

LONDON BOROUGH OF BROMLEY

**TOWN PLANNING
RENEWAL AND RECREATION DEPARTMENT**

Committee (SC) on 17th September 2009

REPORT OF THE CHIEF PLANNER

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

NO APPLICATIONS

SECTION '2' - Applications meriting special consideration

1. Application No : 09/00556/FULL6 Ward : Bromley Common And Keston

Address : Farringleys Westerham Road Keston Conservation Area:NO Kent BR2 6HB

OS Grid Ref: E: 542306 N: 164292

Applicant : Mr And Mrs M Goldberg Objections: YES

Description of Development:

Two storey side extension

Proposal

The proposal seeks consent for a two storey side extension to the existing residential dwellinghouse.

The proposal involves the proposed demolition of the existing detached garage, a domestic outbuilding and the removal of a number of other outbuildings beyond the residential curtilage of the site. These outbuildings are numbered 1-10 on Plan Number MG/08/148/06/A, received as an amended plan on 3rd August 2009.

The proposed two storey side extension will measure approximately 11.8m in width at the front, approximately 10.9m in width at the rear, and approximately 7m in depth.

The height of the eaves for the extension will match the height of the eaves of the host dwellinghouse, and the main ridge of the roof over the extension will match the height of the ridge of the roof of the host dwellinghouse.

The extension has been proposed in order to house a sitting room and dining room at ground floor, and two additional bedrooms, a bathroom and en-suite at first floor.

From the plans it can be seen that the floor space of the proposed extension will measure approximately 165 sq m.

The floor space of the existing detached garage measures approximately 42 sq m.

Therefore the difference between the existing garage and the proposed extension is approximately 123 sq m.

When the floor space of the existing property (305 sq m) minus the floor space of the detached garage (262 sq m) is combined with the floor area of the proposed extension (165 sq m), the total floor space of the resulting property will measure approximately 428 sq m.

The ten outbuildings will also be demolished which will reduce the overall floor space area on the entire site.

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 is 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 (now included in application – as amended by docs received 3rd August 2009);
- 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 be no impact on trees of public amenity value.

A survey of fungi was carried out by the Council 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 therefore 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
- NE2 Development and Nature Conservation Sites
- H8 Residential Extensions

The application also falls to be considered under associated Green Belt policies of The London Plan (Consolidated with Alterations since 2008).

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. The floorspace of the permitted scheme was approximately 414 sq m.

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.

It should be noted that when 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.

A revised plan has been submitted on behalf of the applicant to illustrate that the outbuildings that were previously highlighted to be demolished as part of the previous planning consents do now form part of the current application and will be demolished as part of this scheme. In addition as the principle of a new

dwellinghouse has already been agreed, it may be considered that the current proposal will have less of an impact upon the Green Belt when compared with the previously approved schemes.

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, it may be considered that the proposed development would be acceptable due to the fact that the existing detached garage and ten outbuildings are to be demolished in order to compensate for the proposed extension. In addition, this proposal is an alternative to the large replacement house already permitted and is considered to have less overall effect. As such, the proposal may not lead to an overdevelopment of the residential dwellinghouse located within Green Belt land.

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.

as amended by documents received on 03.08.2009

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACB01 Trees to be retained during building op.
 ACB01R Reason B01
- 3 ACB02 Trees - protective fencing
 ACB02R Reason B02
- 4 ACB03 Trees - no bonfires
 ACB03R Reason B03
- 5 ACB04 Trees - no trenches, pipelines or drains
 ACB04R Reason B04
- 6 ACC01 Satisfactory materials (ext'n'l surfaces)
 ACC01R Reason C01
- 7 ACK08 Archaeological access
 ACK08R K08 reason
- 8 The following buildings on the site shall be demolished and the site cleared within 3 months of the first occupation of the dwelling hereby

permitted – the existing garage and the buildings numbered 1-10 on drawing no. MG/08/148/06/A.

Reason: To accord with the terms of the application and Green Belt policy.

9 A management plan, including features of biodiversity, wetlands, hedgerows, woodland, semi-natural grassland, habitat enhancement, long term design objectives, management responsibilities and maintenance schedules for the land outlines in red and blue at Farringleys as shown on drawing no. 01/12/04 shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The plan shall include arrangements and timetable for its implementation and shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of good arboricultural practice and the visual amenities of the area.

Reasons for granting permission:

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

- G1 The Green Belt
- G4 Dwellings in the Green Belt or on Metropolitan Open Land
- BE1 Design of New Development
- NE2 Development and Nature Conservation Sites
- H8 Residential Extensions

The application also falls to be considered under associated Green Belt policies of The London Plan (Consolidated with Alterations since 2008).

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

- (a) the character of development in the surrounding area;
- (b) the relationship of the proposed extensions to the adjacent properties;
- (c) the housing policies of the development plan;
- (d) the preservation or enhancement of the Green Belt;
- (e) special circumstances with regard to the development due to previously approved schemes which are larger than that being proposed; and

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Before commencement of the development 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 Environmental Protection Act 1990.

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

**2. Application No : 09/01330/FULL2 Ward :
Petts Wood And Knoll**

**Address : 7 Chatsworth Parade Petts Wood Conservation Area:NO
Orpington Kent BR5 1DF**

OS Grid Ref: E: 544342 N: 167581

Applicant : Mr K Panhania (Westcombe Homes) Objections: YES

Description of Development:

Single storey rear extension and change of use from retail (Class A1) to restaurant (Class A3) with takeaway facility and ventilation ducting.

Proposal

It is proposed to change the use of these vacant premises from retail (Class A1) to a restaurant (Class A3) with ancillary takeaway facility amounting to approximately 20% of trade

It is also proposed to add a single storey extension to the rear of the property to provide a kitchen area

The proposed opening hours would be between 11.30 hours - 22.30 hours Mondays to Fridays, 11.30 hours – 23.00 hours on Saturdays, and 11.30 hours – 22.00pm on Sundays and Bank Holidays

Details of a ventilation system are provided, and include an external duct which would project 1m above eaves level on the rear elevation

No on-site car parking is provided.

Location

The application site comprises a vacant retail unit on the eastern side of Queensway, forming part of a parade of shops known as Chatsworth Parade. It appears to have previously been used as a tanning shop (sui generis), although

no permission was granted for such a use. Separate residential accommodation is provided above the shop, with access from the rear.

According to the applicant, the premises have been vacant since January 2009.

The site is located within the designated Primary Shopping Frontage within Petts Wood District Centre. The surrounding area contains a mix of terraced properties comprising Class A1 uses, with some Class A2, A3, A4 and A5 uses, along with other non-retail uses, and includes several vacant units.

Comments from Local Residents

A number of local objections have been received to the proposals, and the concerns raised can be summarised as follows:

- should not allow the loss of a retail unit
- there are already too many A3/A5 uses in Petts Wood
- unlikely to be demand for a further food and drink use
- if No.6 adjacent implements its permission for a Class A3 use, there would be adjoining restaurants
- would cause noise and disturbance, smells and litter.

Comments from Consultees

The Council's highways engineer raises no objections to the proposals as the property is within a shopping centre with other food outlets nearby.

Environmental Health raises no objections in principle to the details provided, subject to the submission of further technical details.

Network Rail raises no concerns with regard to the application.

Planning Considerations

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

- BE1 Design of New Development
- S1 Primary Shopping Frontages
- S9 Food And Drink Premises

Planning History

Permission was recently granted on appeal (ref.08/01850) for the change of use of the adjoining premises at No.6 Chatsworth Parade from Class A1 retail to a restaurant (Class A3), along with a single storey rear extension, although this has not yet been implemented.

In granting the appeal in January 2009, the Inspector considered that the part of Petts Wood shopping centre located on the western side of the railway was trading well with a low proportion of vacant units, and that the primary frontage was predominantly in Class A1 retail use. He considered that the non-retail units were fairly well distributed within the centre, and saw no evidence that the change of use of No.6 to a Class A3 restaurant would unacceptably harm the retail character of the primary frontage nor result in an undue concentration of non-retail uses in general, or food and drink uses in particular.

A further application has been submitted for No.6 Chatsworth Parade under ref.09/01356 again for the change of use of the shop to a restaurant (although this already has permission in principle), but with a three storey rather than single storey extension at the rear to be used for offices.

Members should be mindful of two other applications for similar uses also on this agenda within Petts Wood.

Conclusions

The main issues relating to the application are the impact of the proposals on the retail character of the primary shopping frontage, and on the amenities of the occupants of surrounding residential properties.

It is the Council's aim to protect the retail character of primary frontages within District Centres, and Policy S1 therefore only allows for the loss of a Class A1 retail unit where it would not be harmful to the retail character of the shopping frontage. The proposed non-retail use could generate pedestrian visits during shopping hours, and complement the shopping function of the town centre, however with a takeaway facility may result in a concentration of evening activity rather than during shopping hours. Furthermore, considering the change of use recently granted adjacent to this site, this would mean a concentration of 3 non-retail uses in a row of 4 units. This may be considered unsatisfactory with regard to Policy S1 (iv).

A recent survey of the shopping centre on the western side of the railway shows that approximately 72% of the 67 units are currently in Class A1 retail use, with only 20% in non-retail use, and a further 8% currently vacant (including the application property).

The number of food and drink premises (Classes A3, A4 and A5) currently make up 12% of the units and are spread throughout the shopping frontage. This increases to 14% of the primary frontage. Members will need to carefully consider whether a restaurant and takeaway use would conflict with Policies S1 or S9 of the Unitary Development Plan with particular regard to the retail function of the centre.

In terms of the impact on residential amenity, the proposed closing times of the café would be similar to other food and drink premises nearby, and would be compatible with its District Centre location. Residents above the shop units in this parade may experience some increased activity at the premises, particularly during the evening hours, and it is necessary to consider whether this would be harmful to residential amenity. The ventilation system proposed is considered to adequately protect nearby residents from odours, and can be controlled by condition.

Policy S9 which relates to new food and drink uses refers to the need to ensure that they would not cause undue traffic congestion nor be detrimental to road safety, which is not considered to be of issue in this case.

With regard to the single storey rear extension, it would be modest in size, and would replace an existing store building, and therefore, would not be harmful to either the character of the area nor the amenities of nearby residents. Furthermore, a significantly larger extension was granted on appeal at No.6 adjacent.

Careful consideration needs to be given to the cumulative impact of the current proposals with regard to Policies S1 and S9 in particular and whether a restaurant with takeaway will generate significant pedestrian visits during shopping hours and whether it will harm the retail character of the shopping frontage.

Although the percentage of non-retail uses is currently 14% in the centre, this proposal conflicts with criterion in Policies S1 and S9 and the inclusion of a takeaway facility is likely to result in evening rather than daytime activity.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/01850, 09/01330 and 09/01356, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposal would result in an unacceptable loss of a retail unit, cause a concentration of non-retail uses within the Petts Wood District Centre Primary Shopping Frontage, and is unlikely to generate significant pedestrian visits during shopping hours, therefore harming the retail character of the shopping centre and failing to complement its retail function, thereby contrary to Policies S1 and S9 of the Unitary Development Plan.

- 2 The proposal is likely to result in an increased evening use at the premises, and by reason of general noise and disturbance associated with the proposed takeaway use, is likely to be harmful to the residential amenities of neighbouring properties, thereby contrary to Policies S1 and S9 of the Unitary Development Plan.

Reference: 09/01330/FULL2

Address: 7 Chatsworth Parade Petts Wood Orpington Kent BR5 1DF

Proposal: Single storey rear extension and change of use from retail (Class A1) to restaurant (Class A3) with takeaway facility and ventilation ducting.



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

3. Application No : 09/01407/FULL1 Ward : Chelsfield And Pratts Bottom

Address : Land R/o 2 - 20 Kings Road Orpington Conservation Area:NO Kent

OS Grid Ref: E: 545608 N: 164822

Applicant : Greenacre Homes Objections: YES

Description of Development:

Erection of 6 two storey 2-3 bedroom terraced houses with new vehicular access

Proposal

The proposal is for of six terraced houses. The proposed houses will be positioned to the north-western side of a central access road, in a cul-de-sac format.

The dwellings will be two storeys in height, with accommodation in the roof space, providing an orthodox two-storey appearance as opposed to the illustrative two/three storey appearance of the previous scheme allowed on appeal.

Although the proposal is similar to a scheme granted at appeal, the permission was in outline only and this application seeks to alter the design beyond the terms of that permission.

A previously submitted ecological report, prepared by Martin Newcombe for the applicant, stated that a single main badger sett, Song Thrush and a single slow worm were found within the site. A total of 89 species of plants and animals and 15 bird species were recorded in the site survey. Evidence showed that badger activity is not only restricted to the development site. It was stated that following the previous refusal the proposal has been cut from 7 to 6 units. The new scheme is an improvement in terms of layout and the extent of the footprint, with greater consideration of the needs of the badgers. It also enabled the proposed

building to be bought further away from the badger sett and reduced the extent of the built area whilst increasing the amount of land available for landscaping.

In the design and access statement the agent states that the objectives are to maintain the character of the area, to integrate the scheme into the street scene and the need to protect the existing badger sett and enhance biodiversity of the location. The applicant states that the redevelopment of the site will make use of the brownfield site at a density of 32 units to the hectare, at the lower end of the governments targets. It is commented that the proposal will be in-keeping with the wider area and make best use of the available land. The agent states application continues to address the previous refusal as the Council felt that the mitigation put in place did not afford the wildlife on site enough protection. The currently proposed orientation is stated to respect the siting of the badger sett. The rear gardens have been enclosed with badger proof fencing and an increased area will be left undeveloped to the rear.

Location

The proposal site is situated to the south-west of Kings Road and was formerly allotments. The immediate surrounding area mainly comprises residential properties, varying from two storey Victorian terraced houses in Kings Road, to three storey 1970s properties in Drylands Avenue. The site access is via Drylands Avenue, and there is a known badger sett to the western boundary of the site.

Comments from Local Residents

There have been a large number of objections raised in respect of the application concerning the following summarised points:

- loss of sunlight and daylight to properties in Kings Road
- loss of privacy to properties in Kings Road
- loss of wildlife- badger, slow worm and birds habitat ruined
- land should be preserved as a natural habitat
- increased problem of flooding
- concerns about drainage
- traffic, parking and congestion already a problem
- planting of tall trees would impact on neighbouring amenities
- last committee meeting a Councillor commented that - it should not even be a consideration as to how many houses were planning to be built and that no houses should be built on the land
- land should be preserved as a natural habitat

Comments from Consultees

Thames Water does not object to the application with regard to the sewerage infrastructure.

With regard to drainage issues, comments remain as previous application. The nearest public foul and surface water sewers are in Kings Road but these may not be accessible. Conditions are suggested and no technical objections are raised in principle.

No Thames Water objections are raised, subject to an informative.

From an environmental health point of view, no objections are raised subject to a standard contaminated land condition and informative.

In respect to highway matters, whilst no technical objection is raised, conditions have been recommended. Interest has been raised with respect to making the access road a Council adopted road. This is however considered to be a separate highways matter that can be dealt with after a planning decision and that the application should be determined on its own planning merits.

The waste advisors have commented that the development will have no access or turning for waste vehicles. A waste collection area is to be requested and this can be conditioned appropriately.

The West Kent Badger Group has previously stated that the sett is still active and if the development were to go-ahead it would cause the badgers great distress and reduce their foraging area considerably forcing them to forage further afield and possibly causing problems with near neighbours and traffic on local roads. It was commented that the future of the badgers in that locality would be in jeopardy. In addition it is argued that this could be construed as an offence by constituting 'cruel ill treatment' of badgers under the Protection of Badgers Act. Conditions are also recommended. No comments have been received for the current application and if received these will be reported verbally at the meeting.

Natural England was consulted on the proposal. Comments received state that development should not be commenced prior to the carrying out of an ecological survey to establish the impact on badgers on the site. It should be noted that an ecological report was submitted with the previous application which was allowed on appeal and appropriate conditions can be imposed.

The Council's Countryside Projects Officer previously raised concerns, although there maybe insufficient grounds to challenge an appeal. No comments have been received for the current application.

The site is covered by TPO 2192, to the north west of the site and one to the south of the plot. It is thought that the protected trees will not be affected by the

development as the scheme allows for the retention of the trees. No objection is raised from the Council's Tree Officer, subject to conditions.

Bromley Friends of the Earth previously raised objections on the grounds that the area is already developed and has a high density of population. It was stated that further development would add traffic noise and air pollution and add to traffic congestion problems and road safety problems now experienced on main roads. The development of site would mean a loss of amenity to nearby property owners through the additional traffic and loss of privacy from being overlooked. No comments have been received under the current application and if received these will be verbally reported at the meeting.

Planning Considerations

In considering the application the main policies are BE1, H7, NE2, NE3, NE5, NE7, T3 and T18 of the Unitary Development Plan. These concern the density and design of new housing/new development, the provision of adequate car parking, new accesses and road safety, trees and protected species. Therefore, the main issues in the determination of this application are layout, means of access and wildlife and protected species on the development site.

Badgers are a protected species and are protected under the Wildlife and Countryside Act 1981 (as amended) and under Section 2(1)(a) of the 1992 Protections of Badgers Act. A licence from Natural England (formerly English Nature) will need to be obtained prior to any works being carried out.

