

LONDON BOROUGH OF BROMLEY

TOWN PLANNING RENEWAL AND RECREATION DEPARTMENT

Committee (SC) on 28th May 2009

REPORT OF THE CHIEF PLANNER

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

1. Application No : 09/00541/FULL1 Ward: Cray Valley West

**Address : Leasons Primary School Leasons Hill Conservation Area:NO
Orpington Kent BR5 2GA**

OS Grid Ref: E: 546538 N: 168730

Applicant : Leasons Primary School Objections : YES

Description of Development:

Replacement boundary fence and gates

Proposal

It is proposed to erect a 2.4m high wire mesh fence around the boundary of the school. The application states that the proposal is in response to incidents including vandalism, fly tipping and trespassing as well as concerns about the safety and security of pupils.

Location

The application site comprises a school on land bounded by Chipperfield Road, Leasons Hill and Silverdale Road, St Mary Cray and is adjacent to the Leasons Day Centre. The surrounding area is predominantly characterised by terraced and semi-detached 2 storey houses.

Comments from Local Residents

Nearby residents were notified of the application and a representation was received which can be summarised as follows:

- foliage on land adjacent to alleyway blocks light to No. 10 Arbrook Way
- fly tipping.

Comments from Consultees

The application is supported by the Metropolitan Police Crime Prevention.

There are no technical highways objections.

A local ward Councillor has offered support for the application.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies of the Unitary Development and London Plans:

BE1 Design of New Development
G8 Urban Open Space

London Plan

4B.1 Design Principles for a Compact City
4B.8 Respect local context and communities.

Conclusions

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

Careful consideration should be given to the impact of the fencing on the character of the area as it may be considered institutional in its appearance. However, weight should also be attached to the requirement of the school for improved security. It may be considered that the scheme represents a suitable solution to the needs of the school and that the impact on the character of the area is acceptable.

as amended by documents received on 02.04.2009

RECOMMENDATION: PERMISSION

Subject to the following conditions:

1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years

2 The gates to the vehicular entrance and exit should be inward opening.

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

3 Reasons for granting planning permission:

In granting permission, the Local Planning Authority had regard to the following policies of the Bromley Unitary Development Plan and the London Plan:

BE1 Design of New Development
G8 Urban Open Space

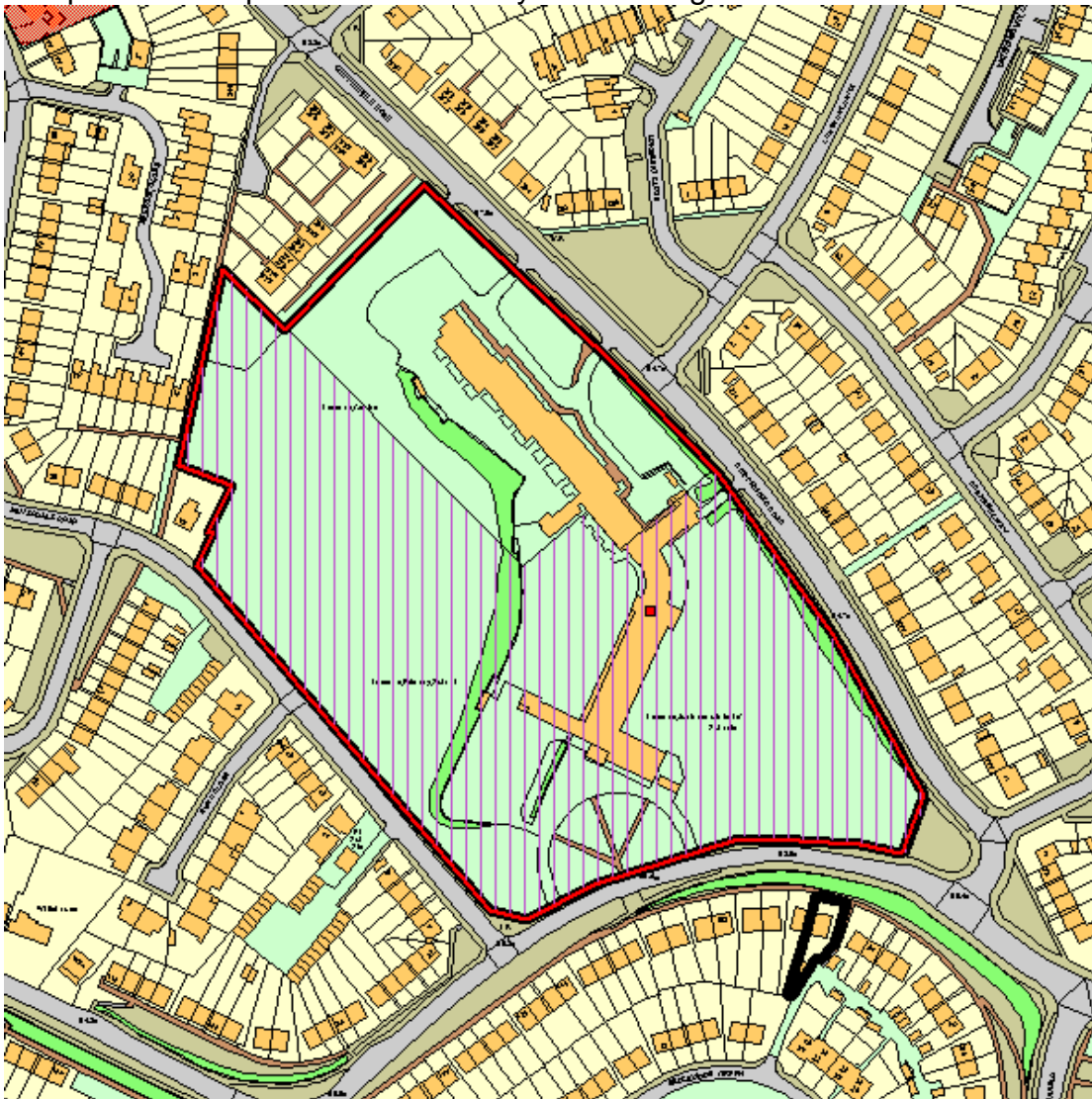
4B.1 Design Principles for a Compact City
4B.8 Respect local context and communities.

The development is considered to be satisfactory in relation to the following:

- a) the appearance of the development in the street scene
- b) the character of the development in the surrounding area
- c) the impact on the amenities of the occupiers of adjacent and nearby properties
- d) the safety of pedestrians and motorists on the adjacent highway
- e) the safety and security of buildings and the spaces around them
- f) accessibility to buildings
- g) the design policies of the development plan

and having regard to all other matters raised.

Reference: 09/00541/FULL1
Address: Leasons Primary School Leasons Hill Orpington Kent BR5 2GA
Proposal: Replacement boundary fence and gates



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

2. Application No : 09/00935/DEEM3 Ward: Cray Valley West

**Address : Recreation Ground Main Road Conservation Area:NO
Orpington Kent**

OS Grid Ref: E: 547221 N: 169288

Applicant : The London Borough Of Bromley Objections : NO

Description of Development:

Replacement play area in northern part of recreation ground, enclosed by 1.2m high railings and gates

Proposal

It is proposed to replace an existing children’s play area located in the south-western corner of St. Pauls Cray Recreation Ground, with a new play area to the north-east of the recreation ground adjacent to Riverside School.

The play area would be enclosed by 1.2m high bowtop railings with 3 self-closing pedestrian gates and double vehicular gates for maintenance purposes only.

A tree survey and flood risk assessment have been submitted with the application.

Location

The new play area would be located close to Main Road, opposite Crayfields Industrial Park, and adjacent to Riverside School, formerly known as Rectory Paddock School.

Comments from Local Residents

A letter has been received from Old St. Pauls Cray Village Residents Society which raises no objections to the proposals, but makes the following comments:

- a large central copse of trees, close to where the play area would be sited, is not shown on the tree survey
- the access to the site during construction works should be carefully controlled to prevent travellers entering the site
- comments on operational matters
- as a matter of information, the Orpington address is incorrect.

Comments from Consultees

Thames Water raises no objections.

Any comments received from the Environment Agency, the Crime Prevention Officer, and the council's drainage engineers will be reported verbally at the meeting.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

G8 Urban Open Space
 BE1 Design of new development
 C1 Community Facilities

Conclusions

The main considerations in this case are the impact of the proposals on this area of Urban Open Space, and on the general character of the surrounding area.

Outdoor play areas are an appropriate use of Urban Open Space, and the relocation of this play area to a more open part of the site close to Main Road is considered to be of benefit to the local community.

The design of the equipment is considered acceptable, and would not have an adverse impact on the visual amenities of the surrounding area.

Background papers referred to during production of this report comprise all correspondence on file ref. 09/00935, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 **Reasons for granting permission:**

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- BE1 Design of New Development
- G8 Urban Open Space
- C1 Community Facilities

The development is considered to be satisfactory in relation to the following:

- (a) the visual impact on the street scene
- (b) the impact on designated Urban Open Space
- (c) the impact on the amenities of the occupiers of nearby residential properties

and having regard to all other matters raised.

Reference: 09/00935/DEEM3

Address: Recreation Ground Main Road Orpington Kent

Proposal: Replacement play area in northern part of recreation ground, enclosed by 1.2m high railings and gates



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

3. Application No : 08/03595/FULL1 Ward : Chelsfield And Pratts Bottom

**Address : Holy Innocents RC Primary School Conservation Area:NO
Mitchell Road Orpington Kent BR6 9JT**

OS Grid Ref: E: 545694 N: 165116

Applicant : The Trustees Of The Roman Catholic Diocese Of Southwark Objections: YES

Description of Development:

Replacement single storey one form entry primary school (including nursery class) with alterations to levels to provide playing field and hard play area/ car parking. Two storey and two/ three storey blocks comprising 22 flats (6 one bedroom/ 9 two bedroom/ 7 three bedroom) and 22 car parking spaces

This application comprises two key elements;

(1) the demolition of all the existing school buildings (although the scout building is shown to be retained) and erection of new a single storey one form entry primary school (including nursery class) with alterations to levels to provide hard and soft play areas, and associated parking; and

(2) two and three storey residential blocks comprising 22 flats on the area currently occupied by the existing car park. The scheme provides car parking for the residential use and a new access road.

The application is accompanied by various documents including: (1) Transport Statement; (2) Planning Statement; (3) Design and Access Statement; (4) Phase 1 Habitat Survey and Protected Species Assessment; (5) Flood risk assessment; (6) Arboricultural implications report.

These documents are on file for Members' inspection.

Proposal

The site is located on the northern side of Mitchell Road. The existing buildings comprise a mix of Victorian and more modern school buildings. The existing buildings are concentrated on the southern portion of the site, whilst the northern portion is open space used for sports pitches. The site is surrounded by residential properties on all sides – Stapleton Road runs around the site with Mitchell Road to the south. The site is an irregular oblong shaped area mostly designated as Urban Open Space (UOS) in the Unitary Development Plan where Policy G8 applies, except for the existing parking area fronting Mitchell Road. From this lower part of the site the land rises steeply. Rising up the slope beyond the car park there is a tar macadam play area, beyond which are located the original Victorian School buildings. The more recent school buildings are located in the lower portion of the site, separated from the Victorian buildings. As the land rises in a northerly direction, there is a wide expanse of grassed open space which includes a playing field and there are a number of mature trees on the boundary. The north-east and north-west boundaries of this area back on to the gardens of the properties in Stapleton Road and Wayne Close. The south west corner of the site contains a nature area and abuts residential properties in Shepherds Close, Bishop Butt Close and St Anne's Convent. There is an existing Scouts' Community Building near to the boundary with the gardens of houses in Bishop Butt Close.

The applicant has stated that the existing school buildings, dispersed over a wide area, are unsuited to modern requirements and proposed new school will concentrate all facilities in one single storey modern building. It is stated that because it has not been possible to secure funding for the project from the DfES, new residential development is necessary to fund the new school building.

Comments from Local Residents

- no objection to new school, but object to 22 new flats
- traffic congestion
- lack of parking
- 2 and 3 storey blocks not in keeping with the locality which is predominantly residential dwellings
- flats would tower over the nearby Holy Innocents Church
- over-development of the site, out of character with area
- disruption from construction works during demolition and rebuilding
- excessive density of residential development
- loss of amenity, loss open space, loss of trees
- overlooking to adjacent properties
- not clear why replacing a 2.5 entry school with a 1 form entry school
- significant loss of outdoor exercise space.
- concern that any bats on the site would be harmed by this development
- plans represent a great improvement on the previous plans

- harm to wildlife
- rebuilding the school will disrupt children's education

Comments from Consultees

Thames Water – no objections raised.

Environment Agency (EA) – no objections subject to the imposition of conditions.

The Housing Division has made detailed comments but raises no overall objection and is largely satisfied with the proposals.

Trees – no objections are raised subject to the imposition of conditions.

From a drainage point of view, it is noted that the application is in a aquifer protection zone, and should therefore be referred to the EA. The nearest public foul sewer is at the junction of Mitchell Road and Stapleton Road. The applicants will need to connect to that sewer. It is requested that a standard drainage condition be imposed, and the surface water drainage of the overspill parking area should be fitted with an oil interceptor prior to the soakaway.

Concerns have been raised about the provision of cycle parking. However, this can be addressed by a condition.

From an environmental health point of view, no objections are raised subject to conditions.

From a highways standpoint, no fundamental objections are raised in principle, although various detailed comments have been made.

From a planning policy standpoint, no objections are raised because, in contrast to the previous scheme, the proposal does not locate residential development on Urban Open Space. However, it is stated that financial health contributions should be sought. Since the proposals are aiming to improve educational provision, it would not be appropriate to seek educational financial contributions.

From an ecology standpoint, were permission to be granted, it would be necessary to request that a bat survey as suggested in the applicant's Ecology Report be undertaken. The preferred period for a bat survey is from May to September when bats are most active. The Council's ecology expert also endorses the mitigation and enhancement proposed at paragraph 5.2 of the applicant's Phase 1 Habitat Survey.

Planning Considerations

The starting point is the development plan and any other material considerations that are relevant. The adopted development plan in this case includes not only the Bromley Unitary Development Plan (2006) but also the London Plan (2004). Relevant guidance in the form of Planning Policy Guidance Notes (PPGs) and Planning Policy Statements (PPSs), as well as other guidance and relevant legislation, will also need to be taken into account.

In considering the application the following UDP Policies are relevant:

- H2 Affordable Housing
- H5 Accessible Housing
- H7 Housing Density & Design
- BE1 Design of New Development
- G8 Urban Open Space
- T3 Parking
- T18 Road Safety
- ER4 Sustainable and Energy Efficient development
- ER8 Noise Pollution
- C1 Community facilities
- C7 Educational and pre school facilities
- IMP1 Planning Obligations

The following London Plan policies are relevant:

- 3A.1 Increasing London's Supply of Housing
- 3A.2 Borough Housing Targets
- 3A.3 Maximising potential of sites
- 3A.5 Housing Choice
- 4B.1 Design principles for a compact city
- 4B.8 Respect local context and communities
- 4B.11 London's built heritage
- 3A.24 Educational facilities

National Guidance as follows is also relevant, in particular the following:

- PPS1 – Delivering Sustainable Development
- PPS3 – Housing

Planning History

This application follows from a previous application comprising the redevelopment of the school and construction of 9 houses which was subsequently withdrawn prior to determination (ref.07/03185). The applicant also has taken advantage of the Council's chargeable pre-application advice service, although the advice given was in respect of a different scheme (comprising a new school and 9 dwellings which occupied designated urban open space).

Conclusions

Members will need to consider carefully whether the proposals comply with relevant development plan policies, specifically those within the Bromley Unitary Development Plan and the London Plan. Members will need to assess whether the design, density and overall arrangement of the both the residential and educational elements of the scheme would be appropriate in this location, having regard to the nearby adjacent residential properties and the sensitive nature of the site.

There is no objection to rebuilding the school in principle and improved school facilities are supported by adopted UDP policy. In order to address the concerns relating to the previous withdrawn scheme, the applicants have now moved the residential element from the designated Urban Open Space, where there is a presumption against residential development, to the existing car park, which lies outside this protected designation. The earlier withdrawn scheme (07.03185) proposed the construction of 9 detached houses on an area designated as Urban Open Space (UOS) which would clearly have been contrary to adopted policy regarding designated UOS. Policy G8 states that proposals for new development on UOS will only be allowed in limited and specific circumstances, and do not include the provision of new residential development. The relocated housing provision attempts to overcome this objection.

With regards to the proposed school buildings, these would be located within Urban Open Space (as is the existing school). Policy G8 does allow for development which is related to the existing use, in this case education, provided that the scale, siting and size of proposals does not unduly impair the open nature of the site. The school buildings are single storey so would not appear bulky and are concentrated in a single location, rather than spread over the site. The policy also requires the Council to weigh any benefits being offered to the community against any loss of open space. Benefits in this case include the provision of improved educational facilities, as well as additional housing (including affordable housing).

In terms of Highway matters, no fundamental objections are raised although a number of detailed matters require attention, which can be addressed by way of conditions.

In terms of drainage matters, the site is within an aquifer protection zone and the application has been referred to the Environment Agency, which has raised no objections subject to appropriate conditions being imposed. The flood risk assessment concludes that the site is not at risk from fluvial flooding, which accords with the Council's expert on drainage and flooding.

To conclude, the applicant's submissions regarding the need for new school buildings as well as the various problems associated with the site as it is

currently arranged are noted, as well as the need to provide housing development in order to fund the school works. There is no in principle objection to rebuilding the school buildings to improve the quality of accommodation. Members will need to assess whether the cumulative advantages that accrue from the permitting the proposals, including educational and wider community benefits, outweigh any disadvantages. Members will also need to assess whether the form and scale of residential development is acceptable, having particular regard to the thrust of local and national planning policy which is to make the most efficient use of land in urban areas, including making increased provision for affordable housing.

Should Members be minded to approve permission, a legal agreement will be necessary to secure the payment of financial contributions for health provision and to secure the provision of affordable housing.

