

# LONDON BOROUGH OF BROMLEY

## TOWN PLANNING RENEWAL AND RECREATION DEPARTMENT

Committee (SC) on 12th November 2009

REPORT OF THE CHIEF PLANNER

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

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<b>1.</b>	<b>Application No :</b> 09/02109/ADV	<b>Ward:</b> Orpington
<b>Address :</b>	<b>HIGHWAY 0 High Street Orpington Kent</b>	<b>Conservation Area:</b> <b>Priory Gardens</b>
<b>OS Grid Ref:</b>	<b>E: 546278 N: 166356</b>	
<b>Applicant :</b>	<b>Mrs C Curr</b>	<b>Objections : YES</b>

### **Description of Development:**

Non-illuminated banner signs outside Nos. 11 and 16 Station Road, opposite Nos. 11a Station Road and Nos. 2-4, 90/92 High Street, outside/opposite entrance to Priory Gardens, and opposite Nos. 20, 26 and 30 Carlton Parade

### **Proposal**

This application is a Council initiative to promote local events or campaigns such as a community safety message. It is proposed that the banners would only be erected for specific periods of time and are not intended to be a permanent feature i.e. 3 weeks per event to a total maximum display period of signs, approx. 12 weeks per year overall.

The proposed non-illuminated banner signs will be approx. 2m in length x 0.8m wide mounted onto lampposts set approx. 2.4m above pavement level. The banners will be constructed from vinyl or polyester with no more than 10% of the area of the sign to provide sponsorship logos.

This application originally proposed 31 individual banner signs to be sited on various lampposts along the High Street between the junction with Court Road and Station Road. The application has now been amended (by email dated 8th October 2009) to delete a number of signs. The proposed locations which form part of this application are as follows:

- Sign 2 opposite No.11a Station Road
- Sign 3 outside No.16 Station Road
- Sign 4 outside No.11 Station Road
- Sign 10 opposite No.90/92 High Street
- Signs 11 & 12 outside and opposite the entrance to The Priory
- Sign 25 opposite No.2/4 (the petrol garage), High Street
- Sign 26 opposite No.30 Charlton Parade (close to Kelsey House)
- Sign 27 opposite No.26 Charlton Parade (close to w/c block in Priory Gardens)
- Sign 28 opposite 20 Charlton Parade (junction with Court Road)

### **Location**

The signs are generally located in mixed use areas comprising commercial and residential properties. Some signs are proposed to lampposts which are located within The Priory Conservation Area.

### **Comments from Local Residents**

Letters of objection have been received from residents in Orchard Grove and No.11a concerned about the impact of further signage on Station Road (having regard for the existing Tesco's signage) on the visual amenities of residents.

### **Comments from Consultees**

Highways: technical objections were originally raised to a number of signs proposed in various locations along the High Street and junctions with Station Road and Court Road. However those proposed locations have now been deleted from the application and as such, no objections are raised to the remaining signs from a highway point of view.

Street Services: No objections subject to lampposts being capable of taking additional loads and banner signs not conflicting with festive decorations.

Advisory Panel for Conservation Areas: objections are raised as it is considered that the proposal does not improve or enhance the conservation area and would result in visual clutter.

From a heritage and design point of view no objections are raised to the proposed signs.

### **Planning Considerations**

The relevant planning policies of the UDP in this case are:

Policy BE21 Control of Advertisements, Hoardings and Signs  
The Orpington Masterplan

This application is a Council initiative having received budget funding from the Local Economy Portfolio Holder. The agreed budget is to cover the initial infrastructure required for the columns and the first set of banners erection and removal. Successive campaigns are to be self funding through Town Centre Management.

### **Planning History**

There is no relevant planning history other than a similar application for banner signs was withdrawn under ref. 07/04354 due to the conflict of siting of the signs with CCTV cameras in the High Street.

### **Conclusions**

The main issue in this case is whether the proposed signage would be detrimental to the visual amenities of the area, including The Priory Conservation Area and highway safety.

The proposed banner signs will be non-illuminated located on several lampposts within and on the approach to Orpington High Street. This Council initiative is to publicise community events and messages on the signs for no more than 12 weeks during a calendar year.

The application has been amended to reduce the number of signs to be displayed and no technical objections are raised from a highway point of view. Whilst some of the signs are located in a mixed use area of Station Road and in the High Street, the signs are sufficiently located away from residential properties to not adversely affect the amenity of those occupiers or result in visual clutter.

In addition, Policy BE21 states that street advertising should be in scale and character with the street scene and not appear over prominent or an obtrusive feature. Whilst three of the proposed signs are located within The Priory

Conservation Area, it is considered that given their size and location (forming a gateway to the High Street) and temporary siting (which can be controlled by a planning condition), that the proposed banner signs would not be significantly detrimental to the character and appearance of the conservation area.

On balance it is considered that the proposed banner signs would not be significantly detrimental to the visual amenities of the area, The Priory Conservation Area or highway safety.

Background papers referred to during production of this report comprise all correspondence on files refs. 07/04354 and 09/02109, excluding exempt information.

as amended by documents received on 08.10.2009

**RECOMMENDATION: ADVERTISEMENT CONSENT GRANTED**

**subject to the following conditions:**

- 6      ACF01          Standard 5 year period  
        ACF01R        Reason F01
  - 7      The proposed banner signs hereby permitted shall be displayed for no more than a maximum period of 12 weeks per calendar year without the prior approval in writing of the Local Planning Authority.
- Reason:** In order to comply with Policy BE21 of the Unitary Development Plan and in the interests of the visual amenities of the area.

Reference: 09/02109/ADV

Address: Street Record High Street Orpington

Proposal: Non-illuminated banner signs outside Nos. 11 and 16 Station Road, opposite Nos. 11a Station Road and Nos. 2-4, 90/92 High Street, outside/opposite entrance to Priory Gardens, and opposite Nos. 20, 26 and 30 Carlton Parade



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**2. Application No : 09/02519/DEEM3 Ward: Bromley Town**

**Address : Bromley Civic Centre Stockwell Close Conservation Area:NO  
Bromley BR1 3UH**

**OS Grid Ref: E: 540629 N: 169142**

**Applicant : The London Borough Of Bromley Objections : NO**

**Description of Development:**

Retention of storage building.  
Renewal of permission ref. 04/03555

**Proposal**

- The application site is situated within the grounds of the Civic Centre at Stockwell Close.
- The proposal is for the Retention of storage building located on the eastern side of the open car park at the rear of the hutted building.

**Consultations**

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

**Planning Considerations**

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

BE1 Design of New Development

**Planning History**

99/03194 Detached prefabricated storage building INSFEE 20.12.1999

04/03555 Retention of storage building  
Renewal of permission 99/03194 Permission 02.12.2004  
07/01365 External exhaust flue for generator room North Block Civic Centre  
Permission 13.06.2007

## **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 storage building is used for the storage of equipment used within the Civic Centre and was first granted temporary permission under reference in 1999 under Ref: 99/03194 and was renewed in 2004 under ref. 04/03555. This application has been submitted to renew that permission.

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.

Having had regard to the above it was considered that the renewal of temporary permission for this storage building is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

## **RECOMMENDATION: PERMISSION**

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

1 The building hereby permitted shall be used for the storage of equipment used within the Civic Centre and for no other purpose.

**Reason:** To preserve the amenity of adjoining residents, in compliance with Policy BE1 of the Unitary Development Plan.

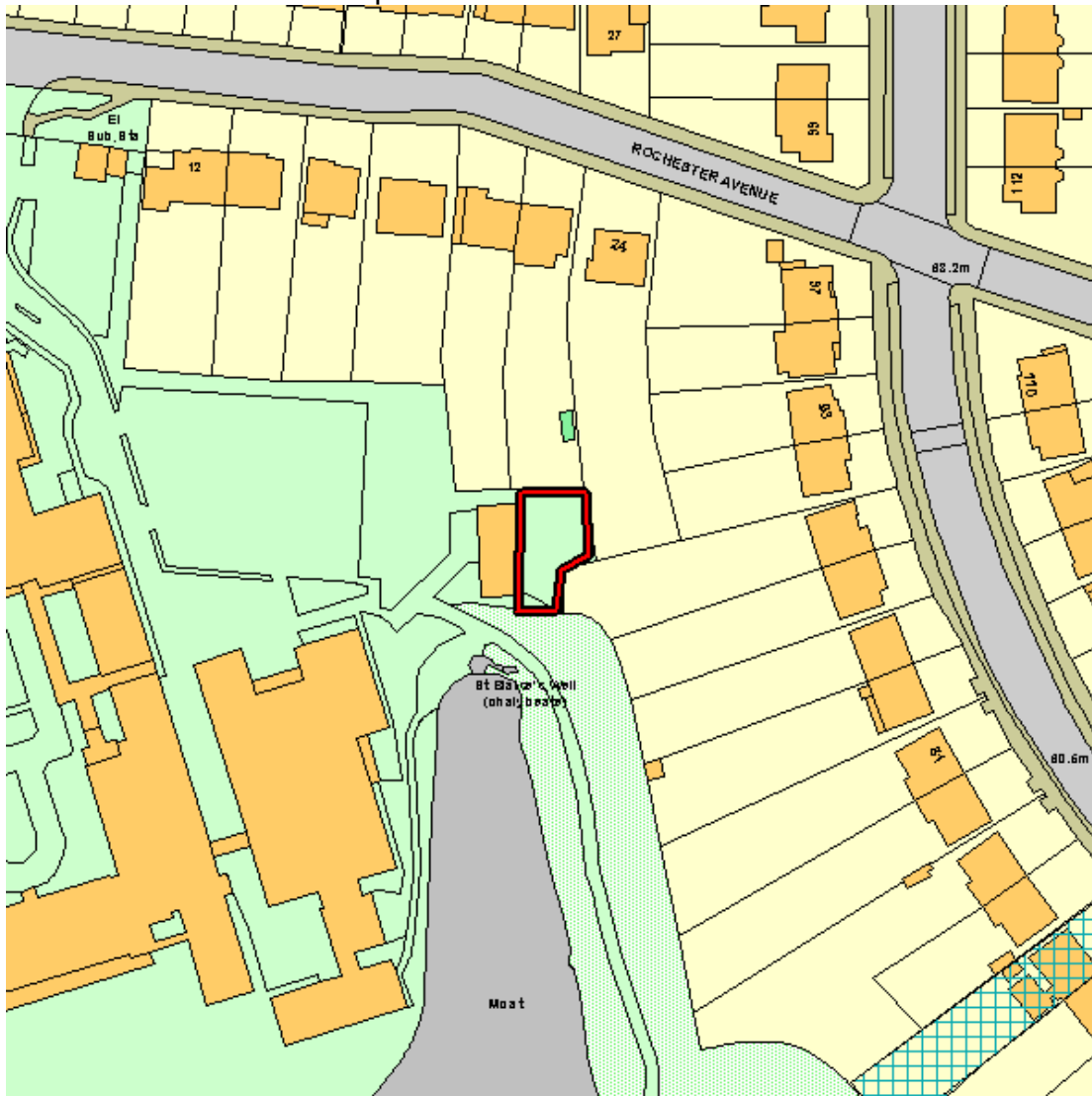
2 AJ02B Justification UNIQUE reason OTHER apps

Policy (UDP)

BE1 Design of new development



Reference: 09/02519/DEEM3  
Address: Bromley Civic Centre Stockwell Close Bromley BR1 3UH  
Proposal: Retention of storage building.  
Renewal of permission 04/03555



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SECTION '2' - Applications meriting special consideration

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**3. Application No : 09/01922/FULL6 Ward : Petts Wood And Knoll**

**Address : 39 Petts Wood Road Petts Wood Conservation Area:NO  
Orpington Kent BR5 1JT**

**OS Grid Ref: E: 545286 N: 167803**

**Applicant : Mr Richard Lamb Objections: NO**

**Description of Development:**

Roof alterations to include increase in roof height and two storey side/rear and single storey rear extensions.

