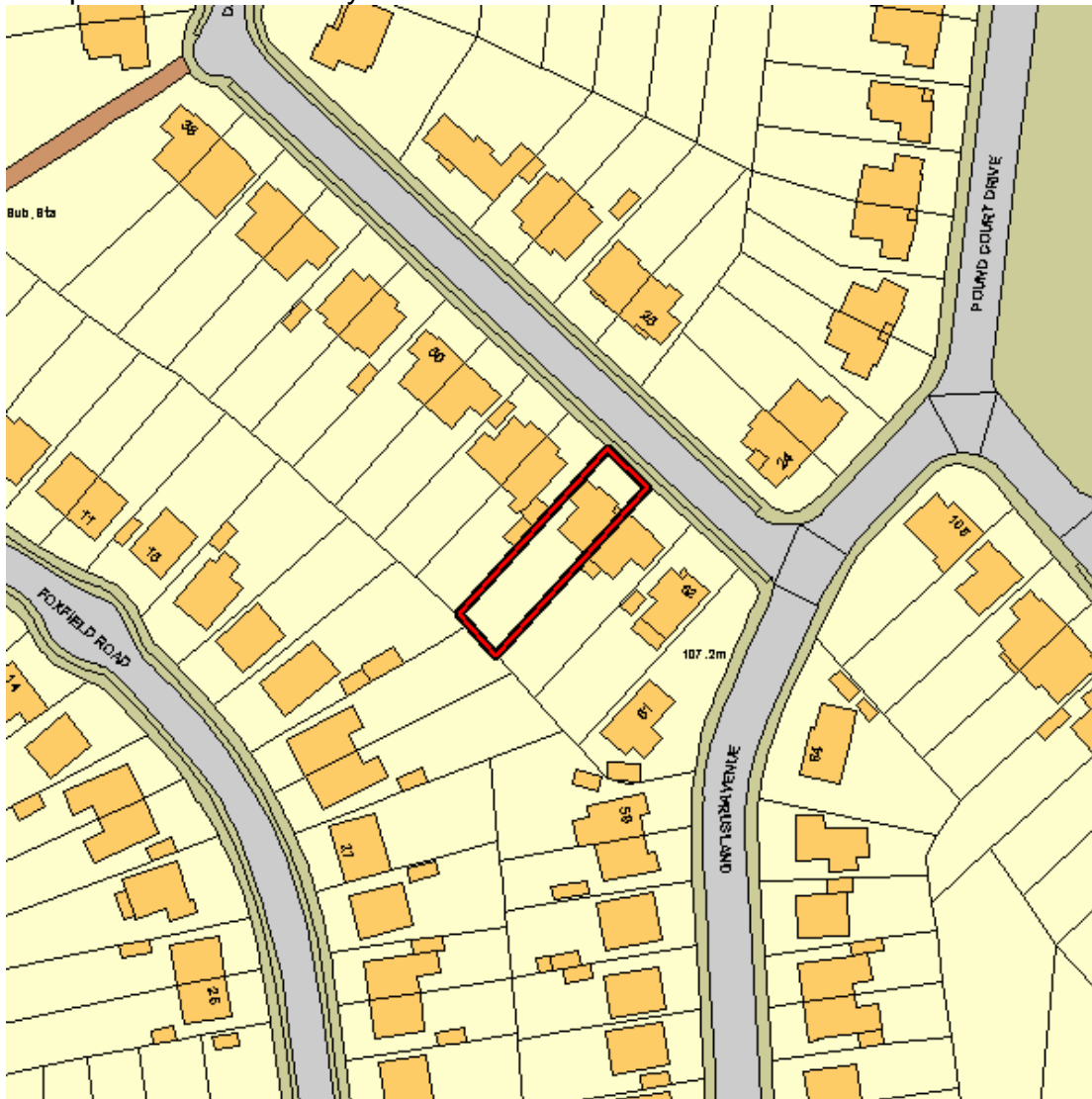
**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- |   |        |  |                 |
|---|--------|--|-----------------|
| 1 | ACA01  | Commencement of development within 3 yrs |                 |
|   | ACA01R | A01 Reason 3 years                       |                 |
| 2 | ACC04  | Matching materials                       |                 |
|   | ACC04R | Reason C04                               |                 |
| 3 | ACI09  | Side space (1 metre) (1 insert)          | north-west      |
|   | ACI09R | Reason I09                               |                 |
| 4 | ACI13  | No windows (2 inserts)                   | flank extension |
|   | ACI13R | I13 reason (1 insert)                    | H8              |
| 5 | AJ02B  | Justification UNIQUE reason OTHER apps   |                 |

Policies (UDP)  
BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

Reference: 08/03774/FULL6  
Address: 58 Darrick Wood Road Orpington Kent BR6 8AW  
Proposal: Two storey side/rear extension.



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661

---

**8. Application No : 08/03825/FULL2 Ward : Hayes And Coney Hall**

**Address : 41 Croydon Road West Wickham Kent Conservation Area:NO  
BR4 9HZ**

**OS Grid Ref: E: 539391 N: 165343**

**Applicant : Mr H Hanedanoglu Objections: YES**

**Description of Development:**

Change of use at ground floor to Class A5 (takeaway) to include extraction system and elevational alterations to shop front.

**Proposal**

The application site is a ground floor, mid-terrace property located on the northern side of Croydon Road. Above the application property is residential accommodation.

It is proposed to change the use of this vacant property to a take away (Class A5) service, with opening hours of 11am until 11 pm Monday – Sunday, with three members of staff, two full-time and one part-time. Elevation alterations are proposed to the front elevation of the property, incorporating the removal of the existing door and relocating it to the centre of the front elevation, as well as inserting an additional glazing panel to match the remainder of the original shop front.

The proposed internal layout will have no seating areas but will provide a serving counter towards the front of the premises and store room and kitchen to the rear. A ventilation flue/extraction system is proposed on the rear elevation of the building.

**Consultations**

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

- youths congregating late at night;
- disorder and nuisance;
- increased noise and disturbance to area, most importantly local residents;
- there are already sufficient take away places in the local area;
- saturation of these types of properties along the High Street;
- air pollution, despite the ventilation unit proposed;
- increased litter in the area;
- contrary to Policy S9 of UDP.

Thames Water would recommend the installation of a properly maintained fat trap and the collection of waste oil by contractors, but raised no objections to the proposal.

Transport for London did not raise any objections to the proposed development provided that the footway and carriageway is not obstructed during construction, and that temporary obstructions must be kept to a minimum and should not encroach on the clear space needed to provide safe passage for pedestrians or disrupt the free flow of traffic.

No objections were raised from a Planning Highways point of view.

From a Environmental Health point of view, no objection is raised to the principle of the development. However concerns were raised that some of the technical information provided is generic as opposed to specific to this development.

Waste Services stated that the size and location of the refuse storage area is acceptable, however a concrete hardstanding would need to be created in order for it to be effective – the ground at present is too soft and uneven for the containers to be pulled across for collection.

## **Planning Considerations**

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

BE1 Design of New Development  
 BE19 Shopfronts  
 S9 Food and Drink Premises  
 ER9 Ventilation

## **History**

In terms of history at the site and in the vicinity, permission was granted at the application site, No. 41 Croydon Road, under ref. 08/01031 for the conversion of first floor to provide 1 two bedroom flat and 1 one bedroom flat including

accommodation within the roof space with one rear dormer and three rooflights in the front elevation.

In addition, permission was refused for a new shopfront, ventilation flue at rear and change of use from retail (Class A1) to restaurant/takeaway (Class A3/A5) under ref. 06/03071 at No. 47 Croydon Road. This property is next door but one to the application site.

## **Conclusions**

The main issue to be considered in this case is the impact of the proposal on the function of the area and the visual and residential amenities of the area.

In terms of disorder and anti-social behaviour, proposal for takeaways with evening trading hours should be considered on the basis that such issues will be addressed through appropriate management.

The proposal premises is located in the centre of a parade of shops, which is immediately adjacent to residential housing. There are also residential flats above the parade of shops, including above the application premises. Recently, permission was granted for the flats above the application premises for the conversion of the first floor to provide 1 two bedroom flat and 1 one bedroom flat including accommodation in the roof space with one rear dormer and three roof lights in front elevation under ref. 08/01031.

It is necessary to consider whether the proposed use will make a positive contribution to the vitality of the area or the retailing function of the area as there are a number of similar uses along the parade. Takeaway uses often experience a concentration of evening trade and do not always provide daytime activity which might support the retail function of the parade. It should also be noted that the application property is currently vacant and has been for a while. Therefore the question may be raised as to whether the vacant property or the proposed use is more detrimental to the area, and permission granted or refused in response to this. The previous use appears to be Class A2 (estate agent) and therefore the proposal would not result in a loss of retail unit.

However when assessing the current application, particular reference is made to a fairly recent refusal of planning permission at No. 47 Croydon Road. Permission was refused for a new shopfront, ventilation flue at rear and change of use from retail (Class A1) to restaurant/takeaway (Class A3/A5) under ref. 06/03071. The main reasons for the refusal of this application was due to the impact it would have upon the amenities of the residents of nearby properties, the noise that would be produced from the proposed ventilation system and the lack of information to show that change of use from Class A1 to A5 was suitable in this location. The differences between this and the application premises must be considered carefully.

In this instance the Environmental Health Officer has no objection and there is no loss of a retail unit, however, Members will wish to carefully consider whether the proposed change of use is unacceptable in that it would result in a significant loss of amenity to local residents and impact detrimentally on the vitality and character of the area, or whether in this instance the change of use is acceptable in that it would prevent a vacant property being located along this parade and suitable conditions can be attached to prevent unnecessary disturbance to the residents of neighbouring properties in the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 06/03071, 08/01031 and 08/03825, excluding exempt information.

**RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

- 0 D00002 If Members are minded to grant planning permission the following conditions are suggested:
- 1 ACA01 Commencement of development within 3 yrs
- ACA01R A01 Reason 3 years
- 2 ACK01 Compliance with submitted plan

**Reason:** In order to protect the amenities of local residents and to comply with Policies BE1, BE19 , S9 and ER9 of the Unitary Development Plan.

- 3 ACJ10 Ventilation system for restaurant/take-a
- ACJ10R J10 reason
- 4 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)  
 BE1 Design of New Development  
 BE19 Shopfronts  
 S9 Food and Drink Premises  
 ER9 Ventilation  
INFORMATIVE(S)

- 1 RDI13 Restaurant ventilation system

D00003 If Members are minded to refuse planning permission the following grounds are suggested:

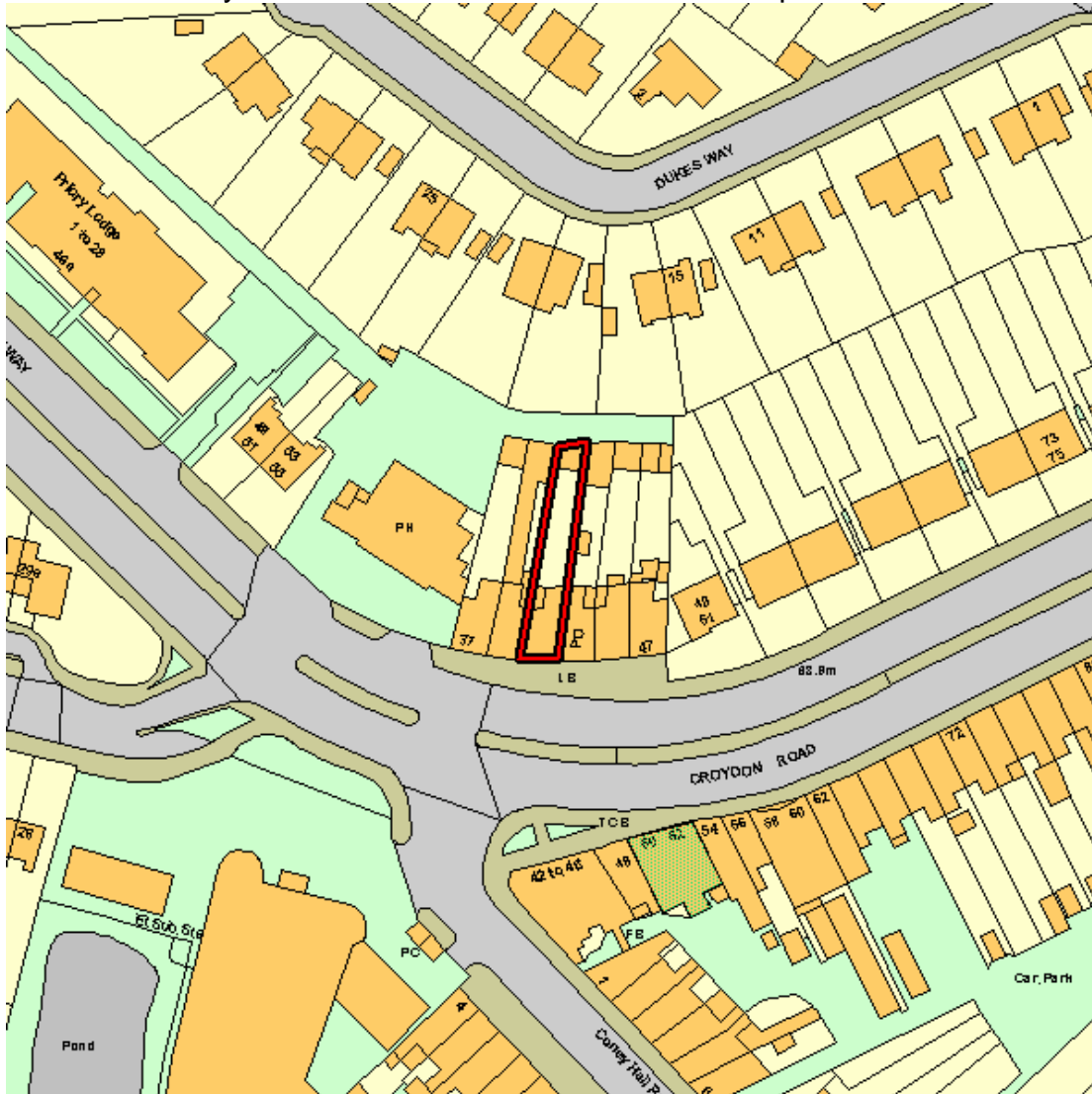
- 1 The proposed use will be detrimental to the amenities of nearby residents by reason of increased noise and disturbance during the late hours of the evening, thereby contrary to Policy S9 of the Unitary Development Plan.
- 2 The proposed change of use would result in a use which would, when taken cumulatively with other restaurant/takeaway uses, have a detrimental impact upon the retail function of the parade, contrary to Policy S9 of the Unitary Development Plan.



Reference: 08/03825/FULL2

Address: 41 Croydon Road West Wickham Kent BR4 9HZ

Proposal: Change of use at ground floor to Class A5 (takeaway) to include extraction system and elevational alterations to shop front.



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



---

**9. Application No : 08/03840/FULL1 Ward : Biggin Hill**

**Address : Almyrn Lillie Road Biggin Hill Conservation Area:NO  
Westerham Kent TN16 3QG**

**OS Grid Ref: E: 541607 N: 158352**

**Applicant : Charterhouse Homes (UK) Ltd Objections: YES**

**Description of Development:**

Sub-division of existing plot and erection of detached 2 bedroom house with 1 car parking space on land in front of Almyrn fronting Lillie Road

**Proposal**

This application follows a previous refusal and an appeal decision from July 2008 and represents an attempt by the applicant to address the concerns of the Inspector. Further detail is provided below.

The site is located within a residential area of Biggin Hill that is characterised by dwellings of various styles and sizes. It currently forms part of the curtilage of 'Almyrn' a detached bungalow that unusually sits approx. 38m back from the front boundary of the plot. The overall depth of the plot is approx. 60m with the rear garden area measuring some 14m in depth. The rear part of the plot and Almyrn itself is set on a higher ground level than the adjacent application site. To the east the site is bounded by 'Hightrees' a detached bungalow set back in a similar position within its plot. To the west are properties in Foley Road comprising part 2 part 3 storey townhouses set at a higher ground level than the application site. To the north along Lillie Road generally there are a mixture of terraced, semi-detached and detached houses set within plots of various sizes. To the south the rear garden of 'Almyrn' is bounded by a block of garages.

It is proposed to subdivide the existing plot containing 'Almyrn' and create a new plot fronting Lillie Road. The proposed plot has a frontage width of just over 8m, an average width of 8.5m and an overall depth of 24m. A vehicular / pedestrian access to 'Almyrn' of approx. 3m in width would be retained along the eastern boundary of the site.

The proposed dwelling would be set back 6m from the front boundary beyond 1 car parking space and would have a garden of approx. 9m in depth. A side space of between 1m and 1.1m would be retained to the western boundary, whilst to the east the bungalow would abut the vehicular access to 'Almyn'. One flank window is proposed in the side elevation facing Foxley Road and 2 windows are shown facing No.35 Lillie Road. To the rear there are 2 windows facing 'Almyn'. The maximum height of the dwelling is 8m (as scaled from the plans) although the 2 storey building is set into the ground and is disguised with a single storey front façade to minimise the impact in the street and a single storey scale at the rear to lessen impact from the outlook from 'Almyn'. The width of the dwelling is approximately 6.8m.

### **Consultations**

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

From a highways point of view concerns have raised with regard to the safety and practicality of the proposed parking arrangements. Correspondence has taken place between the agent and the Council's Highway Engineer and a final update will be provided verbally.

From a drainage point of view there is no surface water sewer near the site and therefore surface water will have to be drained to soakaways.

### **Planning Considerations**

The relevant policies are H7 and BE1 of the Unitary Development Plan, which require new development to be in keeping with the character and spatial standards of the surrounding areas, to respect the amenities of adjoining properties and have regard for important trees and planting on the development site.

National guidance in PPS 3 Housing encourages local planning authorities to maximise the potential of sites such as this while at the same time producing good design compatible with adjoining development.

Under ref. 07/02559 an application was submitted for a similar proposal comprising erection of a detached 4 bedroom house over 3 floors. This application was subsequently refused for the following reasons:

The proposal represents an unacceptable subdivision of an existing plot resulting in a cramped overdevelopment of the site by reason of the excessive size height and footprint of the dwelling proposed thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposed house by reason of its excessive height would be harmful to the amenities that neighbouring properties might reasonably expect to be able to continue to enjoy contrary to Policies H7 and BE1 of the Unitary Development Plan.

Most recently application ref. 07/03915 was refused for a similar development. This was dismissed at appeal and the Inspector commented as follows:

"The proposed house would be located towards the front of the appeal site, and would be cut into the bank. Although it would have two levels, it would have the appearance of a tall single-storey house and the volume of the pitched roof would be softened by half-hips. A part of the west side wall and roof would be visible above the hedge, but I consider that this low scale building would not significantly harm the natural green backdrop of trees and vegetation...the site plan shows no practical way for the occupants to access the rear garden without cutting back this tall hedge back to the boundary and I consider that this would prejudice the long term viability of this important hedge closest to the side wall of the proposed house. This would be likely to result in more loss of the soft green vegetation which gives character to the site. It is proposed to create two parking spaces in front of the house, with associated external steps and a path to the front door and there would be two tandem parking spaces for the existing house immediately adjacent to these. These spaces would combine to create an unbroken hard frontage to the site. Although this type of parking arrangement exists elsewhere nearby, there is generally more green space on the frontages to alleviate the effect of parked cars, although the suburbanising effect has still harmed the street scene in many streets."

The Inspector continues:

"In view of the above points I conclude that the proposal would harm the generally soft, natural character of the street scene at this point. It would therefore be contrary to Policies BE1 (ii) and H7 (iii) of the London Borough of Bromley Unitary Development Plan 2006 (UDP), which broadly require that development should not detract from the street scene."

The Inspector concludes:

"I consider that development on this site would be possible but the proposed scheme, due to its frontage treatment and tightness against the mature hedge on the western boundary would produce an unrelieved hard urban effect."

The outcome of this decision is effectively to accept the principle of development on this site, however any such development would need to ensure that the hedge to the western side of the dwelling is retained and provide an improved frontage treatment.

## **Conclusions**

The existing plot is unconventional in the way that it is set out with the existing dwelling set well back into the plot and therefore would not set a universal precedent. The distances between the front elevation of 'Almyn' and the rear elevation of the proposed dwelling is approx. 24m, this distance in itself is replicated in a small number of cases elsewhere in the surrounding area. The main difference in this case is that this distance represents front to back elevation distance and not a back to back distance. In addition the existing house is on a higher ground level and would overlook the proposed house. However, the footprint of the dwelling and most other aspects of the scheme remain unchanged.

Given that the Inspector did not object to the principle of development it is necessary to consider whether her other concerns have been addressed. These related to the hedge and the parking on the frontage. The dwelling has been moved away from the hedge slightly and it would seem likely that this hedge could now be retained and its retention could be subject of a planning condition. The frontage has been softened with the reduction of one parking space and it is necessary to consider whether this has overcome the concerns the Inspector had regarding the unbroken hard frontage.

With regard to highway safety, the Inspector in the previous decision did not consider there to be a Highways issue and this proposal involves less parking on the frontage, and therefore may be considered less harmful, however final confirmation will be provided verbally following final comments from the Highway Engineer.

