

**LONDON BOROUGH OF BROMLEY**

**TOWN PLANNING  
RENEWAL AND RECREATION DEPARTMENT**

Committee (SC) on 21st January 2010

REPORT OF THE CHIEF PLANNER

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

NO APPLICATIONS



SECTION '2' - Applications meriting special consideration

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**1. Application No : 09/02353/OUT Ward : West Wickham**

**Address : 80 The Alders West Wickham Kent BR4 9PG Conservation Area:NO**

**OS Grid Ref: E: 537593 N: 165817**

**Applicant : Chant Properties (Mr L Chant) Objections: YES**

**Description of Development:**

Demolition of No.80 The Alders and construction of 8 detached and semi-detached houses with access drive and bridge over River Beck  
OUTLINE

**Proposal**

Outline planning permission is sought for the erection of 8 detached and semi-detached houses on the site, together with a new access drive and a bridge spanning the River Beck. The existing dwelling at No. 80 The Alders would be demolished, together with the associated outbuildings. Nos. 76 and 78 The Alders (outside of the application site although within the same ownership) would remain and would be accessed via the new driveway and bridge proposed.

The application seeks outline planning permission with all matters reserved, however an indicative site layout has been provided, together with indicative floor layouts and elevations of the proposed dwellings. The proposed development would have a residential density of approx. 12.5 units/ha.

The indicative layout shows that 4 houses (Plots 1-4) would be located adjacent to the site entrance and in line with the adjacent development in The Alders. The fifth dwelling would be located adjacent to the proposed turning head opposite the site entrance. The proposed bridge would be located to the west of the turning head, providing access to the existing dwellings at Nos. 76 and 78 The Alders and to a further three dwellings (Plots 6-8) on the western bank of the

River Beck. An 8m easement would be provided to either side of the River Beck, also acting as a wildlife corridor, which would be kept free of built development and hard landscaping (aside from the proposed bridge). Part of the rear gardens to plots 1-4 would be included in the easement, providing a reduced 3m wildlife corridor to this section of the site.

It is indicated that the proposed dwellings would be of two/three storey design with accommodation in the roofspace and dormer windows. One garage would be provided for each dwelling (detached or attached).

The application is accompanied by the following documents which are available to view on the application file:

- Design and Access Statement
- Flood Risk Assessment
- Tree Survey
- Ecological Report (comprising phase 1 habitat survey and desk study)
- Archaeological Desk Based Assessment
- Bat Survey
- Ecology Management Plan

An amended site layout plan has been received which shows an increase in the width of the proposed bridge from 3m to 4m, the repositioning of the dwelling at plot 5 to be clear of the 8m easement and the reduction in the rear garden depths of plots 5, 6 and 7 to allow for a greater proportion of the site left undeveloped to encourage biodiversity.

## **Location**

The application site measures approx. 0.64ha in area and is located to the south of The Alders, West Wickham, at the junction of this road and Hawkhurst Way. The site lies between Nos. 2-30 Bolderwood Way and is bounded by the rear of properties on Oak Avenue to the west, which fall within the London Borough of Croydon.

The site currently comprises a detached dwelling at No. 80 The Alders and associated outbuildings, although for the most part remains undeveloped. The site is heavily wooded in character, and is bisected by the River Beck. The site falls within an Area of Archaeological Significance and is within Flood Zone 2.

## **Comments from Local Residents**

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

- loss of amenity to local residents through visual impact of proposed dwellings, overlooking/loss of privacy, loss of light, noise and disturbance (including vehicular movement within site), fumes and light pollution
- flood risk (River Beck)
- loss of a green field site (green corridor linking nearby SINC's) and wildlife habitat
- loss of trees (ancient woodland)
- impact to protected species (including bats and badgers)
- increase in traffic on already congested roads – impact to road/pedestrian safety particularly at junction of The Alders and Hawkhurst Way where site access is located
- increased pressure to parking in the area
- concerns over parking provision and manoeuvrability within the site
- increased pressure to local services, utilities and amenities including schools
- development out of character at 2.5/3 storeys in height
- backland/infill development
- overdevelopment – development too close to surrounding development
- density too high
- impact to values of adjacent properties
- security risk to adjacent properties
- public nuisance including throughout construction process
- will set a precedent for similar development elsewhere
- concerns over adequacy of environmental assessments and lack of protected species surveys
- concerns over possible subsidence

A letter of support was also received from one local resident.

Letters of objection were received from the West Wickham, Monks Orchard, Spring Park and Eden Park Residents Associations. Comments received can be summarised as follows:

- site forms part of a network of natural habitats as a wildlife corridor
- outstanding tree planting orders that should be enforced
- concerns over loss of trees
- site is undeveloped green field land
- proposed development out of character with surrounding area and would result in a loss of amenity to local residents
- concerns over turning space and manoeuvrability in site
- harm to conditions of road safety
- concerns over flooding
- site is area of archaeological significance
- concerns over parking provision and disabled parking arrangements
- no records of bat survey

- concerns over impact to biodiversity

In addition to the above, the London Borough of Croydon have summarised the objections received from residents within the adjoining borough, and requested that these be taken into consideration. The objections are as follows:

- proposals are contrary to PPS9
- loss of protected species as part of the site is a wildlife corridor including badger setts
- no survey in respect of protected species
- out of keeping with properties on Oak Avenue
- access road very narrow and will have a detrimental impact on adjoining occupiers and wildlife
- inadequate public consultation
- loss of trees
- overlooking to adjacent residential properties
- increase in noise and pollution
- against backland development
- increase in road traffic accidents
- loss of privacy

### **Comments from Consultees**

English Heritage recommends the approval of the Archaeological Report submitted to accompany the application and recommends the imposition of a standard condition.

From the technical Highways perspective no objections are raised to the principle of the proposed development. Standard conditions are recommended.

From the Waste Services perspective, it is advised that refuse and recycling should be left out for 'edge of curtilage' collection. With regard to the accessibility, it was advised that there may be issues with access to plots 6, 7 and 8. The bridge would have to support refuse vehicles and the roadway must be over 4m wide with turning area.

Thames Water was notified of the application and raised no objection to the proposal.

Natural England initially recommended that an ecological management plan be produced and raised concerns that a bat survey had not been submitted. This information was subsequently submitted by the applicant's agent, together with information concerning the locality of two badger setts which had also been identified. In light of this information, it was advised that further bat surveys would be required prior to any demolition on site, however that subject to this and

the implementation of the management plan the development may be able to demonstrate that it has a positive aspect on biodiversity.

The Environment Agency initially raised concerns regarding the width of the bridge (as amended to 4m in width) however have since withdrawn this objection in light of the fact that this will be for the purposes of emergency access. Various conditions are suggested.

From the Highways Drainage perspective no objections were raised.

The London Fire and Emergency Planning Authority was notified of the application, and raised no objection subject to compliance with Part B5 of the Building Regulations.

From the Environmental Health (pollution) perspective no objections are raised.

The London Borough of Croydon object on the basis of overlooking from plot 8 resulting in a loss of amenity to Nos. 61 and 63 Oak Avenue.

### **Planning Considerations**

The main policies against which the application should be assessed are listed below.

Unitary Development Plan:

- BE1 Design of New Development
- BE16 Ancient Monuments and Archaeology
- H1 Housing Supply
- H7 Housing Density and Design
- T3 Parking
- T18 Road Safety
- NE5 Protected Species
- NE7 Development and Trees

The London Plan:

- 4A.12 Flooding
- 4A.13 Flood Risk Management

National Planning Policy/Guidance:

- PPS 9 Biodiversity and Geological Conservation
- PPS 25 Development and Flood Risk

### **Planning History**

Under ref. 08/03941 an application was submitted seeking outline permission with all matters reserved for the demolition of No.80 The Alders and construction of 9 detached and semi-detached houses with access drive and bridge over River Beck. The application was withdrawn prior to consideration in light of objections raised by the Environment Agency concerning development within 8m of the River Beck.

## **Conclusions**

Since this application seeks outline permission with all matters reserved, Members will need to consider whether, on the basis of the indicative plans submitted, 8 dwellings could satisfactorily be accommodated on the site in principle. The site is constrained, not least because of the River Beck running through it and the requirement for an 8m easement to either side, and as such while the residential density is very low, the actual area of the site that can practicably be developed is restricted. The site is also backland in nature, and as such careful consideration will need to be given to the potential impact of the proposed development on the amenities of residents adjoining the site, in terms of visual impact, overlooking, loss of privacy and noise and disturbance, although regard will need to be given to the fact that the layout and design of the scheme remains indicative at this stage. In addition, Members will be aware that the site is heavily wooded in character and is the subject of a blanket TPO, and is considered to be an important site for wildlife and nature conservation although is not subject to any specific planning designation to this effect. There is also a known presence of badger in the site and investigations have been conducted into the presence of bats.

Based on the site layout provided, Members may agree that the proposed dwellings would each have adequate amenity space and off-street parking, and would have a satisfactory relationship with surrounding development in terms of visual impact, overlooking and loss of privacy given the separation between the proposed and surrounding dwellings and having regard to the slightly lower ground levels within the site. Members will note the objections raised by the London Borough of Croydon concerning overlooking and loss of privacy towards properties in Oak Avenue, however. The site layout, which now includes a roadway and bridge of at least 4m in width, would appear to be satisfactory to provide access to refuse and emergency vehicles, and appears to be acceptable from the technical Highways perspective. Although the use of access to the site from The Alders/Hawkhurst Way would intensify, this again appears to be satisfactory from the Highways perspective. However, Members will note that the proposed access road would in part run alongside the rear boundaries with properties on Bolderwood Way; accordingly careful consideration will need to be given to the use of this access and any potential for noise and disturbance to arise.



With regard to trees, a survey has been submitted to accompany the application which indicates that 16 trees would need to be felled, 10 of which are graded 'R' and would need to be felled regardless of any development. The other 6 trees are not deemed to be significant landscape features. Accordingly it is not considered that the proposed development would result in significant harm to trees within the site. With regard to the role of the site as a wildlife habitat, Members will note that it is not subject to any specific planning designation in respect of this matter, however is considered to play a role as a wildlife/green corridor linking adjacent Sites of Interest for Nature Conservation (SINCs). Members will note however that the density of development proposed is low and that the majority of the site would remain undeveloped to continue this role as a wildlife/green corridor, particularly adjacent to the River Beck where an 8m zone would be retained, free from built development (excepting the proposed bridge/roadway). In addition, the amended site layout shows shortened rear gardens for plots 5, 6 and 7 allowing the southern end of the site to remain as a wildlife habitat. With regard to protected species, it is recommended that further bat surveys be conducted prior to any demolition on site, together with protective measures concerning badger.

With regard to flood risk, the Environment Agency have advised that the development will only be acceptable if the measures detailed in the flood risk assessment are implemented, together with the provision of an 8m easement. These matters can be secured by way of a planning condition, as recommended by the Environment Agency.

With regard to the site as an Area of Archaeological Significance, Members will note that an Archaeological Report was submitted to accompany the application which has met with the approval of English Heritage. It is therefore recommended that a planning condition be imposed to secure the archaeological works detailed in the Report.

To conclude, while there are a number of constraints to be aware of, the indicative layout would appear to respond to these in demonstrating that the accommodation of 8 dwellings may technically be possible without significant harm to trees, biodiversity, the role of the site as a wildlife/green corridor, the amenities of neighbouring residents or the character of the area, and without compromising the River Beck or increasing the potential for flood risk. However, consideration will need to be given to the potential loss of amenity that may arise from the use of the access road where sited alongside the rear boundaries with properties of Bolderwood Way.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03941 and 09/02353, excluding exempt information.

as amended by documents received on 09.12.2009

## RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- 0 D00002 If Members are minded to grant planning permission the following conditions are suggested:
- 1 ACA02 Details req. pursuant outline permission access,  
appearance, landscaping, layout and scale  
ACA02R Reason A02
- 2 ACD02 Surface water drainage - no det. submitt  
ADD02R Reason D02
- 3 ACH01 Details of access layout (2 insert) The Alders/Hawkhurst  
Way 0.6m  
ACH01R Reason H01
- 4 ACH12 Vis. splays (vehicular access) (2 in) 4.2m x 33m  
0.6m  
ACH12R Reason H12
- 5 ACH22 Bicycle Parking  
ACH22R Reason H22
- 6 ACH23 Lighting scheme for access/parking  
ACH23R Reason H23
- 7 ACH32 Highway Drainage  
ADH32R Reason H32
- 8 ACI01 Restriction of all "pd" rights
- Reason:** In order to prevent the overdevelopment of the site and in the interests of the prevention of flooding within the site in order to comply with Policies BE1 of the Unitary Development Plan and PPS 25.
- 9 ACN10 Bat survey  
ACN10R Reason N10
- 10 No development shall take place within the 8m easement as shown on plan ref. 4624/PL-00-07/Rev. H without the prior approval in writing by the Local Planning Authority.
- Reason:** In the interests of the prevention of flooding within the site and in order to comply with PPS 25.
- 11 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.  
ACK08R K08 reason
- 12 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) prepared by Ambiental, dated October 2008, reference 1103, and the submitted revised drawing indicating the relocation of unit 5 and the

provision of 8m easement and the following mitigation measures detailed within the FRA:

- (a) Greenfield discharge rate of 9.065 l/s/ha as demonstrated in the FRA
- (b) Identification and provision of safe route(s) into and out of the site to an appropriate safe haven.
- (c) Ground floor finished floor levels to be set at least 870mm higher than the demonstrated 100 year climate change flood level for the site.
- (d) In accordance with submitted revised drawings and the points raised in the letter of 22 January to Bromley Council ( ref. SL/2008/104355/01-L01 )
  - i) A 3m wide strip of protected land along each side of the stream for wildlife.
  - ii) All newly proposed buildings to be positioned outside 8m wide easement area.

Reason:

- (a) To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.
  - (b) To ensure safe access and egress from and to the site.
  - (c) To reduce the impact of flooding on the proposed development and future occupants.
  - (d) To reduce the risk of flooding to the proposed development and future occupants.
- 13 Prior to the commencement of development a landscape management plan, including long- term design objectives, management responsibilities and maintenance schedules for all landscaped areas (except privately owned domestic gardens), shall be submitted to and approved in writing by the local planning authority. The landscape management plan shall be carried out as approved and any subsequent variations shall be agreed in writing by the local planning authority.

The scheme shall include the following elements:

- detail extent and type of new planting (NB planting to be of native species)
- details of maintenance regimes
- details of any new habitat created on site
- details of treatment of site boundaries and/or buffers around water bodies

Given the loss of BAP habitat (woodland and hedgerow) through this development and the increase in the agreed width of the bridge it is required that the applicant compensates for this loss. We suggest that some simple ways to undertake this would be to:

- install bird and bat boxes in mature trees and install bricks into new buildings and the new bridge.
- any planting to be undertaken should comprise of native species only, preferably of local provenance. Exotic species should be discouraged.

- dead wood log piles should be created with wood from the removal of some of the trees. This provides habitat for invertebrates and fungi, and if partially buried, also for stag beetles.
- grassy areas could be seeded with native wildflowers to provide food for insects, etc.

**Reason:** This condition is necessary to ensure the protection of wildlife and supporting habitat and secure opportunities for the enhancement of the nature conservation value of the site in line with national planning policy.

- 14 Prior to the commencement of development, details of all bridges proposed on site shall be submitted to and approved in writing by the local planning authority. Thereafter the bridges shall be constructed as set out in the approved scheme.

The scheme shall comprise the following features:

Any bridges shall be clear spanning structures with the abutments set back to provide bank widths of 2 metres beneath the bridge and a height above the bank top of no less than 1m. This will maintain a continuous river corridor and provide for movement of wildlife. Details should be submitted to the Environment Agency.

**Reason:** The use of clear-spanning bridges will maintain the river corridor and allow the movement of both the river and associated wildlife. This will maintain a continuous buffer strip and corridor which is available for wildlife passage and habitat and to reduce the risk of pollution from run-off.

Details should be submitted to and agreed with the Agency.

Reasons for granting permission:

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

- BE1 Design of New Development
- BE16 Ancient Monuments and Archaeology
- H1 Housing Supply
- H7 Housing Density and Design
- T3 Parking
- T18 Road Safety
- NE5 Protected Species
- NE7 Development and Trees

The London Plan:

- 4A.12 Flooding
- 4A.13 Flood Risk Management

National Planning Policy/Guidance:

PPS 9 Biodiversity and Geological Conservation  
PPS 25 Development and Flood Risk

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

- (a) the density of the proposed development
- (b) the relationship of the development to adjacent properties
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the high quality design and layout of the proposed development
- (f) the proposed parking provision and the impact to conditions of road safety
- (g) the impact of the proposed development to trees within the site
- (h) the impact of the proposed development (having particular regard to the mitigation measures proposed) to wildlife, including protected species, and biodiversity
- (i) the impact of the proposed development to flood risk
- (j) the housing policies of the Unitary Development Plan
- (k) the transport policies of the Unitary Development Plan
- (l) the conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

#### INFORMATIVE(S)

- 1 RDI01 Outline application – detailed plans
- 2 RDI06 Notify Building Control re. demolition
- 3 RDI23 Notification re. sewer realignment
- 4 Under the Water Resources Act 1991 and the Land Drainage Byelaws 1981, the prior written consent of the Environment Agency is required for any works in, over, under or within 8 metres landward of a main river, irrespective of any planning permission granted.

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

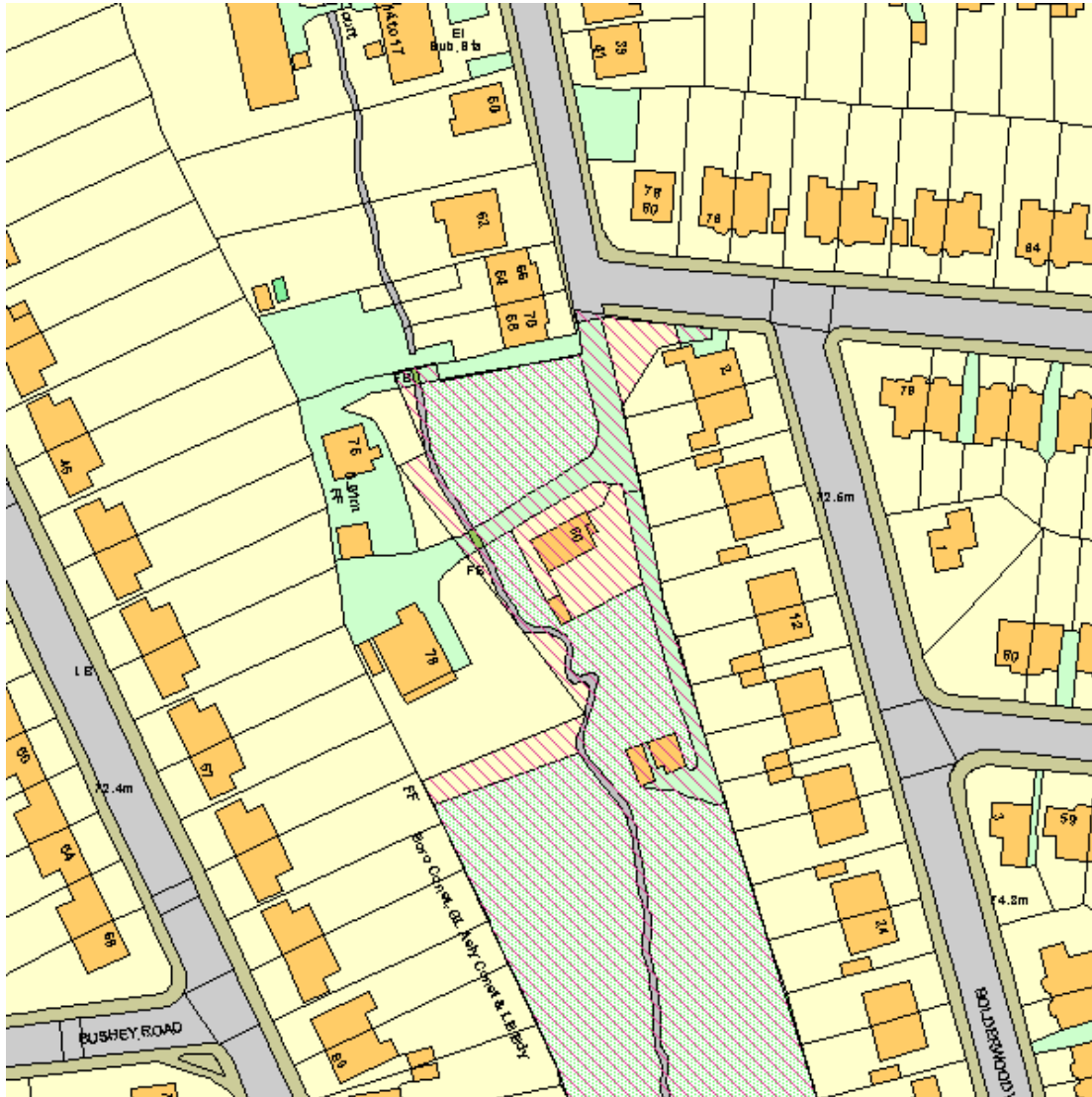
- 1 The proposal constitutes an unsatisfactory backland development which would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy, by reason of the proposed access road running along the party boundary and the general disturbance which would arise from its use, and the impact of the number of units proposed on the amenities of properties adjoining the site in view of the limited area of the total application site which is

available for development, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

Reference: 09/02353/OUT

Address: 80 The Alders West Wickham BR4 9PG

Proposal: Demolition of No.80 The Alders and construction of 8 detached and semi-detached houses with access drive and bridge over River Beck  
**OUTLINE**



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**2. Application No : 09/02704/FULL6 Ward : Bromley Common And Keston**

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

**OS Grid Ref: E: 542306 N: 164292**

**Applicant : Ms Mia Goldberg Objections: YES**

**Description of Development:**

Two storey side extension

**Proposal**

- The proposal seeks consent for a two storey side extension to the existing residential dwellinghouse.
- An application for a two storey side extension was refused under ref. 09/00556. This application therefore seeks to overcome the refusal ground.
- The proposal involves the proposed demolition of the existing detached garage, a domestic outbuilding and the removal of a number of other outbuildings beyond the residential curtilage of the site. These outbuildings are numbered 1-10 on Plan Number MG/08/148/06/A.
- The proposed two storey side extension will measure approximately 11.8m in width at the front, approximately 10.4m in width at the rear, and approximately 7m in depth.
- The height of the eaves for the extension will match the height of the eaves of the host dwellinghouse, and the main ridge of the roof over the extension will match the height of the ridge of the roof of the host dwellinghouse.
- The extension has been proposed in order to house a sitting room and dining room at ground floor, and two additional bedrooms, a bathroom and en-suite at first floor.
- From the plans it can be seen that the floor space of the proposed extension will measure approximately 150 sq m.

- The floor space of the existing detached garage measures approximately 41 sq m.
- Therefore the difference between the existing garage and the proposed extension is approximately 109 sq m.
- When the floor space of the existing property (273 sq m) minus the floor space of the detached garage (232 sq m) is combined with the floor area of the proposed extension (150 sq m), the total floor space of the resulting property will measure approximately 382 sq m.
- The ten outbuildings will also be demolished which will reduce the overall amount of built development at the site.

## **Location**

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

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

## **Comments from Local Residents**

Nearby owners/occupiers were notified of the proposal and the following summary provides information regarding the representations received:

- the only change to the previous application is a small reduction in the width of the sitting room and room above;
- Support Committee's decision to restrict extensions to houses in the Green Belt to 10% floor area;
- the proposed extension will contravene the Green Belt policies;
- no exceptional circumstances to justify the application;
- calculations within the design and access statement are misleading;
- design and access statement does not mention that although permission was granted for a replacement dwelling, this was only agreeable subject to demolition of a number of outbuildings;
- remain anxious about the proposed demolition of outbuildings being used as a bargaining chip for larger extensions being permitted;
- question whether an application for a garage will follow as there is no replacement garage included in the application;
- proposed extension is well over the Green Belt allowances;
- if permission is granted, it will set a dangerous precedent for all properties in this area to be similarly replaced or aggrandised in the future which have so far remained largely unaltered.

Full copies of neighbour correspondence can be found on the file, and any further comments received after the report is written and up until the day of the Committee will be reported verbally at the meeting.

### **Comments from Consultees**

No comments have been received at the time of the report being written. Any further comments will be reported verbally at the meeting.

### **Planning Considerations**

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

- Area of Special Landscape Character (adopted UDP)
- Area of Archaeological Significance (adopted UDP)
- The paddocks are within a site of Nature Conservation Interest/ Site of Importance for Nature Conservation (adopted UDP)

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

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

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

### **Planning History**

Under planning application refs. 96/02691, 97/00708, 97/01414 and 98/03321, permission was refused for a number of schemes for a detached house and garage.

All four applications were refused on the basis of inappropriateness and harm to the openness within the Green Belt and unacceptable intensification of residential use.

Under planning application ref. 05/00706 to demolish the existing house and erect a two storey replacement dwellinghouse and double garage.

Under planning application ref. 05/04022, planning permission was granted on 27th February 2006 for the demolition of the existing house and double garage

and erection of a two storey five bedroom replacement house and detached double garage. The floorspace of the permitted scheme was approximately 414 sq m. The permission was renewed under ref. 08/03480.

Application ref. 09/00556 for a two storey side extension was recently refused on the following ground:

- The proposed extension would exceed the tolerances within Policy G4 by virtue of the increase in floor area and would have a detrimental impact on the visual amenity of the Green Belt thereby contrary to Policy G4 of the Unitary Development Plan regarding development, alterations or conversions in the Green Belt.

## **Conclusions**

The main issues in this case are the appropriateness and impact of the proposal upon the openness of the Green Belt, the design of the extension and the impact it may have upon the visual amenity of the area and neighbouring properties.

The most important attribute of Green Belt land is its openness. Permission has previously been granted for a replacement dwellinghouse, the issue now is whether or not the proposed extension to the existing dwellinghouse is appropriate and whether it has any other impact upon the character and openness of the Green Belt land.

Planning permission ref. 08/03480 has not yet been implemented and the extension proposed is to the original dwellinghouse. It should be noted that when planning permission was previously granted for a replacement dwellinghouse, this was done so on the condition that the existing dwelling, detached garage and the outbuildings numbered 1-10 on drawing no. 01A/12/04 which formed part of planning application ref. 08/03480 were demolished and the site cleared within 3 months of the first occupation of the dwelling permitted, in order to accord with terms of the application and Green Belt policy.