**Proposal**

- The proposed side extension will have a width of 2.4m, retaining a 1m side space to the flank boundary at ground floor level and will be set in 1.5m at first floor level.
- To the rear, the two storey extension will project 2.8m rearward at ground floor level and 1.7m at first floor level. The rear extension will incorporate a hipped roof.
- The single storey side extension will be sited adjacent to the flank boundary with No. 41 and will have a width of 2.8m and a depth of 7.2m. The height will be 2.5m with a shallow sloped roof.

The proposal includes the increase in the roof height by approx. 1m.

**Location**

The application site is on the southern side of Petts Wood Road, and forms one of a group of detached and semi-detached dwellings. The properties in the area are characterised by spacious rear gardens and generous aside spaces between the buildings, which are considered to be family dwellings. This spacious character is also considered to exist on the northern side of Petts Wood Road

and the area lies within an Area of Special Residential Character (ASRC). The property currently possesses no extensions, but has a single storey attached side garage.

### **Comments from Local Residents**

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

### **Comments from Consultees**

None.

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), H9 (Side Space) and H10 (Areas of Special Residential Character) of the adopted Unitary Development Plan.

### **Planning History**

The property has no planning history.

### **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the Area of Special Residential Character (ASRC) and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Concerns were raised by the Council with respect to the bulk of the extensions and the impact on the ASRC. Amended plans have been received dated 23/09/09 indicating the reduction of the first floor rear extension from 2.8m to 1.7m and the reduction of the first floor side extension to incorporate a 1.5m side space at first floor level.

It is considered that the bulk of the side extension, and siting of 1.5m from the flank boundary at first floor level, results in the erosion of side space to one side of the dwelling, however this should be considered in respect to the existing space to the opposite flank boundary. Members may therefore consider that the overall impact on the character and separation of dwellings within the ASRC as acceptable. Consideration should also be given to the existing garage sited adjoining the flank boundary, as the proposed ground floor element of the extension will be sited 1m from this flank boundary, thus creating space at the

side at ground floor level. This area is characterised by greater general side space between dwellings and the retention of a significant side space to the opposite flank boundary may be considered sufficient to mitigate the impact of the extension.

With respect to the increase in roof height, this is not considered to impact significantly on the character of the area, and will represent a modest increase not out of character with other dwellings in the area. The tallest part of the dwelling will be sited approx. 5m and 7m from the flank boundaries respectively and this is not considered to impact significantly on the visual amenities of the street scene. No planning history exists for the neighbouring properties at Nos. 37 and 41.

In addition, the proposed two storey rear extension, at 2.8m in rear projection at ground floor level only would not significantly break the established line of development to the rear of the properties on this part of the ASRC as the first floor would extend only 1.7m to the rear and this is considered to be sympathetic. As a result, the rear extension is not considered significantly harmful to the established form of the road.

In terms of impact on neighbouring amenities, the rear extension will be sited approx. 2m from the neighbouring dwelling at No. 37 and 4.5m from No. 41. This separation is considered acceptable in order to prevent significant loss of prospect or light to neighbouring properties. The replacement single storey side extension would be sited closer to the flank boundary than that existing and this will result in a further loss of light and prospect from the ground floor flank windows at No. 41, which face east. These windows are sited 1m from the flank boundary and the resulting relationship is not considered unusual or significantly detrimental as to warrant refusal on this basis.

Members will need to consider the impact of the extension on the spatial characteristics and character of the ASRC and whether the erosion of the side space to the degree proposed would impact significantly on this established character.

Background papers referred to during production of this report comprise all correspondence on file ref. 09/01922, excluding exempt information.

as amended by documents received on 23.09.2009

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

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

1 ACA01 Commencement of development within 3 yrs

	ACA01R	A01 Reason 3 years			
2	ACC04	Matching materials			
	ACC04R	Reason C04			
3	ACI12	Obscure glazing (1 insert)	in the first floor flank elevation		
	ACI12R	I12 reason (1 insert)	H8		
4	ACI17	No additional windows (2 inserts)	first floor flank		
		extensions			
	ACI17R	I17 reason (1 insert)	H8		

Reasons for granting planning 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
- H9 Side Space
- H10 Areas of Special Residential Character

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 host building and 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 the Area of Special Residential Character

and having regard to all other matters raised.

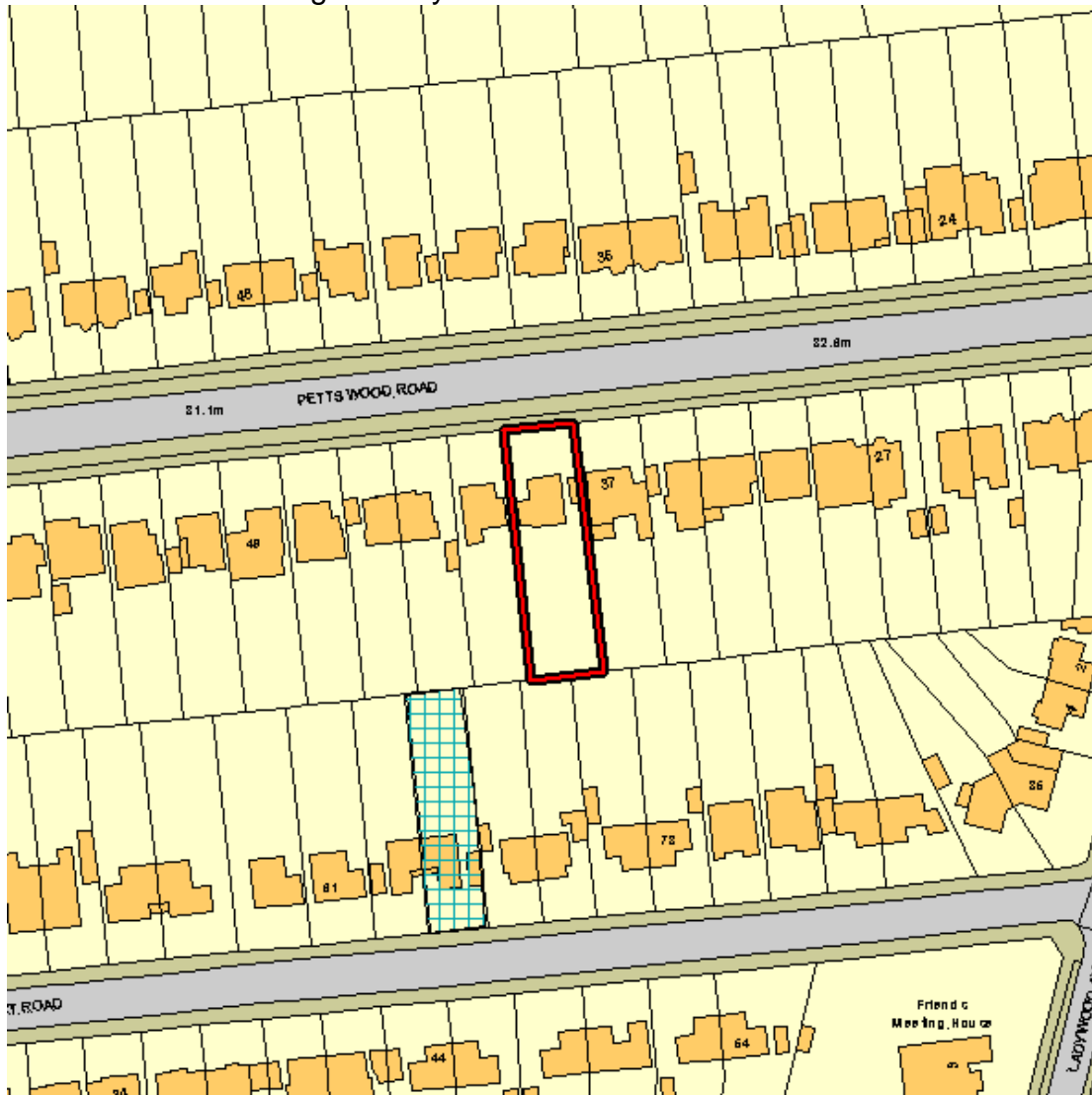
**D00003 If Members are minded to refuse planning permission the following grounds are suggested:**

- 1 The proposed extension, by reason of its bulk and 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.

Reference: 09/01922/FULL6

Address: 39 Petts Wood Road Petts Wood Orpington BR5 1JT

Proposal: Roof alterations to include increase in roof height and two storey side/rear and single storey rear extensions.



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**4. Application No : 09/02174/FULL6 Ward : Chislehurst**

**Address : South Lodge Kemnal Road Chislehurst Conservation Area: Kent BR7 6LY Chislehurst**

**OS Grid Ref: E: 544549 N: 171113**

**Applicant : Mr Richard Leahy Objections: NO**

**Description of Development:**

Part one/two storey rear extension and access drive RENEWAL OF PERMISSION 04/02592

**Proposal**

This proposal is for a part one/two storey rear extension and access drive which is renewal of permission granted under ref. 04/02592.

**Location**

The property lies within the Metropolitan Green Belt, within the Chislehurst Conservation Area and a Site of Interest for Nature Conservation (SINC) on the eastern side of Kemnal Road.

The Chislehurst Conservation Area is divided in to sub-units, Kemnal Road is situated within sub-unit 10. This road retains the character of a rural lane through dense woodland, with large individually developed residences on generous plots scattered sparingly amongst the trees, often not visible from the road, and occasional driveways or lodges hinting at spacious houses and estates beyond. This effect is heightened by the road not providing through access to vehicles, resulting in quiet traffic. Whilst this character is essentially intact on the eastern side of the road, some of the development on its western side (on sites created by bombing in World War II) has more in common with the type of development, which has occurred, in more intensive residential estates to its east.

Kemnal Road has a distinctive character as a spacious wooded pocket of residences, which forms a gentle transition between the denser urban forms to its west and the rural lands to its east. It characterises the unplanned evolution of a pocket of semi-rural housing, in contrast to the comprehensive effect of promoted estates. Retention of this character would make an important contribution to the Conservation Area, illustrating a remnant of a form of development which was previously found along other roads leading into woodland around the Conservation Area, but which has largely been eclipsed elsewhere by intensification of settlement.

