



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333 CONTACT: Lisa Thornley  
*lisa.thornley@bromley.gov.uk*

THE LONDON BOROUGH DIRECT LINE: 020 8461 7566  
www.bromley.gov.uk FAX: 020 8290 0608 DATE: 9 February 2010

To: Members of the  
**PLANS SUB-COMMITTEE NO. 4**

Councillor Gordon Jenkins (Chairman)  
Councillor Alexa Michael (Vice-Chairman)  
Councillors Gordon Norrie, Karen Roberts, Martin Curry, Peter Dean, Robert Evans,  
Simon Fawthrop and Jennifer Hillier

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on  
**THURSDAY 18 FEBRUARY 2010 AT 7.00 PM**

MARK BOWEN  
Director of Legal, Democratic and Customer  
Services

Members of the public can speak at Plans Sub-Committee meetings on planning reports, contravention reports or tree preservation orders. To do so, you must have

- already written to the Council expressing your view on the particular matter, and
- indicated your wish to speak by contacting the Democratic Services team by no later than 10.00am on the working day before the date of the meeting.

These public contributions will be at the discretion of the Chairman. They will normally be limited to two speakers per proposal (one for and one against), each with three minutes to put their view across.

**To register to speak please telephone Democratic Services on 020 8313 4745**

-----  
**If you have further enquiries or need further information on the content of any of the applications being considered at this meeting, please contact our Planning Division on 020 8313 4956**

-----  
**Information on the outline decisions taken will usually be available on our website (see below) within a day of the meeting.**

*Copies of the documents referred to below can be obtained from*  
[www.bromley.gov.uk/meetings](http://www.bromley.gov.uk/meetings)

## A G E N D A

- 1 APOLOGIES FOR ABSENCE**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 17 DECEMBER 2009**  
(Pages 5 - 16)
- 4 PLANNING APPLICATIONS**

### SECTION 1 (Applications submitted by the London Borough of Bromley)

Report No.	Ward	Page Ref.	Application Number and Address
	No Reports		

### SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page Ref.	Application Number and Address
4.1	Chelsfield and Pratts Bottom	17 - 24	(09/02078/FULL1) Cannock House Day Nursery, Hawstead Lane, Orpington
4.2	Penge and Cator	25 - 30	(09/03152/FULL1) 6 Padua Road, Penge, London SE20
4.3	Chelsfield and Pratts Bottom	31 - 36	(09/03167/FULL1) Land rear of 104-108 Windsor Drive, Daleside Close, Orpington
4.4	Bromley Common and Keston	37 - 42	(09/03260/FULL6) Turpington Farm House, 146 Southborough Lane, Bromley
4.5	Bromley Town	43 - 48	(09/03314/DET) Garrard House, 2-6 Homesdale Road, Bromley
4.6	Darwin	49 - 52	(09/03367/FULL6) Hope Cottage, Grays Road, Westerham
4.7	Chelsfield and Pratts Bottom	53 - 56	(09/03440/FULL6) 25 Warren Road, Orpington
4.8	Bromley Town	57 - 62	(09/03467/EXTEND) 37 London Road, Bromley

4.9	Farnborough and Crofton	63 - 68	(09/03496/EXTEND) 2 Pondfield Road, Orpington
-----	-------------------------	---------	---

### SECTION 3 (Applications recommended for permission, approval or consent)

Report No.	Ward	Page Ref.	Application Number and Address
4.10	Bromley Town	69 - 74	(09/03107/FULL2) Unit 5, Archers Court, 48 Masons Hill, Bromley
4.11	West Wickham	75 - 82	(10/00027/FULL1) 65 Grosvenor Road, West Wickham

### SECTION 4 (Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page Ref.	Application Number and Address
	No Reports		

## 9 CONTRAVENTIONS AND OTHER ISSUES

Report No.	Ward	Page Ref.	Application Number and Address
9.1	Bickley	83 - 84	(DRR/10/00020) 13 Woodlands Road, Bromley
9.2	Crystal Palace	85 - 88	(DRR/10/00021) 39 Selby Road, London SE20
9.3	Bromley Town	89 - 92	(DRR/10/00022) The Ravensbourne School, Hayes Lane, Hayes, Bromley
9.4	Darwin	93 - 94	(DRR/10/00023) Meadowcroft, Berrys Green Road, Cudham

## 10 TREE PRESERVATION ORDERS

Report No.	Ward	Page Ref.	Application Number and Address
10.1	Shortlands	95 - 96	Objections to Tree Preservation Order 2341 at 42 Durham Avenue, Bromley.

10.2	Farnborough and Crofton	97 - 98	Objections to Tree Preservation Order 2346 at 14 Tubbenden Lane, Orpington.
------	-------------------------	---------	---

**11 MATTERS FOR INFORMATION:-**

Report No.	Ward	Page Ref.	Application Number and Address
	No Reports		

## **PLANS SUB-COMMITTEE NO. 4**

Minutes of the meeting held on 17 December 2009

### **Present:**

Councillor Gordon Jenkins (Chairman)  
Councillor Michael (Vice-Chairman)  
Councillors Peter Dean, John Getgood,  
Simon Fawthrop and Sarah Phillips

### **Also in attendance:**

Councillors Nicholas Bennett JP, Ruth Bennett, John Canvin,  
Stephen Carr and Russell Mellor

## **19 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS**

Apologies for absence were received from Councillors Robert Evans and Karen Roberts. Councillors Sarah Phillips and John Getgood attended as their alternates respectively. Apologies for absence were also received from Councillors Martin Curry and Jennifer Hillier.

## **20 DECLARATIONS OF INTEREST**

Councillor John Getgood declared a personal interest in items 5 and 6. Councillor Gordon Jenkins declared a personal interest in item 5F.

## **21 MINUTES**

RESOLVED that the Minutes of the meeting held on 15 October 2009 be confirmed and signed as a true record.

## **22 PLANNING APPLICATIONS**

**RESOLVED that the applications referred to in the Chief Planner's report be determined as follows, subject to the amendments (if any) and the reasons for permission or refusal specified.**

### **SECTION 1**

**Applications submitted by the London Borough of Bromley**

NO REPORTS

**SECTION 2**

**Applications meriting special consideration**

1

**PENGE AND CATOR  
WARD**

(09/00522/OUT) Description amended to read,  
'Three/four storey block comprising 11 one bedroom/  
18 two bedroom/1 three bedroom flats with new vehicular  
access/access road/30 car parking spaces and single  
storey cricket pavilion with 24 car parking spaces  
**OUTLINE at Kings Hall Sports Ground, 89 Kings Hall  
Road, Beckenham.'**

Oral representations in objection to and in support of the  
application were received at the meeting.

It was reported that further objections to the application  
had been received.

Members having considered the report, objections and  
representations, **RESOLVED that PERMISSION BE  
REFUSED** for the following reasons:-

1. The site is within the Metropolitan Open Land where  
there is a presumption against inappropriate development  
and the Council sees no special circumstances which  
might justify the grant of planning permission as an  
exception to Policy G2 of the Unitary Development Plan.
2. The proposed development, by reason of the type and  
number of units proposed, would be out of character with  
the pattern of surrounding development, resulting in an  
over intensive use of the site and would therefore be  
contrary to Policy H7 and BE1 of the Unitary Development  
Plan.
3. The proposed development would fail to satisfy Policy  
H2 – Affordable Housing of the Unitary Development Plan.

2

**CHELSEFIELD AND  
PRATTS BOTTOM  
WARD**

(09/02078/FULL1) Demolition of existing nursery buildings  
and erection of detached part one/two storey nursery  
building, associated play areas, car parking, cycle parking  
and refuse store at **Cannock House Day Nursery,  
Hawstead Lane, Orpington.**

Oral representations in objection to and in support of the  
application were received at the meeting.

Members having considered the report, objections and  
representations, **RESOLVED that the application BE  
DEFERRED** without prejudice to any future consideration  
to:-

- seek consideration of a Section 106 Agreement; and
- improve relationship with proposal and neighbouring  
residents including examination of hours and to  
minimise the impact on the Green Belt.

**3**  
**ORPINGTON WARD**

(09/02359/FULL1) Erection of a 2 bedroom detached dwelling at **land rear of 67 Vinson Close, Orpington**. Oral representations in objection to and in support of the application were received. Oral representations from Ward Councillor William Huntington-Thresher in objection to the application were received at the meeting. It was reported that further objections to the application had been received.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reason set out in the report of the Chief Planner with the addition of a further reason to read:-

2. The proposal does not comply with the Council's requirement for a minimum 1metre side space to be maintained to the flank boundaries in respect of two storey development in the absence of which the proposed dwelling 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 and contrary to Policy H9 of the Unitary Development Plan.

**4**  
**BROMLEY COMMON  
AND KESTON WARD**

(09/02396/FULL1) Demolition of existing sheltered housing accommodation and erection of two and three storey buildings comprising 12 two bedroom, 6 three bedroom and 2 four bedroom houses and 12 two bedroom flats (total 32 units) including 30 car parking spaces, cycle parking provision, refuse storage and new access courtyard area at **Denton Court, 60 Birch Row, Bromley**.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Councillors Ruth Bennett and Stephen Carr in objection to the application were received at the meeting. It was reported that further objections to the application had been received.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reasons:-

1. The proposal constitutes an undesirable loss of a community facility contrary to Policy C1 of the Unitary Development Plan.

2. The proposed development, by reason of the type and number of units proposed, would be out of character with the pattern of surrounding development, resulting in an

over intensive use of the site and would therefore be contrary to Policy H7 and BE1 of the Unitary Development Plan.