The current scheme seeks to overcome the most recent refusal of planning permission for a two storey side extension by reducing the area of the proposed extension. The floor space of the extension proposed in the current application measures approximately 150 sq m, whereas the floor space of the previously refused application was approximately 165 square metres, which provides a reduction in the floor area of approximately 15 sq m.

The removal of outbuildings that were previously required to be demolished as part of permission ref. 08/03480 has been put forward as part of the current application. The current proposal will have less of an impact upon the Green Belt when compared with the most recently refused application due to the reduced floor area of the scheme and reduced overall bulk and size. Furthermore, the

total floorspace of this extension plus the existing dwelling will result in a smaller overall dwelling than the scheme permitted under reference DC/08/03480.

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

In this instance, it may be considered that the proposed development would be acceptable due to the fact that the existing detached garage and ten outbuildings are to be demolished in order to compensate for the proposed extension, and the fact that this proposal is an alternative to the large replacement house already permitted and is considered to have less overall impact upon the Green Belt, and the floor space of the proposed extension has been reduced in area when compared to the most recently refused planning application. As such, the proposal is considered to comply with Green Belt policy.

Background papers refer to during production of this report comprise all correspondence on files refs. 05/04022, 08/03480, 09/00556 and 09/02704, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- 1     ACA01       Commencement of development within 3 yrs  
      ACA01R     A01 Reason 3 years
- 2     ACB01       Trees to be retained during building op.  
      ACB01R     Reason B01
- 3     ACB02       Trees - protective fencing  
      ACB02R     Reason B02
- 4     ACB03       Trees - no bonfires  
      ACB03R     Reason B03
- 5     ACB04       Trees - no trenches, pipelines or drains  
      ACB04R     Reason B04
- 6     ACC01       Satisfactory materials (ext'nl surfaces)  
      ACC01R     Reason C01
- 7     ACK08       Archaeological access  
      ACK08R     K08 reason
- 8     The following buildings on the site shall be demolished and the site cleared within 3 months of the first occupation of the dwelling hereby permitted – the existing garage and the buildings numbered 1-10 on drawing no. MG/08/148/06/A.

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

9 A management plan, including features of biodiversity, wetlands, hedgerows, woodland, semi-natural grassland, habitat enhancement, long term design objectives, management responsibilities and maintenance schedules for the land outlined in red and emboldened black at Farringleys as shown on drawing no. MG/08/148/01 shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The plan shall include arrangements and timetable for its implementation and shall be carried out in accordance with the approved details.

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

**Reasons for granting permission:**

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

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

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

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

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

and having regard to all other matters raised.

**INFORMATIVE(S)**

1 Before commencement of the development the applicant is advised to contact the Pollution Team of Environmental Health and Trading Standards regarding compliance with the Control of Pollution Act 1974 and / or Environmental Protection Act 1990.

Reference: 09/02704/FULL6  
Address: Farringleys Westerham Road Keston BR2 6HB  
Proposal: Two storey side extension



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**3. Application No : 09/02795/FULL2 Ward : Bromley Common And Keston**

**Address : 32 Balfour Road Bromley BR2 9SL Conservation Area:NO**

**OS Grid Ref: E: 541961 N: 167747**

**Applicant : Ms R Staverley Objections: YES**

**Description of Development:**

Use of detached building in rear garden for dog grooming.  
RETROSPECTIVE APPLICATION

**Proposal**

The application seeks retrospective planning permission for the use of the detached timber outbuilding located at the bottom of the rear garden for dog grooming.

The applicant states that the building was constructed in the rear garden in August 2008 and has a small double glazed window and door. The only access to the building is through the rear garden.

The applicant seeks retrospective permission to use this existing structure from 930am to 5pm Tuesday to Saturday inclusive to groom between 5 to 7 dogs per day, or fewer in the winter when business is quieter.

**Location**

The application site is located within a predominantly residential area the existing property is a two storey linked terraced house.

The application site is linked to number 34 by way of a shared access arch underneath both first floors. The main front entrance doors are located at the side of both houses half way down this access. Further along this joint access way there are two gates which serve as access to each of the respective gardens.

The building which is subject to this application is located at the far end of the rear garden adjacent to the rear boundary.

### **Comments from Local Residents**

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

- all customers have no choice but to use the existing shared access between the two houses which results in a significant increase in noise and disturbance in this quiet residential location.
- with customers coming and going with various breeds of dogs this is a cause of concern for the safety of local residents who could potentially in a worst case scenario be attacked by a dog.
- the business is an asset to the area with very little disturbance associated with its use.
- this is a small and friendly neighbourhood and the pet chickens create more noise and disturbance than this business.
- the applicant serves the community well and does not disturb residents in any way with any noise or disturbance

### **Comments from Consultees**

With regards to highway planning issues, no technical objections are raised.

In terms of environmental health concerns no technical objections are raised.

### **Planning Considerations**

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

BE1 Design of New Development

EMP6 Development Outside Business Areas – non - conforming uses

EMP7 Business Support

EMP8 Use of Dwellings for Business Purposes

### **Conclusions**

The main issues to consider in this application are, the impact of the use of the building on the character of the area, and amenity enjoyed by surrounding residents and if the increase in use of the building constitutes an over development of the site.

Policy BE1 draws attention to the need to respect the character and appearance of the area whilst ensuring the amenities of the residents are not harmed by

increased noise and disturbance. In this case the area consists of predominantly high density residential terraced houses.

Whilst the outbuilding is small in scale and footprint, the use of the building may result in an increase in noise and disturbance to surrounding residents. A number of visitors would attend the property during the day and the only access to the premises is via a shared pedestrian path which is adjacent to the main entrance of both properties at 32 and 34. This is likely to lead to unacceptable levels of increased noise and disturbance to the adjacent property.

Whilst the Council does encourage the use by the householder of part of a dwelling for business purposes, this is only considered acceptable where the business does not generate an unacceptable level of pedestrian traffic that would be detrimental to residential amenity. In this case due to the location of the business within a predominantly residential area it is considered likely that it would result in an increased noise and disturbance associated with its use which is detrimental to the peaceful enjoyment of the surrounding properties.

Background papers referred to during production of this report comprise all correspondence on file ref. 09/02795, excluding exempt information.

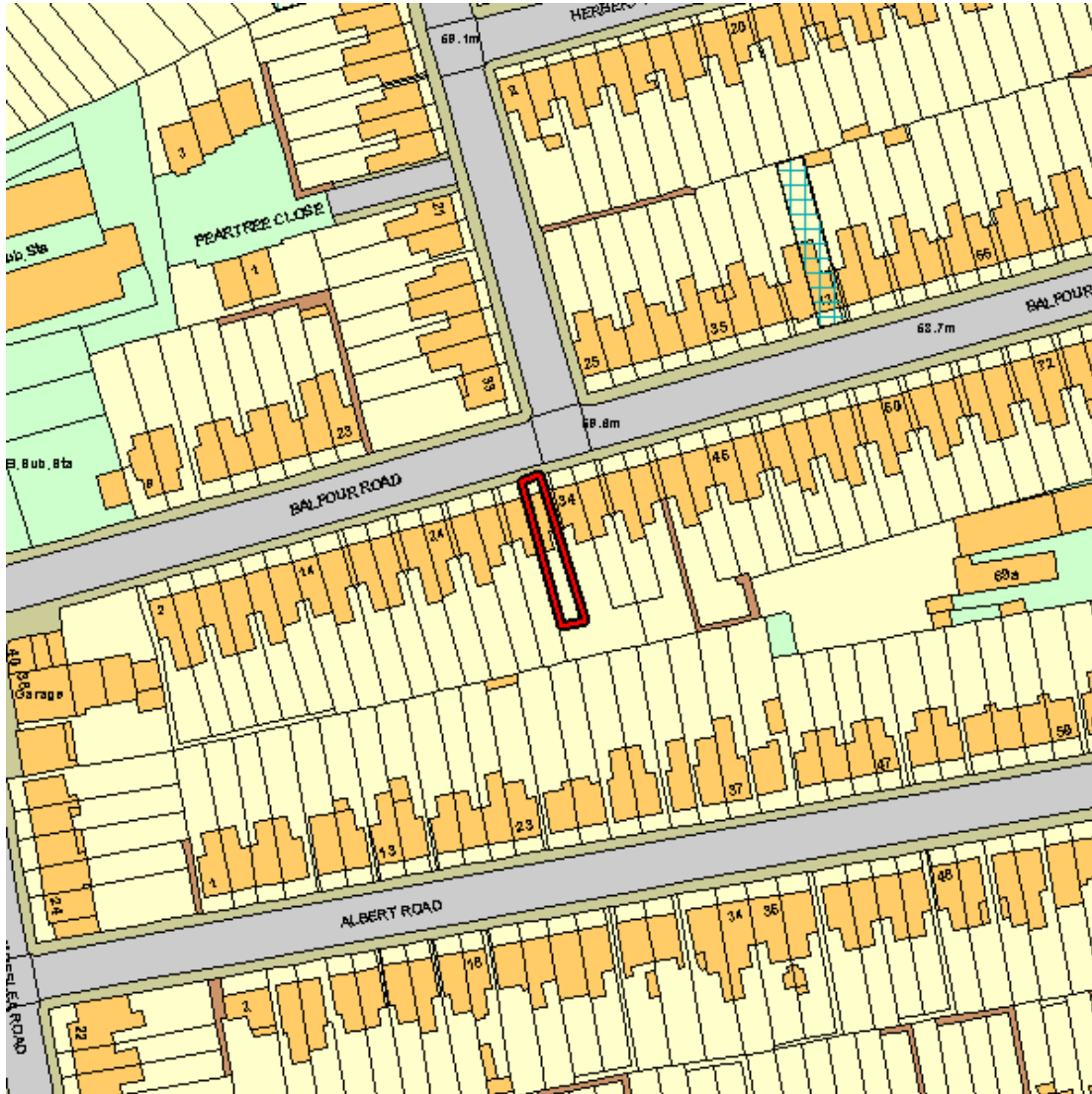
#### **RECOMMENDATION: PERMISSION BE REFUSED**

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

- 1 The proposal would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of increased noise and activity associated with its use. Contrary to Policies BE1 and EMP8 of the Unitary Development Plan

Enforcement action is recommended to cease the unauthorised use of the building without planning permission.

Reference: 09/02795/FULL2  
Address: 32 Balfour Road Bromley BR2 9SL  
Proposal: Use of detached building in rear garden for dog grooming.  
RETROSPECTIVE APPLICATION



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**4. Application No : 09/02816/FULL1 Ward : Hayes And Coney Hall**

**Address : 45 Station Approach Hayes Bromley Conservation Area:NO  
BR2 7EB**

**OS Grid Ref: E: 540096 N: 166069**

**Applicant : Remys Internal Ltd (Mr S Shah) Objections: YES**

**Description of Development:**

Single storey rear extension to form one bedroom flat including external staircase boundary wall and refuse bins.

**Proposal**

- The proposal is a single storey rear extension which would replace the existing storage buildings at the site.
- The building would contain one studio type flat.
- It would have a flat roof and would measure 2.75m to the roof.
- An access door and small window are proposed on the southern elevation. On the western elevation (where the building would adjoin the existing building) three high level windows are proposed containing obscure glazing. On the eastern elevation patio doors and a window are also proposed.
- A new brick boundary wall (approximately 3.2m high) is proposed on the northern flank boundary with No. 43.
- Refuse storage is also proposed adjacent to the southern elevation of the building.

**Location**

- The application site lies at the rear of 45 Station Approach, a pre-war, mixed use terraced building which has a commercial ground floor and a 2-storey maisonette above.
- The rear of the site currently contains two storage buildings and a small area for off-street parking.
- There is a rear access lane leading from Station Approach.

## **Comments from Local Residents**

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

- overlooking to neighbouring properties
- trees are bare most of the year
- no spare capacity for parking vehicles in service road at rear of Station Approach
- will not contribute to townscape
- insufficient space for such a property on this site
- affect right to light
- encroachment on privacy
- refuse collection lorry would be unable to access properties further down road.
- main access route for the property is a private road
- road surface will deteriorate further
- would set an unacceptable precedent for residential development along this service road
- all other building sin area are used for commercial purposes
- lack of outlook
- will add to unauthorised parking in service road and blocking of accesses
- access to emergency vehicles impaired
- parking space on site should be maintained

## **Comments from Consultees**

Thames Water has raised no objections to the proposal.

## **Planning Considerations**

Planning Legislation requires an application or appeal to be determined in accordance with the adopted development plan for the area. The development plan for the area is the Bromley Unitary Development Plan, which was adopted in July 2006. The London Plan, adopted in February 2004 is also relevant.

The development plan is, therefore, the starting point for determination and its provisions prevail unless material considerations indicate otherwise. The decision by the Secretary of State to approve or dismiss a previous case is also a material consideration.

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

- BE1 Design of New Development
- H7 Housing Density and design

H8 Residential Extensions  
T7 Cyclists  
T18 Road Safety

In strategic terms the most relevant London Plan policies are:

3A.1 Housing  
3A.3 Maximising the Potential of Sites  
32.23 Parking Strategy and Standards

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

PPS1 Delivering Sustainable Development  
PPS3 Housing

The Mayors waste strategy and DEFRA waste strategy 2007 also apply to this development in terms of provision of waste and recycling facilities.

From a Highways perspective, no car parking would be provided; however, the site is located within an area with good transport links (PTAL 3), therefore, on balance, no objections area raised.

The Council's waste advisors have no objections to the proposal.

From an Environmental Health (Housing) perspective, any comments will be reported verbally.

### **Planning History**

Planning permission was permitted in 2005 under ref. 05/02273 for a Second floor rear extension; external alterations including replacement windows on rear elevation and conversion of first and second floors into 2 one bedroom and 1 two bedroom flats.

Planning permission was refused in 2006 under ref. 06/00960 for a two storey block at rear comprising 1 one bedroom and 1 two bedroom flats for the following reasons:

The proposal, by reason of the restrictive size of plot available, would constitute a cramped overdevelopment of the site, with insufficient amenity space, out of character with the surrounding pattern of development and contrary to Policies H.2 and E.1 of the adopted Unitary Development Plan, Policies H6 and BE1 of the second deposit draft Unitary Development Plan (September 2002) and Policies 4B.1 and 4B.7 of The London Plan.

The proposed block, with windows on the western elevation close to residential properties in Station Approach, would result in mutual overlooking, detrimental to the amenities of both the existing and proposed dwellings contrary to Policies H.2 and E.1 of the adopted Unitary Development Plan, Policies H6 and BE1 of the second deposit draft Unitary Development Plan (September 2002) and Policies 4B.1 and 4B.7 of The London Plan.

The proposal would lack adequate on-site car parking provision to accord with the Council's standards, and as such the proposal would be likely to result in increased on-street parking in the area, prejudicing the safety and free flow of vehicular traffic, contrary to Policies T.3, T.15 and Appendix V of the adopted Unitary Development Plan and Policies T3, T22 and Appendix II of the second deposit draft Unitary Development Plan (September 2002).

In the absence of information to indicate otherwise, the proposal would not protect Source Protection Zone 2 of a water abstraction source, contrary to Policy C.14 of the adopted Unitary Development Plan and Policy ER15 of the second deposit draft Unitary Development Plan (September 2002).

Planning permission was refused in 2007 under ref. 07/01169, then dismissed at appeal, for a two storey block at rear comprising 1 one bedroom and 1 two bedroom flats, for the following reasons:

The proposal, by reason of the restrictive size of plot available, would constitute a cramped overdevelopment of the site, with insufficient amenity space, and out of character with the surrounding pattern of development, contrary to Policies H1, H7 and BE1 of the Unitary Development Plan and Policies 4B.1 and 4B.7 of The London Plan.

The proposal would lack adequate on-site car parking provision to accord with the Council's standards, and as such the proposal would be likely to result in increased on-street parking in the area, prejudicing the safety and free flow of vehicular traffic, contrary to Policies T3 and T18 of the Unitary Development Plan.

In the absence of information to indicate otherwise, the proposal would not protect Source Protection Zone 2 of a water abstraction source, contrary to Policy ER15 of the Unitary Development Plan.

A further application was refused and dismissed at appeal under ref. 08/01605 for the following reasons:

The proposal, by reason of the restrictive size of the plot available, would constitute a cramped overdevelopment of the site, with insufficient amenity



space, and out of character with the surrounding pattern of development, contrary to Policies H7 and BE1 of the Unitary Development Plan.

The proposal, because of its siting in relation to the original building, would result in poor outlook for residents of the host building, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

In considering the appeal, the Inspector commented that whilst, in principle, there was no objection to a small-scale residential scheme, “there is only limited scope for creating an acceptable redevelopment scheme which would not conflict with the UDP” (para.9).

In dismissing the appeal the inspector considered that the proximity of the proposal to the rear of the maisonette at No.45 would restrict it’s occupants privacy and outlook and the same would apply to the new flats at No.45 which were granted permission as a replacement for the maisonette. In addition, the proposed flats would lack usable outdoor amenity space and, given the presently “neglected and unsightly backland environment”, would have a “restricted and poor quality outlook” (para. 10).

The Inspector concluded that:

The scheme would represent a cramped over-development of the site which would harm the residential amenity of existing residents, and also provide unacceptable living conditions for prospective occupiers (para.10)

## **Conclusions**

The main issues relating to this application are the effect that it would have on the living conditions of the occupiers of surrounding residential properties and those of prospective occupants.

Following the previous case which was refused and dismissed at appeal, the applicants have reduced the height of the building, from two storeys to one and have reduced the overall footprint of the building.

In terms of the impact on the privacy and outlook of the occupiers of existing and proposed dwellings at No. 45 Station approach, members may now consider that, due to the reduced height, this would not be as significant.

As noted above, the overall footprint of the building has also been reduced and this has been achieved by setting it further back from the rear (eastern) boundary of the site. Members may consider that this would provide a modest area of useable amenity space and would open up the area of courtyard to look out onto from the rear of the building. The applicant has also argued that being a small single person unit, outlook is not always an issue when affordability is taken into

account and, given that the unit is not designed for a family, should not be judged on amount of amenity space and outlook, but rather function for a single professional person. Furthermore, the applicant has stated that the site is within approximately 300m of Hayes Common and that it is therefore compliant with Council policy and regional strategy in the form of the London Plan. On this point, members may wish to refer to London's public open space hierarchy (table 3D.1, The London Plan, 2008) which provides a benchmark for the provision of public open space across London. It categorises spaces according to their size and sets out a desirable distance which Londoners should travel in order to access each size of open space...The hierarchy provides an overview of the broad distribution of open space provision across London, highlights areas where there is a shortfall and facilitates cross-borough planning and management of open space. Reference is also made to public open space deficiency in policy L8 of the Bromley UDP. This policy states, however, that the Council will, where opportunities arise, secure improvements in the amount and distribution of, and access to, open space in areas of deficiency identified in the Borough and is not considered relevant in the assessment of this application.

In assessing this application Members therefore need to consider whether or not the proposal, taking into consideration the amendments made, has sufficiently addressed the previous appeal inspectors concerns, namely: the limited dimensions of the plot; the positions of nearby buildings; the difficulties associated with the "narrow, convoluted and congested access"; the "close proximity of the existing flats at and adjacent to No.45" (para.9); the lack of useable amenity space; the location in what is currently a "neglected and unsightly backland environment" (para.10); and the "restricted and poor quality outlook" (para.10).

Accordingly, Members Views in respect of this application are requested.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/02816, 08/01605, 07/01169, 06/00960 and 05/0227, excluding exempt information.

as amended by documents received on 04.01.2010

**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      ACI12      Obscure glazing (1 insert)      in the western elevation
- ACI12R      I12 reason (1 insert)      BE1
- 3      ACH22      Bicycle Parking

ACH22R Reason H22

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  
H7 Housing Density and Design  
H8 Residential Extensions  
T7 Cyclists  
T18 Road Safety

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

- (a) the character of the development in the surrounding area
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties
- (c) the relationship of the development to adjacent property
- (d) the light and outlook of occupiers of adjacent and nearby properties
- (e) the housing policies of the development plan
- (f) the provision of satisfactory living accommodation for future residents of the flat

and having regard to all other matters raised including local representations.

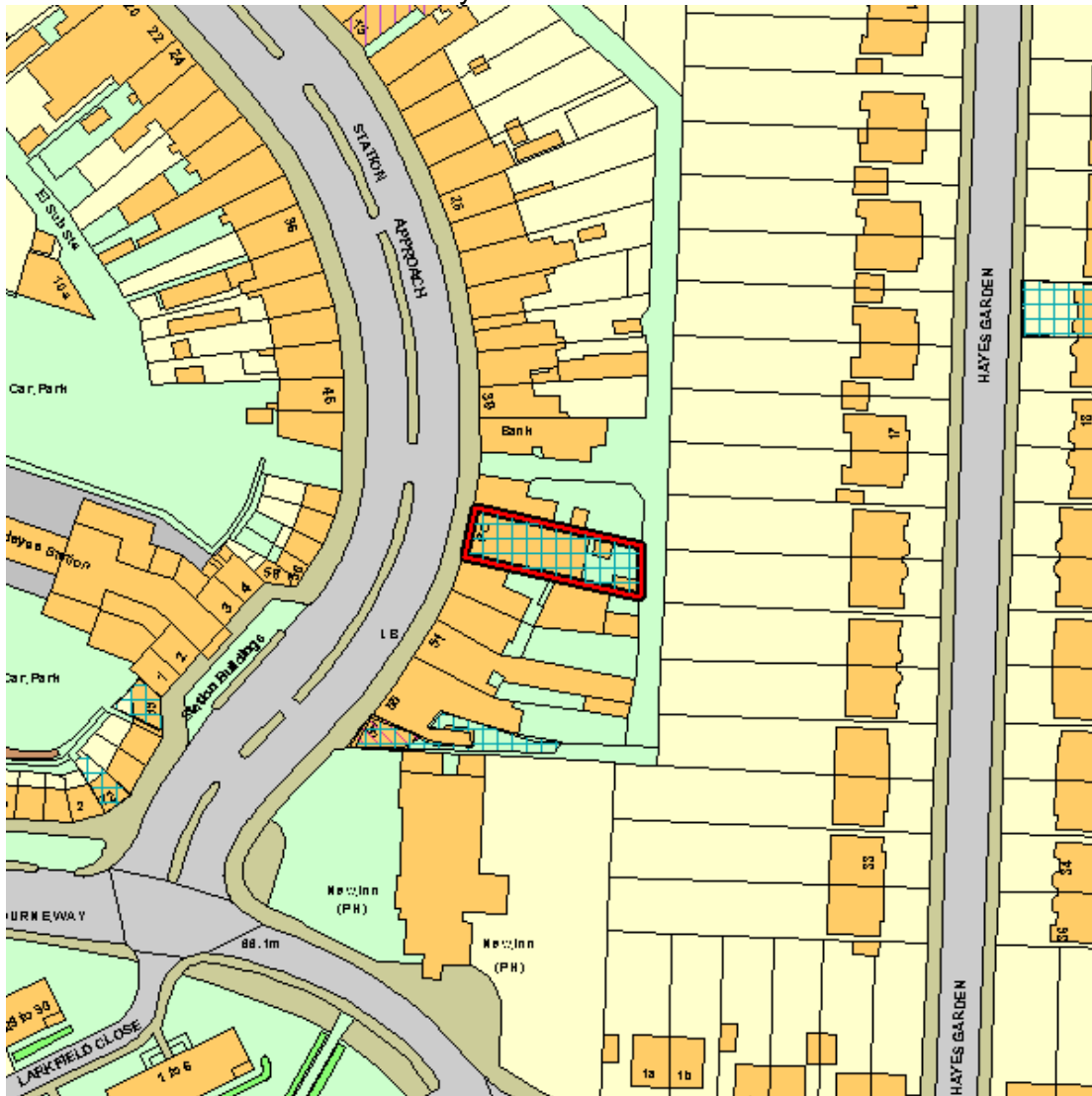
D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The proposal, by reason of the restrictive size of the plot available and the proximity to surrounding development, would constitute a cramped over-development of the site, harmful to the amenities and living conditions of future occupants and contrary to Policies BE1 and H7 of the Unitary Development Plan.

Reference: 09/02816/FULL1

Address: 45 Station Approach Hayes Bromley BR2 7EB

Proposal: Single storey rear extension to form one bedroom flat including external staircase boundary wall and refuse bins.



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**5. Application No : 09/02950/FULL6 Ward : Bromley Common And Keston**

**Address : 8 Parkfield Way Bromley BR2 8AF Conservation Area:NO**

**OS Grid Ref: E: 542956 N: 167643**

**Applicant : Miss Dee Adams Objections: NO**

**Description of Development:**

Two storey rear extension and first floor flank window

**Proposal**

- Two storey rear extension measuring 3.5m from the rear of the existing building.
- It would include a pitched roof the height of which would equal that of the main roof.
- There would be a separation of 1.5m between the side of the extension and the flank boundary of the site.
- Three new windows are also proposed on the original building, including one on the first floor flank elevation which requires planning permission.

**Location**

- The application site is an end-of-terrace dwelling situated toward the northern end of Parkfield Way which is a residential road characterised by two storey terraced and semi-detached houses.

**Comments from Local Residents**

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

**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.

## **Conclusions**

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

As the extensions are sited at the rear of the existing house there is unlikely to be a significant impact on the visual amenities or character of the area.

In terms of the impact on neighbouring amenities, the main impact would be at No.6 Parkfield Way, which adjoins the application site. Given the proximity and depth of the extension there is likely to be a visual impact and some loss of outlook and overshadowing at No.6. However, it is considered that, given the proposed 1.5m separation between the boundary and the extension, the impact would not be significant enough to warrant refusal.

The proposed flank window is unlikely to have a significant impact on the neighbours at No.10, however, an obscure glazing condition is recommended to mitigate any potential overlooking.

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.