### **Comments from Local Residents**

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

### **Comments from Consultees**

From a Built Conservation point of view there are no objections to the proposal as the principle has already been agreed and the proposal has not changed.

### **Planning Considerations**

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

- G4 Extensions and Alterations to dwelling houses within the Green Belt
- BE1 Design of New Development
- BE11 Conservation Areas
- H8 Residential Extensions
- H9 Side Space
- NE2 Development and Nature Conservation Sites

London Plan Policy 3D.9 - Green Belt

PPG 2 Green Belt

Chislehurst Conservation Area SPG

### **Planning History**

- 01/02108/FULL1 – Refused - One/two storey side/rear extension, detached single garage, diversion of driveway and access point to Foxbury incorporating new entrance pillars.
- 04/02592/FULL6 – Permission - Part one/two storey rear extension and access drive.

- 05/00366/LBC – Refused - Demolition of existing gate piers and gates and erection of new front boundary wall, railings and gates LISTED BUILDING CONSENT.
- 05/00367/FULL6 – Refused - Front boundary wall, railings and gates.
- 05/01139/CAC – Refused - Demolition of gates and brick piers.
- 05/03567/FULL6 – Permission - Demolition and rebuilding of 2 high brick gate piers to support access gates (maximum height 1.45m).
- 05/03569/LBC – Granted - Demolition and rebuilding of 2 metre high brick gate piers to support access gates, maximum height 1.45 metres LISTED BUILDING CONSENT.
- 08/02448/FULL1 – Refused - Detached 4 bedroom dwelling adjacent to South Lodge.

## **Conclusions**

The main issues relating to the application are effect that it would have on the character of the area, and the effect that it would have on the visual amenity and openness of the area, and in particular the Green Belt.

This is essentially a renewal to scheme permitted under planning ref: 04/02592. The proposal was considered a modest part one/two storey side extension given the existing dwelling has a large garden and the extension would sit comfortably with the host dwelling and the site and therefore permission was granted in 2004.

Although the proposal must be re-assessed with regard to current national and local policies, the permission previously granted for this scheme is a material consideration in assessing this application.

The proposed extension is not considered to harm the amenities of the neighbouring properties or the character or appearance of the conservation area and therefore complies with Policy BE11.

Since permission was granted in 2004 Unitary Development Plan policy relating to extensions to dwellings within the Green Belt has changed from volume to a percentage of the original floor area. Policy G4 states that there should not be more than a 10% net increase of the floor area above the original dwelling. The proposed extension is larger than current policy limits, approximately 36%. The proposal therefore technically fails to comply with the first criteria of Policy G4. Policy G4 also requires that extensions and alterations within the Green Belt will only be permitted if the size, siting, materials and design do not harm the visual amenities or the open or rural character of the locality and the development should not result in a significant detrimental change in the overall form, bulk or character of the original dwelling house. The Council wish to ensure that there is not incremental harm to the Green Belt by excessive subsequent extensions to dwellings within the Green Belt that collectively may jeopardise the open nature of the countryside.

The proposed development is not considered to significantly affect the SINC given the location of the extension within the residential curtilage of South Lodge.

Given that permission has previously been granted for this extension, the fact that the proposed extension is situated to the side/rear of the existing dwelling and the size and location of the extension, it is not considered to harm the visual amenities or the open or rural character of the Green Belt. The development is also not considered to result in a significant detrimental change in the overall form, bulk or character of the original dwelling house. Therefore even though the proposal is contrary to adopted policy on balance the proposal is considered acceptable in that it would not impact detrimentally on the character or openness of the Green Belt, and therefore meets the remaining criteria in Policy G4.

Therefore although the proposal conflicts with the first criteria of G4, it is considered to meet the other criteria. With regard to the conflict Members may consider that the previous permission is a significant material consideration weighing in favour of granting permission as a very special circumstance.

Background papers referred to during production of this report comprise all correspondence on files refs. 04/02592 and 09/02174, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACC08  | Satisfactory materials (all surfaces)    |
|   | ACC08R | Reason C08                               |

### **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
- G4 Extensions/Alterations to dwellings in the Green Belt or on Metropolitan Open Land

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

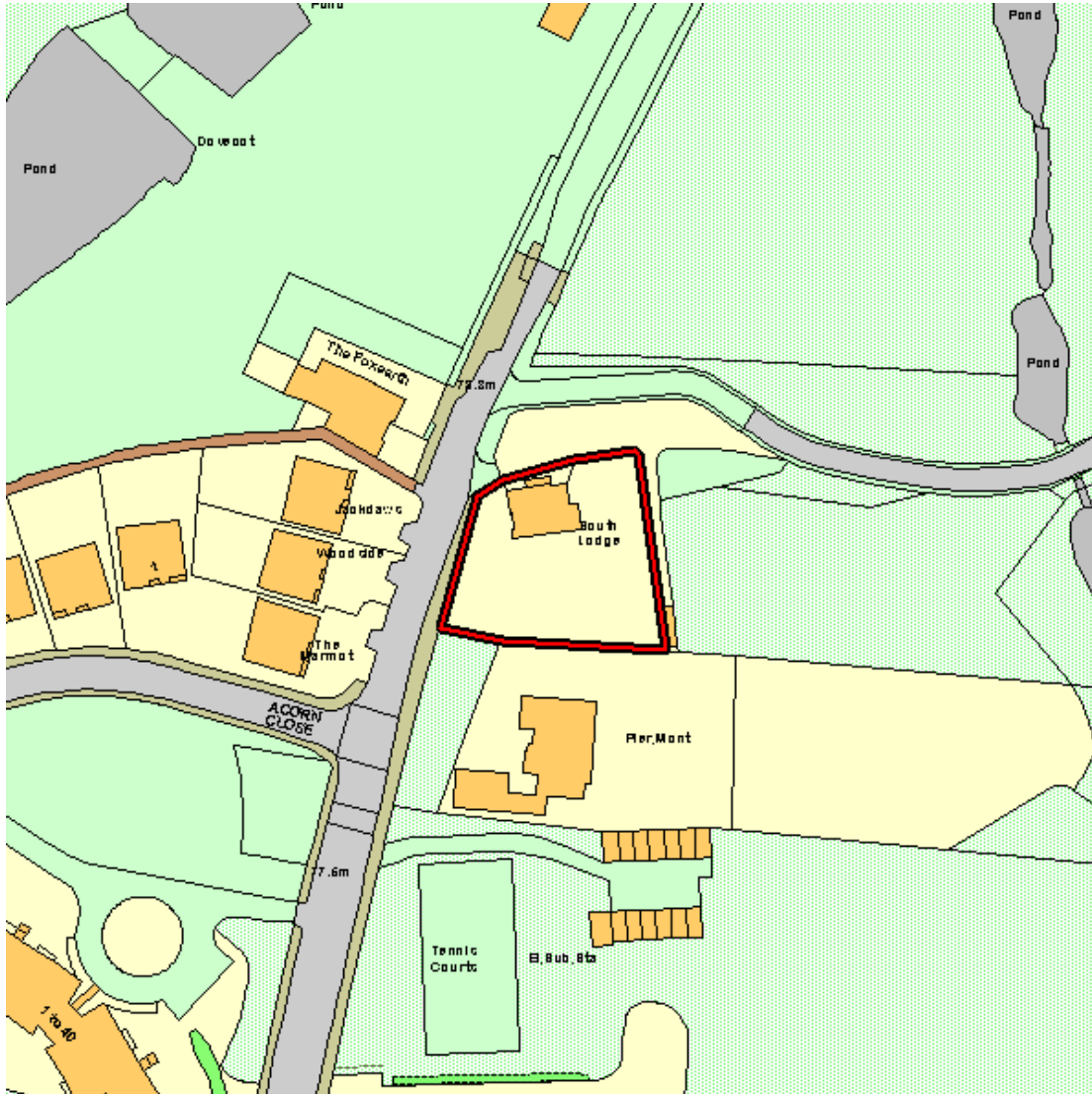
- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent property;
- (c) the character of the development in the surrounding area;
- (d) the character and appearance of the conservation area;
- (e) the character and appearance of the Green Belt;
- (f) the impact on the Site of Importance for Nature Conservation;
- (g) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (h) the light and outlook of occupiers of adjacent and nearby properties;
- (i) the privacy of occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

Reference: 09/02174/FULL6

Address: South Lodge Kemnal Road Chislehurst BR7 6LY

Proposal: Part one/two storey rear extension and access drive RENEWAL OF PERMISSION 04/02592



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**5. Application No : 09/02249/FULL6 Ward : Kelsey And Eden Park**

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

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

**Applicant : Mrs Sam Hook Objections: YES**

**Description of Development:**

Single storey front, side and rear extensions

**Proposal**

- Single storey front and side/rear extension
- The front extension is for a small infill extension to create a new entrance.
- The proposed side/rear extension would measure approximately 2.5m wide to the south side and would be set back approximately 5.6m from the front of the house.
- The rear part of the extension would project back approximately 3.1m from the existing rear building line and would extend the full width of the building.

**Location**

- The application site is a detached dwellinghouse situated at the western end of a cul-de-sac.
- The wider surrounding area is characterised by a number of detached dwellings, semi-detached dwellings, terraces and flatted development.
- To the rear of the application site are Allotment Gardens.

**Comments from Local Residents**

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

- latest plans have addressed concerns and in principle have no issues with them
- only concern is plan which states 'site of possible future garage'
- garage would compromise amenity and that if close as would be converted into living accommodation
- plan allows for a substantial increase in ground floor living space
- extensions would not be visible from the street and would not cause any problems to us or other neighbours
- object to proposal to convert the existing garage into a "family room"
- would leave only one parking space
- could result in future problems
- parking in Brograve gardens already results in congestion
- seems to be a large building clearly visible from Brograve Gardens attached to north side of the house with same location and ground floor area as the extension proposed last year and refused
- object to any such building whatever its designation
- loss of mature tree
- welcome scaling down of earlier plans objections to potential garage development
- development of garage as family room will result in a side window which will overlook neighbouring property
- potential loss of privacy
- proximity of southern extension close to boundary with house
- overdevelopment
- No. 4 is the keystone house in the close and any intensive alterations have potential to change the character of the close immeasurably
- extension will have a detrimental impact on the appearance of the close and destroy its character
- extension will overshadow and be clearly visible from front windows of No. 5
- drawings omit views of the accommodation on the second storey and do not show full extent of accommodation within the property

Full Copies of the objection letters can be viewed on file ref. 09/02249.

### **Planning Considerations**

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

### **Planning History**

Under ref. 02/03110, front and rear dormer extensions were permitted.



Under ref. 08/01238, two storey and single storey side extensions were applied for then withdrawn.

Under ref. 08/03844, single storey side and rear extensions were refused. The reasons for refusal were:

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

## **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 previously refused proposal comprised a single storey side extension to the north measuring approximately 4.5m wide, 7m in depth and set back approximately 1.4m from the front building line. A further single storey side extension was proposed to the south measuring approximately 2.3m in width and approximately 4.5m deep. A small rear conservatory was also proposed. The reasons for refusal were that the side extensions, by reason of their size and siting, would erode the current spatial standards of the area.