On balance Members may consider that the concerns of the Inspector have been overcome and that planning permission should be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 07/02559, 07/03915 and 08/03840, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
|---|-----------------|--|

- 2 ACA04 Landscaping Scheme - full app no details  
ACA04R Reason A04
- 3 ACA07 Boundary enclosure - no detail submitted  
ACA07R Reason A07
- 4 ACB01 Trees to be retained during building op.  
ACB01R Reason B01
- 5 ACB05 Replacement tree(s) elsewhere on site  
ACB05R Reason B05
- 6 ACC01 Satisfactory materials (ext'nl surfaces)  
ACC01R Reason C01
- 7 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 8 ACH15 Grad of parking area or space(s) (2 in) parking area  
1:10  
ACH15R Reason H15
- 9 ACI01 Restriction of all "pd" rights  
**Reason:** In order to comply with Policies BE1 and H7 of the Unitary Development Plan and to prevent an overdevelopment of the site.
- 10 ACI17 No additional windows (2 inserts) northern, southern and  
eastern dwelling  
ACI17R I17 reason (1 insert) BE1 and H7
- 11 ACK01 Compliance with submitted plan  
**Reason:** In order to comply with Policies BE1 and H7 of the Unitary Development Plan and to prevent an overdevelopment of the site.
- 12 ACK05 Slab levels - no details submitted  
ACK05R K05 reason
- 13 The hedgerow along the western site boundary shall be suitably protected during building operations and subsequently retained thereafter. Should the hedge die or be damaged during building operations it shall be replaced in the next planting season with replacement planting of such size and species as may be agreed in writing by the Local Planning Authority.  
ACB05R Reason B05
- 14 AJ02B Justification UNIQUE reason OTHER apps

14 Policies (UDP)  
H7 Housing density and design  
BE1 Design of new development

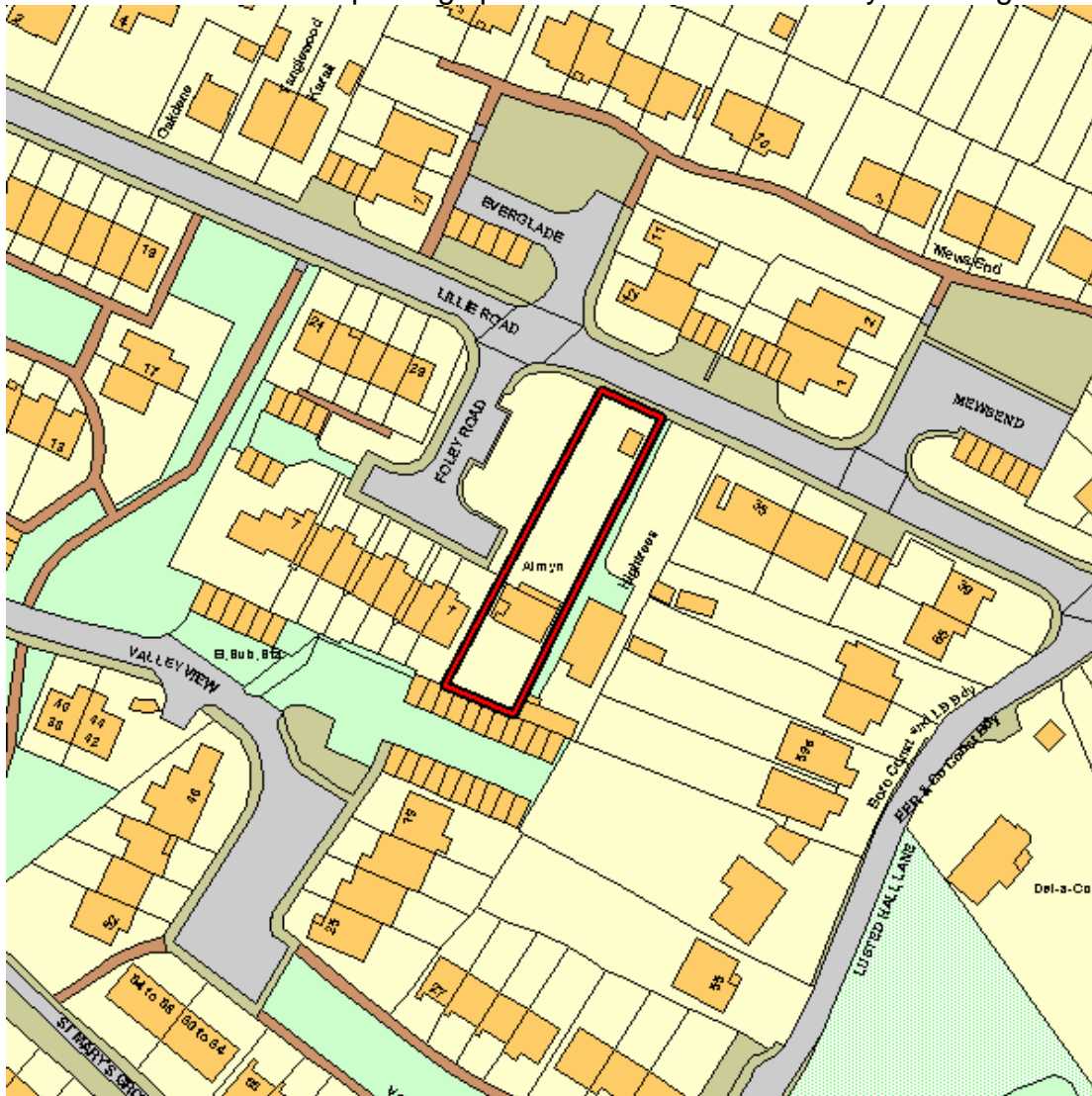
#### INFORMATIVE(S)

- 1 RDI10 Consult Land Charges/Street Numbering
- 2 RDI15 Highways Act – overhanging vehicles
- 3 RDI16 Contact highways re. crossover

Reference: 08/03840/FULL1

Address: Almyr Lillie Road Biggin Hill Westerham Kent TN16 3QG

Proposal: Sub-division of existing plot and erection of detached 2 bedroom house with 1 car parking space on land in front of Almyr fronting Lillie Road



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



---

**10. Application No : 08/03844/FULL6 Ward : Kelsey And Eden Park**

**Address : 4 Brograve Gardens Beckenham Kent Conservation Area:NO  
BR3 6NH**

**OS Grid Ref: E: 537778 N: 169139**

**Applicant : Mr Paul And Mrs Sam Hook Objections: YES**

**Description of Development:**

Single storey side and rear extensions

**Proposal**

The application proposes single storey side and rear extensions to this detached property. A utility room measuring 2.3m x 4.5m will be added to the southern flank elevation, a lounge extension measuring 4.5m x 7m will be added to the northern flank elevation and a small conservatory, projecting approx. 2.2m, will be attached to the rear.

**Consultations**

Objections have been received from several residents in this cul-de-sac and can be summarised as follows -

- prominent and overbearing development
- unacceptable impact due to scale and form of development
- change of character in locality
- cramped siting, loss of light and prospect
- reduction in spatial standards, affecting character, privacy and amenity
- enlarged dwelling would be disproportionate in width compared to others in cul-de-sac
- too close to highway boundary
- roof works too high
- loss of garage will exacerbate street parking problems in road
- overlooking of No. 3 from flank window
- contrary to Policies H8, H9, H11 and BE1

Any further comments will be reported at the meeting.

### **Planning Considerations**

A previous application (ref. 08/01238) proposing two storey and single storey side extensions was withdrawn before being determined.

This second application includes the previous small extension to the south boundary, a rear conservatory is now proposed facing west at the rear. The north facing lounge extension is reduced in length and is marginally narrower in width. All extensions are single storey and indicated to be in matching materials.

The proposal falls to be considered primarily under Policies H8 and BE1 of the Unitary Development Plan.

### **Conclusions**

The application property is located at the head of this cul-de-sac and retains generous gaps to each side boundary (approx. 2.5m to the south and 7m to the north). The proposed extensions will reduce the gaps to a minimum of 0.6m and 2.6m respectively. The smaller extension on the southern side will be approx 4.3m high whilst the lounge extension scales at 5.2m.

Members will need to consider whether the extent of development proposal will compromise the character of the area and spatial standards to such an extent as to warrant a refusal of planning permission.

In respect of the conservatory at the rear, this is not considered to cause harm the character and amenities of the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03844 and 08/01238, excluding exempt information.

### **RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

- |   |        |  |
|---|--------|--|
| 0 | D00002 | If Members are minded to grant planning permission the following conditions are suggested:   |
| 1 | ACA01  | Commencement of development within 3 yrs   |
|   | ACA01R | A01 Reason 3 years   |
| 2 | ACC04  | Matching materials   |
|   | ACC04R | Reason C04   |
| 3 |        | No accommodation shall be formed within the roof void of the north flank extension without the prior approval of the Local Planning Authority. |

**Reason:** In order to accord with the terms of this application and to prevent an overintensive use of the site, contrary to Policies H8 and BE1 of the Unitary Development Plan.

4 AJ01B Justification GENERIC reason FULL6 apps

D00003 If Members are minded to refuse planning permission the following grounds are suggested:

1 The proposed flank extensions, by reason of size and siting, would result in a cramped form of development and would lead to an undesirable erosion of the current spatial standards, contrary to Policies H8 and BE1 of the Unitary Development Plan.

Reference: 08/03844/FULL6  
Address: 4 Brograve Gardens Beckenham Kent BR3 6NH  
Proposal: Single storey side and rear extensions



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661

---

**11. Application No : 08/03871/FULL2 Ward : Bromley Common And Keston**

**Address : Land South Of Bromley Common Conservation Area:NO  
Cricket Club Oakley Road Bromley**

**OS Grid Ref: E: 541909 N: 166000**

**Applicant : Bromley Common Cricket Club Objections: YES**

**Description of Development:**

Change of use from agricultural land to cricket ground associated with existing club at Bromley Common Cricket club

**Proposal**

The site is part of a large area of open Green Belt land to the west of Oakley Road and is accessed by a single lane track along the northern boundary. Barnet Wood (a Site of Importance for Nature Conservation) lies to the west of the site and there is a pavilion and cricket pitch to its north, whilst there is open agricultural land to the south and east.

It is proposed to use the land as a cricket pitch for Bromley Common Cricket Club's 3rd and 4th XI teams and for Colts matches.

**Consultations**

Nearby residents were notified of the application and no representations were received.

There are no objections from an ecology point of view.

**Planning Considerations**

Planning Policy Statement 1 (PPS1): Delivering Sustainable Development states, at paragraph 8, that the plan-led system, and the certainty and predictability that it aims to provide, is central to planning and the key role in integrating

development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

The main policy of the Bromley Unitary Development Plan considered to be relevant to this application is G1: The Green Belt. The policy sets out appropriate uses of Green Belt land which include 'essential facilities for outdoor sport and outdoor recreation and open air facilities which and other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it'.

There are a number of other relevant policy documents that come under the general category of other 'material considerations'. These include:

PPS1: Delivering Sustainable Development  
PPG2: Green Belts

In strategic terms the most relevant London Plan policy is 3D.9: The Green Belt.

## **Conclusions**

The proposal is an appropriate use of Green Belt land as defined in PPG2 and Unitary Development Plan Policy G1. It will not result in any harm to the openness and visual amenity of the Green Belt and is therefore considered acceptable.

Background papers referred to during the production of this report comprise all correspondence on file ref. 08/03871, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | AJ02B  | Justification UNIQUE reason OTHER apps   |

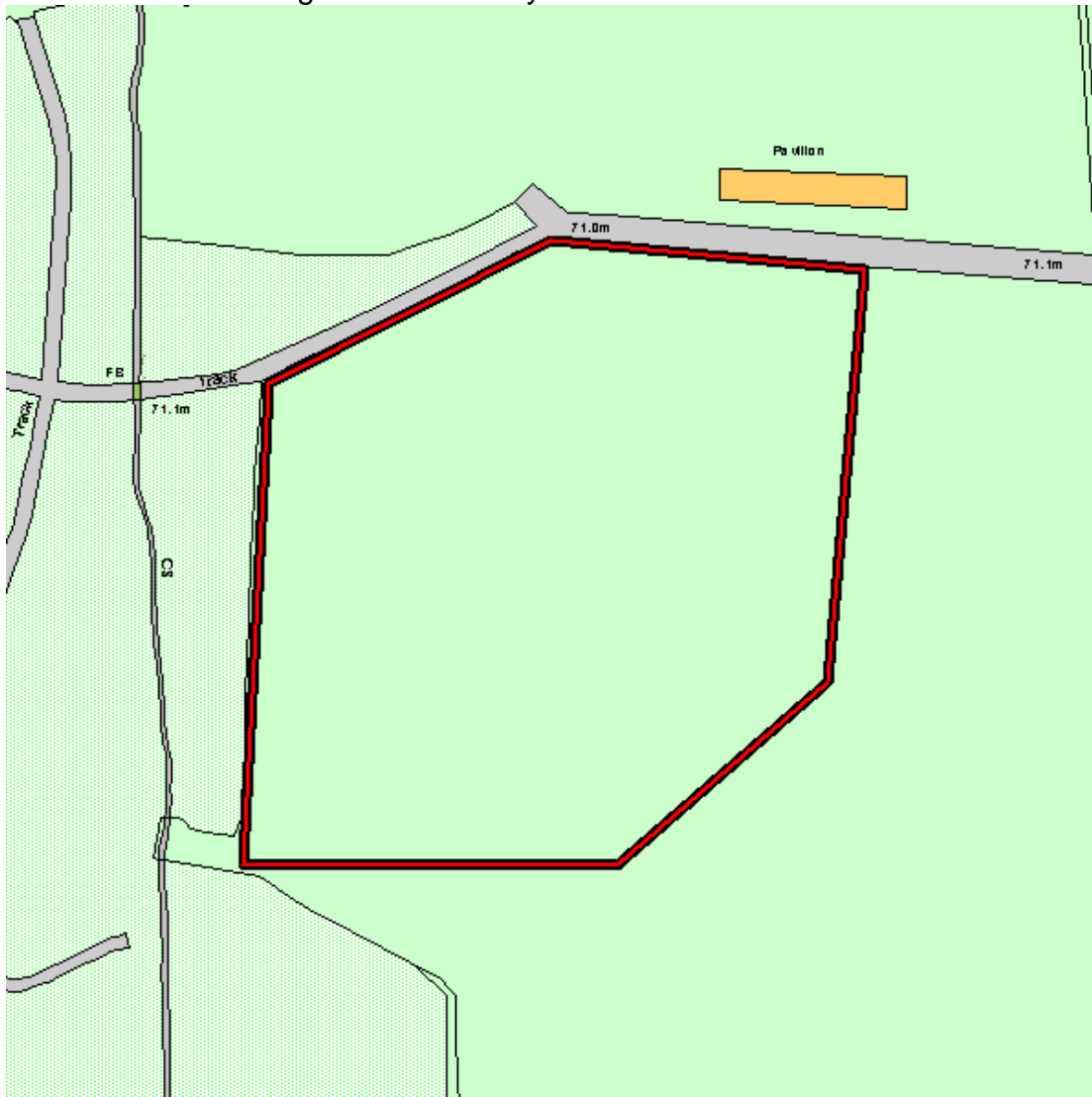
Policy (UDP)  
G1 The Green Belt

Policy (London Plan)  
3D.9 The Green Belt

Reference: 08/03871/FULL2

Address: Land South Of Bromley Common Cricket Club Oakley Road Bromley

Proposal: Change of use from agricultural land to cricket ground associated with existing club at Bromley Common Cricket club



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661





---

**12. Application No : 08/03893/FULL1 Ward : Clock House**

**Address : 23 Sheringham Road London SE20 7YH Conservation Area:NO**

**OS Grid Ref: E: 535056 N: 168949**

**Applicant : Mr Stephen Luxford Objections: YES**

**Description of Development:**

Detached two storey three bedroom dwelling

**Proposal**

Planning permission is sought for the construction of a detached two storey three bedroom dwelling on the land adjacent and south east of No23 Sheringham Road. The site is currently used for garaging purposes unassociated with No23. To the south east flank boundary of the site is a right of way at approximately 1.1m width which provides access to the rear gardens of Nos 19 to 29.

The dwelling proposed measures approximately 5.6m width and 8.4m depth. A single storey projection is indicated at the rear at 3.4m depth and 3.6m width positioned towards the north west flank of the dwelling. A 1m gap remains within the site between the proposed north west flank wall and the flank wall of No23. The south east flank wall is located immediately adjacent to the boundary with the right of way. A landscaped amenity space area is shown to the rear at 15.5m depth. Front curtilage is paved with refuse and recycling store. No parking is available on site.

**Consultations**

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

- disruption caused by building works will create noise and disturbance.
- proposal will generate more parking problems in the vicinity.
- streetscene is already congested with buildings. A further single house is not in keeping with terraced housing.

- proposal will devalue properties locally.

Cleansing - No objections.

Drainage - Standard conditions to be imposed regarding surface water and foul water connections.

Thames Water - No objections.

Environmental Housing - No adverse comments.

Environmental Pollution - Standard condition regarding land contamination to be imposed.

Highway Authority - No objections subject to conditions relating to stopping up of access, demolition of buildings and reinstatement of crossovers.

### **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  
H7 Housing Design  
ER4 Sustainable and Energy Efficient Development  
ER7 Contaminated Development  
T3 Parking  
T11 New Accesses  
T18 Road Safety

SPG  
No1 General Design Principles  
No2 Residential Design Guidance

London Plan  
4B.1 Design principles for a compact city  
4A.3 Sustainable design and construction  
4B.8 Respect local context and communities  
3A.3 Maximising the potential of sites

National Guidance:

Planning Policy Statement 1  
Planning Policy Statement 3

All other material considerations shall also be taken into account.

Planning application 87/0244 for a detached house was refused on 4th March, 1987 and subsequently dismissed at appeal on 21st September 1987. The Inspectors report concluded that the house at 0.95m from the boundary to No23 and adjacent to the boundary with the right of way would appear cramped and out of keeping with its surroundings. However, it should be noted that the inspector also commented the following:

"I am less convinced of the harm which is claimed to arise from building up to the right of way, because the passage achieves some separation, and there is a garage that ensures that the house at No. 25 is not too close."

## **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. Furthermore, whether the proposed dwelling provides a satisfactory form of accommodation for future occupiers and its effect on highway safety and parking in the vicinity.

The site is located within a primarily residential area, therefore in principle the use of the site for residential development is acceptable. However the suitability of the site in terms of its constraints and potential to accommodate an infill dwelling are assessed as follows.

The redevelopment of existing residential areas by making effective use of land is encouraged in PPS3, however, this should only be where the development is acceptable to the locality in its design, siting and layout without detriment to the local character and appearance.

Paragraph 4.35 of the UDP (2006) states

"Scope for further housing development occurs mainly on "infill" sites, or redevelopment of older, low-density property, and through the redevelopment of large non residential sites. The Council's primary objective is to ensure a high standard of residential environment. Redevelopment should be of a design that is sympathetic to and complements the surrounding residential area but not necessarily a reproduction of the established form and pattern of development."

With respect to the design of the dwelling and with regard to the above statements it is considered that the scheme has a sympathetic relationship to the character and appearance of the immediate area and a positive impact on the amenity of the streetscene. Criteria (iii) of H7 promotes "buildings designed to a high quality that recognise as well as complement the qualities of the surrounding areas." In this case the design reflects

elements of the local vernacular with a positive approach to local context through common building lines, heights and widths, and proportions of windows and doors resulting in a positive contribution to the streetscene.

Policy H9 promotes a minimum side space gap of 1m to retain spatial separation standards. The design of the proposed terrace abuts the south eastern boundary of the site with the right of way and is situated 1m from the north west boundary with No23. Although in this respect the siting of the dwelling is not strictly compliant with Policy H9, I draw Members attention to the Inspectors point of view from 1987 regarding the relationship of the then less well designed dwelling proposed and the gap created by the public right of way as detailed above. Furthermore, the wording in Policy H9 in part states "normally require" referring to the 1m side space or greater distance. In this instance due to the gap created by the right of way it is considered that the resultant relationship of the dwelling in the streetscene with adjacent property maintains adequate spatial separation without detriment to the streetscene or causing any terracing effect.

No parking arrangements are provided on site with only on street provision. This is considered acceptable by the Highway Authority with no anticipated decrease in on street parking problems detrimental to highway safety.

Rear garden amenity space is considered satisfactory in relation to surrounding development provision.

Room size and general layout of the dwelling is acceptable with habitable room windows facing to the front and rear of the site in accordance with surrounding built form.

On balance members may agree that the proposed development is acceptable bearing in mind all materials considerations.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03893 and 87/00244, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACA05<br>ACA05R | Landscaping scheme - implementation<br>Reason A05              |
| 3 | ACA07<br>ACA07R | Boundary enclosure - no detail submitted<br>Reason A07         |

4 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.

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

- |    |        |   |
|----|--------|---|
| 5  | ACH16  | Hardstanding for wash-down facilities                             |
|    | ACH16R | Reason H16  |
| 6  | ACH19  | Refuse storage - implementation                                   |
|    | ACH19R | Reason H19  |
| 7  | ACH24  | Stopping up of access   |
|    | ACH24R | Reason H24  |
| 8  | ACI12  | Obscure glazing (1 insert) and rooflights in the flank elevations |
|    | ACI12R | I12 reason (1 insert) BE1 and H7                                  |
| 9  | ACK09  | Soil survey - contaminated land                                   |
|    | ACK09R | K09 reason  |
| 10 | ACD02  | Surface water drainage - no det. submitt                          |
|    | ACD02R | Reason D02  |
| 11 | AJ02B  | Justification UNIQUE reason OTHER apps                            |

Policies (UDP)

BE1 Design of New Development

H7 Housing Design

ER4 Sustainable and Energy Efficient Development

ER7 Contaminated Development

T3 Parking

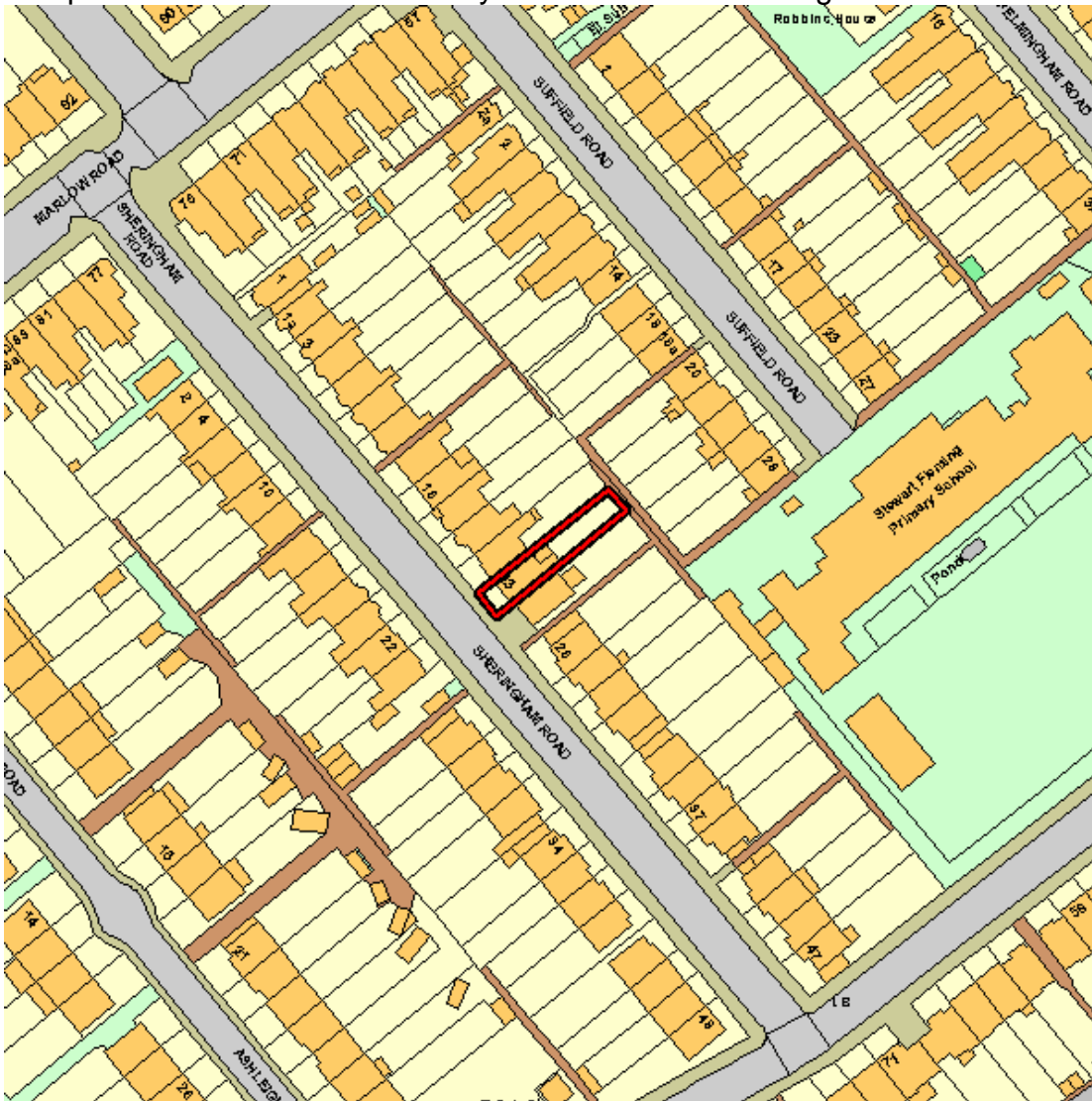
T11 New Accesses

T18 Road Safety

INFORMATIVE(S)

- |   |       |  |
|---|-------|--|
| 1 | RDI10 | Street Naming and Numbering                  |
| 2 | RDI06 | Notify Building Control regarding demolition |
| 3 | RDI16 | Contact highways regarding crossover         |

Reference: 08/03893/FULL1  
Address: 23 Sheringham Road London SE20 7YH  
Proposal: Detached two storey three bedroom dwelling



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661

---

**13. Application No : 08/03902/FULL1 Ward : Darwin**

**Address : Land Adjacent (South East) Shire Farm Conservation Area:NO**  
**Farthing Street Downe Orpington Kent**

**OS Grid Ref: E: 542912 N: 163074**

**Applicant : Mr Derek Fuller Objections: YES**

**Description of Development:**

Single storey detached out building to provide 2 stables, tack room and hay store and formation of hardstanding

**Proposal**

This proposal is for a single storey detached out building to provide 2 stables, tack room and hay store and hardstanding. The whole site is situated within the Green Belt is located approximately 170m to the south of Shire Lane and approximately 100m off a track to the east from Farthing Street.

The application seeks permission to construct an outbuilding which will measure 13.42m x 4.66m (including 1m roof overhang), with a pitched roof to a maximum height of 3.6m. There is also hard standing associated with this development which will be constructed out of crushed stone with a blackthorn/copper beech/hawthorn hedge surrounding.

The agent has confirmed that the new stable block, tack and store room is required solely for private use, therefore there will be no increase in traffic or intensification in the use of the site beyond that which currently exists. However it is the intention for the owner to sell off part of this field as a separate small holding and as such, additional stabling facilities are required.

**Consultations**

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

There are no technical objections from a Highways point of view providing suitable conditions are attached regarding visibility splays and turning area.