Background papers referred to during the production of this report comprise all correspondence on files refs. 08/03595 and 07/03185, excluding exempt information.

as amended by documents received on 04.03.2009

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- | | | |
|----|-----------------|--|
| 0 | D00002 | If Members are minded to grant planning permission, the following conditions are suggested, subject to the prior completion of a Legal Agreement: |
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACA04
ACA04R | Landscaping Scheme - full app no details
Reason A04 |
| 3 | ACB01
ACB01R | Trees to be retained during building op.
Reason B01 |
| 4 | ACB02
ACB02R | Trees - protective fencing
Reason B02 |
| 5 | ACB03
ACB03R | Trees - no bonfires
Reason B03 |
| 6 | ACB04
ACB04R | Trees - no trenches, pipelines or drains
Reason B04 |
| 7 | ACC01
ACC01R | Satisfactory materials (ext'n'l surfaces)
Reason C01 |
| 8 | ACD02
ACD02R | Surface water drainage - no det. submitt
Reason D02 |
| 9 | ACD04
ACD04R | Foul water drainage - no details submitt
Reason D04 |
| 10 | ACH03 | Satisfactory parking - full application |

- | | | |
|----|---|--|
| | ACH03R | Reason H03 |
| 11 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 12 | ACH19 | Refuse storage - implementation |
| | ACH19R | Reason H19 |
| 13 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 14 | ACH23 | Lighting scheme for access/parking |
| | ACH23R | Reason H23 |
| 15 | ACI20 | Lifetime Homes Standard/wheelchair homes |
| | ACI20R | I20 reason |
| 16 | ACI21 | Secured By Design |
| | ACI21R | I21 reason |
| 17 | ACK09 | Soil survey - contaminated land |
| | ACK09R | K09 reason |
| 18 | ACL01 | Energy Strategy Report |
| | ACL01R | L01 reason |
| 19 | Prior to the commencement of development hereby approved by this planning permission, a scheme to deal with the risks associated with the contamination of the site shall be submitted to and approved by the local planning authority. | |

Reason: the site is within a Source Protection Zone 1 and the Environment Agency recommends this condition in such areas.

- 20 Prior to the commencement of development hereby approved by this planning permission, a bat survey as suggested in the applicant's Ecology Report should be undertaken. The preferred period for a bat survey is from May to September when bats are most active.

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

21 Reasons for granting permission:

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- H2 Affordable Housing
- H5 Accessible Housing
- H7 Housing Density & Design
- BE1 Design of New Development
- G8 Urban Open Space
- T3 Parking
- T18 Road Safety
- ER4 Sustainable and Energy Efficient development
- ER8 Noise Pollution

- C1 Community facilities
- C7 Educational and pre school facilities
- IMP1 Planning Obligations

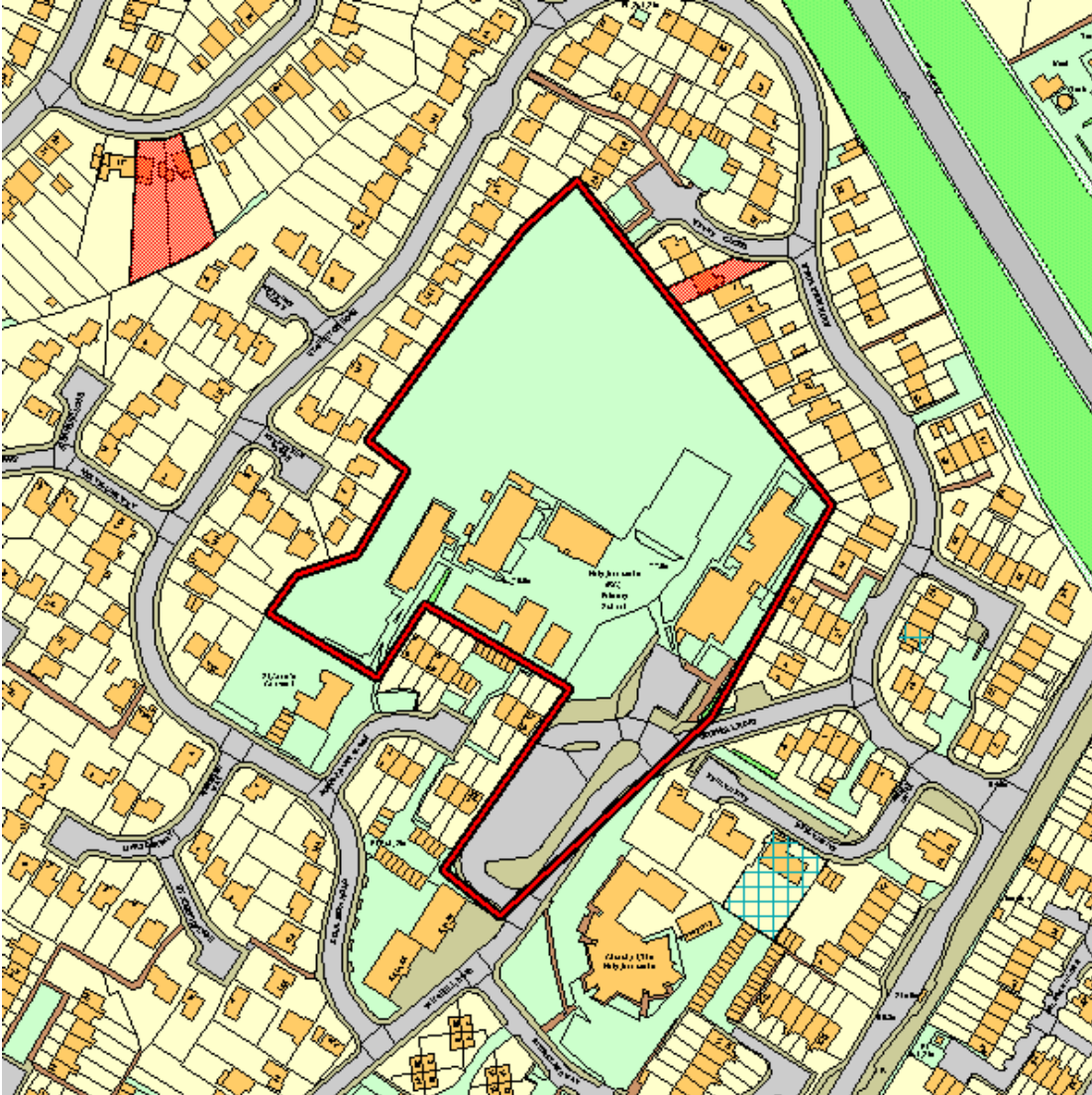
D00003 **If Members are minded to refuse planning permission, the following grounds are suggested:**

- 1 The proposal constitutes a cramped overdevelopment of the site by virtue of the size, layout and bulk of the buildings, and the amount of site coverage by buildings and hardstandings, and would harm the character of the area, thereby contrary to Policy BE1 of the Unitary Development Plan.

Reference: 08/03595/FULL1

Address: Holy Innocents RC Primary School Mitchell Road Orpington Kent BR6 9JT

Proposal: Replacement single storey one form entry primary school (including nursery class) with alterations to levels to provide playing field and hard play area/ car parking. Two storey and two/ three storey blocks comprising 22 flats (6 one bedroom/ 9 two bedroom/ 7 three bedroom) and 22 car parking spaces



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 : 09/00165/FULL6 Ward : Shortlands

Address : 6 Den Close Beckenham Kent BR3 6RP Conservation Area:NO

OS Grid Ref: E: 538814 N: 168496

Applicant : Mr And Mrs Kemp Objections: YES

Description of Development:

Two storey side extension, two storey rear extension and single storey rear extension.

Proposal

This application is for extensions to the dwellinghouse, and it is intended that it should be considered alongside application ref. 09/00301, which is for extensions to the roof to include two rear dormer extensions and one front dormer extension.

Revised plans have been received (6th March 2009) which increase the depth of the proposed single storey rear extension and reduce the depth of the proposed two storey rear extension, in an attempt to overcome the concerns of the residents of the neighbouring properties.

The proposed extensions to the main dwellinghouse consist of a two storey side extension, a single storey rear extension and a two storey rear extension.

The proposed two storey side extension is to measure approximately 2.2m in width, and approximately 8.45m in depth. The highest point of the roof over the proposed side extension will match the ridge height of the host dwellinghouse, however at the front it is designed in the style of a catslide roof and a front dormer extension is proposed. The flank wall of the two storey side extension will be located approximately 1.2m away from the flank property boundary shared with No. 4 Den Close.

The proposed two storey rear extension is to be located towards the south-western side of the host dwellinghouse, and is designed to extend the existing lounge at ground floor and bedroom 1 at first floor. The flank walls of the

proposed two storey rear extension will measure approximately 1.3m in depth and at ground floor there will be a bay window which will project a further 0.7m. The window at first floor level will be flush with the rear elevation.

The proposed single storey rear extension will be located towards the north-eastern side of the host dwellinghouse and is intended to extend the existing kitchen. The flank wall of this element will project approximately 2.8m in depth, with a stepped in part which will project for a further 0.95m.

In all of the extensions, there are no windows proposed in the flank walls apart from one window at first floor level in the flank wall of the proposed two storey side extension, which will serve an en-suite bathroom, and a door at ground floor level in the flank elevation of the two storey side extension which will provide access into the study.

Location

The application property is a detached two storey property used as a single occupancy dwellinghouse, located on the south-western side of Den Close. The area is residential in character.

Comments from Local Residents

Comments have been received from the residents of No. 4 Den Close and can be summarised as follows:

- perplexed that two separate applications have been submitted (one for extensions to main house and one for extensions to the roof);
- would ask that the applications are dealt with at the same time;
- encouraged that the two storey rear extension has been reduced in depth, but still consider that it will reduce privacy of No. 4;
- the rear garden of No. 4 will be overlooked by windows in two storey rear extension – are already overlooked by a huge extension at No. 2 Den Close;
- loss of sunlight;
- the revised single storey rear extension, in terms of additional depth, will be out of character with properties along the road and impact on visual outlook from neighbouring properties;
- over-development of the site that will disrupt the clever original design of Nos. 4-12 Den Close which have a staggered rear building line to allow for maximum light and privacy.

Comments from Consultees

No internal consults were made regarding this application.

Planning Considerations

The proposal falls to be considered against Policies BE1, H8 and H9 of the Unitary Development Plan.

Planning History

There does not appear to be any planning history relating to the application site other than an existing application for extensions to the dwellinghouse and dormer extensions under ref. 09/00301 which is also due to be discussed by Members.

Conclusions

The main issue relating to the application is the effect of the development upon the amenities of the residents of neighbouring properties and the impact of the proposal upon the character of the streetscene.

Whilst the residents of the neighbouring property have raised concerns with regards to loss of privacy due to the proposed two storey rear extension, it is considered that the proposed projection of approximately 1.3m in depth is fairly discreet and as a result would not be detrimental to the amenities of the neighbouring properties. The window proposed in the rear elevation of this element of the proposal will be in a similar position to the existing window in the rear elevation of the original dwellinghouse, albeit approximately 1.3m more rearward, and as such it is not considered that the privacy of the residents of neighbouring properties should be any more affected than at present.

The proposed two storey side extension is considered to be subservient to the character of the host dwellinghouse and as a result would not have a detrimental to the character and appearance of the area. The design of the catslide roof would match the existing roof of the dwellinghouse to the north-east which is of a similar design, and the proposed front dormer extension to be located on the catslide roof and related to the proposed two storey side extension will match the appearance of the existing front dormer extension above the front door of the original dwellinghouse.

The proposed single storey rear extension will measure approximately 3.7m in total, however the rearward most part, which will measure approximately 0.95m in depth, will be stepped in, away from the property boundary shared with No. 8 Den Close. The closest part of this element of the proposed works will be located approximately 1.7m away from the property boundary shared with No. 8 Den Close. In addition, the nearest part of No. 8 to the application property is the garage. As such it is considered that this element of the proposed development would not detrimentally impact upon the amenities or privacy of the residents of neighbouring properties and could be considered acceptable.

Given the revised plans that have been received, it is considered that the siting, size and design of the proposed extension could be acceptable in that it would not result in a significant loss of amenity to local residents, nor would it impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/00165 and 09/00301, excluding exempt information.

as amended by documents received on 06.03.2009

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 ACI07 Restrict to members of household (1 in) 6 Den Close,
 Beckenham, BR3 6RP
 ACI07R Reason I07
- 4 ACI10 Side space (1 insert) 1.2 meters south-western
 ACI10R Reason I10
- 5 ACI12 Obscure glazing (1 insert) in the first floor south-western
 flank elevation
 ACI12R I12 reason (1 insert) BE1 and H8
- 6 ACI17 No additional windows (2 inserts) flank extensions
 ACI17R I17 reason (1 insert) BE1 and H8

7 Reasons for granting permission:

In granting permission the local planning authority had regard to the following policies of the Unitary Development Plan:

- BE1 Design of new development
- H8 Residential extensions
- H9 Side space

The development is considered to be satisfactory in relation to the following:

- a) the appearance of the development in the street scene;
- b) the relationship of the development to the adjacent properties;
- c) the character of development in the surrounding area;
- d) the impact on the amenities of the occupiers of adjacent and nearby properties;

- e) the light and outlook of occupiers of adjacent and nearby properties;
- f) the privacy of occupiers of adjacent and nearby properties;
- g) the housing policies of the development plan;
- h) and having regard to all other matters raised including concerns from neighbours.

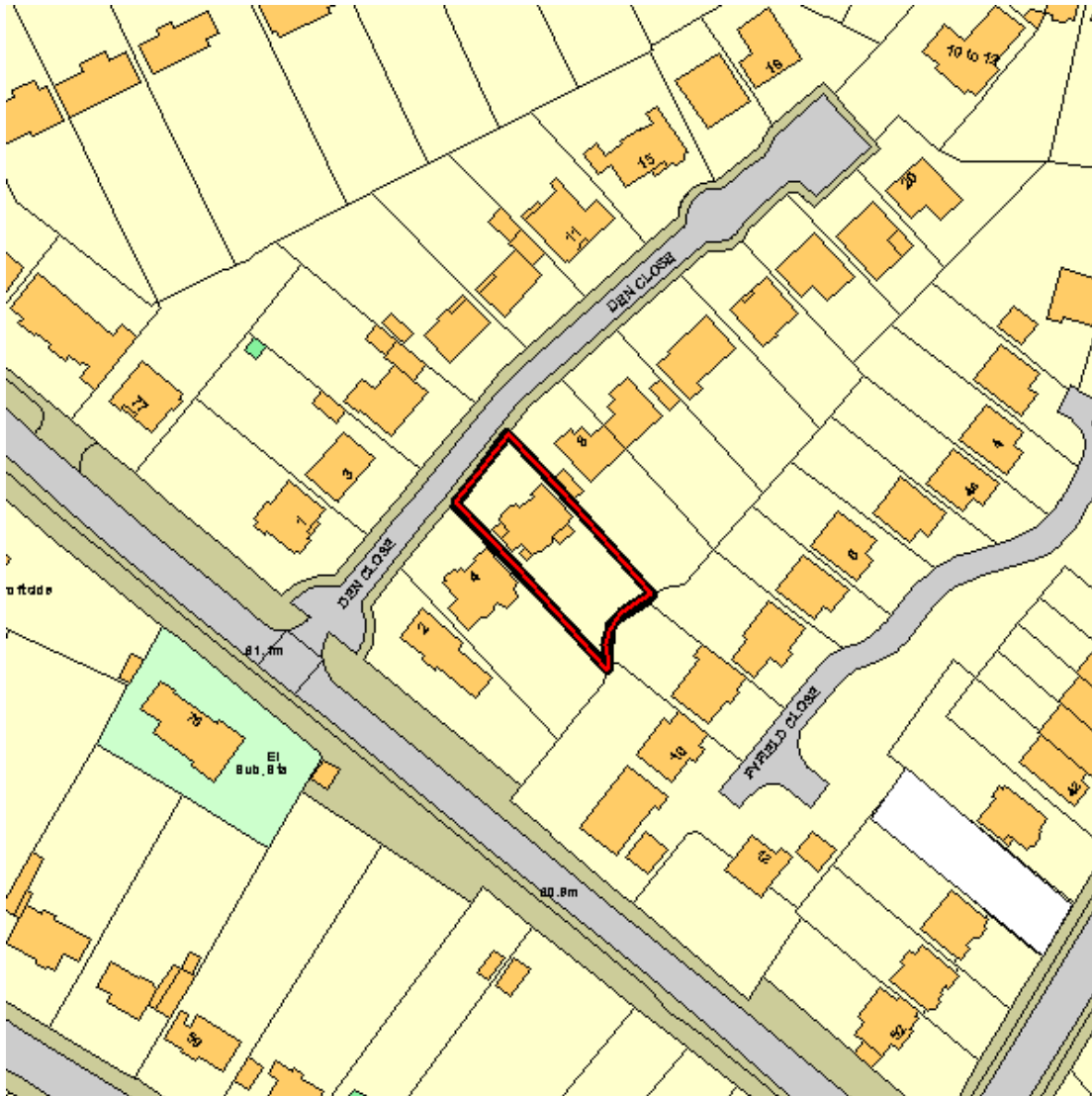
INFORMATIVE(S)

- 1 Before work commences on the extension hereby permitted you should satisfy yourself that the minimum side space to the boundary shown on the submitted drawing can be achieved. Failure to comply with the Council's requirements set out in the conditions above may result in enforcement action being authorised.

Reference: 09/00165/FULL6

Address: 6 Den Close Beckenham Kent BR3 6RP

Proposal: Two storey side extension, two storey rear extension and 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

5. Application No : 09/00271/FULL2 Ward : West Wickham

**Address : 14 Addington Road West Wickham Kent Conservation Area:NO
BR4 9BS**

OS Grid Ref: E: 539405 N: 165792

Applicant : Eden Restaurant Group Objections: YES

Description of Development:

Change of use from class A1 (Chemist) to Class A5 (Fish and Chip shop) and new ventilation duct at rear.

Proposal

The application property currently has a lawful use of A1 and has been used as a Chemist for a number of years.

The current proposal seeks to change the use from A1 to A5 to use the property as a fish and chip shop.

The proposal also involves the siting of a new ventilation duct at the rear of the premises.

The proposed hours of operation will be 12 noon until 14:30 and 17:00 to 23:00 Mondays to Fridays, 12 noon until 14:30 and 17:00 until 23:30 on Saturdays, Closed all day on Sundays, and on Bank Holidays it is proposed that the shop will be open from 12 noon until 14:00 and from 17:00 until 23:00 hours.

Location

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

The application property is located within a small parade of units which consists of the following uses:

- an off license / convenience shop;
- dry cleaners;
- chiropodist / printing shop;
- hairdressers;
- Indian restaurant; and
- electrical goods retail unit.

There are residential properties to either side of the block of commercial properties, opposite and also behind.

Comments from Local Residents

A number of objections have been received from local residents which can be summarised as follows:

- out of keeping in area;
- curry restaurant nearby which already causes problems due to smell – the fish and chip shop will make things worse;
- limited parking spaces on the main road;
- youths congregating;
- disorder and nuisance;
- already a large number of food premises in the area – do not need more;
- associated litter;
- limited mix of retail use along the parade

Comments from Consultees

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.