3. The proposed development would be lacking in adequate on-site car parking provision to accord with the Council's standards and is therefore contrary to Policy T3 of the Unitary Development Plan.

4. The proposal would be lacking in adequate amenity space for future occupants and which would, if permitted, result in a cramped environment for such occupants, contrary to Policies H7 and BE1 of the Unitary Development Plan.

**5  
PENGE AND CATOR  
WARD**

Conservation Area

(09/02410/FULL6) Single storey side extension RETROSPECTIVE APPLICATION at **10 Woodbastwick Road, Sydenham, London SE26.**

Members having considered the report, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

**6  
PENGE AND CATOR  
WARD**

Conservation Area

(09/02411/FULL6) Extension to existing single storey rear extension RETROSPECTIVE APPLICATION at **10 Woodbastwick Road, Sydenham, London SE26.**

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the condition set out in the report of the Chief Planner.

**7  
CHISLEHURST  
WARD**

Conservation Area

(09/02478/FULL6) Part one/two storey side and rear extension at **3 Heathfield, Chislehurst.**

Oral representations in support of the application were received at the meeting.

It was reported that a further letter of support had been received.

It was reported that the application had been amended by documents received on 5 November 2009.

Members having considered the report and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

**8  
DARWIN WARD**

(09/02523/FULL2) Change of use from sale and display of caravans to sale and display of cars at **Orpington Caravan Centre Ltd, Sevenoaks Road, Pratts Bottom, Orpington.**



Oral representations in support of the application were received at the meeting. It was reported that a Ward Member had no adverse comments.

Members having considered the report and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with the addition of a further condition to read:-

“6 No storage or display of vehicles shall take place at the site other than in the area identified on Drawing No. (08)003 Revision A00 unless previously agreed in writing by the Local Planning Authority.”

**9  
BIGGIN HILL WARD**

(09/02694/FULL1) Erection of a pair of 2/3 storey houses with associated parking at **Land Adjacent to 25A Beech Road, Biggin Hill.**

Comments from Ward Members Councillors Gordon Norrie and Julian Benington in support of the application were reported at the meeting.

Comments from the Environment Agency were also reported.

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with the addition of a further condition and informative to read:-

“12 Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

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

INFORMATIVE

Before work commences on the permitted development consent will be need to be obtained from the Environment Agency. You should contact them on 08708506506.

**10  
CHISLEHURST  
WARD**  
Chislehurst

(09/02731/TPO) Fell 1 oak tree in right hand side garden SUBJECT TO TPO 2326 at **26 Penn Gardens, Chislehurst.**

Oral representations in support of felling the tree were received at the meeting.

It was reported that further objections to removal of the tree had been received.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED TO FELL ONE OAK TREE** subject to the following condition:-

1. 3 replacement trees (1 Oak, 1 Birch and 1 Beech) of a size to be agreed in writing by the Local Planning Authority shall be planted in such positions as shall be agreed by the Authority within 12 months of the removal of the tree. Any replacement tree which dies, is removed or becomes seriously damaged or diseased within 5 years of the date of this consent shall be replaced in the next planting season with another of similar size and species to that originally planted.

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

**11  
CHELSFIELD AND  
PRATTS BOTTOM  
WARD**

(09/02758/FULL6) First floor side/roof extension to provide accommodation in the roofspace/single storey rear extension and pitched roof over existing garage at **17 Crown Road, Orpington.**

Members having considered the report, **RESOLVED that PERMISSION BE GRANTED** for the reasons and subject to the conditions set out in the report of the Chief Planner.

**12  
CHISLEHURST  
WARD**

(09/02774/FULL6) Part one/two storey side and rear extension and part conversion of existing garage into habitable room **RETROSPECTIVE APPLICATION** at **3 Beechwood Rise, Chislehurst.**

Oral representations in support of the application were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the reason set out in the report of the Chief Planner.

It was **FURTHER RESOLVED that ENFORCEMENT ACTION BE TAKEN** for the removal of the unauthorised structure.

**13  
CHELSFIELD AND  
PRATTS BOTTOM  
WARD**

(09/02796/FULL6) One/two storey side extension, roof alterations to incorporate rear dormer and conversion of garage to habitable accommodation at **9 Ashbourne Rise, Orpington.**

Oral representations in support of the application were received at the meeting.

It was reported that further documents in support of the application had been received.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reasons set out in the report of the Chief Planner.

**14  
HAYES AND CONEY  
HALL WARD**

(09/02863/VAR) Variation of condition 3 of permission 07/01261 granted for permanent use as cattery (which restricts use to the current owner) to allow new user for temporary period of one year at **214 Pickhurst Lane, West Wickham.**

Oral representations in objection to and in support of the application were received at the meeting.

Comments from Ward Councillor Mrs Anne Manning in support of the application were reported at the meeting.

Members having considered the report, objections and representations, **RESOLVED that APPROVAL BE GIVEN** as recommended, subject to the conditions set out in the report of the Chief Planner.

**15  
HAYES AND CONEY  
HALL WARD**

(09/02922/PLUD) Roof alterations to incorporate rear dormer extension and single storey side extension. **CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT at 244 Pickhurst Lane, West Wickham.**

Comments from Ward Councillor Mrs Anne Manning in support of the application were reported at the meeting.

Members having considered the report and objections, **RESOLVED that A CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT BE GRANTED** as recommended, for the reason set out in the report of the Chief Planner.

**16  
CHISLEHURST  
WARD**

(09/02933/FULL6) One/two storey side extension at **43 Elmstead Lane, Chislehurst.**

Oral representations in support of the application were received at the meeting.

Members having considered the report and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

- 17**  
**BIGGIN HILL WARD** (09/02944/FULL1) New end of terrace 2 bedroom house with 1 parking space to rear at **1 Rushdene Walk, Biggin Hill.**  
Oral representations in support of the application were received at the meeting.  
Comments from Ward Members Councillors Gordon Norrie and Julian Benington in objection to the application were reported at the meeting.  
Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reasons set out in the report of the Chief Planner.

**SECTION 3**

**Applications recommended for Permission, Approval or Consent**

- 18**  
**CRYSTAL PALACE WARD** (09/01791/FULL1) 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 at **Community Centre, Castledine Road, London SE20.**  
Comments from Affinity Sutton and Hilda Lane Community Association were reported at the meeting.  
Members having considered the report and objections, **RESOLVED that PERMISSION BE REFUSED.**  
As no reasonable grounds upon which to refuse the application could be found, a second vote took place and it was **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration to seek clarification over S106 and to ensure the Hilda Lane Community Association has appropriate use of the development and open space.
- 19**  
**PENGE AND CATOR WARD** (09/02573/FULL1) Elevational alterations and conversion of ground and basement floors to 2 one bedroom maisonettes and first and second floors into 2 two bedroom flats with refuse and cycle stores.  
**RETROSPECTIVE APPLICATION at 12 Anerley Station Road, Penge, London SE20.**  
Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner.

**20  
FARNBOROUGH  
AND CROFTON  
WARD**

(09/02703/FULL1) Replacement two storey building with roof space accommodation at 227-229 Crofton Road (amendment to permission ref 09/01005 to incorporate one 1 bedroom flat, two 2 bedroom flats and one studio flat) at **227-229 Crofton Road, Orpington.**

Oral representations in support of the application were received at the meeting.

Comments from Ward Member Councillor Jennifer Hillier in objection to the application were reported at the meeting.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

1. The proposal would be likely to result in a significant and unacceptable increase in traffic at this accident prone area in the road which would be inconvenient to road users and prejudicial to the safety and free flow of traffic contrary to Policy T18 of the Unitary Development Plan.

**21  
CRAY VALLEY  
WEST WARD**

(09/02742/VAR) Variation of condition 4 of permission ref 06/00615 granted for use as nail treatment salon with ancillary sunbed and spray tanning facilities to allow additional beauty treatments at **56 Cotmandene Crescent, Orpington.**

Members having considered the report and objections, **RESOLVED that APPROVAL BE GIVEN** as recommended, subject to the conditions and informative set out in the report of the Chief Planner with the deletion of condition 1.

**22  
COPERS COPE  
WARD**

(09/02870/FULL1) Three/four storey building comprising nightclub/restaurant/office with plant including lift machine room and ventilation ductwork systems on roof at **1-4 Station Buildings, Southend Road, Beckenham.**

Oral representations from Ward Councillor Russell Mellor in support of the application were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

**23  
CRYSTAL PALACE  
WARD**

(09/02902/FULL1) Demolition of Nos. 210 and 212 (and retention of 36 bedroom two storey rear addition) and replacement buildings to create 61 bedroom residential care home (including ancillary kitchen/laundry/offices/ dining and day rooms with 8 car parking spaces at

**Oatlands, 210 Anerley Road, Penge, London SE20.** It was reported that further objections to the application had been received.

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED (SUBJECT TO THE PRIOR COMPLETION OF A DEED OF VARIATION TO TRANSFER THE EXISTING LEGAL AGREEMENT TO THE NEW APPLICATION NUMBER - HEADS OF TERMS UNCHANGED)** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner.

#### **SECTION 4**

#### **Applications recommended for refusal or disapproval of details**

**24**  
**CRYSTAL PALACE**  
**WARD**  
Conservation Area

(09/02202/FULL1) Change of use from bingo hall (Class D2) to church/community use (Class D1) together with ancillary offices, cafe and bookshop at **25 Church Road, London SE19.**

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member Councillor Tom Papworth in objection to the application were received via visual recording.

It was reported that further objections to the application had been received.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended for the reasons set out in the report of the Chief Planner.

Councillor Peter Dean's vote against refusal was noted.