There are no objections from an Environmental Health point of view.

## **Planning Considerations**

### Planning Considerations

G1 Green Belt  
L3 Horses, Stabling and Riding Facilities  
BE1 Design of New Development

### Planning History

Permission was granted under ref. 76/03043 for the demolition of old stables and erection of 6 loose boxes and tack room, together with the formation of macadam track from field to Farthing Street.

## **Conclusions**

The main issue to be considered in this case is whether the building of a new stable block, tack and store room would constitute appropriate development within the Green Belt, and the effect that it would have on the visual amenity and openness of the area.

The proposed stable block, tack and store room with associated hard standing would be located to the north of the site. The land rises steeply approximately 5m from Shire Lane to the north of the site and the land continues to rise to the south. As shown in the photographs on the planning application file, the site is well screened by mature trees and hedgerow although it will be visible from Farthing Street and Bogey Lane. Therefore there will be views of the development from certain public vantage points.

There is concern over the proposed development as the field is proposed to be severed and sold as a separate plot. This in turn would lead to an increase demand for outbuildings on the plot and given that an existing stable block currently serves the land it is considered that the proposed development is inappropriate in terms of Green Belt policy and would be contrary to the aim of keeping land open and free from built encroachment. On balance it is considered that by reason of its size and siting that the proposed building and area of hardstanding would be harmful to the character and visual amenities of the Green Belt.



Background papers referred to during production of this report comprise all correspondence on file ref. 08/03902, excluding exempt information.

**RECOMMENDATION: PERMISSION BE REFUSED**

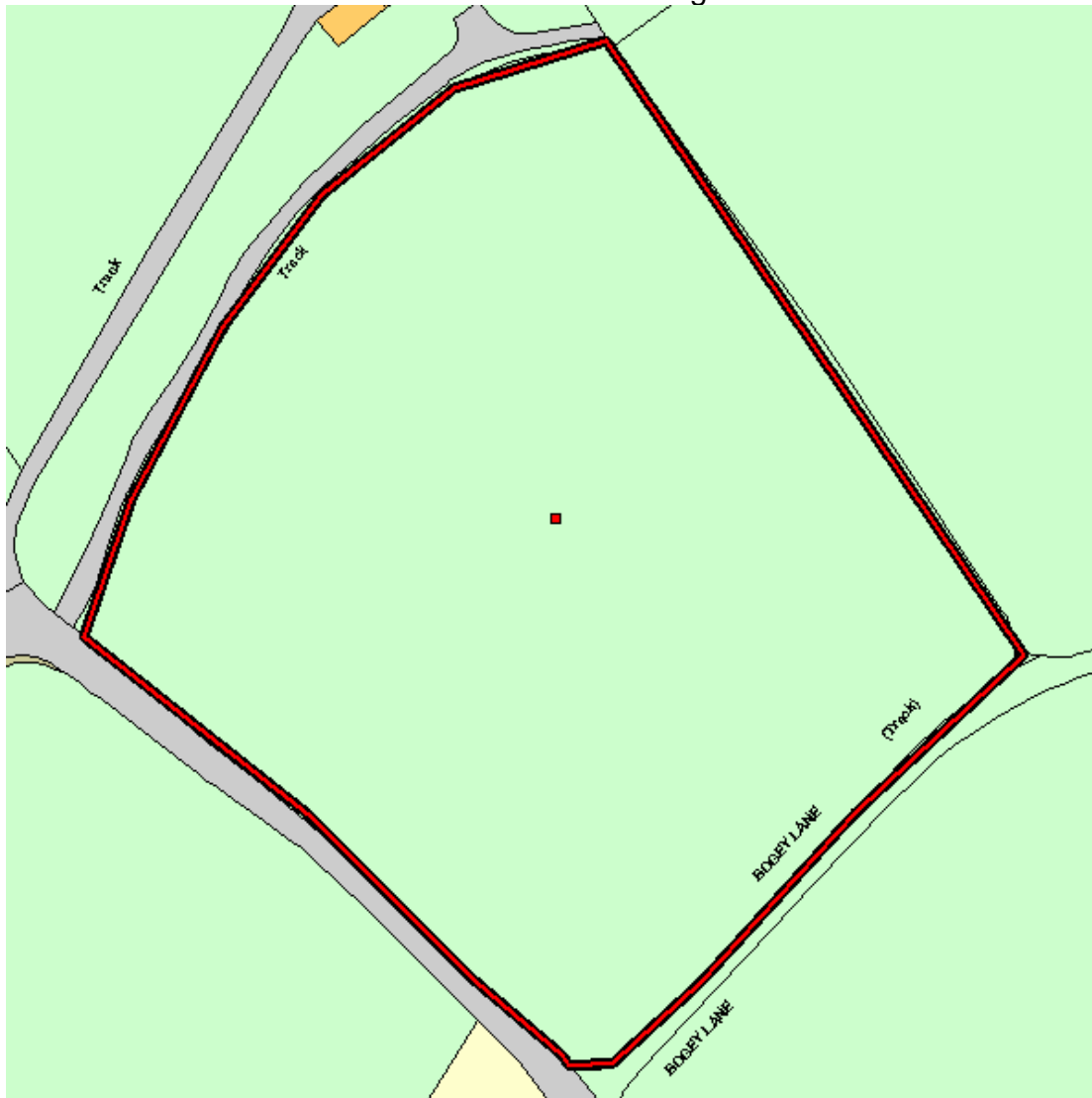
**The reasons for refusal are:**

- 1 The proposed single storey detached out building to provide 2 stables, tack room and hay store and associated hardstanding, by reason of their size, site coverage and siting constitute an undesirable form of development within the Green Belt resulting in an encroachment onto open countryside, harmful to the character and visual amenities of the area, contrary to Policies G1 and L3 of the adopted Unitary Development Plan (2006).

Reference: 08/03902/FULL1

Address: Land Adjacent (South East) Shire Farm Farthing Street Downe Orpington  
Kent

Proposal: Single storey detached out building to provide 2 stables, tack room and hay  
store and formation of hardstanding



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661

---

**14. Application No : 08/03910/FULL6 Ward : Bromley Town**  
**Address : 82 Havelock Road Bromley BR2 9NZ Conservation Area:NO**  
**OS Grid Ref: E: 541447 N: 168248**  
**Applicant : C Draper Objections: NO**

**Description of Development:**

Part one/two storey side/rear extension

**Proposal**

The proposal site is an end of terrace property located on the southern side of Havelock Road.

The proposal comprises a part one-two storey side and rear extension. The proposed side extension is to measure approximately 1.55 metres in width and will be built up to the property boundary. The front elevation of this element of the proposal will be in line with the front elevation of the host dwellinghouse at ground floor level and will be set back by approximately 1 metres from the front elevation of the ground floor element. The part one/two storey side extension will project in depth by approximately 6.45 metres at first floor level and approximately 7.4 metres in depth at ground floor level. This part of the extension will provide a front porch, lobby area, shower and toilet at ground floor level, and an extension to bedrooms 1 and 2 and an additional bathroom at first floor level.

In terms of the proposed single storey rear extension, this will be located directly adjacent to an existing single storey structure at the rear of the property and will form a dining area. This structure is proposed to be built up to the property boundary the same as the proposed part one/two storey side extension.

Whilst the proposed extensions are designed to be built up to the property boundary, there is a distance of approximately 1.2 metres between the flank wall of the adjacent property, No. 84 Havelock Road, and the flank wall of the proposed side extension, which forms a shared access way and cannot be built upon.

## **Consultations**

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

Please note that any comments received shall be reported verbally at the meeting.

## **Planning Considerations**

In considering the application the main policies are BE1, H8 and H9 of the Unitary Development Plan.

There does not appear to be any planning history at the application site.

## **Conclusions**

It may be considered that the proposed single storey rear extension will have little impact upon the amenities of the residents of nearby properties. This is because it will be located directly adjacent to the existing structure at the application site, therefore will not be visible to the residents of No. 80 Havelock Road. In addition, there is a similar form of structure at No. 84 Havelock Road which would reduce the visual impact and any possible privacy issues that may arise.

However in terms of the proposed part one/two storey side extension, it is considered that whilst the ground floor element may be acceptable in principle, the first floor aspect would be contrary to Policy H9 of the Unitary Development Plan. Although unrelated terracing may not occur should the side extension be permitted due to the shared access way along the flank of the proposed side extension, this policy also refers to the need to protect the space around buildings in order to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. The policy specifically mentions the need to prevent a cramped appearance and the necessity to protect the high spatial standards and level of visual amenity which characterise the residential areas within the Borough. Therefore it may be considered that although terracing may not occur due to the proposal, the spatial standards of the application site in relation to the adjacent property would be significantly reduced leading to a detrimental impact upon the streetscene.

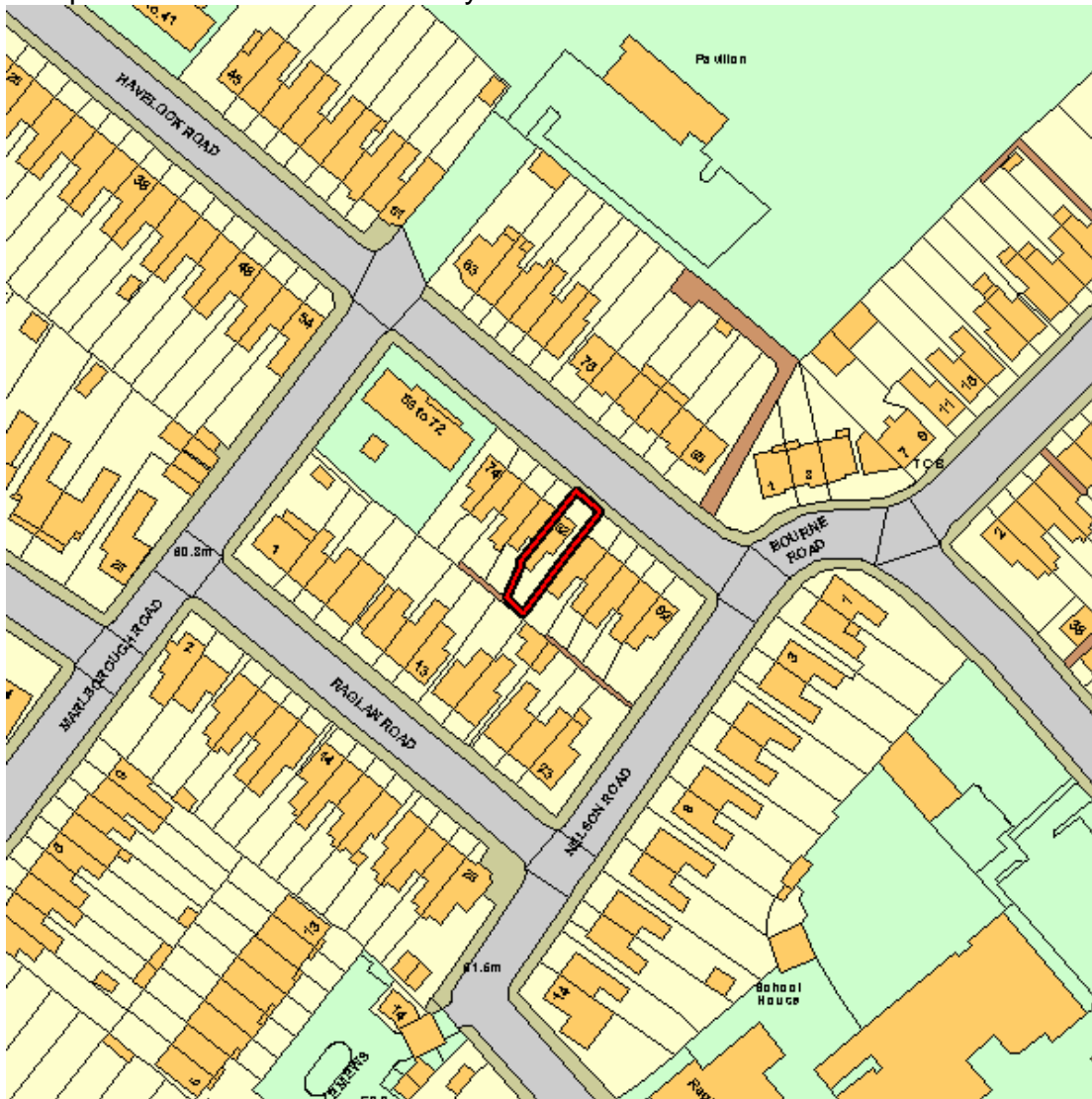
Background papers referred to during production of this report comprise all correspondence on file ref. 08/03910, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

**The reasons for refusal are:**

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

Reference: 08/03910/FULL6  
Address: 82 Havelock Road Bromley BR2 9NZ  
Proposal: Part one/two storey side/rear extension



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661

---

**15. Application No : 08/03920/FULL1 Ward : Crystal Palace**

**Address : 11 Hamlet Road London SE19 2AP Conservation Area: Belvedere Road**

**OS Grid Ref: E: 534068 N: 170221**

**Applicant : Penge Churches Housing Association Objections: YES**

**Description of Development:**

Refurbishment of Stafford House/ demolition of existing single storey rear extension and construction of part 2/ 3 storey rear extension and adaptation of existing 2 storey side extension to provide 13 units of self contained accommodation with office on lower ground floor

**Proposal**

The site is located at the corner of Hamlet Road and Maberley Road within the Belvedere Road Conservation Area and is occupied by a four storey detached house (circa 1890) with a more recent link-detached single storey rear addition fronting Maberley Road. The surrounding area comprises a diverse mixture of residential development including a number of large detached and semi-detached period properties, some of which are in use as flats and houses in multiple occupation.

Penge Churches Housing Association (PCHA) are a community based association providing homes for general needs as well as supported housing. Stafford House has been in use for approx. twenty years as hostel occupied by single people with low to medium mental health support needs and is run by Bromley Mind on behalf of PCHA.

The property currently comprises 9 studio flats sharing a laundry, lounge and sanitary facilities along with a self contained ground floor flat and an office for management visits. It is proposed to refurbish and alter the internal layout of the existing building and erect a two/three storey rear extension to provide 8 self contained one bedroom flats and 5 self contained studio flats. The extension will feature a green sedum roof, a slate roof and a rendered finish. It will be approx. 10.5m deep, 8.5m wide and 9.5m high to the ridge of the highest roof.

The application is accompanied by a Design and Access Statement which includes the following points:

- extension that replicates the original building would be unsuccessful as modern materials would not match the original, weathered materials
- solution that reflects the scale and proportion of the original building with complementary materials and design is considered appropriate
- proposal mitigates the dominant visual nature of the flank wall of Regency Court
- proposed materials and subservient scale and form of proposed extension maintains Stafford House as the dominant feature of the site
- the contrasting, contemporary design will define new from old
- proposal will include considerable energy efficiency improvements and on-site renewable energy generation technology.

### **Consultations**

Nearby residents were notified of the application and representations were received, which can be summarised as follows:

- there have been problems down the years with residents including loud music, verbal abuse and lewd behaviour
- loss of light at Regency Court.

There are no technical highways objections to the proposal.

The Advisory Panel for Conservation Areas have stated that the proposal will make an interesting and attractive contribution to the Conservation Area.

There are no objections to the proposal in terms of impact on the trees on the site.

There are no objections from the Council's in-house drainage consultant.

There are no objections to the proposal from an Environmental Health point of view.

In terms of housing, the scheme is of strategic importance to the Borough. The existing hostel has been successful in providing support for people with mental health needs to move into independent living. However, the current shared facilities are outdated, and new self contained units will improve the quality of life for residents and provide flexibility for future use. The re-modelling of the hostel will provide an attractive and appropriate physical environment that will facilitate the stabilisation and improvement of the residents' mental health.



Any further responses to consultations, including comments from the Council's Sustainable Development Officer, will be reported verbally at the meeting.

## **Planning Considerations**

Planning Policy Statement 1 (PPS1): Delivering Sustainable Development states, at paragraph 8, that the plan-led system, and the certainty and predictability that it aims to provide, is central to planning and the key role in integrating development objectives. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise.

The main policies of the Bromley Unitary Development Plan considered to be relevant to this application include:

H2 Affordable Housing  
H8 Residential Extensions  
BE1 Design of New Development  
BE11 Conservation Areas  
ER4 Sustainable and Energy Efficient Development  
C5 Facilities for Vulnerable Groups.

The Council's adopted Supplementary Planning Guidance for Belvedere Road Conservation Area is also a relevant consideration.

There are a number of other relevant policy documents that come under the general category of other 'material considerations'. These include:

PPS1: Delivering Sustainable Development  
PPS3: Housing.

In strategic terms the most relevant London Plan policies are:

2A.9 The Suburbs: supporting sustainable communities  
3A.3 Maximising the potential of sites  
3A.6 Quality of new housing provision  
4A.3 Sustainable Design and Construction  
4A.4 Energy Assessment  
4A.7 Renewable Energy  
4A.11 Living roofs and walls  
4B.1 Design Principles for a Compact City  
4B.8 Respect local context and communities.

The proposal will result in a residential density of 193 dwellings per hectare.

A proposal of this size would trigger a requirement for a healthcare contribution to the Bromley Primary Care Trust. However, in this instance it is considered that the proposal will provide healthcare benefits that will offset any requirement for a financial contribution.

The main issues to be considered in this case are the impact of the proposal on the character and appearance of the Conservation Area and the impact on the residential amenities of the area.

## **Conclusions**

It is not considered that any harm would result from the demolition of the existing rear extension. The proposed extension would be appropriate in terms of its scale and location and the design is a well conceived mix of modern finishes with traditional elements such as the pitched roofs allowing it to integrate with the host building.

There are a number of windows on the flank elevation of the adjacent Regency Court. These will be approx. 5.2m from the proposed extension and it may be considered that the proposal will not result in an unacceptable loss of light and outlook. The proposed extension has been designed with no windows facing Regency Court to prevent mutual overlooking.

The proposal is considered to enhance the character and appearance of the Conservation Area and is not considered to result in any undue harm to residential amenities.

Background papers referred to during the production of this report comprise all correspondence on file ref. 08/03920, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACB01<br>ACB01R | Trees to be retained during building op.<br>Reason B01         |
| 3 | ACB03<br>ACB03R | Trees - no bonfires<br>Reason B03                              |
| 4 | ACB04<br>ACB04R | Trees - no trenches, pipelines or drains<br>Reason B04         |
| 5 | ACB10<br>ACB10R | Trees - details of protective fencing<br>Reason B10            |
| 6 | ACB13<br>ACB13R | Trees - excavation by hand (a)<br>Reason B13                   |

7	ACC01	Satisfactory materials (ext'nl surfaces)
	ACC01R	Reason C01
8	ACC03	Details of windows
	ACC03R	Reason C03
9	ACD03	Restricted 100mm outlet (drainage)
	ACD03R	Reason D03
10	ACH22	Bicycle Parking
	ACH22R	Reason H22
11	ACI21	Secured By Design
	ACI21R	I21 reason
12	ACI22	Affordable Housing
	ACI22R	Reason I22
13	AJ02B	Justification UNIQUE reason OTHER apps

#### Policies (UDP)

H2 Affordable Housing

H8 Residential Extensions

BE1 Design of New Development

BE11 Conservation Areas

ER4 Sustainable and Energy Efficient Development

C5 Facilities for Vulnerable Groups.

#### Policies (London Plan)

2A.9 The Suburbs: supporting sustainable communities

3A.3 Maximising the potential of sites

3A.6 Quality of new housing provision

4A.3 Sustainable Design and Construction

4A.4 Energy Assessment

4A.7 Renewable Energy

4A.11 Living roofs and walls

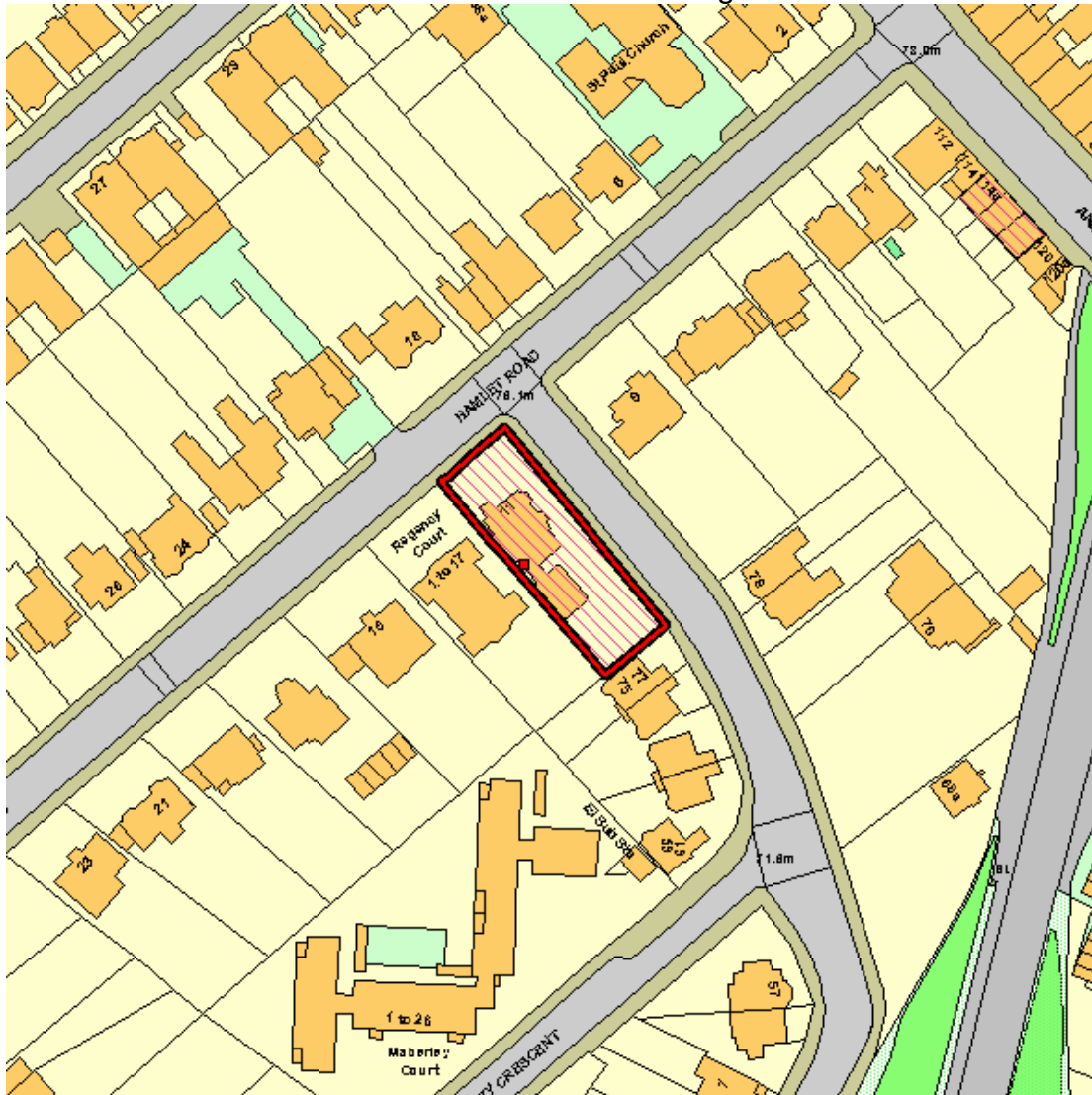
4B.1 Design Principles for a Compact City

4B.8 Respect local context and communities.

Reference: 08/03920/FULL1

Address: 11 Hamlet Road London SE19 2AP

Proposal: Refurbishment of Stafford House/ demolition of existing single storey rear extension and construction of part 2/ 3 storey rear extension and adaptation of existing 2 storey side extension to provide 13 units of self contained accommodation with office on lower ground floor



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



account comments or other considerations related to the normal planning merits of the case.