The London Plan now also forms part of the development plan where Policies 4B.1, 4B.3, and 4B.7 are relevant. Policy 3D.12 (Biodiversity and nature conservation) is also relevant on the site.

National planning policy advice in PPS3 and PPS9 (Housing and Biodiversity and Geological Conservation) is also relevant.

Planning History

An outline application (03/01933) for eight houses (six semi-detached and 2 detached) was refused in 2003 on the basis of harm to nature conservation interests and the proposal being backland development out of character with the area and harmful to neighbouring properties.

A subsequent outline application (ref. 07/00848) for 7 houses was refused by Members at Plans-sub committee on 24th May 2007 for similar reasons.

A further outline application (ref. 07/02934) for 6 houses was also refused for the same reasons as 07/00848.

Both recent outline applications (refs. 07/00848 and 07/02934) were appealed, with the first application (Scheme A) dismissed and the latter (Scheme B) subsequently allowed. The main areas of consideration (nature conservation, character and appearance and living conditions) were all considered to be acceptable to the Inspector. In the decision the Inspector states:

'A zone around the sett would be excluded from private gardens, thereby reducing the risk of accidental disturbance from residents. The Wildlife Management Plan proposes that the existing bramble under-storey be retained and supplemented with new planting which would help to protect the entrances. This zone would be overlooked from the new houses but would not be readily accessible, thereby reducing the threat of deliberate interference with the sett. Badger-proof fencing would reduce the risk of damage caused by badgers to garden plants which could otherwise result in conflict with new residents.

Subject to such a condition, together with the WMP, I consider that Scheme B would contain sufficient measures to mitigate the risk of damage or disturbance to the sett. The condition, together with the WMP, would also secure the mitigation measures required in relation to song thrush and slow worm. Scheme B would not be harmful to nature conservation interest.

The densities proposed appear to be compatible with the range of densities found in the locality. Moreover, the layout of Plots 1 - 6, would broadly continue the built form of the northwest side of Dryland Avenue. The proposed houses would of course be visible in both public and private views but, subject to suitable detailed design at the reserved matters stage, this would not in itself be harmful given the residential character of the area. I see no reason why the submitted layout should not form the basis for detailed proposals which would be in keeping with the site context. Scheme B would not be harmful to the character and appearance of the area.

In Scheme B the nearest parking bays would be set further into the site. Consequently, I do not think that noise and disturbance resulting from vehicles within either scheme would be harmful to living conditions. Residents also raised concerns about overlooking and impact on sunlight and daylight. The detailed design of the houses, which would include the location of windows and the height of the buildings, would be considered at the reserved matters stage. Having regard to the degree of separation between the proposed houses and existing properties, I consider that both of the proposed layouts would enable satisfactory detailed schemes to be designed which would avoid any harmful impacts on privacy, sunlight or daylight. I conclude that the scheme would not be harmful to the living conditions of nearby residents. I find no conflict with UDP Policy BE1

insofar as that policy seeks to avoid harm to amenity arising from noise and disturbance, overlooking or loss of sunlight or daylight.'

Conclusions

The application proposes development of vacant land previously used as allotments. There should be adequate access arrangements and additional traffic should not cause an unacceptable level of disturbance to adjoining properties. The principle of developing this site has been established, and it is therefore necessary to consider the particular merits of this scheme.

The surrounding area is largely made up from terraced houses on varying plot sizes. The development will be a continuation of the Drylands Avenue street scene, comprising of a group of six terraced houses. The density of the proposed development is comparable to the existing density of the surrounding area being some 32 units per hectare and the proposal falls at the lower end of the density matrix. The houses will be lower than those in Drylands Avenue.

The north-western part of the site slopes upwards toward Charing Close, and therefore the proposed housing will be at a lower level than the adjoining properties. There is a mature screening of protected trees which will reduce loss of privacy. Conditions may be placed on plots 1 and 6 to obscure any flank windows to minimise overlooking into properties in Kings Road and Drylands Avenue. The Planning Inspector recently considered that no significant harm would result to the amenities of neighbouring residential properties, and subject to the specific comments in this paragraph, it is not considered that this proposal would cause any harm to existing residents.

The development will be accessible via Drylands Avenue, which is currently cul-de-sac. From a highway point of view, in terms of providing adequate on-site car parking and ensuring there is no adverse impact on the free flow of traffic or road safety the Council's highway engineers have not raised any objections in this respect. Despite the lack of a waste vehicle turning area, Members may consider this acceptable in light of the allowed appeal and the existing head of the cul-de-sac at Drylands Avenue.

The protection of wildlife and protected species is of vital importance within the borough. The applicant has attempted to accommodate the existing badger population within the proposal by providing a considerable separation between the proposed development and existing badger sett. In the dismissed appeal scheme the distance between plots 5 and 6 and the sett scaled at approximately 14m compared to approximately 21m in the allowed scheme. A similar separation remains for the current proposal, with the northern two terraced dwellings staggered forward. On this basis it is considered that the proposal will not adversely impact on badgers.

Following the dismissed appeal for 7 dwellings (ref. 07/00848) and the allowed appeal for 6 dwellings (ref. 07/02934) the applicant has amended the scheme further and improved relationship with the boundary/badger sett. The proposal has also been reduced from 9.5m in height to 9.3m in height at the highest point and takes the form of two storey dwellings with accommodation within the roof space, as opposed to the second floor dormers above eaves level that were previously proposed. The six dwellings are also marginally wider than those previously proposed. Members may consider that in light of the recent planning history that the proposal for 6 dwellings does not result in additional harm to the scheme previously allowed on appeal and it is therefore recommended that permission is granted.

Background papers referred to during production of this report comprise all correspondence on file refs. 03/01933, 07/00848, 07/02934 and 09/01407 excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|----|-----------------|--|
| 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 | ACA07
ACA07R | Boundary enclosure - no detail submitted
Reason A07 |
| 4 | ACB01
ACB01R | Trees to be retained during building op.
Reason B01 |
| 5 | ACB02
ACB02R | Trees - protective fencing
Reason B02 |
| 6 | ACB03
ACB03R | Trees - no bonfires
Reason B03 |
| 7 | ACB04
ACB04R | Trees - no trenches, pipelines or drains
Reason B04 |
| 8 | ACB16
ACB16R | Trees - no excavation
Reason B16 |
| 9 | ACC01
ACC01R | Satisfactory materials (ext'nl surfaces)
Reason C01 |
| 10 | ACD02
ADD02R | Surface water drainage - no det. submitt
Reason D02 |
| 11 | ACD04
ADD04R | Foul water drainage - no details submitt
Reason D04 |
| 12 | ACH01
ACH01R | Details of access layout (2 insert)
Reason H01 |
| 13 | ACH02
ACH02R | Satisfactory parking - no details submit
Reason H02 |

- 14 ACH04 Size of parking bays/garages
ACH04R Reason H04
- 15 ACH06 Parking space in front of garage
ACH06R Reason H06
- 16 ACH12 Vis. splays (vehicular access) (2 in) 3.3m x 2.4m x
3.3m 1m
ACH12R Reason H12
- 17 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 18 ACH17 Materials for estate road
ACH17R Reason H17
- 19 ACH18 Refuse storage - no details submitted
ACH18R Reason H18
- 20 ACH23 Lighting scheme for access/parking
ACH23R Reason H23
- 21 ACH27 Arrangements for construction period
ACH27R Reason H27
- 22 ACH32 Highway Drainage
ADH32R Reason H32
- 23 ACI02 Rest of "pd" Rights - Class A, B,C and E
Reason: In order to safeguard the interests and well being of badgers and their setts and to prevent an overdevelopment of the site.
- 24 ACI12 Obscure glazing (1 insert) on plot 6 north-western flank
and plot 1 south-eastern flank
ACI12R I12 reason (1 insert) BE1
- 25 ACI21 Secured By Design
ACI21R I21 reason
- 26 ACK05 Slab levels - no details submitted
ACK05R K05 reason
- 27 ACK09 Soil survey - contaminated land
ACK09R K09 reason
- 28 ACN01 Badgers-protective fencing
ACN01R Reason N01
- 29 ACN02 Badgers - timing of works
ACN02R Reason NO2
- 30 ACN03 Badgers-no works close to sett
ACN03R Reason NO3
- 31 ACN04 Badgers-superv'sn of works close to sett
ACN04R Reason N04
- 32 A survey shall be carried out to identify slow worms on the site, and if necessary details of a scheme for relocation of the slow worms and related mitigation of any affect on the reptile population shall be submitted to and approved in writing by or on behalf of Local Planning Authority, and the relocation and mitigation shall be carried out in accordance with the approved details before any work is commenced on the development hereby permitted.

Reason: In order to comply with Policy NE5 of the Unitary Development Plan and in order to safeguard the interest and well-being of protected species on (or adjacent to) the site.

33 The scheme for layout of amenity area within the development and for its maintenance by occupiers of the development shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before any work is commenced on the development hereby permitted.

Reason: In order to comply with Policy NE5 of the Unitary Development Plan and in order to safeguard the interest and well-being of protected species on (or adjacent to) the site.

34 No development shall take place until a Scheme of Ecological Mitigation has been submitted to and approved in writing by the local planning authority. The Scheme shall include measures for the protection of wildlife during construction and measures to protect and enhance the biodiversity of the site thereafter. Development shall be carried out in accordance with the approved Scheme.

Reason: In order to comply with Policy NE3 of the Unitary Development Plan and in order to safeguard the interests and well-being of badgers and their setts.

35 No development shall take place until an Arboricultural Method Statement has been submitted to and approved in writing by the local planning authority. The Statement shall identify those trees to be retained and shall include measures for the protection of the retained trees during construction. Development shall be carried out in accordance with the approved Statement.

Reason: To ensure that all existing trees to be retained are adequately protected and to comply with Policy ER7 of the Unitary Development Plan.

Reasons for granting permission

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

- BE1 Design of New Development
- H7 Housing Density and Design
- NE2 Development and Nature Conservation Sites
- NE3 Nature Conservation and Development
- NE5 Protected Species
- NE7 Development and Trees
- T3 Parking
- T18 Road Safety

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

- (a) the relationship of the development to adjacent property
- (b) the character of the development in the surrounding area

- (c) the impact on the amenities of the occupiers of adjacent and nearby properties, including light, prospect and privacy
- (d) the safety and security of buildings and the spaces around them
- (e) accessibility to buildings
- (f) the Natural Environment policies of the UDP
- (g) the conservation policies of the UDP
- (h) the transport policies of the UDP
- (i) the provision of satisfactory living accommodation for future residents of the flats
- (j) the safety of pedestrians and motorists on the adjacent highway

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 You should seek engineering advice from the Environmental Services Department at the Civic Centre regarding any of the following matters:
 - the agreement under S.38 of the Highways Act (020 8313 4667, Mike Hammond)
- 2 RDI10 Consult Land Charges/ Street Numbering
- 3 RDI16 Contact Highways re. crossover
- 4 If you are proposing to discharge to a public sewer, prior approval is required. Please contact Thames Water Developer Services on 0845 850 2777.
- 5 Please contact Natural England prior to any commencement of works on 020 7932 5800
- 6 Please ensure that an ecologist is employed to monitor the impact of construction on the protected species.
- 7 Regarding the protected species on the site, please contact Natural England prior to the commencement of works, their address is:
 - Natural England
 - 20th Floor
 - Portland House
 - Stag Place
 - London
 - SW1E 5RS
- 8 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from

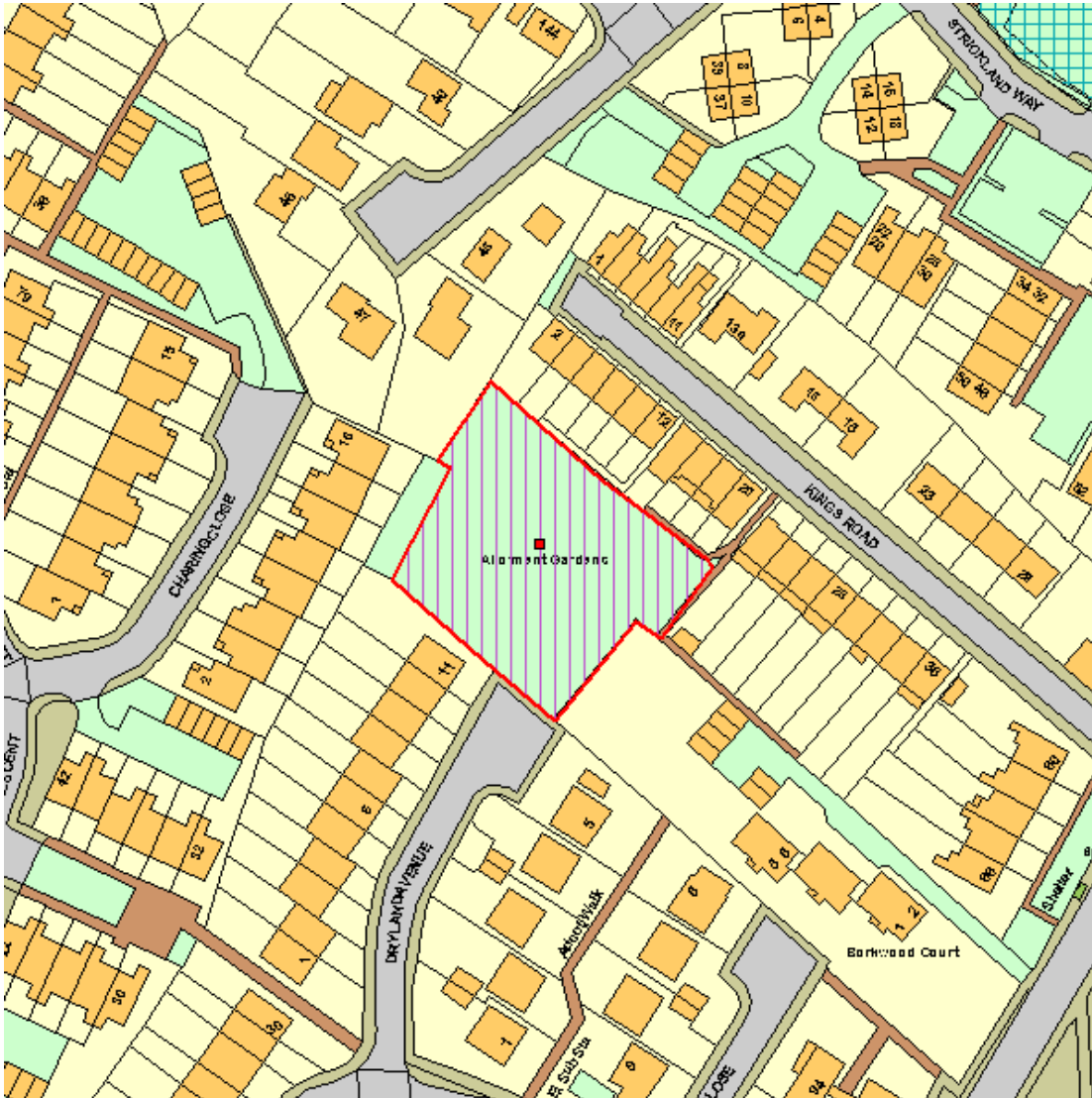
Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 9 Before the use commences, the applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.

Reference: 09/01407/FULL1

Address: Land R/o 2 - 20 Kings Road Orpington Kent

Proposal: Erection of 6 two storey 2-3 bedroom terraced houses with new vehicular access



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 : 09/01829/FULL3 Ward : Petts Wood And Knoll

**Address : 18 Chatsworth Parade Petts Wood Conservation Area:NO
Orpington Kent BR5 1DF**

OS Grid Ref: E: 544307 N: 167635

Applicant : Mr Sulyman Gurdere Objections: YES

Description of Development:

Change of use of ground floor from retail (Class A1) to take away (Class A5) with ventilation extract duct at rear

Proposal

The application is for the change of use of the ground floor from retail (Class A1) to a hot food takeaway (Class A5).

The proposal includes a ventilation ductwork system to the rear of the building, extending vertically to a point 1m above eaves level. The ductwork will have a width of approx. 0.5m

No proposed hours of operation have been proposed by the applicant.

Location

The application site is on the eastern side of Queensway and forms a parade of terraced properties (Chatsworth Parade) comprising of ground floor commercial uses and upper floor maisonettes. Opposite the site is characterised by similar commercial properties and this section of Petts Wood comprises a Primary Frontage. To the rear of the site is the railway track. The ground floor commercial premises on Chatsworth Parade consist of predominantly retail uses, with some restaurant/takeaway uses permitted in the past. The current use of the ground floor at No. 18 is a gallery/framing shop.

Comments from Local Residents

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

- proliferation of takeaways in the locality
- noise and pollution from ventilation
- possible vermin issues
- impact on neighbouring businesses

Comments from Consultees

No Environmental Health objections are raised subject to conditions.

No technical highways objections are raised, subject to conditions.

No Thames Water objections are raised, subject to an informative relating to disposal of fats and oils.

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

Planning Considerations

The main policies relevant to this case are Policies BE1 (Design Of New Development), ER9 (Ventilation), S1 (Primary Frontages), S9 (Food And Drink Premises), T3 (Parking) and T18 (Road Safety) of the adopted Unitary Development Plan.

Planning History

The application site has no recent planning history.