To overcome the previous refusal grounds the applicants have omitted the larger side extension to the north of the property, adjacent to No.5, and instead, a side/rear extension is now proposed to the southern and western elevations.

In terms of the impact on the spatial standards and character of the area, the side extension would occupy the narrower space to the south of the building. No extensions are now proposed to the northern side which is much wider compared to the southern side space. Given the existing width of this area to the south, together with the modest width of the proposed extension, it is considered unlikely that the side extension would result in a significant lowering of the existing spatial standards of the area, nor impact detrimentally on the appearance of the host building or character of the area in general.

In terms of the impact on the amenities of the occupiers of neighbouring properties, the main impact would be on No. 3, to the south of the site. There would be a side space of approximately 1m between the flank wall of the extension and the boundary of the two sites which would increase toward the rear as the dwelling is angled away from the boundary. No. 3 is similarly angled away from the side boundary thus resulting in greater separation between the proposed extension and No. 3. Although there are side windows and a door at No. 3 from which views and lighting are likely to be affected by the proposal, it is

not considered that the impact would be significant enough to warrant refusal, particularly as No. 3 is set further back than No. 5 thereby further minimising the impact.

In terms of the impacts on No. 5, the proposed extension would be sited around 9m away from the boundary with this site. As such there would appear to be no significant impacts on the occupiers of No. 5.

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.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 09/02249 and 08/03844, excluding exempt information.

as amended by documents received on 24.09.2009

## **RECOMMENDATION: PERMISSION**

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

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

### **Reasons for granting permission:**

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

- BE1 Design of New Development
- H8 Residential Extensions

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

- (a) the appearance of the development in the street scene
- (b) the relationship of development to adjacent property

- (c) the impact on the amenities of the occupiers of adjacent and nearby properties
- (d) the light and outlook of occupiers of adjacent and nearby properties

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

Reference: 09/02249/FULL6  
Address: 4 Brograve Gardens Beckenham BR3 6NH  
Proposal: Single storey front, side and rear extensions



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**6. Application No : 09/02307/FULL6 Ward : Darwin**

**Address : The Orchard Rookery Road Downe Conservation Area:NO  
Orpington Kent BR6 7JQ**

**OS Grid Ref: E: 543104 N: 162117**

**Applicant : Mr And Mrs M Bradshaw Objections: NO**

**Description of Development:**

Single storey side extension.

**Proposal**

This proposal is for a single storey side extension to a new dwelling which was granted permission under planning ref: 82/2789. The extension would measure 7.2m x 6.15m to provide a new bedroom, bathroom and study.

**Location**

The property lies within the Metropolitan Green Belt, on the eastern side of Rookery Road.

**Comments from Local Residents**

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

**Planning Considerations**

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

- G4 Extensions and Alterations to dwelling houses within the Green Belt
- BE1 Design of New Development
- H8 Residential Extensions

## London Plan Policy 3D.9 - Green Belt

### PPG 2 Green Belt

#### Planning History

- 82/02789 Permission Three bedroom detached bungalow
- 83/00866 Permission Continued use of land for siting of mobile home
- 84/01615 Permission Retention of mobile home for residential use renewal 83/00866
- 91/00687 Permission Detached double garage
- 95/02188 Permission Single storey extensions to enlarge agricultural store and potting shed
- 98/02819 Use of the Orchard as a single dwelling house Without compliance with condition iii of Permission 82/2789 Certificate of Lawfulness for an existing use
- 03/02481 Refused Single storey side extension
- 04/03923 Permission Single storey side extension

#### Conclusions

The main issues relating to the application are effect that it would have on the character and openness of the Green Belt, and the effect that it would have on the visual amenity of the area.

Permission was originally granted under planning ref. 04/03923 and is still valid, expiring on 9th December 2009. It was granted permission as the application had addressed the previous refusal under ref. 03/02481 by reducing the size of the extension from 210m<sup>3</sup> to 106m<sup>3</sup> and therefore complied with policy at the time.

Although the proposal must be re-assessed with regard to current national and local policies, the previous permission for this scheme is a material consideration in assessing this application

Since permission was granted in 2004 Unitary Development Plan policy relating to extensions within the Green Belt has changed from volume to a percentage of the original floor area. The first criteria of Policy G4 states that there should not be more than a 10% net increase of the floor area above the original dwelling. The proposed extension is larger than current policy limits and equates to an increase of approximately 33%. Technically therefore this policy requirement is not met.

Policy G4 also requires that extensions and alterations within the Green Belt will only be permitted if the size, siting, materials and design do not harm the visual amenities or the open or rural character of the locality and the development

should not result in a significant detrimental change in the overall form, bulk or character of the original dwelling house. The Council wish to ensure that there is not incremental harm to the Green Belt by excessive subsequent extensions to dwellings within the Green Belt that collectively may jeopardise the open nature of the countryside.

Permission has previously been granted for this extension and is still valid, the proposed extension is situated to the side of the existing dwelling and the size and location of the extension it is not considered to harm the visual amenities or the open or rural character of the locality, and the development should not result in a significant detrimental change in the overall form, bulk or character of the original dwelling house. Therefore although the proposal conflicts with the first criteria of G4, it is considered to meet the other criteria. With regard to the conflict Members may consider that the previous permission with is extant is a significant material consideration weighing in favour of granting permission, which may constitute very special circumstances.

Background papers referred to during production of this report comprise all correspondence on files refs. 04/03923 and 09/02307, 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
- H8 Residential Extensions
- G4 Extensions/Alterations to dwellings in the Green Belt or on Metropolitan Open Land

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

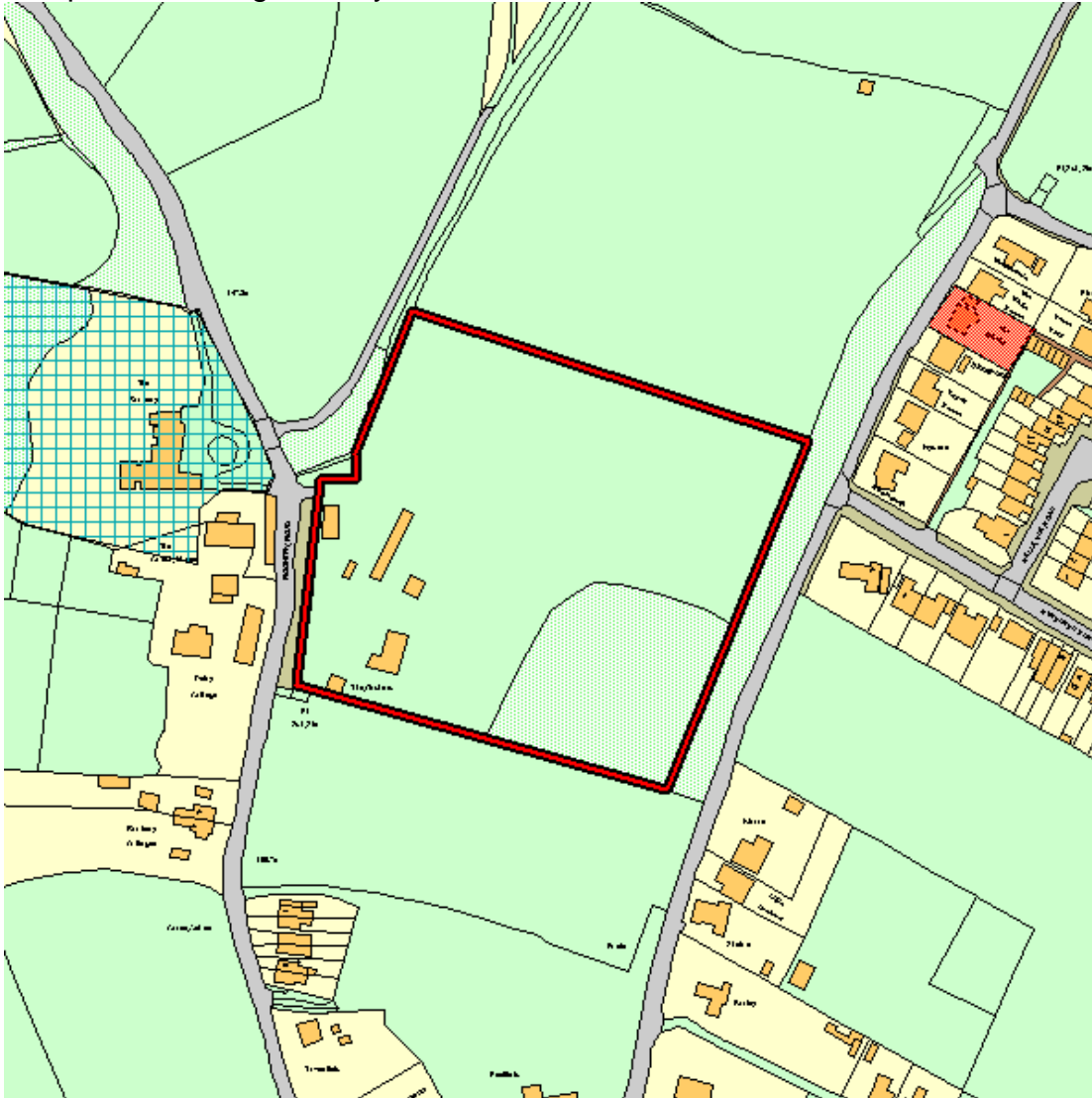
- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent property;
- (c) the character of the development in the surrounding area;
- (d) the character and appearance of the Green Belt;

(e) the impact on the amenities of the occupiers of adjacent and nearby properties;

and having regard to all other matters raised.



Reference: 09/02307/FULL6  
Address: The Orchard Rookery Road Downe Orpington BR6 7JQ  
Proposal: Single storey side extension.



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**7. Application No : 09/02482/FULL2 Ward : Chelsfield And Pratts Bottom**

**Address : Turfsoil Depot Land At Former Grain Store Hewitts Farm Hewitts Road Orpington BR6 7QL Conservation Area:NO**

**OS Grid Ref: E: 548958 N: 163368**

**Applicant : SOFNOL Ltd Objections: YES**

**Description of Development:**

Single storey extension to small depot building and change of use to class B1 (Office) use with 7 associated car parking spaces.

**Proposal**

- The proposed change of use would allow the smaller of the two buildings on site to be used as a Class B1 unit, separately from the Class B8 use that has recently been permitted on the site.
- The proposed extension will have a height of 4.6m and will feature a gable ended roof. The main building will be retained and the proposal will enable the use of a larger ground floor level.

**Location**

The application site comprises land approximately 0.218 hectares in area, formerly in use as a storage area for landscaping and ground maintenance equipment (granted permission under ref. 98/01102) and is located on the western side of Hewitts Road within the Green Belt. Access to the site is via an existing access from Hewitts Road. Immediately adjacent to the site to the north is a larger building at Bluebell Farm, with residential properties to the south. To the west of the site lies a large area of open Green belt land.