### History

02/01450/PLUD – Single storey side/rear extension (Certificate of Lawfulness for a Proposed Development) – Proposed Development was Lawful on 10/07/2002

08/01219/FULL6 – Rear dormer extension with Juliet balcony – Planning Permission was refused on 03/06/2008

08/02405/PLUD - Rear dormer extension with Juliet balcony (Certificate of Lawfulness for a Proposed Development) - Proposed Development was Lawful on 01/09/2008

### **Conclusions**

Class B sets out certain criteria to be addressed to allow works to be permitted development. These include:

- the proposed alterations would not exceed the maximum height of the existing house nor project beyond the front roof slope.
- the volume of the proposed extension was calculated and was under 50 cubic metres.
- no balconies or raised platforms are proposed.
- the house is not on article 1(5) land.
- the applicants have stated that the dormer will be tile hung.
- the dormer is set in more than 20cm from all the eaves.
- there are no windows proposed on the side elevation.

Taking into account the requirements of Class B, Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (as amended), the proposal appears to be permitted development.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03934 and 08/02405, excluding exempt information.

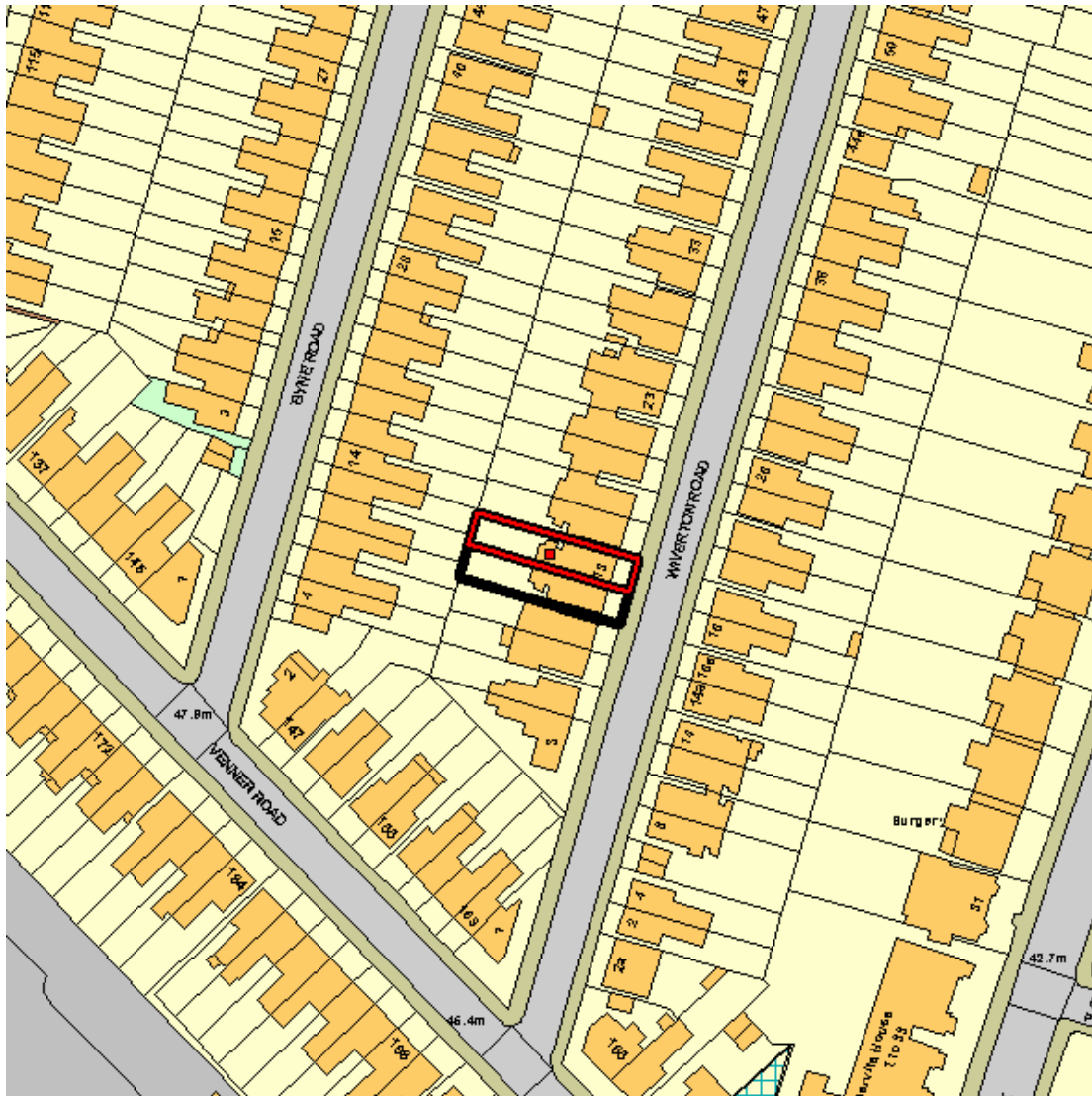
### **RECOMMENDATION: CERTIFICATE BE GRANTED**

- 1 The proposed development is permitted by virtue of Class B, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (as amended).

Reference: 08/03934/PLUD

Address: 13 Wiverton Road London SE26 5JA

Proposal: Rear dormer extension CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661





---

**17. Application No : 08/03946/FULL6 Ward : Chislehurst**

**Address : 93 Kevington Drive Chislehurst Kent Conservation Area:NO  
BR7 6RW**

**OS Grid Ref: E: 545603 N: 168347**

**Applicant : Mr S Jeyanathan Objections: YES**

**Description of Development:**

Erection of front railings maximum height 1.5 metres with two double vehicular access gates maximum height 1.7 metres

**Proposal**

The site lies on the southern side of Kevington Drive and hosts a detached dwelling with a detached garage. The house slopes down from the road and is slightly higher than the neighbouring bungalow next door at No.91 Kevington Drive.

The surrounding area is wholly residential in character with dwellings of a variety of styles and sizes. The front gardens of the properties along this part of Kevington Drive are mainly defined by mature shrubs and vegetation rather than solid construction front boundary treatments.

The application proposal is for the erection of front railings to the property to a height of 1.5m with two double vehicular access gates to a maximum height of 1.7m. The application is a re-submission of a similar application that was refused last year under application reference: 07/02036.

**Consultations**

Nearby owners were notified of the application and two letters of objection were received which can be summarised as follows:

- the railings will only be slightly lower in height than the previously refused application and dismissed appeal.

- the gates will be of different widths giving a lopsided appearance to the property's frontage.
- out of keeping with the character of other properties in the road.
- will create a detrimental visual impact.

Highway Planning comments remain applicable as per the previous application which raised no technical objection from a road safety point of view.

### Planning History

Under planning application ref. 07/02036 permission was refused for the erection of front and side railings maximum height 1.8m with two double vehicular access gates, maximum height 2.14m for the following reasons:

The proposed design indicated on the submitted drawings would be out of character with and detrimental to the visual amenities of the area, contrary to Policies BE1 and H8 of the Unitary Development Plan.

- The proposed railings and gates will erode the open nature of the area and will adversely impact upon the streetscene, contrary to Policy BE7 of the Unitary Development Plan.”

The application was subsequently dismissed at appeal on the 11th September 2008. The Inspector's decision letter, at paragraph 4, made reference to the front gardens of the properties along this part of Kevington Drive having low front walls and an overall appearance of the street being one of spacious harmony. The Inspector also made reference, in paragraph 5, that the proposal would introduce a contrasting element to that context causing undue harm to the character and appearance of the area.

### **Planning Considerations**

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and other means of enclosure
- H8 Residential Extensions

### **Conclusions**

The main issue in the determination of the application is considered to be the impact of the proposed development on the visual amenities and character and appearance of the area.

Following the previously refused application (application reference: 07/02036) and the dismissed appeal decision the agent has reduced the height of the proposed side railings from 1.8m to 1.5m. The design remains the same. The access gates have also been reduced in height from 2.4m to 1.7m. The width of the access gates has been reduced from 4.4m to 3.4m (on the western boundary) and increased from 3.9m to 4.5m (on the eastern boundary). The design of the access gates are now level as opposed to being slightly higher towards the centre. A pillared brick wall with railings above is also proposed in between each of the access gates. The wall measures approximately 10m in length by 1.7 (max) in height. The design will be stone copping and brick piers.

The accompanying Design and Access Statement makes reference to there being other examples of railings in the locality. The objector at No.66 Kevington Drive has identified these examples as being located some distance away with photo's one and two being properties located on Clarendon Way and photo's three and four located towards the other end of Kevington Drive. No other examples of similar developments are located in the immediate locality.

Members are asked to consider whether the changes to the height and design of the proposed gates and railings are considered sufficient to overcome the previous grounds of refusal and dismissed appeal decision.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03946, 0702036 & AP/08/00109/S78, excluding exempt information.

### **RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

- 0 D00002 If Members are minded to grant planning permission the following conditions are suggested:
- 1 ACA01 Commencement of development within 3 yrs
- ACA01R A01 Reason 3 years
- 2 Details of bricks and materials to be submitted for prior approval.

**Reason:**

- 3 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and other means of enclosure
- H8 Residential Extensions

D00003 If Members are minded to refuse planning permission the following grounds are suggested:

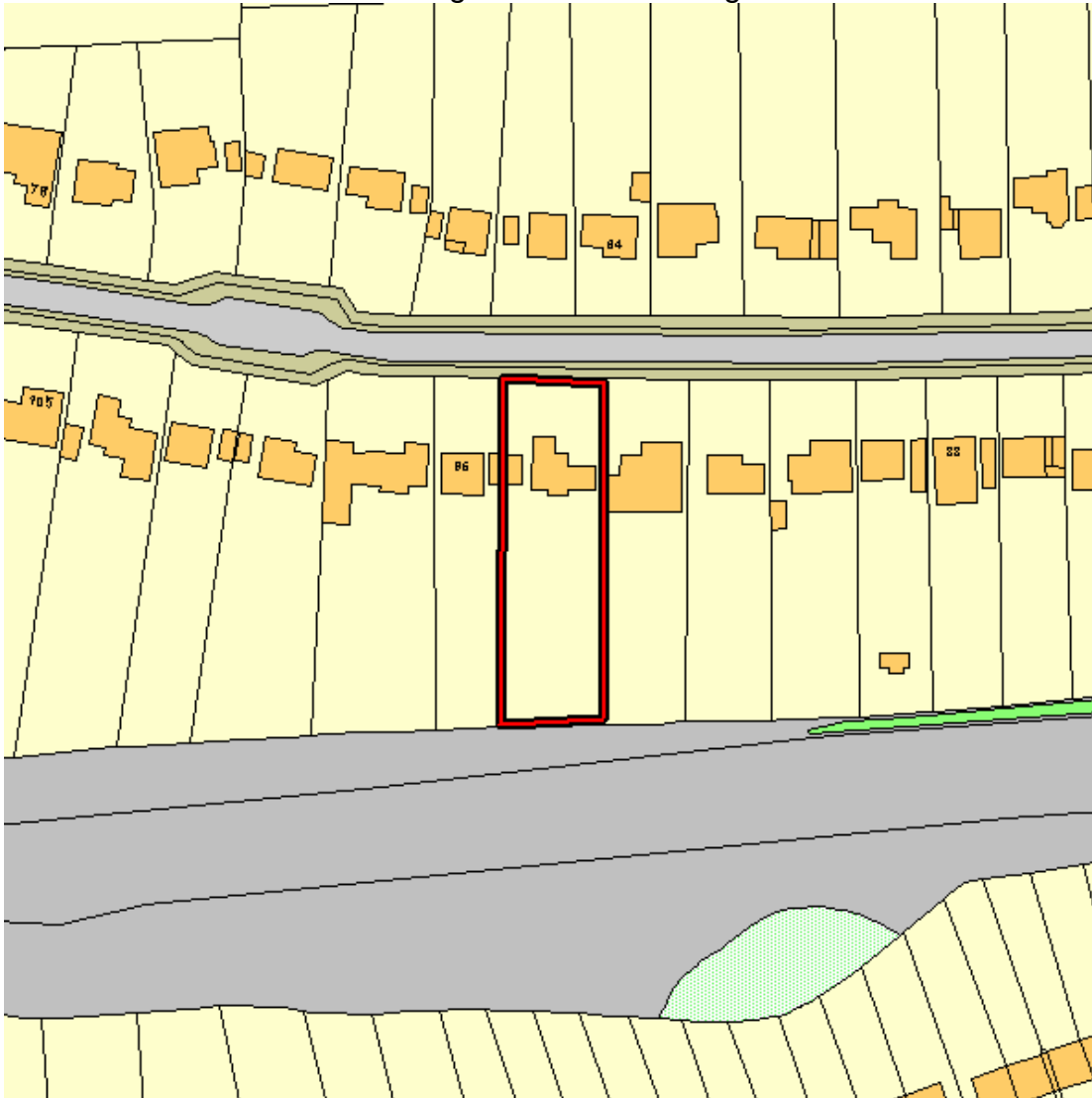
- 1 The Council considers that the proposal would appear conspicuous and obtrusive in the street scene and therefore harmful to the character and

appearance of the area contrary to Policies B1, BE7 and H8 of the Unitary Development Plan.

Reference: 08/03946/FULL6

Address: 93 Kevington Drive Chislehurst Kent BR7 6RW

Proposal: Erection of front railings maximum height 1.5 metres with two double vehicular access gates maximum height 1.7 metres



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



---

**18. Application No : 08/04024/FULL6 Ward : Darwin**

**Address : 2 Greenhill Cottages Greenhill Downe Conservation Area:NO  
Orpington Kent BR6 7LB**

**OS Grid Ref: E: 542704 N: 161114**

**Applicant : Mr Ray Beadon And Ms Mary Aquilina Objections: NO**

**Description of Development:**

First floor side extension and pitched roof over existing rear extension with side porch

**Proposal**

This semi-detached cottage is located on the northern side of Green Hill and lies within a designated Site of Importance for Nature Conservation within the Green Belt. It occupies an elevated position above the roadway, and the land falls steeply to the west of the dwelling down to a parking area and detached garage at lower level. The property has been extended in the past in the form of a single storey side extension and a rear flat-roofed sun lounge.

It is proposed to add a first floor side extension to the western side of the dwelling over the existing extension, and construct a pitched roof over the existing rear sun lounge, which would also incorporate a side porch.

**Consultations**

Nearby residents were notified of the application, but no representations have been received to date.

**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  
G4 Dwellings in the Green Belt or on Metropolitan Open Land  
NE2 Development and Nature Conservation Sites

The floor area of the original dwelling measured approximately 68.5sq.m., while the later extensions increased the floor area by a further 38.4sq.m. The proposed first floor extension would add a further 21sq.m.

Also of relevance is the large two storey side extension which has been added to the adjoining semi (No.1) during the early 1990s (ref. 90/02531), and which currently unbalances the pair.

### **Conclusions**

The main issues relating to the application are the impact of the proposals on the open character of the Green Belt and the Site of Importance for Nature Conservation, and on the amenities of the occupants of surrounding residential properties.

Policy G4 relates to residential extensions in the Green Belt, and allows for a 10% increase in the floor area of the original dwelling, so long as the open character and visual amenities of the Green Belt were not harmed, and that there would not be a significant detrimental change in the overall form, bulk or character of the original dwelling.

The floor area of the original dwelling has already been increased by 56%, and the additional floor area provided by the proposed first floor extension would increase the size of the original dwelling by a total of 87%. This greatly exceeds the 10% normally allowed within the Green Belt, however, the original property was of a very modest size, and has adequately accommodated a 56% increase without appearing overdominant or detrimental to the open nature of the Green Belt.

Furthermore, the adjoining semi at No.1 has been greatly enlarged in the past, and the proposed extension, which has been sensitively designed, may help to redress the balance and provide a more symmetrical appearance to the properties.

The proposed pitched roof over the rear extension would be set back from the adjoining semi, and would not be harmful to the amenities of the adjoining property.

Therefore, although the proposed first floor extension would not meet the criteria of Policy G4, Members may consider that there are special circumstances in this case to justify the grant of permission and, if this is the case, the following is recommended.



Background papers referred to during production of this report comprise all correspondence on files refs. 90/02531 and 08/04024, excluding exempt information.

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACC07  | Materials as set out in application      |
|   | ACC07R | Reason C07                               |
| 3 | AJ02B  | Justification UNIQUE reason OTHER apps   |

Policies (UDP)

BE1 Design of New Development

H8 Residential Extensions

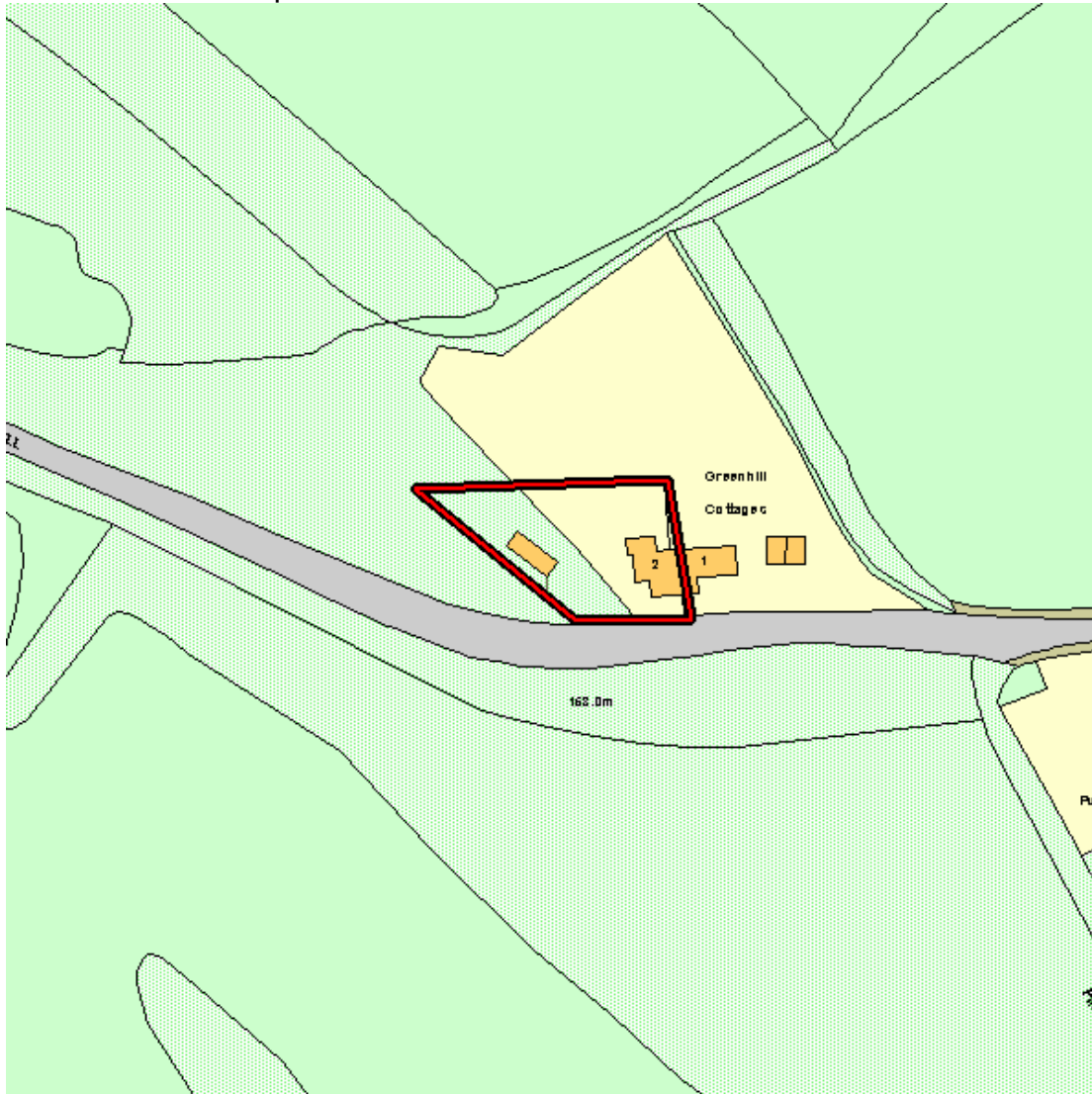
G4 Dwellings in the Green Belt or on Metropolitan Open Land

NE2 Development and Nature Conservation Sites

Reference: 08/04024/FULL6

Address: 2 Greenhill Cottages Greenhill Downe Orpington Kent BR6 7LB

Proposal: First floor side extension and pitched roof over existing rear extension with side porch



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661

---

**19. Application No : 08/04054/FULL1 Ward : Crystal Palace**

**Address : Land Adjacent 19D Ridsdale Road Conservation Area:NO  
London**

**OS Grid Ref: E: 534551 N: 169976**

**Applicant : Wilshire Bros Ltd Objections: NO**

**Description of Development:**

Single storey detached building at rear for storage of lorries

**Proposal**

The application site is located to the west of Ridsdale Road (adjacent to no.21 and 19d) and to the east of Anerley Road, to the rear of Lynton Court. Ridsdale Road is mainly characterised by residential properties, whilst Anerley Road is largely commercial at ground floor with residential properties above.

Permission is sought for the construction of a single storey building at the rear of the site. The proposed building will measure approximately 4.7m to the roof ridge and approximately 4.2m to eaves level. There is an existing wall surrounding the site which measures approximately 2.7m. The is stated by the Agent that the proposed building will be used to store lorries which are currently parked at the site, (ref. 06/01268/ELUD).

**Consultations**

Nearby owners/occupiers were notified of the application however at the time of writing the report no comments had been received from local residents.

From a Highways point of view no objections have been raised.

**Planning Considerations**

Under ref. 06/01268 the use of land for the parking of lorries was granted for the existing use. The applicant supplied sufficient evidence to demonstrate that the use had been in existence for 10 or more years.

Policy BE1 sets out the design principles that would be applied when considering proposals for new development - development should respect the scale, form and materials of adjacent buildings and should not detract from the attractive townscape that the Council wishes to secure.

## **Conclusions**

The main issues in this case are whether the proposed building is likely impact on the character and appearance of the surrounding area, and on the amenities of neighbouring residential properties.

Due to the shape of the plot, the proposed building is unlikely to have a detrimental impact on the character and appearance of the street scene. The proposed building will be sited at the rear of the site and is mostly surrounded by the rear gardens of the neighbouring properties. The existing 2.7m brick wall surrounding the site means that the increase height would be 2m. However, the roof design allows some of the additional bulk to be pitched away from the boundaries.

In this case, it is likely that the proposed will have some impact on the nearby residential properties however a judgment needs to be made as to whether the impact is unduly harmful. Accordingly, Members may consider that the proposed building is acceptable in size given its siting and design.

Background papers referred to during production of this report comprise all correspondence on file ref. 08/04045, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- 1      ACA01      Commencement of development within 3 yrs  
          ACA01R      A01 Reason 3 years
- 2      ACC01      Satisfactory materials (ext'nl surfaces)  
          ACC01R      Reason C01
- 3      The single storey detached building hereby permitted shall only be used for purposes of vehicle storage and for no other purpose.