**23**

#### **CONTRAVENTIONS AND OTHER ISSUES**

Members considered the following reports of the Chief Planner:-

**A**  
**CRAY VALLEY**  
**WEST WARD**

(DRR/09/00136) **12 Athelstan Way, Orpington.**

Commercial vehicle kept on front drive.

Oral representations against enforcement action being authorised were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that ENFORCEMENT ACTION BE ISSUED** to require the owner to cease parking a commercial vehicle on the front drive.

**B**  
**PENGE AND CATOR**  
**WARD** (DRR/09/00137) Unauthorised timber decking at  
**10 Woodbastwick Road, Sydenham.**  
Members having considered the report, **RESOLVED that**  
**NO FURTHER ACTION BE TAKEN** in respect of the  
timber decking.

**C**  
**BICKLEY WARD** (DRR/09/00138) **64 Hill Brow, Bromley.** Overheight front  
wall and railings.  
Members having considered the report, **RESOLVED that**  
**NO FURTHER ACTION BE TAKEN.**

**D**  
**HAYES AND CONEY**  
**HALL WARD** (DRR/09/00140) Section 106 Agreement regarding  
development at **Hayes Country Club, West Common**  
**Road, Hayes.**  
Members having considered the report, **RESOLVED that**  
**NO FURTHER ACTION BE TAKEN BEFORE JUNE**  
**2010** to require compliance with Section 106 Agreement  
in respect of the first occupation of any of the flats before  
that date.

**24** **SUPPLEMENTARY CONTRAVENTIONS**

**E**  
**HAYES AND CONEY**  
**HALL WARD** (LCDS09147) **244 Pickhurst Lane, West Wickham.**  
Comments from Ward Member Councillor Mrs Anne  
Manning were reported at the meeting.  
Members having considered the report, **RESOLVED that**  
**THE PREVIOUS DECISION BE RATIFIED AND THAT**  
**NO FURTHER ACTION BE TAKEN.**

**THE CHAIRMAN MOVED THAT THE ATTACHED**  
**PUBLIC REPORT, NOT INCLUDED IN THE**  
**PUBLISHED AGENDA, BE CONSIDERED AS A**  
**MATTER OF URGENCY ON THE FOLLOWING**  
**GROUNDS:**

“The matter urgently requires consideration due to a  
pending prosecution in respect of the unauthorised gates,  
piers and wall.”

**F**  
**BICKLEY WARD** (DRR/09/0142) **3 Beech Copse, Bromley.**  
It was reported that further objections to the application  
had been received.  
It was reported that the application had been amended by  
documents received on 3 July 2009.

Members having considered the report, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to seek neighbours'/local residents' comments on the reduced scheme and to return to be considered at the Plans 2 Sub-Committee meeting on 21 January 2010.

25

**TREE PRESERVATION ORDERS**

**CHISLEHURST  
WARD**

(TPO 2326) Objections to Tree Preservation Order 2326 at **26 Penn Gardens, Chislehurst.**

Oral representations in objection to the making of a Tree Preservation Order were received at the meeting.

Members having considered the report and representations, **RESOLVED that Tree Preservation Order No 2326** relating to one oak tree **SHOULD NOT BE CONFIRMED.**

**CRYSTAL PALACE  
WARD**

(TPO 2330) Objections to Tree Preservation Order 2330 at **18 Hamlet Road, Anerley.**

Members having considered the report, **RESOLVED that Tree Preservation Order No 2330** relating to two trees (one an oak) **BE CONFIRMED** as recommended in the report of the Chief Planner.

The meeting closed at 10.48 pm.

Chairman





- It is proposed to demolish the existing nursery buildings in the western part of the site, and build a new day nursery located further into the north-eastern part of the site. It would be mainly single storey with a small first floor element in the centre of the building containing a staffroom and associated facilities. The floorspace contained within the new building would be slightly less than that of the buildings to be demolished (604sq.m. as opposed to 690sq.m. existing).
- The existing nursery accommodates up to 136 children between the ages of 3 months to 5 years, while the replacement nursery would accommodate up to 120 children between the ages of 6 weeks and 5 years. The numbers of staff would remain the same. The opening times would be 08.00 hours to 18.00 hours Mondays to Fridays.
- The existing car park (shared with the adjacent Browns School) would be retained and laid out to accommodate 59 car parking spaces and 4 cycle spaces, while the existing access would be widened to enable coaches to access the site.
- The application is accompanied by an Acoustic Assessment and an Arboricultural Report, in addition to other supporting information.

### **Location**

Cannock House Day Nursery is located adjacent to Cannock House School and Browns School, and occupies a site of 0.55 hectares within the Green Belt. To the east of the site is a recent development of detached houses known as Home Farm.

The existing nursery buildings and the proposed replacement nursery all lie within the historic curtilage of Cannock House which is a Statutory Listed Building.

### **Comments from Local Residents**

Letters of objection were received to the application from several residents in Home Farm, whose main concerns are summarised as follows:

- noise and disturbance from new building and play areas which are nearer properties in Home Farm (acoustic assessment is deficient) – the proposed noise barrier would not give adequate protection
- overlooking from first floor of building and roof terrace
- inappropriate development in the Green Belt, and no very special circumstances seen to justify the proposals
- replacement nursery should be built on the existing site, further away from neighbours
- access onto Hawstead Lane needs to be further improved (eg. greater sightlines)
- noise, disturbance and pollution during building works
- loss of trees
- detrimental impact on badgers on the site.

### **Comments from Consultees**

The Council's highway engineer raises no objections to the proposals, so long as the overall numbers of children using the nursery and after-school club would not increase (as indicated within the application). The proposed widening of the access gate, and improvements to the car parking layout would improve on the current situation.

Drainage comments suggest that as it is proposed to drain the surface water to soakaways, and the foul water to a septic tank or cesspool, the application should be referred to the Environment Agency. Also, an oil interceptor would be required for the surface water drainage due to the number of car parking spaces. No comments have been received from the Environment Agency, although they considered the previous similar proposals submitted under ref. 09/00142 to be of low environmental risk.

No objections are raised to the proposals from Thames Water

Waste Services raise a query with regard to the position of the bins which may be difficult to access due to the position of the car parking spaces. This could be resolved by way of a condition.

Environmental Health raise no objections to the proposals from a statutory noise nuisance point of view, so long as the recommendations of the noise report are implemented in full and permanently maintained.

Objections are raised to the proposals from the West Kent Badger Group on the basis that there is a reasonable likelihood of a protected species (ie. badgers) being adversely affected by the proposed works, and they consider that environmental and ecological surveys should be carried out prior to determination. However, the Council's Countryside Services Officer has visited the site, and has confirmed that there is no evidence of the presence of badgers, their setts or any foraging routes on the site.

With regard to tree issues, the Council's Tree Officer concurs with the findings of the Arboricultural Report, and no objections are thus raised to this aspect of the proposals.

From an Urban Design perspective, no objections are seen to the demolition of the existing nursery buildings, which could reinstate a more open feel that existed with the previous walled garden in this location, and although the design of the building appears rather basic, the use of quality materials, as indicated, provides an acceptable solution for a new building in this location.

### **Planning Considerations**

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

- G1 The Green Belt
- BE1 Design of New Development

BE8 Statutory Listed Buildings  
NE7 Development and Trees  
T3 Parking  
C7 Educational & Pre-School Facilities

### **Planning History**

A previous application for a similar proposal (ref. 09/00142) was withdrawn prior to determination, in order to address concerns raised by the Council.

### **Conclusions**

The main issues in this case are the principle of the development, given the site's location within the Green Belt, and the impact of the proposals on the open character and visual amenities of the Green Belt, and on the amenities of the occupants of nearby residential properties.

With regard to Green Belt policy, the proposed day nursery use would not fall within the permitted uses outlined in Policy G1, and therefore, would comprise inappropriate development in the Green Belt, and would, by definition, be harmful to the Green Belt. Very special circumstances, therefore, need to be demonstrated that would clearly outweigh the harm caused by reason of inappropriateness.

The site, along with the adjacent school sites are already used for educational/pre-school purposes, and the proposals would involve an improvement in the standard of nursery accommodation by removing prefabricated and often unconnected buildings, and replacing them with a single purpose-built building that would function more efficiently and take up a smaller footprint and overall floorspace than the existing buildings to be demolished. Although part of the building would be two storey, this has been confined to the central area and designed to keep the overall bulk, and therefore impact on the Green Belt, to a minimum, particularly as it is set further back into the site.

The replacement building would be located further away from the Listed Cannock House, thus improving the setting of this building, and it is the landlord's intention to restore the land currently occupied by the existing nursery buildings back to the former formal garden. Although not originally part of the proposals, the applicants have now agreed to include this within a section 106 agreement.

Members may, therefore, consider that very special circumstances have been demonstrated to outweigh the harm caused by reason of inappropriateness in this case, and that the open and rural character of the Green Belt would not be unduly affected.

With regard to the impact on residential properties in Home Farm, the nursery building would be located approximately 54m from the nearest residential property known as The Dower House, although their main amenity area would

be close to the nursery's outdoor play areas. However, a 2m high close-boarded timber fence is proposed along the northern and eastern boundaries of the site which would help to alleviate noise disturbance, as confirmed by the Council's Environmental Health Officer. The applicants have also now included reinforced boundary screening and planting, which could include mature planting to the play areas in order to protect residential amenity.

The plans originally submitted showed a door in the rear elevation of the first floor staff room leading out onto a roof terrace, however, this has since been revised to show only a window, thereby preventing access to the terrace area, and the applicants have now removed the balustrading and confirmed that the flat roof area would only be used for maintenance of the roofs, in order to prevent loss of privacy to neighbouring properties. Furthermore, the first floor windows would be some distance away from properties in Home Farm, and would be screened to some extent by the pitched roofs of the single storey elements of the building.