No objections were raised from a Highways Planning point of view following the submission of photographic evidence supplied by the applicant. It was considered that there appears to be parking available within 50m of the site and little demand for on-street parking, therefore no highway objections were raised.

No objections were raised from an Environmental Health (pollution) point of view, subject to a condition being imposed on any permission detailing the ventilation system.

No objections were raised from a drainage point of view.

Waste Services stated that the size, location and accessibility of the proposed refuse storage area is acceptable.

Any further comments will be reported verbally at the meeting.

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

Planning History

In terms of planning history at the application site, the most recent case was in 1986 for a new shop front. There does not appear to be any other planning history at the 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, proposals 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 located within a area which is predominantly residential with the exception of this parade. There are also residential flats above the parade of shops.

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. 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 of the application property is Class A1 (Chemist) and therefore whilst the proposal would result in the loss of a retail unit, there is a significant proportion of the remaining properties within the parade that will remain as retail. Therefore it may be considered that the loss of one retail unit may not be detrimental to the character or vitality of this area.

In this instance the Environmental Health Officer has no objection, 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 file ref. 09/00271, excluding exempt information.

as amended by documents received on 21.04.2009

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 ACJ10 Ventilation system for restaurant/take-a

ACJ10R J10 reason

3 The use shall only operate between 12 noon – 14:00 hours and 17:00 – 23:00 hours on Mondays to Fridays, between 12 noon – 14:30 hours and between 17:00 – 23:30 hours on Saturdays and shall be closed on Sundays.

Reason: In order to comply with Policies BE1 and S9 of the Unitary Development Plan and in the interest of the amenities of the area.

4 The use shall only operate between 12noon – 14:00 hours and between 17:00 – 23:00 hours on Bank Holidays or Good Friday.

Reason: In order to comply with Policies BE1 and S9 of the Unitary Development Plan and in the interest of the amenities of the area.

5 **Reasons for granting permission:**

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

BE1 Design of new development

H8 Residential extensions

H9 Side space

The development is considered to be satisfactory in relation to the following:

- a) The appearance of the development in the street scene;
- b) The relationship of the development to the adjacent properties;
- c) The character of development in the surrounding area;

- d) The impact on the amenities of the occupiers of adjacent and nearby properties;
- e) The privacy of occupiers of adjacent and nearby properties;
- f) And having regard to all other matters raised including concerns from neighbours.

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 Policies BE1 and S9 of the Unitary Development Plan.
- 2 The proposed change of use would result in a use which would have a detrimental impact upon the retail function of the parade, contrary to Policy S9 of the Unitary Development Plan.

Reference: 09/00271/FULL2

Address: 14 Addington Road West Wickham Kent BR4 9BS

Proposal: Change of use from class A1 (Chemist) to Class A5 (Fish and Chip shop) and new ventilation duct 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

6. Application No : 09/00301/FULL6 Ward : Shortlands

Address : 6 Den Close Beckenham Kent BR3 6RP Conservation Area:NO

OS Grid Ref: E: 538814 N: 168496

Applicant : Mr And Mrs Kemp Objections: YES

Description of Development:

Two storey side extension, two storey rear extension and single storey rear extension and roof alterations to incorporate two rear dormer extensions and a front dormer extension

Proposal

This application is for a two storey side extension, two storey rear extension and single storey rear extension and roof alterations to incorporate two rear dormer extensions and one additional front dormer extension.

It is intended that this application should be considered alongside application ref. 09/00165 which is purely for extensions to the dwellinghouse by reason of a two storey side extension, a two storey rear extension and a single storey rear extension. This is due to the proposed extensions to the roof as shown on the plans associated with the current application will only be able to be built provided that the extensions to the dwellinghouse are granted, by reason of the location of one of the rear dormer extensions being positioned on the rear elevation of the proposed two storey rear extension.

Revised plans have been received (17th March 2009) due to the revised plans received for application ref. 09/00165 (increasing the depth of the proposed single storey rear extension and reducing the depth of the proposed two storey rear extension, in an attempt to overcome the concerns of the residents of the neighbouring properties) as these changes would have an impact upon the positioning of the proposed rear dormer extensions.

The current proposal in terms of the extensions to the dwellinghouse are no different to the extensions proposed under application ref. 09/00165. This report

will therefore outline the main issues with the proposed roof extensions in terms of the two rear dormer extensions and one front dormer extension.

One of the rear dormer extensions is to be located in the existing roof space of the original dwellinghouse towards the north-eastern side of the property, and the second rear dormer extension is to be located in the roof space of the two storey rear extension which is proposed under application ref. 09/00165. As such these two applications should be considered alongside each other. The proposed front dormer extension is to be located to the north east of the existing front dormer extension, towards the property boundary shared with No. 8 Den Close.

The first proposed rear dormer extension, located on the roof slope of the original roof of the dwellinghouse, will project in depth by approximately 2m at the deepest point. It will measure approximately 2m in width and approximately 2.6m in height to include a pitched roof.

The second rear dormer extension, to be located on the roof slope of the proposed two storey rear extension, will have similar dimensions and will measure approximately 2.5m in height including a pitched roof, approximately 2m in width and approximately 2m in depth.

The proposed front dormer extension is to be located to the north east of the existing front dormer extension which appears to be part of the original dwellinghouse. It is to measure approximately 2.2m in width, approximately 3.05m in height and it will project approximately 1.8m in depth. The height of the proposed front dormer extension will match the height of the existing front dormer which it will be located directly adjacent to.

Location

The application property is a detached two storey property used as a single occupancy dwellinghouse, located on the south-western side of Den Close. The area is residential in character.

Comments from Local Residents

Comments have been received from the residents of both neighbouring properties and can be summarised as follows:

- perplexed that two separate applications have been submitted (one for extensions to main house and one for extensions to the roof);
- would ask that the applications are dealt with at the same time;
- consider the reason for the applications being submitted separately is due to the enormous scale and the agent believing it would not be considered favourably as a whole;
- privacy will be even more reduced by third floor dormer windows;

- daylight further reduced;
- overdevelopment of the site;
- whilst the resident of No. 8 Den Close is relatively happy with the proposal for the house extensions, concerns are raised with regards to the proposed dormer extensions;
- will significantly reduce sunlight that they currently enjoy.

Comments from Consultees

No internal consults were made regarding this application.

Planning Considerations

The proposal falls to be considered against Policies BE1, H8 and H9 of the Unitary Development Plan.

Planning History

There does not appear to be any planning history relating to the application site other than an existing application for extensions to the dwellinghouse under ref. 09/00165 which is also due to be discussed by Members.

Conclusions

The main issue relating to the application is the effect of the development upon the amenities of the residents of neighbouring properties and the impact of the proposal upon the character of the streetscene.

In terms of the proposed rear dormer extensions, these should be considered along with the proposed rear extensions within application ref. 09/00165 as one of the rear dormers is to be located on the rear elevation of the proposed two storey rear extension. Members may wish to consider whether this is an acceptable increase in volume for this part of the host dwellinghouse, or whether the impact upon the amenities of the neighbouring properties is unacceptable by reason of excessive bulk leading to loss of light and overlooking.

In terms of the front dormer extension, Members may wish to consider whether this is in keeping with the host dwellinghouse. The existing front dormer extension appears to be an original feature of the host dwellinghouse; therefore it may be considered that the proposed front dormer extension would not be entirely out of character. However on the other hand it could be considered that the additional front dormer extension, to be located to the north-east of the existing dormer, would lead to a bulky external appearance due to the size and location of it.

In terms of the proposed rear elevation, which will include the two rear dormer extensions, it could be considered that the dormers are not excessively bulky nor do they detract from the design of the original host dwellinghouse. However the dormer extensions would allow for the use of the loft space as habitable accommodation which along with the extensions to the dwellinghouse are considered by the residents of the neighbouring property as an overdevelopment. Therefore Members may wish to carefully consider whether permitting this current scheme would lead to an overdevelopment of the site, or whether on balance the plot and host dwellinghouse is large enough to accommodate such a proposed development.

Accordingly, Members are requested on this matter to ascertain whether the proposal is unduly harmful to the amenities of the residents of neighbouring properties by reason of overdevelopment of the site and any related visual impact, loss of light, privacy and prospect to warrant permission being refused, or whether the proposal on balance is considered acceptable taking into consideration the size of the proposed dormer extensions and the fact that the loft space could be converted into habitable space, albeit without dormer extensions, without planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/00165 and 09/00301, excluding exempt information.

as amended by documents received on 17.03.2009

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- | | | | | |
|---|-----------------|--|--|-------------------|
| 0 | D00002 | If Members are minded to grant planning permission, the following conditions are suggested: | | |
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years | | |
| 2 | ACC04
ACC04R | Matching materials
Reason C04 | | |
| 3 | ACI07
ACI07R | Restrict to members of household (1 in) | at 6 Den Close, | Beckenham |
| 4 | ACI10
ACI10R | Side space (1 insert) | 1.2 metres | south-western |
| 5 | ACI12
ACI12R | Obscure glazing (1 insert) | in the first floor south-western flank elevation
I12 reason (1 insert) BE1 and H8 | |
| 6 | ACI13
ACI13R | No windows (2 inserts) | flank | dormer extensions |
| 7 | ACI17 | No additional windows (2 inserts) | flank | extensions |

ACI17R I17 reason (1 insert) BE1 and H8

8 Reasons for granting permission:

In granting permission the local planning authority had regard to the following policies of the Unitary Development Plan:

BE1 Design of new development
H8 Residential extensions

The development is considered to be satisfactory in relation to the following:

- a) The appearance of the development in the street scene;
- b) The relationship of the development to the adjacent properties;
- c) The character of development in the surrounding area;
- d) The impact on the amenities of the occupiers of adjacent and nearby properties;
- e) The light and outlook of occupiers of adjacent and nearby properties;
- f) The privacy of occupiers of adjacent and nearby properties;
- g) The housing policies of the development plan;
- h) And having regard to all other matters raised including concerns from neighbours.

INFORMATIVE(S)

- 1 Before work commences on the extension hereby permitted you should satisfy yourself that the minimum side space to the boundary shown on the submitted drawing can be achieved. Failure to comply with the Council's requirements set out in the conditions above may result in enforcement action being authorised.

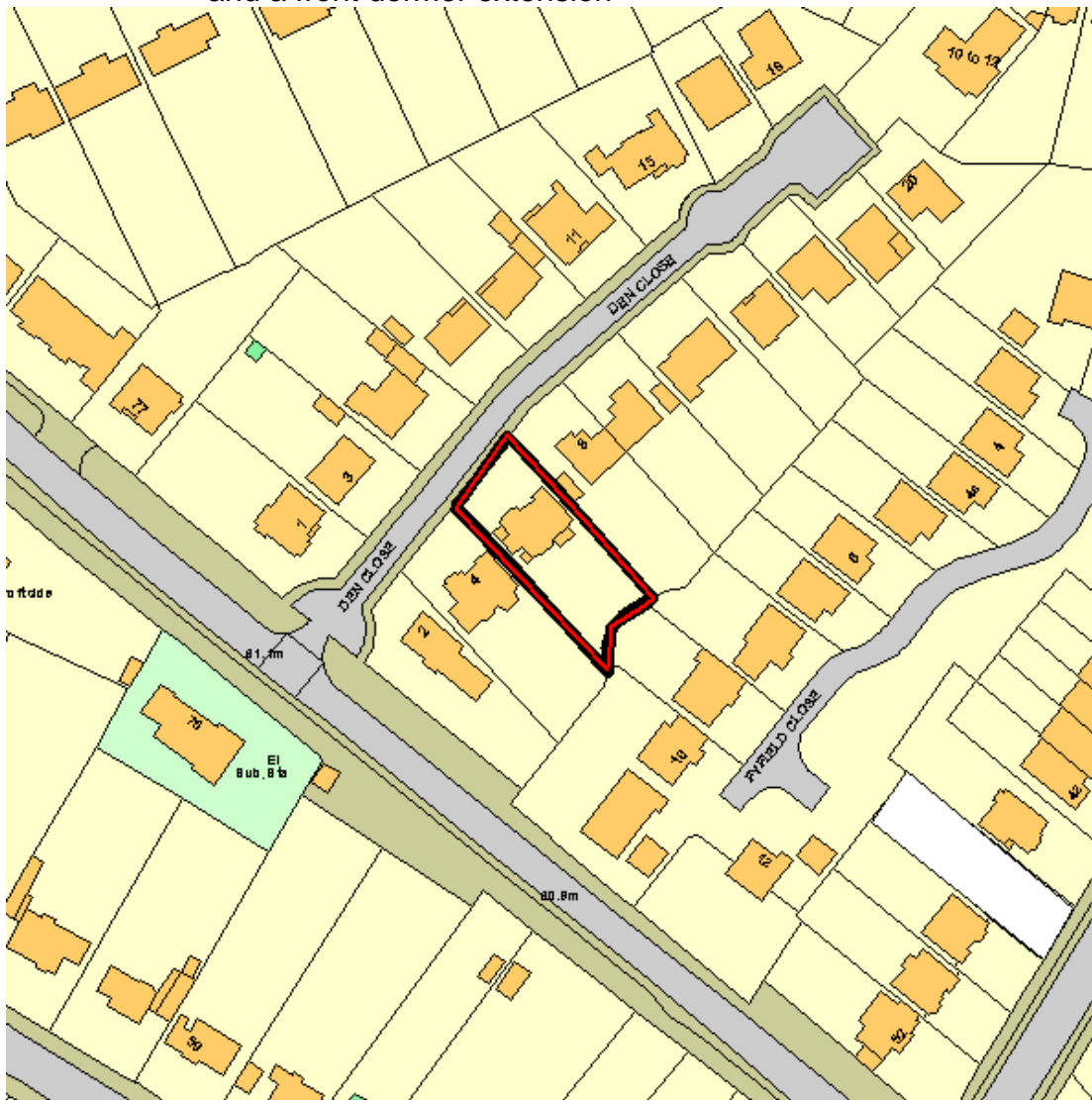
D00003 **If Members are minded to refuse planning permission, the following grounds are suggested:**

- 1 The proposed development would result in an obtrusive "top-heavy" feature, incongruous and harmful both to the appearance of the existing dwelling and overdominant in relation to the amenities of the residents of neighbouring properties by reason of overlooking, loss of daylight and loss of privacy, contrary to Policies BE1 and H8 of the Unitary Development Plan.
- 2 The proposal would be an overdevelopment of the site, out of character with the locality and contrary to Policy H8 and BE1 of the unitary Development Plan.

Reference: 09/00301/FULL6

Address: 6 Den Close Beckenham Kent BR3 6RP

Proposal: Two storey side extension, two storey rear extension and single storey rear extension and roof alterations to incorporate two rear dormer extensions and a front dormer 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

7. Application No : 09/00351/FULL1 Ward : Kelsey And Eden Park

**Address : 123 South Eden Park Road Beckenham Conservation Area:NO
Kent BR3 3AT**

OS Grid Ref: E: 537877 N: 168418

Applicant : Millwood Designer Homes Ltd Objections: YES

Description of Development:

Demolition of existing buildings and erection of 3 detached two storey five bedroom houses with double garages and one detached five bedroom house with detached double garage. Rear balconies on plots 1, 2 and 3 and accommodation in the roofspace on plots 2 and 3
AMENDED PLANS

Proposal

Members will recall that this case was presented to the Plans Sub Committee held on 30th April 2009.

It was resolved that this case should be deferred without prejudice to any decision taken in order that the applicants consider a reduction in the size and a repositioning of plot 4 in order to reduce the potential impact on the amenities of the adjoining property.

Revised plans have now been submitted which remove the integral garage thus reducing the size of the dwelling on plot 4. The proposed dwelling has been moved forward by around 6 metres and a detached double garage is proposed towards the front of the site.

The previous report is repeated below subject to suitable updates.

The development proposes the demolition of the existing buildings and erection of three new detached dwellings with integrated double garages and one detached dwelling with detached double garage. The dwellings will be two storeys high with accommodation provided within the roof space of plots 2 and 3.

Rear balconies are proposed on plots 1, 2 and 3 and accommodation in the roofspace is proposed for plots 2 and 3. A single storey detached double garage is proposed at the front of plot 4.

The existing building to be demolished as part of the proposal is currently located in front of the building line along South Eden Park Road.

Location

The site is located at 123 South Eden Park Road and comprises of approximately 0.23 hectares of land which is currently in use as a storage depot and yard for the Council. The site is adjacent to Metropolitan Open Land and a Site of Nature Conservation towards the south western boundary.

The site comprises of an open area and two buildings for staff accommodation and storage uses. A significant part of the site is covered in hard standing and a number of trees are located along the boundaries of the site.

Comments from Local Residents

- the proposed design of the dwellings results in loss of privacy and significant overlooking.
- the proximity of the buildings towards the boundary results in loss of light and increased noise and disturbance.
- the properties are excessive in their height with rear dormers and balconies causing overlooking and privacy loss.

The full text of comments received is available to view on file.

Comments from Consultees

In terms of environmental health issues a standard condition is required regarding contaminated land.

In terms of drainage issues, prior approval is required from Thames Water if any connections or discharges are made to a public sewer.

With regards to nature conservation issues, Natural England raises no objections to the proposal as they consider it does not significantly affect any priority areas for Natural England.

No technical highways objections are raised subject to conditions regarding vehicular access, lighting and highway drainage. As there is no footway in front of the site at present the applicant should enter into a legal agreement to provide a footway along the site frontage to give a pedestrian link to the property.

In terms of trees and landscaping issues, no objections are raised subject to conditions regarding the protection of all trees indicated to be retained.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

BE1 General Design
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
T3 Parking
T18 Road Safety
ER4 Sustainable and Energy Efficient Development
ER13 Foul and Surface Water Discharges From Development

London Plan

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

Government guidance, 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.

Conclusions

The principle planning issues in this case relate to the impact of the proposals on the character and appearance of the area and the street scene in general; the impact of the proposals on the living conditions and amenities of the neighbouring residents and the standard of accommodation for the future occupiers of the proposed dwelling.

In terms of the amenity of the local residents, the proposal maintains adequate distances between the surrounding properties and appears to have a minimal impact on the immediate neighbours, given the general pattern of development in the area.

PPS3 'Housing' seeks more efficient use of land whilst at the same time not compromising the quality of the environment. The application is clearly a case that needs to be assessed in the light of this guidance.