An application (ref: 04/02074) at 2 Chatsworth Parade for change of use from retail (Class A1) to restaurant (Class A3) was refused on grounds relating to an unacceptable loss of a retail unit contrary to adopted policy which gives preference to shopping uses, having particular regard to the existing number of non-retail uses within this parade.

An application (ref: 08/01850) at 6 Chatsworth Parade for a single storey extension at rear and change of use of ground floor from retail (Class A1) to restaurant (Class A3) was refused on grounds related to the increased concentration of non retail uses on the east side of this part of Chatsworth Parade and West Approach which was considered to undermine its retail function and result in the loss of a viable retail unit. Also the proposal was considered to be detrimental to the amenities that nearby residents in terms of noise, cooking smells and general disturbance, however the scheme was subsequently allowed on appeal. The Inspector considered that this proposal would not unacceptably harm the retail character of the parade which had a strong retail element.

Planning permission was refused under ref. 08/03066 for change of use of ground floor from retail (Class A1) to restaurant (Class A5) and extraction duct at rear at No. 3 on grounds relating to an unacceptable loss of a retail unit contrary to adopted policy which gives preference to shopping uses and impact on neighbouring amenities.

Members should also be mindful of similar applications in Petts Wood also on this agenda.

Conclusions

The main issues relating to the application are the effect that it would have on the shopping function of the Primary Frontage, the impact that it would have on the amenities of the occupants of surrounding residential properties and the impact on parking and highway safety, with particular regard to the policies set out above.

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

The site lies within a Primary Shopping Frontage and therefore must be considered in respect of Policy S1. Although no proposed hours of operation are provided in the application, it is fair to assume that takeaways uses trade mostly during evening hours, which are outside of normal shopping hours and this could be seen to significantly impact upon the main retail functioning of the frontage and result in an over concentration of A5 uses. There are already two A5 uses in Chatsworth Parade itself and a further three A3 uses in the vicinity, including one permitted at No. 61 under ref 09/00652 (this site falls outside of the Primary Shopping Frontage). In addition two applications one at No.2 and the other at No.6 Chatsworth Parade have both been refused by the Council for change of use to A3. The appeal at No. 6 was recently allowed for a restaurant use, with the Inspector stating that a restaurant may benefit the parade in shopping hours (i.e. lunch times). However, A5 uses primarily operate in the evening and it is considered that a total of three A5 uses on this small parade would be excessive and harmful to the retail functioning of the parade. This view has recently been taken by the Council when refusing ref. 08/03066 at No. 3.

A recent survey of the shopping centre of existing uses within the primary and secondary frontage of Queensway and Chatsworth Parade shows that approximately 72% of the units are currently in Class A1 retail use with 20% in non-retail use and a further 7% currently vacant.

The number of Class A2 premises currently comprise approximately 7% of the shopping frontage. The number of food and drink premises (Class A3, A4 and A5) currently make up only 14% of the units within the primary shopping frontage, but 12% when considered throughout the shopping frontage as a whole.

The proposed use is considered to have a potentially adverse effect on the residential amenity of the occupiers in the vicinity by reason of late night opening. Objections have been received from local residents including occupiers/owners of neighbouring businesses. Several of the letters complain that the use would lead to an over concentration of A5 uses within the parade and that it will lead to an increase in traffic, noise and smells.

On balance, it is considered that the proposal would be contrary to Policy S1 of the Unitary Development Plan as it would harm the retail character of the shopping frontage being a non-retail use likely to operate predominantly outside normal shopping hours; therefore not generating pedestrian visits during the day, it would not complement the shopping function of the town centre and there would result in a concentration of similar uses. Furthermore a takeaway use is considered likely to have an impact on local residents by reason of late evening noise and disturbance. For the same reasons the proposal also conflicts with the aims and special requirements of Policy S9.

Background papers referred to during production of this report comprise all correspondence on files refs. 04/02704, 08/01850, 08/03066, 09/00652 and 09/01829, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

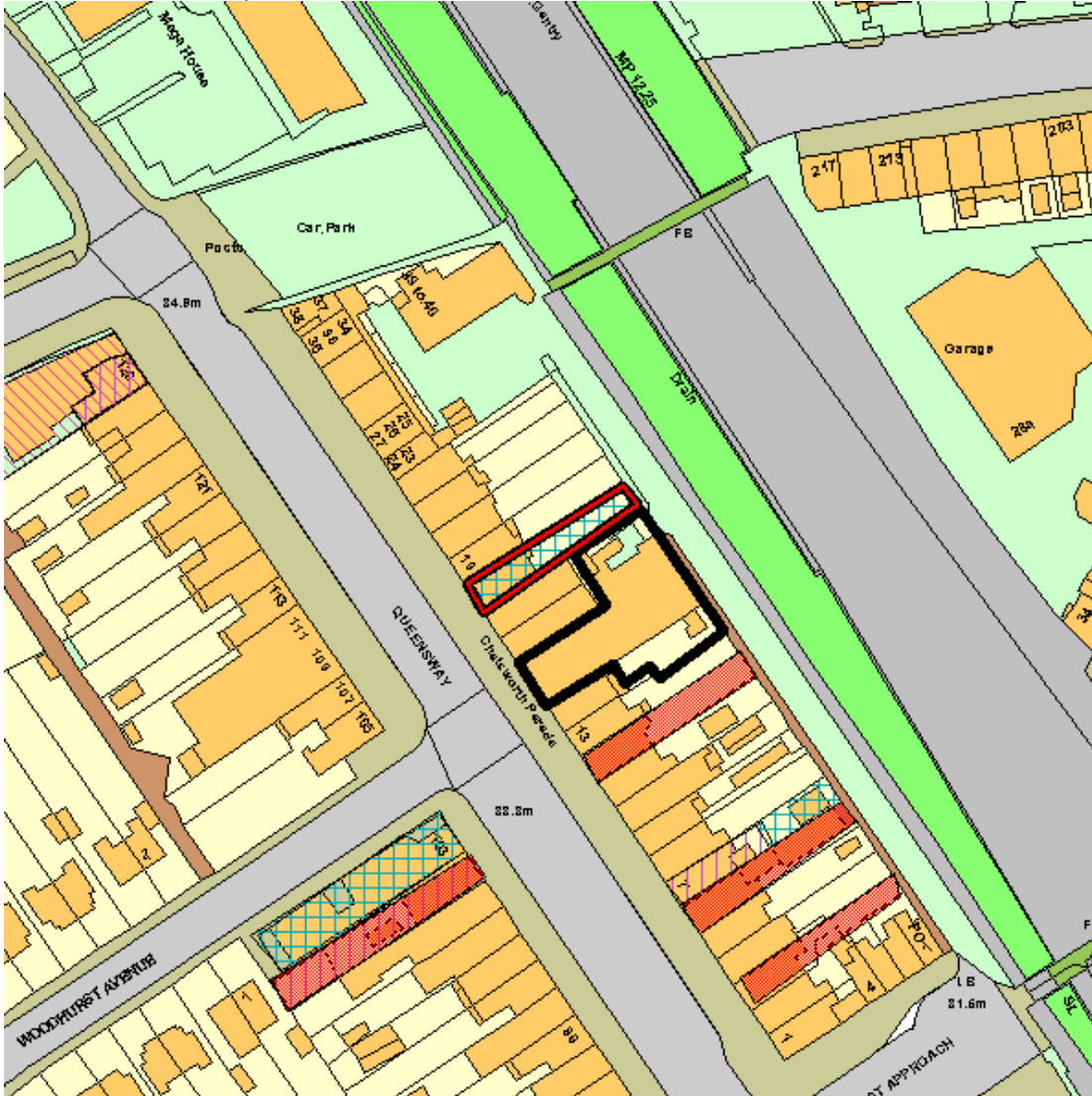
The reasons for refusal are:

- 1 The proposed change of use, likely to operate outside of normal shopping hours, will fail to generate significant pedestrian visits during shopping hours and will not complement the shopping function of Petts Wood, resulting in the loss of a viable retail unit,, therefore contrary to Policies S1 and S9 of the Unitary Development Plan (2006).
- 2 The proposed takeaway use would be detrimental to the amenities that nearby residents might reasonably expect to be able to continue to enjoy by reason of late night noise and general disturbance associated with such a use contrary to Policies S1 and S9 of the Unitary Development Plan (2006).

Reference: 09/01829/FULL3

Address: 18 Chatsworth Parade Petts Wood Orpington Kent BR5 1DF

Proposal: Change of use of ground floor from retail (Class A1) to take away (Class A5) with ventilation extract 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

On the opposite side of Queensway to the application site is a public car park. To the north of the site is a Library, a block of flats (Cuxton House), and houses in Franks Wood Avenue and Crest View Drive. To the west are further residential properties located in Franks Wood Avenue.

Comments from Local Residents

A letter of objection has been received in respect of the application concerned with the following:

- too many take-away/restaurants in the area a further one will be detrimental and destroys the character of the area,
- as a local resident, local general retail shops are required,
- increase in constant cooking smells is unpleasant for local residents and pollutes the area,
- air conditioning and extractor fans are not environmentally friendly,
- increase in rubbish.

Comments from Consultees

Environmental Health has considered the application including the details of the kitchen extract system and raise no objections to permission being granted.

Planning Considerations

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

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

These policies are intended to safeguard the shopping function of the centre, whilst allowing a mix of uses appropriate to shopping parades together with protecting the amenities of the area generally.

The London Plan Policy 3D.3 (Maintaining and Improving Retail Facilities)

PPS6 Planning for Town Centres encourages a greater diversification of uses within town centres, it recognises the shopping function of town centres, but also encourages complementary uses both during the day and into the evening as these can contribute to the vitality and viability of the centre. Annex A of PPS6 lists the typologies of shopping areas and emphasises the distinction between primary and secondary retail frontages.

Planning History

Members will be well aware of the long and somewhat complex planning history of this site. It is noted that No.129 has been extended at the side along the Franks Wood Avenue frontage for a Classes A1,A2,A3, B1 (office), D1 (Non-residential institutions) and D2 (Assembly and Leisure).

Under application ref. 09/01947 a Certificate of Lawfulness for proposed use of the ground floor of No.129 (the application site under consideration here) as use Class A3 is currently under consideration by Legal and Democratic Services and is pending determination.

Of particular relevance to this case, is application ref. 03/02703 which granted permission for the change of use of the application premises from Class A1 retail to Class A2 (financial and professional services).

Members may wish to note that similar uses have recently been permitted under ref.09/00632 for a change of use to Class A3 at No.61 Queensway and permission was granted on appeal (ref. 08/01850) for a change of use at No.6 Chatsworth Parade from Class A1 retail to a restaurant (Class A3).

It is also necessary to consider this application alongside two similar applications on this agenda within Petts Wood Centre.

Conclusions

The main issues in this case are whether the proposal would impact upon the retail character of the primary shopping frontage, and on the amenities of the occupants of surrounding residential properties.

The application site lies at the end of the primary shopping frontage with its junction into Franks Wood Avenue. The ground floor of the extension to the side of No.129 is currently in A3 use and to the other side of the application site is a Class A1 unit.

The Council aim to protect the retail character of primary frontages within District Centres and Policy S1 in the UDP only allows for the loss of a class A1 retail unit where it would not be harmful to the retail character of the shopping frontage. In this case, it maybe argued therefore that the proposed change of use of the premises back to a Class A1 retail unit would be acceptable.

Policy S1 also states that non-retail uses maybe acceptable without harm to the retail character of the shopping frontage should also generate significant pedestrian visits during shopping hours, should complement the shopping function of the town centre, should not create a concentration of similar uses and should not adversely affect residential amenity.

A recent survey of the shopping centre of existing uses within the primary and secondary frontage of Queensway and Chatsworth Parade shows that approximately 72% of the units are currently in Class A1 retail use with 20% in non-retail use (including the application site) and a further 7% currently vacant.

The number of Class A2 premises currently comprise approximately 7% of the shopping frontage. The number of food and drink premises (Class A3, A4 and A5) currently make up only 14% of the units within the primary shopping frontage, but only 12% when considered throughout the shopping frontage as a whole. Given the concentration of retail premises around the site, and that this percentage is relatively low, the proposed non-retail uses (Class A2 and/or Class A3) may be considered to not result in an over-concentration of such uses, but to complement the shopping function of the shopping centre in this particular location, by attracting shoppers during normal shopping hours and thus adding vitality to the area, particularly as the A3 use is not proposed to include any takeaway or delivery element which can concentrate activity into the evening rather than normal shopping hours.

Members may therefore consider that the current balance of retail and non-retail uses within the primary shopping frontage would not be undermined by this proposal, as the last use of the application premises was that of a pottery painting studio which may be considered as a Sui Generis use, and that a good concentration of retailing activity would still remain including the opportunity to bring back the premises into a Class A1 retail use as one element of this application.

In terms of the impact on residential amenity, there appears to be a residential unit above the ground floor of the site. Whilst no hours of operation have been cited by the applicant, it is considered that these can be controlled by way of a condition, with closing times of the ground floor unit to be comparable to similar uses nearby and would be compatible with its District Centre location. Although residents above the shop units in this part of the parade may experience some increased activity at the premises, particularly during the evening hours, this is not considered to be excessive nor unduly harmful to residential amenity.

With regard to the ventilation system this is considered to adequately protect nearby residents from odours and can be controlled by condition. Furthermore, the vent duct is proposed to run up through the central part of the building, exiting through the flat roof of the premises which could not be seen from the road and therefore is not considered detrimental to local visual amenity.

Policy S9 which relates to new food and drink uses also refers to the need to ensure that they would not cause undue traffic congestion nor be detrimental to road safety. Although the site is on the corner of Queensway and Franks Wood Avenue, there is a public car park opposite and parking spaces along Queensway insufficient parking is not considered to be of issue in his case, in

particular as no takeaway element is proposed which can lead to indiscriminate and dangerous parking.

Members may therefore consider the proposals to be acceptable, subject to safeguarding conditions.

Background papers referred to during production of this report comprises all correspondence on files and applications at 129 Queensway, Petts Wood including application refs. 03/02703,08/01850, 09/00632, 09/01946 and 09/01947 excluding exempt information.

as amended by documents received on 24.08.2009

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 The restaurant A3 use shall not operate before 10.00 and after 23.00 on any day.
 ACJ06R J06 reason (1 insert) S9
- 3 Customer shall not be admitted to the restaurant A3 use hereby permitted at the premises before 10.00 on any day, and all customers shall have left the premises by 23.30.
 ACJ09R J09 reason
- 4 ACJ26 Ventilation system for restaurant/take-a
 ACJ26R J26 reason
- 5 ACJ24 Restriction to restaurant
 ACJ24R J24 reason
- 6 The Class A1 and A2 uses hereby permitted shall not operate before 0900 or after 1900 on any day.
 ACJ09R J09 reason
- 7 ACJ25 No take-away/home delivery
 ACJ25R J25 reason

Reasons for granting permission:

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

- BE1 Design of New Development
- S1 Primary Shopping Frontages
- S9 Food and Drink Premises
- ER9 Ventilation

PPS 6 Planning for Town Centres
The London Plan Policy 3D.3 (Maintaining and Improving Retail Facilities)

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

- (a) the impact on the amenities of the occupiers of nearby residential properties
- (b) the shopping policies of the development plan
- (c) the transport policies of the development plan

and having regard to all other matters raised including neighbours concerns.

Reference: 09/01946/FULL2

Address: 129 Queensway Petts Wood Orpington Kent BR5 1DG

Proposal: Use of ground floor as use Class A1 (retail) and/or Class A2 (financial/professional services) and/or Class A3 (restaurant/cafe) with ventilation ducting on roof.



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

6. Application No : 09/00832/FULL3 Ward : Clock House

Address : 82 Elmers End Road London SE20 7UX Conservation Area:NO

OS Grid E: 535201 N: 169224

Ref:

Applicant : Jubilee Coach Works (Mr Roy Fox) Objections : YES

Description of Development:

Attached 3 storey building with mansard roof and front and rear dormers, comprising ground floor cafe (class A3), two 1 bedroom flats and two 2 bedroom flats with attached single storey store rooms, 5 parking spaces, cycle and refuse stores.

Proposal

- Replacement three storey building with mansard roof and front and rear dormers
- Building will comprise of ground floor café.
- The first and second floors will comprise of two 1 bedroom flats and two 2 bedroom flats
- Access to the flats will be from Marlow Road.
- Attached single storey store rooms.
- 5 car parking spaces are proposed (three to be used by the adjacent site (2A Marlow road).
- Cycle and refuse stores are to be located within the ground floor of the building to the rear.
- There are existing store rooms to the rear of the site which will be replaced with a larger single store room/garage which is to be used by the adjacent site (2A Marlow Road).

Location

The application site forms part of a small shopping parade and is situated on the corner of Elmers End Road and Marlow road.

Elmers End Road is a London Distributor Road.

The surrounding area is mixture of residential and commercial uses.

The site is an end of terrace building which currently comprises of a ground floor café (class A3).

On the first floor is one 1 bedroom flat.

Comments from Local Residents

- object to extra noise
- will restrict access to flat
- van access to flat will be limited
- difficult for refuse collectors to collect waste and recycling
- will object strongly to any application
- number of parking spaces has been incorrectly reported in the application
- proposed plans would reduce number of parking spaces outside the café to 2 and these would be allocated to the tenants of the flats so number of spaces available to visitors to the café would be reduced by 5.
- increased contention of parking spaces on the street.