The proposals are not, therefore, considered to have a significantly harmful impact on the amenities of nearby residents, subject to safeguarding conditions.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/00142 and 09/02078, excluding exempt information.

as amended by documents received on 25.11.2009 01.02.2010

**RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 LEGAL AGREEMENT**

**and the following conditions:**

- |   |   |  |
|---|---|--|
| 1 | ACA01   | Commencement of development within 3 yrs |
|   | ACA01R  | A01 Reason 3 years                       |
| 2 | ACA04   | Landscaping Scheme - full app no details |
|   | ACA04R  | Reason A04                               |
| 3 | ACA08   | Boundary enclosures - implementation     |
|   | ACA08R  | Reason A08                               |
| 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 | ACC01   | Satisfactory materials (ext'nl surfaces) |
|   | ACC01R  | Reason C01                               |
| 9 | Details of a surface water drainage system which shall include an oil receptor (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority |  |

before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

- 10 ADD02R Reason D02  
ACD04 Foul water drainage - no details submitt  
ADD04R Reason D04
- 11 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 12 ACH18 Refuse storage - no details submitted  
ACH18R Reason H18
- 13 ACH27 Arrangements for construction period  
ACH27R Reason H27
- 14 ACH30 Travel Plan  
ACH30R Reason H30
- 15 The flat roof area of the single storey element of the proposals shall not be used as a balcony or sitting out area and there shall be no access to the roof area apart from regular maintenance of the roofs.  
ACI14R I14 reason (1 insert) BE1
- 16 ACI17 No additional windows (2 inserts) first floor building  
ACI17R I17 reason (1 insert) BE1
- 17 ACJ12 Use as day nursery/playgroup (5 insert) 6 weeks 5  
120 8am 6pm  
ACJ12R J12 reason
- 18 ACK04 Demolition of existing building (see DI0  
ACK04R K04 reason
- 19 The use of the outdoor play areas of the day nursery hereby permitted shall be limited to Mondays to Fridays inclusive between the hours of 9am and 5pm.  
ACJ12R J12 reason

20 **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
- BE1 Design of New Development
- BE8 Statutory Listed Buildings
- NE7 Development and Trees
- T3 Parking
- C7 Educational & Pre-School Facilities

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

- (a) the Green Belt policies of the development plan
- (b) the relationship of the development to trees to be retained

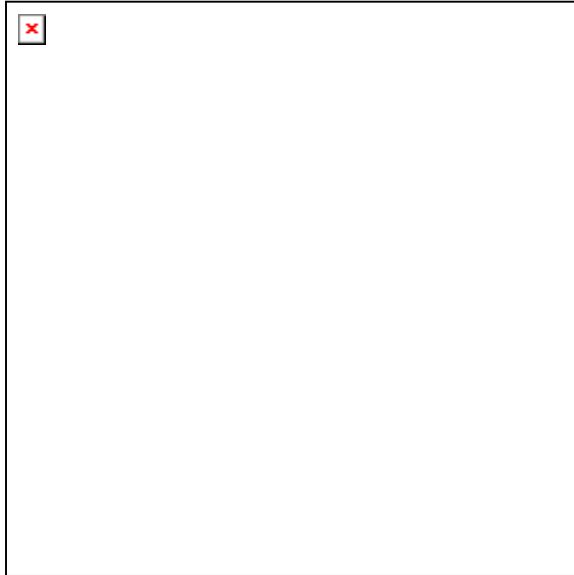
- (c) the impact on the amenities of the occupiers of nearby residential properties
- (d) the setting of the nearby Listed Building
- (e) the transport policies of the development plan

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

Reference: 09/02078/FULL1

Address: Cannock House Day Nursery Hawstead Lane Orpington BR6 7PH

Proposal: Demolition of existing nursery buildings and erection of detached part one/two storey nursery building, associated play areas car parking, cycle parking and refuse store.



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





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

- concerns regarding pressure to on-street parking demand and cumulative effect of similar developments in the vicinity
- concerns over provision of adequate amenities for future occupiers and size of top floor flat in view of reduction in size of dormers
- loss of mid-sized family dwelling
- increase in density
- gross overdevelopment
- parking provision inadequate

### **Comments from Consultees**

From the technical Highways perspective, no objections are raised to the proposed development, subject to the imposition of standard conditions.

Highways Drainage advises that there is no public surface water sewer in Padua Road.

The Council's Waste Advisors raise no objection to the proposal.

Thames Water was notified of the application and raised no objection with regard to waste and water infrastructure.

Environmental Health (housing) raise no objection to the proposal.

### **Planning Considerations**

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

- BE1 Design of New Development
- H7 Housing Density and Design
- H9 Side Space
- H11 Residential Conversions
- T18 Road Safety
- NE7 Development and Trees

The application has been called-in to Committee by a local ward Member.

### **Planning History**

There is extensive planning history at the site. Of most recent relevance are application refs. 07/03581 and 08/00425 which sought permission for a hip to gable rear dormer roof extension, together with a three storey side/rear extension and the conversion of the extended property to form 4 and 5 flats respectively. Planning permission was refused for both schemes, and appeals against both decisions dismissed, with a joint decision being issued by the Inspectorate given the similarities between the two cases.

The reasons for refusal in both cases were as follows:

The proposed development, by reason of its design and bulk, will result in a cramped overdevelopment of the site, out of character with the surrounding development and detrimental to the appearance of the street scene generally, contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposal lacks adequate on-site car parking and access arrangements and as such would be likely to interfere with the free flow of traffic and conditions of pedestrian and vehicular road safety, contrary to Policies T3, T6 and T18 of the Unitary Development Plan.

At appeal, the Inspector found that the “top-heavy mass” of the rear dormers would result in “harm to the character and appearance of the street scene”, compounded by the “flat roofed dormers in the front elevation which would be aesthetically displeasing and at variance with the pitched roof dormers found elsewhere along the road”. With regard to parking, the Inspector found that both proposals would be likely to result in “more pressure upon available kerbside spaces in the road”, but nevertheless based on the information in from of him that neither proposal would “result in undue highway dangers nor increase parking stress in the road to an unacceptable level”.

## **Conclusions**

The scheme currently under consideration here is very similar in principle to that dismissed at appeal under ref. 08/00425, and specifically seeks to address the concerns raised by the Inspector with regard to the bulk of the rear dormers and the appearance of the dormers to the front roofslopes. Members will note that the Inspector did not appear to raise any objections to the principle of the proposed extension and conversion of the host property, nor indeed with regard to the parking and access arrangements.

The proposal now incorporates dormers with pitched roofs to the front roofslope, which may be considered more in keeping with those that exist to other properties in the vicinity of the application site. To the rear, the rear dormers have been significantly reduced in size and bulk and would no longer appear ‘top-heavy’, with both being set away from the flank walls therefore reducing the likelihood of the dormers harming the character and appearance of the street scene. On balance, Members may find that the proposal has addressed the concerns raised by the Inspector at appeal, and that on balance permission should now be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/03152, 08/00425 and 07/03581, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

**Subject to the following conditions:**

1	ACA01 ACA01R	Commencement of development within 3 yrs A01 Reason 3 years
2	ACA04 ACA04R	Landscaping Scheme - full app no details Reason A04
3	ACA07 ACA07R	Boundary enclosure - no detail submitted Reason A07
4	ACC04 ACC04R	Matching materials Reason C04
5	ACB19 ACB19R	Trees - App'ment of Arboricultural Super Reason B19
6	ACH03 ACH03R	Satisfactory parking - full application Reason H03
7	ACH22 ACH22R	Bicycle Parking Reason H22
8	ACH19 ACH19R	Refuse storage - implementation Reason H19

### **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
- H9 Side Space
- H11 Residential Conversions
- T18 Road Safety
- NE7 Development and Trees

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

- (a) the density of the proposed development and the provision of additional housing on a previously developed site
- (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 reduction in the size and bulk of the rear dormers proposed together with the introduction of pitched roofs to the front dormers in addressing the concerns raised previously at appeal
- (i) the housing policies of the Unitary Development Plan
- (j) the transport policies of the Unitary Development Plan
- (k) the conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

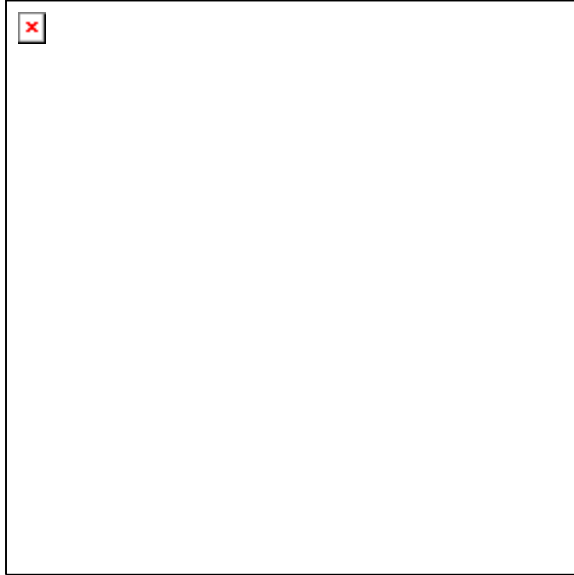
INFORMATIVE(S)

- 1 RDI10 Consult Land Charges/Street Numbering
- 2 RDI16 Contact Highways re. crossover
- 3 You should seek engineering advice from the Environmental Services Department at the Civic Centre with regards to the reinstatement of any damage to the highway. Please contact Street Services on 020 8313 4924.
- 4 You are advised that there is no surface water sewer in Padua Road. Thames Water should be contacted to determine how the drainage should be dealt with.
- 5 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: 09/03152/FULL1

Address: 6 Padua Road Penge London SE20 8HF

Proposal: Roof alterations incorporating front and rear dormer extensions / three storey side/rear extension and conversion to form 1 three bedroom dwelling, 1 studio flat and 1 one bedroom and 2 two bedroom flats with 3 car parking spaces and cycle/refuse stores.