The current application submitted is for development of a similar design to the adjoining houses which matches the existing street scene and surroundings. By moving plot 4 forward and detaching the garage the overall massing of the dwelling adjacent to the northern boundary with No. 125 has been reduced and no longer includes accommodation above the garage.

Policy H9 draws attention to the need to respect the spatial standards of the surrounding area. The characteristics of the area are predominantly that of detached and semi detached properties. Policy BE1 highlights the need for proposals to be of a high standard of design and layout complementing the scale, form and materials of adjacent buildings. The proposed dwellings maintain acceptable spatial standards compliant with Policies H7, BE1 and H9.

Concerns were raised regarding the height and bulk of Plot 4 and its impact to the residential amenities of No. 125. Amended plans have now been received repositioning plot 4 further forward to address the concerns raised by Members and local residents. The integral garage has been removed and plot 4 now includes a detached double garage at the front.

It should be noted that as a result of the alterations to plot 4 the dwelling has been moved some 6m further forward. By detaching the garage from plot 4 the massing of the building adjacent to the northern boundary with No. 125 has been reduced. With no integral garage it has been possible to reduce the roof pitch of the main house by some 450mm to reduce the potential impact on residential amenities. Plot 4 is located some 1.5m from the boundary with No. 125. The two storey flank of Plot 4 is also some 3.5m away from the flank wall of the single storey garage at No. 125.

In terms of the impact on the street scene, whilst the detached garage is in front of the building line of neighbouring properties, it should be noted that it is still behind the existing single storey buildings on site which currently project considerably further forward than the proposed dwellings.

With regards to the proposed balconies, these are located on the first floor of plots 1, 2 and 3 only which due to existing garden vegetation and depths of rear gardens are not likely to result in any significant overlooking or loss of privacy.

In this case it is clear that there will be some impact on nearby properties as a result of this proposal and following the amended plans now received, a judgement needs to be made about whether the impact is unduly harmful. Accordingly, Members will need to consider taking into account local objections whether this proposal is satisfactory

Background papers referred to during production of this report comprise all correspondence on file ref. 09/00351, excluding exempt information.

as amended by documents received on 11.05.2009

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

and the following conditions:

- | | | |
|----|--------|---|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | 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 | ACB16 | Trees - no excavation |
| | ACB16R | Reason B16 |
| 5 | ACB18 | Trees-Arboricultural Method Statement |
| | ACB18R | Reason B18 |
| 6 | ACB19 | Trees - App'ment of Arboricultural Super |
| | ACB19R | Reason B19 |
| 7 | ACC01 | Satisfactory materials (ext'n'l surfaces) |
| | ACC01R | Reason C01 |
| 8 | ACH01 | Details of access layout (2 insert) |
| | ACH01R | Reason H01 |
| 9 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 10 | ACH18 | Refuse storage - no details submitted |
| | ACH18R | Reason H18 |
| 11 | ACH23 | Lighting scheme for access/parking |
| | ACH23R | Reason H23 |
| 12 | ACH27 | Arrangements for construction period |
| | ACH27R | Reason H27 |
| 13 | ACH32 | Highway Drainage |
| | ACH32R | Reason H32 |
| 14 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 15 | ACI01 | Restriction of all "pd" rights |

Reason: In order to comply with Policy H7 of the Unitary Development Plan and in view of the restricted size of the plots and their proximity to the Metropolitan Open Land.

- 16 No additional windows to those shown on the permitted drawings shall at any time be inserted into the North East elevation of plot 4 hereby permitted without the approval in writing of the Local Planning Authority.

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

- 17 ACK09 Soil survey - contaminated land

ACK09R K09 reason

18 Reasons for granting permission:

In granting permission, the Local Planning Authority had regard to the following policies of the Bromley Unitary Development Plan:

- BE1 Design of new development
- H1 Housing supply
- H7 Housing density and design
- H9 Side space
- T3 Parking
- T18 Road safety
- ER4 Sustainable and energy efficient development
- ER13 Foul and surface water discharges from development

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the privacy of occupiers of adjacent and nearby properties
- (g) the relationship of the development to trees to be retained
- (h) the safety of pedestrians and motorists on the adjacent highway
- (i) accessibility to buildings
- (j) the housing policies of the development plan
- (k) the urban design policies of the development plan

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 RDI10 Consult Land Charges/Street Numbering
- 2 Before the use commences, the applicant is advised to contact the Pollution Team of Environmental Health and Trading Standards regarding compliance with the Control of Pollution Act 1974 and / or the Environmental Protection Act 1990.
- 3 RDI23 Notifications re. sewer realignment, etc

Reference: 09/00351/FULL1

Address: 123 South Eden Park Road Beckenham Kent BR3 3AT

Proposal: Demolition of existing buildings and erection of 3 detached two storey five bedroom houses with double garages and one detached five bedroom house with detached double garage. Rear balconies on plots 1, 2 and 3 and accommodation in the roofspace on plots 2 and 3

AMENDED PLANS



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 : 09/00490/FULL6 Ward :
Chelsfield And Pratts
Bottom

Address : Fieldview Cottage 7 Home Farm Conservation Area:NO
Hawstead Lane Orpington Kent BR6
7GJ

OS Grid Ref: E: 549052 N: 164314

Applicant : Mr Jeffery Objections: NO

Description of Development:

2 rear dormer extensions and increase in roof height

Proposal

This proposal seeks to increase the ridge height of the main gable roof by 0.6m and for two rear dormers to be added.

Location

The application dwelling is located within a gated cul-de-sac know as 'Home Farm', comprising nine dwellings built in a traditional New England style. The site is located within the Metropolitan Green Belt approximately half a mile to the east of Chelsfield Village.

Comments from Local Residents

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

Comments from Consultees

Not applicable.

Planning Considerations

Policies BE1, G4 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; to safeguard the amenities of neighbouring properties; and to protect the visual amenity and openness of the Green Belt.

Planning History

The principle of allowing residential development at 'Home Farm' was originally allowed on appeal in the early 1990s. Since that time numerous planning applications were granted, with nine houses eventually permitted on the site.

As regards this current application, it should be noted that has been submitted following the submission of two previous application.

Under ref. 07/02875, permission was granted for a front and rear dormer within the highest roof element. Subsequently a proposal to increase the ridge height and insert dormers along the front and rear elevations was refused on the following grounds:

The proposed extension would by virtue of its size and location have a detrimental impact on the visual amenity of the area and be contrary to Policy G4 of the Unitary Development Plan regarding development, alterations or conversions in the Green Belt

The proposed extension is of poor design, incongruous in appearance, which would be harmful to the appearance of the existing dwelling, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

Conclusions

The main issues relating to the application are the effect that it would have on the character and appearance of the dwelling and on the openness of the Green Belt.

With regard to the impact on the Green Belt, it should be noted that the increase in floor area will be similar to that permitted in 2007 under planning application ref. 07/02875 with much of the additional habitable area confined to the existing roof area.

Although the proposed roof extension has been modified from the previously refused proposal which included two front dormers, the current proposal to provide roof space accommodation will require an increase in height of the roof. Whilst the proposed height increase will accentuate the dominance of this gable, Members should consider whether this will appear overbearing and out of character with the remainder of the dwelling or whether the difference in height

between the proposed and existing roof will not be significant enough to warrant refusal.

With regard to the surrounding area, the neighbouring properties within this cul-de-sac have been built in a variety of designs and consideration needs to be given as to the proposed extension and its visual impact within the streetscene.

Background papers referred to during production of this report comprise all correspondence on files refs. 07/02875, 08/03495 and 09/00490, 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 **Reasons for granting permission:**

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- BE1 Design of new development
- G4 Dwellings in the Green Belt
- H8 Residential extensions

The development is considered satisfactory in relation to the following:

- (a) the appearance of the development in the street scene;
- (b) the relation of the development to the adjacent property;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the light and outlook of occupiers of adjacent and nearby properties;
- (f) the privacy of occupiers of adjacent and nearby properties. Policies (UDP)

and having regard to all other matters raised.

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

- 1 The proposed extension is of poor design, incongruous in appearance, which would be harmful to the appearance of the existing dwelling, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

Reference: 09/00490/FULL6

Address: Fieldview Cottage 7 Home Farm Hawstead Lane Orpington Kent BR6 7GJ

Proposal: 2 rear dormer extensions and increase in 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

9. Application No : 09/00491/FULL6 Ward : Penge And Cator

**Address : 11 Kings Hall Road Beckenham Kent Conservation Area: Aldersmead Road
BR3 1LT**

OS Grid Ref: E: 536030 N: 170145

Applicant : Mr David Sawkins Objections: YES

Description of Development:

Single storey side/rear extension

Proposal

This application is for extensions to the dwellinghouse which consists of a single storey side and rear extension.

The proposed extension in terms of the rear element will replace an existing structure.

The proposed rear extension is to measure approximately 4.65m in depth from the rear elevation of the original dwellinghouse, approximately 9.5m in width to span the width of the host dwellinghouse and to be positioned along the property boundary shared with the properties either side of the application site, and the roof of the rear element of the proposal will measure approximately 4.3m in height from ground floor at the highest point.

The single storey side element of the proposal is to be located behind the existing study / utility room and will be located along side the property boundary facing No. 7 Kings Hall Road. This element will adjoin the proposed rear extension. The depth of the side extension will measure approximately 4.3m in depth, excluding the rear extension, so that the entire new flank wall to be built along the property boundary shared with No. 7 will measure approximately 8.9m in total.

The new flank wall will measure approximately 2.9m in height from ground level up to the eaves and the roof will measure approximately 4.2m at the highest point from ground level.

The roof on the single storey side extension will be visible from the roadside, although this will be set back approximately 4.9m from the front elevation of the study which is at the front of the property.

Location

The application property is a semi-detached two storey property with accommodation in the roof space, which is used as a single occupancy dwellinghouse, located on the north-eastern side of Kings Hall Road. The area is residential in character.

Comments from Local Residents

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

- the conservation is characterised by spacious rear gardens and well-separated buildings – proposal will have a negative impact upon this;
- character of the area must be preserved and enhanced;
- loss of privacy and amenity;
- overbearing structure, out of character, higher and wider than neighbouring structures;
- enlarged roof will impact on streetscene in Kings Hall Road and Reddons Road;
- 3 metres high wall along boundary is unacceptable – will affect daylight, sunlight and outlook for No. 13;
- outlook for No. 13 into rear garden already ruined by a house built at end of the garden in 1970s – if this extension is built it will further increase the problem and reduce spatial standards;
- plans refer to extension at No. 9 but the garden at No. 9 is much bigger and more spacious;
- this conservation area is newly extended, the extension at No. 9 built before the properties were incorporated into conservation area;
- no architectural merit to the proposal nor is it in keeping with the host dwellinghouse.

Comments from Consultees

From a conservation point of view, whilst it is appreciated that the proposed extension is single storey, concerns were raised with regards to the reduction in spatial standards. In addition, it was considered that the front elevation has the

potential to look bland if the pitched roof is just extended upwards and more detailing would be appropriate. Overall it was considered that the extension, if it is just painted brick, will preserve or enhance the character or appearance of the conservation area.

APCA stated that the proposal would be an overdevelopment and insensitive to the integrity of the host building. Would be more appropriate if the detailing and design better reflected the original host dwelling.

Highways Drainage did not comment on the application and The Environment Agency considered that the proposal has a low environmental risk therefore did not comment.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

BE1 Design of New Development
BE11 Conservation Areas
H8 Residential Extensions

Planning History

There does not appear to be any relevant planning history on the site.

Conclusions

The main issues relating to the application are the effect that the proposal will have on the character of the conservation area within which this property lies, and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The existing, original rear appendage to the property (lean-to) is to be replaced by the proposed structure which will extend approximately 2m further in depth from the rear elevation of the existing structure, and 4.65m in depth from the rear elevation of the main dwellinghouse along the north-western property boundary shared with No. 9 Kings Hall Road and approximately 8.9m in depth incorporating the side extension along the south-eastern property boundary shared with No. 13 Kings Hall Road.

The proposed depth of the replacement rear extension element of the application should be considered carefully. Whilst it may not have a detrimental impact as such on the amenities of the occupiers of the adjoining property as they have an existing rear extension and the boundary wall between the two properties is higher in the location where the rear extension will be sited, the overall depth may be considered excessive where the existing structure to be replaced

measures approximately 2.65m from the rear elevation of the host dwellinghouse. In addition this may also impact upon the amenities of the residents of No. 13 Kings Hall Road due to the additional depth when compared to the existing structure, and may create a more enclosed feeling for the residents of No. 13.

Whilst development above a single storey would not be acceptable if it was built up to the property boundary and would require a substantial degree of separation, with single storey proposals this is not the case. In terms of the current application it is necessary to observe the impact that the extension will have upon the amenities of the neighbouring property along with the impact it may have upon the character of the conservation area.

In this instance, there are two windows in the flank elevation of No. 13 facing the area for the proposed side extension at No. 9. These windows do not appear to be the primary windows for rooms within No. 13 and as such it would be difficult to argue that these windows should be afforded a greater separation from the proposed extension due to possible loss of light where there are alternative windows which will still allow light to reach the internal rooms. However, it should be noted that the wall to be located adjacent to the property boundary will measure approximately 3.1m in height which could be considered to be excessive in such proximity to the property boundary, especially when taking into account that the existing boundary treatment between Nos. 11 and 13 being a fence and trellis on top, measuring approximately 2m in total.

The property that adjoins the application property, No. 9, does benefit from planning permission (ref. 04/04576) for a single storey side/rear extension and side and rear dormer extensions. This was granted permission in January 2005. Whilst the extent of these extensions appear to be of a similar nature to that proposed at No. 11 in terms of the principle of ground coverage and rearward projection in parts, it can be seen that the separation between the property boundary and rear extension attached to the host dwellinghouse is approximately 1.8m and it is only further back into the rear garden that the storage shed, which replaced a timber structure with a brick built structure, adjoins the property boundary. Therefore it could be considered that the extension at No. 9, albeit of a similar scale to the extension proposed at No. 11, does have differences and as such does not have as great an impact upon the amenities of the neighbouring property as the proposal at No. 11 would upon the amenities of No. 13 Kings Hall Road.

In terms of the impact that the proposal will have upon the character and appearance of the conservation area, the proposal will not be directly particularly visible from the road side along Kings Hall Road. The only element that will be visible will be the pitched roof above the proposed single storey side extension. Whilst this in itself will not be overly bulky or intrusive upon the character of the streetscene, comments were made from a conservation point of view that the

style of the roof is not particularly in keeping with the host dwellinghouse and may benefit from more detailing. In addition, comments were made with regards to the reduction in spatial standards should permission be granted, due to the flank wall being built up to the property boundary. Whilst this is not a definite contravention of planning policy in terms of the proposal being single storey and built up to the property boundary, it could be argued that as the host dwellinghouse lies within a conservation area the proposal should respect the layout, scale and form of existing buildings and spaces and as such the spatial standards within the conservation area will be affected.

Accordingly, Members Views are requested on this matter to ascertain whether the proposal is unduly harmful to the amenities of the residents of neighbouring properties by reason of close proximity to the property boundary, any related visual impact, loss of light and prospect and in addition inadequate reduction in spatial standards to warrant permission being refused, or whether the proposal, considering it is single storey, does not adversely affect the amenities of neighbouring properties or the character and appearance of the conservation area.

The objections and points raised during the consultation period have been carefully considered and are material to the making of this recommendation. Background papers referred to during production of this report comprise all correspondence on files refs. 04/04576 and 09/00461, 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 ACC05 Brickwork patterning
- ACC05R Reason C05
- 3 ACC08 Satisfactory materials (all surfaces)
- ACC08R Reason C08
- 4 ACI13 No windows (2 inserts) south-eastern flank
- extension
- ACI13R I13 reason (1 insert) H8 and BE1

5 Reasons for granting permission:

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

BE1 Design of new development

BE11 Conservation areas
H8 Residential extensions

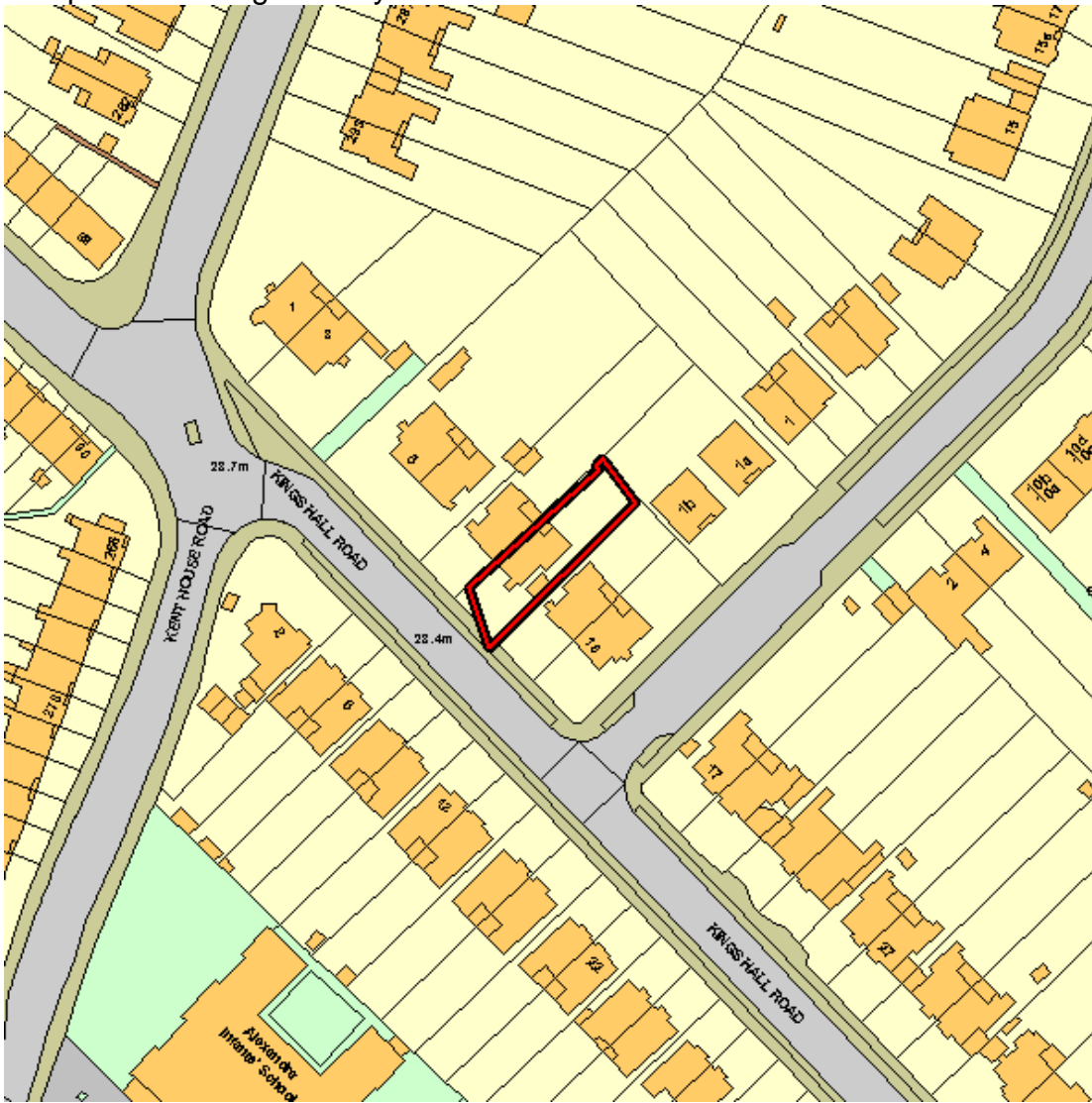
The development is considered to be satisfactory in relation to the following:

- a) The appearance of the development in the street scene;
- b) The relationship of the development to the adjacent properties;
- c) The character of development in the surrounding area;
- d) The impact on the amenities of the occupiers of adjacent and nearby properties;
- e) The light and outlook of occupiers of adjacent and nearby properties;
- f) The privacy of occupiers of adjacent and nearby properties;
- g) The housing policies of the development plan;
- h) The impact of the proposal upon the character and appearance of the conservation area; and
- i) And having regard to all other matters raised including concerns from neighbours.