Comments from Consultees

Thames Water has no objections to sewerage or water infrastructure. With regard to surface water drainage it is the responsibility of the developer to make proper provision of drainage to ground, water courses or a suitable sewer.

From an Environmental Health (Housing) perspective, there are no objections provided it meets full building regulations standards.

From a Highways perspective, the site is only within a moderate PTAL (3) area and if permission be granted 1 space should be allocated to each of the flats with the remaining space used by the garage. However, there seems to be one existing flat and so the development would result in one additional 1 bed flat without a space and in this case it would be difficult to object. In terms of the displaced cars from the existing café car park, it is considered that losing staff car parking would not be a significant issue.

In terms of drainage, the site is within the area which the Environment Agency Thames Region require restriction on surface water discharge to an unimproved section of the River Ravensbourne or one of its tributaries.

From a waste perspective, location of storage at the edge of the curtilage would be preferred.

In terms of cycle provision, more details are required as to how 4 cycles would be stored. This could be dealt with by condition.

From an Environmental Health (pollution) viewpoint, issues regarding the Purified Air System proposed and the type of fan to be used are currently being addressed and an update will be given at Committee.

Planning Considerations

Policy BE1 seeks to ensure that all development proposals are of a high standard of design and layout, that they complement the scale, form and layout of adjacent buildings and areas and that they do not detract from the amenities of the occupiers of neighbouring buildings or future occupants through noise and disturbance or by inadequate daylight, sunlight, privacy or overshadowing.

Policy ER9 of the UDP sets out the Council's requirements for details to be submitted for an effective ventilation system where an A3 or A5 use is proposed in order that the smell, noise and visual impact of the system on its surroundings can be properly considered.

Policy H1 relates to Housing Supply in the Borough and sets out the provisions for additional dwellings over the plan period.

Policy H7 relates to Housing Density and Design and requires that new housing development complies with the density requirements set out in the UDP, is of a high standard of quality and layout and complements the qualities of the surrounding area.

Policy H9 seeks to protect the visual amenities of an area and makes provision for a minimum side space of 1m for any developments greater than two storeys in height. Although where better spatial standards exist proposals will be expected to provide a more generous side space.

Policy S9 of the UDP sets out the Council's requirements for proposals for food and drink premises. The Council will seek to ensure that such proposals will not detrimentally impact residential amenity nor compromise the safety of pedestrians and other road users and would not result in an over-concentration of food and drink establishments, out of character with the retailing function of the area.

Policy T3 sets out the requirements for parking provision in new development. Appendix II sets out the maximum parking standards. For residential class C3 where the predominant housing type is flats, there should be no more than 1

space per unit, unless it can be demonstrated that parking at higher levels is needed to meet the needs of disabled users or where lesser provision would lead to unsafe highway conditions.

Policy T7 of the UDP sets out the Councils requirements for the provision of cycling parking and appendix II sets out the minimum provision required.

Policy T18 seeks to ensure that new development does not adversely affect road safety.

In strategic terms the most relevant London Plan policies are:

- 3A.1 Housing
- 3A.3 Maximising the Potential of Sites
- 32.23 Parking Strategy and Standards
- 4A.7 Renewable Energy
- 4A.14 Sustainable Drainage

Planning History

06/02375/FULL1 - First/second floor rear extension/2 front dormer extensions/increase in height of rear extract ducting and 1 one bedroom flat in roof space. This application was permitted in August, 2006.

Conclusions

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

The application site is a prominent corner site. There would be a side space of just over 3 metres between the flank wall of the extension and the boundary of the site on Marlow Road. In terms of the impact this would have on the visual amenities and character of the area, on the opposite corner site, there is only side space of approximately 2 metres between No.86 and the flank boundary. It is therefore considered that the separation here proposed would be acceptable in terms of visual impact. The proposed building would also complement the scale and form of existing buildings which, similarly, have front dormers and gable ended roofs. Furthermore, there would be no difference in height between the existing and proposed buildings. The main difference with this building to surrounding ones would be the proposed mansard roof. However, on balance it is not considered that this would have a significant visual impact in this setting.

In terms of the impact on the amenities of the occupiers of adjacent buildings, the proposed footprint of the building would be similar to the existing one, other than the increase in width. It would project no further back at the rear at ground floor level. At first floor level, the rear building line would be approximately 1.3m further back than existing. Furthermore, the overall height and bulk of the development would be similar to that already existing. In light of this it is not considered that the building would have a significant visual impact on the occupiers of neighbouring buildings. In terms of overlooking and loss of privacy, there is one side window proposed at first floor level facing No.80 and two second floor dormers also facing No.80. However, there appears to be no windows opposite at No.80 which would be significantly affected by these and therefore the impact on neighbours is considered acceptable. In terms of the ventilation ductwork, the details should be dealt with by a planning condition, subject to final advice by the Environmental Health Officer.

With regard to car parking, the applicant has stated that there is currently space to park approximately 4 cars outside the café. These are used by the café staff and sometimes the garage next door. Should the flats be occupied, the café would only have access to two parking spaces and the owner of the store is willing to allow the spaces outside the store to be used by the flats out of working hours if required. From a Highways perspective, the parking provision proposed is generally in line with the parking standard set out in the Council's UDP and it is not considered that the loss of parking for staff at the café would not be a significant issue.

On balance it is considered that the development, as proposed, is acceptable in that it would not have a significant impact on the amenities of occupiers of surrounding building nor have a detrimental impact on the character of the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/00832 and 06/02375, excluding exempt information.

as amended by documents received on 15.06.2009 18.08.2009

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC04
ACC04R | Matching materials
Reason C04 |
| 3 | ACD03
ADD03R | Restricted 100mm outlet (drainage)
Reason D03 |
| 4 | ACH22 | Bicycle Parking |

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
- H8 Residential Extensions
- H9 Side Space
- ER9 Ventilation
- S9 Food and Drink Premises
- T1 Transport Demand
- T3 Parking
- T7 Cyclists
- 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 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 privacy and outlook of occupiers of adjacent and nearby properties
- (f) the safety of pedestrians and motorists on the adjacent highway
- (g) the provision of satisfactory living accommodation for future residents of the flats

and having regard to all other matters raised and neighbours concerns.

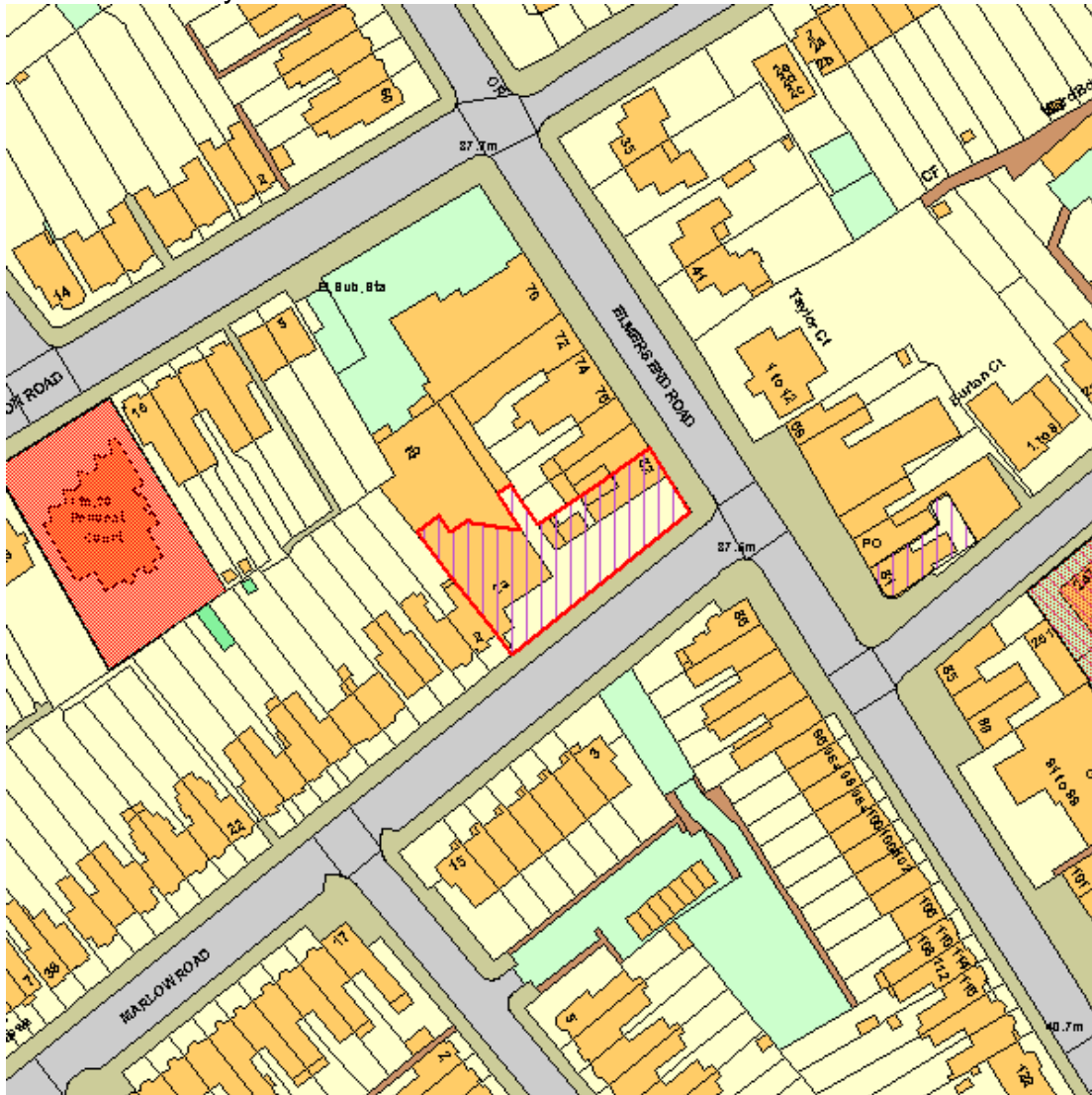
INFORMATIVE(S)

- 1 RDI19 Consultees requirements reminder
- 2 Before work commences you should satisfy yourself that the odour control system is capable of handling odours without giving rise to odour nuisance. This advice is given without prejudice to any future formal action if required

Reference: 09/00832/FULL3

Address: 2A Marlow Road London SE20 7UY

Proposal: Attached 3 storey building with mansard roof and front and rear dormers, comprising ground floor cafe (class A3), two 1 bedroom flats and two 2 bedroom flats with attached single storey store rooms, 5 parking spaces, cycle and refuse stores.



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 : 09/01552/FULL1 Ward : Cray Valley East

**Address : Ruxley Manor Garden Centre Maidstone Conservation Area:NO
Road Sidcup Kent DA14 5BQ**

OS Grid E: 548426 N: 170198

Ref:

Applicant : H Evans And Sons Ltd Objections : NO

Description of Development:

Building for storage and retail display (with first floor offices within part) on site of building destroyed by fire

Proposal

The proposal involves the erection of a building for storage and retail display with first floor offices on the site of buildings destroyed by fire on 26 April 2009. The fire damaged building comprised a steel framed structure with green profile metal sheeting and some brickwork to the south elevation and adjoining glasshouses. The building provided retail and warehouse floorspace and some first floor office accommodation.

Planning permission was granted under application ref. 04/02239 for development on the site including a new coffee shop and sales area. The proposal was partly justified in Green Belt terms through a Section 106 legal agreement requiring the removal of a number of existing glasshouses and other buildings resulting in a reduction in buildings on the site of 829m². The applicant states that they still intend to carry out the approved development before the permission expires in November this year and by this time the remaining buildings, subject to variations proposed below, will be taken down. The demolition work will be carried out when the fire damaged warehouse structure is removed. It is stated that the business has changed and site requirements have altered since the planning permission was granted. The proposal involves the following:

- replacement of fire damaged building with part open sided steel framed building with green metal sheeting to provide retail and warehouse floorspace
- removal of coffee shop building from earlier scheme
- removal of first floor cash hall office floorspace from earlier scheme
- retention of 40m² public toilet block (building 26) previously agreed to be removed
- retention of existing timber shed (building 27) previously agreed to be removed
- retention of existing canopy (building 33) previously agreed to be removed.

The proposal will result in an overall further 229m² reduction in buildings on the site. There will be 294m² less retail floorspace in the proposed building than permitted for the fire damaged building, and there will be a similar increase in warehouse floorspace.

Location

Ruxley Manor Nurseries and Garden Centre are situated on the southern side of Maidstone Road, approx. 300m from the Ruxley Corner roundabout and are within the Green Belt and adjacent to Ruxley Wood which is a Site of Importance for Nature Conservation (SINC).

The site is approx. 102 hectares in area, rising to a prominent hilltop and contains the listed Ruxley Farmhouse, a Grade II listed building, 2 modern houses built in the 1960s, the abandoned church of St Botolphs (listed and a Scheduled Ancient Monument), and a range of ancillary buildings and glasshouses.

The Garden Centre has been in existence for many years and occupies a group of modern glasshouses on the higher part of the site and adjoining open area, selling a wide range of plants and gardening products. There are also open air displays of stoneware, garden buildings and swimming pools and a large customer car park in the central part of the site.

Comments from Local Residents

Local residents were consulted and no representations have been received.

Comments from Consultees

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

There are no objections from the Council's Environmental Health Officer.

Transport for London has no objections to the proposal.

There are no objections from the Metropolitan Police Crime Prevention Design Adviser.

Bexley Council have no objections to the proposal.

There are no objections from the Council's Local Economy and Regeneration Team.

The Greater London Authority (GLA) have stated that the proposal does not raise any strategic planning issues and that the Council can proceed to determine the application without further reference to the GLA.

Further responses to consultations will be reported verbally at the meeting.

Planning Considerations

There is an extensive planning history relating to the site. Planning permission was granted under application ref. 04/02239 for a scheme including part one/two storey extensions to existing sales building to provide enlarged checkout area, coffee shop/seminar room, entrance canopy and link to warehouse/greenhouse buildings at rear including part change of use from Class B8 to Class A1. The proposal resulted in a reduction in buildings on site of 829m². The now fire damaged building provided 1,999m² retail floorspace, of which 490m² was an open sided area identified for cold water aquatics.

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

UDP

- G1 The Green Belt
- T5 Access for People with Restricted Mobility
- BE1 Design of New Development
- NE1 Development and Nature Conservation Sites
- NE12 Landscape Quality and Character
- S7 Retail and Leisure Development
- ER4 Sustainable and Energy Efficient Development.

London Plan

- 2A.1 Sustainability criteria
- 3D.9 Green Belt
- 3D.14 Biodiversity and nature conservation
- 4A.1 Tackling climate change
- 4A.3 Sustainable design and construction

- 4A.4 Energy Assessment
- 4A.7 Renewable energy
- 4B.1 Design principles for a compact city
- 4B.5 Creating an inclusive environment
- 4B.8 Respect local context and communities.

As part of the application process, it was necessary for the Council to give a Screening Opinion as to whether an Environmental Impact Assessment was required. The proposal constitutes Schedule 2 development within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. After taking into account the selection criteria in Schedule 3 of the Regulations and the terms of the European Directive, it was considered that the proposed development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size and location. This opinion was expressed taking into account all relevant factors including the information submitted with the application, advice from technical consultees, the scale/characteristics of the existing and proposed development on the site. The applicants have been advised accordingly.

Conclusions

The main issues to be considered in this case are whether there are very special circumstances to justify inappropriate development in the Green Belt and the impact of the proposal on the character of the area and the openness of the Green Belt.

In terms of very special circumstances to justify inappropriate development in the Green Belt, it can be considered that the existence of the now fire damaged buildings represents justification for their replacement. Part of the proposed building will be higher than the former glasshouse it will replace, however the footprint of the building will be 45m² less than the former buildings. It is considered that there will be no undue harm to the openness and visual amenities of the Green Belt, particularly when considered in the context of the overall reduction in the footprint of buildings on the site.

It is considered that no undue harm will result from the reduction in retail floorspace and corresponding increase in warehouse floorspace.

Background papers referred to during the production of this report comprise all correspondence and other documents on files refs. 04/02239 and 09/01552, excluding exempt information.

as amended by documents received on 27.07.2009

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	ACC04	Matching materials	
	ACC04R	Reason C04	
3	ACH29	Construction Management Plan	
	ACH29R	Reason H29	
4	ACK02	No mezz floor/roof space accom (1in)	a mezzanine
	ACK02R	K02 reason (1 insert)	S7
5	ACK03	No equipment on roof	
	ACK03R	K03 reason	

Reasons for granting planning permission:

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

UDP

- G1 The Green Belt
- T5 Access for People with Restricted Mobility
- BE1 Design of New Development
- NE1 Development and Nature Conservation Sites
- NE12 Landscape Quality and Character
- S7 Retail and Leisure Development
- ER4 Sustainable and Energy Efficient Development.

London Plan

- 2A.1 Sustainability criteria
- 3D.9 Green Belt
- 3D.14 Biodiversity and nature conservation
- 4A.1 Tackling climate change
- 4A.3 Sustainable design and construction
- 4A.4 Energy Assessment
- 4A.7 Renewable energy
- 4B.1 Design principles for a compact city
- 4B.5 Creating an inclusive environment
- 4B.8 Respect local context and communities.