Background papers referred to during production of this report comprise all correspondence on file ref. 09/02950, excluding exempt information.

as amended by documents received on 17.12.2009

## **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 | ACI12<br>ACI12R | Obscure glazing (1 insert) in the flank elevation<br>I12 reason (1 insert) BE1 |
| 4 | ACI13<br>ACI13R | No windows (2 inserts) flank extension<br>I13 reason (1 insert) BE1            |

**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:

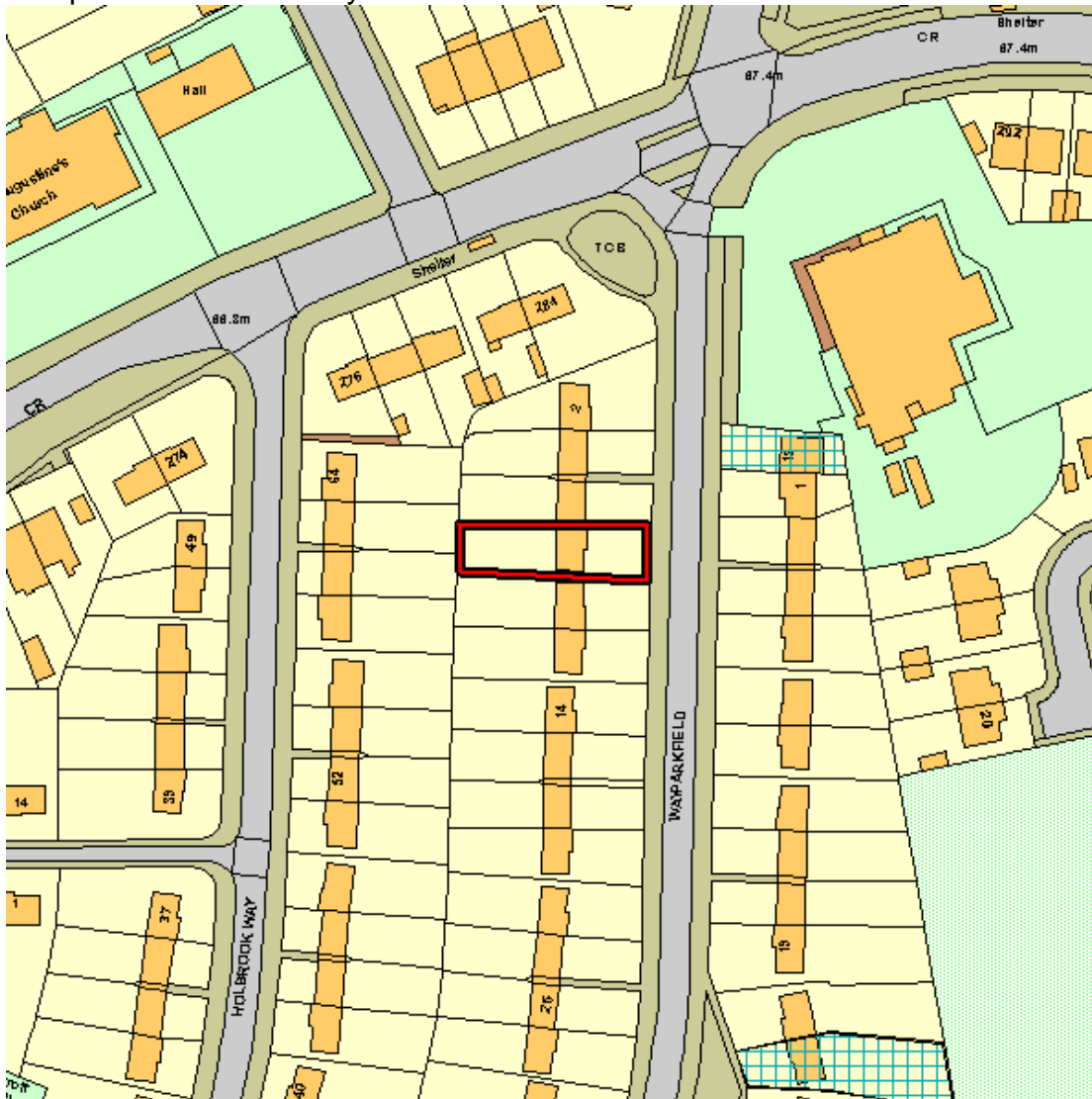
- (a) the relationship of development to adjacent property
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties
- (c) the light and outlook of occupiers of adjacent and nearby properties

and having regard to all other matters raised.

Reference: 09/02950/FULL6

Address: 8 Parkfield Way Bromley BR2 8AF

Proposal: Two storey rear extension and first floor flank window



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**6. Application No : 09/02960/FULL1 Ward : Bromley Common And Keston**

**Address : 53 Forest Drive Keston BR2 6EE Conservation Area: Keston Park**

**OS Grid Ref: E: 542369 N: 165035**

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

**Description of Development:**

Demolition of existing dwelling and erection of 5 bedroom dwelling house with integral granny annexe and double garage.

**Proposal**

Planning permission is sought for the demolition of the existing dwelling and the construction of a contemporary designed replacement. The proposed dwelling is of two storeys in height with a total of 5 bedrooms, and will feature an integral granny annexe and double garage. The dwelling will feature a shallow pitched roof, with large areas of glazing (particularly to the rear elevation) and will be faced with white render. Hard and soft landscaping is also proposed, including an outdoor terrace to the rear.

Measurements taken from the drawings submitted indicate that the proposed dwelling will have a maximum height of approx. 8.4m, and will be approx. 23m in width and 11m in depth. A minimum side space of approx. 3.5m to the southern flank boundary, while a space of approx. 2.5m will be maintained to the northern flank boundary.

An application seeking Conservation Area Consent for the demolition of the existing dwelling is also to be found on this agenda, under ref. 09/02961/CAC.

**Location**

The application site is located on the western side of Forest Drive and is situated within the Keston Park Conservation Area. The site measures approx. 0.15ha and slopes down to the north.

## **Comments from Local Residents**

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

- overall look of property will appear out of place in Keston Park
- all properties expected to preserve or enhance the special character of the Park
- design totally out of keeping

## **Comments from Consultees**

Thames Water was notified of the application and raised no objection to the proposed development.

Highways Drainage advise that the development is within 20m of a critical watercourse and therefore that the application should be referred to the Environment Agency for comment.

The Environment Agency made no comments on the application.

The application was referred to the Advisory Panel for Conservation Areas (APCA) and no objections were raised.

## **Planning Considerations**

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

BE1 Design of New Development  
BE11 Conservation Areas  
H7 Housing Density and Design  
H9 Side Space  
NE7 Development and Trees

### **Planning History**

Under ref. 07/01069, planning permission was refused for a replacement 5 bedroom dwellinghouse with integral granny annexe and double garage following the demolition of the existing dwellinghouse. The dwelling was of a contemporary design and appearance. The reasons for refusal was as follows:

The proposal would be overdominant and detrimental to the amenities that the occupiers of the adjoining properties might reasonably expect to be able to continue to enjoy by reason of visual impact and loss of prospect in view of its size and depth of rearward projection and the extent of glazing

proposed by the design, contrary to Policies H7, BE1 and BE11 of the Unitary Development Plan.'

Under ref. 08/01252, planning permission was granted for a very similar scheme to that previously refused, although the application submission was more comprehensive and thorough in seeking to persuade the Council that the impact to the prospect from neighbouring dwelling would be acceptable. Conservation Area Consent for the demolition of the existing dwelling was granted under ref. 08/01340.

## **Conclusions**

As the principle of the demolition and replacement of the existing dwelling was established under references 08/01252 and 08/01340/CAC, the main issues for consideration in this case will be the merits of the replacement dwelling now proposed in terms of its impact to the character and appearance of the Conservation Area and to the amenities of neighbouring residents. The proposed dwelling is similar in terms of its siting, footprint and scale to the dwelling previously approved, although has a greater separation to boundaries and appears to be of a slightly reduced depth overall. Members may wish to refer to plan ref. 09.142.00.WNE which shows the proposed ground floor layout with the footprints of the existing dwelling and the previously approved replacement overlaid, and demonstrates the relationship between the two schemes.

Members will note that the proposed dwelling is of a striking, contemporary design, however it is considered to meet with the relevant Conservation Area test of 'preservation or enhancement', in this case enhancing the character and appearance of the area by virtue of its high quality design and layout. Members will also note that the existing dwelling on the site to be replaced is of little architectural merit, and in any case that the principle of a contemporary designed replacement dwelling was accepted under ref. 08/01252. From the conservation point of view then, the proposal may be considered acceptable.

With regard to the impact of the proposed dwelling to the amenities of neighbouring residents, the relationship of the dwelling to its neighbours would be similar to the previously approved scheme, and may not result in a significant loss of light, prospect or outlook. The dwelling has been designed to minimise any potential for overlooking and loss of privacy, with obscure glazing proposed to flank elevations at first floor level and screening to the rear balcony area.

With regard to the impact of the proposed development to trees within the site, it is noted that the mature oak to the front of the site will be retained, and no objections are raised from this perspective.

Members may agree then that on balance, the proposed replacement dwelling is acceptable and that planning permission should be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/02960, 09/02961, 08/01252, 08/01340 and 07/01069, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs                       |
|   | ACA01R | A01 Reason 3 years   |
| 2 | ACC07  | Materials as set out in application                            |
|   | ACC07R | Reason C07   |
| 3 | ACA04  | Landscaping Scheme - full app no details                       |
|   | ACA04R | Reason A04   |
| 4 | ACA07  | Boundary enclosure - no detail submitted                       |
|   | ACA07R | Reason A07   |
| 5 | ACB18  | Trees-Arboricultural Method Statement                          |
|   | ACB18R | Reason B18   |
| 6 | ACB19  | Trees - App'ment of Arboricultural Super                       |
|   | ACB19R | Reason B19   |
| 7 | ACI12  | Obscure glazing (1 insert) in the first floor flank elevations |
|   | ACI12R | I12 reason (1 insert) BE1                                      |
| 8 | ACI24  | Details of means of screening-balconies                        |
|   | ACI24R | Reason I24R  |
| 9 | ACK06  | Slab levels - compliance                                       |
|   | ACK06R | K06 reason   |

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

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

- BE1 Design of New Development
- BE11 Conservation Areas
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and Trees

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

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

- (c) the character of the development in the surrounding area and enhancement of the Conservation Area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the high quality design and layout of the proposed development
- (g) the housing policies of the Unitary Development Plan
- (h) the conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

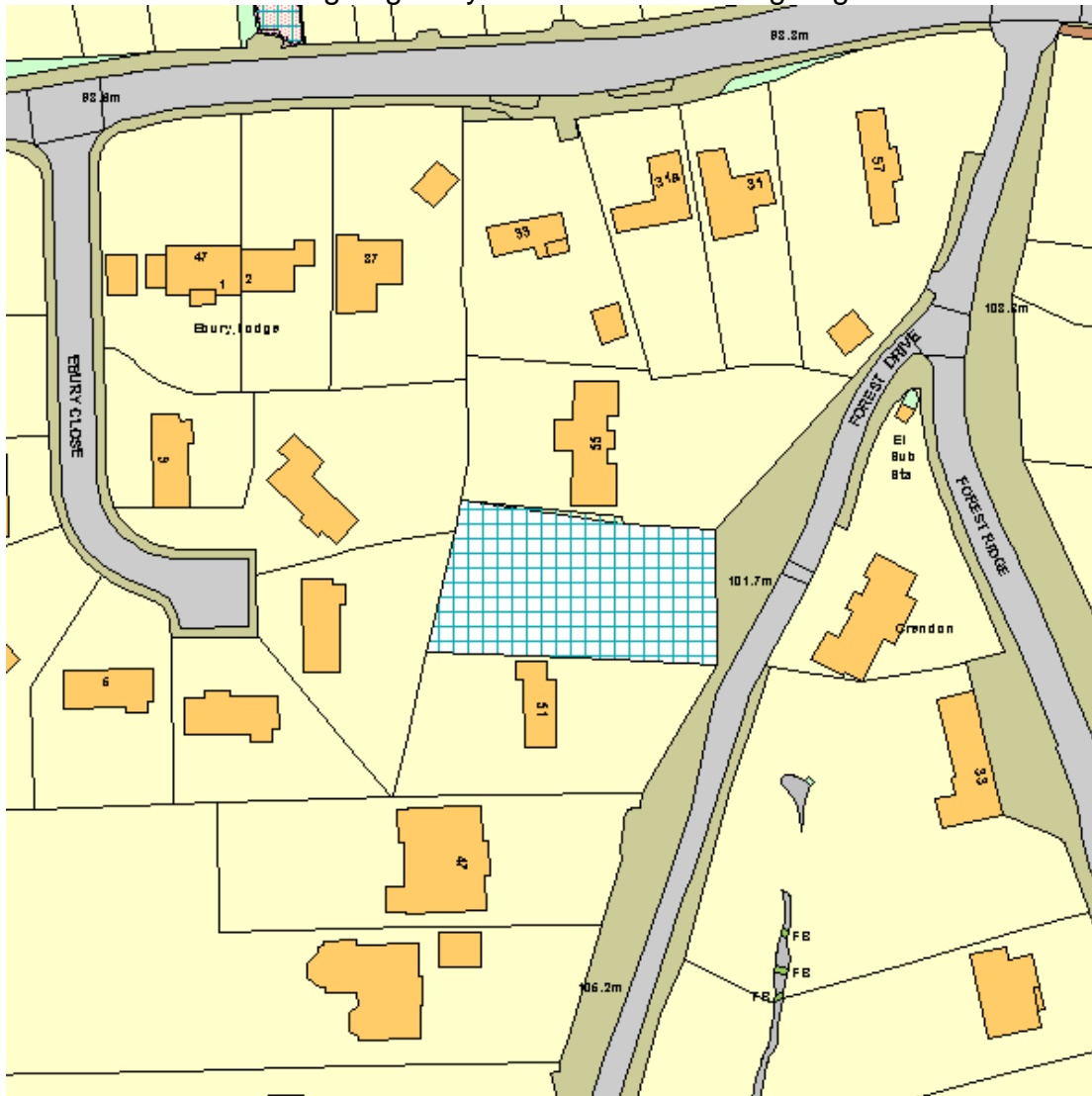
#### INFORMATIVE(S)

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

Reference: 09/02960/FULL1

Address: 53 Forest Drive Keston BR2 6EE

Proposal: Demolition of existing dwelling and erection of 5 bedroom dwelling house with integral granny annexe and double garage.



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**7. Application No : 09/02961/CAC Ward : Bromley Common And Keston**

**Address : 53 Forest Drive Keston BR2 6EE Conservation Area: Keston Park**

**OS Grid Ref: E: 542369 N: 165035**

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

**Description of Development:**

Demolition of existing dwelling  
CONSERVATION AREA CONSENT

**Proposal**

It is proposed to demolish the existing dwelling on site. A planning application for a replacement two storey detached five bedroom dwelling with integral garage and granny annexe has been submitted under ref. 09/02960 and is to be found on this agenda.

**Location**

The application site measures approx. 0.15ha and is located on the western side of Forest Drive. The site falls within the Keston Park Conservation Area.

**Comments from Local Residents**

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

- design of replacement dwelling out of keeping with surrounding properties

**Comments from Consultees**

The application was inspected by the Advisory Panel for Conservation Areas (APCA) who advise that they would not object to the principle of the demolition subject to the approval of a suitable replacement.

## **Planning Considerations**

The main planning policies of relevance to this application is as follows:

BE11 Conservation Areas

BE12 Demolition in Conservation Areas

## **Planning History**

Under ref. 07/01069, planning permission was refused for a replacement 5 bedroom dwellinghouse with integral granny annexe and double garage following the demolition of the existing dwellinghouse. The dwelling was of a contemporary design and appearance. The reasons for refusal was as follows:

The proposal would be overdominant and detrimental to the amenities that the occupiers of the adjoining properties might reasonably expect to be able to continue to enjoy by reason of visual impact and loss of prospect in view of its size and depth of rearward projection and the extent of glazing proposed by the design, contrary to Policies H7, BE1 and BE11 of the Unitary Development Plan.

Under ref. 08/01252, planning permission was granted for a very similar scheme to that previously refused, although the application submission was more comprehensive and thorough in seeking to persuade the Council that the impact to the prospect from neighbouring dwelling would be acceptable. Conservation Area Consent for the demolition of the existing dwelling was granted under ref. 08/01340.

## **Conclusions**

The principle of the demolition of the existing dwelling on the site was established under ref. 08/01340. The replacement dwelling now proposed is considered to be acceptable on balance, and accordingly it is considered that the demolition of the existing building, which is considered to make a neutral contribution to the character and appearance of the Keston Park Conservation Area, should not be resisted.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/02960, 09/02961, 08/01252, 08/01340 and 07/01069, excluding exempt information.

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

**subject to the following conditions:**



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

**Reasons for granting consent:**

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

BE11 Conservation Areas

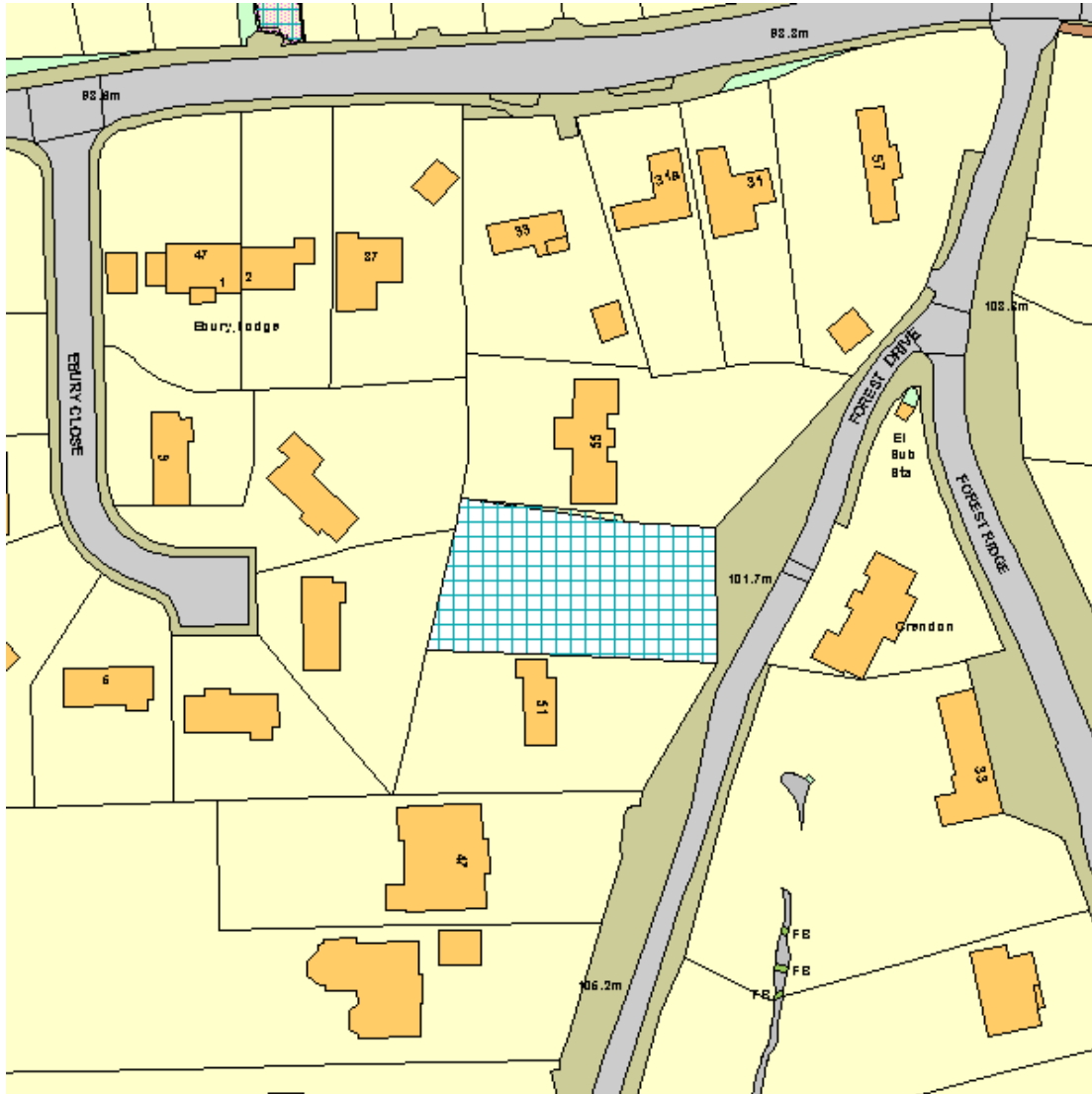
BE12 Demolition in Conservation Areas

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

- (a) the enhancement of the Conservation Area
- (b) the conservation policies of the Unitary Development Plan
- (c) the replacement dwelling is considered to be suitable

and having regard to all other matters raised.

Reference: 09/02961/CAC  
Address: 53 Forest Drive Keston BR2 6EE  
Proposal: Demolition of existing dwelling  
**CONSERVATION AREA CONSENT**



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**8. Application No : 09/03008/OUT Ward : Farnborough And Crofton**

**Address : 183 Crofton Road Orpington BR6 8JB Conservation Area:NO**

**OS Grid Ref: E: 544357 N: 165824**

**Applicant : South East Living Group (Mr Styles) Objections: YES**

**Description of Development:**

Demolition of existing house and erection of 1 detached five bedroom house and 2 detached three bedroom chalet bungalows with associated access road garaging and car parking OUTLINE APPLICATION

**Proposal**

- It is proposed to demolish the existing building and construct a detached five bedroom dwelling fronting Crofton Road with an access road to the rear of the site.
- The proposed detached five bedroom dwelling will have a height of height of 8.5m and a width of 13m, retaining side spacers of 3.5m and 7m respectively. The rear garden proposed will have a depth of approx. 20m.
- At the rear of the property it is proposed to construct 2 three bedroom bungalows with accommodation within the roof space. This will include dormers facing north towards No. 183. The bungalows will have a height of 6m and a width of 12m. The depth of the properties will measure 12m and a rear garden of approx. 20m (at the longest point) will be provided.
- A new access will be provided at the west side of the frontage, with the existing access being removed.
- The proposal includes a detached double garage building and an attached garage to the western bungalow
- The application is in outline with access, layout and scale to be approved.

**Location**

The application site is on the southern side of Crofton Road. The area is characterised by large residential properties sited within large spacious plots and

large rear gardens. To the north side of Crofton Road, the residential density is higher with blocks of flats. The site currently comprises a single large detached residential property with a relatively large rear garden.

### **Comments from Local Residents**

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

- overdevelopment and inadequate gardens
- access road inadequate and risk to conditions of highway safety
- out of character with surrounding area
- possible loss of trees
- overlooking and loss of privacy
- loss of outlook
- increased security risk
- flood risk and insufficient sewerage/water drainage
- overshadowing
- unacceptable backland development
- risk of flooding
- impact on neighbouring properties through noise and fumes of vehicles
- cramped form of development
- new access would be detrimental to free flow of traffic on Crofton Road
- noise and disturbance from new access road
- increase in light pollution
- impact on wildlife

### **Comments from Consultees**

From a Highways point of view, it is considered that refuse collection arrangements would have to be agreed. No technical objection is raised and conditions are suggested.

With regard to Trees, it is noted that there is an oak tree that is protected and this would be unaffected by the proposal. The proposed trees losses are considered to be acceptable, subject to conditions.

From a Highways Drainage point of view, no objections are raised subject to a standard condition.

Thames Water was notified of the application and raised no objection with regard to water and sewerage infrastructure subject to an informative.

Waste Services have commented that notes for developers should be referred to regarding road width access for refuse/recycling vehicles. Refuse storage details

are to be submitted by way of a condition and this is the applicant's preferred option for waste collection..

Transport for London was notified of the application, and no objections are raised subject to the provision of cycle parking in line with Bromley standards.

### **Planning Considerations**

The main policies relevant to this case are Policies BE1 (Design of New Development), H7 (Housing Density And Design), T3 (Parking), T11 (New Accesses) and T18 (Road Safety of the adopted Unitary Development Plan.

### **Planning History**

Planning permission was granted under ref. 94/01946 for the demolition of the existing dwelling and the erection of 2 two storey five bedroom detached houses with integral garages at the site frontage. This permission was renewed under ref. 99/02597 and again under ref. 04/03814.

Outline planning permission was refused under ref. 08/00224 for demolition of existing house and erection of 2 detached houses to front of site and 4 semi detached houses to rear with associated access road and car parking.

Outline planning permission was refused under ref. 08/01609 for demolition of existing house and erection of 4 detached houses with associated access road and car parking.

Both applications were refused on the following grounds:

The proposal constitutes an unacceptable form of backland development and would result in a cramped overdevelopment of the site, out of character with the surrounding area, resulting in a retrograde lowering in the spatial standards to which the area is at present developed, thereby contrary to Policies BE 1 and H7 of the Unitary Development Plan.

The proposed access road, by reason of its siting between and proximity to the proposed dwellings fronting Crofton Road, would be seriously detrimental to the residential amenities of the future occupiers of these properties through noise and disturbance, contrary to Policies BE1 and Hi of the Unitary Development Plan.

Both refused applications were appealed and both were dismissed. The key Inspector comments are as follows:

'As regards the development at the rear, other than the Oakwood Gardens properties, the size of the proposed plots would be much smaller than the

prevailing pattern of larger curtilages in the vicinity. Consequently, it is my view that the proposed houses would appear cramped within a restricted space and could not be successfully integrated into the existing spacious pattern of development without contrasting unfavourably with the prevailing local density.

The pleasant open area formed by these combined gardens with their trees and varied vegetation makes an important contribution to the local area in providing a visual break and softening the appearance of the surrounding built form. The introduction of substantial two-storey buildings into this area would be visually disruptive to its generally open nature.

I consider that the new houses near the southern end of the site would lie too close to the adjoining dwellings and gardens of "Oakapple" and Nos. 4 and 5 Oakwood Gardens.

I am also concerned that a significant degree of overlooking would occur from first floor windows towards the rear part of the garden of 185 Crofton Road where there is a substantial swimming pool. Additional boundary planting to supplement the existing western boundary hedge might reduce this intrusiveness to some extent but I do not consider that it would be entirely effective, at least in the short to medium term.

The proposed access would also allow traffic to penetrate some distance into the site away from Crofton Road, introducing a noticeable increase in noise into what is a quiet garden area, resulting in undue disturbance to residents in Oakwood Avenue, particularly late at night or otherwise outside the working day.