Within the site there are currently two buildings totalling approx. 448sq.m. These buildings comprise a large unit sited approx. 20m from Hewitts Road and a

smaller building adjacent to the highway which is in a state of disrepair. The site also contains extensive areas of hard surfacing.

It is proposed to renovate the smaller structure and it has been confirmed that no elevational changes are proposed, although alterations will be required to renovate the smaller building, as this structure is dilapidated. It is proposed to change the use of the smaller building to office use (Class B1). The use will include 7 car parking spaces. No alterations are proposed to the existing access, and no other landscaping details have been submitted.

### **Comments from Local Residents**

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

- impact on Green Belt
- congestion and traffic increase

### **Comments from Consultees**

Building Control commented on the previous application that the development would not require any significant reconstruction of the building, as concluded by the supporting structural survey.

No technical highways objections are raised in light of comments to the previous proposal, however it is stated that the proposal would be contrary to PPG13 as all employees would need to travel to the site by car (low PTAL area).

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

### **Planning Considerations**

Policy G1 in the Unitary Development Plan is relevant to the application as well as guidance contained in PPG2 'Green Belts'. The site lies within the Green Belt and therefore the re-use of buildings for business uses must be considered in respect of the impact on the openness and visual amenity of the Green Belt.

With specific regard to the re-use of buildings in the Green Belt, Policy G1 states that the Council will only permit the re-use of a building in the Green Belt where the proposal would comply with certain criteria including: that the proposal would not have a materially, greater impact on the openness or visual amenity of the Green Belt, would not involve extension, enlargement or substantial alteration of the external appearance of the building and is capable of conversion without major or complete reconstruction and that the use would not have an adverse impact on the amenities of nearby residential properties or the enjoyment of the countryside.

PPG2 states that 'the re-use of buildings inside a Green Belt is not inappropriate development', providing that they meet certain criteria (para 3.8) and these have been incorporated in the Council's Policy G1. Even where the criteria are not met, or there are other specific and convincing planning reasons for refusal, PPG2 requires planning authorities 'not to reject the proposal without considering whether, by imposing reasonable conditions, any objections could overcome' (Para 3.9).

PPG13 Transport is also a consideration.

Other relevant UDP policies include Policy BE1 (Design of New Development), Policy T2 (Assessment of Transport Effects), Policy T3 (Parking), Policy T18 (Road Safety), Policy ER8 (Noise Pollution) and Policy EMP6 (Development Outside Business Areas).

### **Planning History**

Planning permission was refused under ref. 08/01186 for the change of use of existing buildings for mixed Class B1/B8 use with ancillary parking and loading areas. The grounds of refusal were as follows:

The proposal is considered likely to result in an undesirable increase in noise and disturbance and, in the absence of proposed mitigation measures, is considered likely to result in a significant detrimental impact on the amenities of surrounding residential properties, contrary to Policies BE1 and ER8 of the Unitary Development Plan.

In the absence of sufficient information to demonstrate the capacity of the proposed access and on site facilities to accommodate satisfactorily the additional traffic, parking and trip generation, along with details of the available sightlines onto Hewitts Road, the proposal would be likely to result in significant and unacceptable traffic congestion in the local road network, inconvenient to road users and prejudicial to the safety and free flow of traffic, contrary to Policies T3 and T18 of the Unitary Development Plan.

Planning permission was granted under ref. 08/02484 for the change of use of existing buildings for Class B8 use with ancillary parking and loading areas

Planning permission was refused under ref. 09/00529 for two storey extensions to small depot building and change of use to Class B1 (office) use with 7 associated car parking spaces. The refusal grounds were as follows:

The site is located in the Green Belt wherein there is a presumption against development not associated with the essential needs of

agriculture, horticulture, forestry or predominantly open air recreation and the Council sees no special circumstances which might justify the grant of planning permission for extensions to the building as an exception to Policy G1 of the Unitary Development Plan.

The proposal is considered likely to result in an undesirable increase in noise and disturbance and, in the absence of proposed mitigation measures, is considered likely to result in a significant detrimental impact on the amenities of surrounding residential properties, contrary to Policies BE1 and ER8 of the Unitary Development Plan.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area, the open and rural nature of the Green belt and the impact that it would have on the amenities of the occupants of surrounding residential properties and highway safety.

Neither Policy G1 of the UDP or PPG2 prevent the re-use of existing buildings in the Green Belt in principle, however any proposal must conform to specific criteria to ensure, inter alia, that “the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction” and that there is no material impact on the openness and rural nature of the Green Belt.

The current application has been submitted proposing Class B1 use for the smaller building, therefore resulting in up to 2 units on the site. The Town and Country Planning Use Classes Order 1987 (amended) requires Class B1 use to be undertaken within a residential area “without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit”. In this case, it is likely that the proposed use could involve more vehicle movements than the previously permitted scheme and the potential disturbance to local residents along this rural road does require consideration in light of this.

The proposed extension has been significantly reduced from the previously refused scheme, with one small single storey extension proposed rather than the two storey extensions under ref. 09/00529. It may therefore be considered that the impact of the extension on the rural character and openness of the Green Belt is limited. Despite this, Policy G1 of the Unitary Development Plan presumes against development within Green Belt land that is deemed ‘inappropriate’ (i.e. uses outside of agricultural, horticulture, forestry, outdoor sporting and recreational). No proposals have been made for improvements to the impact of the proposal upon the Green Belt following the previous refusal, and no very special circumstances have been demonstrated to justify the harm of the additional development (both built and use change) on the character of the

Green Belt. It is not considered that any sensitive landscaping or other measures would offset this harm.

It is anticipated that private vehicles and commercial traffic will visit the site. Given that the layout and access arrangements have raised no technical highways objections, it may be considered that with regard to this the proposed use of the site may not be considered significantly intensive and that the low number of vehicular movements is unlikely to impact upon conditions of highway safety. In light of the previous highways comments, no sustainable objection is raised although it should be noted however that all employees at the site would need to travel by car and this is contrary to the aims of PPG13.

In light of local and national planning policy and for the reasons cited above, it is considered that the proposal is unacceptable in that it would result in a harmful impact on the openness and rural character of the Green Belt and that the proposal has potential to be harmful to the amenities of neighbouring residential properties by reason of noise and general disturbance.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/02484, 09/00529 and 09/02482, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

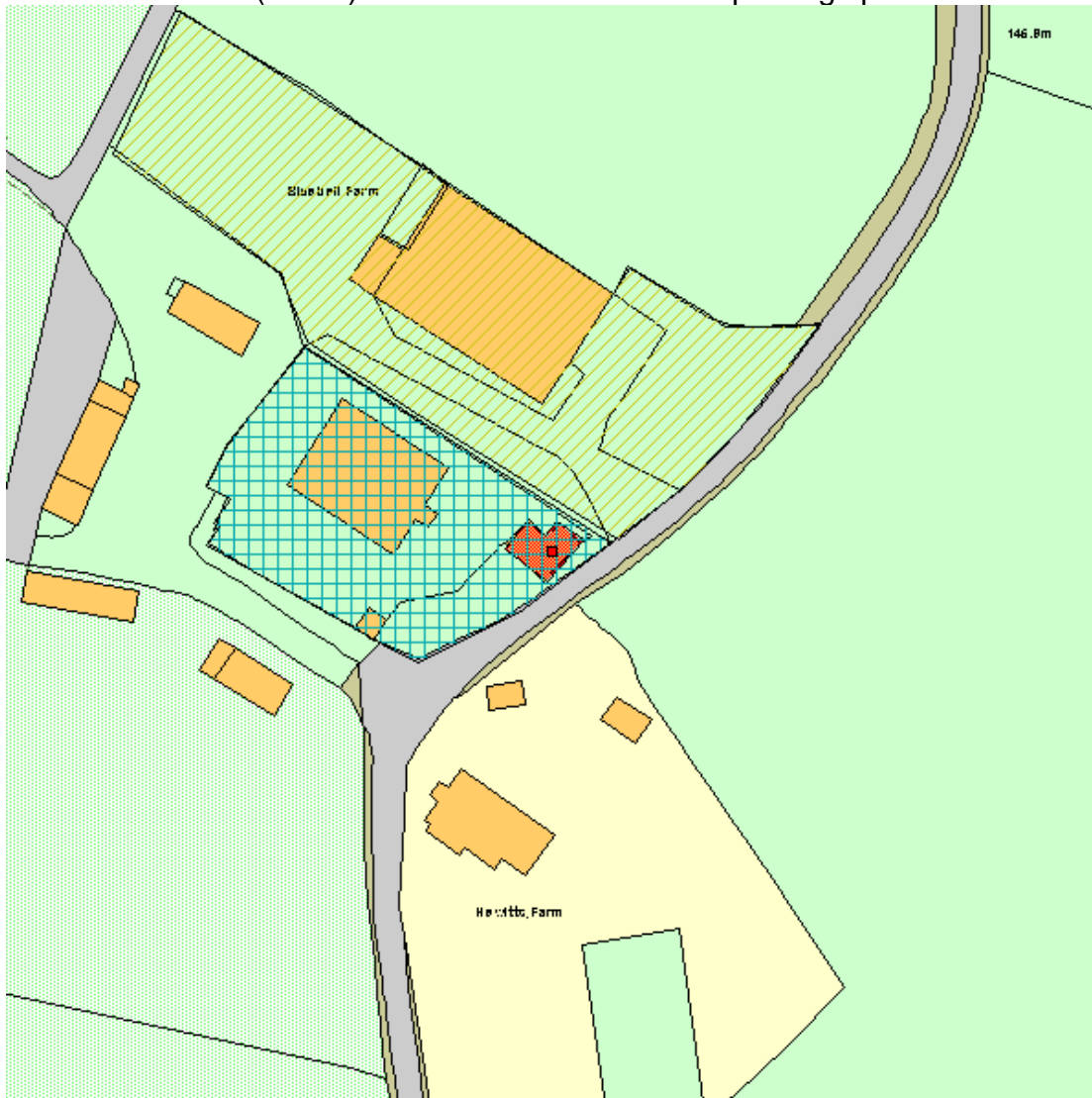
### **The reasons for refusal are:**

- 1 The site is located in the Green Belt wherein there is a presumption against development not associated with the essential needs of agriculture, horticulture, forestry or predominantly open air recreation and the Council sees no special circumstances which might justify the grant of planning permission for extensions to the building as an exception to Policy G1 of the Unitary Development Plan.
- 2 The proposal is considered likely to result in an undesirable increase in noise and disturbance and, in the absence of proposed mitigation measures, is considered likely to result in a significant detrimental impact on the amenities of surrounding residential properties, contrary to Policies BE1 and ER8 of the Unitary Development Plan.

Reference: 09/02482/FULL2

Address: Turfsoil Depot Land At Former Grain Store Hewitts Farm Hewitts Road Orpington BR6 7QL

Proposal: Single storey extension to small depot building and change of use to class B1 (Office) use with 7 associated car parking spaces.