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

1.                   **Application No : 09/03167/FULL1**                   **Ward :**  
**Chelsfield And Pratts**  
**Bottom**

**Address : Land Rear Of 104-108 Windsor Drive**   **Conservation Area:NO**  
**Daleside Close Orpington**

**OS Grid Ref: E: 546318 N: 163867**

**Applicant : UPNA Ltd**   **Objections: YES**

### **Description of Development:**

Two detached two storey three bedroom dwellings with 4 car parking spaces and cycle store on land adjacent to 19 Daleside Close

### **Proposal**

- 
- It is proposed to erect two detached dwellings on this triangular-shaped plot of land which measures 0.039ha in area.
- The dwellings are two storey and each contain 3 bedrooms, but are different in size and shape.
- 2 frontage car parking spaces would be provided for each dwelling.
- Rear garden areas would be irregular in shape, and Plot 1 varies in depth from 8.5m to 11.3m, while Plot 2 would have an average garden depth of 7m.

### **Location**

This site is located adjacent to No.19 Daleside Close and to the rear of Nos.104, 106 and 108 Windsor Drive. It is accessed from the far end of Daleside Close via a narrow access road which also serves a pair of semi-detached dwellings (Nos.17 and 19) built during the early 1990s, and a row of garages which back onto No.16 Daleside Close.

The site also faces the rear boundaries of properties fronting Foxbury Drive, and there is an existing pedestrian access leading to the site from Foxbury Drive (between Nos.10 and 12).

### **Comments from Local Residents**

Letters of objection have been received from nearby residents, and the main points raised are summarised as follows:

- proposals would prevent rear access to Nos. 104, 106 and 108 Windsor Drive, some of which have rear garages
- may affect access to the rear of Foxbury Drive properties
- proposals are a fire risk due to inadequate access
- shouldn't allow further use of dangerous access road

- additional damage caused to access road from construction works
- construction works would cause noise and disturbance to nearby residents
- there should be lighting along the access road
- vehicular access should be from Foxbury Drive, and the access to Daleside Close closed off
- no need for further housing in the area

### **Comments from Consultees**

The Council's highway engineer considers that the use of the narrow private access road to serve a further two dwellings is acceptable in highways terms, as is the provision of 2 car parking spaces per dwelling which is in line with the maximum parking standards. As the access road and turning area for the proposed dwellings are not within the site area, confirmation is required that the applicant has rights of access over this land. Members will be updated at the meeting.

The London Fire and Emergency Planning Authority raise no objections to the proposals subject to compliance with the fire consultants report regarding the provision of a sprinkler system and enhanced fire detection system.

Environmental Health request a condition be attached requiring the submission of a contaminated land assessment and remedial strategy where necessary prior to the commencement of works.

The Council's drainage engineer comments that as the nearest public foul sewer is at the head of Daleside Close, a condition should be attached requiring the submission of details of the proposed foul water drainage connection.

Thames Water raise no objections to the proposals in principle, whilst Waste Services comment that refuse should be placed at the edge of curtilage.

### **Planning Considerations**

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

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

### **Planning History**

Permission was granted in 1991 (ref. 91/01954) for the erection of 2 semi-detached dwellings to the rear of Nos.13 and 15 Daleside Close which are



now known as Nos.17 and 19 Daleside Close, and lie adjacent to the current application site.

## **Conclusions**

The main issues in this case are the impact of the proposals on the character and appearance of the surrounding area, the amenities of neighbouring residential properties in terms of any loss of light, privacy and outlook, and on parking/access arrangements within the close vicinity.

The use of this area of land for residential purposes, served via the access road from Daleside Close has already been established by the granting of permission for the two dwellings adjacent at Nos.17 and 19, and would not, therefore, be out of character with the surrounding area in principle. Furthermore, the Council's highway engineer has raised no objection to extending the existing private access road to serve two additional dwellings.

The area of the site would be slightly less than the site occupied by Nos.17 and 19, and the size of Plot 2 is modest compared to the general vicinity. However, 1m separations are provided in accordance with side space policy and Members may consider that the dwellings would have adequate sized garden areas. The dwellings would be built slightly into the slope to reduce their impact in the street scene, and have been designed with low-level roofs, particularly in the case of Plot 2. The proposals are not, therefore, considered to be out of character with the surrounding area, and would not appear overdominant or unduly cramped within the street scene.

With regard to the impact on neighbouring properties, the dwellings would be situated a reasonable distance from residential properties in Foxbury Drive and Windsor Drive, and in relation to the latter, the new dwellings would be angled away from their rear elevations in order to reduce any likelihood of overlooking, with no windows proposed in the side elevations.

The proposed dwelling closest to No.19 Daleside Close would be situated 1m away from the side boundary, and would not project further to the rear of the adjoining dwelling. It would not, therefore, result in any loss of light to or prospect from this dwelling.

With regard to the issue raised by local residents in relation to rights of access to the rear of Windsor Drive properties, the applicant has confirmed that there are no legal rights for residents to pass over the site, and this would, in any case, be a private legal matter.

On balance, the proposals are not considered to have a detrimental impact on the character and appearance of the surrounding area, nor on the amenities of nearby residents.

Background papers referred to during production of this report comprise all correspondence on files refs. 91/01954 and 09/03167, excluding exempt information.

as amended by documents received on 05.01.2010

## **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     ACA07        Boundary enclosure - no detail submitted  
      ACA07R      Reason A07
- 4     ACC01        Satisfactory materials (ext'nl surfaces)  
      ACC01R      Reason C01
- 5     ACD02        Surface water drainage - no det. submitt  
      ADD02R      Reason D02
- 6     ACD04        Foul water drainage - no details submitt  
      ADD04R      Reason D04
- 7     ACH03        Satisfactory parking - full application  
      ACH03R      Reason H03
- 8     ACH16        Hardstanding for wash-down facilities  
      ACH16R      Reason H16
- 9     ACH27        Arrangements for construction period  
      ACH27R      Reason H27
- 10    ACI02        Rest of "pd" Rights - Class A, B,C and E  
      ACI03R      Reason I03
- 11    ACI13        No windows (2 inserts)        side    dwellings  
      ACI13R      I13 reason (1 insert)    BE1
- 12    ACI21        Secured By Design  
      ACI21R      I21 reason
- 13    ACK05        Slab levels - no details submitted  
      ACK05R      K05 reason
- 14    ACK09        Soil survey - contaminated land  
      ACK09R      K09 reason
- 15    A side space of 1 metre shall be provided between the flank walls of  
      the dwellings hereby permitted and their respective side boundaries.  
      ACI09R      Reason I09
- 16    The development hereby permitted shall be carried out in accordance  
      with the recommendations of the fire consultants report submitted with  
      the application in regard to the provision of a sprinkler system and  
      enhanced fire detection system.

**Reason:** In order to provide a satisfactory form of development which complies with Fire Safety regulations.

### **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
- H9 Side Space
- T3 Parking
- T18 Road Safety

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

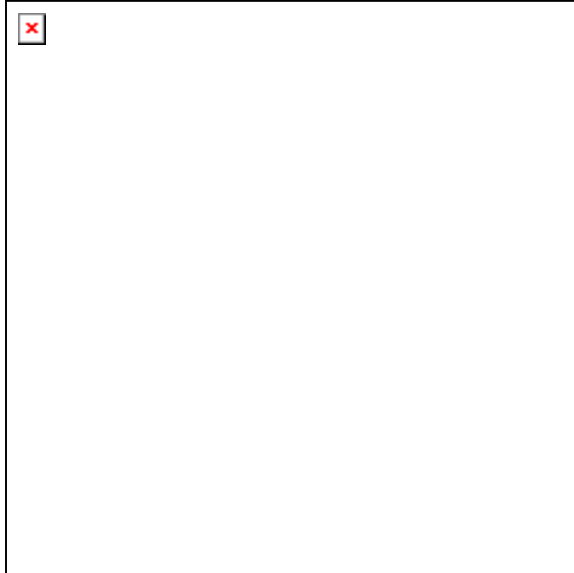
- (a) the visual impact on the street scene
- (b) the character of the development in the surrounding area
- (c) the impact on the amenities of the occupiers of nearby residential properties
- (d) the transport policies of the development plan

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

Reference: 09/03167/FULL1

Address: Land Rear Of 104-108 Windsor Drive Daleside Close Orpington

Proposal: Two detached two storey three bedroom dwellings with 4 car parking spaces and cycle store on land adjacent to 19 Daleside Close



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

# Agenda Item 4.4

**1. Application No :** 09/03260/FULL6 **Ward :**  
**Bromley Common And Keston**

**Address :** Turpington Farm House 146 **Conservation Area: NO**  
**Southborough Lane Bromley BR2 8AL**

**OS Grid Ref:** E: 542317 N: 167579

**Applicant :** Mr Chris Giles **Objections: NO**

## **Description of Development:**

Single storey side extensions and pitched roof to existing garage

## **Proposal**

- The application seeks permission to extend an existing single storey detached garage located to the east of the host dwellinghouse on the site.
- The existing garage is to be extended towards the south by approximately 2.4m in width, to provide a timber-framed area that will be open in the form of a lean-to.
- The garage will be extended approximately 7.45m in width towards the north in order to provide a further two parking bays. This element will be timber-framed and closed on all sides with the exception of the front which will be entirely open save for the timber posts.
- The footprint of the existing garage is to remain, with the roof being replaced in order to cover the entire proposed structure, and the walls and floor reused. The existing doors will be replaced with timber boarded doors.
- The proposed roof will measure approximately 4.4m from ground level on the side of the application site, however the land levels on the application site differ to the land levels on the adjacent site, which is higher and as such the ridge height of the roof will measure approximately 3.3m from land level taken from the adjacent site.