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

- 1 The proposal will constitute a cramped overdevelopment of the site by reason of the close proximity to the property boundary and excessive rearward projection which would be detrimental to the prospect and amenities now enjoyed by the residents of the neighbouring properties and the character and appearance of the conservation area, thereby contrary to Policies BE1, BE11 and H8 of the Unitary Development Plan.

Reference: 09/00491/FULL6
Address: 11 Kings Hall Road Beckenham Kent BR3 1LT
Proposal: Single 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

The floor space of the existing detached garage measures approximately 42.24 sq m.

Therefore the difference between the existing garage and the proposed extension is approximately 122.96 sq m.

When the existing property minus the detached garage (262.76 sq m) is combined with the area of the proposed extension (165.2 sq m), the total floor space of the resulting property will measure approximately 427.96 sq m.

Location

The application site is 1 of 4 residential dwellings fronting a private cul-de-sac, accessed from the road leading to the Mansion within the Holwood Estate.

Though the residential curtilage around the dwelling at Farringleys is relatively modest, the land in the ownership of the property includes extensive paddocks which are of nature conservation interest, including wetland, hedgerow, woodland and grassland habitats.

The site is located in the Green Belt and also affected by other designations as follows -

Area of Special Landscape Character (adopted UDP)

Area of Archaeological Significance (adopted UDP)

The paddocks are within a site of Nature Conservation Interest/ Site of Importance for Nature Conservation (adopted UDP)

Comments from Local Residents

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

- the propose large extension will contravene the Green Belt policies;
- no exceptional circumstances to justify the application;
- calculations within the design and access statement are misleading;
- design and access statement does not mention that although permission was granted for a replacement dwelling, this was only agreeable subject to demolition of a number of outbuildings, which do not appear to be demolished in this application;
- question whether an application for a garage will follow as there is no replacement garage included in the application;
- proposed extension is well over the Green Belt allowances;

- if permission is granted, it will set a dangerous precedent for all properties in this area to be similarly replaced or aggrandised in the future which have so far remained largely unaltered.

Comments from Consultees

It was considered that there will no impact on trees of public amenity value.

A council officer carried out a fungi survey during the autumn of 2005 and some species were found on the lawns. It is not clear whether there are great crested newts on the site. It is suggested that site visits take place to ascertain the presence of amphibians during February/March, and if newts are found then mitigation measures including amphibian fencing around the demolition/building site should be carried out. It is considered that a management plan would be appropriate for the site.

Planning Considerations

The site is located in the Green Belt and also affected by other designations as follows-

Area of Special Landscape Character (adopted UDP)

Area of Archaeological Significance (adopted UDP)

The paddocks are within a site of Nature Conservation Interest/ Site of Importance for Nature Conservation (adopted UDP)

The proposal falls to be considered primarily with regard to the following policies within the Unitary Development Plan (July 2006):

G1 The Green Belt

G4 Dwellings in the Green Belt or on Metropolitan Open Land

BE1 Design of New Development

H8 Residential Extensions

The application also falls to be considered under associated Green Belt policies of The London Plan (Consolidated with Alterations since 2004).

Planning History

Under planning application ref. 96/02691, permission was refused for a detached seven bedroom house and detached triple garage with one bedroom flat over. The total floorspace proposed was 946 sq. m. The refusal grounds were as follows-

1. In the absence of any special circumstances to justify a relaxation of established policy the proposed development would constitute a

significant intrusion into the Green Belt and be materially detrimental to the open aspect and visual amenity of the locality contrary to Policies C.2 and G.5 of the Unitary Development Plan.

2. The proposal constitutes an unacceptable intensification of residential use and an unacceptable increase in the residential floorspace on this site detrimental to the amenities and character of the Green Belt and contrary to Policy G.4 of the Unitary Development Plan.

Under planning application ref. 97/00708, an outline application for a detached house and detached garage was refused on similar grounds, although this did not refer to increase in floorspace. The total existing floorspace was 574 sq. m. and the proposed floorspace was 566 sq. m. The refusal grounds were as follows-

1. In the absence of any very special circumstances to justify a relaxation of established policy the proposed development would constitute a significant intrusion into the Green Belt and be materially detrimental to the open aspect and visual amenity of the locality contrary to Policies G.2 and G.5 of the Bromley Unitary Development Plan.
2. The proposal constitutes an unacceptable intensification of a residential use detrimental to the amenities and character of the Green Belt contrary to Policy G.4 of the Bromley Unitary Development Plan.

Under planning application ref. 97/01414, it was proposed to demolish the existing dwellings at Farringleys and Orchard Cottage (one of the other properties in the road), and stable buildings and redundant agricultural buildings also in the ownership of Farringleys and replace the dwelling with a detached five bedroom house with indoor swimming pool and garage. The application was refused on similar grounds, to application ref. 97/00708.

Under planning application ref. 98/03321, it was proposed to erect a detached five bedroom house with indoor swimming pool and garage. Once again the application was refused on similar grounds to application ref. 97/00708.

Under planning application ref. 05/00706, it was proposed to demolish the existing house and erect a two storey replacement dwellinghouse and double garage. An Arboricultural Implication Study was submitted with the application. It appears that this application was never determined.

Under planning application ref. 05/04022, planning permission was granted on 27th February 2006 for the demolition of the existing house and double garage and erection of a two storey five bedroom replacement house and detached double garage.

This application was then resubmitted as a renewal and was subsequently granted permission in December 2008 under ref. 08/03480.

Conclusions

The main issues in this case are the impact of the proposal upon the openness of the Green Belt. In addition to the Green Belt policy, the design of the extension and the impact it may have upon the visual amenity of the area and neighbouring properties is considered to be further key issues when determining the suitability of the proposed development.

Previous applications for a replacement dwelling were refused on the grounds that the size of the proposed dwelling would conflict with the Green Belt. However in 2006 an application was approved for a new dwelling and a further application which sought to renew this permission was granted in 2008. This permission remains extant until December 2011.

The most important attribute of Green Belt land is considered to be the openness of it. Whilst permission has previously been granted for a replacement dwellinghouse, the issue now is whether or not the proposed extension to the existing dwellinghouse, as opposed to a complete replacement dwellinghouse, has a differing impact upon the character of the Green Belt land that it is located upon.

However it should be noted that whilst planning permission was previously granted for a replacement dwellinghouse, this was done so on the condition that the existing dwelling, detached garage and the outbuildings numbered 1-10 on drawing no. 01A/12/04 which formed part of planning application ref. 08/03480 were demolished and the site cleared within 3 months of the first occupation of the dwelling permitted, in order to accord with terms of the application and Green Belt policy.

The demolition of the outbuildings previously highlighted to be demolished as part of the previous planning consents do not form part of the current application and therefore it is considered that the floor space of these buildings cannot be used as a way to obtain the additional floor space which is proposed to be added to the host dwellinghouse, despite previous approval for a replacement dwellinghouse on this site.

Policy G1 of the UDP states in effect that limited extension may be permitted to existing dwellings within the Green Belt, and Policy G4 states in effect that the net increase in the floor area of the host dwellinghouse may be no more than 10%, the size of any proposed extensions do not harm the visual amenities or the open nature of the locality, and the proposal does not result in a significant detrimental change in the overall form, bulk or character of the original dwellinghouse.

In this instance and due to the fact that the only demolition proposed as part of this application is the detached garage in order to make way for the proposed extension, it may therefore be considered that the proposed development would lead to an overdevelopment of the residential dwellinghouse located within Green Belt land, by way of a net increase in floor space in excess of 10% of the floor area of the host dwellinghouse, which would lead to a dwellinghouse that is excessive in terms of bulk and form, especially when combined with all other buildings within the entire cartilage of the site.

Accordingly it is considered that the proposed two storey side extension, when combined with the existing buildings to be retained on the site, is too large within the Green Belt and refusal of the planning application is therefore recommended.

Background papers refer to during production of this report comprise all correspondence on files refs. 05/04022, 08/03480 and 09/00556, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 In the absence of any very special circumstances to justify a relaxation of established policy, the cumulative impact of the proposed development when combined with the existing outbuildings on site would result in a significant intrusion into the Green Belt that would be materially detrimental to the open aspect, visual amenity and character of the Green Belt contrary to Policies G1 and G4 of the Unitary Development Plan.

Reference: 09/00556/FULL6
Address: Farringleys Westerham Road Keston Kent BR2 6HB
Proposal: Two storey 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

11. Application No : 09/00839/FULL1 Ward : Copers Cope

**Address : 87-89 High Street Beckenham Kent BR3 Conservation Area:NO
1AG**

OS Grid Ref: E: 537320 N: 169444

Applicant : Mr Durmush Ergen Objections: NO

Description of Development:

Use of first floor as office, stores and toilet ancillary to ground floor restuarant
RETROSPECTIVE APPLICATION

Proposal

Planning permission is sought retrospectively for the use of the first floor of the premises as an office, stores and toilets in connection with the ground floor use as a restaurant. The Council's records indicate that the first floor had previously been in use as separate residential accommodation and that circa 2005 a material change of use occurred and the first floor was changed to its current use. Further to this change the Council served an Enforcement Notice in 2006, which required the cessation of the use and was recently complied with. However, in order to comply with the notice the first floor has effectively been sealed off and cannot be used. Accordingly, this application has been submitted in seeking to regularise the situation.

Location

The application site is located on the southern side of High Street, Beckenham, at the junction with Fairfield Road. The application property is a three storey end of terrace building, with a restaurant at ground floor level.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and at the time of writing the report no representations had been received.

Comments from Consultees

From the technical Highways perspective, no objections are raised.

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

Planning Considerations

There is extensive planning and planning enforcement history at the site. Cases of relevance to this application can be summarised as follows:

EN/05/00572/COMMER – Planning investigation into possible material change of use of the first floor of the premises from residential to restaurant. Enforcement Notice served April 2006 requiring the cessation of the use of the first floor as ancillary accommodation to the restaurant. Notice complied with February 2009.

DC/05/03972/FULL2 – Planning permission refused retrospectively for the change of use of the first floor from residential to office, stores and toilets ancillary to restaurant (Class A3) on ground floor. Reason for refusal as follows:

‘The proposed development would be detrimental to the amenities and continued usage of the remaining residential accommodation on the second floor and adjoining residential accommodation by reason of the noise and disturbance likely to be associated with such a use particularly at first floor level, contrary to Policy H.9 of the adopted Unitary Development Plan and Policy H1 of the second deposit draft Unitary Development Plan (September 2002)‘.

DC/06/02402/ELUD – Certificate of Lawfulness application concerning the use of the first floor as office/store ancillary to ground floor restaurant. The Council refused to grant the certificate on the basis that there was insufficient evidence to demonstrate that the use had subsisted continually for 10 or more years.

Conclusions

Planning permission has previously been refused retrospectively for the change of use of the first floor from residential to ancillary accommodation for the restaurant at ground floor level, with the primary concern relating to noise and disturbance to residents of and detriment to the continued use of the second floor flat and to the flat in the adjoining premises. Members may consider therefore that this application, which seeks permission for the same proposal, should be refused on the same ground as the previous application. However, Members will need to have regard to any change in circumstance since that decision was taken, including the adoption of the current development plan in July 2006, and whether any harm to the amenities of neighbouring residents has occurred which may have prejudiced the continued residential use of these premises since the change of use took place to justify the refusal of planning permission in this case.

As far as the Council's records appear to indicate, no complaints have been received in respect of noise and disturbance from the first floor, and as far as can be ascertained, the second floor of the premises and the first and second floors of the adjoining premises are still in residential use. Members may wish to take account of these points in making their decision, however in light of the previous decision it is recommended again that planning permission be refused.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/00839, EN/05/00572/COMMER, 05/03972 and 06/02402, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

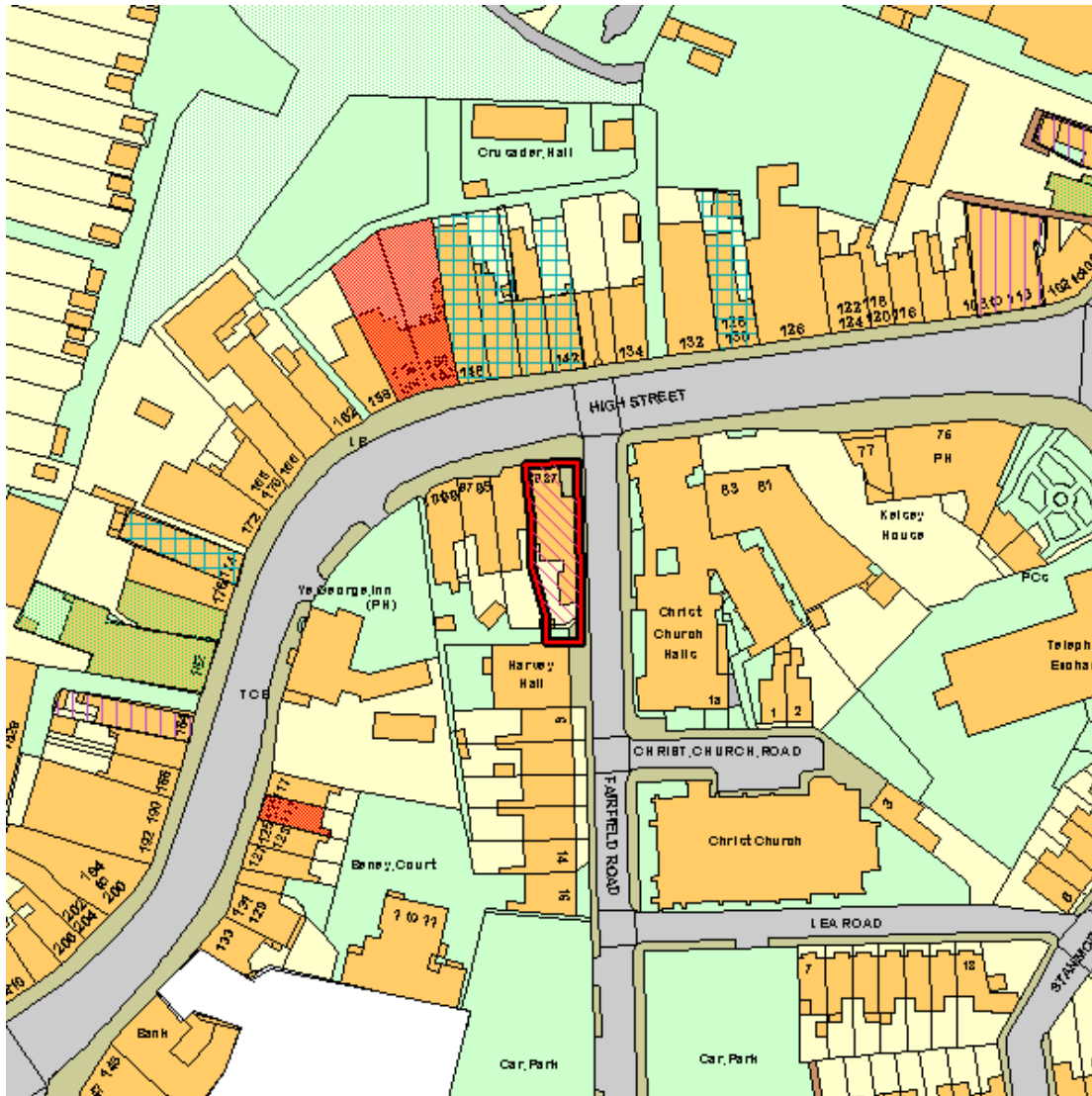
The reasons for refusal are:

- 1 The proposed development would be detrimental to the amenities and continued usage of the remaining residential accommodation on the second floor and adjoining residential accommodation by reason of the noise and disturbance likely to be associated with such a use particularly at first floor level, contrary to Policies BE1 and H1 of the Unitary Development Plan.

Reference: 09/00839/FULL1

Address: 87-89 High Street Beckenham Kent BR3 1AG

Proposal: Use of first floor as office, stores and toilet ancillary to ground floor restaurant 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

12. Application No : 09/00852/FULL1 Ward : Bromley Town
Address : 44 Napier Road Bromley BR2 9JA Conservation Area:NO
OS Grid Ref: E: 540935 N: 168347
Applicant : Bitter End Off Licence (Mr John Rothwell) Objections: YES

Description of Development:

Demolition of existing building and erection of two storey block with accommodation in roof space comprising 3 one bedroom and 1 two bedroom units

Proposal

The existing property is currently a two storey building with its main frontage onto Napier Road. It is presently used as a single dwellinghouse.

It is proposed to demolish the existing structure and build a new block to provide three, single bedroom apartments, and 1- two bedroom apartment, on three floors. All of the flats will be accessed from Devonshire Square.

There will be one semi- basement apartment on two floors, with another at ground floor. At the first floor there will be two apartments and one more at second floor level.

The building will be extended forwards into Devonshire Square to be in line with the existing terrace.

The Access to the offices at the rear of the off-licence the Masons Hill will be safeguarded. No off-street parking can be provided.