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**8. Application No : 09/02604/FULL2 Ward : Petts Wood And Knoll**

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

**OS Grid Ref: E: 544307 N: 167635**

**Applicant : Mr Dang Objections: NO**

**Description of Development:**

Change of use of ground floor from retail (Class A1) to nail and beauty bar (sui generis)

**Proposal**

- The application is for the change of use of the ground floor from retail (Class A1) to a beauty salon (sui generis)
- No alterations to to the internal layout of the premises are proposed.
- 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 no representations have been received.

**Comments from Consultees**

No technical highways objections are raised.

No Environmental Health objections are raised, subject to an informative.

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), S1 (Primary Frontages), S10 (Non-Retail Uses in Shopping Areas) T3 (Parking) and T18 (Road Safety) of the adopted Unitary Development Plan.

### **Planning History**

Planning permission was refused at No. 18 Chatsworth Parade under ref. 09/01829 for the change of use to a takeaway (Class A5) with ventilation ductwork at the rear. The application was refused on the following grounds:

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).

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).

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 recent refusals for changes of use to food and drink premises in Petts Wood.

## **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 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 a beauty salon use would trade mostly during shopping hours and this would not be seen to significantly impact upon the main retail functioning of the frontage or result in an over concentration of similar uses. There are 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). Other changes of use to restaurant/takeaway have been refused by the Council.

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 will operate during normal shopping hours and is not on balance considered to harm the overall shopping character of the town centre, as there does not appear to be a proliferation of similar uses at present. The use is therefore considered to complement the town centre and add to the diversity and vitality of the area.

The proposed use is considered to be likely to generate significant pedestrian visits during shopping hours and will complement the shopping function of Petts Wood. The change of use is not considered to result in additional noise and disturbance, and the likely opening hours are considered to be acceptable for a High Street location. Additionally, the change of use is not considered to result in a significant change in traffic generation or parking stress and therefore the proposal is considered acceptable in respect to highway safety.

On balance, it is considered that the proposal would not be contrary to Policy S1 of the Unitary Development Plan and would not harm the retail character of the shopping frontage as it would operate within normal shopping hours; therefore generating pedestrian visits during the day. The proposed use is considered to complement the shopping function of the town centre and there would not result in a concentration of similar uses. It is therefore recommended that the application be permitted.

Background papers referred to during production of this report comprise all correspondence on files refs. 04/02704, 08/01850, 08/03066, 09/00652, 09/01829 and 09/02604, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACJ04  | Provision of window display              |
|   | ACJ04R | J04 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 Frontages
- S10 Non-Retail Uses in Shopping Areas

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 properties
- (b) the character of the development in the surrounding area
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties
- (d) the impact on the functioning of the Primary Frontage
- (e) the transport policies of the UDP

and having regard to all other matters raised.

#### INFORMATIVE(S)

- 1 Before the use commences, the applicant is advised to contact the Licensing Team of Environmental Health & Trading Standards regarding the Massage and Special treatments Licence issued by the London Local Authorities Act 1991. The contact telephone number is 0208 313 4218.

Reference: 09/02604/FULL2

Address: 18 Chatsworth Parade Petts Wood Orpington BR5 1DF

Proposal: Change of use of ground floor from retail (Class A1) to nail and beauty bar (sui generis)



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**9. Application No : 09/02649/FULL6 Ward : Hayes And Coney Hall**

**Address : 45 Hartfield Crescent West Wickham Conservation Area:NO  
BR4 9DW**

**OS Grid Ref: E: 540459 N: 164957**

**Applicant : Mr Richard Cienciala Objections: NO**

**Description of Development:**

Single storey front extension with decking at front/formation of first floor front balcony/flat roof over existing entrance porch

**Proposal**

- Single storey front extension measuring approximately 4.6m deep, as scaled from the front building line of the existing house with a floor to ceiling flank window in the north-western elevation.
- A new flank window is also proposed on the north-western elevation of the existing building serving the kitchen.
- Timber decking is proposed to the side of the extension.
- First floor front balcony extending from the existing front dormer with obscure glass screening to the western end.
- Flat roof over the existing entrance porch.

**Location**

- The site is located on the north eastern side of Hartfield Crescent, set back approximately 44m from the highway up a steep incline.
- The surrounding area is residential comprising detached dwellings of various styles on spacious plots.

**Comments from Local Residents**

No comments received to date. Any comments received will be reported to members at the meeting.

## **Comments from Consultees**

No comments received to date.

## **Planning Considerations**

Policies BE1 and H8 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design and safeguard the amenities of neighbouring properties and the visual amenities of the area. Policy NE7 seeks to protect trees of environmental importance and visual amenity from potential harm from development.

## **Planning History**

A similar application was refused under ref. 09/00711. The reasons for refusal were:

The proposed extension, due to its excessive height and depth, would be detrimental to the amenities of the adjoining residential property at No. 43 by reason of loss of privacy and outlook, contrary to Policies BE1 and H8 of the Unitary Development Plan.

## **Conclusions**

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

Following the previously refused application, the applicants have amended the scheme as follows:

- reduced the forward projection of the front extension (as scaled from the front of the existing building) by approximately 0.8m.
- set the front extension in from the side of the house by approximately 0.9m
- reduced the height of the extension by approximately 0.3m.

In terms of residential amenity, the main impact to consider would be on Nos. 43 and 47 and, in particular, the impact of the proposed front extension and proposed front balcony. There is a 10m (approx) separation between the flank walls of 43 and 45 Hartfield Crescent. Furthermore, No.43 is set forward of No. 45 by just under 5m. It is noted that No. 45 is set at a higher ground level than No. 43 and the effect of the front extension would therefore be increased. However, it is considered that, given the separation between the two properties, along with the reduced height and depth, the proposed front extension would not



significantly impact the outlook from No. 43. With regard to loss of privacy, a condition is recommended requiring that the proposed flank windows facing No. 43 be obscure glazed so as to minimise any loss of privacy.

With regard to the proposed balcony, it is considered that any potential for overlooking into the neighbouring sites would be minimised by the extensive tree and shrub growth on the boundaries of the site. However, to ensure the protection of the amenities of any future occupiers who may decide to reduce or remove the planting and taking into account the potential reduction in green screening during the winter, privacy screens should be installed at both ends of the balcony and a condition is recommended to that effect.

The proposed new roof to the existing entrance porch would be a modest addition and is considered acceptable in that it would not have a significant impact on the amenities of the occupiers of No.47 nor impact detrimentally on the character on the area.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 09/02649 and 09/00711, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- 1     ACA01        Commencement of development within 3 yrs  
      ACA01R      A01 Reason 3 years
- 2     ACC04        Matching materials  
      ACC04R      Reason C04
- 3     Before the development hereby permitted is first occupied, the proposed window(s) in the north-west flank elevation serving the kitchen and dining room shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.  
      ACI12R      I12 reason (1 insert)   BE1 and H8
- 4     ACI14        No balcony (1 insert)           the   single   storey   front  
      ACI14R      I14 reason (1 insert)   BE1 and H8  
      extension
- 5     Details of a scheme relating to the installation of opaque privacy screens to the south-eastern and north-western sides of the proposed balcony shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented before occupation of the

extensions hereby permitted and retained permanently thereafter, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure the protection of residential amenities at adjoining properties and to comply with Policy BE1 of the Unitary Development Plan.

**Reasons for granting permission:**

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

BE1 Design of New Development  
H8 Residential Extensions

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

- (a) the appearance of the development in the street scene
- (b) the relationship of development to adjacent property
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties
- (d) the light and outlook of occupiers of adjacent and nearby properties

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

INFORMATIVE(S)

1 RD130 Obscure Glazing

Reference: 09/02649/FULL6

Address: 45 Hartfield Crescent West Wickham BR4 9DW

Proposal: Single storey front extension with decking at front/formation of first floor front balcony/flat roof over existing entrance porch



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

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**10. Application No : 09/02308/FULL6 Ward : Farnborough And Crofton**

**Address : 265B Crofton Road Orpington Kent BR6 8JF Conservation Area:NO**

**OS Grid E: 543901 N: 165687**

**Ref:**

**Applicant : Mr Glen Ward Objections : NO**

**Description of Development:**

First floor rear extension

**Proposal**

- It is proposed to add a first floor extension to the rear of the property which would project 4m to the rear to come in line with the existing two storey rearward projection of the house on its eastern side.
- The extension would have a flat roof and would immediately abut the access road to the west.

**Location**

This end-of-terrace property is located on the southern side of Crofton Road and lies adjacent to an access road which leads to a parking area at the rear serving this and adjacent properties.

**Comments from Local Residents**

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

## Planning Considerations

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

BE1 Design of New Development  
H8 Residential Extensions

## Planning History

Permission was originally granted in 2003 for the construction of this end-of-terrace property along with the house adjacent (now known as 265c) under ref. 03/01102. This permission restricted "permitted development" rights under condition 10.

## Conclusions

The primary considerations in this case are the effect of the proposals on the character of the surrounding area and on the amenities of nearby residents.

The proposed extension would not maintain a 1m separation to the side boundary, but would continue the line of the existing side wall of the house, and would be separated from the adjacent dwelling by an access road and footpath. It would be of a flat roofed design, but given its position towards the rear of the dwelling, it would not appear unduly bulky or cramped within the street scene.

With regard to the impact on residential amenity, the extension would be sufficiently separated from adjoining properties to ensure no loss of light, privacy or prospect.