## **Location**

The application site is located on the southern side of Southborough Lane and hosts a detached two storey dwellinghouse, an existing single storey detached garage, and various outbuildings.

The host dwellinghouse located on the application site is Grade II Listed, however the existing garage which forms this application is not.

The existing garage is located adjacent to the eastern property boundary shared with Nos. 160 and 162 Southborough Lane. The northern flank elevation of the existing garage is at present located approximately 21m back from the northern property boundary fronting onto Southborough Lane.

### **Comments from Local Residents**

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

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

### **Comments from Consultees**

No consultations were made.

### **Planning Considerations**

The application falls to be determined in accordance with Policies BE1, BE8 and H8 of the Unitary Development Plan.

From a Listed Buildings perspective, concern is raised about the bulk and scale of the proposed garage as the resulting building will be of a similar height to the dwellinghouse and will be visible from Southborough Lane. Concerns were also raised with regard to the construction of the garage requiring removal of some trees and that this would compromise the setting of the listed building. PPG 15 states that 'the setting is often an essential part of the buildings character' (paragraph 2.16) and that 'a proposed high or bulky building might also affect the setting of a listed building some distance away' (paragraph 2.17). Therefore, it is important to make sure that any proposals for an enlarged garage (or other outbuildings) are sensitive to the setting of the listed building and also that they do not dominate the listed building.

A decision on an application of this nature, with the host dwellinghouse being a Statutory Listed building, is considered to be of considerable local interest and it has therefore been considered appropriate for a decision to be made by Members of Committee.

### **Planning History**

In terms of relevant planning history, an outline application for reconstruction of existing barn for storage purposes was refused under ref. 83/00115. The proposed barn was to be located to the west of the dwellinghouse and have a floor area of 224 square metres, however no details were supplied in terms of appearance, materials or similar examples. It was considered that as the existing listed building was a small-scale domestic building, a large barn, whatever its merits, could overwhelm it and be potentially detrimental to the building. The refusal ground was therefore as follows:

The proposed barn, by reason of its size and siting in close proximity to a Listed Building, would be out of character and detrimental to the setting of that building.

Permission was later granted for a single storey extension to enlarge the existing detached garage with a new pitched roof, under ref. 98/00828.

## **Conclusions**

The main issue relating to the application is the effect of the development upon the setting of the adjacent Listed Building and the appearance of the proposed structure from the streetscene.

The proposed extensions to the existing barn are, according to the applicant, sought in order to provide storage space for a number of vehicles. The floorspace of the garage is to be increased twofold when compared with the footprint of the existing garage, and the height of the garage is to be increased by approximately 1.2m to have a maximum height of approximately 4.4m. The rear flank wall will be located approximately 0.5m from the property boundary shared with No. 160 Southborough Lane.

Whilst the principle of the extensions may be considered acceptable in terms of providing additional storage which would be ancillary to the host dwellinghouse, the level of increase in floor space, and the overall design and bulk of the roofspace may be considered excessive. Due to the combined increase in floorspace, height and bulk, it could be considered that the proposed extensions to the existing barn may be excessive and detrimental to the setting of the adjacent Listed Building.

The northern flank elevation of the existing barn is at present set back from the northern property boundary fronting Southborough Lane by approximately 21m. If the barn is extended in the manner proposed, the separation will be reduced and the northern elevation will be set back from the property boundary by approximately 13.55m. Whilst this may be considered a substantial separation, the increase in roof height would mean that the structure is more visible from the streetscene when compared to the existing structure and may become a more prominent feature.

Accordingly, Members Views are requested on this matter to ascertain whether the proposal is considered unduly harmful to the setting of the listed building by reason of excessive size, bulk and close proximity to the building when considering the proposed size of the structure, and the related visual impact upon the surrounding area and streetscene to warrant permission being refused, or whether in this instance the proposed extensions to the existing barn are considered acceptable in that it would allow for ancillary storage on the site of the listed building and prevent an untidy site.

Background papers referred to during production of this report comprise all correspondence on files refs. 83/0115, 98/00828 and 09/03260, 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 | ACC02<br>ACC02R | Sample brickwork panel<br>Reason C02   |

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
- BE8 Statutory Listed Buildings
- H8 Residential Extensions

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

- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to the adjacent properties;
- (c) the character of development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the privacy of occupiers of adjacent and nearby properties;
- (f) the impact of the proposal upon the setting and appearance of the adjacent Listed Building;
- (g) and having regard to all other matters raised including concerns from neighbours.

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

- 1 The proposed extensions to the existing garage, by reason of the resulting size, bulk and siting in close proximity to a Listed Building, would be out of character and detrimental to the setting of that building and upon the streetscene in general, contrary to Policies BE1, BE8 and H8 of the Unitary Development Plan.



Reference: 09/03260/FULL6

Address: Turpington Farm House 146 Southborough Lane Bromley BR2 8AL

Proposal: Single storey side extensions and pitched roof to existing garage



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

This page is left intentionally blank

1. Application No : 09/03314/DET

Ward :  
Bromley Town

Address : Garrard House 2-6 Homesdale Road Conservation Area:NO  
Bromley BR2 9LZ

OS Grid Ref: E: 541131 N: 168267

Applicant : Taylor Wimpey East London

Objections: YES

## Description of Development:

Details of appearance, layout and scale of outline permission ref 09/01137 granted for 69 flats with car parking

## Proposal

Outline permission was previously granted under ref. 09/01137 on 7th August 2009 for the demolition of the existing office building and erection of 69 flats together with a services building, refuse store, 62 car parking spaces and cycle parking, a landscaped area and the retention of the existing vehicular access from Fielding Lane. All detailed matters were reserved for subsequent determination apart from means of access. This application seeks approval of details in relation to appearance, layout and scale (condition 1 of ref. 09/01137). Landscaping details are to be submitted in due course.

The original outline application was accompanied by: a planning statement; transport assessment; design and access statement; site investigation report, and various other supporting material. This detailed application includes plans, elevations, sections and a detailed Design and Access Statement. These are available on file for Members' inspection.

## Location

The application site comprises Garrard House on the south eastern side of Homesdale Road, Bromley, and is a 1960s concrete framed office block. Adjacent is Sussex House, an office building dating from the 1980s and opposite is the Currys retail warehouse. Currently under construction is the recently permitted residential scheme (ref. 08/01469) on the site of the former 'Enterprise House', on the opposite side of Homesdale Road.

## Comments from Local Residents

A number of local objections have been received which raise the following points:

- concerns about building works themselves – heavily loaded trucks / machinery could cause damage to nearby property

- loss of privacy
  - reduction in outlook and light because of the proposals
  - extra traffic caused by development will increase noise and air pollution
- 
- balconies must be fitted with frosted glass panels to protect privacy
  - concerns about parking – especially visitor parking
  - concerns about additional cars that will use Fielding Lane
  - concerns over loss of privacy and outlook

### **Comments from Consultees**

Detailed consultations were undertaken at outline stage.

### **Planning Considerations**

The application should be determined in accordance with the following policies of the Unitary Development Plan 2006:

- H1 Housing supply
- H2 & H3 Affordable housing
- H7 Housing density and design
- H12 Conversion of non-residential buildings for residential use
- BE1 Design of new development
- BE13 Development adjacent to a conservation area
- EMP3 Conversion of offices
- EMP5 Development outside business areas
- T3 Parking
- T18 Road Safety
- ER4 Sustainable and energy efficient development
- ER8 Noise pollution
- IMP1 Planning obligations

Applications must also accord with the London Plan 2004. Of particular relevance is:

- 3A.1 Increasing London's supply of housing
- 3A.2 Borough Housing Targets
- 3A.3 Maximising potential of sites
- 3A.5 Housing choice
- 4B.1 Design principles for a compact city
- 4B.3 Maximising the potential of sites
- 4B.7 Respect local context and communities

Government guidance is also relevant:

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPG13 Transport
- PPG22 Renewable Energy

## **Planning History**

Planning permission has been previously granted for residential developments on this site as follows:

04/00235 - the redevelopment of Garrard House for residential use involving the partial demolition of the existing building and the erection of a four/five/six storey building comprising 69 flats with parking at lower ground floor. Granted 14th August 2006.

08/0833 - granted permission on 4th December 2008 subject to completion of a legal agreement for a scheme comprising both Garrard House and Sussex House. This application proposed the retention of part of the structure at Nos.2-6 (Garrard House) at semi-basement/ground floor level and the demolition of No.8 (Sussex House) and the erection of a part one to five storey building (with semi basement parking) for 105 flats.

09/01137 - outline permission for 69 flats on Garrard House: - this is the outline permission for which details are now being sought in this application.

On adjacent sites close to the application site, residential development has also been granted permission:

08/01469 - the redevelopment of Enterprise House for a block between two and six storeys for 82 flats, granted subject to the completion of a legal agreement - currently under construction.