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

- (a) the relationship of the development to adjacent property
- (b) the character of the development in the surrounding area
- (c) the impact of the proposal on the openness and visual amenities of the Green Belt

- (d) the need for very special circumstances to justify inappropriate development in the Green Belt
- (e) the impact on the amenities of the occupiers of adjacent and nearby properties
- (f) the safety and security of buildings and the spaces around them
- (g) accessibility to buildings
- (h) the design policies of the development plan
- (i) the transport policies of the development plan

and having regard to all other matters raised.

Reference: 09/01552/FULL1

Address: Ruxley Manor Garden Centre Maidstone Road Sidcup Kent DA14 5BQ

Proposal: Building for storage and retail display (with first floor offices within part) on site of building destroyed by fire



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 : 09/01688/OUT Ward : Petts Wood And Knoll

**Address : 15 Chatsworth Parade Petts Wood Conservation Area:NO
Orpington Kent BR5 1DF**

OS Grid E: 544319 N: 167618

Ref:

Applicant : Oakley South Ltd Objections : YES

Description of Development:

Retention of front elevation and demolition of three storey building behind. Erection of part two/ part three storey building plus basement at rear of retained front elevation for use as retail shop (Class A1) on ground floor and offices (Class B1) on first and second floors. Basement car parking for 8 vehicles and cycle parking and refuse facilities on ground floor and formation of vehicular accesses at rear OUTLINE

Proposal

Outline permission is sought for

Details of scale, layout and access are to be determined at this stage with appearance and landscaping reserved for later consideration.

- retention of the front elevation and demolition of the remainder of the buildings on the site
- erection of a part two/part three storey building behind the retained façade
- use of the ground floor for retail (Class A1) and the first and second floors for offices (Class B1)
- 8 car parking spaces and cycle parking in a basement, plus refuse facilities and a vehicular access at the rear.

The total proposed floorspace for the building would be 1864 sq m (currently 1365 sq m) apportioned as follows:

- basement – 485 sq m (new floorspace)
- ground floor retail – 511 sq m (increase of 56 sq m)

- first and second floor offices – 868 sq m (decrease of 42 sq m)

Following negotiations with the applicant the extent of the new building at the rear has been reduced from the original submission. The proposed building would take up the full width of the site at ground level with the first and second floors stepped back from the boundaries on both the north and south sides.

The new building would have a flat roof and overall it would be higher than the existing building. The top of the building would be level with the eaves height of the existing rear part of the pitched roof. A section has been stepped back to provide light to the first floor windows of the flats at 16A and 17A.

Windows are shown in each elevation but these are indicative and would be subject to a condition requiring details to be submitted at reserved matters stage to ensure that privacy for the flats is maintained.

Access to the basement will be via a car lift situated inside the entrance area to the basement. Refuse collection for both the retail and office uses will be from the rear at ground floor level. Cycle parking would also be provided in the basement.

The applicant has submitted information and photos showing that the current property is in a very poor state of repair and suffering from major structural defects and that this has resulted in the decision to demolish the building rather than refurbish. The applicant also advises that the façade would be retained to maintain visual continuity to the Chatsworth Parade and that the redevelopment of the building would bring vitality back to the district centre.

Location

The application site is located in the centre of a long parade of shops and was previously occupied by Woolworths. The frontage buildings are three storeys. At the rear the site is currently occupied by a part two/part three storey structure extending to the edge of the private service road that runs along the rear of the parade. There is also a four storey lift shaft on the north side of the building.

On either side of the site, at first floor level, there are residential units. Pedestrian access is from the rear via a staircase to a first floor level walkway that extends along the full length of the parade. The windows in the rear elevation of these units serve a kitchen and hallway at the entry level (first floor) and a bathroom and bedroom at the upper level (second floor).

The rear ground floor of the site is partly occupied by the existing building and the land on either site is overgrown or used for storage and parking by users of adjoining sites on an informal basis.

Comments from Local Residents

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

- location of proposed building would make vehicular access to rear of 19 Chatsworth Parade difficult and disturb and interrupt this business
- basement will create a precedent and displace ground water thereby increasing likelihood of flooding
- possible subsidence from basement excavation
- office development should be kept to a minimum in this district centre – residential is preferable on the first and second floors.
- noise and disturbance from demolition
- loss of customers during construction period
- increased flow of vehicles on private road
- lack of footpath on private road
- potential loss of privacy to residential properties from windows in proposed office
- noise from proposed office use in residential units
- cost of repairing private road that could be damaged by construction vehicles

Neighbours have been notified of the amended plans and any comments received will be reported verbally to the Committee.

Comments from Consultees

Network Rail has no objections to the proposal.

The Council's Drainage Consultant advises that the site is within an area where Thames Water require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries and a standard condition to deal with this has been recommended.

Thames Water request the installation of a valve to deal with sewerage backflow and a condition is recommended.

The Metropolitan Police Crime Prevention Advisor has no adverse comments to the outline application in principle and has requested details of protection measures and gates to protect basement parking to be submitted at the details stage.

With regard to refuse the Council's Waste Advisor has no objections to the servicing arrangement in principle and a condition requesting further detailed information has been recommended.

From a highways point of view there are no objections to the proposal subject to the submission of details of the car lift and final layout of the parking spaces at reserved matters stage.

The Council's Environmental Health Officer raises no objection to the proposal in principle but is concerned that there may be some soil contamination. A condition requiring any contamination encountered to be assessed and remediated is recommended.

Planning Considerations

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

EMP2 Office Development
EMP7 Business Support
BE1 Design of New Development
T3 Parking
S1 Primary Frontages

In strategic terms the most relevant London Plan policies are:

3C.23 Parking Strategy
3D.1 Supporting Town Centres
4A.3 – 4A.7 Sustainable design and construction and climate change policies

There are a number of national policy documents that are relevant to the consideration of this application. These include

PPS1 Delivering Sustainable Communities
PPS 6 Planning for Town Centres
PPG 13 Transport

Planning History

There is no relevant planning history for the site.

Conclusions

The main issues to be considered are

- the suitability of the uses within the district centre,
- the scale and layout of the proposed building and its visual impact,
- the impact of the proposed building on the amenities of nearby residents and businesses, and
- the acceptability of the proposed car parking.

The site lies within a designated primary shopping frontage in the district centre. The proposed retail use for the ground floor is considered acceptable. The office floorspace is less than the existing and is also considered acceptable.

Turning to the visual impact, the new building would be higher and wider than the existing building.

At ground level the site would be covered by buildings with the exception of a strip of land on the north side. At first and second floor levels the new building would also be wider than the existing and extend to the rear of the residential properties. The first floor element will be set back a minimum of 12m from the rear of 14A (south side) and from the rear of 16A and 17A (north side). At second floor level there would be no development to the rear of 14A. At the rear of 16A and 17A the set back will be the same as at first floor level but the side elevation will be stepped back further to reduce its depth.

Overall the new building would be 2.2m higher than the existing building. On the south side (adjacent to No 14A this would have minimal effect as the However a section of the second floor on the north side has been stepped back to provide light to the first floor windows of the flats at 16A and 17A.

It is accepted that the new building would be larger than the existing but it is considered that this would not detract from the visual amenities of this area. The provision of a high quality new building could serve to improve the rather run down appearance of this rear access area.

A drawing is available on file that superimposes the outline of the existing building on the proposed plans to demonstrate the extent of the new development.

With regard to the impact of the new building on adjoining properties the applicant has amended the scheme in order to minimise this impact. It is accepted that there would be some change in outlook from the windows of 14A with the introduction of the first floor element (this would equate to the ground floor for this flat) and an increase in height above the existing building. However the new building is on the north side of this unit, there is no second floor on this side and the first floor element is set back 12m from the front elevation of the flat. Members may consider that these measures mean that the structure would not have a significantly detrimental effect on the amenities enjoyed by residents at 14A.

For 16A and 17A there would equally be some impact on these properties. With regard to the increased height the scheme has been amended to set back the second floor immediately adjacent to these flats. The building then increases in height at the same point as an existing parapet so the impact of the increased

height is not evident until approx 8.5m from the front elevation of the flats. Turning to the first and second floor projections it should be noted that there is an existing four storey lift shaft on the north side of the building and the majority of the these projections would extend no further out than the extent of this existing structure. Again members may consider that these amendments have secured improvements to the scheme which would ensure that there is not a significant detrimental effect on the amenities on residents on the north side of the building.

From a highways point of view the UDP standard for car parking for office use is 1 space per 100 – 600 per sq m depending on public transport availability level (PTAL). For this site the PTAL is level 3 and it would be appropriate to seek 1 space per 100-150 per sq m. No parking has been provided for the retail floorspace reflecting the current situation. The applicant has met the UDP standard and proposes basement parking via a new vehicular access and a car lift set inside the rear elevation of the new building. It is considered that the rear service road could accommodate this additional parking and the existing footway at the rear would be retained to maintain a pedestrian access.

In conclusion Members may consider that although the proposed scheme is both higher and wider than the existing building on the site, the amended scheme has addressed concerns particularly in respect of the impact on the amenities of adjoining residential properties resulting in a scheme that respects these amenities and provide a modern, high quality building that would improve the viability and vitality of this part of the district centre.

Background papers referred to during the production of this report comprise all correspondence on file ref: 09/01688, excluding exempt information.

as amended by documents received on 17.08.2009 20.08.2009

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|-----------------|---|-------------------------------|
| 1 | ACA02
ACA02R | Details req. pursuant outline permission
Reason A02 | appearance and
landscaping |
| 2 | ACA03
ACA03R | Compliance with landscaping details
Reason A03 | 1 |
| 3 | ACC01
ACC01R | Satisfactory materials (ext'n'l surfaces)
Reason C01 | |
| 4 | ACC03
ACC03R | Details of windows
Reason C03 | |
| 5 | ACD02
ADD02R | Surface water drainage - no det. submitt
Reason D02 | |
| 6 | ACD04 | Foul water drainage - no details submitt | |

- ADD04R Reason D04
- 7 Before any work is undertaken in pursuance of the consent, details shall be submitted to and approved in writing by the Local Planning Authority of such steps to be taken and such works to be carried out as shall, during the progress of works permitted by this consent, secure the safety and stability of that part of the building which is to be retained. The approved steps to secure the safety and stability of the retained building shall be in place for the full duration of the building works hereby granted permission.
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to protect the fabric of the building.
- 8 ACH02 Satisfactory parking - no details submit
ACH02R Reason H02
- 9 Details of the car lift shall be submitted to and approved in writing by the Local Planning Authority and this arrangement shall be subsequently completed before any part of the development hereby permitted is first occupied, and shall be permanently retained thereafter.
Reason: In order to comply with Policy T3 of the Unitary Development Plan and to enable vehicles to access the car parking area and enter and leave the site in a forward direction, in the interests of pedestrian and vehicular safety.
- 10 ACH18 Refuse storage - no details submitted
ACH18R Reason H18
- 11 ACH22 Bicycle Parking
ACH22R Reason H22
- 12 ACH29 Construction Management Plan
ACH29R Reason H29
- 13 ACI11 Obscure glaz'g/details of opening (1 in) in the north east and south west
ACI11R Reason I11 (1 insert) BE1
- 14 ACI21 Secured By Design
ACI21R I21 reason
- 15 Prior to the first occupation of the building the footway at the rear of the site fronting the service road shall be reinstated in accordance with details to be submitted and proved by the Local Planning Authority and permanently retained thereafter.
Reason: In order to comply with Policy T8 of the Unitary Development Plan and in the interests of safety for pedestrians.

Reasons for granting permission

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

EMP2 Office Development
EMP7 Business Support
BE1 Design of New Development

T3 Parking
S1 Primary Frontages

The development is considered 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 areas
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties, in relation to privacy, light and outlook (delete as necessary)
- (e) the safety of pedestrians and motorists on the adjacent highway
- (f) the safety and security of buildings and spaces around them
- (g) accessibility to buildings
- (h) sustainability issues
- (i) the shopping policies of the development plan
- (j) the provision of satisfactory living accommodation for future residents of the flats/houses
- (k) the transport policies of the development plan
- (l) the employment policies of the development plan

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Before the submission of details under Condition 6 above you should refer to the observations from Thames Water who request that you incorporate protection to the property by installing a device to avoid the risk of backflow at a later date.
- 2 RDI06 Notify Building Control re. demolition
- 3 RDI12 Disability Legislation
- 4 If, during any works, contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Planning Authority for approval in writing by or on its behalf.

Reference: 09/01688/OUT

Address: 15 Chatsworth Parade Petts Wood Orpington Kent BR5 1DF

Proposal: Retention of front elevation and demolition of three storey building behind. Erection of part two/ part three storey building plus basement at rear of retained front elevation for use as retail shop (Class A1) on ground floor and offices (Class B1) on first and second floors. Basement car parking for 8 vehicles and cycle parking and refuse facilities on ground floor and formation of vehicular accesses at rear OUTLINE



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 : 09/01763/FULL2 Ward : Copers Cope

**Address : 184 High Street Beckenham Kent BR3 Conservation Area:NO
1EN**

OS Grid E: 537247 N: 169410

Ref:

Applicant : Mr Achal Prashad Objections : YES

Description of Development:

Change of use from retail (Class A1) to Dental Surgery (Class D1)

Proposal

Planning permission is sought for the proposed change of use of No. 184 High Street, Beckenham from retail (Class A1) to Dental Surgery (Class D1). The last know use of the premises was as a delicatessen.

No external alterations to the property are proposed.

Information submitted in support of the application indicates that there is an identified need for the provision of dental services in Beckenham. The Primary Care Trust (PCT) has written in to confirm that there continues to be demand for NHS dentistry in the Beckenham area, and that the PCT would welcome additional NHS capacity.

Consultations

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

- no need for an additional dental surgery
- impact to parking
- loss of retail use
- already too many dentists in the area

No objections have been raised from the Highways and Environmental Health perspectives.

Transport for London (TfL) raise no objection to the proposal.

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
- S1 Primary Frontages
- C4 Health Facilities

Under ref. 09/00904, a planning application was submitted for the change of use of the premises from retail to a dental surgery. This application was withdrawn by the applicant prior to determination.

Conclusions

The main issues relating to the application are the effect that it would have on the retail character of the primary shopping frontage area and whether the application property is in an appropriate location for the proposed health facility.

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

While the proposed change of use would result in the loss of a retail unit within the primary shopping frontage, it is considered that the proposed use as a dental surgery would create significant pedestrian visits during shopping hours and would complement the shopping function of the town centre. There would not be a concentration of similar uses within the parade, and it is not considered that there would be adverse impact to residential amenity. There is an identified need for NHS dental practices in the Beckenham area, and the proposed surgery would be located in an accessible town centre location, as required by Policy C4. Technical comments received have confirmed that there would be no harm to conditions of road safety or to the TfL road network.

On balance, the proposed change of use is considered to be acceptable.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACH18 Refuse storage - no details submitted
 ACH18R Reason H18
- 3 The use shall not operate on any Sunday or Bank Holiday, Xmas Day or
 Good Friday, nor before 8.00am or after 7.30pm on Mondays to Fridays
 nor before 9.00am or after 3.00pm on Saturdays.
 ACJ05R J05 reason S1
- 4 AJ02B Justification UNIQUE reason OTHER apps

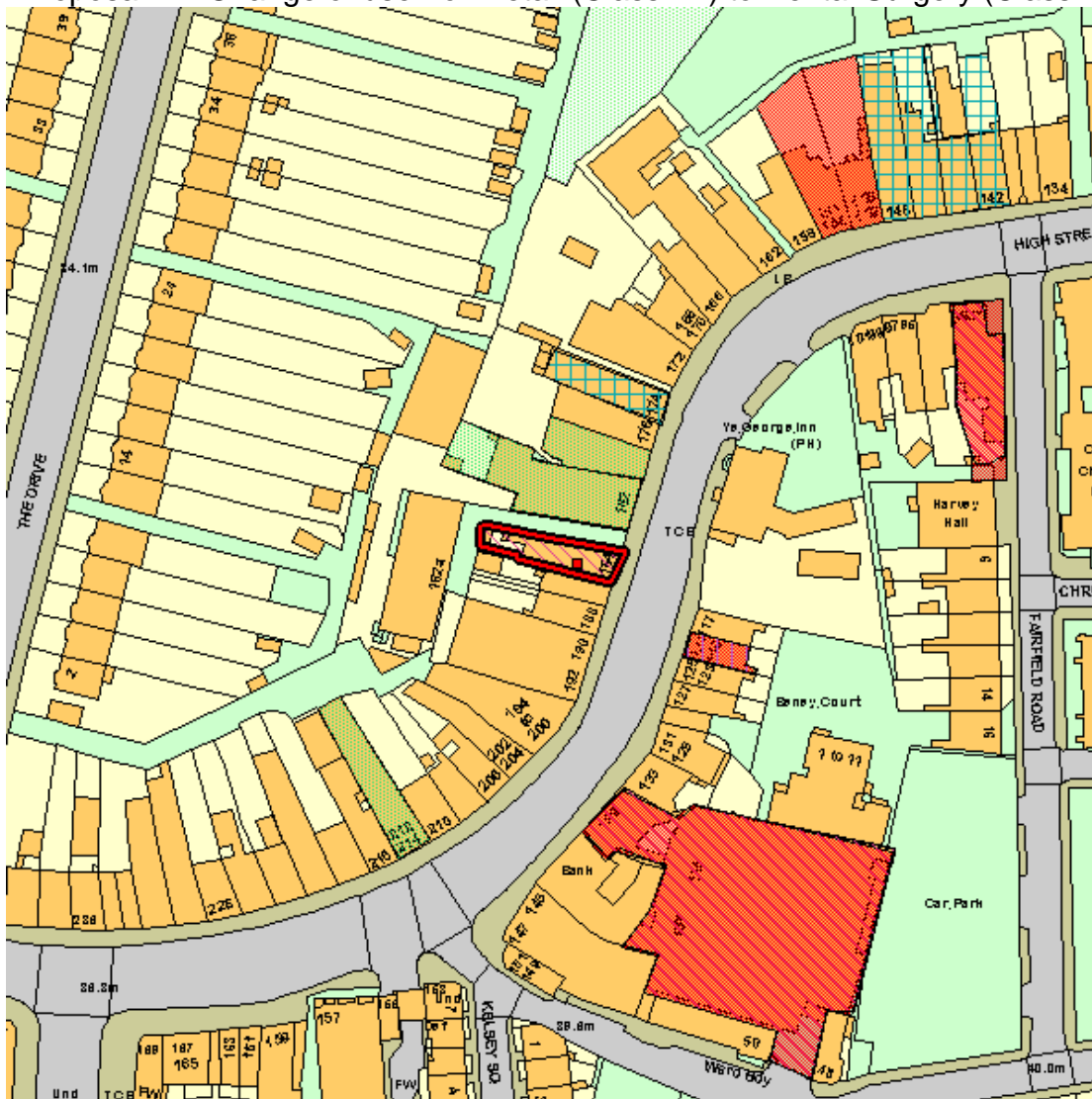
Policies (UDP)

- BE1 Design of New Development
- S1 Primary Frontages
- C4 Health Facilities

Reference: 09/01763/FULL2

Address: 184 High Street Beckenham Kent BR3 1EN

Proposal: Change of use from retail (Class A1) to Dental Surgery (Class D1)



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

10. Application No : 09/01784/FULL6 Ward : Bickley

**Address : 1 Bruton Close Chislehurst Kent BR7 Conservation Area:NO
5SF**

OS Grid E: 542571 N: 170085

Ref:

Applicant : Mr And Mrs B D'Souza Objections : YES

Description of Development:

Single storey side extension

Proposal

The proposed extension will have a height of 3.2m, will be sited 2.8m back from the building line and will possess a pitched roof.