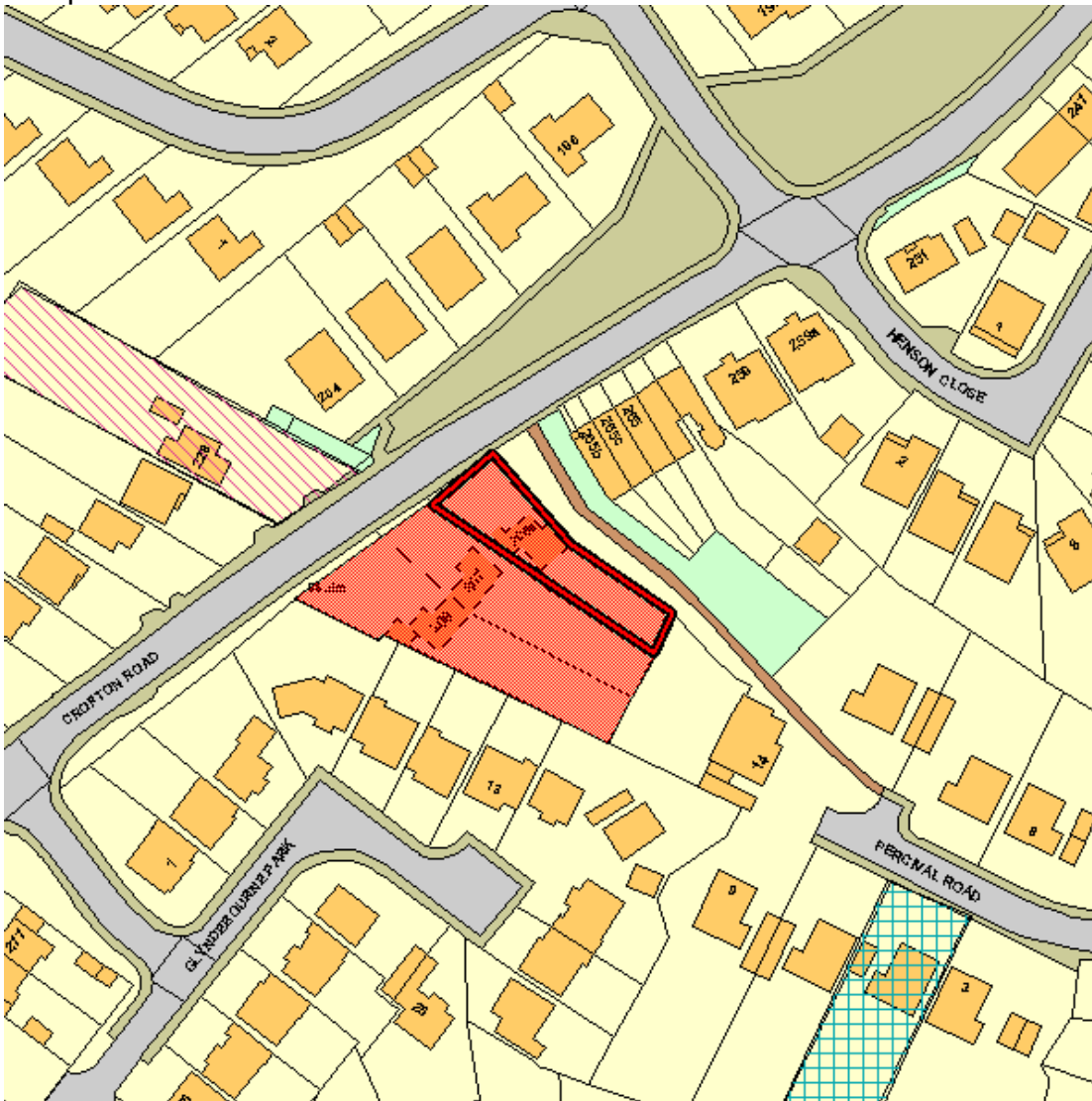
Background papers referred to during production of this report comprise all correspondence on files refs. 03/01102 and 09/02308, excluding exempt information.

## RECOMMENDATION: PERMISSION

### Subject to the following conditions:

- |   |                    |  |               |       |
|---|--------------------|--|---------------|-------|
| 1 | ACA01<br>ACA01R    | Commencement of development within 3 yrs<br>A01 Reason 3 years |               |       |
| 2 | ACC04<br>ACC04R    | Matching materials<br>Reason C04                               |               |       |
| 3 | ACI13<br>extension | No windows (2 inserts)   | south-western | flank |
|   | ACI13R             | I13 reason (1 insert)  | BE1           |       |
| 4 | AJ01B              | Justification GENERIC reason FULL6 apps                        |               |       |

Reference: 09/02308/FULL6  
Address: 265B Crofton Road Orpington BR6 8JF  
Proposal: First floor rear extension



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## **Comments from Local Residents**

There has been considerable concern expressed in representations received from local residents regarding this proposal, a solicitor on behalf of some residents and also from the local ward councillor and the local member of the Greater London Authority. It should be noted that a number of matters which relate to planning merits have been raised, these are not summarised below as they are not relevant to this application. The issues raised which are pertinent to the consideration of the certificate are summarised below. Discussion of these concerns can be found in the Conclusion section of this report:

1. The building raises the possibility of future conversion to a dwelling
2. The exact dimensions are not provided as required in the Planning Portal Guidance
3. There is a difference in levels at the site which is not shown on the plans
4. The proposal does not lie within the curtilage of 64 Great Thrift and is therefore not permitted development
5. Forms state that the owner of the site does not occupy the land in question and this raises the question of whether the land can be part of the residential curtilage
6. The land is described as 64 Great Thrift, which is inaccurate – it should be described as rear of 66 or lands adjoining Silverdale Road
7. The land has all of the characteristics of an intended and separate building plot and the proposal does not have the characteristics of a building incidental to the enjoyment of 64.
8. The emphasis is on the applicant to convince the local planning authority that a certificate should be issued, this has not been done in this case
9. The existing building to which the proposal would be joined is within 2 metres of the site boundary, therefore breaching the permitted development requirements.

## **Comments from Consultees**

Comments from a legal perspective raise no objection to the granting of this certificate.

## **Planning Considerations**

This application falls to be considered solely on its legal merits with regard to whether the proposed development is permitted development under Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended). The most recent changes to Class E were in the Town and Country Planning (General Permitted Development)(Amendment)(No.2)(England) Order 2008 (GPDO).

## **Planning History**

The site has been the subject of previous applications including several extensions to the dwelling at 64, which were permitted, and several applications for a new residential dwelling on the part of the site to the rear of 66 Great Thrift, which were refused and dismissed at appeal. A previous planning application for an outbuilding similar to this proposal was withdrawn.

A separate application for a boundary fence fronting Silverdale Road is currently under consideration.

## **Conclusions**

This application must be determined solely on its legal merits.

With regard to the numbered concerns submitted which are set out above, these have been considered and commentary is set out below, numbered as above:

1. The future conversion of the building to a dwelling would require planning permission
2. It is considered that the plans and information submitted with the application provide sufficient information upon which to determine the application.
3. The site has only a slight slope and should the certificate be granted the onus is on the applicant to construct the building in accordance with the approved plans. In any event it is common practice to measure the height of outbuildings to the highest ground level adjacent, therefore provided this does not exceed the tolerances within Class E there would be no breach of planning control. The proposal is assessed against the existing ground levels and there is no evidence of any substantial raising of these levels.
4. It is considered that the entire application site can reasonably be regarded as part of the residential curtilage of 64 Great Thrift given its physical connection, proposed and existing use and overall size. One objection in particular details planning caselaw in support of the argument that this land may not form part of the curtilage of 64 Great Thrift, primarily on the basis that it is not a small area attached to the dwellinghouse. The case of *Skerritts of Nottingham Limited V. Secretary Of State for Environment, Transport and Regions Vs. Harrow London Borough Council* [1999] confirmed that the test of whether land forms part of a curtilage is not based on a test of smallness. The case went to the Court of Appeal where it was held that 'smallness' did not come into the concept of curtilage. The objector is also concerned that the land in question could only realistically be part of the curtilage of 66, given its relationship with 66 and 64, however it is considered that the land is suitably related to 64 and will

perform a function ancillary to the enjoyment of the dwellinghouse. Overall taking into account the variety of considerations regarding whether land forms part of a curtilage, it is clear that this site meets the definition.

5. The answer to Q5 on the application forms gives a choice of owner, tenant or occupier and is intended to clarify whether it is necessary to serve notice on others with an interest in the land – the context of this question would suggest that an occupier would not also be an owner, therefore this issue is not considered relevant to the consideration of the certificate.
6. The description of the site reflects the nature of the land as residential garden as part of the curtilage of 64 Great Thrift.
7. The proposed development would not result in an excessive amount of built development to be used for a purpose incidental to the enjoyment of the dwellinghouse at 64 Great Thrift, providing 2 garages plus a storage area.
8. The information submitted is considered sufficient for the Council to determine the certificate.
9. This point has been addressed by the applicant in severing the proposed building from the existing building.

Although the concerns of residents regarding the planning history of this site and previous attempts to develop a dwelling, which was resisted by the Council, are fully understood, this in itself is not a reason to refuse this certificate. Planning permission would be required to sever the land and use the building as a dwelling, or indeed for any other purpose not ancillary to the enjoyment of the dwellinghouse at 64 Great Thrift. Ultimately the proposal falls within the size and other tolerances of Class E of the GPDO.

The proposed development complies with Class E of the General Permitted Development Order (as amended) and the certificate should be granted.

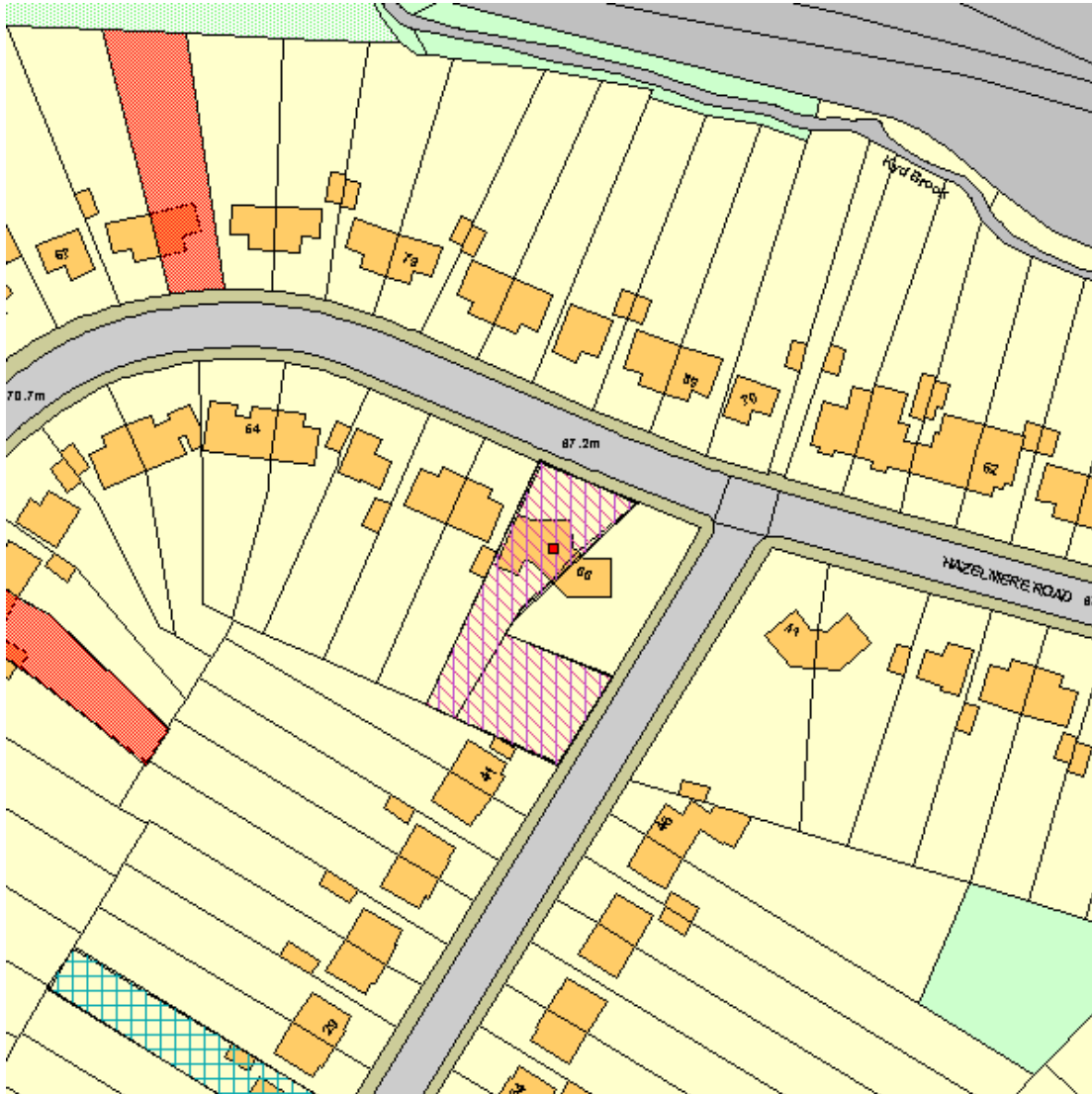
Background papers referred to during production of this report comprise all correspondence on files refs. 84/00896, 84/01944, 04/01743, 05/00417, 07/02016, 07/02861, 08/00681, 09/02011, 09/02642 and 09/02574, excluding exempt information.

as amended by documents received on 26.10.2009

**RECOMMENDATION: CERTIFICATE BE GRANTED**

- 1 The proposed development falls within Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Reference: 09/02574/PLUD  
Address: 64 Great Thrift Petts Wood Orpington BR5 1NG  
Proposal: Single storey building at rear for use as triple garage and store.  
CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT.