## **Conclusions**

The principle of residential development for 69 flats has been established on this site by the outline permission (ref. 09/01137). This detailed application seeks approval for the development's appearance, layout and scale, proposing 68 rather than 69 units. Landscaping details are to be submitted by the applicants in due course. The applicants have submitted much detailed information including a Design and Access Statement, as well as detailed plans/elevations. The outline permission has already established the development parameters for the site and established various design principles. These are generally followed in this submission. The general layout and form of the building remains as per the indicative drawings for the outline. The building form is based on the footprint of the existing office building (retaining the existing ground floor structure). The building forms an 'L' shape with the main elevation facing Homesdale Road and rises to five storeys above the undercroft parking, as shown on the outline indicative drawings. The outline scheme recorded the proposed height of the building as 'about 16.4m' whereas the submitted details show a slightly higher roof height of 16.7m. This represents an increase of 0.3 m or 30 cms. This minor height increase is not considered to be significant, and will not be apparent from ground level. The leg of the 'L' shape projects towards the rear boundary, and steps down to respect the adjacent residential properties, as

proposed in the outline permission. Windows or balconies are so placed to avoid direct overlooking of adjacent properties. Vehicular access is maintained as per the outline permission. The design of the elevations follows the principles established by the outline permission, but are given greater articulation through the use of brickwork and coloured panels.

Overall, the details submitted pursuant to condition 1 of permission ref. 09/01137 are considered acceptable. Accordingly, it is recommended that they be approved.

The aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and relevant planning history on the site have been taken into account in the assessment of the proposal.

Background papers referred to during production of this report comprise all correspondence on file ref. 09/01137, excluding exempt information.

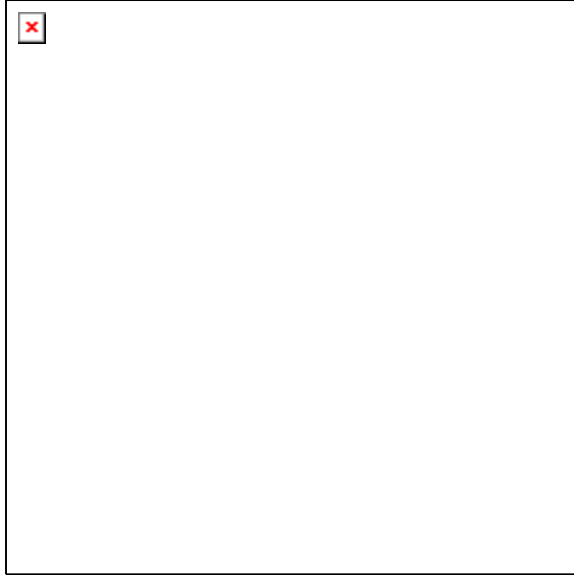
**RECOMMENDATION: APPROVAL**

**subject to the following conditions:**

Reference: 09/03314/DET

Address: Garrard House 2-6 Homesdale Road Bromley BR2 9LZ

Proposal: Details of appearance, layout and scale of outline permission ref 09/01137  
granted for 69 flats with car parking



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

This page is left intentionally blank





2. 1986: Planning application (86/00864/FUL) granted permission for a detached garage/store.
3. 1986: Planning application (86/01210/FUL) granted permission for a single storey rear extension and construction of a new roof and rear dormer.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the appearance of the development in the street scene; the relationship of the development to adjacent properties, the character of the development in the surrounding area and the character and openness of the Green Belt and Area of Outstanding Natural Beauty.

This property has been extended a number of times since it was first built in 1936. However, the proposed dormers will not create additional floorspace, are relatively modest in size and maintain sufficient roofslope so as to appear subservient to the host building. As such, it is not considered that the proposal conflicts with Policy G4 or the design/extension policies of the Unitary Development Plan.

It should also be noted that an application (03/02076) at a neighbouring property (Dunboyne Cottage) to the north of the application site was granted permission in 2003 for alterations to roof to form ridge and two front dormer extensions. It was considered that the scale of the proposal was such that there would be no harm to the appearance of the property or character of the Green Belt and the Area of Outstanding Natural Beauty.

In addition, a recent appeal decision (APP/G5180/A/07/2056962) that allowed the insertion of three dormer windows within the front and rear elevations of a property in the Green Belt is considered relevant. The Inspector held that there would be no increase in floorspace as a result of the dormers and the dormers would not result in disproportionate additions over and above the size of the original building and therefore, not constitute inappropriate development in the Green Belt.

The extension of the existing porch is also relatively modest in size and will not dramatically alter the character and appearance of the host dwelling.

It is therefore considered that on balance, given the modest size of the proposed extensions, the granting of permission to front dormers in a neighbouring property and a recent appeal decision allowing dormers upon a building that was originally considered to be overdevelopment within the Green Belt, Members can consider this proposal acceptable and that it will not be harmful to the character, visual amenities and openness of the Green Belt or Area of Outstanding Natural Beauty.

Background papers referred to during production of this report comprise all correspondence on file ref. 09/03367, 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                               |

### **Reasons for granting permission**

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

- G4 Extensions and Alterations to Dwellings in the Green Belt
- BE1 Design of New Development
- H8 Residential Extensions
- NE11 Kent North Downs Area of Outstanding Natural Beauty

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

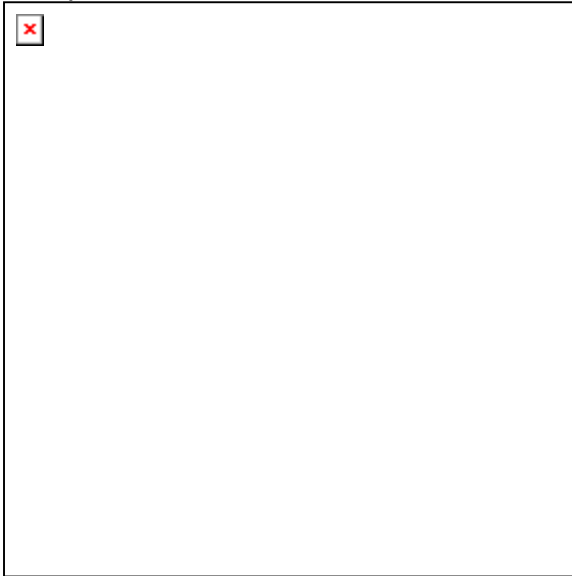
- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent properties;
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (d) the character of the development in the surrounding area;
- (e) the character and openness of the Green Belt and Area of Outstanding Natural Beauty;

and having regard to all other matters raised.

Reference: 09/03367/FULL6

Address: Hope Cottage Grays Road Westerham TN16 2JB

Proposal: 3 front dormer extensions and front porch canopy



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

**1. Application No : 09/03440/FULL6 Ward : Chelsfield And Pratts Bottom**

**Address : 25 Warren Road Orpington BR6 6JF Conservation Area:NO**

**OS Grid Ref: E: 545675 N: 164421**

**Applicant : Mr T Manchip Objections: NO**

## **Description of Development:**

Ground and first floor side extension

## **Proposal**

- The proposed extensions incorporate a first floor side extension above an existing garage with a two storey/single storey extension behind
- The extension will have a hipped roof that will not be subservient to the main dwelling
- The resulting development will be adjacent to the western flank boundary and will not include a metre side space but is adjacent to an access road.

## **Location**

The application site is on the northern side of Warren Road. The properties on Warren Road are predominantly detached and semi-detached dwellings set within spacious plots. To the rear of the property is Warren Road Primary School which is served by an access road to the west of the application site. This provides a separation of approx. 9m to the nearest neighbouring property at No. 23.

## **Comments from Local Residents**

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

- letter of support from school to the rear of the site

## **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 granted under ref. 95/02816 for a single storey side and rear extension.

### **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 the application represents a technical breach of side space policy, it is considered in this case that the construction of a two storey side extension adjacent to the flank boundary will not impact detrimentally on the open character of the area and will not result in a cramped form of development or the potential for future terracing due to the existence of an access road to the side of the property.

In respect to neighbouring amenities, the extension will be well separated from the nearest residential property at No. 23 and therefore no significant overlooking or loss of privacy or prospect is considered to result. The extension is considerable in its bulk, with no attempt to make the extension subservient to the main dwelling, however it is considered that because of the mix of architectural styles on Warren Road, this design would not harm the character of the road despite there being no similar extensions in the immediate locality.

On balance it is considered that the proposal would not detrimentally impact on the character of the area and would not impact on the amenities of neighbouring residential properties.

Background papers referred to during production of this report comprise all correspondence on file ref. 09/03440, 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 | ACI13  | No windows (2 inserts)                   | flank | extension |
|   | ACI13R | I13 reason (1 insert)                    | H8    |           |

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

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

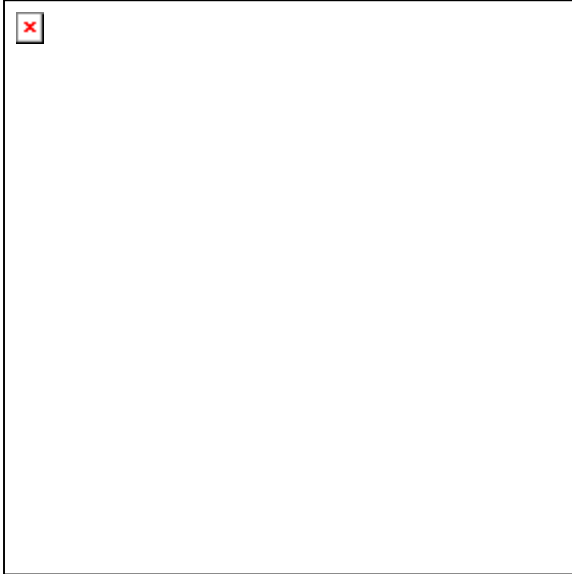
- BE1 Design of New Development
- H8 Residential Extensions
- H9 Side Space

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 character and appearance of the a
- (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.