I conclude on my second main issue that the proposed developments would be harmful to neighbouring residents' living conditions, in terms of a loss of outlook and privacy and disturbance from noise. The proposals would therefore conflict with the aims of the development plan policies and SPGs to which I have been referred which seek to protect neighbouring occupiers' amenities.'

## **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 previous decisions are a material consideration.

The proposed five bedroom dwelling to the front of the site will have a height similar to neighbouring properties and will retain a suitable separation from these neighbouring houses. There is not therefore considered to be a harmful impact

on the street scene and no significant additional built development will front the highway. This proposed single dwelling is considered to be acceptable with regard to relevant policies.

The reduction in residential density results in the development retaining a more spacious character, with larger rear gardens and increased separation, particularly to the properties at the rear of the site. This separation is now approx. 30m. In respect to overlooking, the separation along with the positioning of the dormers to the front is considered to improve this situation, with the low bungalow roof reducing the visual impact to neighbouring properties.

It is considered that the reduction in the number of dwellings proposed would reduce noise and disturbance to the neighbouring property at No. 185 and the proposed access road has been given a greater separation to the flank boundary with No. 185, however, consideration is required as to whether this reduction in units will be significant enough to remove the harm to neighbouring amenity from the rear access which was identified by the Inspector.

The principle of demolishing the existing house fronting and Crofton Road and the erection of a replacement dwelling is considered acceptable in terms of its impact on the character of the area and any impact on neighbours.

In summary, although the scheme does represent an improvement on the previous proposals, there remain concerns regarding the nature of the development, in particular the new access and the resulting drop in spatial standards, which will result from the development of two dwellings in the rear garden area, irrespective of their overall height and size. The proposal for bungalows itself could be regarded as out of character with the surrounding area, which is characterised by large two storey houses.

On balance, although some of the Inspector's concerns have been successfully addressed by reason of the number of dwellings and their design, Members will need to carefully consider whether this proposal will be harmful to the character and appearance of the area, and whether the access road serving two dwellings will still create the same harm as identified previously by the Inspector.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/00224, 08/01609 and 09/02523, excluding exempt information.

**RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

- |   |        |  |
|---|--------|--|
| 0 | D00002 | If Members are minded to grant planning permission the following conditions are suggested: |
| 1 | ACA01  | Commencement of development within 3 yrs   |

2	ACA01R	A01 Reason 3 years	
2	ACA02	Details req. pursuant outline permission	appearance and
	landscaping		
	ACA02R	Reason A02	
3	ACA03	Compliance with landscaping details	
	ACA03R	Reason A03	
4	ACA07	Boundary enclosure - no detail submitted	
	ACA07R	Reason A07	
5	ACB01	Trees to be retained during building op.	
	ACB01R	Reason B01	
6	ACB02	Trees - protective fencing	
	ACB02R	Reason B02	
7	ACB03	Trees - no bonfires	
	ACB03R	Reason B03	
8	ACB04	Trees - no trenches, pipelines or drains	
	ACB04R	Reason B04	
9	ACC01	Satisfactory materials (ext'nl surfaces)	
	ACC01R	Reason C01	
10	ACC03	Details of windows	
	ACC03R	Reason C03	
11	ACD02	Surface water drainage - no det. submitt	
	ADD02R	Reason D02	
12	ACH01	Details of access layout (2 insert)	
	ACH01R	Reason H01	
13	ACH02	Satisfactory parking - no details submit	
	ACH02R	Reason H02	
14	ACH04	Size of parking bays/garages	
	ACH04R	Reason H04	
15	ACH05	Size of garage	
	ACH05R	Reason H05	
16	ACH06	Parking space in front of garage	
	ACH06R	Reason H06	
17	ACH12	Vis. splays (vehicular access) (2 in)	3.3m x 2.4m x
	3.3m 1m		
	ACH12R	Reason H12	
18	ACH13	Gradient of access drives (1 in)	
	ACH13R	Reason H13	
19	ACH16	Hardstanding for wash-down facilities	
	ACH16R	Reason H16	
20	ACH18	Refuse storage - no details submitted	
	ACH18R	Reason H18	
21	ACH23	Lighting scheme for access/parking	
	ACH23R	Reason H23	
22	ACH24	Stopping up of access	
	ACH24R	Reason H24	
23	ACH27	Arrangements for construction period	



	ACH27R	Reason H27		
24	ACH32	Highway Drainage		
	ADH32R	Reason H32		
25	ACH03	Satisfactory parking - full application		
	ACH03R	Reason H03		
26	ACH22	Bicycle Parking		
	ACH22R	Reason H22		
27	ACI01	Restriction of all "pd" rights		
<b>Reason:</b>				
28	ACI17	No additional windows (2 inserts)	flank	dwellings
	ACI17R	I17 reason (1 insert)	BE1	
29	ACI18	No additional hardstanding		
	ACI18R	I18 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
- H7 Housing Density and Design
- T3 Parking
- T11 New Accesses
- 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 transport policies of the UDP
- (d) the impact on highway safety and transport policies

and having regard to all other matters raised.

#### INFORMATIVE(S)

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

contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 2 RDI06 Notify Building Control re. demolition
- 3 RDI10 Consult Land Charges/Street Numbering
- 4 RDI16 Contact highways re. crossover

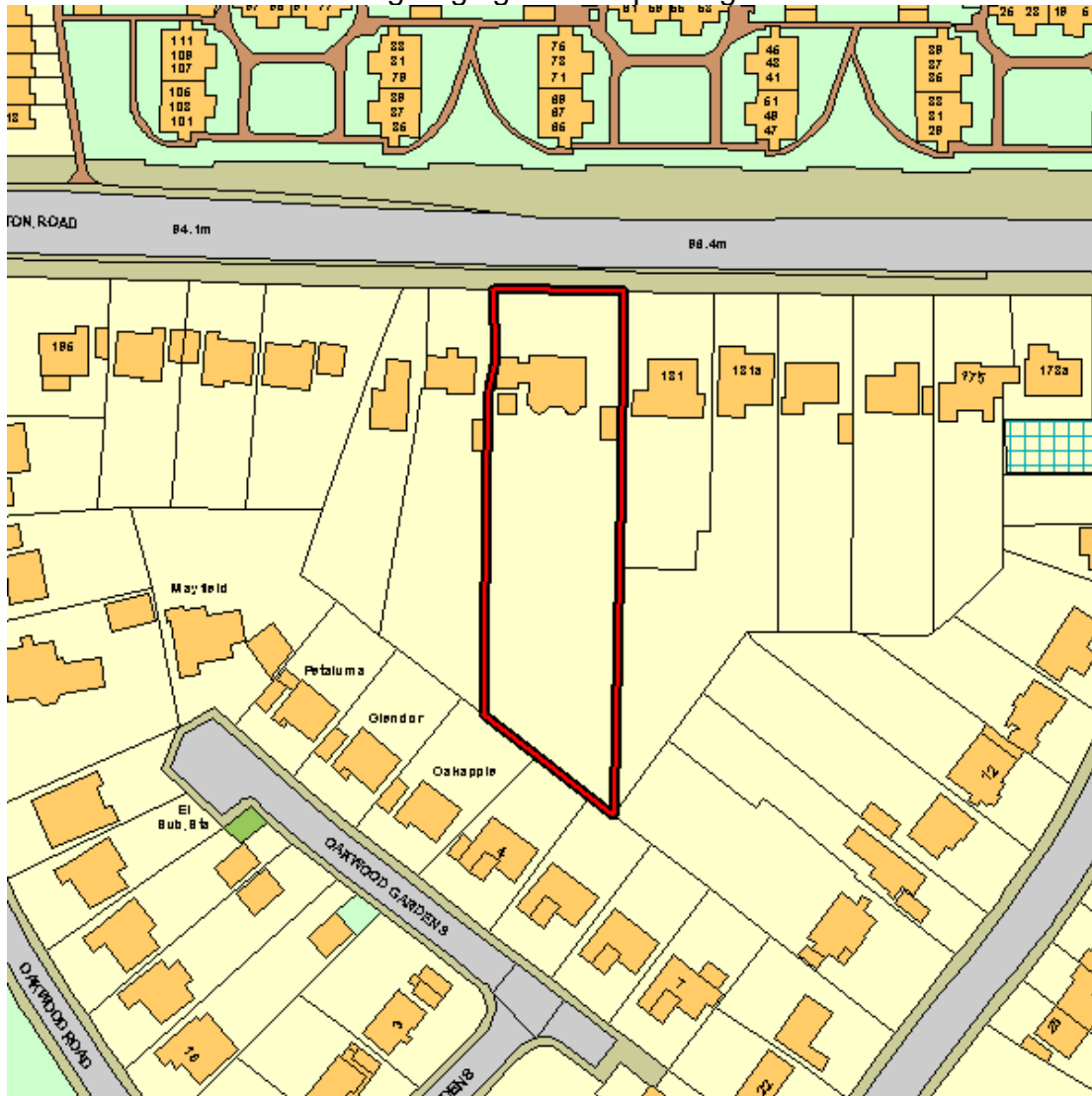
D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The proposal constitutes an unacceptable form of backland development and would result in a cramped overdevelopment of the site, out of character with the surrounding area, resulting in a retrograde lowering in the spatial standards to which the area is at present developed, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
- 2 The proposed access road, by reason of its siting between and proximity to the proposed dwellings fronting Crofton Road, would be seriously detrimental to the residential amenities of the future occupiers of these properties through noise and disturbance, contrary to Policies BE1 and H7 of the Unitary Development Plan.

Reference: 09/03008/OUT

Address: 183 Crofton Road Orpington BR6 8JB

Proposal: Demolition of existing house and erection of 1 detached five bedroom house and 2 detached three bedroom chalet bungalows with associated access road garaging and car parking OUTLINE APPLICATION



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From a Planning Highways perspective, the council needs to take a view on, in terms of how strong the desire is to retain a retail element on this site and to what extent having operation car parking limited to servicing/delivery vehicles only would compromise its future viability. The applicant considers that adequate parking for the ground floor retail shop can be provided.

Thames water has no objections to the proposal.

### **Planning Considerations**

When considering the application the main policies are BE1 Design of new development, H7 Housing Density and Design, of the Unitary Development Plan and should be given due consideration. These policies seek to ensure a satisfactory standard of design which complements the qualities of the surrounding area; to safeguard the amenities of neighbouring properties; Policies T3 and T18 deal with parking provision and road safety.

Policy H12 Conversion of non-residential buildings to residential use Para 4.56 states:

Where such a conversion is proposed the applicant must be able to demonstrate that the premises are genuinely redundant. Conversions are not likely to be acceptable where there continues to be a viable commercial use or demand for such uses.

The applicant has not submitted any evidence to support the change of use to residential.

Government guidance in the form of PPS3 "Housing" generally encourages higher density developments in appropriate locations, while emphasising the role of good design and layout to achieve the objectives of making the best use of previously developed land and improving the quality and attractiveness of residential areas, but without compromising the quality of the environment.

### **Planning History**

88/03094/FUL	46 Green Lane Penge SE20 - Shopfront	Permission
09/01696/FULL2	Change of use of first and second floors from retail into 8 two bedroom flats, alterations to front elevation	Withdrawn

### **Conclusions**

The main issues in this case are whether this type of development is acceptable in principle in this location, the likely impact of the proposed scheme on the character and appearance of the surrounding area, and on the amenities of

neighbouring residential properties, having particular regard to the density and design of the proposed scheme.

This application is for the conversion of the first and second floors of a previous retail unit into 6 two bedroom flats and 2 studio flats with the provision of 3 car parking spaces with access from Cottingham Road at the rear.

From a highways point of view based on average car ownership figures for the Borough, such units could create a demand for 5-6 car parking spaces, leaving a short fall of 2/3 spaces. The Inspectors view in connection with the adjoining site at 177 High Street was that there were some spaces available in the surrounding streets to accommodate any demand for that site and this might equally apply to this site in respect of only 2/3 spaces.

The agent has submitted a statement that the loading bay had been extended into the ground floor retail area and that it could be extended further to provide additional parking. This would not be the detriment of the retail area which is 1500 sq metres. The final arrangement would be left to any incoming tenant for the retail unit.

It is clear that there may be an impact on the car parking situation in the near locality as a result of the extra residential properties proposed and a judgement needs to be made about whether the impact is unduly harmful. Accordingly members will need to take account of the plans that have been submitted for this site and the comments made during the consultation period.

Bearing in mind these issues and the concerns raised, this application is presented on list 2 of the agenda.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/01696 and 09/03091, excluding exempt information.

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

- |   |                 |  |
|---|-----------------|--|
| 0 | D00002          | If Members are minded to grant planning permission the following conditions are suggested: |
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years                             |
| 2 | ACC01<br>ACC01R | Satisfactory materials (ext'nl surfaces)<br>Reason C01                                     |
| 3 | ACH03<br>ACH03R | Satisfactory parking - full application<br>Reason H03                                      |
| 4 | ACH18<br>ACH18R | Refuse storage - no details submitted<br>Reason H18  |

- 5     ACH22     Bicycle Parking  
      ACH22R    Reason H22
- 6     ACH23     Lighting scheme for access/parking  
      ACH23R    Reason H23
- 7     ACH25     Satisfactory servicing facilities  
      ACH25R    Reason H25

Policies (UDP)

- BE1   Design of new development
- H7    Housing Density and Design
- T3    Parking
- T18   Road Safety
- H12   Conversion of non-residential buildings to residential use

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

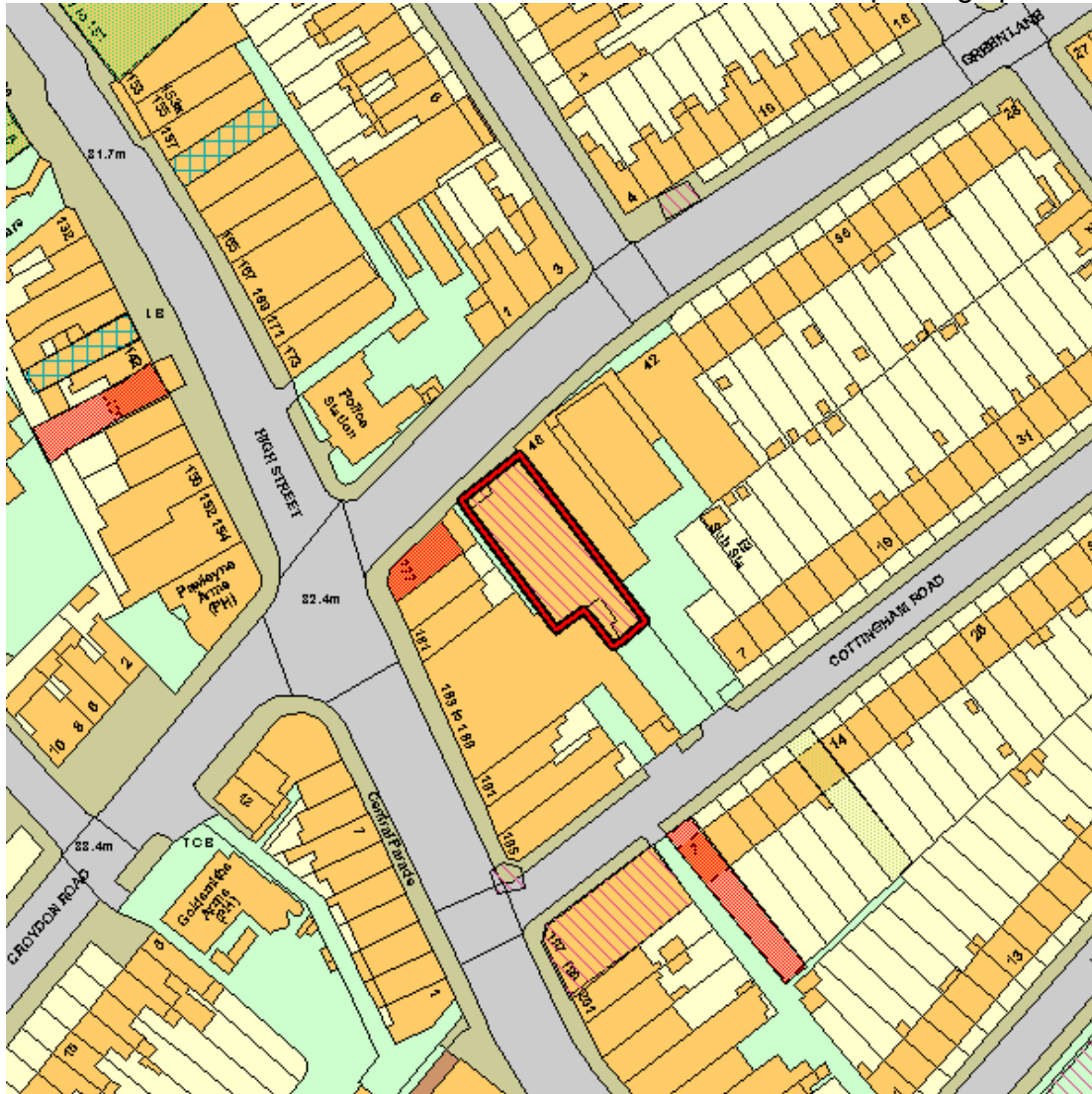
- 1     The proposal constitutes an over intensive use of the property contrary to Policy BE1 of the Unitary Development Plan.
- 2     No evidence has been submitted to demonstrate that the premises are unlikely continue to be a viable commercial use contrary to Policy H12 of the Unitary Development Plan.



Reference: 09/03091/FULL2

Address: 46 Green Lane Penge London SE20 7JX

Proposal: Change of use of first and second floors from retail into 6 two bedroom flats and 2 studio flats. Elevational alterations. 3 car parking spaces at rear.



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## **Planning Considerations**

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

## **Planning History**

A Certificate of Lawfulness was refused under ref. 09/01732 for a single storey rear extension. The extension measured 6m in rearward projection and fell outside of permitted development allowances.

## **Conclusions**

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

The extension infills the rear of the property and is sited adjacent to an extension permitted some time ago. The extension therefore does not result in any impact on the outlook or light to No. 217. The extension is sited adjacent to the boundary with No. 213 and the main impact is to this property. No. 213 possesses a two storey rear extension and as a result the application extension projects only 1m further to the rear than No. 213. It is therefore considered that the extension does not significantly impact on the light or prospect of the occupiers of No. 213.

The pitched roof of the extension is visible from the highway, however it is sited a significant distance behind the building line and is not considered harmful to the character of the dwelling or the wider area.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 09/01732 and 09/03178, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

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

In granting planning permission the Local planning Authority had regard to the

following policies of the Unitary Development Plan:

BE1 Design of New Development  
H8 Residential Extensions

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

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

and having regard to all other matters raised.

Reference: 09/03178/FULL6  
Address: 215 Main Road Biggin Hill TN16 3JU  
Proposal: Single storey rear extension  
RETROSPECTIVE APPLICATION



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**11. Application No : 09/03193/FULL6 Ward : Bickley**

**Address : Jasmin Chislehurst Road Bromley BR1 Conservation Area:NO  
2NJ**

**OS Grid Ref: E: 542277 N: 169527**

**Applicant : Dr Mirant Objections: NO**

**Description of Development:**

Single storey front and rear extensions, part one/two storey front/side and rear extensions and two rear dormers.

**Proposal**

- The single storey front extension will provide a front porch with a height of 3.4m. The width of the porch will be 3.2m.
- The single storey rear extension will be sited adjacent to the existing single storey rear section of the house. This extension will provide a conservatory and will have a height of 2.4m with a flat roof and lantern reaching 3.3m in height. The conservatory will have a width of 6.7m and a depth of 3.7m.
- The proposed first floor rear extension will be sited above the existing single storey rear section of the dwelling. The depth of the first floor will be 3.4m and will have a width of 5.0m. The roof will be subservient with a pitched and hipped roof, with a total height of 6.8m (4.9m to the eaves).
- The proposed first floor side extension will be constructed above an existing single storey side extension which extends to the flank boundary with Richmond. The ground floor will extend to the flank boundary of the site, with the first floor set in 3.3m from the flank boundary. This extension will include a first floor flank window facing Richmond.
- The proposal includes a single storey front addition adjacent to the boundary with Richmond. This will house a double garage and will be in advance of the building line by 5.3m. The garage will have a width of 6.5m with a pitched roof 4.3m in height (2.5m to the eaves).
- The main roof of the dwelling will incorporate generous half hipped ends and two rear dormers. The roof height will increase from 7.5m to 8.0m.

- A two storey front bay with a forward projection of 1.0m is also proposed with a gable ended roof to the front.

## **Location**

The application site is on the north western side of Chislehurst Road. The properties on Chislehurst Road are predominantly detached dwellings set within spacious plots. The architectural style of the road is characteristically mixed.

## **Comments from Local Residents**

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

## **Comments from Consultees**

None.

## **Planning Considerations**

The main policies relevant to this case are Policies BE1 (Design Of New Development), H8 (Residential Extensions) and H9 (Side Space) of the adopted Unitary Development Plan.

## **Planning History**

Planning permission was refused under ref. 09/01382 for single storey front and rear extensions first floor side and rear extensions and detached single storey garage at front. The refusal grounds were as follows:

‘The proposed detached garage, by reason of its prominent siting, would be an incongruous feature unduly intrusive in the street scene and would result in an adverse impact on the character and appearance of the area, and would therefore be contrary to Policy 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 proposed garage will be sited in front of the main dwelling and although prominent, this is not considered to break the established building line of this part of Chislehurst Road, as Richmond is sited further forward than Jasmin and the garage will approximately extend to the front wall of this neighbouring property. In respect to neighbouring amenity, the proposed garage will not be excessive in its



height at eaves level and will have a separation from the front windows of Richmond by approx. 3m. The highest point of the roof will be 3.5m from the flank boundary and this relationship may be considered acceptable.

The proposed first floor rear extension will have a depth of 3.4m and although this is significant, the extension will be sited to the north east of the adjacent house at Caragh House and this neighbouring property will not suffer from loss of sunlight. The main dwelling at Caragh House is sited approx. 5m from Jasmin, with a side garage between, and this separation is considered to adequately reduce any loss of outlook from this neighbouring property.

Although a technical breach of side space policy, the proposed side extension is not considered to impact on the spatial characteristics of the area, given the 3.3m side space retained at first floor level. The proposed flank window at first floor level can be conditioned to be obscurely glazed.

Both the single storey front and rear extensions are not considered to impact significantly on neighbouring amenity or the character of the area.

The additional bulk to the roof is not considered to be excessive in light of the fact that the existing roof is fully gabled. The additional bulk when viewed from the road would amount to the first floor side extension and a small increase in height (0.5m) and this is not considered to be harmful.

Other alterations from the refused scheme include a two storey front bay feature adjacent to the boundary with Caragh House. This is also not considered to break the established building line and may be considered acceptable.

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 significantly detrimental impact on the character of the area. It is therefore recommended that Members grant permission for the proposal.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/01382 and 09/03193, 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 | ACI12  | Obscure glazing (1 insert)        | in the first floor north eastern flank elevation |
|   | ACI12R | I12 reason (1 insert)             | BE1 and H8                                       |
| 4 | ACI17  | No additional windows (2 inserts) | flank extensions                                 |
|   | ACI17R | I17 reason (1 insert)             | BE1 and H8                                       |

**Reasons for granting permission:**

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

- BE1 Design of New Development
- H8 Residential Extensions
- H9 Side Space

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

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

and having regard to all other matters raised.

Reference: 09/03193/FULL6

Address: Jasmin Chislehurst Road Bromley BR1 2NJ

Proposal: Single storey front and rear extensions, part one/two storey front/side and rear extensions and two rear dormers.



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## **Comments from Consultees**

None.

## **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**

Planning permission was refused under ref. 09/01144 for a Part one/two storey front/side/rear extension. This extension was sited adjacent to the flank boundary at ground floor level and set in 1m at first floor level. The refusal grounds were as follows:

The proposed extension, by reason of its bulk and siting, would result in a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and detrimental to the character and appearance of the Petts Wood Area of Special Residential Character, contrary to Policies BE1, H8, H9 and H10 of the Unitary Development Plan.

Planning permission was refused under ref. 09/02171 for a similar extension which possessed a 1m side space at both ground and first floor levels. This application was refused on the same grounds.

This application was subsequently dismissed on appeal. The Inspector states:

‘At my site visit, I noted that the immediate location contains residential properties that are mostly semi-detached houses within large plots; they are also well spaced apart creating a spacious appearance to the street scene. In Policy H9(ii) of the adopted Unitary Development Plan (UDP), there is a requirement for spatial separation from boundaries for more generous distances than the 1 metre mentioned in part (i) of that policy. I am aware that the Council sought a distance of 1.5 metres, but that was not submitted as part of the appellant’s scheme. In my opinion, given the significant spatial characteristics of development in the area and as the present proposal would reduce the existing side separation distance to 1 metre, the scheme would create a cramped form of development that would be out of character in the street scene.

I note from the Council Committee Report that an extension was permitted 1 metre from the boundary at No.35 Priory Avenue, but that was in 1998

and before the current UDP policies were adopted in 2006. Furthermore, should further extensions be permitted in such circumstances, they would have a cumulatively detrimental effect upon the overall character and attractiveness of the area.

As far as the front elevation of the proposed extension is concerned, and unlike the Council, I am concerned at the design of the proposed development. At the present time, most properties in the area have a reasonably consistent character with the pairs of houses being mostly of similar design. However, the current scheme proposes a wider front gable than exists at the present time, as well as infilling a small section of the front elevation and a porch. To my mind, those aspects of the scheme would appear incongruous and out of place in the street scene, causing the property to appear unbalanced when compared to other dwellings and significantly harmful to the appearance of the locality. In my opinion, that would be contrary to the Council's adopted planning policies.'

## **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 and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Following concerns raised by the Council in response to the Inspectors concerns over the large gable roof feature to the front, amended plans have been submitted dated 22/12/09 omitting this gable and replacing it with a fully hipped roof which has reduced the bulk of the extension further.

It is noted that planning permission was granted under ref. 98/02241 at No. 35 for a two storey side extension approx. 1m from the flank boundary. This extension does have a reduced roof height and eaves level which reduces the bulk, however this decision was made a significant time ago and it is considered that under the current UDP and in light of the predominantly spacious character of the area, an effort must be made to prevent future extensions that would harm the character and appearance of the Area of Special Residential Character.