There are some elevational changes proposed to the existing building

The applicant has provided a planning statement and Design and Access Statement. These are both available to view on file.

Location

The site is located off Masons Hill and is approximately half a mile from Bromley Town Centre. The site extends between Napier Road and Devonshire Square. Devonshire Square is a small cul-de-sac. Napier Road both mainly residential in nature.

Comments from Local Residents

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

- concerned that the excavation will cause further substance or damage.
- there is no space between our garden and this building affecting to the scene and enjoyment of our garden
- potential damage to property
- increase in traffic into Devonshire Square
- overlooking

Comments from Consultees

From the technical Highways perspective

The site lies within a high (5) PTAL area and also within the outer area of the Bromley Town Centre Residents' Parking Scheme. The permit scheme is in operation for 2 hours in the middle of the day. The A21 is part of the TRLN and is subject to various restrictions on parking.

There is no parking provision on the site. The pedestrian access to the proposed block is from Devonshire Square and due to the nature of Devonshire Square and Napier Road there are few parking spaces in these roads.

A parking stress survey was supplied with the application. The standard survey methodology is to carry out the parking survey for 2 nights but because of the relatively small size of the development only one night was surveyed. The results show that the nearby roads had 70 – 90% saturation and there were 10 spaces available. Given this low figure I would ask that the second survey is carried out to give confidence that these results are representative. The survey also mentions possible parking available overnight on single yellow lines and it would be helpful if these parking spaces could be identified on the parking inventory plan.

A second survey has been requested and the report will be updated pending this information.

From an Environmental Health point of view a condition regarding contaminated land is suggested.

The Police advise that they had not been consulted by the applicant or the agent. However, that they have no adverse comment to make in respect of the structure. They have serious concerns over the level of security measures that will be incorporated and suggests at the very least to be those required by the “secure by design” build 2009 guide.

Planning Considerations

The main policies within the Council’s Unitary Development Plan against which the application should be assessed are as follows:

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

More specifically, 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, should be imaginative and attractive to look at, and should not detract from the attractive townscape that the Council wishes to secure. Policy H7 requires the scale and form of new residential development to be in keeping with the surrounding area, and the privacy and amenities of adjoining occupiers to be adequately safeguarded.

Central Government Guidance includes PPS1 and PPS3 which sets out policy on development principles and housing. Central Government advice contained in Planning Policy Statement 3 which seeks more efficient use of land whilst not compromising the quality of the environment.

Planning History

This application location follows an earlier application which was withdrawn under ref. 08/03584, this application was for the development of the site for five apartments. It is noted that the application has been reduced to four units.

Conclusions

In this case main issues appear to include the effect of the proposal on the character and appearance of the area, the effect of the proposal on the living conditions of neighbouring residents in terms of visual intrusiveness and loss of privacy, the intensity of use and the impact on the parking in the area.

As stated above, Central Government Advice Planning Policy regarding Housing, seeks more efficient use of land but at the same time not comprising 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. Furthermore, an assessment needs to be made as to whether the development would protect the amenities of the of the adjacent properties.

In terms of the impact on the street scene, (in Devonshire Square) the plans indicate that the proposal would be approximately in line with the height of the existing terrace.

The proposed block would represent an increase in building mass when viewed from Devonshire Square, however the increase in massing may be acceptable in this context. The impact in terms of Napier Road it is clear that the proposed dormers will be visible from this elevation.

In terms of the impact on neighbouring residents, the proposal will fill in an existing void area. The nearest residential properties at 14 Devonshire Square is immediately adjacent to the site.

It may be considered that 14 Devonshire Square should not be unduly affected by the visual impact of the new building, since it will not represent an over dominant increase in bulk and massing compared to the existing building on this part of the site.

With regard to overlooking and loss of privacy, it is noted that all the windows on the northern elevation including the dormers are to be high level windows with cills at 1600 mm above finished floor level. As such overlooking should not be significantly intrusive.

It is noted that strictly speaking the proposal appears to be contrary to side space policy (H9) in that a side space of 1 metre is not provided. However, the building appears to be proposed on the same boundary as existing. It is noted that the properties in Devonshire Square are terraced and therefore it would seem that there would not be a loss of spatial standards in this case.

A car parking survey is awaited and the fact the no car parking is provided as part of this scheme must be a key consideration. This will be addressed following the results of this survey.

It is noted that there is no amenity space provided with this proposal. Members must also consider whether the number of units proposed as part of this development is acceptable.

However, it is noted that the site is a short walk to the Town Centre and therefore appears to be a sustainable location.

It is clear that there will be an impact on the adjacent properties as a result of this proposal and a judgement needs to be made about whether the impact is unduly harmful. Accordingly, Members will need to take account of the plans that have been submitted for this site and the comments made by residents during the consultation period. Bearing in mind the issues in this case and the concerns raised locally this application is presented on list 2 of the agenda.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03584 and 09/000852, 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 | ACD02 | Surface water drainage - no det. submitt |
| | ACD02R | Reason D02 |
| 4 | ACK09 | Soil survey - contaminated land |
| | ACK09R | K09 reason |
| 5 | ACK01 | Compliance with submitted plan |

Reason:

- | | | |
|---|--------|-------------------|
| 6 | ACI21 | Secured By Design |
| | ACI21R | I21 reason |

7 Reasons for granting permission:

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- BE1 Design of new development
- H1 Housing supply
- H7 Housing density and design
- T3 Parking
- T18 Road safety

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent properties
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the privacy of occupiers of adjacent and nearby properties
- (g) the safety of pedestrians and motorists on the adjacent highway
- (h) the safety and security of the building and the spaces around it
- (i) the accessibility to the building
- (j) comments received during the consultation period of the application
- (k) the housing policies of the Unitary Development Plan
- (l) the urban design policies of the Unitary Development Plan
- (m) the high quality design of the proposed building
- (n) the visual improvement to the area

and having regard to all other matters raised.

INFORMATIVE(S)

- | | | |
|---|-------|---------------------------------------|
| 1 | RDI10 | Consult Land Charges/Street Numbering |
| 2 | RD129 | EHO – Contact Pollution Team |

Reference: 09/00852/FULL1

Address: 44 Napier Road Bromley BR2 9JA

Proposal: Demolition of existing building and erection of two storey block with accommodation in roof space comprising 3 one bedroom and 1 two bedroom units



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 : 09/00911/FULL6 Ward : Shortlands

**Address : 2 Whitecroft Close Beckenham Kent Conservation Area:NO
BR3 3AN**

OS Grid Ref: E: 538654 N: 168365

Applicant : Mr. John Ward Objections: YES

Description of Development:

First floor extension including 3 front and 4 rear dormer extensions. Single storey rear extension (Amendment to scheme permitted under ref: 08/02033 to include elevational alterations to front and rear, front porch and rear extension)

Proposal

The application seeks to amend a previous permission (ref. 08/02033) under which permission was granted for a first floor extension to the existing bungalow including 3 front and 4 rear dormer extensions and a single storey rear extension the width of the bungalow and 2.4m deep. It is now proposed to add an orangery to the right hand side of the approved ground floor rear extension. A front porch is also shown to be added. At first floor the useable floor area is extended towards the eaves with the result that to keep the same overall height a significant flat area to the top of the roof is proposed.

Location

The site is located towards the eastern end of Whitecroft Close within the Park Langley ASRC. The existing property is a detached bungalow.

Comments from Local Residents

Concerns are expressed by the residents of 1 and 3 Whitecroft Close:

- the increase in roof pitch and bulk is an overdevelopment ,detrimental to the close and the ASRC
- first floor amendments create loss of light privacy and outlook

- the amended plans are a departure from the style of the close

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

- BE1 General Design
- H8 Residential Extensions
- H10 Areas of Special Residential Character

Planning History

Under planning application ref. 08/02473, planning permission was granted for a first floor extension to the existing bungalow including 3 front and 4 rear dormer extensions and a single storey rear extension the width of the bungalow and 2.4m deep.

Conclusions

The principal planning issues in this case relate to the impact of the proposals on the character and appearance of the host building, the street scene in general and the ASRC; and the impact of the proposals on the living conditions and amenities of the neighbouring residents.

The principle of extending the property has been established by the earlier permission. It is not considered that in themselves the addition of the orangery and the porch are unacceptable. However Members will wish to give consideration to the impact of the significant change to the design of the property in the extended first floor now proposed and in particular the loss of the ridged roof and the flat roofs to the dormers.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/02473 and 09/00911, 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
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC04
ACC04R | Matching materials
Reason C04 |
| 3 | Reasons for granting permission: | |

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

- BE1 Design of new development
- H8 Residential extensions
- H10 Areas of Special Residential Character

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding area and ASRC
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the privacy of occupiers of adjacent and nearby properties
- (g) the urban design policies of the development plan

and having regard to all other matters raised including letters of objection.

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

- 1 The proposed first floor extension would be harmful to the appearance of the host dwelling and the Park Langley ASRC by reason of its design and bulk contrary to Policies BE1 and H10 of the Unitary Development Plan.

Reference: 09/00911/FULL6

Address: 2 Whitecroft Close Beckenham Kent BR3 3AN

Proposal: First floor extension including 3 front and 4 rear dormer extensions. Single storey rear extension (Amendment to scheme permitted under ref: 08/02033 to include elevational alterations to front and rear, front porch and 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

SECTION '3' – Applications recommended for PERMISSION, APPROVAL or CONSENT

14. Application No : 08/04235/FULL1 Ward : Chelsfield And Pratts Bottom

**Address : 7 Sevenoaks Road Pratts Bottom Conservation Area:NO
Orpington Kent BR6 7SQ**

OS Grid E: 547210 N: 162710

Ref:

Applicant : The Pine Shop Objections : YES

Description of Development:

Detached three storey building comprising 2 class A1 retail units on ground floor with 2 two bedroom flats above and 6 car parking spaces at front with bin store.

Proposal

It is proposed to demolish the existing buildings on the site, and erect a detached three storey building comprising two Class A1 retail units on the ground floor, with a separate two bedroom maisonette provided on the first and second floors above each shop.

A total of 6 car parking spaces would be provided to the front of the site, with a bin store located adjacent to No.5

Location

The site is located mid way along Sevenoaks Road, a short distance from St. Benjamins Drive and the roundabout-controlled junction with Rushmore Hill. The site is currently used as a furniture shop with a residential flat above, and has two detached single storey structures at the rear which are used as a store and workshop.

Originally the plot within which this building sat extended to approximately 75m in depth in line with the flank boundary with No.6 Prospect Cottages. The site was subsequently divided into 3 separate plots.

The application site is bounded to the east by a terrace of 3 buildings with commercial ground floors and what appears to be residential upper floors and to the west is Clarence House which is a modern office building. The area is a mix of residential and commercial uses, although the wider surrounding area is mainly residential in character.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received from Pratts Bottom Residents' Association which are summarised as follows:

- out of character with the surrounding area
- no customer parking provided
- lack of demand for retail shops

Comments from Consultees

The Council's highway engineer raises no objections to the parking provision and layout proposed, but does query the plotting of the slip road to the front and the alignment of the north-western corner of the site boundary.

The Environment Agency and Thames Water raise no objections to the proposals, and no concerns are raised by the Council's drainage engineers.

Environmental Health raise no concerns to the proposals, while the Council's Waste Advisors comment that refuse and recycling for the flats should be picked up from the front of the premises.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

- H7 Housing
- BE1 Design of new development
- BE2 Mixed Use Developments
- T11 New Accesses
- T3 Parking

3A.1 Increasing London's supply of housing

3A.3 Maximising the potential of sites

National guidance in PPS3 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.

Planning History

Under ref. 07/03220, planning permission was refused for a two storey building with accommodation in the roof space comprising 2 ground floor retail shops with 2 one bedroom and 2 two bedroom flats on the upper floors, and 6 parking spaces at the front and rear. The reasons for refusal related to the cramped overdevelopment of the site caused by the excessive coverage by buildings and hard surfaces along with lack of amenity space, the lack of a minimum 1m side space to the flank boundary, and the inadequate sightlines to the access which along with increased vehicular movements associated with the site, would be prejudicial to highway safety along the access and service road.

Under ref. 08/00803, planning permission was refused for a two storey building with accommodation in the roof space comprising 2 ground floor retail shops with 2 two bedroom flats on the upper floors, and 4 parking spaces at the front and 2 at the rear. The grounds related to the number of units proposed and the excessive site coverage by buildings and hard surfaces which would constitute a cramped overdevelopment of the site.

In respect of the other 2 plots resulting from the sub-division of No.7 Sevenoaks Road, the following applications have been determined:

Under planning ref. 07/00127, planning permission was refused for 3 three bedroom dwellings at the rear of No 7 Sevenoaks Road on grounds related to cramped overdevelopment, inadequate access resulting in highway safety issues and the impact on residential amenity due to the increased use of the access road and siting of the dwelling.

Under planning ref. 07/01307, planning permission was also refused for 2 two storey 4 bedroom detached houses with accommodation in roof space and 3 car parking spaces on land at Ethel Terrace on cramped overdevelopment and highways grounds. The subsequent appeal was dismissed on grounds relating to its cramped appearance.

Under planning ref.08/00313, planning permission was refused for the erection of a pair of semi-detached 4 bedroom houses and 4 car parking spaces on land rear of Ethel Terrace on grounds related to cramped overdevelopment, and the appeal was dismissed in October 2008.

A further application ref. 09/00559, for a single detached dwelling on land at Ethel Terrace is due to be considered at committee on 14th May, and Members will be advised of the decision.

Conclusions

The primary issues in this case are whether the revised scheme has satisfactorily overcome the previous grounds for refusal, and whether the proposals would now result in a satisfactory form of redevelopment which respects the character of the surrounding area and the amenities of nearby residents, and provides adequate parking and means of access to the development.

The main differences between the current application and the redevelopment scheme most recently refused (08/00803) are as follows:

- approximate 45% reduction in footprint of building
- all 6 car parking spaces provided at the front of the site (2 were previously proposed at the rear)
- reduced hard surfacing and increased rear amenity areas for the residential units
- overall height of building slightly increased (by 0.4m), but roof design altered to provide hipped rather than gable ends.

The revised scheme has significantly reduced the footprint of the building and the amount of hard surfacing provided due mainly to the removal of the rear car parking area, and has thus increased the amenity area to serve the residential flats.

Separations of 1.2m are provided to each flank boundary of the site, and the building has been redesigned with a hipped roof and recessed aspects to each side of the building in order to lessen its impact in the street scene.

The proposals are not now considered to result in a cramped overdevelopment of the site but would sit comfortably in the street scene, and would provide adequate parking and amenity areas for future occupiers.

Background papers referred to during production of this report comprise all correspondence on files refs. 07/00127, 07/01307, 07/03220, 08/00559, 08/00803 and 08/04235, excluding exempt information.

as amended by documents received on 02.04.2009

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACA07
ACA07R | Boundary enclosure - no detail submitted
Reason A07 |
| 3 | ACC01
ACC01R | Satisfactory materials (ext'n'l surfaces)
Reason C01 |

- 4 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 5 ACH11 Visibility splays (new buildings) (3 in) parking spaces
2.0m x 2.0m 1.0m
ACH11R Reason H11
- 6 ACH22 Bicycle Parking
ACH22R Reason H22
- 7 ACH24 Stopping up of access
ACH24R Reason H24
- 8 ACH27 Arrangements for construction period
ACH27R Reason H27
- 9 ACH32 Highway Drainage
ACH32R Reason H32
- 10 ACI12 Obscure glazing (1 insert) to the kitchens in the first floor
side elevations
ACI12R I12 reason (1 insert) BE1
- 11 ACI17 No additional windows (2 inserts) western and eastern
flank building
ACI17R I17 reason (1 insert) BE1
- 12 ACI21 Secured By Design
ACI21R I21 reason
- 13 ACK04 Demolition of existing building (see D10)
ACK04R K04 reason
- 14 If, during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by or on behalf of the Local Planning Authority) shall be carried out until the developer has submitted and obtained written approval from the LPA for an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

Reason: To ensure that the development complies with approved details in the interests of Controlled Waters.

15 **Reasons for granting permission:**

The decision to grant planning permission has been taken in accordance with the London Borough of Bromley Unitary Development Plan including the policies set out below, and taking into account all other relevant material planning considerations:

- BE1 Design of New Development
- H7 Housing Density and Design
- BE2 Mixed Use Developments
- T11 New Accesses
- T3 Parking

The development is considered to be satisfactory in relation to the following:

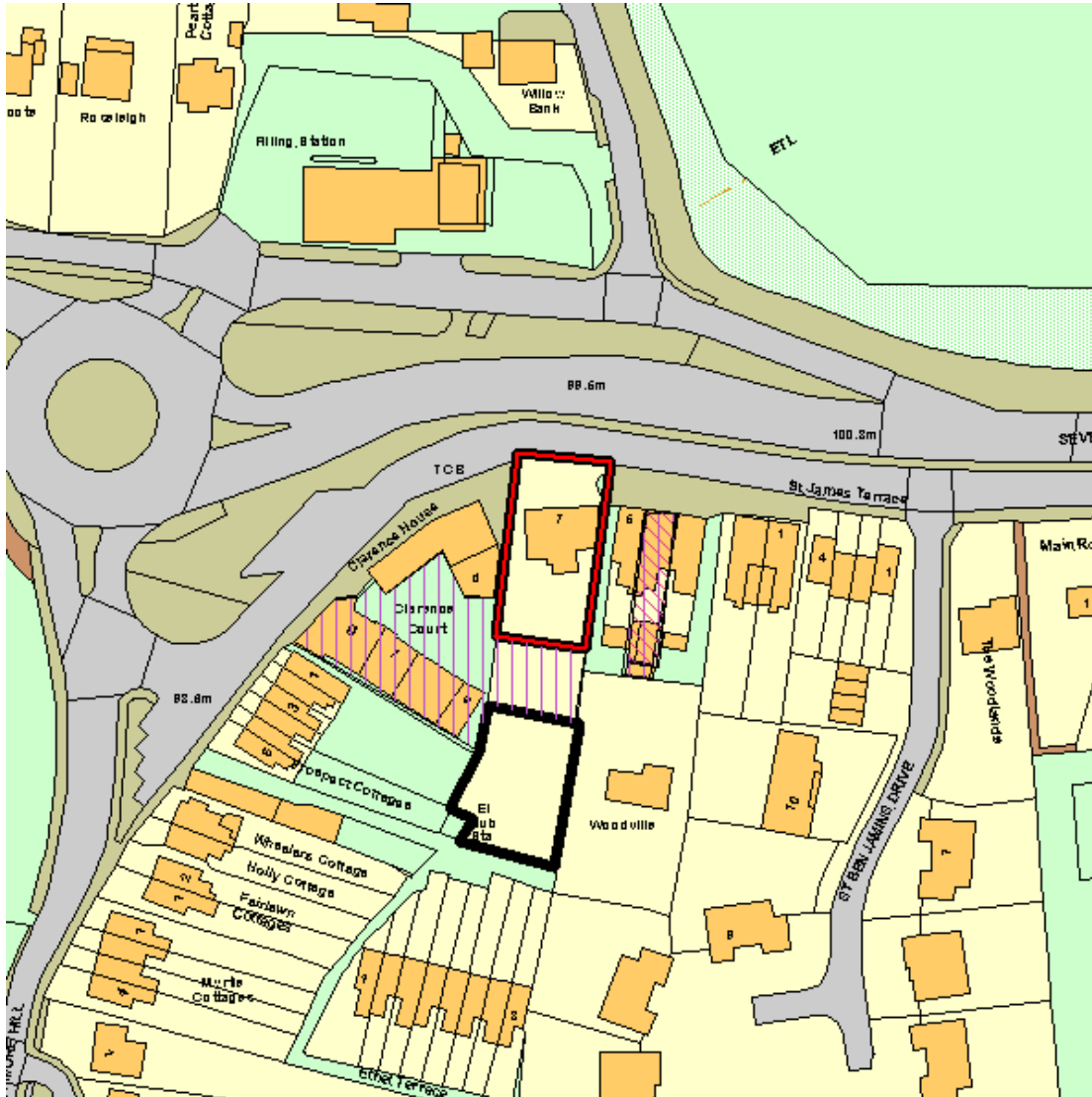
- (a) the visual impact on the street scene
- (b) the impact on the amenities of the occupiers of nearby residential properties
- (c) the relationship of the development to adjacent property
- (d) the safety of pedestrians and motorists on the adjacent highway
- (e) the provision of satisfactory living accommodation for future residents of the flats

and having regard to all other matters raise, including neighbours concerns.