The width of the extension will be 4.2m at the widest point, reducing to 2.1m at the front section.

The proposed extension will be used as an annexe to the main dwelling.
Location

Location

The application site is on the northern side of Bruton Close, close to the junction with Bullers Wood Drive. The properties on Bruton Drive and the surrounding area are large detached family dwellings set within spacious plots. The corner properties in the area are characterised by large areas of open space, creating a spacious character. No. 1 Bruton Close possesses no existing extensions. The property to the north (Wootton) is sited approximately 2m lower than No. 1 Bruton Close.

Comments from Local Residents

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

- prominent and overbearing extension in the street scene
- erosion of open corner site
- overlooking and loss of privacy
- loss of light/overshadowing
- first floor windows of permitted extension at Wootton would be affected

Comments from Consultees

No technical highways objections are raised.

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

Planning Considerations

The main policies relevant to this case are Policies BE1 (Design Of New Development), H8 (Residential Extensions) and T18 (Road Safety) of the adopted Unitary Development Plan.

Planning History

Planning permission was refused under ref. 08/04221 for a single storey side extension on the following grounds:

“The proposed extension, by reason of its prominent siting, would result in a visually intrusive feature on this prominent corner site and would be detrimental to the open nature of the area and out of character with the wider street scene, contrary to Policies BE1 and H8 of the Unitary Development Plan.”

Planning permission has twice been refused and dismissed on appeal for a detached dwelling at Wootton, the neighbouring property to the north (latest ref. 06/00534). This two storey structure was considered unacceptable specifically on the grounds of cramped overdevelopment and loss of outlook/visual impact from No. 1 Bruton Close. Overlooking and loss of privacy was not considered to be an issue by either the Council or the Planning Inspectorate. The current case, however, must be considered on its own individual merits and relevant considerations.

Planning permission was granted under ref. 07/01788 for a first floor extension and enlarged pitched roof to incorporate front dormers and single storey side extension and elevational changes including a chimney on flank at Wootton.

Conclusions

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

The current application reduces the bulk of the side extension, setting it back 2.8m from the building line. The extension also steps out towards the rear so that the main bulk is towards the rear of the dwelling. This is considered less prominent than the previous scheme, and the false pitched roof 3.2m in height is considered to be a suitable height as to not impact significantly on the character of the dwelling or wider area.

Given the boundary screening, the proposed rear extension is not likely to result in any overlooking to the neighbouring property at Wootton. The rear garden is screened by the presence of a rear fence and garage at the adjacent Wootton. This garage is proposed to be rebuilt in the same position under the recently permitted scheme (ref. 07/01788).

The surrounding area is characterised by detached dwellings sited within generously sized plots. The streetscape is characterised by open corner plots with no current development encroaching onto this area. The proposed side extension is considered to be sympathetically sited and designed and will not be visually intrusive or erode the corner site. No significant impact is therefore considered to result to the open character of this area.

It should be noted that the submitted OS map is incorrect, indicating a rear extension.

On balance it is considered that the development in the manner proposed is acceptable in that it would not result in a detrimental impact on the character of the area or impact significantly on neighbouring amenities, particularly the adjacent property at Wootton.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/04221 and 09/01784, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC04
ACC04R | Matching materials
Reason C04 |

3 ACI07 Restrict to members of household (1 in) at No. 1 Bruton Close
ACI07R Reason I07

4 The boundary enclosures currently existing to the rear boundary of the site shall be permanently retained unless agreed in writing by the Local Planning Authority.

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

Reasons for granting permission

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

BE1 Design of New Development
H8 Residential Extensions
T18 Road Safety

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

- (a) the relationship of the development to adjacent property
- (b) the character of the development in the surrounding area
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties, including light, prospect and privacy
- (d) the impact on pedestrian and vehicular safety

and having regard to all other matters raised.

Reference: 09/01784/FULL6
Address: 1 Bruton Close Chislehurst Kent BR7 5SF
Proposal: Single 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 : 09/01807/FULL6 Ward : Bromley Common And Keston

Address : Old Joinery House 60A Gravel Road Conservation Area: Bromley Hayes and Keston Commons

OS Grid E: 542203 N: 165795

Ref:

Applicant : Mr Mark Harris Objections : NO

Description of Development:

New pitched roof and installation of new stainless steel flue on existing roof

Proposal

The current application proposes the removal of the existing flat roof and its replacement with a new slate tiled pitched roof. This would increase the height of the building at the front from 3.2m to a maximum height of 4.4m.

The existing roof consists of glass and felt with a number of single glazed roof lights which have been leaking rain water into the property on a number of occasions.

The new roof would be finished with black slate roof tiles to match the existing roof tiles used elsewhere on the property and are the same tiles used on the surrounding neighbouring properties.

A new stainless steel flue pipe is proposed to be located on an existing pitched roof towards the rear of the property to provide ventilation.

Location

The application site is a two storey detached dwelling located towards the northern end of Gravel Road. The building is situated at the rear of No. 60 which is Locally Listed and was previously used as a residential dwelling and workshop with ancillary offices.

The site is located within the Bromley, Hayes and Keston Commons Conservation Area. This area contains a small group of buildings very similar to those on Oakley Road. These early mid 19th century houses are slightly larger than those on Oakley Road and are mostly detached within more generous gardens; the architectural character is understated and traditional. On the corner of Cross Road and Gravel Road towards the southern boundary of the site stands the 'Bird in Hand' Public House, a handsome building in its own right and a local landmark.

Comments from Local Residents

No comments have been received.

Comments from Consultees

The Advisory Panel for Conservation Areas, (APCA) were consulted on the application and raise no objections.

Planning Considerations

The application falls to be determined in accordance with S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that conservation area. The following policies of the Unitary Development Plan are further 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

The Supplementary Planning Guidance for the Bromley, Hayes and Keston Commons Conservation Area is a further consideration.

Planning History

Under planning application ref. 01/03784, permission was granted for elevation alterations and joinery workshop/office to two bedroom dwelling (building rear of No. 60)

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 conservation area and street scene in general.

The relevant planning policies contained in the adopted UDP are concerned with the impact of new development on the local environment and have been formulated to ensure that local amenity and the character of residential housing areas are adequately safeguarded. They emphasise the need to ensure that new development proposals achieve a reasonable degree of compatibility with the existing surrounding development. It is considered essential that any form of new development integrates satisfactorily with the scale and character of the neighbouring development and does not create a discordant intrusion in relation to adjoining development.

It is considered that the proposed extensions involve a modest enlargement of the buildings and respect the character and appearance of the existing building, compliant to Policies H8, BE1 and BE11 of the Unitary Development Plan.

Whilst it is acknowledged that the proposal results in an increase of around 1.2m in height of the building, it should be noted that in terms of the character of the area, the host property is set behind the existing frontage development and is therefore unlikely to have any significant adverse effects on residential amenity or the character of the area.

Members will therefore need to consider whether the increase in the height of the building together with the stainless steel flue pipe results in any significant harm to the character and appearance of the area with particular regard to the street scene and layout of the site.

Background papers referred to during production of this report comprise all correspondence on files refs. 01/03784, and 09/01807, 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 |

Reasons for 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
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: 09/01807/FULL6

Address: Old Joinery House 60A Gravel Road Bromley BR2 8PF

Proposal: New pitched roof and installation of new stainless steel flue on existing roof



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 : 09/01823/FULL1 Ward : Clock House

**Address : Hall Adjacent 6 Kendall Avenue Conservation Area:NO
Beckenham Kent**

OS Grid E: 536157 N: 169375

Ref:

Applicant : London And District Housing Ltd Objections : YES

Description of Development:

Demolition of existing hall and erection of a terrace of 4 four bedroom houses with dormer windows at rear

Proposal

The proposal is to demolish the hall building and erect a terrace of 4 four bedroom houses with dormer windows at rear. The site is currently classified as a D2 Assembly/leisure use community facility and therefore a change of use of the site to C3 dwelling houses will result.

Location

The application site is situated on the western side of Kendall Avenue, a cul-de-sac off Kendall Road and Sidney Road. The premises comprises of a single storey hall building which forms part of the Beckenham Men's Club fronting onto Churchfields Road.

Comments from Local Residents

- the lack of road parking is a problem
- each four bedroom property should have at least 1 off street parking space
- Kendal Avenue suffers from parking problems due to its proximity to Clock House Station
- a CPZ will be implemented in Sydney Road in Sept 2009 which will have a detrimental affect on parking spaces available.
- it is a shame to remove yet another community facility for yet more houses

- Kendal Road and Kendal Avenue are not part of the CPZ scheme and therefore the streets will be over loaded with commuter parking

Comments from Consultees

As regards the policy issues, in the light of the Inspectors report (for the previous refusal), no policy objections are raised to the loss of community facilities on this site

Drainage section: require a condition relating to the rate of discharge of surface water.

Environmental Health Pollution: require the condition for contaminated land.

Thames Water has no objections to the proposal.

The Boroughs Waste advisors: require that the refuse and recycling is left at the edge of the curtilage.

From the highways aspect, given the previous appeal comments, the reduced number of dwellings proposed and the submission of a parking stress survey there are no objections to this proposal from the highway point of view.

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, C1 Community Facilities, H7 Housing Design H9 Side Space, ER4 Sustainable and Energy Efficient Development, ER7 Contaminated Land, T3 Parking , T11 New Accesses, T18 Road Safety

London Plan: 4B.1 Design principles for a compact city, 4A.3 Sustainable design and construction, 4B.8 Respect local context and communities, 3A.3 Maximising the potential of sites, 3A.18 Protection and enhancement of social infrastructure and community facilities.

All other material considerations shall also be taken into account.

Planning History

08/03572/FULL1 – A block of 5 terraced two storey four bedroom houses with additional rooms in roofspace was refused on the following grounds:-

The proposed development constitutes a cramped overdevelopment of the site out of character with the spatial standards of the area and if permitted

would establish an undesirable pattern for similar piecemeal infilling in the area, resulting in a retrograde lowering of the spatial standards to which the area is at present developed, contrary to Policies BE1 and H7 of the Unitary Development Plan (2006).

In the absence of information to the contrary, the lack of off street parking provision within the proposed development without the provision of a viable alternative to provide similar off street parking for future residents of the development would potentially cause increased incidence of parking on street at and within the vicinity of the site, which in turn would be detrimental to the free flow of traffic and safety of both vehicles and pedestrians as well as having an adverse effect on the visual amenities of the streetscene contrary to Policies T3, T18 and BE1 of the Unitary Development Plan.

In the absence of adequate information to the contrary that there is no longer a need to retain the existing community facility on site, the development would lead to the loss of a community facility detrimental to the future health, education, faith, social or other needs of the local community contrary to Policy C1 of the Unitary Development Plan.

The application was subject to an appeal which was dismissed. The Inspectors concluded that the loss of this hall would not cause any harm to the areas Community facilities because the club could continue to operate from the rest of the site. He also considered that there was adequate on street parking in the area, but was concerned at the amount of development proposed. He determined that the appeal should be dismissed because of the lack of an adequate sidespace, to comply with Policy H9, and due to the inadequacy of the accommodation

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties. Members will also need to consider whether the changes now made overcome the previous grounds of refusal and the Inspectors concerns.

The site is located within a primarily residential locality and the site is currently used as a community facility (Class D2) in connection with the Beckenham Mens Club on Churchfields Road. The application indicates that the existing hall has been disused since December 2006 as a result of falling membership and the poor condition of the building.

The size of the proposed development has been reduced from 5 dwellings to 4 and the scheme now includes a 1 metre side space provided to the flank

boundaries. The design of the buildings is not incompatible with the area and a reasonable building line is retained

Given the changes included in this case, the inspector's conclusions on parking and the highways engineer's comments. It is recommended that planning permission be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/01823 and 08/03527, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 3 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 4 | ACD02 | Surface water drainage - no det. submitt |
| | ADD02R | Reason D02 |
| 5 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 6 | ACH29 | Construction Management Plan |
| | ACH29R | Reason H29 |
| 7 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |
| 8 | ACK01 | Compliance with submitted plan |

Reason: To safeguard the character and amenities of the area and comply with Policies H7 and BE1 of the Unitary Development Plan.

- | | | |
|---|-------|--|
| 9 | AJ02B | Justification UNIQUE reason OTHER apps |
|---|-------|--|

Policies (UDP)

- BE1 Design of New Development
- C1 Community Facilities
- H7 Housing Design
- H9 Side Space
- ER4 Sustainable and Energy Efficient Development
- ER7 Contaminated Land
- T3 Parking
- T11 New Accesses
- T18 Road Safety

Reference: 09/01823/FULL1

Address: Hall Adjacent 6 Kendall Avenue Beckenham Kent

Proposal: Demolition of existing hall and erection of a terrace of 4 four bedroom houses with dormer windows 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

13. Application No : 09/01995/CONDIT Ward : Chislehurst

Address : Land At Former Kemnal Manor Estate Conservation Area: Chislehurst
Kemnal Road Chislehurst Kent

OS Grid E: 544886 N: 171773

Ref:

Applicant : **Objections : YES**

Description of Development:

Details of Phase 1 landscaping pursuant to Condition 13 of planning permission ref. 05/03871 granted for Change of use of former parkland to use for human burials, erection of a detached chapel, a cupola shelter, tractor shed and staff facilities, a surface car park for approx. 75 vehicles, accessway, landscaping and new vehicular access to/from Sidcup By-Pass (A20) all at Kemnal Manor Estate

Proposal

Planning permission was granted in November 2006 for change of use of former parkland to use for human burials, erection of a detached chapel, a cupola shelter, tractor shed and staff facilities, a surface car park for approx. 75 vehicles, accessway, landscaping and new vehicular access to/from Sidcup By-Pass (A20). Condition 13 of planning permission reference 05/03871 requires details of a landscaping scheme for the whole site. The Council has agreed that the applicant can submit details relating to the conditions of planning permission ref. 05/03871 in five phases as identified in the Masterplan.

The proposal is for the Phase 1 landscaping and involves a formal walled garden featuring a water feature and clipped yew hedge in the western part of the site. There will be a feature boulevard through an area of private burial plots and retained trees alongside new tree, shrub and hedge planting.

The applicant has submitted a Strategy for Management of Green Waste to comply with part viii of the condition.

Location

The former Kemnal Manor Estate grounds are situated on the south-west side of the A20 (Sidcup Road/By-Pass) which forms part of the northern boundary of the borough with LB Bexley and a short distance from the boundary with LB Greenwich. The estate is a large expanse of generally neglected former grounds of the former manor house (long since destroyed) containing a number of identifiable character areas/habitats ranging from probable ancient woodland, veteran trees, overgrown ornamental grounds, scrubland and grassland. The site is wholly within an inner wedge of the Green Belt and additionally falls within the Chislehurst Conservation Area. Part of the site is designated as a Site of Importance for Nature Conservation (SINC).

Comments from Consultees

The Council's Tree Officer has commented that the scheme does not follow recommendations within the ecological report.

A neighbouring ward councillor has objected to the proposal.