This part of Priory Avenue comprises spacious plots with single storey side garages. This creates a sense of openness at first floor level between dwellings. It is considered that the infilling of this side space to the extent proposed must be considered carefully in order to avoid the compromising of the local character.

In respect of the impact on residential amenity, the single storey rear extension, at 3.1m in depth, is considered acceptable. The first floor flank window at the adjacent property (No. 31) serves a staircase and is sited to the north of the proposed side extension. The extension will be separated from this flank window

by approx. 4m and this separation is considered suitable to mitigate the impact in this case.

The single storey element of the front extension is considered acceptable on balance. The forward projection is comparable to the front porch at No. 33, and with the first floor not projecting forward of the building line, is considered not to be overly invasive within the street scene.

This ASRC is at present characterised predominantly by generous side spaces between dwellings, particularly at first floor level. It is considered that the introduction of a 1.5m side space at first floor level increases the separation between dwellings and represents an improvement to the previously refused proposal and the introduction of a hipped roof to the front (replacing the bulky gable) reduces the bulky appearance of the extension. It is considered that both measures improve the scheme when compared to the previous refusal. However it is necessary to consider whether the proposal will result in a detrimental impact on the character and appearance of this part of the Petts Wood Area of Special Residential Character, with regard to Policies BE1, H8 and H9.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/01144, 09/02171 and 09/02933, excluding exempt information.

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

- |   |                 |   |
|---|-----------------|---|
| 0 | D00002          | If Members are minded to grant planning permission the following conditions are suggested:  |
| 1 | ACA01<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>ACI13R | No windows (2 inserts) flank extension<br>I13 reason (1 insert) H8  |
| 4 |                 | A side space of 1.0m shall be provided between the ground floor flank wall of the extension hereby permitted and the flank boundary of the property.<br>A side space of 1.5m shall be provided between the first floor flank wall of the extension hereby permitted and the flank boundary of the property. |

**Reason:** In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.

Reasons for granting permission:

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



- BE1 Design of New Development
- H8 Residential Extensions
- H9 Side Space
- H10 Areas of Special Residential Character

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

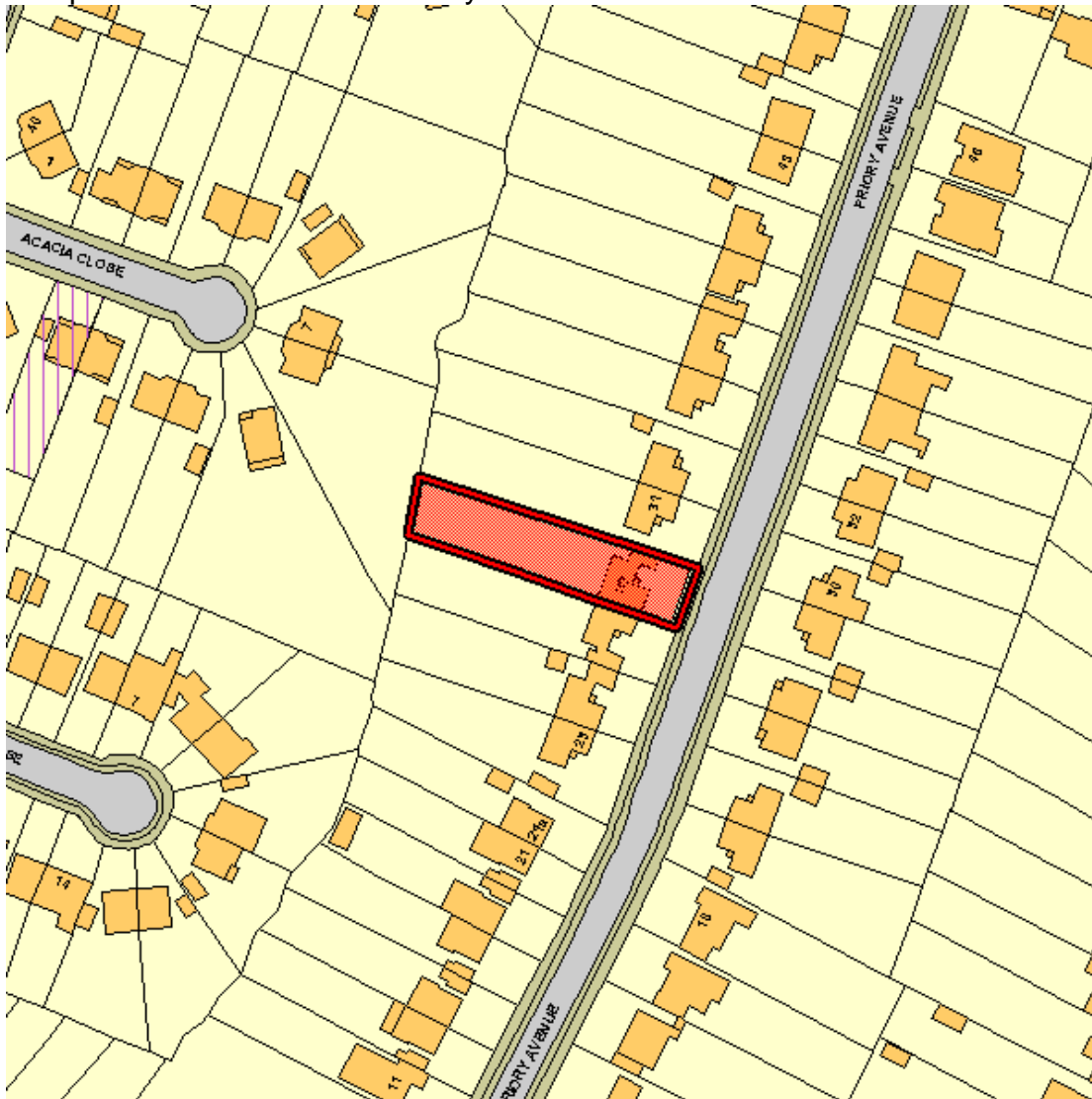
- (a) the relationship of the development to adjacent property
- (b) the character of the development in the surrounding area
- (c) the character and appearance of the Area of Special Residential Character
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties, including light, prospect and privacy

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 siting, would result in a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and detrimental to the character and appearance of the Area of Special Residential Character, contrary to Policies BE1, H8, H9 and H10 of the Unitary Development Plan.

Reference: 09/03220/FULL6  
Address: 29 Priory Avenue Petts Wood Orpington BR5 1JE  
Proposal: Part one/two storey front/side/rear extension



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**13. Application No : 09/03326/FULL6 Ward : Bickley**

**Address : 41 Bishops Avenue Bromley BR1 3ET Conservation Area:NO**

**OS Grid Ref: E: 541209 N: 168892**

**Applicant : Mr I Manku Objections: YES**

**Description of Development:**

One/two storey front, side and rear and single storey rear extensions.

**Proposal**

- This application relates to a part one/two storey front, side and rear and a single storey rear extension.
- At the front the extension would align with an existing bay window at porch at ground floor level and maintain a similar pitched roof formation.
- The property would be extended two storeys at the side and align with the flank elevation, increasing in width at the rear. This two storey element would continue a further 2.25m beyond the rear building line of the host property, beyond the two storey side element, whilst a single storey rear element would be built beyond the rear of the existing property and project 2.25m, aligning with the two storey extension and maintain a separation of approximately 2.8m from the boundary with the adjoining property at No. 39.
- The extension would incorporate a hipped roof which would align with the existing structure. The rear part of the two storey extension would include a hipped roof built to a lower height.

**Location**

The application property is located within a predominantly residential area mainly comprising terraced houses. The application property forms an end-of-terrace house with an access drive located to its south leading to a primary school.

**Comments from Local Residents**

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

- two storey rear element will lead to a loss of outlook from ground floor kitchen window at No. 39
- loss of sunlight and daylight at sitting area and dining room and loss of outlook
- extension will appear out of character within the streetscene
- two storey side and single storey rear elements are acceptable

### **Comments from Consultees**

No technical highways objections raised.

Any further comments will be reported verbally at the meeting

### **Planning Considerations**

Policies H8 (design of residential extensions), H9 (residential side space) and BE1 (design and layout of new development) 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, ensure an adequate separation in respect of two storey side extensions, and are to safeguard the overall character and amenities of the area.

### **Planning History**

This application has been submitted following the submission of two earlier applications (ref. 07/03802, 08/00209) which were refused on the following grounds:

#### Application ref. 07/03802

The proposed extension would, by reason of the height and bulk of the rearward projection proposed, have a seriously detrimental effect on the daylighting and prospect to the adjoining house; would be out of character with the surrounding area and would therefore impact upon the amenities currently enjoyed and might reasonably expect to be able to continue to enjoy, contrary to Policies H8 and BE1 of the Unitary Development Plan.

#### Application ref. 08/00209

The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two storey development in the absence of which the extension would constitute a cramped form of development, out of character with the

street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed; contrary to Policy H9 of the Unitary Development Plan.

The proposed rear dormer extension, by reason of its size, bulk and design, would result in an obtrusive “top-heavy” feature incongruous and harmful both to the appearance of the existing dwellinghouse; contrary to Policies H8 and BE1 of the Unitary Development Plan.

The proposed extension, by reason of its size, bulk and design, constitutes an overdevelopment of the site out of character with the area; contrary to Policies H8 and BE1 of the Unitary Development Plan.

The 2008 application was subsequently dismissed at appeal, the Planning Inspector considering that this would have “an incongruous and unduly massive appearance harmful to the street scene and detract from the above [school entrance] visual break.” In addition, the Inspector felt that “combination of gable end and wide dormer spoils the street scene.”

Two storey side extensions have also been added to the neighbouring properties at Nos. 43 and 46 Bishops Avenue:

1. 43 Bishops Avenue: Two storey side extension – (ref. 80/01215)
2. 46 Bishops Avenue: Two storey side extension/single storey rear approved under ref. 70/02597. Further planning permission subsequently approved under ref. 81/00142 above single storey element approved under ref. 70/02597.

## **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.

Although this proposal technically conflicts with Policy H9, the Planning inspector did not raise any objection in principle to the addition of a two storey extension. It may therefore be considered that this proposal will not result in a cramped form of development since the flank boundary of the extension will abut an access road. Furthermore, similar extensions have been added to neighbouring properties located at No. 34 – located along the opposite side of the access road, as well as at No. 46 located along the opposite side of Bishops Avenue.

In comparison to the previous refused applications the proposed extension has been amended with the removal of the gable roof and rear dormer and its replacement with a hipped roof without a dormer. It is considered that these changes mitigate the impact of the development since the overall bulk of the

extension will be reduced. Whilst objections have been raised in relation to the depth of the two storey extension – which will project 2.25m beyond the rear building line of the existing property – it is considered that the extension will maintain an adequate separation from the adjoining property at No. 39 and that the depth of this projection is acceptable with regard to visual impact and lighting.

On balance, it is considered that the scheme will not cause any material harm to the character of the area or the amenities of neighbouring properties.

Background papers referred to during production of this report comprise all correspondence on files refs. 07/03802, 08/00209 and 09/03326, 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     ACH02        Satisfactory parking - no details submit  
      ACH02R      Reason H02
- 4     ACI13        No windows (2 inserts)        northern    first floor extension  
      ACI13R      I13 reason (1 insert)    BE1
- 5     A 1 metre distance shall be maintained between the extension and outer wall of the culvert during construction. If at any time this distance is not maintained, then works must stop immediately and the Environment agency should be contacted to provide further information.

**Reason:** To protect the structural integrity of the culvert.

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

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

- BE1   Design of New Development
- H8    Residential Extensions
- H9    Side Space

The development is considered satisfactory in relation to the following:

- (a)   the appearance of the development in the street scene;
- (b)   the relation of the development to the adjacent property;
- (c)   the character of the development in the surrounding area;

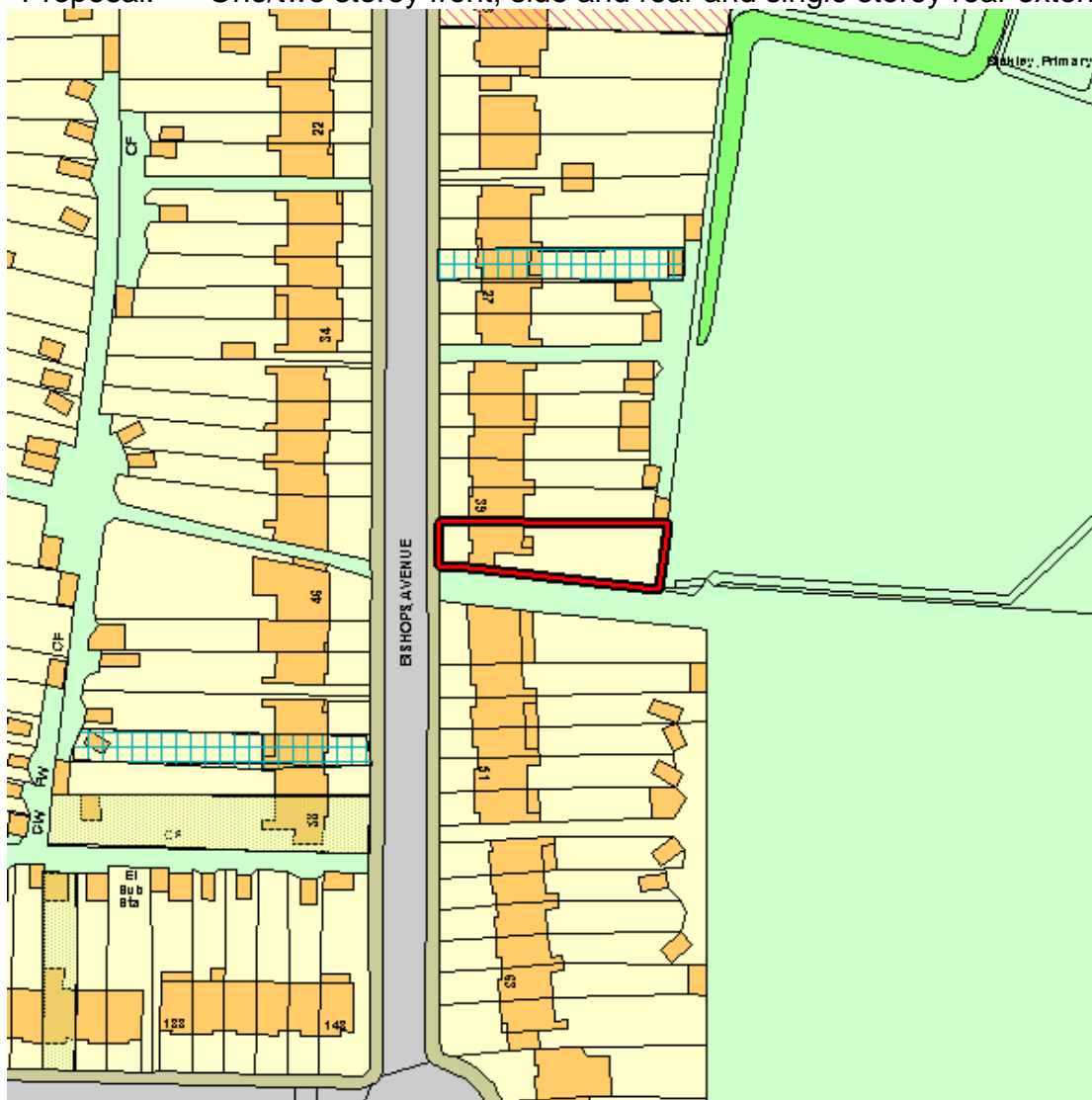
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the light and outlook of occupiers of adjacent and nearby properties;
- (f) the privacy of occupiers of adjacent and nearby properties.

and having regard to all other matters raised.

Reference: 09/03326/FULL6

Address: 41 Bishops Avenue Bromley BR1 3ET

Proposal: One/two storey front, side and rear and single storey rear extensions.





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

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**14. Application No : 09/01791/FULL1 Ward : Crystal Palace**

**Address : Community Centre Castledine Road Conservation Area:NO  
London SE20 8AE**

**OS Grid E: 534548 N: 170046**

**Ref:**

**Applicant : Affinity Sutton Objections : YES**

**Description of Development:**

Part two/ three storey block comprising 3 bedroom house and 12 two bedroom flats. Three storey block comprising replacement community centre/ 9 two bedroom and 1 three bedroom flats. Single storey building comprising bicycle parking and plant room. 23 car parking spaces. Replacement all weather multi-use games area

**Proposal**

This application was deferred by the Plans Sub Committee 4 on Dec 17th to seek clarification regarding the S106 Agreement and to ensure the Hilda Lane Community Association has appropriate use of the development and openspace.

With regard to the legal agreement it is anticipated that this will be signed before the PSC meeting and a verbal update will be provided.

With regard to the use of the proposed Community Centre by Hilda Lane Community Association, an email was received on Dec 16th from the Chair of the HLCA stating that considerable progress has been made regarding their in the development process. In particular Affinity Sutton intend to appoint someone specifically to work with HLCA on the management aspect of the community centre. In summary the HLCA remain concerned about the scale of the development and possible impact of parking on streets nearby but they are now more confident that they will be able to successfully operate the Community

Centre and Multi Use Games Area in the future. A representative of the HLCA will be attending and speaking at the meeting.

The previous report is repeated below.

This application was previously deferred by the Plans Sub Committee 4 on October 15th in order to:

- carry out further consultation with the local Community Association and in particular to ensure that existing users have access to the new centre.
- to provide further information about the reconfiguration of the protected Urban Open Space on the site, and
- to consider the possibility of providing houses and a separate building for the community centre on the site.

The appellants have submitted a detailed statement setting out the steps undertaken to address each of these points which is summarised as follows

#### Consultation with the Hilda Lane Community Association

The applicants sets out details of discussions with the Community Association, and Ward Councillors, and also sets out a series of measures that would ensure that continuity of community facilities during construction and on completion of the project. In particular:

- a dedicated liaison officer from Affinity Sutton to find an alternative temporary venue and liaise during the building process
- on November 20th a visit was undertaken to a similar community centre with flats above to enable the Association members to discuss possible future management concerns with a current operator
- much shorter on-site building programme time (12 rather than 18 months) and completion of the higher specification games area first to reduce the time this facility is out of action
- appointment of a sound specialist at this stage to consider the design measures needed to enable current activities to retain access to the new building without causing disturbance to future residents
- a replacement commemorative tree and new plaque
- an open day is planned for December 12th to provide further liaison with the local community and members of the Association would be invited to site meetings to ensure understanding of the programming and site works.

#### Realignment of Urban Open Space

Two plans have been submitted, one showing current configuration of the designated and non-designated land on the site and the other showing how this would be reconfigured to enable the development to go ahead. The applicants

advise that this would result in an increase in designated land of 2 sq m of open space on the site.

### Houses and a separate community centre building on the site

The applicant has submitted correspondence from the Housing Department that strongly supports the scheme in terms of the provision of a wide range of flats of different sizes and types, including larger family units and 3 fully wheelchair accessible units, with good amenity provision and car and cycle parking. The department also welcome the reprovision of the community centre on the site that would continue to benefit the local community.

The report submitted to the Sub-Committee on October 15th is repeated below, amended where necessary.

Planning permission is sought for the following development:

- demolition of the existing community centre and removal of the existing tarmac play area
- an all weather multi use games area measuring 31m by 17.5m.
- erection of 2 three storey buildings comprising 23 residential units and a replacement community centre. The accommodation proposed would be as follows:

#### Southern building

- Ground floor - 4 x 2 bed flats (all of which would be fully wheelchair accessible).
- First and second floors – 4 x 2 bed flats on each floor.
- One 3 bedroom house on the southernmost side of the building adjacent to 33 Ridsdale Road.

#### Northern building

- Ground floor – replacement community centre, 1x 2 bed flat and 1x 3 bed flat.
- First and second floors– 5 x 2 bed flats on each floor.

The proposal would provide 100% affordable housing. A Section 106 agreement is proposed to secure 35% of habitable rooms for affordable housing in accordance with the requirements of the Bromley UDP.

- 22 car parking spaces would be provided for the flats within a rear courtyard, 3 of which would be to wheelchair standard, with vehicular access between the two residential blocks from Castledine Road. One off street space would be provided for the proposed house with access from

Ridsdale Road. A cycle parking store for 24 cycles would also be provided in the courtyard alongside a communal plant room.

- the all weather multi use games area would be on the north side of the site set back from the boundaries of 18 and 20 Anerley Park and 40 Castledine Road. The area would have chain link fence boundary and two small areas of bench seating. The communal park would be enclosed by a 2.1m high fence along the back edge of pavement. No lighting is proposed for the games area.
- the replacement community hall would be located on the ground floor at the front of the northern block with access directly from Castledine Road. The plans indicate that the main function hall could accommodate a maximum of 100 people. A dedicate green area has been provided for the hall fronting Castledine Road. A full statement has been submitted regarding the current and anticipated activities of the centre. It is anticipated that Broomleigh Housing Association will manage the centre and use it during the daytime and either lease or licence the space to the Hilda Lane Community Centre (who currently use and operate the centre) during evenings and weekends.

The buildings would be of modern design with all flats having access to a balcony. The units on the ground floor would have access to a private green space. The plans also show provision for a biomass boiler, ground source heat pumps, solar photovoltaics and solar thermal panels to meet the requirements for sustainable development. Details of the actual measures to be adopted would be requested by condition.

## **Location**

The site fronts Castledine Road with Anerley Park to the rear. The character of the area is wholly residential with a mixture of large houses and blocks of flats on Anerley Park and smaller houses and blocks of flats on Castledine Road. The site is considerably lower than Anerley Park with a retaining wall on the western boundary. The trees on this boundary are all within the properties on Anerley Park and as such would be retained. Vehicular access to the site is via Castledine Road with the exception of the proposed house which has access from Ridsdale Road.

## **Comments from Local Residents**

Nearby properties were notified and representations were received. In addition a petition has been submitted. Some of these comments are from the Hilda Lane Community Centre (HLCC) who occupy and manage the existing Centre. HLCC have stated that they support the idea of a new centre but have concerns about the current proposal. The representations from all parties are summarised below.

- overdevelopment of the site and the estate with too many dwellings on the site, buildings are too large and there is already a large housing development on the estate at Trenholme Terrace.
- out of keeping with the area due to size and height, introducing 3 storeys where most buildings are 2 storey. Houses would be a better option
- loss of privacy and light for properties opposite
- placing the community centre under the flats will result in noise and disturbance to future residents possibly leading to complaints and restricting future use
- the community centre should be a separate building with its own fenced garden area to allow secure space for children's play and other users of the centre, such as weddings
- disruption to users of the community centre during construction, lack of revenue income during closure and lack of provision for alternate venues
- there should be a children's play area on the site not just a games area
- insufficient parking for residential units could lead to on street parking in Castledine and Ridsdale Roads which are already busy with residential and commuter parking
- congestion from extra cars leaving Castledine Road at the junction with Anerley Park.
- danger to children from construction traffic and additional cars
- loss of green space
- insufficient consultation between the applicants and the community centre
- influx of more people could increase crime
- proposed games area is smaller than the existing facility
- concerns about the operation of the wood burning heating in terms of delivery of fuel and residual smoke or fumes.

### **Comments from Consultees**

From a housing point of view there are no objections to the application.

The Council's Highways Officer advises that there is sufficient on street parking capacity for the proposed community centre based on the information provided for the current and proposed level of use. With regard to the use of the games area further information has been requested and comments will be reported verbally to the meeting. With regard to the proposed car parking for the housing units the car parking standards are met based on the tenure mix proposed by the applicant. A S106 legal agreement to secure this tenure mix is recommended to ensure there is not an under provision in the future.

The Council's Drainage Consultant advises that the site appears to be suitable for a Sustainable Drainage System (SUDS) and a relevant condition requiring details has been recommended, together with a condition requiring details of a foul water drainage system to be submitted.

The Council's Tree Officer raises no objection to the loss of the semi mature oak tree which is close to the existing community centre building but raised concerns about the impact of the proposed games area on the roots of the protected lime tree. Measures to protect these roots have been submitted and the Tree Officer advises these are acceptable.

From an environmental health point of view there are some concerns that there may be some soil contamination. The agent has submitted a contaminated land risk assessment and the Council's Environmental Health Officer recommends a condition requiring further investigation work.

### **Planning Considerations**

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

- G8 Urban Open Space
- C1 Community Facilities
- BE1 Design of New Development
- H2 Affordable Housing
- H7 Housing Density and Design
- T3 Parking
- NE7 Development and Trees

In strategic terms the most relevant London Plan policies are:

- 3A.3 Increasing the overall supply of housing
- 3D.8 Realising the value of open space and green infrastructure
- 4B.1 Design principles for a compact city
- 4A.7 Renewable Energy

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

- PPS1 Developing Sustainable Communities
- PPS3 Housing

### **Planning History**

On January 26th 2006, planning permission was refused for a part two/three storey building with 37 basement car parking spaces and plant in roof for health and community centre, and 9 surface car parking spaces; 4 three bedroom houses with 6 car parking spaces (ref. 05/03939).

### **Conclusions**

The main issues to be considered are the impact of the development on the designated Urban Open Space (UOS), the impact and acceptability of the proposed buildings and uses on the surrounding area and the impact of on street parking on surrounding roads.

Part of the application site lies on land designated Urban Open Space in the Bromley UDP. The current designation is awkward in shape with a small area of undesignated 'white' land at the rear of the site. The applicants propose to rationalise the layout of the UOS to enable the development to proceed but also to be able to provide a better equipped open space.

The application site is 0.437 ha in total and there is currently 0.34ha of open space on the site, 0.235 ha of which is designated Urban Open Space. The proposed development seeks to retain the same amount of designated UOS and develop the remainder of the site (0.202ha). This would result in a net decrease in existing open space on the site but retain all of the protected UOS.

Policy G8 of the UDP seeks to protect UOS by limiting the uses to which built development might be permitted. In addition development should not unduly impair the open nature of the site.

In this instance residential development would encroach on designated land so would not strictly comply with this policy. In addition the provision of buildings on the site would affect the open character of the designated UOS.