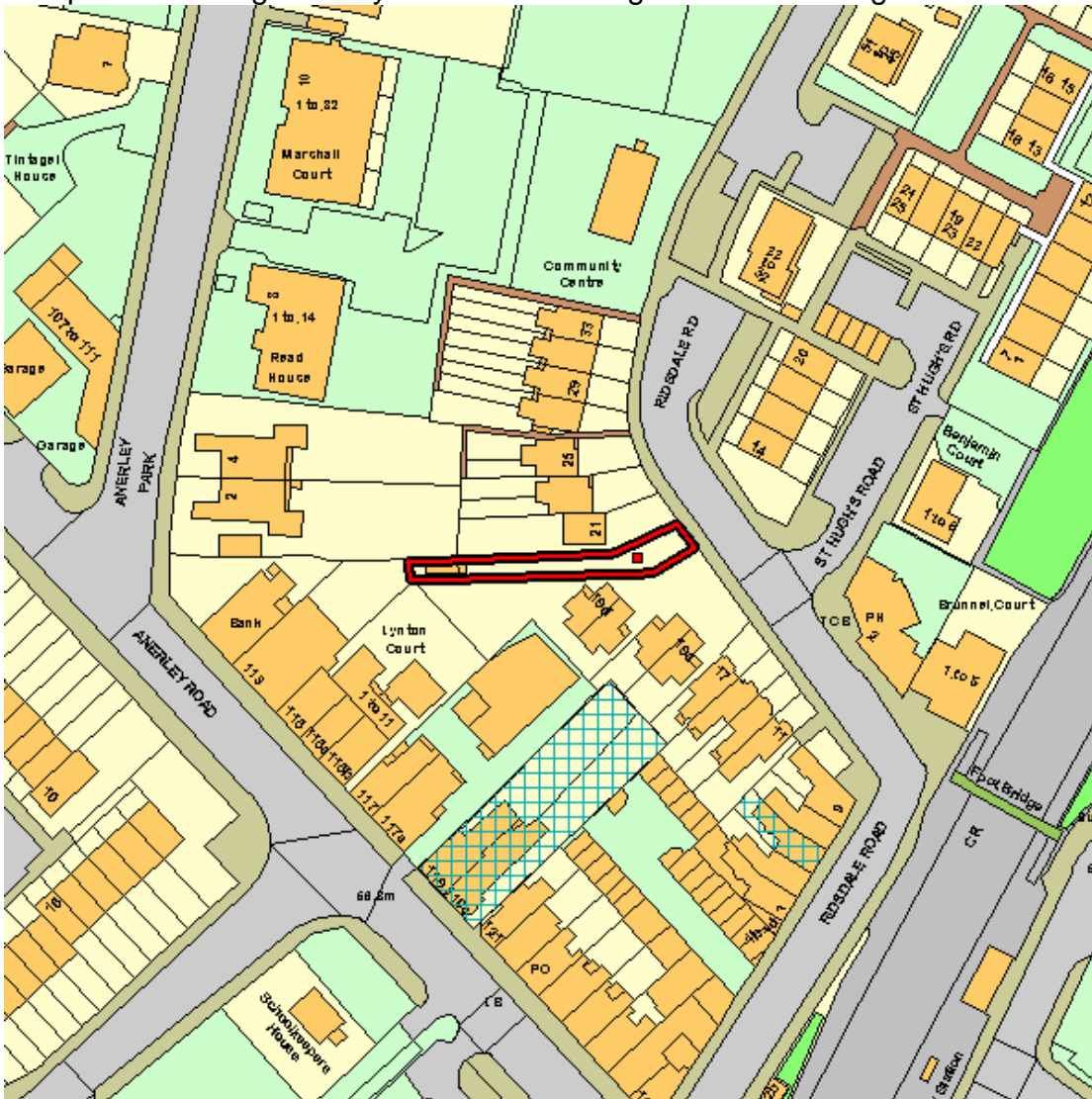
**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the residential amenities of the area.

- 4      AJ02B      Justification UNIQUE reason OTHER apps  
Policy (UDP)  
BE1 Design of new development

Reference: 08/04054/FULL1

Address: Land Adjacent 19D Ridsdale Road London

Proposal: Single storey detached building at rear for storage of lorries



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



---

**20. Application No : 08/04060/FULL6 Ward : Kelsey And Eden Park**

**Address : 240 Eden Park Avenue Beckenham Kent Conservation Area:NO  
BR3 3JH**

**OS Grid Ref: E: 537184 N: 168073**

**Applicant : Mr Brian Cudby Objections: NO**

**Description of Development:**

Single storey rear extension

**Proposal**

The application site is a two storey mid-terrace dwelling. The surrounding area is predominantly residential and characterised by similar terraced buildings.

The proposed single storey rear extension would measure 6m wide and 3.4m deep (as scaled from the rear of the original building) and would extend the full width of the dwelling. It would have a flat roof with a height of 2.9m.

**Consultations**

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

Thames Water commented that there are public sewers crossing the site, and no building works will be permitted within 3 metres of the sewers without Thames Water's approval.

**Planning Considerations**

Policies BE1 and H8 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design and safeguard the amenities of neighbouring properties and the visual amenities of the area.

Planning permission was previously refused for an identical extension under ref. 08/03192. It was considered that the proposed extension would, by reason of its size, siting and excessive rearward projection, be detrimental to the amenities enjoyed by the occupants of No.238 Eden Park Avenue by reason of loss of prospect, visual impact, overshadowing and loss of light, and would therefore be contrary to policies BE1 and H8 of the Unitary Development Plan.

## **Conclusions**

In terms of the impact on the character of the area, being located to the rear of the site, it is not considered that the development would have a significant impact.

There is a single storey rear extension at No. 242, to the south east of the site, with a rear projections of approximately 3m (as scaled from the rear of the original building). Given the presence for this extension it is not considered that the development proposed would have a significant impact on the prospect from this dwelling nor the amount of light entering the building.

To the north west of the application site, No.238, there currently exists no extensions to the rear of the building. Given the close proximity of the proposed extension to the boundary with this site combined with the south west orientations of the rear of these properties, it is considered that the 3.4m rear projection would have a detrimental impact on the outlook at No.238, and would result in a loss of light and overshadowing to the rear of this dwelling.

Having had regard to the above it was considered that the development in the manner proposed is not acceptable in that it would result in a loss of amenity that the occupiers of No.238 Eden Park Avenue could reasonably expect to continue to enjoy.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/04060 and 08/03192, excluding exempt information.

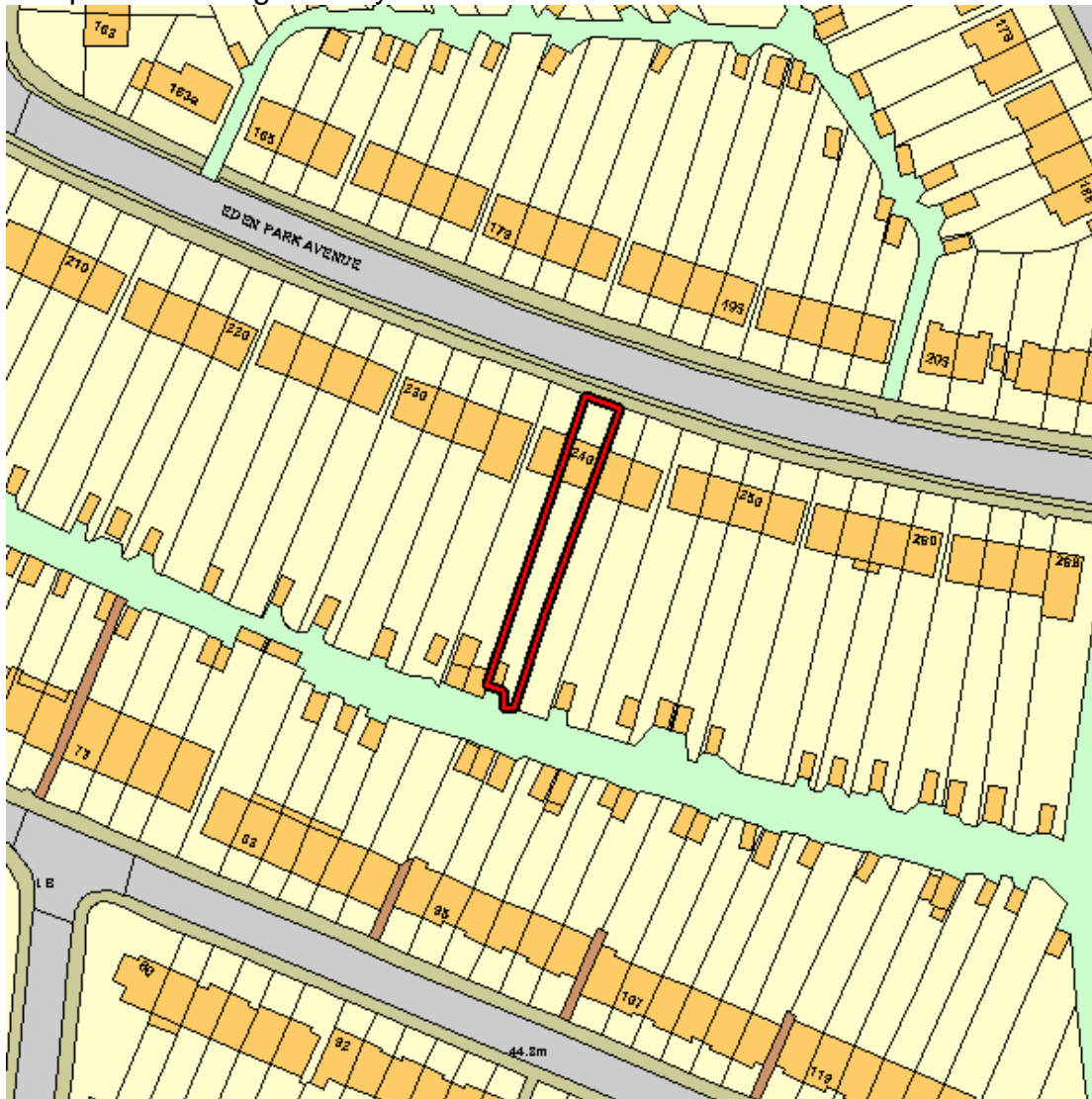
## **RECOMMENDATION: PERMISSION BE REFUSED**

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

- 1 The proposed extension would, by reason of its excessive rearward projection, be detrimental to the amenities enjoyed by the occupants of No 238 Eden Park Avenue by reason of loss of prospect, over shadowing and loss of light and would therefore be contrary to policies BE1 and H8 of the Unitary Development Plan.



Reference: 08/04060/FULL6  
Address: 240 Eden Park Avenue Beckenham Kent BR3 3JH  
Proposal: Single storey rear extension



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



---

**21. Application No : 08/04139/FULL6 Ward : Petts Wood And Knoll**

**Address : 8 The Chenies Petts Wood Orpington Conservation Area: Kent BR6 0ED The Chenies Petts Wood**

**OS Grid Ref: E: 545310 N: 167487**

**Applicant : Mr And Mrs McCarthy Objections: YES**

**Description of Development:**

First floor side extension

**Proposal**

The application property is a substantial detached dwelling located on the northern side of The Chenies (a cul-de sac). The Chenies was designated as a conservation area in 1982. This was due to the high quality 1930's suburban development.

The proposal is for a first floor side extension (on east flank). The first floor side extension seeks to alter to the existing "cat-slide" roof and dormer that currently exists. This element extends upwards from the outside edge of existing garage in a hipped style. However, a cat-slide element has been incorporated in the design with a flank rooflight. The plans also indicate an extension to the width of the front part of the garage.

**Consultations**

There have been letters of objection during the local notification stage. The comments received are summarised as follows:

- this application differs very little from the application previously refused
- removes the attractive chalet style roof
- lack of sunlight to neighbouring properties
- will affect the look of the house
- will affect the character of the conservation area

The Advisory Panel for Conservation Areas objects to this proposal on the grounds of inappropriate and unsympathetic design, with the loss of side space, detracting from the character and integrity of the host building.

From a heritage and urban design point of view, concern is raised with respect to the erosion of the space to the side of the building and the loss of the attractive cat-slide feature.

### **Planning Considerations**

Policies relevant to the consideration of this application are H8 (Residential Extensions) and BE11 (Conservation Areas) of the adopted Unitary Development Plan.

In addition, Policy BE1 of the UDP also addresses the design issues and comments that the Council will expect a high standard of design and layout.

The Supplementary Planning Guidance for The Chenies Conservation Area is also a consideration.

In determining this application account must also be taken of national planning advice issued by Central Government.

The most significant publications are PPS1: Delivering Sustainable Development and PPG15 Planning and the Historic Environment.

Members should be aware that a previous application for a very similar scheme, including a two storey side and rear extension, was refused under reference 06/00148 for the following reasons:

The proposed extensions by reason of size and bulk would result in an incongruous feature within this part of The Chenies and would neither preserve nor enhance the character of the Conservation Area, contrary to Policies E.1 and E.7 of the adopted Unitary Development Plan and Policies BE1 and BE9 of the second deposit draft Unitary Development Plan (September 2002).

The proposal represents a cramped overdevelopment of the site, out of character with the area contrary to Policies H.3 and E.1 of the adopted Unitary Development Plan and Policies H8 and BE1 of the second deposit draft Unitary Development Plan (September 2002).

The application was subsequently part allowed and part dismissed on appeal. The allowed element of the scheme was the two storey side and rear extension. The first floor side extension was dismissed. The Inspector states “there remains a significant gap at first floor level which provides views through to trees at the

rear. In my opinion the first floor extension would intrude into this gap in a way which would be harmful to the spacious character of the area. Extension B (first floor side extension) and the proposed first floor dormer to the landing would detract from features which are important to the character and appearance of the area. These elements of the appeal proposal would not preserve or enhance either the character or the appearance of the conservation area and would not comply with the policies of the UDP that I have referred to.”

With respect to neighbouring residential amenity, the Inspector concluded that no significant impact would result to the neighbouring properties in terms of loss of light, prospect and living conditions.

Planning permission was subsequently refused at Plans Sub-Committee on the 25th September 2008 for a first floor side extension under ref. 08/02682. This application comprised a cat slide roof with side dormer. The front dormer was removed to reduce roof clutter. The refusal grounds were as follows:

The proposed extension by reason of size and bulk would result in an incongruous feature within this part of The Chenies and would neither preserve nor enhance the character of the Conservation Area, contrary to Policies BE1 and BE11 of the adopted Unitary Development Plan.

The proposal, by reason of the cumulative impact of extensions to the property, represents a cramped overdevelopment of the site, out of character and harmful to the spatial standards of The Chenies Conservation Area, contrary to Policies BE1, BE11, H8 and H9 of the adopted Unitary Development Plan.

The plans submitted under the current application have been amended in that the previously proposed side dormer has been omitted in an attempt to reduce the bulk of the proposal and in order for the extension to appear more subservient to the host dwelling.

## **Conclusions**

The major considerations of this case are the impact on the conservation area and on adjoining properties.

In Conservation terms the spacious setting is important to the character of The Chenies and to the integrity of the original houses. There is concern in terms of the first floor element that not enough side space will be kept, that the roof is bulky coming forward of the facade and the existing cat-slide is an attractive feature worthy of retention. The proposal would be contrary to the aims of the conservation area designation and the advice in the Supplementary Planning Guidance (4.1, 4.20 and 4.23). It should be noted that the property has been previously extended.

In light of the Inspector's concerns, the recent planning history and the objections raised from a heritage and urban design point of view, the proposed extension is not considered to be significantly different from that refused and dismissed on appeal, or from that recently refused under ref. 08/02682, with the only alteration being the omission of the flank dormer replaced with a rooflight. Although the bulk has been reduced by this, the extension, coupled with the existing extensions, continues to result in a cumulative impact on the character and appearance of the building and the wider conservation area and is considered to compromise the spatial standards of the area.

Turning to the impact of the extension on the amenities of adjoining residents and in light of the fact that the extension is similar in design to those schemes previously refused (albeit the removal of the side dormer), it is considered that no significant impact would result to the neighbouring properties in terms of loss of light, prospect and living conditions.

Members will, therefore, need to assess whether the proposal preserves or enhances the character and appearance of The Chenies Conservation Area and whether the proposal is unduly harmful to the residential amenities of adjacent properties, however in light of the Inspector's comments and the recent planning refusal, the proposal may be considered unacceptable.

Given that there has been no significant change in the proposal, and in light of the relevant planning history, the development is considered unacceptable for the reasons stated.

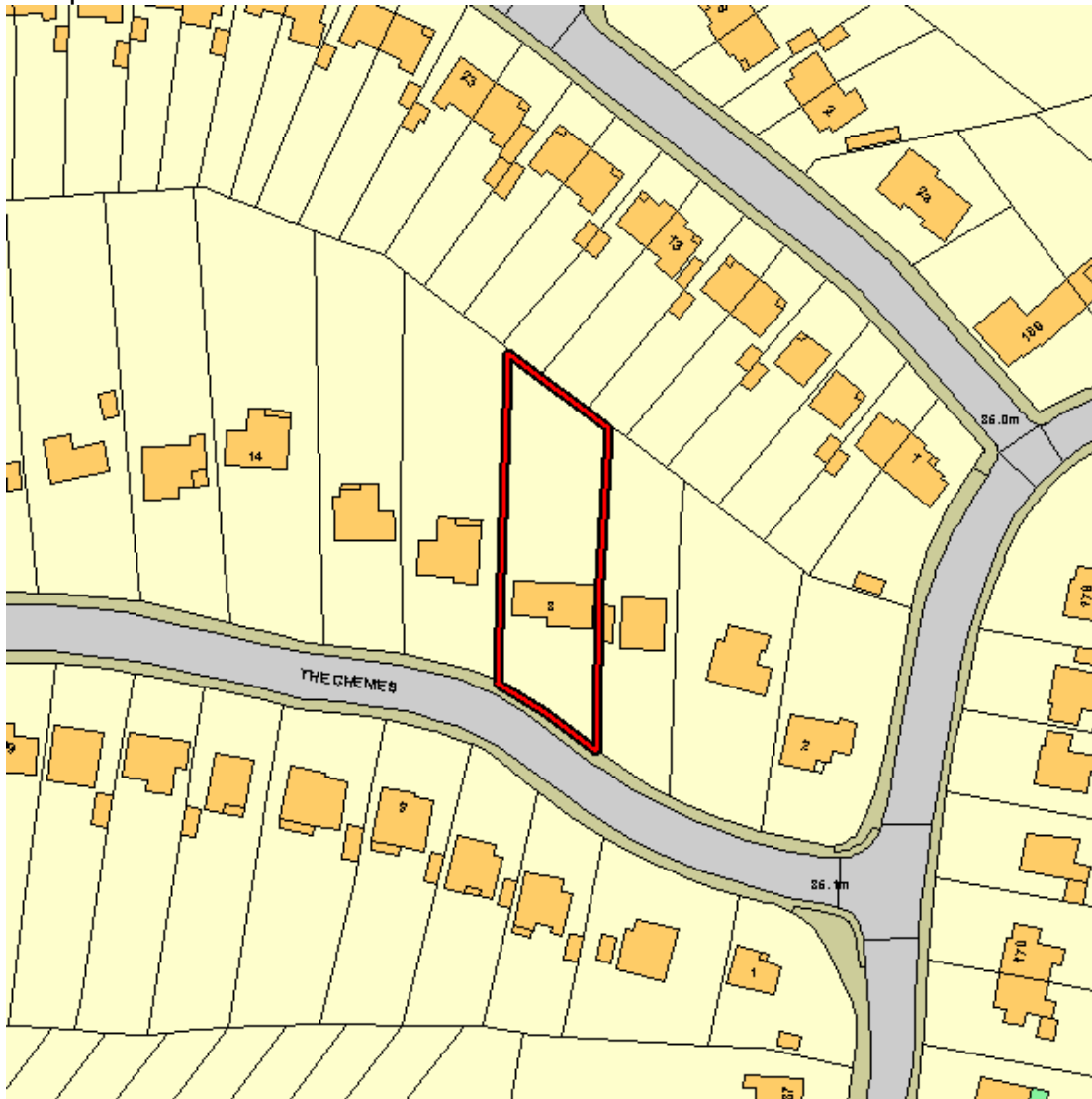
Background Papers referred to during production of this report comprise all correspondence on files refs. 06/00148, 08/02682 and 08/04139, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

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

- 1 The proposed extension by reason of size and bulk would result in an incongruous feature within this part of The Chenies and would neither preserve nor enhance the character of the Conservation Area, contrary to Policies BE1 and BE11 of the Unitary Development Plan.
- 2 The proposal, by reason of the cumulative impact of extensions to the property, represents a cramped overdevelopment of the site, out of character and harmful to the spatial standards of The Chenies Conservation Area, contrary to Policies BE1, BE11, H8 and H9 of the Unitary Development Plan.

Reference: 08/04139/FULL6  
Address: 8 The Chenies Petts Wood Orpington Kent BR6 0ED  
Proposal: First floor side extension



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661







There are also various elevational alterations proposed including a ground floor front bay window, replacement rear windows including a Juliet balcony, additional windows to the front, sides and roof of the dwelling, the removal of a chimney and various alterations to the materials used on the external fascias.

It should be noted that the application has been amended considerably since it was first submitted as originally a replacement dwelling was proposed.

## **Consultations**

Nearby owners/occupiers were notified of the application and representations were received from No. 122 which can be summarised as follows:

- amount of extension and alteration is significant and will cause some loss of light
- the rear single storey will be very close to boundary and nearly all behind the rear building line of No.122.
- rear single storey will extend a considerable distance parallel with next door patio and garden
- garden of 122 drops away by 3 – 4 feet which will cause some loss of light/sun on patio, garden and rear downstairs from late afternoon and evening sun.
- loss of view from kitchen window of trees to solid wall
- do not object to extensions but some reduction in length and movement away from boundary would be favourable
- although front/side extension is nearer to 122 it should have less impact
- cannot see reason for windows on the side of the proposed rear kitchen overlooking garden and patio of 122.
- a 2 metre fence is planned from the boundary which would cause loss of views of golf course from front windows.
- wish to ensure fence does not go above 2m including trellis
- concerns over disruption to their foundations
- proposed replacement house higher and longer than original footprint
- concerns over loss of light from replacement house
- more windows now proposed than on previous scheme
- with regard to the new plans with dimensions – can see that new modified replacement house is in line with the footprint of the previously approved extended house in length and width, which we had accepted
- note that there is still a difference in height but we will go along with this
- pleased to note that there are two less windows at the side facing us than the last proposal
- however, the large area of window on the stairway, far in excess of the previously approved plan, is still unchanged in area although it differs in detail and we would naturally prefer this to be somewhat less.

- confusion over amended plans showing extensions rather than replacement house
- assuming no demolition is involved only point of concern is the number of windows facing us on the side

Comments were received from No.126 as follows:

- no objection – any improvement will benefit the rest of the properties, thus further enhancing their value.

Comments were also received from the Park Langley Residents Association as follows:

- asking for confirmation of depth of proposal
- proposed rear element seems to be higher and deeper than previous approved scheme
- the proposed dwelling will have a roof ridge higher than the existing property and this may lead to a cramped appearance detrimental to the street scene in this ASRC.

Thames Water commented as follows:

- Waste - Thames Water require that the applicant should incorporate within their proposal, protection to the property by installing for example, a non-return valve or other suitable device to avoid the risk of backflow at a later date, on the assumption that the sewerage network may surcharge to ground level during storm conditions
- Water – No objection regarding water infrastructure

Drainage comments were as follows:

- the views of the head of building control on the use of soakaways for disposal of surface water drainage should be obtained
- if soakaways are not an acceptable method of drainage it should be noted that the site is in an area where the Environment Agency requires restriction on the rate of discharge of surface water from new developments into the river Ravensbourne or its tributaries (including storage if necessary)
- the site is within flood zones 2 or 3 and should therefore be referred to the EA for comment

Building control:

- re: soakaways – the storm water drainage to be taken into the storm water drain where present as first option or into a soakaway

- where a soakaway is found unsuitable the storm water may discharge into the foul water drainage subject to Thames Water Utilities approval
- soakaways shall be designed in accordance with BRE Digest 365

#### Highways:

- the submitted plans indicates 5 sets of gates along the frontage of the site including two vehicular accesses and a central pedestrian access
- details to be submitted indicating the need for the other two gates together with drainage and surface details for the forecourt/car park
- the proposed replacement dwelling will be served by two accesses, permitted with application ref. 07/00773, it is assumed that this will be constructed prior to the current application

#### Environment agency:

- no objections were received but advice was issued regarding land contamination, surface water drainage and water conservation advice

### **Planning Considerations**

Policies BE1, H8, H9 and H10 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design and safeguard the amenities of neighbouring properties, the spatial characteristics of the area and the visual amenities of the area. Applications for development in an Area of Special Residential Character will be required to respect and complement the established and individual quality of the area. The Park Langley Area of Special Residential Character has the character of a garden estate given by the quality of the and appearance of the hedges, walls, fences, and front gardens. Houses here reside on generous plots and the area has maintained its character and unity intact.

Planning permission was sought for a similar proposal and was refused under ref. 06/01572. A further application was submitted with revisions made to the height of the rear extensions and was subsequently approved under ref. 06/02950.

### **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 was originally submitted as a replacement dwelling. The applicants no longer wish to replace the dwelling but merely extend it, provide a basement level, increase the height and carry out elevational alterations. The

front and rear extensions are largely identical to those that were previously approved other than the inclusion of some rear steps in the current proposal. Thus, the main external differences between the current proposal and that which was previously approved are the increase in height of the roof, which will make the dwelling over 1m higher than the existing house is at the front. A front porch canopy is also now proposed. These features will need to be considered in terms of how they impact the character of the area and the amenities of the occupiers of neighbouring properties.