Planning Considerations

The Council has approved details relating to the following conditions of planning permission ref. 05/03871:

- condition 7 regarding slab levels
- condition 8 regarding disabled access
- condition 9 regarding details of car parking spaces
- condition 10 regarding details of a scheme to light the access drive and car parking areas
- condition 17 regarding details of the junction of the access road with the A20 Sidcup bypass
- condition 18 regarding details of the construction of the bridge over the watercourse
- condition 26 regarding details of bat roosts
- condition 28 regarding details of the elevations of the chapel building.

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

G1 The Green Belt
NE12 Landscape Quality and Character
BE1 Design of New Development
BE11 Conservation Areas.

Conclusions

The main issues to be considered is the impact of the proposal on the character and appearance of the Chislehurst Conservation Area, the openness of the Green Belt and the implications for the Site of Importance for Nature Conservation. It can be considered that the landscaping details will not harm the character and appearance of this part of the conservation area whilst there will be no unduly adverse impacts in terms of the openness and visual amenities of the Green Belt or in terms of ecological interest of the Site of Interest for Nature Conservation.

Background papers referred to during the production of this report comprise all correspondence and other documents on files refs. 05/03871 and 09/01995, excluding exempt information.

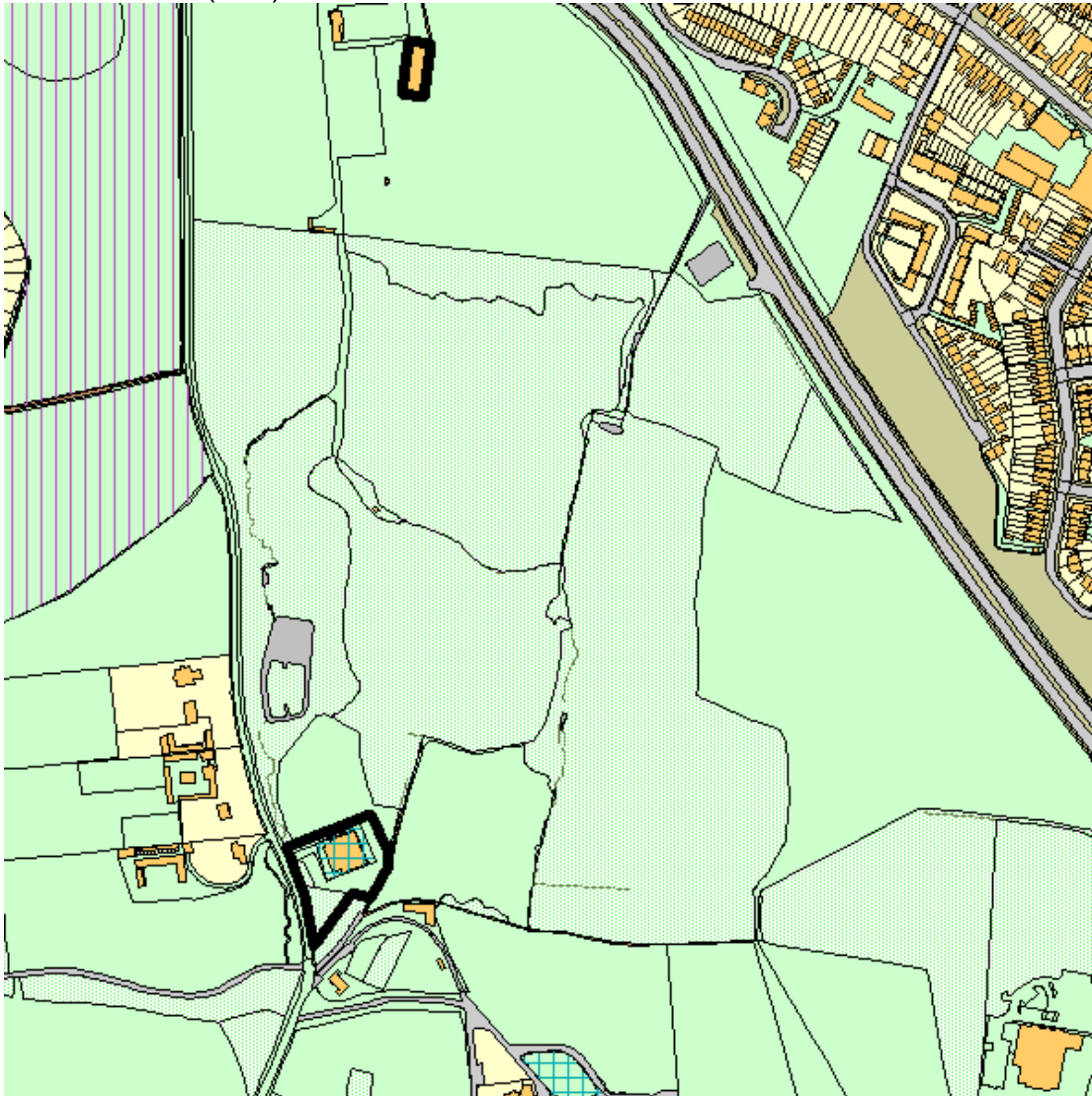
RECOMMENDATION: APPROVAL

subject to the following conditions:

Reference: 09/01995/CONDIT

Address: Land At Former Kemnal Manor Estate Kemnal Road Chislehurst Kent

Proposal: Details of Phase 1 landscaping pursuant to Condition 13 of planning permission ref. 05/03871 granted for Change of use of former parkland to use for human burials, erection of a detached chapel, a cupola shelter, tractor shed and staff facilities, a surface car park for approx. 75 vehicles, accessway, landscaping and new vehicular access to/from Sidcup By-Pass (A20) all at Kemnal Manor Estate



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 main part of the dwelling would comprise a two/three storey element located toward the centre of the site with the second floor accommodation partially located within the roof area, and basement. This element would occupy a footprint of approximately 18.5m (d) x 22m (w) and would be designed in a symmetrical style with a maximum height of approximately 9.5m (a roof lantern would be partially located above this roof, although this will be set back from the front and less visible along the streetscene elevation).

The development would include a linked south east part one/two storey annexe which would occupy much of the south eastern part of the site and be set approximately 11–12m away from the highway and a minimum 1m away front the flank boundary. This annexe would occupy a footprint of approximately 43m (d) x 8–10m (w), with the rear element being somewhat wider. The front element of this annexe would include additional accommodation with 4 north-west and one street-facing dormer at first floor which is represented by two games rooms on the submitted floor plan, and rising to a height of approximately 7.3m.

A two storey detached garage building (for 4 cars) would be located to the north west of the main dwelling and approximately 1.7m away from the north western boundary, and would occupy a footprint measuring approximately 8m (w) x 20m (d). This building would incorporate a ground floor store and a two bedroom flat at first floor level with 4 south-east facing and one street-facing dormer. This building would measure approximately 7.3m in height and be built to a matching style as the host building, and would be linked to the main dwelling via a covered walkway. A cupola would be added above both the garage block and south east annexe.

The overall development would be designed in a symmetrical style with both the south east annexe and garage block set equidistant from the main central dwelling and incorporating similar street-fronting elevations.

A detached orangery (with a maximum height of 4.1m) would be built toward the north western corner of the site, whilst an outdoor pool will also be provided within the rear garden area

In comparison to the existing dwellings currently occupying the application site, the proposed development will have a total footprint of 1034 sq m, as opposed to 624 sq m for the existing two houses.

The application also includes a landscape plan which includes details of proposed planting and hard surfaces, much of which would include York Stone to the front of the dwelling. Further details relating to the landscaping treatment and included in the Design and Access Statement.

Location

The application site is located toward the north eastern side of the Farnborough Park Estate and comprises the curtilage of two detached dwellings located within a residential cul-de-sac, known as 'Birchmead'. The dwelling at 'Laurens' is located within the designated Conservation Area of Farnborough Park, whilst that at No 8 forms part of a more recent 1980s residential development which comprises of 16 detached dwellings and which formed an extension of Birchmead.

Comments from Local Residents

Nearby owners/occupiers were notified of the application. Representations have been received which may be summarised as follows:

- proposed dwelling will be out of character and harm the immediate residential context and the wider conservation area;
- extensions to existing dwellings have respected the existing frontage and maintained the existing style;
- proposed development would not sit comfortably within the existing harmonious development, and will appear out of scale;
- development will not enhance the residential character of the area;
- the bulk and frontage of the proposal would dominate and overawe the close;
- proposal poses a public safety risk in terms of road safety;
- proposal has the appearance of a building which will be used for business or for entertaining and attracting large numbers of visitors;
- proposal would fundamentally change the character of Birchmead;
- loss of flora and fauna;
- proposal is out of proportion to the size of the plot;
- since Birchmead is a very narrow road construction vehicles will damage the road and lead the traffic concerned will inconvenience all local residents;
- the drainage for the road is already fragile and has already shown a tendency to flood, particularly at the entrance to the road. Heavy traffic would jeopardise this further;
- proposal involves demolition of two adequate homes;
- no objection on the basis that the ridge height is not exceeded, thereby preventing overlooking;
- character of the Farnborough Park Estate and its conservation status will be further eroded by the dominance of the proposed development;
- most of the houses along Birchmead are of a similar design, type and scale, except the smaller house at the entrance of the road, and the proposed house will change the street scene dramatically;
- proposal will appear visually intrusive from houses located along the opposite side of the road;
- proposal will lead to noise and disturbance for local residents

Objections to this proposal have been raised by Farnborough Park Estate Ltd, which are summarised below:

- proposed frontage will be wholly out of scale and character in Birchmead and will have a dramatic impact upon the streetscene;
- side flanks of the proposed development are excessively cramped and impinge upon boundary landscaping and trees to an unacceptable degree;
- the two rear extensions to both flanks will project excessively to the adjoining property, 'Lynross', whilst the 4-car garage and first floor annex with detached orangery also impacts dramatically on No 10 Birchmead;
- the replacement margin of 5-6 metre mature trees to the south flank seem to have inadequate space to survive;
- the principle that if rear extensions cannot be seen from the highway they are acceptable, is an unacceptable 'rule of thumb', especially when spatial standards are eroded;
- the Company does not permit the construction of basements within the Estate on drainage grounds due to the high water table level;
- the current character of Birchmead as developed by Whelan Homes in the 1980s has remained virtually unchanged in terms of the street scene, spatial frontal areas and juxtaposition of houses. Sizeable extensions permitted in the area have not had the visual impact that the current application will produce;
- proposal will result in excessive overlooking of Wood Way properties by reason of the multiple window fenestration

A response to the Farnborough Park Estate objections has been submitted by the Agent, dealing with various issues raised by the company. These are included in the application file.

Comments from Consultees

No technical Highways, Cleansing, Drainage or Environmental Health objections have been raised.

Objections have been raised by the Tree Officer due to the loss of the screening to the southern boundary of the site as a result of the proximity of the proposed development, and that the loss of this screening would be out of character with the conservation area.

No objection has been raised by Thames Water.

No objection has been raised by the Environment Agency following the submission of a Flood Risk Assessment.

Objections have been raised from a conservation perspective on the basis that the scale of the proposed development which would virtually occupy two sites,

which would be unprecedented in Farnborough Park. This development would be contrary to the existing pattern of development and would dominate the street, rather than complementing the existing built form. As such it can only be considered an overdevelopment. Concern is also raised at the principle of conjoining sites in Farnborough Park as it would be disruptive to the existing typology; the creation of larger sites could lead to undesirable forms of development.

Objections have been raised by the Advisory Panel for Conservation Areas on the basis that the proposal will result in an overdevelopment of the two sites which will compromise the spatial quality of the conservation area with the loss of views and trees. The scale of the development is contrary to the established unified scale and rhythm of the area and fails to preserve or enhance the conservation area.

Planning Considerations

Relevant Unitary Development Plan Policies are BE1 (Design of New Development), BE11 (Conservation Areas), BE12 (Demolition in Conservation Areas), BE13 (Demolition Adjacent to a Conservation Area) H7 (Housing Design and Density); H9 (Side Space); NE7 (Development and Trees), T3 (Parking) and T18 Road Safety). The Supplementary Planning Guidance for the Farnborough Park Conservation Area is also relevant to this application.

Planning History

Under planning ref. 80/03350, outline planning permission was granted for the extension of Birchmead with approval being granted for 16 detached houses located to the north of the original road and located within part of Crofton Heath. This included permission for the dwelling at No. 8 Birchmead which is partly the subject of the current application. Details plans for the development were agreed under ref. 87/01059.

Under permission ref. 92/00205, permission was granted for a one/two storey front, two storey front/side and one and two storey rear extensions at 'Laurens', formerly known as 'Sherford'. Under ref. 04/04824, permission was granted for a part one/two storey front, two storey side and first floor rear extensions, together with front and rear dormer windows at No. 8 Birchmead, although that permission was not implemented.

Conclusions

The main issues for consideration relate to the impact of the proposal on the streetscene and on the character and appearance of the wider Farnborough Park Conservation Area, as well as its impact on neighbouring amenity.

Whilst the application site only falls partially within the designated Farnborough Park Conservation Area (this designated area comprising the curtilage of the dwelling at 'Laurens') the streetscene and surrounding pattern of development is generally uniform in terms of the scale and layout. Although the road was substantially extended in the 1980s with the development of 16 detached houses at land located mainly to the north of 'Laurens' this was not inconsistent with the existing pattern of development where a generous separation was maintained between the individual dwellings and the highway. In addition, the properties maintained significant side space separation between each another, and remained similarly proportioned.

Whilst the street is occupied by fairly generous detached houses it remains fairly open in character and quite verdant in appearance, particularly as a result of the wide separation of the houses from the highway. Whilst 'Laurens' sits an oblique angle to Birchmead, it maintains a generous separation from the highway, and appears rather unobtrusive within the streetscene.

It is considered that the proposed development will disrupt the uniformity of the streetscene, and appear overbearing in relation to surrounding development, particularly given the degree of site coverage which will significantly exceed that of the two existing properties. Although it is acknowledged that the main two/three storey element of the dwelling will appear commensurate with other properties in Birchmead in terms of its width, its central position within this substantial plot will appear dominant and imposing within the streetscene, and less discreet in comparison to surrounding houses. The south east annexe and detached garage block, which will extend toward the flank boundaries and project forward of the main dwelling, will add to the dominance of this development. As a whole, the development will appear cramped, utilising a high proportion of the site area and retaining little open space between the street and the rear of the site.

With regard to neighbouring amenity, it is considered that the development will impact most significantly on the amenities of the neighbouring dwelling at 'Lynross', located to the south of the site. Whilst the south eastern site boundary is covered by a dense layer of trees it is not considered that the existence of the screening can be used to justify a significant rearward projection as proposed, nor can it be assumed that such a screening will remain permanently in situ as a means by which to reduce the visual impact of the proposed development. Concerns have been raised by the Tree Officer with regard to the retention and well-being of these trees given their proximity to the proposed development, and possible harm which could be inflicted as a result of building works. It is also considered that such a rearward projection will appear out of character with the spatial standards of the Conservation Area. However, no specific objection is raised in relation to the impact of No 10 Birchmead located to the north of the application site given the relatively limited rearward projection of the proposed garage block.

In conclusion it is considered that this proposal will be harmful to the character and appearance of the streetscene at Birchmead, and to the wider Farnborough Park Conservation Area.