However it is necessary to consider whether the scheme offers sufficient benefits to overcome these policy concerns. The scheme includes provision for the relocation of the community centre into new, improved premises. In addition the current games area, which is a tarmac rectangle, would be upgraded to provide a multi use games area. Finally the amount of protected UOS would not be reduced in size but rationalised to provide a more appropriate layout. The scheme would also provide affordable housing in the Borough in accordance with Policy H2 of the Bromley UDP. This would be secured by way of a S106 legal agreement. Members may consider that the applicants have offered significant improvements to the facilities on the site which would directly benefit the local community and offset the changes to the layout of the protected UOS.

Turning to the impact of the proposed buildings these would be on the south side of the site and both blocks would be 3 storeys in height. In respect of the impact on properties in Anerley Park the flank wall of the northern block is approx 21m from the rear elevation of 16 Anerley Park. With the change in level between Anerley Park and Castledine Road, the boundary trees and this separation it is considered that the visual impact of the development would not significantly harm the amenities of the residents in Anerley Park. In addition there would not be any windows in the western flank elevation of the northern block and a condition to secure this has been recommended.

In respect of the impact on Castledine Road the two blocks have been designed in an attempt to minimise the visual impact within the street scene. Both blocks have been set back from the footway as a result of pre application negotiations with the agents. The southern block steps up from 2 to 3 storeys and for both blocks, the combination of flat and mono pitch roof minimises the visual impact on the street scene. There are three storey blocks opposite the application site which, although not providing a precedent, do provide some context for the current proposal. With regard to overlooking, windows would be introduced facing across the street. However the separation between the front elevation of the proposed blocks and the existing flats opposite is considered to be similar to that experienced close by and would not have a significant adverse effect on existing residents.

With regard to the impact of the proposed uses the community centre would provide modern facilities to replace the existing building which is in poor condition and of a temporary nature. The centre has been located at the front of the site to provide independent pedestrian access and make it clearly visible. In addition a fenced area has been shown which would provide the centre with dedicated outdoor space. Concerns have been expressed that the use of the new centre could conflict with the amenities of future residents and restrict the operations of the centre. To enable the residential and community centre uses to operate satisfactorily together conditions relating to the opening times, sound and vibration mitigation and occupancy have been recommended.

The multi use games area would replace an existing substandard tarmac pitch. At present the pitch is controlled by the community centre and is used after school, at the weekends and during the school holidays. The management of the new games area is under review but it is anticipated that it will be used by the same current users.

With regard to the proposed parking there is no off street parking associated with the existing community centre or games area. A Transport Assessment and a statement setting out the current and proposed use of these facilities have been submitted. As previously mentioned the Council's Highways Officer is satisfied that the availability of on street car parking spaces is sufficient for the proposed community use. Further details of the use of the games area are awaited to enable full assessment of demand for parking from this facility. The car parking proposed for the residential units will meet the Council's standards.

To ensure that the simultaneous use of the community centre and the games area does not have a significant detrimental effect on the amenities of nearby residents in terms of the level of activity and on street parking, a condition is recommended requiring details of a management plan for both uses to be submitted to and approved by the Council prior to the first use of the respective areas. Conditions have also been recommended in relation to operating hours.



Residents have advised that the small oak tree close to the existing centre that would be removed from the site is a commemorative tree and should not be lost. The applicants have offered to plant a new tree in the green open space and contribute towards a commemorative plaque. The relocation of the tree would be complex and costly and could ultimately result in the loss of the tree.

Concerns have also been expressed by the residents and the community centre management that the closure of the centre during construction would have a detrimental local impact. The applicants have initiated discussions with the community centre management team to find an alternative venue for the duration of the construction works (approx 18-24 months).

In conclusion Members may consider that the submitted residential scheme would provide much needed housing in the Borough in two buildings of high quality design which would complement the character of this area. The application also presents an opportunity to secure improved community facilities for this part of the Borough through the provision of a community centre and games area. This may be considered sufficient to offset the changes to the layout of the Urban Open Space and therefore, on balance, this proposal is acceptable.

Background papers referred to during the production of this report comprise all correspondence on file ref. 09/01791, excluding exempt information.

as amended by documents received on 20.07.2009 14.09.2009 21.09.2009

**RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 LEGAL AGREEMENT RELATING TO AFFORDABLE HOUSING AND THE MAINTENANCE OF THE GAMES AREA**

**and the following conditions:**

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACA04  | Landscaping Scheme - full app no details |
|   | ACA04R | Reason A04                               |
| 3 | ACA07  | Boundary enclosure - no detail submitted |
|   | ACA07R | Reason A07                               |
| 4 | ACB01  | Trees to be retained during building op. |
|   | ACB01R | Reason B01                               |
| 5 | ACB02  | Trees - protective fencing               |
|   | ACB02R | Reason B02                               |
| 6 | ACB03  | Trees - no bonfires                      |
|   | ACB03R | Reason B03                               |
| 7 | ACB04  | Trees - no trenches, pipelines or drains |
|   | ACB04R | Reason B04                               |
| 8 | ACB06  | Replacement tree(s)                      |

- ACB06R Reason B06
- 9 Before any work is commenced, details of the depth, extent and means of excavation of the games area shall be submitted to and approved in writing by the Local Planning Authority, and the excavations and foundations shall be carried out in accordance with the approved details.
- Reason:** In order to comply with Policy NE7 of the Unitary Development Plan to ensure works are carried out according to good arboricultural practice, and in the interest of the health and visual amenity value of trees to be retained.
- 10 ACC01 Satisfactory materials (ext'nl surfaces)  
ACC01R Reason C01
- 11 ACC03 Details of windows  
ACC03R Reason C03
- 12 ACD02 Surface water drainage - no det. submitt  
ADD02R Reason D02
- 13 ACD04 Foul water drainage - no details submitt  
ADD04R Reason D04
- 14 ACD06 Sustainable drainage system (SuDS)  
ADD06R Reason D06
- 15 ACH01 Details of access layout (2 insert) Castledine Road 1m  
ACH01R Reason H01
- 16 ACH04 Size of parking bays/garages  
ACH04R Reason H04
- 17 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 18 ACH16 Hardstanding for wash-down facilities  
ACH16R Reason H16
- 19 ACH18 Refuse storage - no details submitted  
ACH18R Reason H18
- 20 ACH22 Bicycle Parking  
ACH22R Reason H22
- 21 ACH29 Construction Management Plan  
ACH29R Reason H29
- 22 ACI13 No windows (2 inserts) first and second floor western  
northern block of flats  
ACI13R I13 reason (1 insert) BE1
- 23 ACI20 Lifetime Homes Standard/wheelchair homes  
ADI20R Reason I20
- 24 ACI21 Secured By Design  
ACI21R I21 reason
- 25 The community centre shall not operate before 9am or after 9pm on Monday to Thursday or before 9am and after 11pm on Friday and Saturdays or before 9am and after 6pm on Sundays.
- Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interests of the amenities of the area.
- 26 ACK09 Soil survey - contaminated land

ACK09R K09 reason

- 27 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.

- 28 Prior to the commencement of the development hereby permitted a Community Centre Management Plan to include use of games area shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include details of the users, hours of operation and details of travel arrangements to and from the site. The approved scheme shall be implemented upon the commencement of the use of the development

**Reason:** To secure well managed safe community access to the community centre and the multi use games area, to ensure sufficient benefit to the development of sport and to accord with the UDP Policy C2.

- 29 The communal green space shown on drawing ASK001C shall be permanently available for use in conjunction with the Community centre hereby permitted

**Reason:** To ensure that an area of dedicated outdoor space is available for the users of the centre, to comply with Policies C1 and C2 of the Unitary Development Plan.

- 30 A scheme for protecting the proposed dwellings from the noise associated with the community halls use, which shall include relevant details of the means of construction of the building and of noise limiting measures for uses taking place in the hall shall be submitted to and approved in writing by or on behalf of the local planning authority before development commences and the scheme shall be fully implemented before any of the dwellings are occupied and permanently maintained as such thereafter.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and to ensure a satisfactory standard of residential amenity.

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

In granting permission the Local Planning Authority had regard to the following

policies of the Unitary Development Plan and the London Plan:

G8 Urban Open Space  
C1 Community Facilities  
BE1 Design of New Development  
H2 Affordable Housing  
H7 Housing Density and Design  
T3 Parking  
NE7 Development and Trees

3A.3 Increasing the overall supply of housing  
3D.8 Realising the value of open space and green infrastructure  
4B.1 Design principles for a compact city  
4A.7 Renewable Energy

PPS1 Developing Sustainable Communities  
PPS3 Housing

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 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) the housing policies of the development plan
- (i) sustainability issues
- (j) the green belt and open space policies of the development plan
- (k) the relationship of the development to trees to be retained
- (l) the provision of satisfactory living accommodation for future residents of the flats/houses

and having regard to all other matters raised.

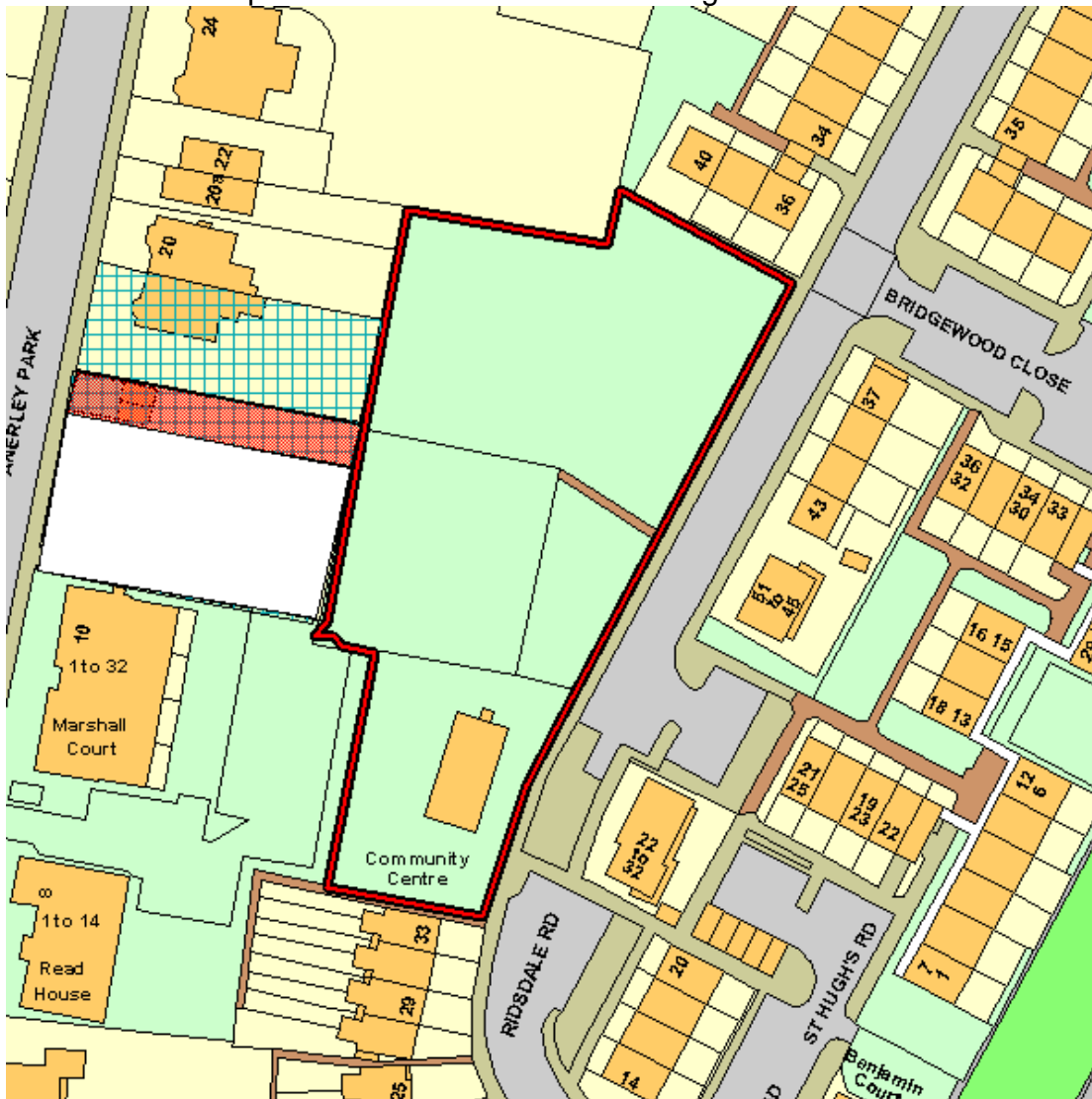
#### INFORMATIVE(S)

1	RDI03	Seek engineering advice
2	RDI10	Consult Land Charges/Street Numbering

Reference: 09/01791/FULL1

Address: Community Centre Castledine Road Penge London

Proposal: Part two/ three storey block comprising 3 bedroom house and 12 two bedroom flats. Three storey block comprising replacement community centre/ 9 two bedroom and 1 three bedroom flats. Single storey building comprising bicycle parking and plant room. 23 car parking spaces. Replacement all weather multi-use games area



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**15. Application No : 09/02167/FULL1 Ward : Copers Cope**

**Address : 1 St. Clare Court Foxgrove Avenue Conservation Area:NO  
Beckenham Kent BR3 5BG**

**OS Grid E: 538002 N: 170184**

**Ref:**

**Applicant : Coolrace Limited (Mr A Shamash) Objections : YES**

**Description of Development:**

Conversion of existing basement storage area into 2 one bedroom flats and installation of new windows to rear and side elevation. Formation of new storage cellar/communal store room/bicycle and bin store (at No.1- 8 St. Clare Court) - AMENDED DESCRIPTION

**Proposal**

- The development proposes the conversion of the existing communal basement / ground floor areas of flats 1- 8 into 2 one bedroom flats. The area is currently used for storage for the existing flats located at No's 1- 8.
- To provide adequate natural light to the new flats new windows are proposed to the side and rear elevations.
- A new storage cellar/communal store room/bicycle and bin store are proposed for the existing flats with a new external door and window to the side elevation.
- Following concerns raised by local residents about the lack of detail contained within the application plans and the loss of the existing storage facility amended plans were submitted to include a new storage area and further information on the proposals.

**Location**

The application site is located at Nos. 1 – 8 St Clare Court and is within the Area of Special Residential Character.

St Clare Court currently consists of three blocks of two storey buildings adjacent to each other which accommodate a total of 10 residential flats.

The land slopes steeply towards the east where a communal garden is provided which is accessed through a steeply sloping shared driveway. This drive also provides access to the existing garages and store rooms located underneath the existing flats. The external doors to these garages are located in the flank walls adjacent to the driveway. There are 2 small external doors and windows located on the side and rear elevations of both existing blocks which provide light and access to the store rooms.

### **Comments from Local Residents**

- the development would harm the character of the area
- the proposal would result in an increase in traffic and parking congestion in the road
- the development would cause loss of privacy and amenity due to increased noise and disturbance and new windows
- access down the slope to the rear is not appropriate for additional flats and would over intensify the site resulting in an overdevelopment
- plans are still somewhat vague – the proposal would result in potential problems for drainage
- there is a lack of proper access in an emergency
- the proposed flats are small and lack suitable natural light and ventilation
- new windows at garden height would result in loss of privacy to residents using the garden area.
- the development is over intensive and result in increased noise and disturbance
- the bin and bike store is of an inadequate size
- the storage area proposed has limited access and the plans are unclear as to whether there is enough room to accommodate the wheelie bins and bicycles
- the development may result in structural damage to the existing building and the garden.
- the recycle bins and refuse bins would have to be carried up a steep slope

### **Comments from Consultees**

With regards to the standard of accommodation from an environmental health perspective the flats proposed are considered acceptable with adequate natural light and ventilation and acceptable means of escape in the event of a fire and no technical objections are therefore raised.

From a planning highways perspective, no technical objections are raised.

### **Planning Considerations**

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



- H1 Housing Supply
- H7 Housing density and Design
- H10 Areas of Special Residential Character
- T3 Parking
- T6 Pedestrians
- T11 New Accesses
- T12 Residential Roads
- T18 Road Safety
- BE1 Design of New Development

## London Plan

- 3A.3 Maximising the Potential of Sites
- 4A.3 Sustainable Design and Construction
- 4A.14 Sustainable drainage
- 4B.1 Design principles for a compact city
- 4B.8 Respect local context and communities

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

## Conclusions

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

The 10 existing flats located within the three blocks were constructed during the 1930's and the basement areas below flats 1 – 8 were originally used for the storage of coal and now form part of a large storage area for residents of these flats. The proposed flats and storage areas are formed by using this volume of storage space underneath both blocks of flats at 1 -8.

The applicant has suggested that these new storage rooms can either be divided up to provide secure storage or maintained as a communal storage area. The majority of the proposed alterations are internal only with the external alterations proposed being the replacement of existing windows on the rear elevation with larger windows to provide adequate means of escape in the event of a fire. A new kitchen window is proposed on each side elevation of both blocks and an external door and window is also proposed to provide access and light to the new storage areas.

The location of these new windows and doors are not considered on balance to result in any significant overlooking or loss of privacy to surrounding properties.

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

The proposed units of accommodation provide reasonably acceptable internal room layouts with adequate room sizes. The proposed minor changes to the elevations are of acceptable design and scale and the site itself accommodates adequately the provision of two new flats with reasonable amenity for future occupiers.

No additional parking has been provided and this is considered on balance to be acceptable as it is in accordance with the standards in the UDP given the sites location and no technical concerns are raised with regard to this.

In terms of the amenity of the local residents, the proposal appears to have a minimal impact on the immediate neighbours, given the general pattern of development in the area.

Accordingly, on balance, the proposal when taking into account the alterations proposed would appear to be acceptable without resulting in unduly harmful detriment to the local residential and visual amenities of the area or, highway safety in general.

Background papers referred to during production of this report comprise all correspondence on file ref. 09/02167, excluding exempt information.

as amended by documents received on 20.11.2009

## **RECOMMENDATION: PERMISSION**

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

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACK01  | Compliance with submitted plan           |

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

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

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

- H1 Housing Supply
- H7 Housing density and Design
- H10 Areas of Special Residential Character
- T3 Parking
- T6 Pedestrians
- T11 New Accesses
- T12 Residential Roads
- T18 Road Safety
- BE1 Design of New Development

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

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

and having regard to all other matters raised.

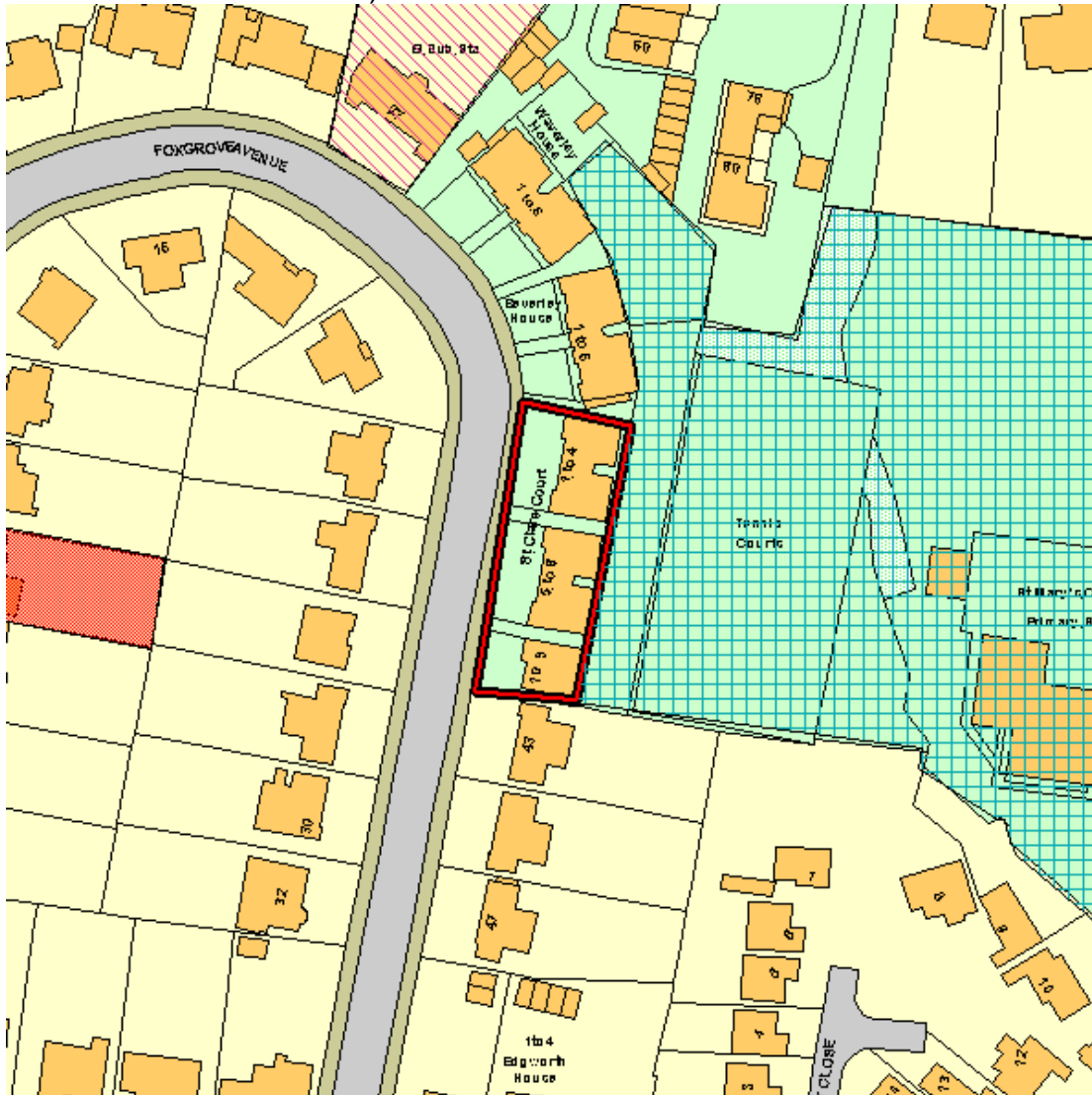
#### INFORMATIVE

- 1 RDI10 Consult Land Charges/Street Numbering

Reference: 09/02167/FULL1

Address: 1 St Clare Court Foxgrove Avenue Beckenham BR3 5BG

Proposal: Conversion of existing basement storage area into 2 one bedroom flats and installation of new windows to rear and side elevation. Formation of new storage cellar/communal store room/bicycle and bin store (at No.1- 8 St. Clare Court) - AMENDED DESCRIPTION



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**16. Application No : 09/02220/FULL1 Ward : Bickley**

**Address : 17 St. Georges Road Bromley BR1 2AU Conservation Area: Bickley Park**

**OS Grid E: 542591 N: 169002**

**Ref:**

**Applicant : Mrs S. Boyle Objections : YES**

**Description of Development:**

Two storey extensions and rear dormer extensions and conversion into 4 one bedroom and 8 two bedroom flats with 18 car parking spaces

**Joint report with application ref. 09/02221**

**Proposal**

Planning permission is sought for:

- a two storey side extension on the eastern elevation facing St Georges Road
- smaller two storey side extension on the western elevation
- rear dormer extensions on the southern elevation
- conversion of the building to 4 one bedroom flats and 8 two bedroom flats
- 18 car parking spaces to the north and west of the building.

In addition a Conservation Area application has also been received for the demolition of the existing single storey garage on the eastern side of the property (09/02221/CAC).

Planning permission was granted, on appeal, for extensions and conversion of the building to 12 flats, together with 12 car parking spaces on 13th February 2007.

The current application is effectively the renewal of this permission for extensions and 12 flats on the site and also addresses condition 7 of the permission that requires details of 18 car parking spaces to be submitted and approved by the local planning authority.

The design of each of the extensions reflects the design of the existing house. The larger extension on the eastern side of the building will replace an existing single storey garage with a two storey extension. A 5m side space to St Georges Road will be provided. The smaller extension on the western elevation allows provision of an internal staircase.

Revised plans show that the applicant owns a larger site than on the plans originally submitted with this application and previously considered at the appeal. Three parking spaces are shown on this additional land, with 15 spaces on the land currently used by the application property for parking.

### **Location**

The application site is located on the northern side of Bickley Road and on the western side of St Georges Road and lies within Bickley Park Conservation Area. The rear of the current building is visible from Bickley Road and vehicular and pedestrian access to the property is via St Georges Road. The property is currently used as a single family dwelling. The northern boundary supports numerous substantial trees that are visible within the surrounding area.

The occupant of Erskine Cottage, 17A St Georges Road has a pedestrian and vehicular right of way over the hardstanding area to the north of the building.

### **Comments from Local Residents**

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

- proposed building is large and out of character in this locality which will lead to increased density, loss of privacy and increased noise and disturbance
- flats are out of character with this area characterised by family houses
- increase in vehicular traffic will add to local parking problems and put pressure on private road; very likely that more than 18 cars will result from development
- there has already been sufficient redevelopment of sites in the area
- adverse impact on Erskine Cottage from additional parking blocking right of way and leading to stress and ill health, feeling of being hemmed in by additional units and associated parking, impact on access for emergency vehicles if cars are not parked to allow access
- loss of local habitats and trees important to neighbours
- need to balance need of housing and pursuit of profit and impact of proposal on locality.

Local residents have been notified of the revised parking layout and any comments received will be reported verbally to the Committee.

## **Comments from Consultees**

From a highways point of view there are no objections to the proposal subject to standard conditions.

The Council's Conservation Advisory Committee comments that the 6 extra parking spaces required by the Inspector need to be fully permeable.

## **Planning Considerations**

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

BE1 Design of New Development  
T3 Parking  
BE11 Conservation Areas  
BE12 Demolition in Conservation Areas  
BE14 Trees in Conservation Areas  
NE7 Development and Trees

In strategic terms the most relevant London Plan policies are:

4B.1 Design principles for a compact city  
4B.8 Respect local context and communities

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

PPS1  
PPS3 Housing

The loss of four trees due to their poor condition is acceptable. The parking layout has been revised to improve the relationship with trees to be retained.

## **Planning History**

The site has been the subject of several previous relevant applications.

Permission was granted for single storey extension, rear dormers and conversion into 6 two bedroom flats with 9 car parking spaces, refuse and cycle storage on 14th April 2005 (ref. 04/04803). This permission expires on 14th April 2010.