The site is within the Park Langley Area of Special Residential Character and any development is therefore expected to respect and complement the established and individual qualities of the area. The area has the characteristics of a garden estate given by the quality and appearance of the front gardens. Houses reside on generous plots. The main bulk of the extensions would be sited at the rear, the elevational alterations appear to be sympathetic with the style of the original dwelling and, as the houses in this part of the road are not of a uniform appearance or height, it is not considered that the height alterations would have a significant visual impact on the street scene. Overall, it is considered that the proposal would not have a detrimental impact on the on the character of the ASRC.

With regard to the impact on the amenities of the occupiers of neighbouring dwellings, it is important to consider the possible consequences for the outlook and the amount of daylight to neighbouring dwellings, as well as overlooking and privacy issues.

The rear extensions extend no further back than the extensions already approved under ref. 06/02950. Furthermore, the 4.1m (approx.) depth is considered acceptable given the separation between the application dwelling and neighbouring dwellings and would not have a significant impact on light or outlook. Likewise, the increase in the main ridge height of the roof is not considered significant enough to adversely impact the amenities of neighbouring occupants.

There are several new flank windows proposed which could compromise the privacy currently enjoyed by neighbouring occupants. To the south west flank a small obscure glass window is proposed at first floor level. A standard condition could be imposed ensuring the level of obscurity is acceptable. To the north east flank a large window is proposed which would serve the landing. This could also be conditioned to be obscure glass and prevent overlooking to the neighbouring property. All proposed roof lights will be angled upwards and the views from them overlooking neighbouring dwellings should therefore be limited.

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.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/02042, 06/02950 and 06/01572, excluding exempt information.

as amended by documents received on 30.10.2008 18.12.2008

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1      ACA01      Commencement of development within 3 yrs  
          ACA01R     A01 Reason 3 years
- 2      ACC04      Matching materials  
          ACC04R     Reason C04
- 3      ACD02      Surface water drainage - no det. submitt  
          ACD02R     Reason D02
- 4      ACI12      Obscure glazing (1 insert)    in the first floor flank elevations  
          ACI12R     I12 reason (1 insert)    BE1 and H8
- 5      No windows or doors additional to those shown on drawing No.526/05 J  
          (received on 18th Dec 2008) shall at any time be inserted in the first floor  
          flank elevations of the extensions hereby permitted, without the prior  
          approval in writing of the Local Planning Authority.

**Reason:** In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

6AJ02B      Justification UNIQUE reason OTHER apps

Policies (UDP)

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

H10 Area of Special Residential Character

**INFORMATIVE(S)**

- 1      Your attention is drawn to the attached advice regarding Land Contamination, Surface Water Drainage and Water Conservation, which has been issued by the Environment Agency.

Reference: 08/02042/FULL1

Address: 124 Barnfield Wood Road Beckenham Kent BR3 6SX

Proposal: Part one/two storey front/side extension, single storey rear extension/decking area with steps and basement accommodation under, elevational alterations and alterations to roof height



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661





---

**23. Application No : 08/03365/FULL2 Ward : Copers Cope**

**Address : 142 High Street Beckenham Kent BR3 Conservation Area:NO  
1EA**

**OS Grid E: 537321 N: 169483**

**Ref:**

**Applicant : Mr Julian Octave Objections : YES**

**Description of Development:**

Change of use from retail (Class A1) to hot food take-away (Class A5).

**Proposal**

Planning permission is sought for a change of use from retail (Class A1) to hot food take-away (Class A5).

The change of use of the ground floor area of the existing shop last used as a bakery will involve a modest reduction of the available public floor area for A5 use and rear ground floor use for kitchen and preparation facilities. Extraction facilities are indicated centrally on the rear part of the building rising vertically to the roofscape.

Two parking spaces area available at the rear of the property.

**Consultations**

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

Beckenham Town Centre Manager has expressed concerns that there are already plenty of hot food takeaway establishments in Beckenham High Street.

Cleansing has advised no objections to the scheme.

Environmental Health has commented that no technical details have been provided for the extraction equipment. It is recommended that further details can be requested by condition.

## **Planning Considerations**

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

BE1 Design of New Development  
S1 Primary Frontages  
S9 Food and Drink Premises  
T3 Parking  
ER9 Ventilation

Goad Centre Report - April 2008: Beckenham Town Centre.

There is no relevant planning history relating to the use of the ground floor area of the site which is currently A1 retail shop use.

Planning application ref. 08/01579 was approved on 27/6/08 for a third floor rear extension, elevational alterations at front and rear and conversion to form 6 one bedroom flats including cycle and refuse storage areas to rear at first floor level at 142a and 144a High Street which is a material consideration.

## **Conclusions**

The main issues relating to the application are as follows:

- the change of use of the existing A1 retail shop use A5 takeaway use.
- the installation of the extraction equipment at the rear of the property and the impact that it would have on the amenities of the occupants of surrounding upper floor 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.

In respect of the former, Policies S1 and S9 outline that the proposed use should have no adverse impact on residential amenity, not cause undue traffic congestion or be detrimental to the safety of other road users and pedestrians. Furthermore, it would not result in an over concentration of food and drink establishments, be out of character with the retailing function of the area, not

harm the retail character of the shopping frontage or generate significant pedestrian visits during shopping hours.

In this case it is considered that the key test to the suitability of the use at this location is the overall provision of non retail uses in Beckenham Town Centre. Recent figures in the Goad Centre Report - April 2008 for Beckenham Town Centre outline that the level of service related non retail activities in the Centre as a whole is 45.15% compared to a national average of 32.83%. While this figure may be above national average, other factors as regards the use help mitigate the loss of the A1 use. There is not considered an over concentration of non retail use at this point in the High Street with A1 uses running for three properties east and west of the site. Therefore no significant change in the character of the immediate retailing function in the vicinity is anticipated. The previous use as a bakery (although classed A1) selling breads, hot pasties and pies etc is also not dissimilar in function. Hours of opening have been stated as 11.00 to 22.00 Monday to Saturday and 12.00 to 18.00 Sundays and Bank Holidays. Therefore with suitable planning conditions to control the use, on balance the change of use is considered acceptable at this location in the High Street.

In respect of the extraction equipment it is considered that the location of the equipment on the rear of the building, not visible to the streetscene is acceptable in terms of its visual impact. However, further technical details are required to determine noise and odour issues. This is not a sufficient reason for refusal and can be controlled by planning condition.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/01579 and 08/03365, excluding exempt information.

as amended by documents received on 12.01.2009

## **RECOMMENDATION: PERMISSION**

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

- 1      ACA01      Commencement of development within 3 yrs  
          ACA01R      A01 Reason 3 years
- 2      ACJ10      Ventilation system for restaurant/take-a  
          ACJ10R      J10 reason
- 3      The hours of opening shall be restricted to 10.00 a.m. to 11.00 p.m.  
          Monday to Saturday and 12:00 to 18:00 Sundays and bank Holidays.

**Reason:** To ensure that the proposed development does not prejudice the amenities enjoyed by occupiers of properties in the vicinity.

- 4      AJ02B      Justification UNIQUE reason OTHER apps

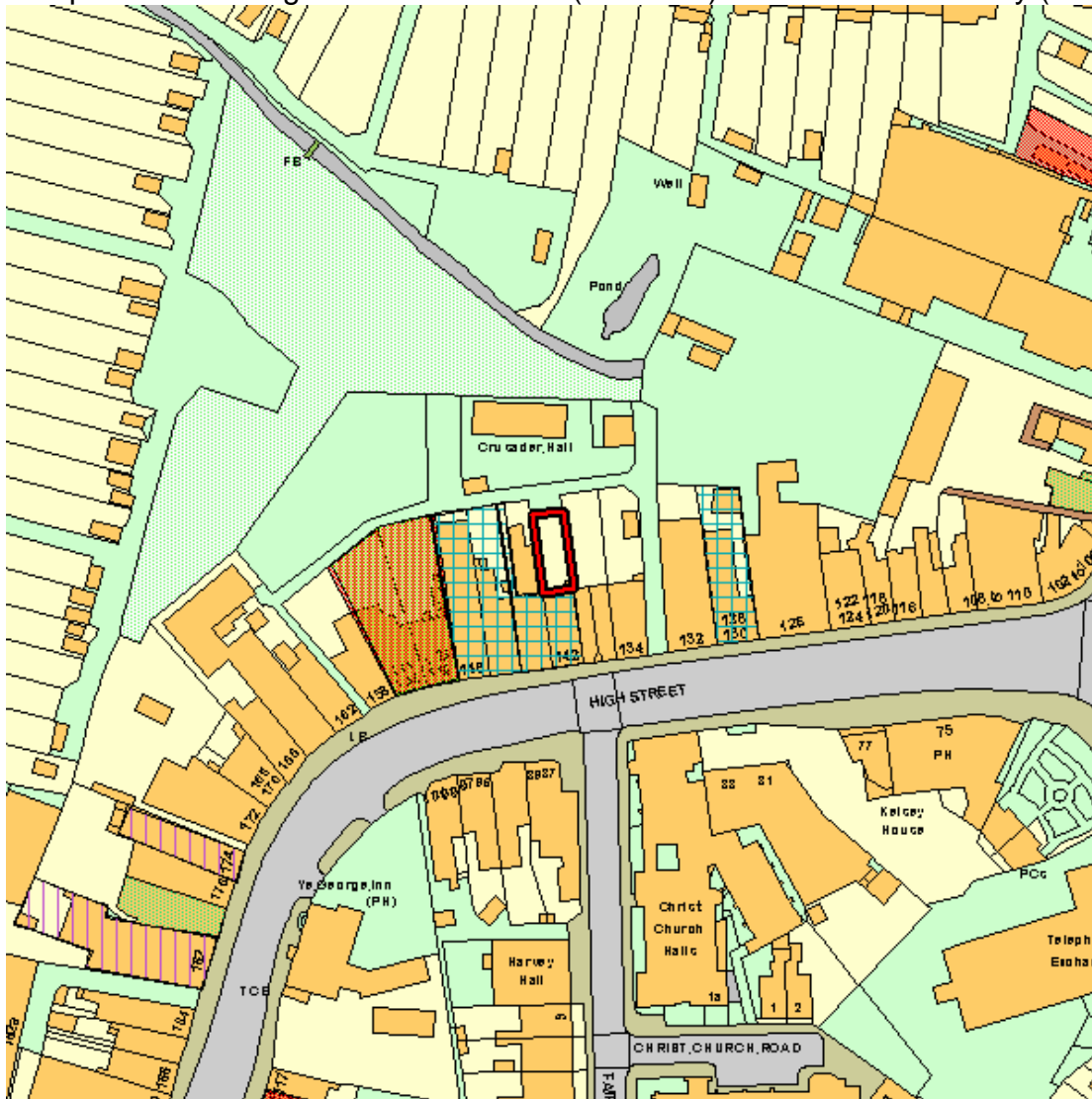
Policies (UDP)

BE1 Design of New Development.  
S1 Primary Frontages.  
S9 Food and Drink Premises.  
T3 Parking  
ER9 Ventilation

Reference: 08/03365/FULL2

Address: 142 High Street Beckenham Kent BR3 1EA

Proposal: Change of use from retail (Class A1) to hot food take-away (Class A5).



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



---

**24. Application No : 08/03960/TPO Ward : Petts Wood And Knoll**

**Address : 12 Pondwood Rise Orpington Kent BR6 Conservation Area:NO  
0BS**

**OS Grid E: 545212 N: 166481**

**Ref:**

**Applicant : Mr P Arch Objections : NO**

**Description of Development:**

Cut back branches from an ash tree in the back garden of No. 40 Dalewood Rise overhanging back garden of No. 12 Pondwood Rise to the boundary line  
SUBJECT TO TPO 361

**Proposal**

The ash tree is in the back garden of No. 40 Dalewood Road and it overhangs the back garden of the adjoining property at No. 12 Pondwood Rise. The application has been made by a tree surgeon on behalf of the owner of the latter property.

**Consultations**

The owner of the property has been consulted and no objections have been raised.

**Planning Considerations**

The rear half of the back garden of No. 40 Dalewood Road has a number of trees and is wooded in character. The ash tree which is the subject of this application is growing close to the boundary and part of the canopy of the tree overhangs the garden of No. 12 Pondwood Rise. This garden is only 10 metres in depth and faces south and the tree does cause shading of the garden. The proposal is to remove overhanging branches back to suitable growing points. The work will not significantly affect the amenity value of the woodland character of the garden of No. 40 Dalewood Road.

## **Conclusions**

The amenity value of the tree will not be significantly reduced.

### **RECOMMENDATION: CONSENT GRANTED FOR TREE WORKS**

#### **subject to the following conditions:**

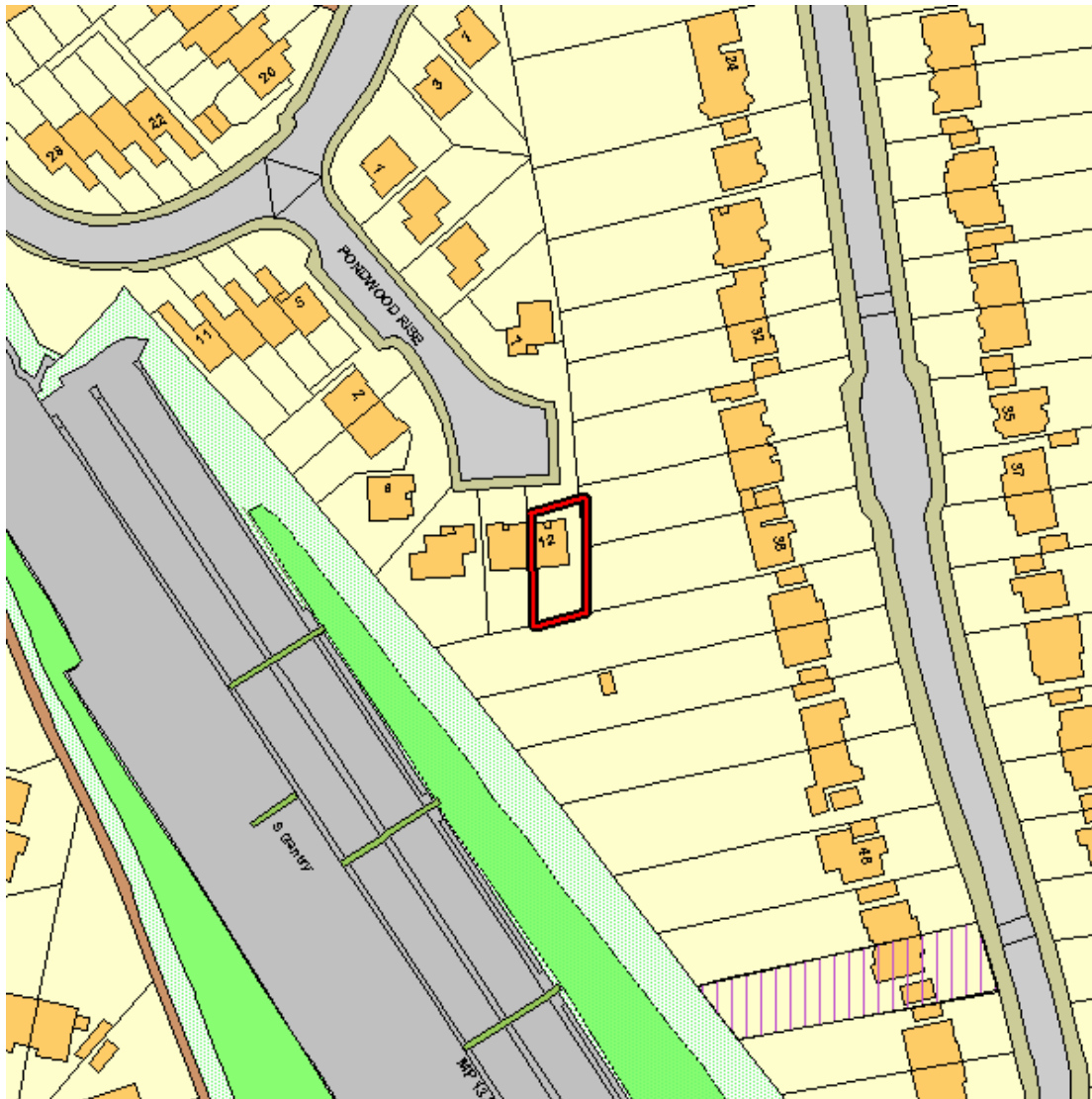
- |   |        |                             |
|---|--------|-----------------------------|
| 1 | ACB09  | Tree consent - commencement |
|   | ACB09R | Reason B09                  |
| 2 | ACB07  | Tree Surgery                |
|   | ACB07R | Reason B07                  |



Reference: 08/03960/TPO

Address: 12 Pondwood Rise Orpington Kent BR6 0BS

Proposal: Cut back branches from an ash tree in the back garden of 40 Dalewood Rise overhanging back garden of 12 Pondwood Rise to the boundary line  
SUBJECT TO TPO 361



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



---

**25. Application No : 08/04100/FULL2 Ward : West Wickham**

**Address : 60 Glebe Way West Wickham Kent BR4 Conservation Area:NO  
0RL**

**OS Grid E: 538543 N: 165863**

**Ref:**

**Applicant : Papa Johns (GB) Ltd Objections : YES**

**Description of Development:**

Change of use from retail (Class A1) to pizza take-away and delivery (Class A5) and installation of ventilation flue to the rear.

**Proposal**

The application site is located on the southern side of Glebe Way close to the junction with Rose Walk. The unit is located within a secondary retail frontage as defined on the Proposals Map, which consists of a parade of commercial units. On the upper levels are residential units, whilst the surrounding roads are predominately residential in character.

A use-class survey was conducted by the case officer which found that the parade (up to but not including the Iceland store) at present consists of 9 x A1 (Retail), 1x A2 (Office), 2x A3 (Restaurant), 2x A5 (Hot-food takeaway).

Permission is sought for the change of use from retail (Class A1) to a pizza take-away and delivery (Class A5). The proposed hours of operation are 10:00 – 23:00 every day (including Bank Holidays).

The Agent states within their supporting statement that at present Class A3 and A5 currently account for 19% of the frontage, with the proposed use bringing the percentage up to 23.8%. It is stated that the proposed use would not lead to an over concentration of food and drinks establishments.

**Consultations**

There have been local objections raised in respect of the application which are summarised below:

- oppose another pizza outlet
- already 4 eating outlets in small parade
- disturbance from delivery bikes/ cars
- cars already waiting for deliveries in private alley
- existing food outlets not tidy with rubbish
- late night hours would attract youngsters back into the area
- parade already has pizza take-away
- extra traffic would seriously impact busy street which already has parking problems
- ventilation flue would be noisy and eye-sore to nearby residents

Please note that the full texts of the above objections are available on file ref. 08/01602. Any further comments received shall be reported verbally at the meeting.

From a Highways point of view, no objections have been raised to the proposed change of use.

Thames Water has made recommendations regarding a fat trap.

The Environmental Health officer does not object in principle to the proposed change of use or to the external section of the kitchen extraction duct. A condition has been suggested.

### **Planning Considerations**

Under ref. 83/02054 permission was granted for a replacement shopfront, although there is no other recent planning history at the site.

Members should note that planning permission was granted at No. 38 Glebe Way under ref. 90/02933 for the change of use from retail to home delivery/ take-away food shop. A condition was placed on the permission stating that the use must not operate on Christmas Day no before 10am or after 11pm on any other day. At No. 48, planning permission was granted under ref. 92/01106 for the change of use from retail to wine bar restaurant, with the hours of operation limited to between 11am and 11.30pm.

The proposal requires consideration of Policies S5, S9, ER9, T1 and T18 of the Unitary Development Plan, which relate to local neighbourhood centres, food and drink premises, ventilation, transport demand and road safety.

Policy S2 states that in secondary retail frontages, the Council will permit changes of use from retail (Class A1) to other uses provided that:

- (i) the use provides a service that complements the shopping function of the town centre; and
- (ii) there is no adverse impact on residential amenities.

Policy S9 states that the Council will only permit proposals for additional restaurants and cafés (Class A3), drinking establishments (Class A4) and hot food takeaways (Class A5) where the proposal would have no adverse impact on residential amenity and not cause undue traffic congestion or be detrimental to the safety of other road users and pedestrians. The additional unit should not lead to an over concentration of food and drink establishments.

## Conclusions

The main issue in assessing this application is whether a hot-food takeaway use is appropriate in this location, and whether the proposed use will have a detrimental impact on neighbouring amenities.

The unit is situated along a secondary retail frontage where the Council will permit changes of use from retail (Class A1) to other uses provided that the use provides a service that complements the shopping function of the town centre and there is no adverse impact on residential amenities. Given the proposed hours of operation during the daytime and evening, and the mixture of uses along the parade, it may be considered that on balance the proposed change of use will contribute to attracting visitors during shopping hours and may compliment the function of the town centre. The proposed hours of operation (10am -11pm) are not considered to be out of character given that similar hours of operation have been granted for similar uses along the parade.

No adverse comments have been received from the Environmental Health in principle to the change of use and external ductwork. However, Members will need to carefully consider the impact of the proposal on the residential properties in Rose Walk and flats above the commercial units.

Background papers referred to during production of this report comprise all correspondence on file ref. 08/04100, excluding exempt information.

## RECOMMENDATION: PERMISSION

### Subject to the following conditions:

- |   |                 |  |      |      |
|---|-----------------|--|------|------|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |      |      |
| 2 | ACJ06<br>ACJ06R | Restricted hours of use on any day<br>J06 reason (1 insert)    | 10am | 11pm |
| 3 | ACJ10           | Ventilation system for restaurant/take-a                       |      |      |

- 4 ACJ10R J10 reason  
AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

S2 Secondary Frontages

S9 Food and Drink Premises

ER9 Ventilation

T1 Transport Demand

T18 Road Safety

INFORMATIVE(S)

- 1 The applicant should be aware that Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. It is also recommended by Thames Water, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning Thames Water on 020 8507 4321.

Reference: 08/04100/FULL2

Address: 60 Glebe Way West Wickham Kent BR4 0RL

Proposal: Change of use from retail (Class A1) to pizza take-away and delivery (Class A5) and installation of ventilation flue to the rear.



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661







- demolition of the 1980s ticket hall extension which currently provides ticketing facilities.

Bicycle parking and 2 disabled car parking spaces are proposed in front of the station instead of the current car parking spaces, though this does not require Listed Building Consent.

The Statement highlights the various aspects of the proposals -

- they will contribute to the vision of the Park Masterplan planning application and regeneration of the area, and provide improved public transport access for sports, special events and day to day informal use of the Park
- the design of the proposals have been influenced by the Listed status, disabled access requirements, safety issues and security/crime prevention requirements
- the proposals take account of/comply with advice in PPG15 and Bromley UDP policies and respect the Listed Building, and they are the minimum necessary to achieve the objective of bringing the station back into use as a modern transport facility
- the 1986 addition won a Civic Trust award, but now looks dated and shabby. It and the stairs became very congested at peak hours
- access throughout the station can be difficult and tortuous due to narrowness of the stairs and number of steps
- there is no disabled access to platforms and the proposals will rectify that situation
- the station has been badly treated in the past (e.g. removal of “porte-cochere” entrance canopy in 1963 and north tower mansard roof in 1976) following decline in the fortunes of the Crystal Palace (destroyed by fire in 1936) and the Park. The proposals will build on the works carried out following the 1999 and 2000 consents (see history in Planning Considerations section of this report)
- the circulation space in the Victorian booking hall needs to be enlarged to provide for the proposed ticket gates. This requires the timber ticket office to be removed – this is original (though enlarged) and is a functional structure of no particular merit in terms of architectural design or quality of craftsmanship. It is to be carefully dismantled and transferred to a railway museum or heritage site. No changes are proposed to the north tower which will remain vacant, but the ground floor of the south tower is to be altered to provide a ticket office, staff accommodation, disabled toilet and access to Platforms 1 and 2 – the latter will involve removal of internal walls and creation of an opening in the south-west façade, including doors/windows which will be modern interventions of a contemporary design and be in keeping with the building’s function
- the lifts will greatly improve access for all passengers, particularly the disabled and families with small children. They are also of modern design,

proposed materials are stainless steel and glass (same materials for the bridges that will provide access to the lifts)

- a previous canopy spanning the tracks to the east of the train shed was removed as long as 1905, and this feature will be reinstated between the 2 high flank walls for the length of 10 of the 27 brick arches of the open Platforms (50m). There will be a row of columns along Platforms 5 & 6 to provide central support, and the canopy material will be lightweight translucent ETFE in the form of large inflated cushions. 2 shelters on the Platforms will be relocated to the other part of the station (Platforms 1 & 2)
- a paved forecourt area will be created following removal of the 1980s booking hall. Funding for covered bicycle parking facilities is being investigated, and could be provided in this area
- existing elements of the building to be removed or altered will be recorded before works take place.