Background papers referred to during production of this report comprise all correspondence on files refs. 80/03350, 87/01059, 92/00205, 04/04824, 09/01271 and 09/01400, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

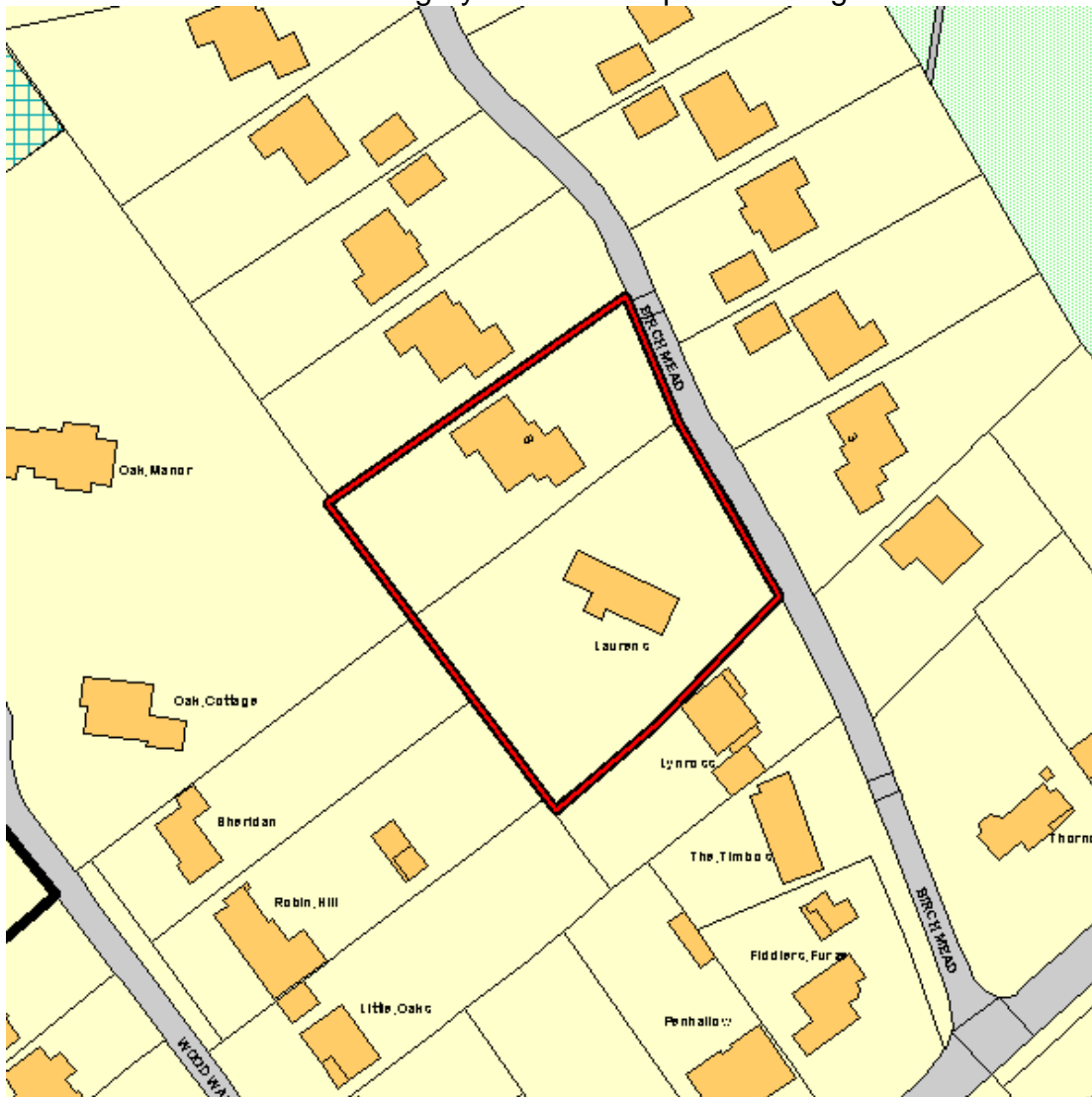
The reasons for refusal are:

- 1 The proposed development would, by reason of its size, depth, layout and excessive site coverage, represent a cramped and overdominant form of development, out of scale and character with adjoining development, and harmful to the visual amenities of the streetscene and the wider Farnborough Park Conservation Area, thereby contrary to Policies BE1, BE11, H7 and H9 of the Unitary Development Plan.
- 2 The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining property at Lynross might reasonably expect to be able continue to enjoy by reason of visual and loss of prospect in view of its size and depth of rearward projection, thereby contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan.
- 3 The development would prejudice the retention and well being of a number of trees which contribute significantly to the visual amenities of the Conservation Area and would therefore be contrary to Policies BE1, BE11 and NE7 of the Unitary Development Plan.

Reference: 09/01271/FULL1

Address: 8 Birchmead Orpington Kent BR6 8LT

Proposal: Demolition of Laurens and 8 Birchmead and erection of part two/three storey detached 8 bedroom dwelling with basement level accommodation, linked south east part one/two storey annexe and two storey detached garage building incorporating store and two bedroom flat at first floor level. Detached orangery and outdoor pool in rear garden.



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 : 09/01400/CAC Ward : Farnborough And Crofton

Address : Laurens 6 Birchmead Orpington Kent Conservation Area: BR6 8LT Farnborough Park

OS Grid Ref: E: 543448 N: 165870

Applicant : Mr Paul Warren Objections : YES

Description of Development:

Demolition of Laurens CONSERVATION AREA CONSENT

Proposal

See also planning application ref. 09/01271FULL1

Conservation Area Consent is sought to demolish 'Laurens' which is located within the Farnborough Part Conservation Area, and which forms part of a wider plot (together with No 8 Birchmead) for a new dwelling, subject of application ref. 09/01271.

Location

The site is located toward the north eastern side of the Farnborough Park Estate and comprises the curtilage of a single detached dwelling located within a residential cul-de-sac, known as 'Birchmead'. The dwelling at 'Laurens' is located along the edge of the designated Conservation Area of Farnborough Park.

The application dwelling is located toward the southern end of Birchmead and sits an oblique angle to the road. The dwelling was originally built in the early 1950s, although it was been significantly extended in the 1990s, in a Mock Tudor style.

The adjacent dwelling at No 8 (which forms part of a wider plot together with 'Laurens' for a new dwelling) forms part of a more recent 1980s residential development which comprises of 16 detached and which formed an extension of

Birchmead and which has not been designated a part of the Farnborough Park Conservation Area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application. Many of the representations are more relevant to application ref. 09/01271 and are summarised within the report for that application on this agenda. Some objections have explicitly referred to the loss of this dwelling, and are therefore also relevant to this application.

Comments from Consultees

Objections have been raised from a conservation perspective on the basis that demolition of the existing dwelling would be premature in the absence of an adequate replacement. However, it is considered that the existing building makes a neutral contribution to the conservation area.

Objections have been raised by the Advisory Panel for Conservation Areas on the basis that demolition of the existing dwelling would be premature in the absence of an adequate replacement.

Planning Considerations

Unitary Development Plan Policy BE12 (Demolition in Conservation Areas) is relevant to this application and should be afforded due consideration. The Supplementary Planning Guidance for the Farnborough Park Conservation Area is also relevant to this application.

Planning History

Under permission ref. 92/00205, permission was granted for a one/two storey front, two storey front/side and one and two storey rear extensions at 'Laurens', formerly known as 'Sherford'.

Conclusions

The main issue relating to the application is the effect that it would have on the character and appearance of the Farnborough Park Conservation Area, in particular whether this proposal would serve to preserve or enhance the Conservation Area.

Whilst the existing dwelling is only considered to make neutral contribution with regard to the character and appearance of the Farnborough Park Conservation Area, it would be premature to grant permission for the demolition of this property in the absence of an adequate replacement.

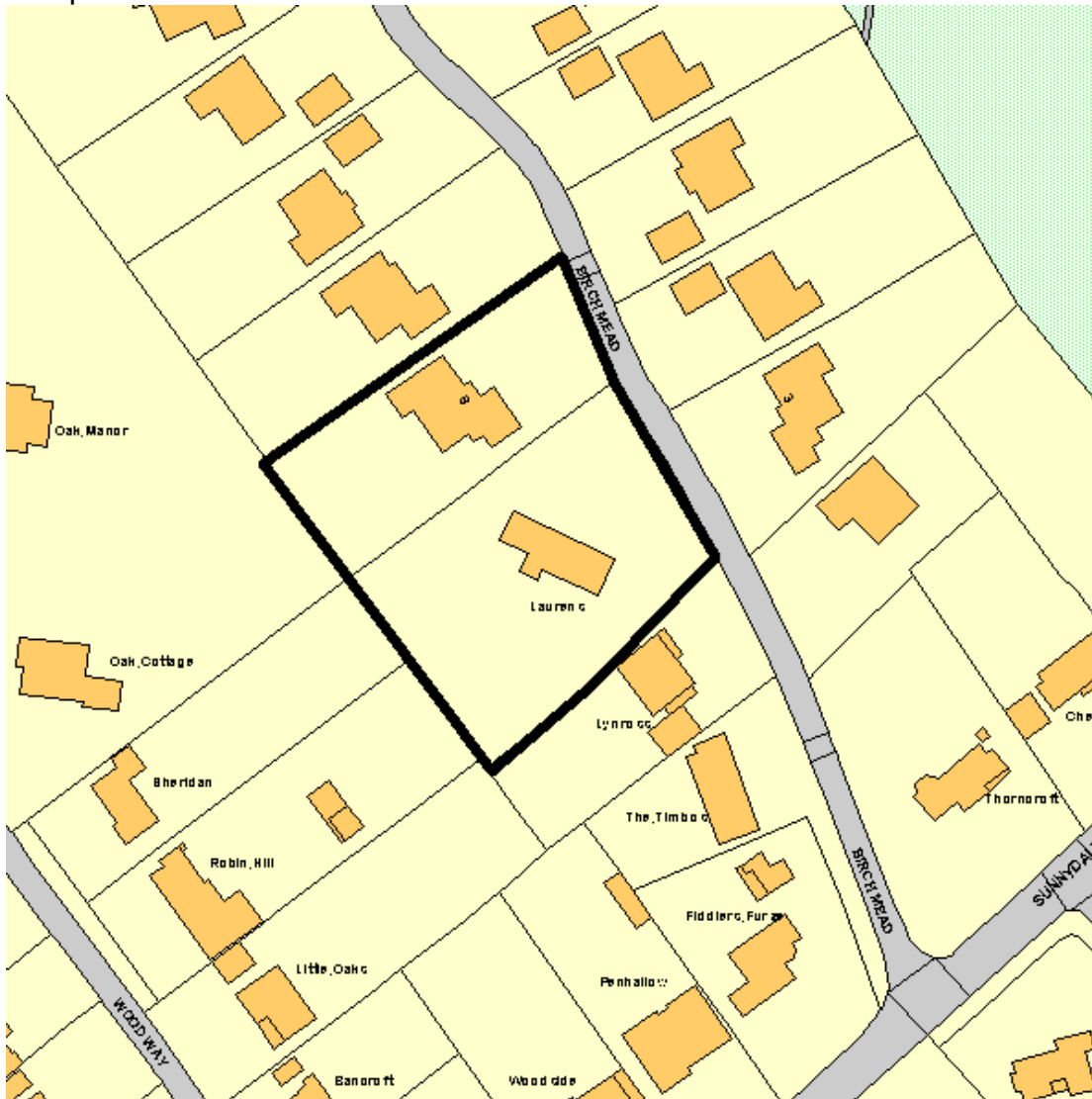
Background papers referred to during production of this report comprise all correspondence on files refs. 92/00205, 09/01271 and 09/01400, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The demolition of the dwelling without a suitable replacement would be premature and harmful to the character and appearance of the Farnborough Park Conservation Area, contrary to Policy BE12 of the Unitary Development Plan.

Reference: 09/01400/CAC
Address: Laurens 6 Birchmead Orpington Kent BR6 8LT
Proposal: Demolition of Laurens CONSERVATION AREA CONSENT



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

**16. Application No : 09/02011/FULL6 Ward :
Petts Wood And Knoll**

**Address : 64 Great Thrift Petts Wood Orpington Conservation Area:NO
Kent BR5 1NG**

OS Grid Ref: E: 544359 N: 168327

Applicant : D Christilaw Objections : YES

Description of Development:

Single storey detached building at rear for use as garage/store and formation of vehicular access

Proposal

This application seeks permission for a single storey detached outbuilding to the rear of 64 and 66 Great Thrift, Petts Wood. The building is to provide a triple garage and store and will be accessed from Silverdale Road, serving 64 Great Thrift who have taken into their ownership land severed from the rear garden of 66.

The building will adjoin an existing summerhouse to the rear of 64 and will be approximately 8.6m wide and 7m deep. The building will be set adjacent to the side boundary of 41 Silverdale Road. It will include a pitched roof rising to 3.8m, with three garage doors to the front.

The site is located within the Petts Wood Area of Special Residential Character and is located within a wholly residential area, characterised by detached and semi detached houses of high quality and character.

Comments from Local Residents

A significant volume of local objections has been received. These raise the following concerns:

- building proposed is larger than previously proposed dwellings
- building could easily be converted into a dwelling

- proposal will harm ASRC
- proposal out of character with large spacious gardens in the area
- overdevelopment of the site
- building line in Silverdale Road will not be respected
- proximity to 41 Silverdale Road will cause disturbance and visual impact
- drainage concerns
- there are no triple garages in the area

Comments from Consultees

The Highways Engineer has no objections to the proposal.

Planning Considerations

Policies BE1 (design), T18 (road safety) and H10 (Areas of Special Residential Character) are most relevant to this proposal.

Planning History

A previous history of refused applications and dismissed appeals is relevant to this case - although these were all for residential dwellings and affected the part of the site immediately to the rear of 66 Great Thrift, the principle of building on this land was considered in making these decisions. In particular the most recent decision where the Inspector considered that the proposal (for a low level dwelling) would "undermine the design rationale for the corner, destroying its distinct symmetry formed by the pattern of houses and gardens."

Conclusions

The main issues in this case are whether the proposal accords with road safety policies, and in particular whether it will harm the character and appearance of the ASRC or the amenities of neighbouring residential properties.

As the site lies within an ASRC it is paramount that any development respects and compliments the qualities and character of the area. The Petts Wood ASRC is important as much of the original layout and plots remain intact.

This proposal would introduce a relatively substantial building in a location poorly related to the existing layout of the area. The building will be close to the rear private garden area of 41 Silverdale Road and vehicles movements and the visual impact of the proposed building are likely to cause harm to the amenities of the occupiers of 41.

The area is not characterised by large detached garage buildings and this development will not respect the form and character of the area.

In summary the proposal is considered to cause harm to the character of the area and to the amenities of adjoining residents, therefore conflicting with the requirements of policies H10 and BE1 of the UDP.

RECOMMENDATION: PERMISSION BE REFUSED

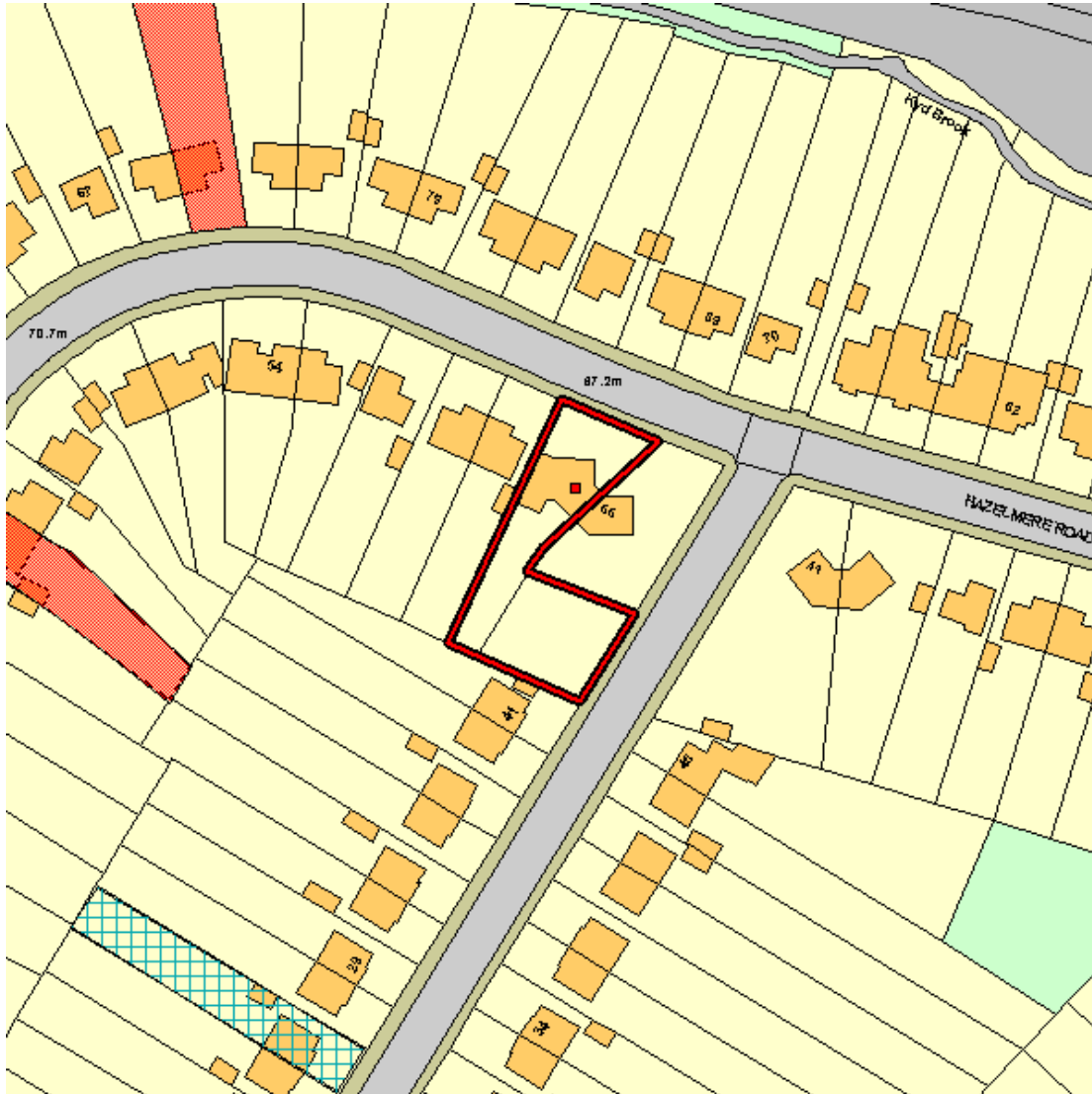
The reasons for refusal are:

- 1 The proposed building would create an unsatisfactory form of development, out of character with the form and layout of the surrounding area and excessive in size, therefore harmful to the character of the Petts Wood Area of Special Residential Character and contrary to Policies BE1 and H10 of the UDP.
- 2 The proposed development would cause harm to the amenities of the adjoining occupiers at 41 Silverdale Road by reason of visual impact and additional noise and disturbance in close proximity to their rear amenity area, therefore contrary to Policy BE1 of the UDP.

Reference: 09/02011/FULL6

Address: 64 Great Thrift Petts Wood Orpington Kent BR5 1NG

Proposal: Single storey detached building at rear for use as garage/store and formation of vehicular access



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