Reference: 08/04235/FULL1

Address: 7 Sevenoaks Road Pratts Bottom Orpington Kent BR6 7SQ

Proposal: Detached three storey building comprising 2 class A1 retail units on ground floor with 2 two bedroom flats above and 6 car parking spaces at front with bin store.



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 : 09/00433/FULL6 Ward : Kelsey And Eden Park

Address : 35 Kelsey Way Beckenham Kent BR3 3LP Conservation Area:NO

OS Grid E: 537178 N: 168740

Ref:

Applicant : Mr And Mrs Stanborough Objections : YES

Description of Development:

Two storey side and single storey rear extension

Proposal

The development proposes the demolition of the existing single storey detached garage which is located towards the eastern boundary with No. 33 and the construction of a two storey side and single storey rear extension.

The proposed extension is to accommodate a new kitchen and integral garage at ground floor and increase the size of the bedrooms at first floor.

Location

The application site is within a predominantly residential area consisting of a mixture of large detached and semi detached residential properties constructed during the 1920's and 30's set within generous plots.

Comments from Local Residents

- the two storey extension is located close to the boundaries of the site and may cause damage such as subsidence to neighbouring housing.
- the visual impact is overwhelming reducing existing spatial standards
- the development would result in loss of light and outlook
- the development would appear cramped
- if allowed this would encourage similar proposals reducing the areas spatial standards and character

- the properties within Kelsey Way all maintain generous spatial separation to the side boundaries reflecting the design characteristics of the adjoining Manor Way conservation area.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

BE1 General Design
H8 Residential Extensions
H9 Side Space

Planning History

There is no planning history at this site.

Conclusions

The main issues in this case are whether the current proposals would result in an overdevelopment of the site, whether they would adequately protect the amenities of adjacent residents in terms of light, privacy and outlook, whether the proposal would significantly harm the spatial standards of the locality and be in keeping with the character and appearance of the area and street scene in general

Policy BE1 requires a high standard of design in new development and the scale and form of new residential development to be in keeping with the surrounding area, and the privacy and amenities of adjoining occupiers to be adequately safeguarded.

Policies H8 and H9 draws attention to the need to respect the character, appearance and spatial standards of the surrounding area. The characteristics of the area are predominantly that of detached and semi detached dwellings.

In addition Policy H9 states that when considering applications for development comprising two or more storeys in height, the Council will normally require the following:

- (i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or
- (ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

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

It is noted that the proposal does comply with the side space requirements of Policy H9, providing a 1 metre distance towards the boundary. The property is not located on a corner plot, nor is it within a conservation area or an ASRC. It is therefore considered that it would not lead to terracing or a cramped form of development as a certain degree of spatial separation is still maintained. Nor is it considered that the proposal results in any significant loss of amenity to local neighbours due to the remaining spatial separation between the dwellings, the orientation of the site and the location of the extension.

Members may agree that this proposal is acceptable and would not result in a detrimental impact on the residential amenities of neighbouring properties nor impact detrimentally on the character of the area or the street scene generally.

Background papers referred to during production of this report comprise all correspondence on file ref. 09/00433, 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 ACI12 Obscure glazing (1 insert) on the eastern elevation
Reason: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interests of the residential amenities of the adjacent properties.
- 4 ACI17 No additional windows (2 inserts) eastern extension
Reason: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interests of the residential amenities of the adjacent properties.

5 Reasons for granting permission:

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

BE1 Design of new development

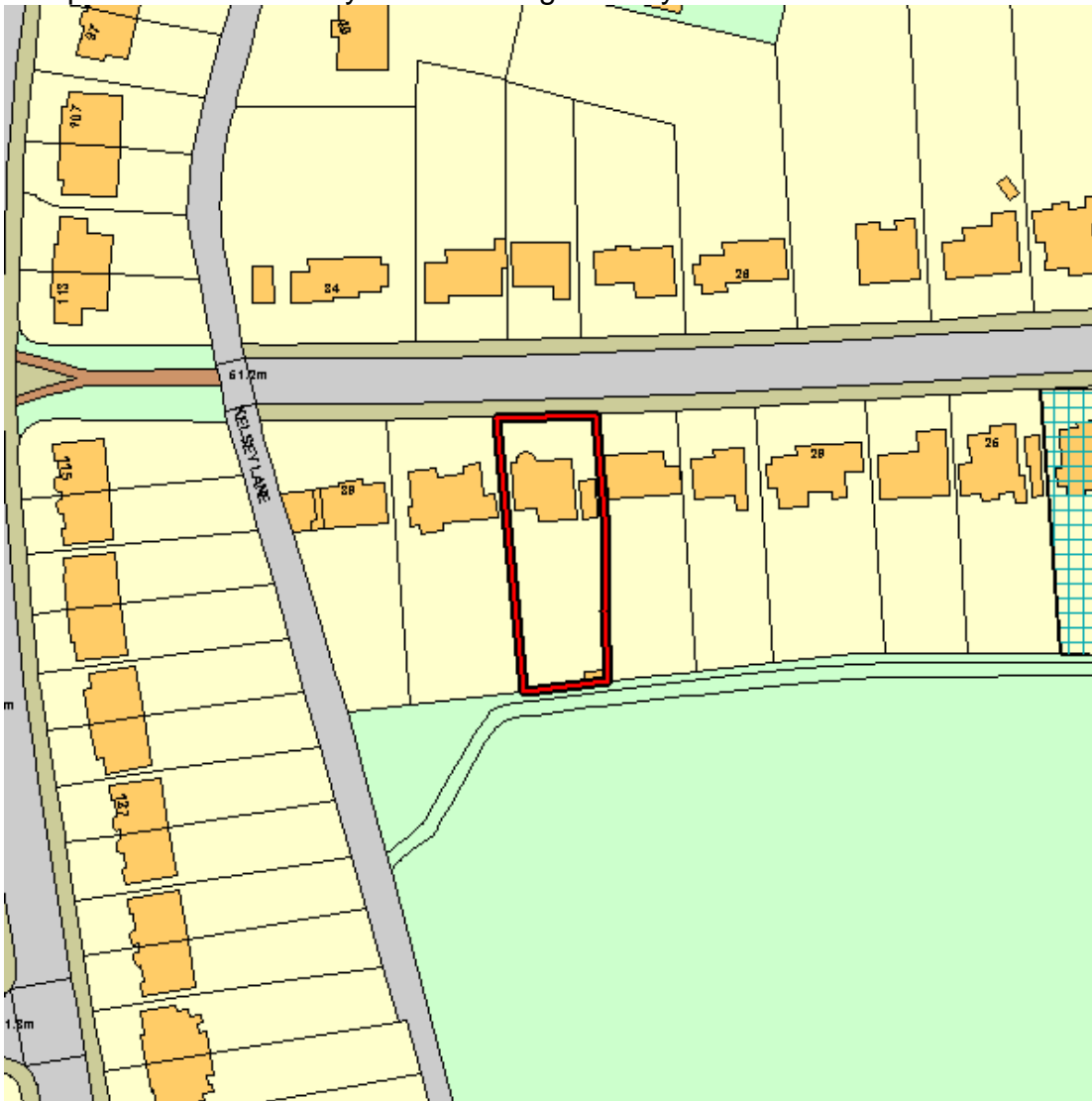
- H8 Residential extensions
- H9 Side space

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent property;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the light and outlook of occupiers of adjacent and nearby properties;
- (f) the privacy of occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

Reference: 09/00433/FULL6
Address: 35 Kelsey Way Beckenham Kent BR3 3LP
Proposal: Two storey side and 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

16. Application No : 09/00494/FULL6 Ward : Plaistow And Sundridge

Address : 17 Henry Street Bromley BR1 3JB Conservation Area:NO

OS Grid E: 540822 N: 169914

Ref:

Applicant : Mrs Priscilla Simmons Objections : YES

Description of Development:

First floor rear extension

Proposal

It is proposed to construct a first floor rear extension above an existing ground floor extension to accommodate a larger bedroom.

The proposed extension is of the same footprint as the ground floor and is located some 0.920m from the western boundary at its closest point.

Location

The application site is an end of terraced two storey residential dwelling located at the western end of Henry Street. The area is predominantly residential in character predominantly consisting of terraced houses towards the east and south.

The application property is at the end of the street and towards the west adjoins the boundaries of the rear gardens of the properties fronting Hawes Road. A ground floor extension was constructed under permitted development at this property in 1988 for which a building regulations application was applied for.

Comments from Local Residents

There is an existing tree close to the boundaries of the site which may need to be pruned or chopped as a result of the extension. If the tree is cut back or down the extension would be visible and there would be a significant loss of privacy.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

- BE1 General Design
- H8 Residential Extensions
- H9 Side Space

Planning History

Under application ref. 08/04109, an application for a certificate of lawfulness was refused for a first floor rear extension. The proposal was considered not to fall within the tolerances of permitted development and required planning permission.

Conclusions

The main issues in this case are whether the current proposals would result in an overdevelopment of the site, whether they would adequately protect the amenities of adjacent residents in terms of light, privacy and outlook, whether the proposal would significantly harm the spatial standards of the locality and be in keeping with the character and appearance of the area and street scene in general

Policies H8 and H9 draws attention to the need to respect the character, appearance and spatial standards of the surrounding area. The characteristics of the area are predominantly that of terraced dwellings.

In addition Policy H9 states that when considering applications for development comprising two or more storeys in height, the Council will normally require the following:

- (i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or
- (ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties.

As previously mentioned the proposed extension is intended to be above an existing ground floor extension of the same footprint. Although the proposal does not comply with the side space requirements of Policy H9, it is considered that it would not lead to terracing or a cramped form of development or result in a loss of amenity to local neighbours due to the host dwelling being at the end of the street and adjacent to the existing rear gardens of properties located in Hawes Road.

An amended block plan has now been submitted which indicates correctly both trees which are located within the rear gardens of adjacent properties. The applicant has confirmed in writing that only 3 branches which overhang the boundary will be cut back, the largest of which is only some 50mm in diameter.

Members may agree that this proposal is acceptable and would not result in a detrimental impact on the residential amenities of neighbouring properties nor impact detrimentally on the character of the area or the street scene generally.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/04109 and 09/00494, excluding exempt information.

as amended by documents received on 06.05.2009

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 ACI17 No additional windows (2 inserts) eastern extension
- Reason:** In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interests of the residential amenities of the adjacent properties.

4 Reasons for granting permission:

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

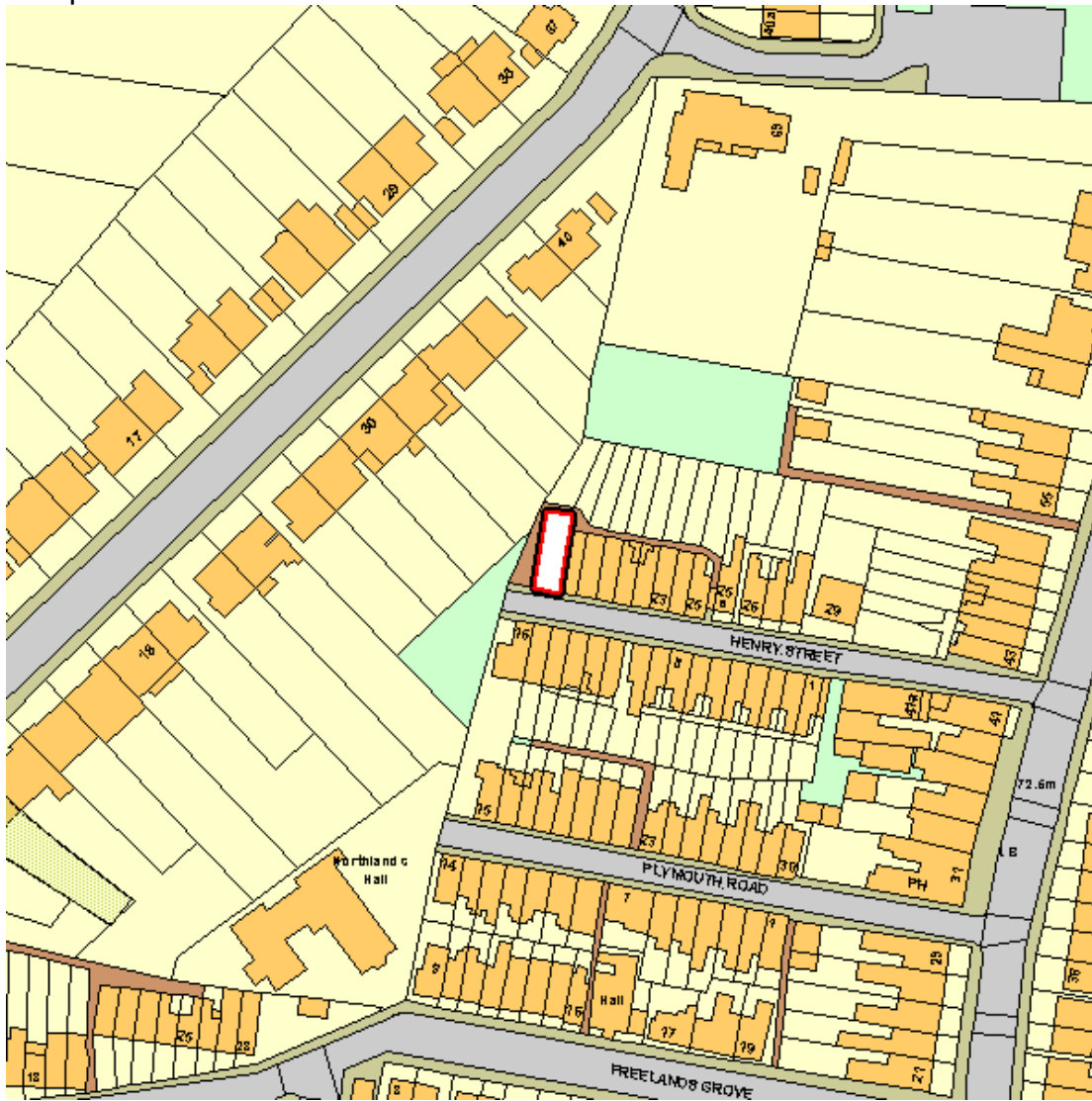
- BE1 Design of new development
- H8 Residential extensions
- H9 Side space

The development is considered to be satisfactory in relation to the following:-

- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent property;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the light and outlook of occupiers of adjacent and nearby properties;
- (f) the privacy of occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

Reference: 09/00494/FULL6
Address: 17 Henry Street Bromley BR1 3JB
Proposal: First floor 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

teachers (usually 3-6 at a time) observing in the classroom or the next door group rooms.

- the second envisaged use is for up to 20 teachers to take part in workshops with expert teachers guiding them.
- approximately twice a year seminars of up to 80 teachers will take place using the lecture theatre with the group rooms providing 'break out' areas. This larger event would only take place on inset days when the pupils are not attending the college.

Vehicular access for users of the centre would be via the existing front entrance on Sevenoaks Way. A total of 12 parking spaces would be provided in the area adjacent to the centre. To facilitate access to these new spaces 4 existing spaces would be removed resulting in a net gain of 8 spaces.

Location

The college has an area of 8 hectares in size and it is bounded by the A20 and residential properties to the north, Sevenoaks Way to the east, the residential street of The Avenue to the west and residential properties in Valley Road to the south. The buildings on the site are all Grade II listed but the principal architectural interest lies in the original 1930's buildings defined by the linear ribbon windows which include the curved front stair tower and the assembly hall. There have been numerous extensions over the years with 4 new buildings added in the last 15 years.

Comments from Local Residents

No comments have been received from local residents.

Comments from Consultees

The Tree Officer has raised concerns as the scheme initially showed 4 trees to be removed to allow the construction of the access to the car parking spaces. However the method of constructing this surface has been amended and the trees can now be retained. Relevant construction and protection conditions are recommended. The Heritage and Urban Design Team have no objections to the proposed building.

English Heritage raises no objections from an archaeological point of view.

The Council's Highway Engineer has expressed some concern that there could be conflict between staff parking and on site parking for the centre on days where both the school and centre are in operation. A condition limiting the number of visiting teachers on days when the school and centre are both in use is recommended. In addition the applicant has agreed to submit a scheme for a permanent 'no right turn' for vehicles leaving the site onto Sevenoaks Way which

would be implemented prior to the first use of the Training Centre. Finally a condition requiring a car park management plan is recommended.

With regard to drainage the applicant proposes to use an existing deep bore soakaway on the site for the disposal of surface water. A condition has been recommended requiring details of a surface water drainage scheme to be submitted to ensure the soakaway has capacity to deal with the run off from the proposed building.