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**12. Application No : 09/02586/OUT Ward :  
Petts Wood And Knoll**

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

**OS Grid E: 544319 N: 167618**

**Ref:**

**Applicant : Oakley (SE) 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**

At Plans Sub Committee on October 15th members resolved not to contest an appeal for the above development under application ref. 09/01688. This current application is an identical duplicate of the application considered at that meeting and planning permission is now sought for the same description of development. The reason for pursuing this course of action is that the Council is unable to determine the original application as it has passed to the jurisdiction of the Planning Inspectorate and the applicant has indicated that he wishes to withdraw the appeal.

An application to rebuild the current building so that it exactly matches the original was submitted on Friday Sept 18th under ref. 09/02587. This has now been withdrawn.

This report is essentially the same as that submitted to the PSC on October 15th but includes information that was presented verbally to the Committee.

Outline Permission is sought for:

- 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.

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

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 side 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 requires 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

### **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
------	------------------------------------

## **Planning History**

There is no relevant planning history for the site.

Members resolved to not contest an appeal at the premises for an identical development under ref. 09/01688 on October 15th 2009.

## **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 proposal is to the north and there would be no loss of light. 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.

The applicant has submitted information drawing attention to extensions to nearby premises that have a similar effect on the adjacent residential properties and which were considered acceptable.

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. 09/02586, excluding exempt information.

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- |    |  |  |                               |   |
|----|--|--|-------------------------------|---|
| 1  | ACA02<br>ACA02R  | Details req. pursuant outline permission<br>Reason A02 | appearance and<br>landscaping |   |
| 2  | ACA03<br>ACA03R  | Compliance with landscaping details<br>Reason A03      |                               | 1 |
| 3  | ACC01<br>ACC01R  | Satisfactory materials (ext'nl surfaces)<br>Reason C01 |                               |   |
| 4  | ACC03<br>ACC03R  | Details of windows<br>Reason C03                       |                               |   |
| 5  | ACD02<br>ADD02R  | Surface water drainage - no det. submitt<br>Reason D02 |                               |   |
| 6  | ACD04<br>ADD04R  | Foul water drainage - no details submitt<br>Reason D04 |                               |   |
| 7  | <p>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.</p> <p><b>Reason:</b> In order to comply with Policy BE1 of the Unitary Development Plan and to protect the fabric of the building.</p> |  |                               |   |
| 8  | ACH02<br>ACH02R  | Satisfactory parking - no details submit<br>Reason H02 |                               |   |
| 9  | <p>Details of the car park entrance arrangements, including the car lift shall be submitted to and approved in writing by the Local Planning Authority and the arrangements shall be subsequently completed before any part of the development hereby permitted is first occupied, and shall be permanently retained thereafter.</p> <p><b>Reason:</b> 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.</p>   |  |                               |   |
| 10 | ACH18<br>ACH18R  | Refuse storage - no details submitted<br>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 elevations  
 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 approved 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.

- 16 ACK09 Soil survey - contaminated land  
 ACK09R K09 reason  
 17 Before any works on site are commenced, a site-wide energy strategy  
 assessment shall be submitted to and approved by the Local Planning  
 Authority. The results of this strategy shall be incorporated into the final  
 design of the buildings prior to first occupation. The strategy shall include  
 measures to allow the development to achieve a reduction in carbon  
 dioxide emissions of 20% from on-site renewable energy generation  
 sufficient to provide 20% of the predicted energy requirements. The  
 feasibility of the provision of combined heat and power (CHP) to supply  
 thermal and electrical energy to the site or the most appropriate buildings  
 within the permitted development should be included within the  
 assessment. In addition the scheme shall include details of schemes to  
 provide noise insulation, silencing for and filtration and purification to  
 control odour, fumes and soot emissions from the equipment as  
 appropriate. The final designs including the energy generation shall be  
 retained thereafter in operational working order.

**Reason:** In order to seek to achieve compliance with the Mayor of London's  
 Energy Strategy and to comply with Policy 4A.7 of The London Plan.

- 18 Before commencement of the use of the premises a management plan to  
 show details of deliveries of goods and services to the front of the  
 premises shall be submitted and approved by the Local Planning Authority  
 and permanently retained thereafter. Deliveries to the rear of the property  
 shall be restricted to small vans and vehicles only.

**Reason:** In order to safeguard the safety of vehicle and pedestrian users of the  
 accessway at the rear of the premises and to comply with policies T6, T18  
 and T19 of the Unitary Development Plan.

- 19 Deliveries to the front of the property shall take place between the hours of  
 7am and 8am and between 7pm and 9pm only and at no other times.

**Reason:** In order to comply with Policy T17 of the Unitary Development Plan.

**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: 09/02586/OUT

Address: 15 Chatsworth Parade Petts Wood Orpington 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



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The proposal falls to be considered with regard to Policies BE1 (Design), BE7 (Means of Enclosure), H10 (Areas of Special Residential Character) and T18 (Road Safety).

The site has been the subject of previous applications including several extensions to the dwelling at 64, which were permitted, and several applications for a new residential dwelling on the part of the site to the rear of 66 Great Thrift, which were refused and dismissed at appeal. A previous planning application for an outbuilding similar to this proposal was withdrawn.

A separate application for a certificate of lawfulness for an outbuilding in the rear garden of 64 is pending consideration.

### **Conclusions**

This fence is similar in height and appearance to that which it replaced. It is a typical height and style for such a location and is not considered to detract from the character or appearance of the Area of Special Residential Character within which the site is located. There are no highway objections to the proposal.

The formation of the vehicular access and the hardstanding have been carried out under permitted development.

In summary the proposal is considered to comply with Policies BE1, BE7, H10 and T18 and it is recommended that planning permission be granted.

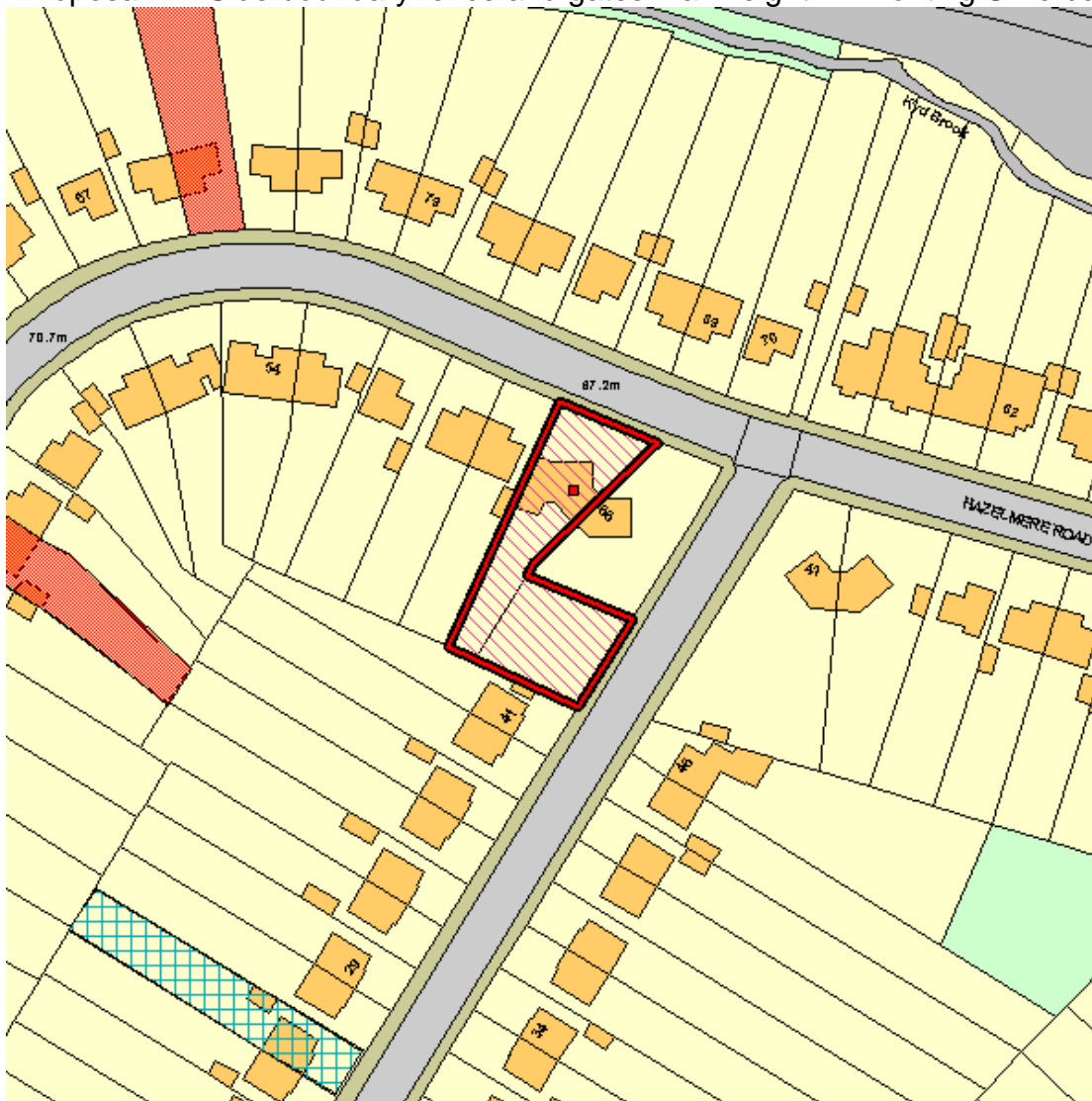
### **RECOMMENDATION: PERMISSION**

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

Reference: 09/02642/FULL6

Address: 64 Great Thrift Petts Wood Orpington BR5 1NG

Proposal: Side boundary fence and gates max height 2m fronting Silverdale Road



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SECTION 4 – Applications recommended for REFUSAL or DISAPPROVAL OF  
DETAILS

NO APPLICATIONS