The Statement includes a “Report on the Significance and Historic Background” of the station, and a “Statement of Community Involvement”. The latter includes details of issues raised at pre-application meetings by Council officers, English Heritage and Railway Heritage Trust, also summary of public comments at the information/exhibition event held at the station in September.

The proposed works are permitted development and do not require planning permission by virtue of Part 11 of the Town and Country Planning (general Permitted Development) Order 1995 (TCPGPD), but it is a condition of the part of the Order that “prior approval” is sought of their design and siting. Network Rail has applied for this approval at the same time as making this Listed Building Application.

## **Consultations**

The Railway Heritage Trust states that the orientation of the lifts on Platforms 1 & 2 should be parallel to the tracks, as they should relate to these Platforms and the canopy/building on them, to which the main train shed is a backdrop. If this is not possible, the relevant technical and physical restraints should be stated by the applicants. Minor clarifications are also sought – that the doors and window frames in the booking hall will be white and that the suspended ceiling to the access link within the south tower will be painted and plastered – the applicant has confirmed this and commented as follows on the siting of the lifts –

- the lift on Platform 2 will serve Platforms 3 & 4 better and together with removal of existing furniture/structures including the stairs will provide better/safe circulation space for passengers
- the Trust’s preferred layout would leave an awkward space between the lift and the train shed wall

- the increased separation from the Platform edge will improve driver visibility of signals, the orientation of the lifts at an angle to the tracks will avoid possibility of the lift glass reflecting sunlight into driver's eyes
- the amended layout of the stairs to Platform 1 will also provide better circulation.

Any comments by English Heritage will be reported verbally at the meeting.

The comments from the Heritage and Urban Design team are as follows -

- the applicant has responded positively to the comments made during the pre-application discussions to develop the designs
- the only contentious issue is the position of the lift shafts but this is not considered to be detrimental to the Listed Building
- suitable conditions should be imposed, particularly to require details to be submitted for approval.

The timescales for processing this application did not enable it to be reported to the Advisory Panel for Conservation Areas, though the individual members of the Panel have been asked if they have any comments – any received will be reported verbally at the meeting.

An objection has been received from the office tenants of the first floor offices in the south tower. The main points are as follows:

- no information about the proposed system of fire protection
- no proposals to alter routing of water and sewerage within the new ticket office (which serve the first floor)
- use of part of the ground floor of the south tower as a paper store would be a fire hazard
- no information about the structural alterations necessary for the new route for passengers through the south tower (from booking hall to stairs/lifts)
- there should be adequate signage to ensure that passengers don't try to use the door in the south tower that serves the first floor as an entrance to the station
- creation of a forecourt on the site of the existing booking hall will create security problems, and bollards should be provided to prevent its use for car parking
- there appear to be a number of errors on the plans, which should be corrected before a decision can be made on the application.

The applicant is aware of these concerns, and it will be noted that most do not concern the effects of the proposal on the special architectural interest of the building, which is the criteria on which this application must be judged.

## Planning Considerations

The planning history of the station includes -

- station booking hall extension with stairs to existing footbridge – permitted 1985 (ref. 84/01501), built 1986
- temporary use of original booking hall as auction rooms – permitted between 1988 and 1999 (refs. 88/03750, 91/02689 and 93/03045)
- demolition of train shed roof, renovation of station building, new mansard roof to north tower and replacement train shed roof – Listed Building Consent granted 1999, work carried out in 2000-2001 with assistance of grants from English Heritage and Railway Trust (ref. 99/01701)
- single storey front extension for “porte-cochere”/entrance canopy – Listed Building Consent granted 2000, work carried out in 2000-2001 with grant assistance (as previous history bullet point) (ref. 00/01701)
- use of first floor of south tower as offices with related internal alterations – permission and consent granted 2001 (refs. 01/02579 & 01/02582), use commenced and continues
- 2 additional platforms with single storey building for staff messroom and public toilets/refurbishment of new handrails to disused staircase/alterations and works to provide disabled access including 2 lifts and high level bridges and walkways (with 1.8m high glass balustrade guard)/disabled access tunnel through booking hall/cable ducts – Listed Building Consent application withdrawn February 2008 as certain elements of the work were considered unacceptable by Council officers and English Heritage
- extension and repaving of existing down platform, construction of new central Platform – Listed Building Consent granted August 2008 (ref. 08/02403)

Regarding the merits of the proposal -

- the Victorian booking hall is an impressive space which has been closed to the public and unused for many years, and its reopening and bringing it back into beneficial use for its original purpose is welcomed
- the lifts will improve passenger facilities and their modern design is entirely appropriate
- the platform canopy will improve the appearance of the station and improve passenger facilities
- the removal of the 1986 booking hall will greatly improve the appearance of the station
- it will contribute to regeneration of the area.

It is suggested that the details of design and siting pursuant to Part 11 of the TCPGPDO can also be approved, and this should be recorded as an informative on the decision notice. Prior approval cannot be refused unless the Local

Planning Authority is satisfied that the development ought to be and could reasonably be carried out elsewhere on the land, or the design or external appearance would injure the amenity of the neighbourhood and is reasonably capable of modification so as to avoid such injury.

## **Conclusions**

Subject to the conditions set out below Listed Building Consent should be granted, together with approval of the design and siting of the works pursuant to Part 11 of the TCPGPDO.

Background papers referred to during the production of this report comprise all correspondence on files refs. 08/02403 and 08/04206, excluding exempt information.

## **RECOMMENDATION: GRANT LISTED BUILDING CONSENT SUBJECT TO ANY DIRECTION BY ENGLISH HERITAGE**

### **and the following conditions:**

- 1 CG01 Comm.of dev-Listed Building and Con.Area  
ACG01R Reason G01
- 2 CC03 Details of windows  
ACC03R Reason C03
- 3 CG07 Repointing by hand  
ACG07R Reason G07
- 4 CG08 No external services  
ACG08R Reason G08
- 5 Detailed drawings or samples of materials, as appropriate, in respect of the following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun: gates, railings and handrails; external finishes to lift shafts, walkways and stairs; platform canopy support structure and covering material; platform furniture; closed circuit television and interior and exterior light fittings together with any associated surface mounted trunking; colours of paint; paving materials; internal and external signage.  
ACG10R Reason G10
- 6 ACG11 Matching internal and external materials  
ACG11R Reason G11
- 7 ACG14 Installation of internal services  
ACG14R Reason G14
- 8 ACG16 Access for recording of Listed B'g (1in) 21  
ACG16R Reason G16
- 9 No brickwork shall be cleaned until a method statement and specification of the works concerned has been submitted to and approved in writing by the Local Planning Authority, including the cleaning of a trial panel of

brickwork in accordance with the proposed methods and specification. All cleaning of brickwork shall be carried out in accordance with the approved method statement and specification works.

ACG03R Reason G03

- 10 Details shall be submitted to and approved in writing of the dismantling, storage and relocation of the timber kiosk before any work is carried out on the kiosk. The dismantling, storage and relocation of the kiosk shall be carried out in accordance with the approved details.

ACG08R Reason G08

- 11 AJ04B Justification LISTED BUILDING CONSENT

#### Policies (UDP)

BE1 Design of New Development

BE8 Statutory Listed Buildings

BE11 Conservation Areas

#### Policies (The London Plan)

4B.11 London's Built Heritage

4B.12 Heritage Conservation

#### INFORMATIVE(S)

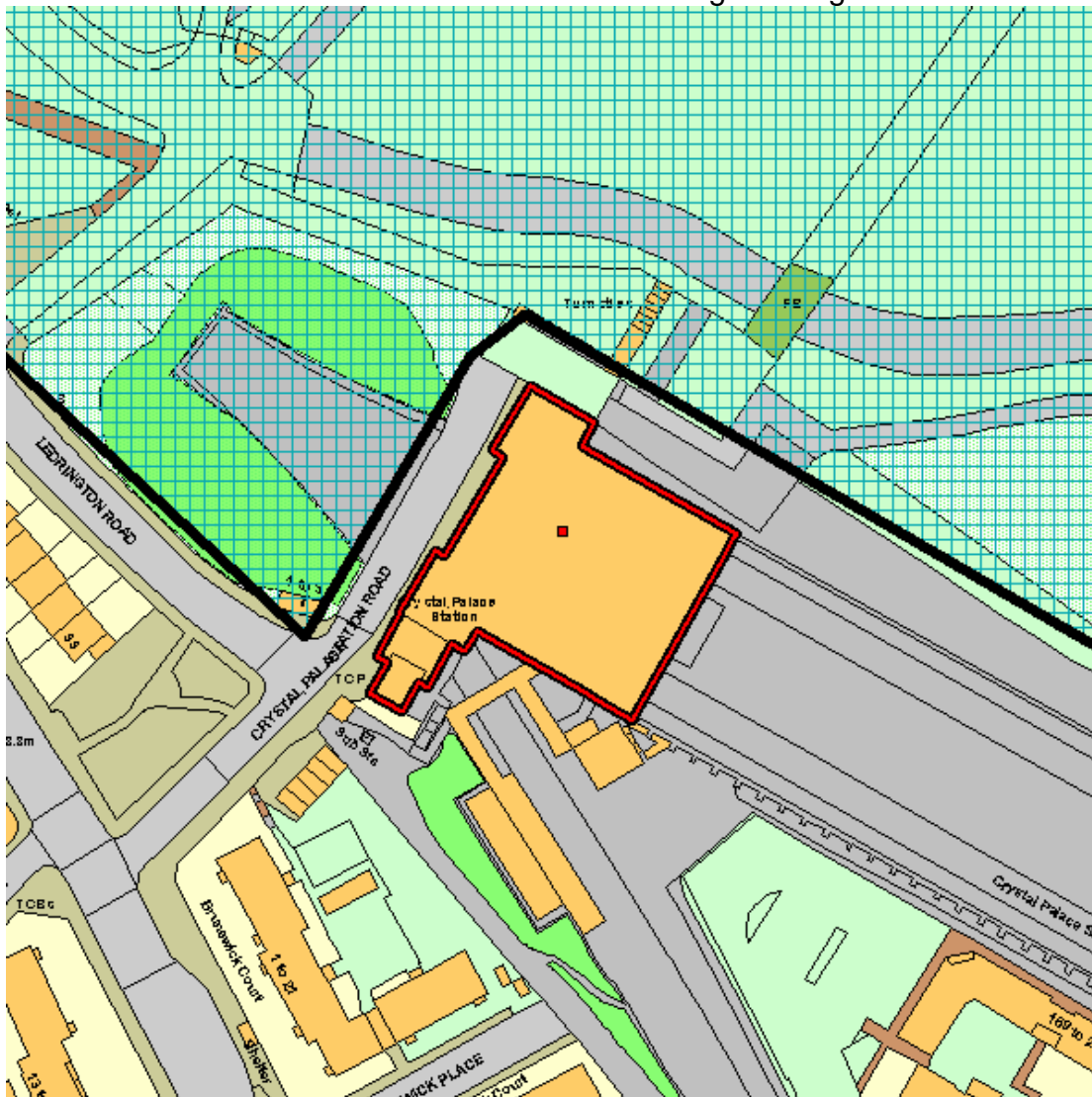
- 1 The design and siting of the works shown on the drawings submitted with the Listed Building Consent application are acceptable as details pursuant to the permission granted for them by virtue of Part 11 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) and this decision notice may be taken as the Council's approval of these details.
- 2 The bicycle and disabled car parking proposed in front of the station does not require Listed Building Consent or planning permission, however it would constitute an element of visual clutter that would not be in the interest of the scheme hereby granted Consent. In addition the dimensions of the parking spaces are sub-standard and as such the layout is not workable. Council officers would wish to discuss alternative arrangements for such parking provision.

Further recommended that the Sub-Committee approve the details of design and siting, as set out in the Informative 1 above.

Reference: 08/04206/LBC

Address: Crystal Palace Railway Station Crystal Palace Station Road London SE19 2AZ

Proposal: Alterations to Victorian booking hall building including removal of former ticket office/ removal of pedestrian bridge over Platforms 1 and 2/ new stairs to Platform 1/ 3 lifts to provide access to Platforms/ Canopy over Platforms 3-7 / demolition of existing booking hall



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661





Nearby owners/neighbours were notified of the proposal and the following representations were made:

- there is already excessive development in this road causing harm to the character of the area
- the assessment of the drainage problems and flood risks has not been thought out and should be considered in more detail
- there will be loss of trees and wildlife as a result of this
- the development causes loss of outlook and privacy
- this area suffers from flooding on a regular basis and the development would increase this problem
- the Fernwood Close Residents Association Ltd raises no objections to the proposal subject to conditions being imposed to ensure acceptable drainage and road layouts

From a highways point of view, the access road does not accord with the Councils Highway Design Manual the width of the road and access should be widened. The proposal is therefore contrary to Policy T12.

From a drainage point of view, there are public sewers crossing the site and before any building work within 3 metres of the sewers Thames Water should be advised and all work should be agreed by them. Standard conditions should be imposed on any approval to ensure restrictions on surface water discharges and drainage.

The Environment Agency raises no objections

The applicant has confirmed by letter of 22nd September that drainage connections to the existing private pump station outside 12C will be put in place.

In terms of environmental health issues, no objections are raised.

In terms of trees and landscaping the proposal would result in the loss of 4 protected trees which is not acceptable.

### **Planning Considerations**

Under planning application ref. 01/01547, planning permission was granted on the 25th July 2001 for a detached five bedroom house with integral garages and extended access road on land at the rear of 18 and 20 Wanstead Road.

Under planning application ref. 06/02202, planning permission was renewed on the 10th August 2006 for the application approved under ref. 01/01547.

Under planning application ref. 06/00529, planning permission was allowed on appeal on the 28th February 2007 for a two storey four bedroom dwelling with 3 car parking spaces on land at the rear of 22 Wanstead Road.

The proposal falls to be considered with regard to Policies BE1 (General Design), NE7 (Development and Trees), H1 (Housing Supply), H7 (Housing Density and Design), H9 (Side Space), T3 (Parking), T7 (Cyclists), T11 (New Accesses), T18 (Road Safety), ER4 (Sustainable and Energy Efficient Development) and ER13 (Foul and Surface Water Discharges From Development) of the adopted Unitary Development Plan (July 2006).

It also falls to be considered under policies 3A.3 (Maximising the Potential Of Sites), 4A.3 (Sustainable Design and Construction), 4B.1 (Design principles for a compact city), 4B.8 (Respect local context and communities) of The London Plan (Consolidated with Alterations since 2004)

Government guidance, including PPS3 and that contained within the London Plan, require Councils to maximise the best use of urban land where appropriate when considering new residential developments, but also to retain development that makes a positive contribution to an area.

Central Government advice and planning policy regarding housing seeks more efficient use of land but at the same time not compromising the quality of the environment. This application needs to be assessed in the light of this guidance and appears to be the nub of whether the development is acceptable at this site.

On this basis, consideration must be made as to whether proposals are acceptable at this site and whether the development fits within its environment.

## **Conclusions**

The main issues in this case are whether the current proposals would adequately protect the character, spatial standards and residential amenities of the surrounding area, whether they would significantly harm the retention and well being of a number of trees within the site which are subject to a Tree Preservation Order and whether the access road accords with the Council's Highway Design Manual.

The area around the site is predominantly residential and the buildings in the area are of a variety of styles and scale. The proposed development is of an acceptable design, and density on a site that would normally be considered appropriate for accommodating a more intensive form of development.

With regards to the loss of privacy and amenity to the adjoining properties it is considered that the proposed layout of the site leaves adequate separation

between buildings with rear gardens to the proposed dwellings being above the usual minimum requirement.

Whilst the applicant has submitted an arboricultural and integration report which attempts to address concerns regarding the protection and retention of the existing trees within the site, the development still results in the loss of four protected trees which is unacceptable.

The road layout as part of the application is considered unacceptable as it would result in excessive vehicle movements. No passing places are shown other than private drives and the turning head is unsuitable for large vehicles which would result in refuse vehicles having to reverse for distances well in excess of those recommended within the Council's Highway Design Manual. The road layout is therefore considered to be contrary to adopted standards and Policy T12 of the UDP.

Members may therefore agree that the proposal would have a harmful effect on nature conservation. The development is likely to prejudice the retention and well-being of a number of trees which in the interests of visual amenity and wildlife habitat it is considered are desirable to be retained. Members may also agree that the proposal results in a development with an unacceptable road layout contrary to Policy T12 of the Unitary Development Plan.

Background papers referred to during production of this report comprise all correspondence on files refs. 01/01547, 06/02202, 06/00529 and 08/01569, excluding exempt information.

as amended by documents received on 04.09.2008 10.11.2008 16.01.2009

## **RECOMMENDATION: PERMISSION BE REFUSED**

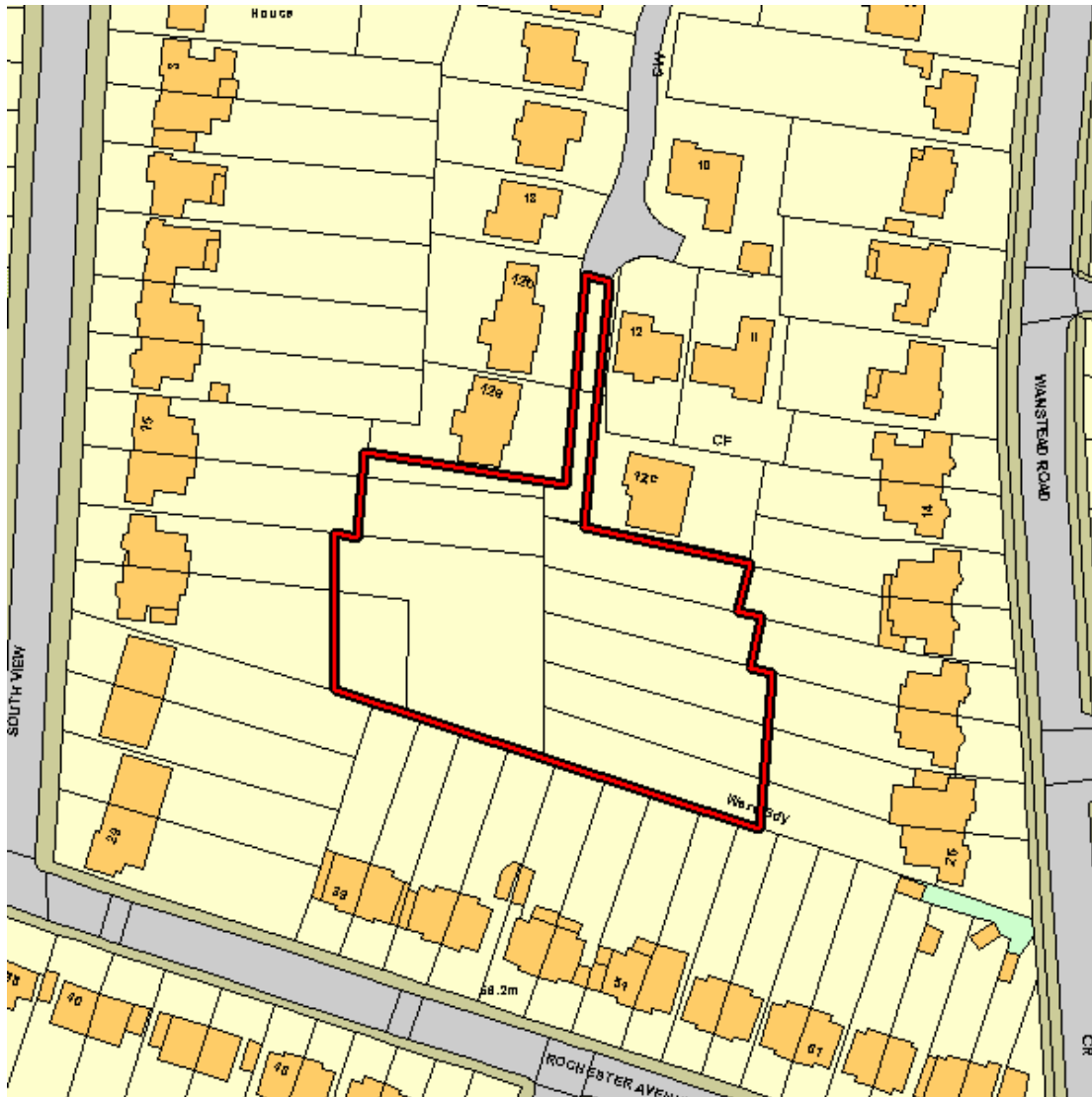
### **The reasons for refusal are:**

- 1 The proposed development would result in the undesirable loss of trees which are covered by Tree Preservation Orders, detrimental to the character and visual amenities of the area and therefore contrary to Policies BE1 and NE7 of the Unitary Development Plan.

Reference: 08/01569/FULL1

Address: Land Adjacent To 12A And 12C Fernwood Close Bromley

Proposal: 6 Detached two storey four bedroom dwellings with attached garages and associated vehicular access onto Fernwood Close



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



---

**28. Application No : 08/03542/FULL2 Ward : Penge And Cator**

**Address : Site Formerly Burnham Signs Ltd Conservation Area:NO  
Burnham Way London SE26 5AG**

**OS Grid Ref: E: 536682 N: 171283**

**Applicant : Sydenham Scrap Metals Ltd Objections : YES**

**Description of Development:**

Use of site for reception/ sorting/ transfer of scrap metals including vehicle breaking

**Proposal**

The application site is located close to the northern boundary of the Borough with the London Borough of Lewisham. It is situated within the Lower Sydenham (Kangley Bridge Road) Industrial Estate. Burnham Way leads westwards off Kangley Bridge Road and is close to the northern boundary of the industrial estate.

To the north of the application site, separated by an access road, are three separate sites, namely a cement ready mix operator, a scaffolding yard and a building divided into small business units, known as The Bronze Works. To the west are two light industrial units operating, respectively, as janitorial and plumbing distribution uses, with trade counters. To the east are three light industrial units, again operating as computer, joinery and printing distribution uses with trade counters. To the immediate south is a small office/storage unit and further south is the Orchard Business Centre comprising 11 small business units.

The site has an area of 0.64 hectares and is owned by Messrs Latham and Sons who operate the nearby London Recycling Centre at 58 Kangley Bridge Road. The current applicant, Sydenham Scrap Metals, operate from a yard at 39 Kangley Bridge Road (within London Borough of Lewisham).

This applicant advises that the site was last used by Burnham Signs Ltd for sign manufacturing, including stove enamelling. Since the site has been vacated and the three previous buildings demolished it has been used for concrete crushing and the storage of materials and skips by the current owners.

The applicant proposes to use the site for the reception, sorting and transfer of scrap metals, including vehicle breaking, employing 4 people on the site. There is a small reception and facilities building remaining from the previous use and no further buildings are proposed so most of the operations will operate within an open yard. The estimated throughput of material is 120-180 tons per month, with average deliveries by 20 cars and small vans per day and 4 small lorries per week. Materials will be exported using 1 lorry and 1 small truck owned by the applicant, ranging from 1 load per day to 1 load per week averaging 4 loads per week. These estimates include visits to the site by the public.

In support of their application the applicants agent has submitted the following information which has been summarised as follows

- if planning permission is granted there is the prospect that the applicants would relocate from their existing site which is close to residential properties and this would be beneficial to those occupants
- the site is located in the heart of the industrial area designated in the Bromley Unitary Development Plan and the nearest residential properties are 200m away so there will be no adverse effect on residential property
- there are no other designated areas in Bromley for waste transfer operations and it was accepted in the past that waste transfer facilities are suitable in this area when permission was granted for 58 Kangley Bridge Road. The application site is in an acceptable location for this type of use
- the previous use of the site involved activities within a special use class, namely stove enamelling, and the proposed use would appear to be equally acceptable.
- planning permission would give a local company the opportunity to expand and diversify
- the proposal meets all of the 7 criteria set out in Bromley UDP Policy ER2 'Waste Management Facilities' and will increase the availability of the metal recycling facilities enabling the Council to meet its targets for waste recycling
- Bromley has not identified sites or allocated sufficient land for waste management and so it is for the development control process to ensure adequate provision
- the London Plan states that the Borough's Preferred Industrial Locations are preferred locations for waste management sites, such as Kangley Bridge Road for Bromley
- the proposal meets the locational criteria for potential suitable sites set out in PPS10 'Planning for Sustainable Waste Management.'