Permission was granted, on appeal, for two storey side extension with accommodation in the roof space and conversion of resulting building into 8 two bedroom and 4 one bedroom flats with 12 car parking spaces on 13th February 2007 (ref 06/00250).

## **Conclusions**

The main issues to be considered are the impact of the extensions and car parking on the character and appearance of the Bickley Park Conservation Area.

It is a material consideration to assess this application in the light of the appeal decision granting permission for the extension and conversion of this property to 12 flats in February 2007. It is considered that the acceptability of the extensions to the building has been established in terms of their impact on the character and appearance of the Bickley Park Conservation Area. The existing poorly designed single storey garage extension will be replaced by an extension of improved design that is more sympathetic to the existing building, albeit that the proposed extension is two storeys high. The 5m side space to be retained to St Georges Road is comparable to other properties in the area.

With regard to the provision of affordable housing the site benefits from an extant permission for 6 flats (ref 04/04803). The current application represents a net increase of 6 flats and would not fall within the requirements of Policy H2 of the Bromley UDP, which relates to affordable housing. In addition the Inspector, in determining the previous application, considered that it was inappropriate to require affordable housing for the above reason above and difficulties associated with layout and management of any proposed affordable units.

Turning to the provision of car parking for the development the original parking layout showed 18 car parking spaces in line with the requirements of Condition 7 of the previous permission. However several of these spaces were shown located very close to existing trees on the northern boundary. A tree survey has been submitted which identifies 4 trees for removal due to their poor condition and revised plans show a layout which removes these trees and reduces the number of spaces in this area to 2, none of which would encroach on the root protection area of trees that would be retained.

In conclusion it is considered that the current proposal is acceptable in terms of its impact on the adjacent properties, surrounding area, trees on the site and Bickley Park Conservation Area. The parking layout is also considered acceptable and accommodates the 18 cars required by Condition 7 of the previous permission.

Background papers referred to during the production of this report comprise all correspondence on files refs. 06/00250 and 09/02220, excluding exempt information.

As amended by revised documents dated 4.01.2010.

## **RECOMMENDATION: PERMISSION**

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



- |    |  |  |    |         |      |
|----|--|--|----|---------|------|
| 1  | ACA01  | Commencement of development within 3 yrs |    |         |      |
|    | ACA01R   | A01 Reason 3 years                       |    |         |      |
| 2  | ACA04  | Landscaping Scheme - full app no details |    |         |      |
|    | ACA04R   | Reason A04                               |    |         |      |
| 3  | ACB01  | Trees to be retained during building op. |    |         |      |
|    | ACB01R   | Reason B01                               |    |         |      |
| 4  | ACB10  | Trees - details of protective fencing    |    |         |      |
|    | ACB10R   | Reason B10                               |    |         |      |
| 5  | ACB15  | Trees - details of access/parking        |    |         |      |
|    | ACB15R   | Reason B15                               |    |         |      |
| 6  | ACB16  | Trees - no excavation                    |    |         |      |
|    | ACB16R   | Reason B16                               |    |         |      |
| 7  | ACC01  | Satisfactory materials (ext'nl surfaces) |    |         |      |
|    | ACC01R   | Reason C01                               |    |         |      |
| 8  | ACC03  | Details of windows                       |    |         |      |
|    | ACC03R   | Reason C03                               |    |         |      |
| 9  | Construction details to a scale of 1:10 for the porch and pediment shall ne submitted to and approved in writing by the Local Planning Authority before any part of the development herby permitted is commenced. The approved scheme shall be completed prior to the first occupation of the units and permanently maintained thereafter. |  |    |         |      |
|    | <b>Reason:</b> In order to comply with Policy BE11 of the Unitary development Plan and in the interest of the architectural interest of this building in a conservation area.  |  |    |         |      |
| 10 | ACH01  | Details of access layout (2 insert) 1.0m | St | Georges | Road |
|    | ACH01R   | Reason H01                               |    |         |      |
| 11 | ACH02  | Satisfactory parking - no details submit |    |         |      |
|    | ACH02R   | Reason H02                               |    |         |      |
| 12 | ACH16  | Hardstanding for wash-down facilities    |    |         |      |
|    | ACH16R   | Reason H16                               |    |         |      |
| 13 | ACH18  | Refuse storage - no details submitted    |    |         |      |
|    | ACH18R   | Reason H18                               |    |         |      |
| 14 | ACH22  | Bicycle Parking                          |    |         |      |
|    | ACH22R   | Reason H22                               |    |         |      |
| 15 | ACH23  | Lighting scheme for access/parking       |    |         |      |
|    | ACH23R   | Reason H23                               |    |         |      |
| 16 | ACH26  | Repair to damaged roads                  |    |         |      |
|    | ACH26R   | Reason H26                               |    |         |      |
| 17 | ACH27  | Arrangements for construction period     |    |         |      |
|    | ACH27R   | Reason H27                               |    |         |      |
| 18 | ACH29  | Construction Management Plan             |    |         |      |
|    | ACH29R   | Reason H29                               |    |         |      |
| 19 | ACI21  | Secured By Design                        |    |         |      |
|    | ACI21R   | I21 reason                               |    |         |      |

### **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  
T3 Parking  
BE11 Conservation Areas  
BE12 Demolition in Conservation Areas  
BE14 Trees in Conservation Areas  
NE7 Development and Trees

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 areas
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties, in relation to privacy, light and outlook
- (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) the housing policies of the development plan
- (i) sustainability issues
- (j) the conservation policies of the development plan
- (k) the relationship of the development to trees to be retained
- (l) the preservation or enhancement of the conservation area

and having regard to all other matters raised.

Reference: 09/02220/FULL1

Address: 17 St Georges Road Bickley Bromley BR1 2AU

Proposal: Two storey extensions and rear dormer extensions and conversion into 4 one bedroom and 8 two bedroom flats with 18 car parking spaces



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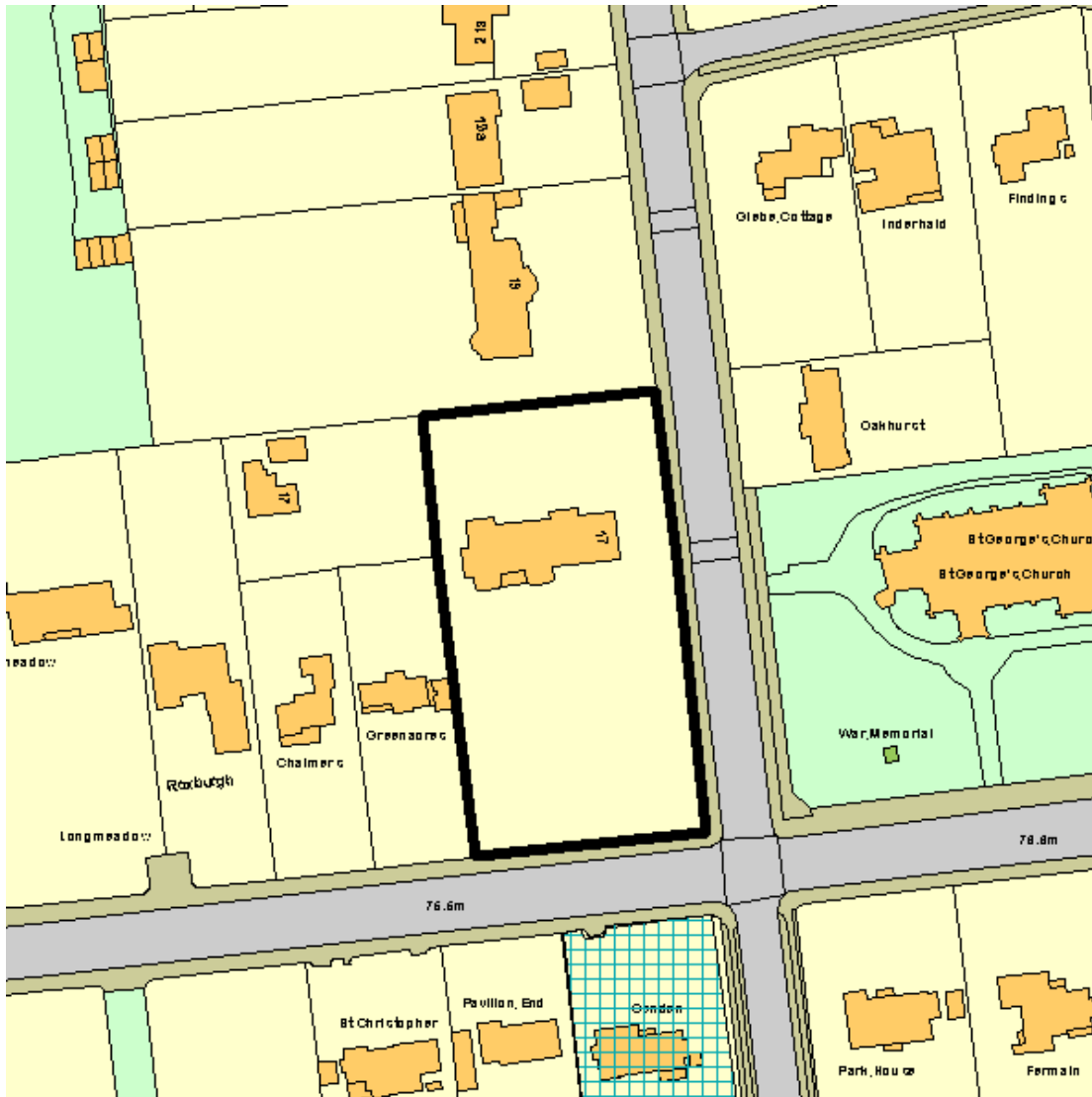


and having regard to all other matters raised, including neighbours concerns.

Reference: 09/02221/CAC

Address: 17 St Georges Road Bickley Bromley BR1 2AU

Proposal: Two storey extensions and rear dormer extensions and conversion into 4 one bedroom and 8 two bedroom flats with 18 car parking spaces  
CONSERVATION AREA CONSENT



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- un-sympathetic and overly dominant to locally listed building
- excessive projection
- will appear bulky
- poor design and contrary to policy

### **Comments from Consultees**

The Advisory Panel for Conservation Areas has commented that the rear projection is excessive and overly dominant in relation to the host building.

### **Planning Considerations**

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

BE1 Design of New Development  
 BE10 Locally Listed Buildings  
 BE11 Conservation Areas  
 H8 Residential Extensions

From a heritage point of view, it is considered that location and design of the proposal is positive as it makes a clear distinction between the existing property and the extension and retains the form and most of the features of the original building.

### **Planning History**

Planning permission was refused for a change of use of the ground floor to a day nursery in 1992 under ref. 92/01347.

Planning permission was refused in 2006 for a new dwelling fronting Wythes Close on two occasions, once under refs. 06/02182 and 06/04047.

### **Conclusions**

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

The application site is a very large building of architectural merit and currently makes a positive contribution to the Bickley Park Conservation Area. The application does not propose to alter the front of the main property, with only the glass roof of the side element being visible from the front. Members may consider that the side element is unlikely to harm the character of the locally listed building and is unlikely to have a detrimental impact on the character and

appearance of the conservation area. Whilst the rear element is large, it is not visible from the front of the property and is considered to have minimal impact on the locally listed building. Most significantly there will be little change visible from the public domain.

The rearward projection of the rear extension is considerable. However, Members may consider that the extension does not appear to be too large for the host dwelling, due to the vast rearward elevation. It is also considered that due to the neighbouring property being set back from the application site and the separation between the properties, the rearward projection is unlikely to harm the visual amenities or the light enjoyed at the neighbouring property to the south of the site. It is also considered that the proposal is unlikely to result in a loss of privacy to the neighbouring property.

The garage is proposed to be extended to the rear by approximately 4m. This element is closer to the flank boundary. However, Members may again consider that due to the location of the neighbouring property and there being no visible windows in the flank elevation of the neighbouring property, that this is unlikely to be unduly harmful in terms of light, privacy and visual amenity.

The neighbouring property to the other side is in excess of 40m away and it is therefore considered that the proposal is unlikely to have a harmful impact. The design of the development appears to respect the character of the existing property and Members may appreciate that the original form of the locally listed building is not unduly altered. There have been suggestions of rotating the proposed conservatory, however, Members may consider that this will result in more harm to the form of the locally listed building, requiring the removal of some attractive original features. It may be necessary to condition the materials used for the development as it is expected that these should be of high quality and in keeping with the original dwelling.

Having had regard to the above, Members may consider that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity nor impact detrimentally on the form and character of the locally listed building or the character of the Bickley Park Conservation Area.

Background papers referred to during production of this report comprise all correspondence on files refs. 92/01347, 06/02182, 06/04047 and 09/02695, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- 1      ACA01      Commencement of development within 3 yrs

	ACA01R	A01 Reason 3 years
2	ACC01	Satisfactory materials (ext'nl surfaces)
	ACC01R	Reason C01
3	ACC03	Details of windows
	ACC03R	Reason C03
4	ACC05	Brickwork patterning
	ACC05R	Reason C05

**Reasons for granting permission:**

In granting permission the local planning authority has regard to the following policies in the Unitary Development Plan:

BE1 Design of New Development  
 BE10 Locally Listed Buildings  
 BE11 Conservation Areas  
 H8 Residential Extensions

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

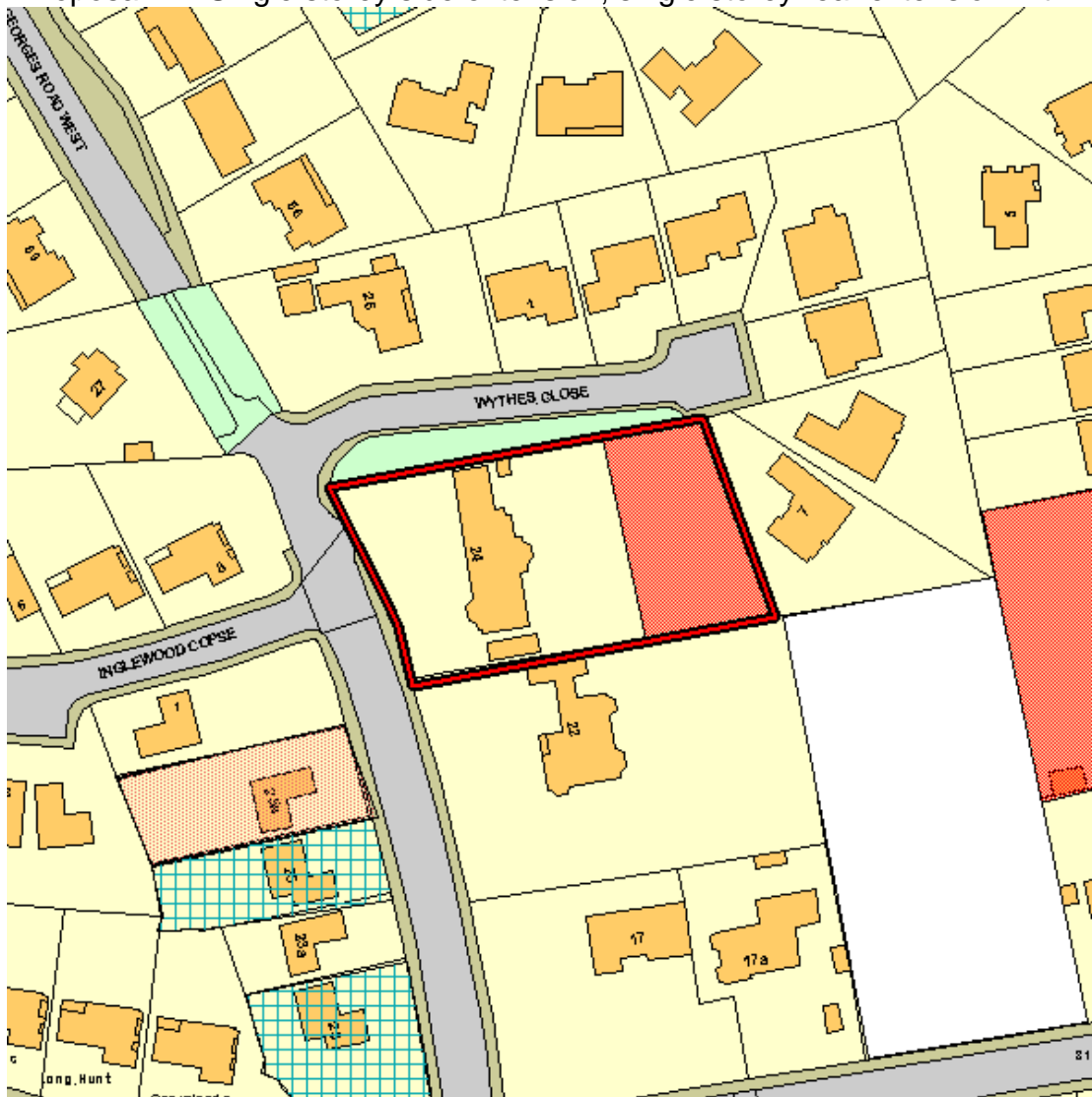
- (a) the appearance of the development in the streetscene
- (b) the relationship of the development to adjacent properties
- (c) the character of the development in the surrounding conservation area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the impact on the form and character of the locally listed building

and having regard to all other matters raised.

Reference: 09/02695/FULL6

Address: 24 St Georges Road Bickley Bromley BR1 2AU

Proposal: Single storey side extension, single storey rear extension with light lantern.



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**19. Application No : 09/02824/FULL1 Ward : Penge And Cator**

**Address : The Market Tavern 201 - 205 Maple Road Conservation Area: Penge London SE20 8HU Penge High Street**

**OS Grid E: 535386 N: 170318**

**Ref:**

**Applicant : Nextia Properties Ltd (Mr S Flavin) Objections : NO**

**Description of Development:**

New shopfront and subdivision into 2 separate units.

**Proposal**

- The application proposes to replace the existing shop front with a new one.
- The proposed shop front will be of a similar design to that currently existing and will be constructed of similar materials.
- The internal arrangements of the existing building would be adapted to allow the upper residential flats to be accessed through their own entrance. The new entrance to the flats would be located in the middle of the shop front effectively splitting the frontage of the property into a third and one third.
- All new windows would be timber framed and fitted with toughened glass. Provision for the later installation of a 'lattice style' roller shutter behind a new fascia has been made.

**Location**

The application site is located towards the northern end of Maple Road close to the junction with the High Street.

The application property is a vacant two storey mid terraced building constructed during the original development of Penge.

The pub frontage does not appear to be original and dates from around the 1920's. The upper parts of the pub are currently empty residential flats and the building appears to have been vacant for some time.

### **Comments from Local Residents**

No letters of objection were received from local residents.

### **Comments from Consultees**

With regards to heritage and urban design considerations, the pub frontage is not original but is of some merit. However the replacement frontage is well designed and is of a much higher standard than the surrounding units. The building has been vacant for some time and this application ensures that the site is tidied up without harming the character and appearance of the conservation area.

The conservation Advisory Panel raised objections to the proposal stating that the design of the ground floor elevation would be incoherent and visually discordant in this area. The design could be improved to better reflect the proportions of the host building and terrace. A more simple approach would be better suited here.

### **Planning Considerations**

The application falls to be determined in accordance with S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that conservation area. The proposal therefore falls to be considered primarily with regard to the following policies:

- BE1 General Design
- BE11 Conservation Areas
- BE19 Shopfronts

### **Conclusions**

The principle planning issues in this case relate to the impact of the proposals on the character and appearance of the conservation area and the street scene in general.

The proposed shopfront is of an appropriate design and is considered to be in keeping with the scale, form and character of the existing buildings and is in scale with the street scene and surroundings.



The proposal helps to maintain the vitality and viability of this parade of shops and improves the appearance of this terrace by tidying up the frontage of the premises which has been vacant and in a poor condition for some time.

Policy BE19 states that shopfronts should relate well to their context whether it is the host building, parade or wider street scene in general. It also stipulates that they should respect the character of the existing building and maintain any original features. In this case, the proposed shopfront is considered to be of a reasonable design and fits into the street scene and surroundings. The character and appearance of the parade is maintained and access for those with mobility impairments is provided. The proposals therefore considered compliant to Policy BE19.

The conversion from a public house into a retail unit has not yet taken place; however under current government legislation this can be carried out as permitted development and does not require the benefit of a formal planning application.

Accordingly, on balance, the proposal when taking into account the shopfront proposed would appear to be acceptable without resulting in unduly harmful detriment to the local residential and visual amenities of the area or the street scene in general.

Background papers referred to during production of this report comprise all correspondence on file ref. 09/02824, excluding exempt information.

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

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

**Reasons for granting permission:**

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

- BE1 Design of New Development
- BE11 Conservation Areas
- BE19 Shopfronts

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

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

- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the privacy of occupiers of adjacent and nearby properties
- (g) the safety of pedestrians and motorists on the adjacent highway
- (h) accessibility to buildings
- (i) the urban design policies of the development plan

and having regard to all other matters raised.

Reference: 09/02824/FULL1

Address: The Market Tavern 201 - 205 Maple Road Penge London SE20 8HU

Proposal: New shopfront and subdivision into 2 separate units.



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The height of the single storey rear extension creates an unacceptable overbearing impact on the adjacent properties. The proposal results in the loss of light and creates a feeling of enclosure. The relative ground levels are not indicated clearly on the application.

### **Planning Considerations**

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

BE1 General Design  
H8 Residential Extensions  
H9 Side Space

### **Planning History**

Under planning application ref. 07/04461, permission was granted for a two storey rear extension with rear roof dormers to form accommodation in roof and single storey rear extension.

Under planning application ref. 08/01837, permission was granted for Part one/two storey rear extension with rear roof dormers to form accommodation in roof.

Under planning application ref.08/03845, permission was granted for Part one/two storey rear extension with rear roof dormers to form accommodation in roof (Amendment to scheme permitted under ref. 08/01837 to include double doors and obscured safety balustrade to revised rear dormer)

### **Conclusions**

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

Policies H8 and H9 draws attention to the need to respect the character, appearance and spatial standards of the surrounding area. The area around the site is predominantly residential and the buildings in the area are of a variety of styles and scale.

The principle of the extensions has already been agreed by the previous permission and the current scheme involves the increase in the height of the single storey element of the proposal from 2300mm to 2750mm, an increase of 4500mm. This increase in height has been requested as the current internal ceiling height of the single storey extension is some 500mm lower than any of the

existing rooms in the house. The proposal also involves a new high level obscure glazed window to be positioned in the western flank of the original house.

It is considered that the proposed changes to the extension permitted would not on balance impact significantly on the amenities of neighbouring residents due to the distance from the boundary, the orientation of the site and existing boundary screening and vegetation. The extensions are of the same footprint as that previously approved.

The changes in height to this approved scheme do not result in any further decrease in the side space maintained between the flank elevation and adjacent boundaries as the overall footprint at ground floor level is to remain as approved.

Members will therefore need to consider whether the increase in the height of this previously approved extension results in any significant harm to the amenities of neighbouring residents and the character and appearance of the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 07/04461, 08/01837 and 08/03845, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

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

- 1      ACA01      Commencement of development within 3 yrs  
          ACA01R      A01 Reason 3 years
- 2      ACA04      Landscaping Scheme - full app no details  
          ACA04R      Reason A04
- 3      Before the development hereby permitted is first occupied, the proposed window(s) ; to the rear dormer and safety screen shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

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

- 4      The proposed safety balustrade screen shall be obscure glazed to the satisfaction of the Chief Planner and maintained as such thereafter.

**Reason:** In order to protect the privacy and amenity of the adjacent dwelling and to accord with Policies H8 and 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

H9 Side Space

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

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

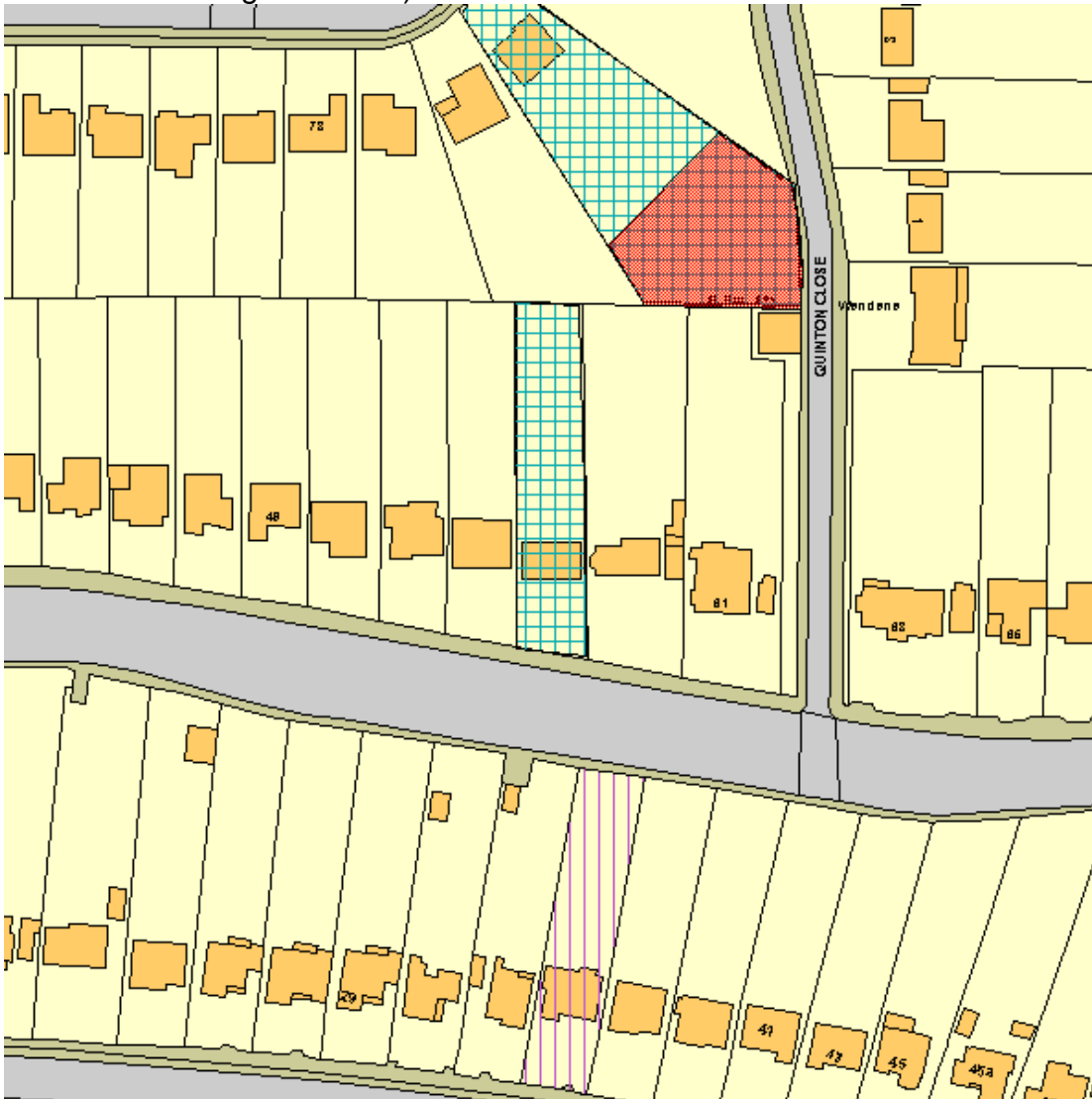
and having regard to all other matters raised.