Planning Considerations

The site is designated Urban Open Space in the Bromley Unitary Development Plan and is in an Area of Archaeological Significance.

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

- G8 Urban Open Space
- T3 Parking
- T18 Road Safety
- BE1 Design of New Development
- BE8 Statutory Listed Buildings
- BE16 Ancient Monuments and Archaeology

In strategic terms the most relevant London Plan policies are

- 3A.24 Education facilities
- 4B.11 London's built heritage
- 3C.23 Parking

The relevant national policy documents for consideration of this application are

- PPG 13: Transport
- PPG15: Historic Environment

Planning History

There have been several permissions granted for additional teaching facilities on the site, namely

95/01131 : detached two storey building with 2 towers for additional classrooms, office, toilets and plant room together with a covered way and the provision of an additional 20 bay car park.

97/01845 : two storey building for a new teaching block with single storey link to existing first floor extension to laboratory building and additional 7 car parking spaces.

99/00118 : two storey block comprising drama, art and class rooms, covered link and 6 car parking spaces

07/01815 : single storey extension to humanities block and covered link between dining and main teaching block

All of these permissions have been implemented.

Conclusions

The main issues to be considered are the principle of establishing the teachers training centre at Kemnal College, the impact of the proposed building on the designated urban open space and on the listed building and the acceptability of providing an additional 8 parking spaces on the site.

With regard to the need to provide this facility at Kemnal College the applicant advises that Kemnal College is the lead school for the Kemnal Trust. The other schools are dynamic in that they leave the Trust as their academic performance improves leaving the way for other schools to join as the need arises. In addition the Trusts management and administrative staff are based at Kemnal College using facilities in the existing buildings. For these reasons it would not be appropriate to locate the centre at any other school site.

Turning to the impact of the building on the urban open space, the building does increase the overall site coverage by 435 sq m. As previously mentioned extensions have been added to the college over a period of time mostly in response to the Borough's request for expansion of the College. There has been a net increase in floorspace resulting from 4 extensions since 1995 amounting to 3216 sq m. To minimise the visual impact of the current proposal on the open nature of this 8 hectare site the architects have designed the building to be single storey with a curved external façade and located it within the 'envelope' of the existing buildings. It is recognised that there will be a small loss of open space as a result of this application but Members may agree that the use relates to the existing use of the site for educational purposes and the impact would be minimised through the careful design and siting of the proposed building.

The College is a Grade II listed building. It is therefore important that the any new development respects the architectural features and setting of the existing building. The proposed building would extend the eastern elevation which is of special architectural interest. The new building would be detached to separate it from the main building and would be single storey with a mono pitched roof to minimise the visual impact. The external finish would reflect the simple linear design of the existing buildings with smaller windows on the eastern elevation and the main windows on the internal face away from the noise of the A20.

With regard to highways issues the additional car parking proposed has been kept to a minimum, largely by site constraints. The applicant has advised that car

sharing by visiting teachers can be effectively managed as these teachers are likely to be coming from only one or two schools at any one time. In addition a condition has been recommended restricting the use of the centre to no more than 20 visiting teachers on any days when the centre and the college are simultaneously open. With regard to the impact on the use of the existing vehicular access from Sevenoaks Way this would be minimised by the applicants agreement to implement a scheme to prevent vehicles leaving the site from turning right in to Sevenoaks Way. This would improve traffic flow from the site and safety for vehicles moving on to Sevenoaks Way. In addition the applicants' has agreed to submit and implement a Parking Management Plan for all of the parking spaces accessed from Sevenoaks Way to ensure the parking to support this proposed building is used most effectively.

The additional building and parking spaces to provide facilities to continue the work of the Kemnal Trust have been carefully located and designed to minimise the impact on the open nature of this site and the listed building.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|----|--------|---|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACB01 | Trees to be retained during building op. |
| | ACB01R | Reason B01 |
| 4 | ACB02 | Trees - protective fencing |
| | ACB02R | Reason B02 |
| 5 | ACB16 | Trees - no excavation |
| | ACB16R | Reason B16 |
| 6 | ACC01 | Satisfactory materials (ext'n'l surfaces) |
| | ACC01R | Reason C01 |
| 7 | ACD02 | Surface water drainage - no det. submitt |
| | ACD02R | Reason D02 |
| 8 | ACD04 | Foul water drainage - no details submitt |
| | ACD04R | Reason D04 |
| 9 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 10 | ACH04 | Size of parking bays/garages |
| | ACH04R | Reason H04 |
| 11 | ACH30 | Travel Plan |
| | ACH30R | Reason H30 |
| 12 | ACI21 | Secured By Design |
| | ACI21R | I21 reason |
| 13 | ACL01 | Energy Strategy Report |

ACL01R L01 reason

- 14 Details of a scheme to create a permanent 'no-right turn' for vehicles exiting the site on to Sevenoaks Way shall be submitted to and approved in writing by the Local Planning Authority, and the approved scheme shall be implemented prior to the first use of the Teacher Training Centre and retained thereafter.

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

- 15 Details of a scheme for the management of the car parking area accessed from Sevenoaks Way shall be submitted to and approved in writing by the Local Planning Authority before any part of the Teacher Training Centre is first used and the car park shall be operated in accordance with the approved scheme at all times unless previously agreed in writing by the Authority.

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

- 16 The Training Centre hereby permitted shall be used by no more than 20 visiting teachers at any one time on those days that the Training Centre and Kemnal College are simultaneously in use.

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

17 **Reasons for granting permission:**

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development and London Plans:

G8 Urban Open Space
T3 Parking
T18 Road Safety
BE1 Design of New Development
BE8 Statutory Listed Buildings
BE16 Ancient Monuments and Archaeology

3A.24 Education facilities
4B.11 London's built heritage
3C.23 Parking

The development is considered to be satisfactory in relation to the following:

- a) the appearance of the development and its relationship to the adjacent listed building

- b) the safety of pedestrians and motorists in the adjacent highway
- c) sustainability issues
- d) the urban open space policies of the development plan
- e) the relationship of the development to trees to be retained
- f) the archaeology policies of the development plan

and having regard to all other matters raised.

Reference: 09/00747/FULL1

Address: Kemnal Technology College Sevenoaks Way Sidcup Kent DA14 5AA

Proposal: Single storey building for teacher training centre and 12 car parking spaces
(net increase of 8 spaces)



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 : 09/00948/TELCOM Ward :
Clock House**

**Address : Flower Beds Opposite Ends Of Road Conservation Area:NO
Bridge Elmers End Road Beckenham
Kent**

OS Grid E: 535717 N: 168509

Ref:

Applicant : Telefonica O2 UK Ltd

Objections : YES

Description of Development:

12.5 metre high telecommunications mast with associated equipment cabinets at ground level CONSULTATION BY O2 LTD FOR PRIOR APPROVAL OF SITING AND APPEARANCE

Proposal

It is proposed to install a 12.5 metre high pole incorporating three antennas located at the top.

Two associated equipment cabinets are proposed at ground floor level.

Location

The application site is located on the pavement flowerbeds at the junction of the entrance road into Elmers End railway Station. The surrounding area is predominantly residential in character towards the north and east. Towards the south and west is located Goals Sports Football Centre with associated car parking and football pitches. Further to the southwest is South Norwood Country Park.

Comments from Local Residents

The mast should be sited further away as in its current location it will be highly visible and spoil existing views from residential properties.

This should be sited further away as it will cause harm to the street scene.

Comments from Consultees

No technical highways objections are raised however it is suggested that if approved a condition is imposed on any approval to ensure the area around the mast is appropriately enclosed and gated to minimise the potential of vandalism. A further condition is suggested requiring the details of the servicing arrangements and a traffic management plan to be submitted prior to any work commencing on site.

With regards to environmental health issues, no objections are raised.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

BE22 Telecommunications
BE1 Design of New Development

PPG8 is also of relevance.

Conclusions

Within its submission and supporting documents the agents for this application include a Technical Justification for the siting of the installation which is required to provide mobile phone coverage to the surrounding area.

The main issue is the impact of the proposal on the visual amenities of the area.

Members will note that with all telecommunications applications there is a balance between the technical need and the amenities of the area.

In this case the new mast would be visible from the public realm being located alongside the highway at Elmers End Road close to the junction with the station car park. However there are existing tall lampposts and lighting columns along the street together with existing road signs and mature trees. The proposal is to be of a similar height to the existing structures within the street scene. When considered in the context of these existing vertical elements, Members may agree that the proposal is acceptable in terms of the impact on the street scene and visual amenity of the area.

In light of the above comments, it is considered that the overall impact of the proposed installation on the area and the street scene in general would be minimal and that the siting and appearance of the mast is appropriate in this instance.

Background papers referred to during production of this report comprise all correspondence on file ref. 09/00948, excluding exempt information.

RECOMMENDATION: APPROVAL OF SITING AND APPEARANCE NOT BE REQUIRED

1 Reasons for granting permission:

In granting permission, the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

BE1 Design of new development
BE22 Telecommunications Apparatus

The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the safety of pedestrians and motorists on the adjacent highway
- (g) the urban design policies of the development plan

and having regard to all other matters raised.

Reference: 09/00948/TELCOM

Address: Flower Beds Opposite Ends Of Road Bridge Elmers End Road
Beckenham Kent

Proposal: 12.5 metre high telecommunications mast with associated equipment
cabinets at ground level CONSULTATION BY O2 LTD FOR PRIOR
APPROVAL OF SITING AND APPEARANCE



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 4 – Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

19. Application No : 09/00015/FULL2 Ward : Bromley Common And Keston

Address : Wyvale Garden Centre Oakley Road Conservation Area:NO Bromley BR2 8HD

OS Grid Ref: E: 541988 N: 165177

Applicant : Almers Vehicle Hire (Mr Gary Duggan) Objections : NO

Description of Development:

Change of use of the part of ancillary car park (Class A1) to accommodate car hire company (Sui Generis) for 18 vehicles plus associated single storey detached building for ancillary office.
RETROSPECTIVE APPLICATION

Proposal

The current application seeks retrospective approval.

The proposal is for the change of use of part of the ancillary car park at the garden centre (Class A1) to accommodate a car hire company (Sui Generis) for 18 vehicles plus an associated single storey detached building for an ancillary office related to the car hire company.

The proposed parking spaces to be used by the car hire company are located to the north of the garden centre building and the main car park associated to this business.

The applicant states in effect that the parking spaces that are to be used as part of the current application are rarely used by the patrons of the garden centre and in fact are within the 'overflow' car park on the site. As such, there should be no

detrimental impact upon the customers of the garden centre as plenty of parking spaces still exist.

The single storey detached portable building to be used as an office ancillary to the proposed vehicle-hire company measures approximately 2.4m in width, approximately 6m in length and is located close to the existing access to the main site currently used as the 'exit'.

Whilst the 'design and access statement' associated with the application states that the office building does not require planning permission, it is considered that as the application site is located within Green belt designated land the site does not benefit from 'permitted development' rights and as such planning permission is in fact required.

Location

The application site is located on the corner of the crossroads of Oakley Road and Croydon Road, with the entrance and exit to the site being located on the western side of Oakley Road.

The application site currently has a lawful use as a garden centre, and there are two relatively large car parks on the site, one of which seeks to host a vehicle-hire company.

The application site is located within Green Belt designated land. The eastern boundary of the garden centre also forms the boundary of the Green Belt which stretches in a broadly northern and western direction from there. On the eastern side of Oakley Road opposite the garden centre lie residential properties in Oakley Drive with Nos. 1 and 2 having rear gardens bordering Oakley Road.

Comments from Local Residents

No comments have been received to date, any received will be reported verbally at the meeting.

Comments from Consultees

Thames Water raised no objections to the principle of development but would advise that petrol/oil interceptors be fitted in all facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

No objections were raised from Highways Drainage.

Any further comments will be reported verbally at the meeting.

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
G1 Green Belt

Planning Policy Guidance: Green Belts (PPG2) is also relevant to the current planning application. This document indicates a general presumption against inappropriate development within them. Paragraph 3.12 states in effect that the making of material changes in the use of land are inappropriate development unless they maintain openness and do not conflict with the purposes of including land in the Green Belt.

Planning History

In terms of planning history on the site, permission was refused for a retrospective application for the change of use of part of the car park to a hand car wash including canopy in June 2008 under ref. 08/01044. An appeal was lodged against the planning refusal but this was dismissed by The Planning Inspectorate under ref. AP/08/00335/S78.

The main issues considered during the previously refused planning application and subsequently dismissed appeal were based upon the whether the change of use was inappropriate development within the Green Belt; the effect on the living conditions of occupiers of neighbouring dwellings with respect to noise and disturbance from the car wash; and whether there were any material considerations sufficient to clearly outweigh any harm to the Green Belt and any other harm thereby justifying the proposal on the basis of very special circumstances.

Conclusions

The area highlighted for the vehicle-hire company occupies part of the garden centre car park, effectively a strip of land adjacent to the boundary between the entrance and exit to Oakley Road, along with a number of parking spaces in the centre of the northern most part of the site car park. The portable cabin may be relatively modest in size compared with the scale of the car park, and largely not visible from the public domain due to the boundary hedge and planting. Nevertheless, the range of services currently situated on the site is of a nature that would attract customers to the site other than those simply visiting the garden centre.

As such the increased vehicular activity to and from the site, and the use associated with the additional vehicular activity, is considered to have an adverse

impact on the openness of the Green Belt. This leads to the conclusion that the change of use is inappropriate development, contrary to PPG2 and Policy G1 of the London Borough of Bromley Unitary Development Plan (UDP) which follows a similar thrust.

Whilst the applicant states in effect that the residents of neighbouring properties may not be at any disadvantage due to the proposal as the opening hours specified will be the same as the opening hours for the existing garden centre on site, and the type of vehicle and quantity on site would not be at a noticeable difference, nevertheless these considerations are believed to be insufficient to outweigh the harm to the Green Belt by way of inappropriate development within a Green Belt location.

As a result Members may consider that very special circumstances which would justify the development do not exist and the proposal therefore would constitute inappropriate development within a Green Belt location which would cause harm to the openness of the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/01044 and 09/00015, 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 presumption against development not associated with the essential needs of agriculture, horticulture, forestry or predominantly open air recreation and the Council sees no special circumstances which might justify the grant of planning permission as an exception to Policy G1 of the Unitary Development Plan.

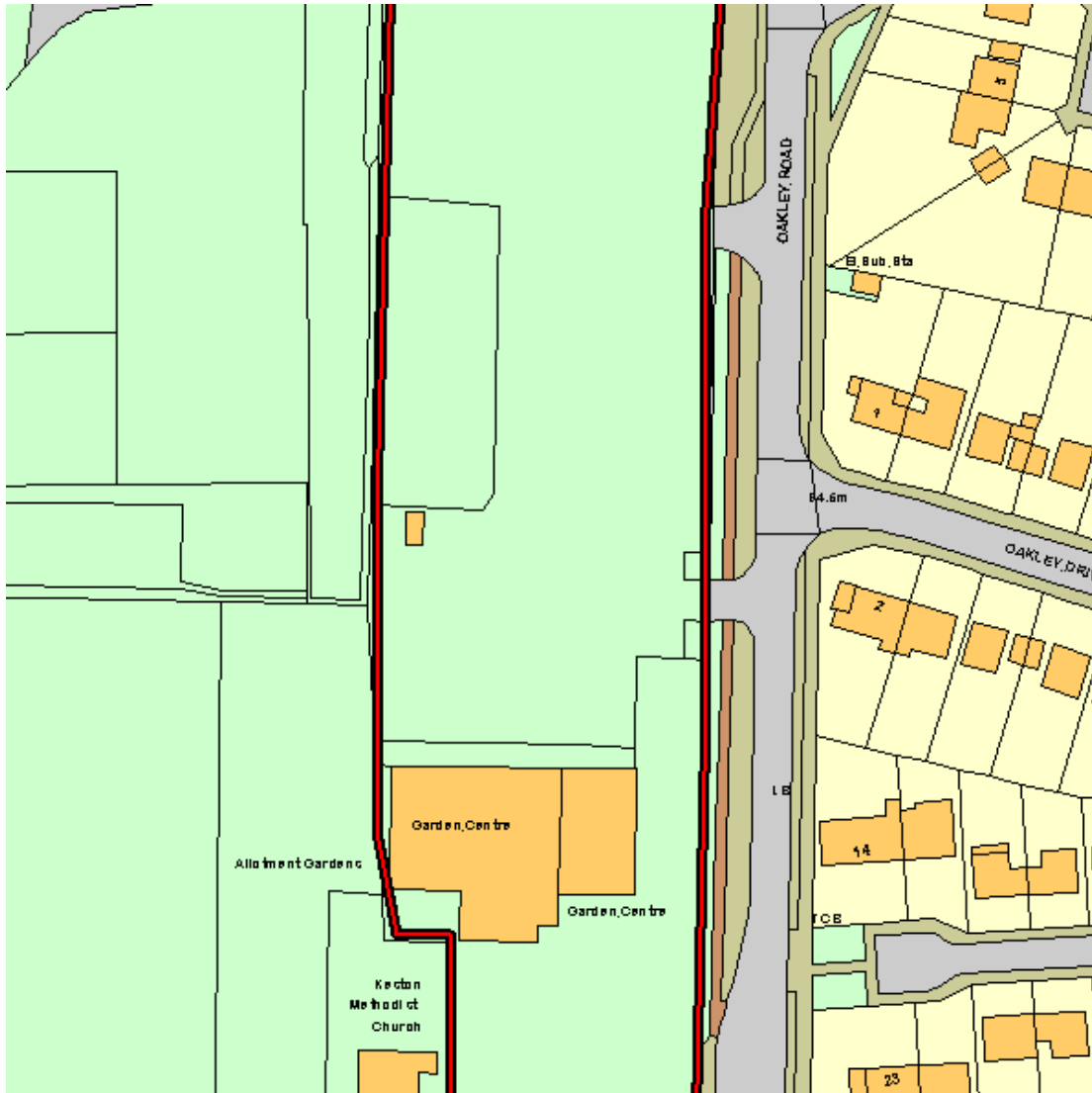
Further recommendation:

Enforcement action is authorised to secure the removal of the vehicle hire company and associated portable building located at this site and in the surrounding area.

Reference: 09/00015/FULL2

Address: Wyvale Garden Centre Oakley Road Bromley BR2 8HD

Proposal: Change of use of the part of ancillary car park (Class A1) to accommodate car hire company (Sui Generis) for 18 vehicles plus associated single storey detached building for ancillary office.
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