## Consultations

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

- proposal does not meet the UDP stated objective for business and regeneration namely 'to encourage higher quality business environments through replacement and modernisation of existing buildings and encouraging the cluster of similar and complementary business where appropriate'
- now the older buildings on the site have been demolished the policy states the land should be developed in keeping with surrounding mixed business environment with the prospect of higher employment levels. The application proposes the same level of employment as the existing business on the existing site and is not in keeping with existing uses
- current unauthorised use of the site has created noise, dirt and vibration and concern is expressed that this application could result in a fully blown waste transfer use on the site, not just use for scrap metals
- proposal for a large weighbridge suggests large volumes of waste coming to the site
- application form refers to 'other waste management' on the site and no details have been provided
- concern about possible run off, including pollutants entering the stream at the low point of Kangley Bridge
- the nearby London Recycling Centre, 58 Kangley Bridge Road was granted permission 10 years ago and backs onto a railway line and the wider area has been redeveloped since then so this development should not be used as a precedent for the current application
- current waste facilities as the London Recycling Centre and the current Sydenham Scrap Metals site fulfil the requirement for waste management in this area.

The Environment Agency and Thames Water raise no objections to the application.

The London Borough of Lewisham was consulted as an adjoining borough and raises no objections.

The Councils Highway Engineer expresses that traffic levels for the site could be higher than predicted in the submitted Transport Assessment and this could have a detrimental effect on the local highway network. However this area discharges traffic at the Kangley Bridge Road/Stanton Way junction and Lewisham is the highway authority responsible for this junction. Without their support it would not be appropriate to refuse planning permission of highway grounds, but there are reservations about the level of potential traffic generation from this site.

The Council's Environmental Health Officer raises concerns that there would be considerable impact on the neighbourhood from the proposed use from noise, vibration, spillages and fumes, and possibly from illegal tipping that may be attracted to sites with this type of use. The area around the site has attracted uses which are much more sensitive than if they had all been general industrial uses. The proposed use is out of character with the surrounding area and would have a detrimental impact on many of the neighbouring uses and it is recommended that permission be refused.

With regard to the Council's waste management strategy the Head of Waste Services advises that the Council is currently discussing a sub regional approach to meeting the London Plan targets with the Greater London Authority. Bromley will be working with the London Boroughs of Bexley, Southwark, Greenwich and Lewisham and on this basis sufficient capacity has been identified to fulfil the Waste Apportionment requirements of the London Plan to 2020. Final confirmation that this approach is acceptable is expected shortly.

### **Planning Considerations**

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

BE1: Design of New Development  
EMP4: Business Areas  
ER1: Waste management Principles  
ER2: Waste Management Facilities  
ER8: Noise Pollution

In strategic terms the most relevant London Plan policies are:

3B.4: Industrial Locations  
4A.21: Waste strategic policy and targets  
4A.23 Criteria for the selection of sites for waste management

The relevant national policy documents for consideration of this application are

PPS10: Planning for Sustainable Waste Management

### **Conclusions**

The application site lies within a designated Business Area in the Bromley UDP. The policy states that only the following uses will be permitted – within Classes B1, B2 and B8. The supporting text for the policy states that 'the Business Areas consist largely of light industrial and warehousing uses and the Council wishes to safeguard a supply of such land for the growth of business and industry...proposals for uses not within Use Classes B1 to B8 will not normally be

permitted...the extent of Business Areas shown on the proposals map represents a sufficient, though limited, supply of good quality sites for modern business development.'

The proposed use of the site is 'sui generis' (not within any Use Class) and therefore does not meet the above criteria relating to permitted uses in the Business Areas. Therefore it will be necessary to assess the impact of the proposed use on the business area and other nearby businesses.

This part of the Business Area is largely characterised by small B1 type units that have been developed over the last 10-20 years. The level of noise and disturbance from the existing users is generally low and with few exceptions all business operations take place within building structures. The proposed use would introduce an operation that involves the delivery of a range of scrap metals, then operational processing to sort and bale them before transporting them off site again. In addition the application seeks permission for car breaking. Apart from one small building the remainder of the site is open so operations will take place in the open with the adjoining occupants unprotected from the associated noise, disturbance, vibration and potential fumes. For these reasons the proposed use would be at odds with the character of this part of the Business Area.

The applicant refers to planning permission (granted April 1999) for a waste transfer facility at 58 Kangley Bridge Road and considers that this a precedent for permitting the current use. The development is situated on the periphery of the Business Area and is enclosed on three sides to the rear of other large buildings and adjacent to a railway line. This environment is very different to that surrounding the current application site, as described above, and as such it is not considered that this decision sets a precedent to permit the current proposal.

In addition there are concerns relating to the information submitted with the application and whether it is insufficient to assess the full impact of the potential use of the site. The information and figures submitted about the proposed use and vehicle movements are based on the current use of the applicant's current site at 39 Kangley Bridge Road. The application site is approx 5 times larger than this site and the agent acknowledges that the applicant will, therefore, have the opportunity to expand their existing operations to include ferrous metals and vehicle breaking. As such the full impact of potential use of the application has not been assessed by the agent's material.

Furthermore, the current application is contradictory stating on one hand that the site will be used by Sydenham Scrap Metals for their existing use but also providing an opportunity for expansion of the business and contributing towards fulfilment of the Council's waste management responsibilities on the other hand, without providing enough information to fully assess the impact of the proposed

use. If the applicant wishes to draw on the provision for such facilities in the Borough a case should be made in this respect.

The applicant also refers to the local, national and regional guidance for waste management and waste management facilities.

There are existing authorised waste management and recycling facilities at 39 and 58 Kangley Bridge Road and Members may consider that this provision provides adequate waste transfer recycling facilities for this area. In addition the Council is working in partnership with neighbouring authorities to address the issue of capacity for waste management and on the basis of current provision the London Plan targets for 2020 would be met.

Finally if the current operator does move to the site and uses it in the manner proposed this would be a substantial underuse of a potentially valuable site for the currently authorised Class B1 or B2 use. Potentially the site could support more uses and more employees and underuse would be contrary to the spirit of Policy EMP4.

In view of the above Members may agree that the existing level of provision for recycling and waste transfer in this part of Borough is sufficient and the introduction of a scrap metal recycling facility in close proximity to light industrial uses would result in a loss of amenity for these sites and be contrary to the objectives and policies for the development of business areas in the Borough. On this basis Members may agree that the current application should be refused.

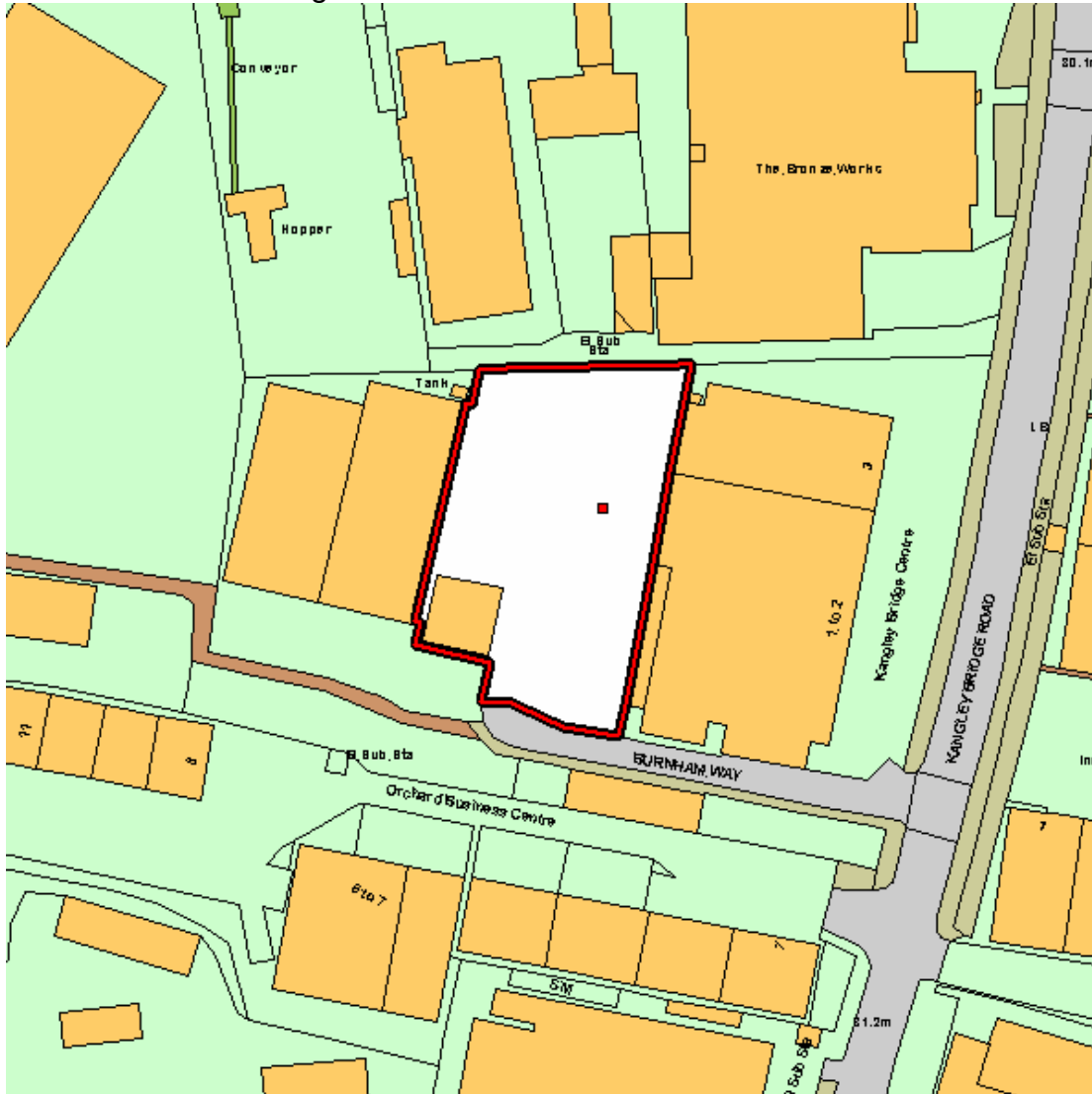
Background papers referred to during the production of this report comprise all correspondence on file ref. 08/08/03542, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

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

- 1 The proposal is not one of the uses which are acceptable in a designated Business Area and would, therefore, be contrary to Policy EMP4 of the Bromley Unitary Development Plan as it would not support the development of a high quality, modern business environment.
- 2 The proposed use would introduce activities and processes which would be detrimental to the amenities of nearby business users and be out of character with this part of the Business Area and contrary to Policies BE1 and EMP4 of the Bromley UDP.

Reference: 08/03542/FULL2  
Address: Site Formerly Burnham Signs Ltd Burnham Way London SE26 5AG  
Proposal: Use of site for reception/ sorting/ transfer of scrap metals including vehicle breaking



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



---

**29. Application No : 08/03874/FULL6 Ward : Chislehurst**

**Address : Hampton Hall 1A Holbrook Lane Conservation Area: Chislehurst**  
**Chislehurst Kent BR7 6PE**

**OS Grid Ref: E: 544810 N: 170253**

**Applicant : Mr John Hemming-Clark Objections : YES**

**Description of Development:**

3 Roof lights in north elevation

**Proposal**

This proposal is for 3 Roof lights in north elevation of a detached property situated within the Chislehurst Conservation Area. This property was granted permission without permitted development rights. The site is roughly triangular shaped and the dwelling is located in the centre to the rear of Nos. 1-7 Holbrook Lane, which are modest two storey dwellings.

**Consultations**

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

- overlooking;
- will set a precedent;
- existing roof lights installed without planning permission and is subject to an enforcement notice for their removal;
- wilful disregard of a planning decision should not be rewarded with planning approval.

APCA did not inspect this application.

From a Built Conservation (Heritage and Urban Design) point of view the proliferation of roof lights is not generally welcomed, however, as this house is

sited well back from the road it is considered that there would be no detrimental impact on the Chislehurst Conservation Area.

## **Planning Considerations**

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

BE1 Design of New Development  
BE11 Conservation Areas

Chislehurst Conservation Area SPG

### Planning History:

This site has a long planning history, which can be summarised as follows;

- under ref: 04/03074 permission was refused for a detached house with detached double garage and access driveway.
- under ref: 05/00492 permission was granted at appeal for a detached three bedroom bungalow with access driveway. This development was subsequently constructed with a first floor and is the subject of an active enforcement notice.
- under ref: 05/00497 permission was granted at appeal for a two storey four bedroom house with detached double garage and access driveway. The property does not benefit from permitted development rights.

## **Conclusions**

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

This property was originally granted permission as a bungalow at appeal under ref: 05/00492; the Inspector considered that it was necessary to protect the amenities of the neighbouring residents by imposing a condition restricting permitted development rights. Subsequently the property was constructed with a first floor, contrary to the approved plans and with rooflights in every elevation and gable end windows to the north-west. Apart from one small rooflight in the northern elevation serving a bathroom, objections were raised to the rooflights and windows. An enforcement notice has been issued and the applicant has subsequently appealed this notice. In determining the appeal the Inspector gave a split decision. Firstly, he considered that given the separation distances and the outlook afforded from the windows, that overlooking from the four windows in the south-east elevation would not lead to significant loss of privacy as these windows would overlook the extreme ends of long rear gardens and beyond the



school grounds. However, in all other directions he considered that the building as constructed adversely affects the living conditions of the neighbouring residents by way of overlooking the dwellings and private rear gardens of 5 Shepherds Green and 1-9 Holbrook Lane giving rise to loss of privacy contrary to Policy BE1 of the UDP. The applicant put forward at the appeal to install planting to screen, obscure glazing combined within permanently fixed windows, however the Inspector considered that only removal of the windows would remedy the harm to the living conditions of neighbouring residents and thereby dismissed this element of the appeal.

To date the terms of the outstanding enforcement notice remain effective and the matters have not been complied with. At the time of writing this report the enforcement case is due to go to a Court hearing on the 28th January 2009 for non compliance.

Of the three additional roof lights on the northern elevation, two of the windows will be secondary to two bedrooms; the third window will serve the stairwell/landing. Therefore based on the Inspectors decision and in the interest of the amenities of the local residents it is considered that this development is detrimental to the residential amenity of the occupiers of 5 Shepherds Green by reason of overlooking and loss of privacy and therefore it is recommended that the application be refused.

In terms of the impact on the Chislehurst Conservation Area due to the property being sited to the rear of 1-7 Holbrook Lane it is well screened and is not considered to have a detrimental impact on the character of the area or street scene generally.

Background papers referred to during production of this report comprise all correspondence on file ref. 08/03874, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

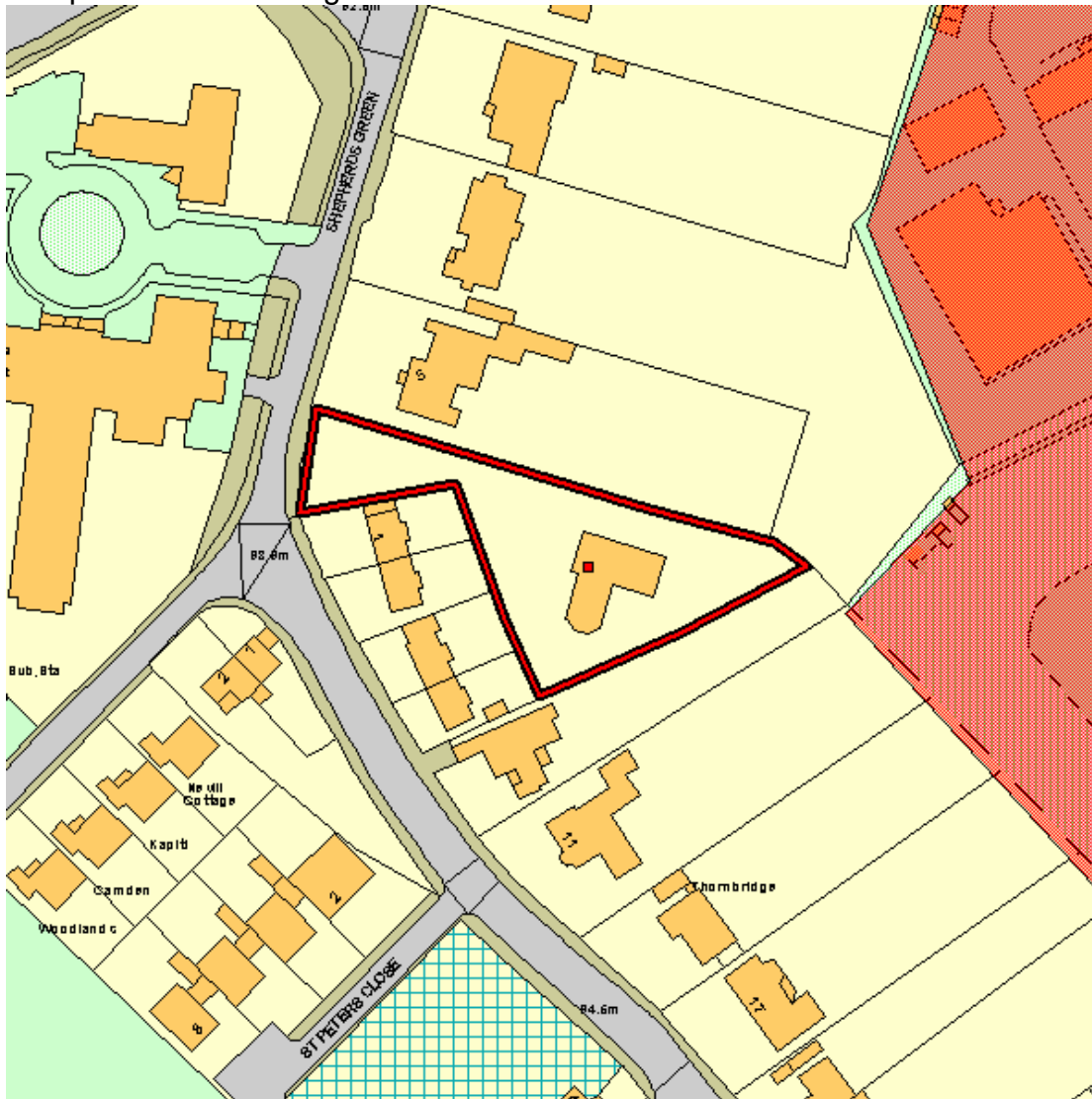
### **The reasons for refusal are:**

- 1 The proposed development would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of No. 5 Shepherds Green thus contrary to Policies BE1 and H8 of the Unitary Development Plan.

Reference: 08/03874/FULL6

Address: Hampton Hall 1A Holbrook Lane Chislehurst Kent BR7 6PE

Proposal: 3 Roof lights in north elevation



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661



trellis although offered in an attempt to overcome the privacy issue, will further enclose the visual prospect from No. 153 The Avenue.

No objections are raised against the vehicular hardstanding to the frontage based upon the construction specification proposed.

### **Conclusions**

The construction now in place beyond the approved extension is considered too high and the additional fencing will result in an over dominant visual feature here. On this basis, Members may consider that permission should be refused and enforcement action taken.

Background papers used in the preparation of this report comprise all correspondence on files refs. 08/03960 and 08/00165, excluding exempt information.

as amended by documents received on 23.12.2008

### **RECOMMENDATION: PERMISSION BE REFUSED**

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

- 1 The elevated patio area results in an unacceptable loss of privacy and amenity to the adjacent property and is thereby contrary to Policies H8 and BE1 of the Unitary Development Plan.

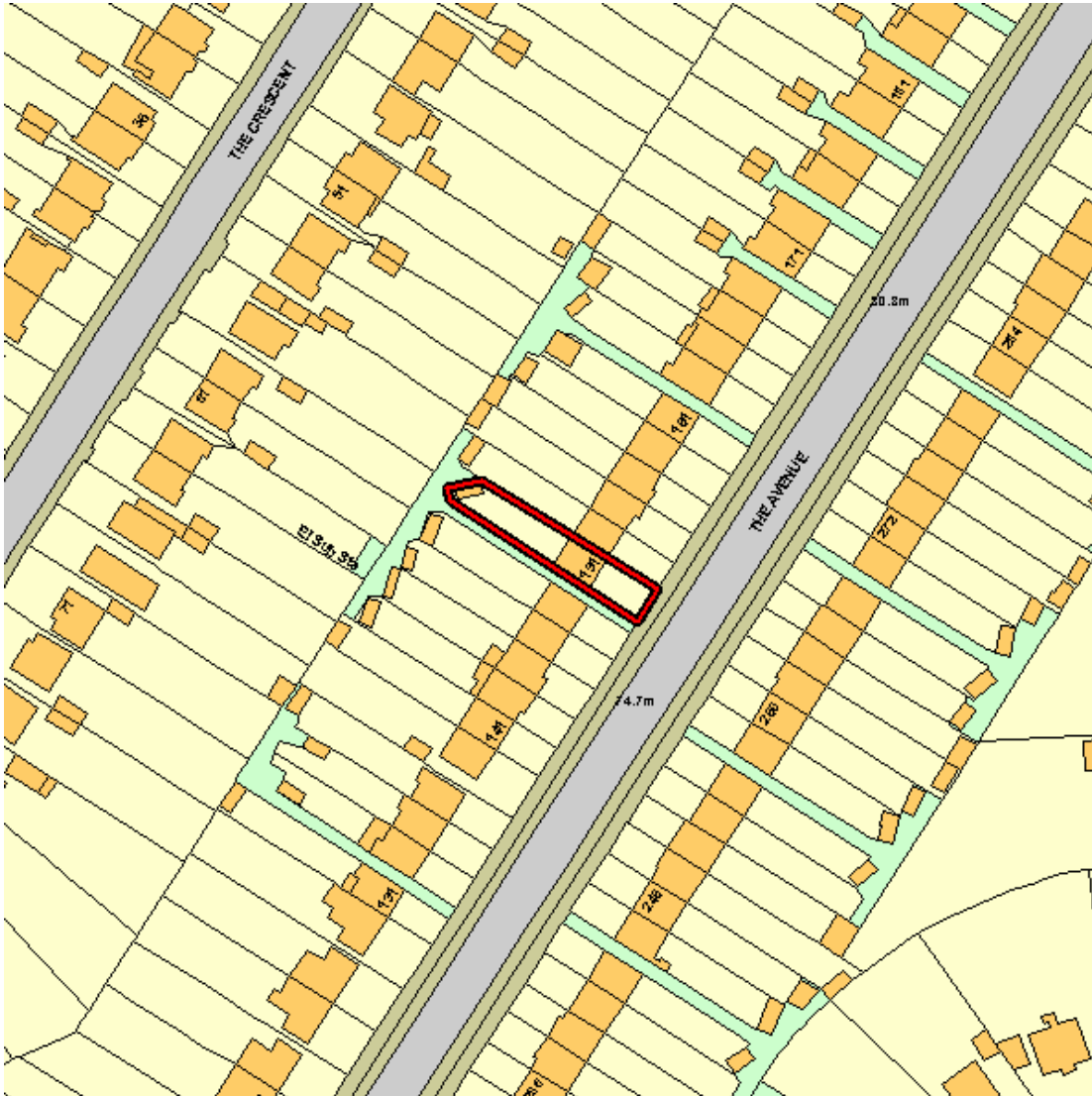
Further Recommendation:

Enforcement action be authorised to secure the removal of the patio area.

Reference: 08/03906/FULL6

Address: 151 The Avenue West Wickham Kent BR4 0EG

Proposal: Retention of raised patio area at rear and vehicular hardstanding at front  
RETROSPECTIVE APPLICATION



This map is reproduced from Ordnance Survey material with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. London Borough of Bromley. Lic. No: 100017661