Reference: 09/02879/FULL6

Address: 57 Hayes Lane Beckenham BR3 6RE

Proposal: Part one/two storey rear extension with rear dormers to form accommodation in roof (Amendment to scheme permitted under ref.08/01837 to increase the height of the single storey rear extension to 2750mm and to install obscure glazed window on the western flank of the original house)



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**21. Application No : 09/02956/DET Ward : Kelsey And Eden Park**

**Address : 14 Kemerton Road Beckenham BR3 6NJ Conservation Area:NO**

**OS Grid E: 538064 N: 169086**

**Ref:**

**Applicant : S Steventon \_ Co Ltd Objections : YES**

**Description of Development:**

Details of landscaping and appearance pursuant to outline permission ref 09/01141/OUT granted for three storey block with accommodation in roof comprising 12 two bedroom and 2 three bedroom flats and including basement for 16 car parking spaces/ bicycle parking

**Proposal**

- Approval of details of landscaping and appearance is sought following grant of outline permission (including details of access, layout and scale) in September 2009 for a three storey block with accommodation in the roofspace comprising 14 flats with basement car parking (ref. 09/01141)
- Scheme is broadly as per indicative plans submitted at outline stage with amendments including addition of small balconies to front elevation and larger balconies to the rear elevation
- Building will feature bays and balconies and facing materials will include brickwork and render.

**Location**

The appeal site is located on the southern side of Kemerton Road, Beckenham, which is a residential cul-de-sac linking to Wickham Road. The site is irregular in shape with a frontage to Kemerton Road and is currently vacant, although it was previously occupied by a pair of substantial semi-detached houses with large rear gardens.

**Comments from Local Residents**

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

- increased traffic and congestion
  - increased demand for on-street car parking
  - access to site is narrow and will cause difficulties for emergency and refuse vehicles
  - basement car parking unlikely to be used
  - already many flats in the area
  - out of character
  - excessive height
  - lift motor room and other structures increase height of building further
  - safety barrier on roof will be visually obtrusive
  - landscaping will not address dominance of building
  - construction traffic will be hazardous
  - noise and light pollution
  - overlooking
  - loss of light, privacy and outlook at No. 10 Kemerton Road
  - noise and vibration from ramp will affect No. 10 Kemerton Road
  - balconies will set a precedent for larger balconies
  - rhododendron bushes will require much watering to survive
  - decreased security at Oakhill Road properties
  - bin store will be visible from No. 12 Oakhill Road
  - bin store will result in increased noise and risk of rat infestation
- rear balconies are excessive.

## **Planning Considerations**

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

UDP

H7 Housing Density and Design  
BE1 Design of New Development.

London Plan

3A.6 Quality of new housing provision  
3D.13 Children and young people's play and informal recreation strategies  
4A.3 Sustainable design and construction  
4B.1 Design principles for a compact city  
4B.8 Respect local context and communities.

## **Conclusions**

The outline permission has established that the layout, scale and means of access for the scheme are acceptable. The main issues to be considered in this case are the impact of the appearance of the proposed building and the landscaping scheme on the character and residential amenities of the area. The proposed block will be quite large, however the bays and balconies and the architectural detailing should serve to break up the elevations and detract from an impression of bulk. The proposed scheme includes 2 large balconies on the top floor rear elevation and it may be considered that the orientation of the balconies and their location in relation to neighbouring properties is such that there will be no undue harm in terms of overlooking. The landscaping scheme is considered acceptable.

It may be considered that the proposal will not result in undue harm to the appearance of the area or the amenities of neighbouring properties.

### **RECOMMENDATION: APPROVAL**

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

#### **Reasons for granting approval:**

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

H7 Housing Density and Design  
BE1 Design of New Development.

#### London Plan

3A.6 Quality of new housing provision  
3D.13 Children and young people's play and informal recreation strategies  
4A.3 Sustainable design and construction  
4B.1 Design principles for a compact city  
4B.8 Respect local context and communities

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

- (a) the character of the development in the surrounding area
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties
- (c) the design policies of the development plan
- (d) the sustainable development policies of the Development Plan

and having regard to all other matters raised.

Reference: 09/02956/DET

Address: 12 Kemerton Road Beckenham BR3 6NJ

Proposal: Details of landscaping and appearance pursuant to outline permission ref 09/01141/OUT granted for three storey block with accommodation in roof comprising 12 two bedroom and 2 three bedroom flats and including basement for 16 car parking spaces/ bicycle parking



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**22. Application No : 09/02968/FULL1 Ward : Copers Cope**

**Address : 36A Albemarle Road Beckenham BR3 Conservation Area:NO  
5HN**

**OS Grid E: 538092 N: 169652**

**Ref:**

**Applicant : McCullochs**

**Objections : YES**

### **Description of Development:**

Demolition of existing dwelling and erection of three storey block comprising of 6 one bedroom flats with communal room and ancillary managers office with 6 car parking spaces and new vehicular access onto Westgate Road plus associated bin and cycle store.

### **Proposal**

- The current application proposes the demolition of the existing two storey detached dwelling and the construction of a three storey block comprising of 6 one bedroom flats, care managers facility, communal lounge, 6 car parking spaces and new vehicular access onto Westgate Road with associated bin and cycle store.
- Unlike the previously permitted scheme, the existing access driveway fronting Albermale Road is to be stopped up with the front of the site now being landscaped instead of providing additional parking. The existing TPO Pine Tree to the rear of the site is to be retained.
- The site area is around 0.0838 hectares and the proposed density is around 71.6 dwellings per hectare.

### **Location**

- The application site is situated on the southern side of Albemarle Road, at the junction with Westgate Road. The existing property is a two storey detached house with an integral garage and off-street parking to the front, currently accessed from Albemarle Road. The area is characterised by a mix of houses and flatted development.

- The site is currently occupied by a single detached house. The site immediately to the east is also a two storey house. To the west is Woodlands, a three storey block comprising three town houses. Opposite the site at No. 61 is a three storey block comprising of 14 flats.

### **Comments from Local Residents**

Letters of objection have been received from local residents in response to public consultation. The concerns raised are as follows:

- increase in traffic
- loss of light around proposed building and to Ashbourne Court
- parking capacity may be compromised- increased on-street parking
- increased noise issues
- building is not sympathetic to local setting and concerns raised about the appearance of the building and its actual purpose
- the type of residents to be housed in this particular facility will need supervision and it is unclear as to how much is required and whether this building on this busy junction is a suitable location for such residents
- the site is at a very busy and dangerous crossroads and if this development is to house people with restricted mobility the question has to be asked as to whether it is a safe and appropriate location for such a use at a busy junction for vehicular traffic
- the prospective residents will need supervision and assisted transport which will result in increased traffic and congestion
- no risk assessment as to the suitability of the site for such a use appears to have been carried out therefore an assessment in terms of the impact on parking and traffic congestion cannot be carried out accurately as it is unclear as to the level of care and supervision the residents will need
- proposed building up close to highway – will dominate its surroundings
- other developments on the corners of the crossway are set back
- rear entrance and servicing to building gives design characteristics of back land development
- rear parking and bin store- disturbance to adjoining residents
- trees must be safeguarded
- development will breach existing Westgate Road building line
- greater strain on sewers
- noise and disturbance from footpath alongside No.36b
- overlooking from proposed kitchen windows into No.36b- although obscure could change to clear glass and result in loss of privacy
- reduction in security to No.36b
- overdevelopment
- detrimental impact on highway safety
- the Inspectors conclusions on the previous appeal are not supportive of current policies.



## **Comments from Consultees**

From a drainage perspective, the site is located within an area where surface water discharge should be controlled and as such a condition should be imposed on any approval to ensure restrictions on surface water discharge.

In terms of refuse storage and collection, no objections are raised.

Thames Water raises no objections in terms of drainage and sewerage infrastructure.

With regards to the standard of accommodation no technical objections are raised from Environmental Health. However an informative is suggested on any approval to ensure compliance if contaminated land is found.

With regards to the removal of the street tree on Westgate Road, no objections are raised and in terms of the proposed trees and landscaping no technical objections are raised subject to condition to ensure the protection and retention of existing trees.

In terms of highways issues, the layout for this proposal is similar to that proposed in the previous application. With this in mind no objections are raised subject to conditions to ensure satisfactory parking, layout and vehicle access is provided.

## **Planning Considerations**

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

- H1 Housing Supply
- H4 Supported Housing
- H7 Housing density and Design
- T3 Parking
- T6 Pedestrians
- T11 New Accesses
- T12 Residential Roads
- T18 Road Safety
- BE1 Design of New Development
- NE7 Development and Trees

London Plan

- 3A.3 Maximising the Potential of Sites
- 4A.3 Sustainable Design and Construction
- 4A.14 Sustainable drainage
- 4B.1 Design principles for a compact city

#### 4B.8 Respect local context and communities

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

Policy H1 (v) seeks to make most effective use of land in accordance with the density/location matrix in Table 4.2. Policy H7 aims to ensure that new residential development respects the existing built and natural environment, is of appropriate density and respects the spatial standards of the area as well as amenities adjacent occupiers, and allows adequate light penetration into and between buildings.

Regarding the proposed density and amount of development proposed (Policy H7-Housing Density and Design) the proposal appears to be a suburban area (Table 4.2 of the UDP- density/location matrix). The density equates to approximately 71units/hectare which is considered appropriate for this location.

#### **Planning History**

Under planning application ref. 08/03756, permission was refused and dismissed at appeal for the demolition of the existing dwelling and erection of a three storey block comprising of 8 one bedroom flats with 8 car parking spaces and new vehicular access onto Westgate Road plus associated bin and cycle store. The Inspector concluded in his opinion that there was no reason why this site could not be developed into 8 flats and raised no objections to the footprint, design or number of flats but did not allow the appeal due to the loss of the protected Pine Tree.

Under planning application ref. 09/01707, permission was granted for the demolition of existing dwelling and erection of three storey block comprising of 8 one bedroom flats with 8 car parking spaces and new vehicular access onto Westgate Road plus associated bin and cycle store

#### **Conclusions**

The main issues in this case are whether the current amendments to the approved development proposals would result in an overdevelopment of the site, whether they would adequately protect the amenities of adjacent residents in terms of, increased noise and disturbance associated with the use of the building, light, privacy and outlook, and whether the proposal would be in keeping with the character and appearance of the area and street scene in general and whether the development would result in increased on street parking detrimental to highway safety.

The principle of a redevelopment on this site has already been considered by an Appeal Inspector as appropriate and Members may recall that following the Inspector's decision a resubmitted application was considered at Committee and approved in light of the appeal decision. The current application is a variation of the previously approved application which essentially involves internal alterations to the block to accommodate six wheelchair user flats with a care manager's facility and a communal lounge. The overall size of the building, the footprint and the external appearance remain essentially in accordance with the previously approved scheme.

The proposed appearance and scale of the building is that of a 3 storey structure which the Inspector concluded could be accommodated satisfactorily within the street scene. The Inspector made reference at paragraphs 3 and 4 of the appeal decision to other blocks of flats within the street scene. The Inspector concluded within these paragraphs that 'three of the corner sites of the crossroads of Albermale Road with Westgate Road are already occupied by blocks of flats, and I see no reason in principle why the fourth corner, the appeal site, should not be similarly developed at the proposed density' The Inspector also concluded that an additional block of flats would 'accord better with the character of the road as a whole than the existing building of a smaller domestic scale'. The design of the scheme was considered as an 'appealing solution which would not overwhelm the remaining single family house close by.'

The Inspector concluded within their decision that whilst the proposed building was acceptable it would be 'unreasonable to allow an appeal which would result in the removal of the protected tree.' Whilst the development will inevitably result in some additional impact on neighbours, it is considered that in light of the Appeal Inspectors comments concerning the previous scheme for the same amount of development, and in light of the trees retention and the recently approved application at committee, a refusal of planning permission would be difficult to justify.

Policies H7 and BE1 draws attention to the need to respect the character, appearance and spatial standards of the surrounding area. The area around the site is predominantly residential and the buildings in the area are of a variety of styles and scale.

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

Members will therefore need to consider whether the internal re - arrangements and new use of the approved building is appropriate in this case and does not result in a significant increase in noise and disturbance or traffic congestion within the locality.

It is clear that there will be some impact on nearby properties and existing spatial standards as a result of this proposal; however, a judgement needs to be made about whether the internal changes to the building and the prospective occupiers of the development would be unduly harmful in the light of the Inspectors comments previously and the recent permission. Accordingly Members will need to consider, taking into account local objections and the recent planning permission, whether this proposal is satisfactory.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03756, 09/01707 and 09/02968, excluding exempt information.

**RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

- 1     ACA01        Commencement of development within 3 yrs  
ACA01R        A01 Reason 3 years
  - 2     ACA04        Landscaping Scheme - full app no details  
ACA04R        Reason A04
  - 3     ACA07        Boundary enclosure - no detail submitted  
ACA07R        Reason A07
  - 4     ACB01        Trees to be retained during building op.  
ACB01R        Reason B01
  - 5     ACB02        Trees - protective fencing  
ACB02R        Reason B02
  - 6     ACB03        Trees - no bonfires  
ACB03R        Reason B03
  - 7     ACB04        Trees - no trenches, pipelines or drains  
ACB04R        Reason B04
  - 8     The development shall not commence unless and until details have been provided and agreed in writing of the replacement tree indicated as Tree T20. The cost of this tree and associated works shall be at the expense of the beneficiary of the permission hereby approved with the works being undertaken by the Local Authority's Street Services Division.
- Reason:** In order to comply with Policies NE7 and NE8 of the Unitary Development Plan and in the interests of the visual amenities of the area.
- 9     ACB16        Trees - no excavation  
ACB16R        Reason B16
  - 10    ACB19        Trees - App'ment of Arboricultural Super  
ACB19R        Reason B19
  - 11    ACC01        Satisfactory materials (ext'n'l surfaces)  
ACC01R        Reason C01
  - 12    ACC03        Details of windows  
ACC03R        Reason C03
  - 13    ACD02        Surface water drainage - no det. submitt

- |    |  |  |
|----|--|--|
|    | ADD02R   | Reason D02   |
| 14 | ACH08  | Details of turning area  |
|    | ACH08R   | Reason H08   |
| 15 | ACH22  | Bicycle Parking  |
|    | ACH22R   | Reason H22   |
| 16 | ACH24  | Stopping up of access  |
|    | ACH24R   | Reason H24   |
| 17 | ACH27  | Arrangements for construction period                           |
|    | ACH27R   | Reason H27   |
| 18 | ACH29  | Construction Management Plan                                   |
|    | ACH29R   | Reason H29   |
| 19 | ACH32  | Highway Drainage   |
|    | ADH32R   | Reason H32   |
| 20 | Details of the vehicular access arrangements shall be submitted to and approved in writing by or on behalf of the Local Planning Authority (LPA) prior to commencement of the works and the access shall be completed before the first occupation of the development hereby permitted. |  |
|    | <b>Reason:</b> In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.  |  |
| 21 | ACI17  | No additional windows (2 inserts) eastern and western building |
|    | <b>Reason:</b> In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interests of the amenities of the adjacent properties.   |  |
| 22 | ACI21  | Secured By Design  |
|    | ACI21R   | I21 reason   |
| 23 | ACK05  | Slab levels - no details submitted                             |
|    | ACK05R   | K05 reason   |

### Reasons for granting permission

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

- BE1 Design of New Development
- H1 Housing Supply
- H4 Supported Housing
- H7 Housing density and Design
- H9 Side Space
- NE7 Development and Trees
- T3 Parking
- T18 Road Safety

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

- (a) the appearance of the development in the street scene

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

and having regard to all other matters raised.

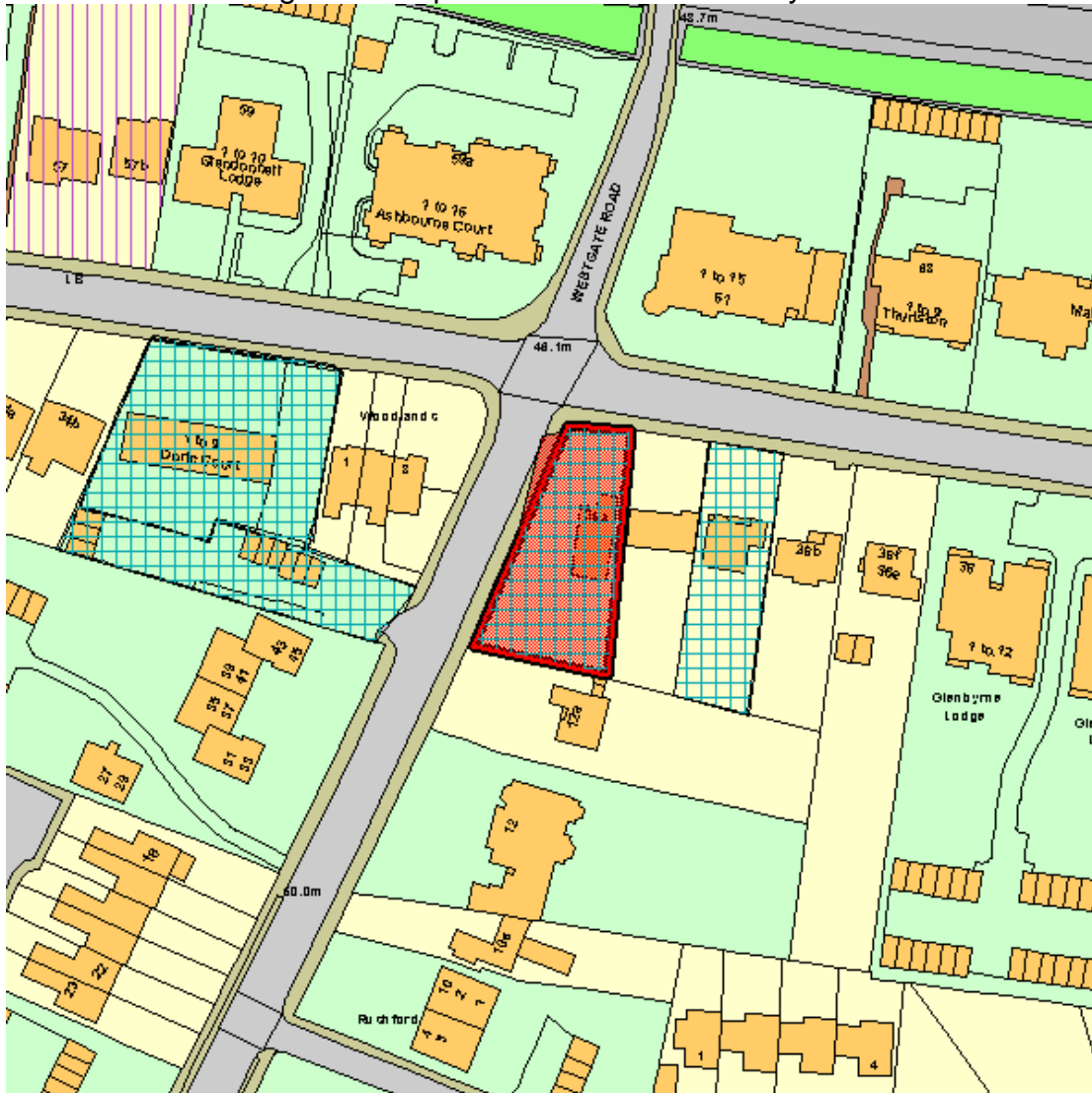
### INFORMATIVE(S)

- 1 RDI10 Contact Land Charges/Street Numbering
- 2 RDI16 Contact highways, re. crossover
- 3 If during works on site contamination is discovered, Environmental Health should be contacted immediately to discuss the actions necessary.
- 4 Before the use commences, the applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.
- 5 Before the development commences the applicant is advised that Tree T20 indicated on the submitted plan for removal needs to be replaced by another tree chosen by the London Borough Of Bromley with a new tree pit to be constructed by Street Services.
- 6 The applicant is advised that when work commences on removal of the street tree and the new crossover, Street Services must be informed in advance to ensure the tree can be taken out safely and a decision made regarding who will be constructing the new crossover. If the applicant's contractors are undertaking the work then a bond of £1000 will be required plus insurance cover of £10,000 000

Reference: 09/02968/FULL1

Address: 36A Albemarle Road Beckenham BR3 5HN

Proposal: Demolition of existing dwelling and erection of three storey block comprising of 6 one bedroom flats with communal room and ancillary managers office with 6 car parking spaces and new vehicular access onto Westgate Road plus associated bin and cycle store.



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**23. Application No : 09/03468/FULL6 Ward : Petts Wood And Knoll**

**Address : 41 Towncourt Crescent Petts Wood Conservation Area:NO  
Orpington BR5 1PH**

**OS Grid E: 544533 N: 168073**

**Ref:**

**Applicant : Mr P Greenan Objections : YES**

**Description of Development:**

Part one/two storey front/side/rear extension and roof alterations.

**Proposal**

- It is proposed to add a part one/two storey front/side/rear extension on the north-eastern side of this property, along with a first floor rear extension over the existing lounge/kitchen
- Roof accommodation would also be provided with the addition of rooflights, but no dormer extension, and the existing roofline would be altered
- The part of the side extension forming the garage would extend up to the north-eastern side boundary at ground floor level, but would be set back approximately 1m at first floor level, whilst to the rear of the garage, the whole extension would be set back a minimum 1m
- The first floor rear extension would have a depth of 3.8m, but no flank windows are proposed.

**Location**

This detached property is located on the north-western side of Towncourt Crescent within Petts Wood Area of Special Residential Character.

The surrounding area is characterised by a mixture of detached and semi-detached dwellings set within generous plots.

**Comments from Local Residents**

No comments have been received to date, but Members will be updated at the meeting.

## **Planning Considerations**

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

- BE1 Design of New Development
- H8 Residential Extensions
- H9 Side Space
- H10 Areas of Special Residential Character

## **Planning History**

Permission was refused in July 2009 (ref. 09/01354) and October 2009 (ref. 09/02267) for two identical schemes which are similar to the proposals currently under consideration. The reasons for refusal were the same for both applications:

The proposed part one/two storey side extension would, by reason of its size, height and close proximity to the side boundary with No.43, result in a cramped form of development which would be out of character with the Petts Wood Area of Special Residential Character, and thereby contrary to Policies BE1, H8, H9 and H10 of the Unitary Development Plan.

A subsequent appeal against the earlier application (ref. 09/01354) was dismissed in November 2009.

## **Conclusions**

The main issues relating to the application are the effect that the current revised scheme would have on the character of the Area of Special Residential Character and on the amenities of the occupants of surrounding residential properties.

Policy H9 normally requires a minimum 1m side space to be provided to the side boundary for the full height of a two storey extension, however, the ground floor garage would extend virtually up to the side boundary and would, therefore, contravene this policy, hence the previous refusals under refs.09/01354 and 09/02267.

However, the appeal against the first refusal, which, although dismissed, nevertheless found the scheme on the whole to be acceptable. The Inspector considered that the side extension would accord with the spirit of UDP Policy H9, as the two storey element would be set back a minimum 1m from the side boundary, and would be very similar to other developments within the vicinity, which he considered did not detract from the prevailing character and

appearance of the area. In this regard, the Inspector took into account two very similar developments permitted at Nos.37 and 39 (refs. 03/03721 and 80/01443 respectively), neither of which complied with the side space policy, although it should be noted that the latter was granted prior to the designation of the ASRC.

However, the Inspector's primary concern related to the main roof design, and in particular, the provision of a flat area which he considered to be "incongruous and inharmonious" and not typically found within the area. He therefore concluded that "due to the inappropriate design of the roof, the proposal would appear as a cramped form of development which would represent an overdevelopment of the appeal property".

The current scheme has, therefore, sought to address this issue by changing the roofline so that it reaches the apex without incorporating a flat roof area, while not increasing the overall height of the roof. This would reduce the bulky and incongruous appearance of the roof, and the proposals are not now considered to result in a cramped form of development, but would sit comfortably within the street scene, and within the wider Area of Special Residential Character.

The Inspector previously considered that the proposals would not have a detrimental impact on the amenities of either neighbouring property, and the current scheme is identical in this respect.

It is therefore considered that the revised scheme has satisfactorily overcome the previous Inspector's concerns, given the developments in the immediate vicinity. However, the general policy approach to side extensions in the ASRC remains that set out in Policies H9 and H10.

Background papers referred to during production of this report comprise all correspondence on files refs. 80/01443, 89/01813, 03/03721, 09/01354, 09/02267 and 09/03468, 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 | ACI17  | No additional windows (2 inserts)        | first | floor | flank |
|   |        | extensions                               |       |       |       |
|   | ACI17R | I17 reason (1 insert)                    | BE1   |       |       |

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

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

- BE1 Design of New Development
- H8 Residential Extensions
- H9 Side Space
- H10 Areas of Special Residential Character

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

- (a) the visual impact on the street scene
- (b) the impact on Petts Wood Area of Special Residential Character
- (c) the impact on the amenities of the occupiers of nearby residential properties

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

Reference: 09/03468/FULL6  
Address: 41 Towncourt Crescent Petts Wood Orpington BR5 1PH  
Proposal: Part one/two storey front/side/rear extension and roof alterations.



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SECTION 4 – Applications recommended for REFUSAL or DISAPPROVAL OF  
DETAILS

NO APPLICATIONS