Reference: 09/03440/FULL6  
Address: 25 Warren Road Orpington BR6 6JF  
Proposal: Ground and first floor side extension



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



1.                      **Application No : 09/03467/EXTEND                      Ward :  
Bromley Town**

**Address : 37 London Road Bromley BR1 1DG                      Conservation Area:NO**

**OS Grid Ref: E: 539882 N: 169836**

**Applicant : Skillcrown Homes Ltd                      Objections: NO**

## **Description of Development:**

Application to extend time limit for implementing permission ref. 06/01742 for the demolition of existing building and redevelopment for mixed use with office/ B1 at ground floor and 12 residential starter homes on three storeys over to include 2 parking spaces, cycle provision and refuse storage

## **Proposal**

This proposal is to extend the time limit for implementing a development at No 37 London Road. The application was originally refused by the Council in August 2006 but allowed on appeal on 15th February 2007 (APP/G5180/A/06/2026328). The scheme is for a four storey mixed use development, comprising office/B1 at ground floor level, with 12 residential flats above, with two parking spaces, and cycle provision and refuse storage (ref. 06/01742). The applicants are now wishing to renew this permission that was allowed on appeal.

Following recent changes in planning legislation it is now possible for applicants to 'renew' permissions – that is to apply for a new permission to replace an existing permission which is in danger of lapsing, in order to obtain a longer period in which to begin the development. This measure has recently been introduced to make it easier for developers and LPAs to keep planning permissions alive for longer during the economic downturn.

## **Location**

The site is located on the north-west corner of the junction of London Road (A21) and Blyth Road, and comprises No.37 London Road, a building with an industrial warehouse-like appearance, which was formerly a snooker club.

The site is located on the fringe of Bromley Town Centre and is mixed in character. Immediately adjacent to the north is a 'Kwik Fit' car repair centre, and on the opposite side of London Road is a four storey office building, behind which is a 'Big Yellow' storage building in Farwig Lane. Blyth Road is a quiet and attractive tree line residential street, comprising substantial detached Victorian dwellings, some of which have been converted to flats, or are used as child nurseries and offices.

## **Comments from Local Residents**

None received to date.

### **Comments from Consultees**

Although a highway ground of refusal was raised in relation to the earlier application regarding the level of parking proposed, this was not accepted by the Inspector. This being so, and there having been no significant change in circumstances, it would not be appropriate to raise it in relation to this renewal.

From a drainage standpoint there are no objections.

The Crime Prevention Design Advisor of the Metropolitan Police has no comments to make.

### **Planning Considerations**

The following policies are relevant to consideration of this application:

UDP:

- BE1 Design of new development
- BE2 Mixed use developments
- H2 Affordable housing
- H3 Affordable housing
- H7 Housing density and design
- EMP9 Office employment

Government Guidance:

- PPS1 Delivering Sustainable Development
- PPS6 Planning for Town Centres
- PPG13 Transport
- Greater Flexibility for Planning Permissions Guidance (Nov 2009)

London Plan:

- 3A.3 Maximising the Potential of Sites
- 4B.1 Design Principles for a Compact City
- 4B.8 Respect local context and communities

### **Planning History**

A development at No.2 Blyth Road for the demolition of the existing hotel and the erection of a three storey block comprising 9 flats was granted permission (ref. 07/04535) in July 2008. This has not been implemented.

Permission was recently refused on this site by the Plans Sub-Committee (26.11.09) for a 97 bedroom hotel, with Class A2/B1 office floorspace at ground floor level, fronting London Road and 34 basement parking spaces for use by the hotel (ref. 09/02375). It is understood that it would have been a 'Travelodge' hotel.

## Conclusions

The main issues in this case are: the effect of the proposal on the character of the area; the impact on the amenities of occupiers of surrounding property; the principle of this type of development in this location; and highway issues.

In respect of all these matters, the scheme has been considered acceptable by an Inspector (APP/G5180/A/06/2026328) in 2007. The Inspector's decision is an important material consideration and is on file for Members to view. As there have been no significant changes in situation since that time, it is not considered any sustainable objections can be raised to this proposal.

Members will note that, since this application was originally lodged in May 2006, the UDP policy on affordable housing has changed. Following the adoption of the most recent UDP in July 2006, on schemes over 10 units, affordable provision is now required. This means that this scheme is now in principle within the threshold for provision of affordable housing (UDP policies H2 and H3).

Whilst recent Government Guidance "Greater Flexibility for Planning Permissions" states that changes in policy should be taken into consideration, it also advocates that local planning authorities should, in dealing with renewal applications, adopt a positive and constructive approach. The development proposed in this application has already been judged acceptable by an Inspector in 2007. In the light of this, and taking into account all other relevant considerations, it is considered that this application for renewal of permission is acceptable, notwithstanding the change in affordable housing policy.

Accordingly, it is recommended that permission be granted with the conditions that were previously imposed by the Planning Inspector.

### **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     No windows other than those expressly authorised by this permission shall be constructed on any of the elevations of the building hereby permitted without the prior written approval of the local planning authority.  
      ACI13R     I13 reason (1 insert)   BE1
- 4     Construction work shall not begin until a scheme for protecting the proposed residential units facing onto London Road from traffic noise has been submitted and approved in writing by the local planning authority; all works which form part of the approved scheme shall be

completed before any part of the development hereby permitted is occupied.

**Reason:** to comply with the provisions of the Unitary Development Plan and to ensure a satisfactory standard of amenity for future occupiers.

5 No development shall take place until there has been submitted to and approved in writing by the local planning authority details of the means of enclosure for the storage of refuse and a plan indicating the positions, design, materials and boundary treatment to be erected. Thereafter, the means of enclosure and boundary treatment shall be erected in accordance with the approved details before any building is occupied.

ACA07R Reason A07

6 AJ02B Justification UNIQUE reason OTHER apps

#### Policies (UDP)

BE1 Design of new development

BE2 Mixed use developments

H2 Affordable housing

H3 Affordable housing

H7 Housing density and design

EMP9 Office employment

#### Government Guidance:

PPS1 Delivering Sustainable Development

PPS6 Planning for Town Centres

PPG13 Transport

Greater Flexibility for Planning Permissions Guidance (Nov 2009)

#### Policies (London Plan)

3A.3 Maximising the Potential of Sites

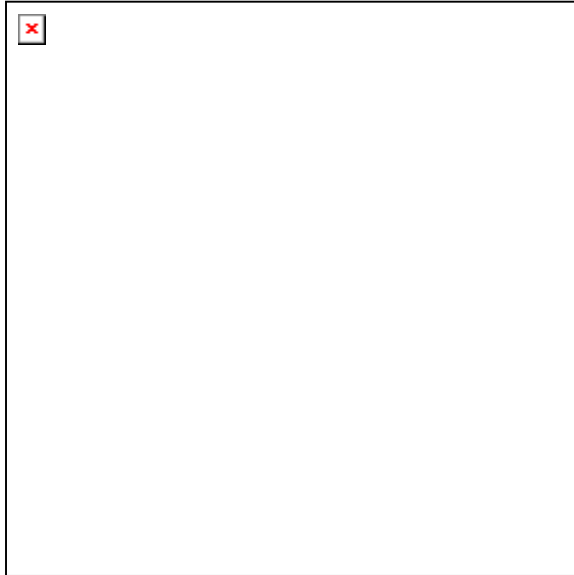
4B.1 Design Principles for a Compact City

4B.8 Respect local context and communities

Reference: 09/03467/EXTEND

Address: 37 London Road Bromley BR1 1DG

Proposal: Application to extend time limit for implementing permission DC/06/01742 for the demolition of existing building and redevelopment for mixed use with office/ B1 at ground floor and 12 residential starter homes on three storeys over to include 2 parking spaces, cycle provision and refuse storage



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

This page is left intentionally blank



- the proposal is an overdevelopment of the site;
- the rear garden is exceedingly small and out of character with the area;
- concern that the house will be re-sited to the north-west;
- decrease market value of neighbouring properties.

### **Comments from Consultees**

There are no objections from a Drainage point of view subject to appropriate conditions.

The Environment Agency and Thames Water were consulted and have no objections to this proposal.

### **Planning Considerations**

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

- BE1 Design of New Development
- NE7 Development and Trees
- H7 Housing Density and Design
- T3 Parking
- T11 New Access
- T18 Road Safety

With regards to trees there is a mature Silver Birch which does contribute to the visual amenities of the area, however there are similar specimens nearby and therefore the loss of this tree is not considered to be sufficient to warrant a refusal on this basis alone.

### **Planning History**

75/01160	Refused	1 Detached dwelling (OUTLINE)
76/01271	Refused & Dismissed at appeal	1 Detached Dwelling (OUTLINE)
78/02635	Refused	1 Detached dwelling (OUTLINE)
83/00038	Permission	Single storey rear extension
91/01963	Permission existing	Single storey side extension to garage
06/03806	Permission	Two bedroom chalet dwelling

### **Conclusions**

This application is for an extension to the time limit to a previously permitted scheme. Although the proposal must be re-assessed with regard to current national and local policies, the permission previously granted for this scheme is a material consideration in assessing this application. At the time the application was first considered under planning ref: 06/03806 the main issues



relating to the application were whether the site is of sufficient area to accommodate a dwelling without detriment to neighbouring properties and whether the proposal would be so out of character with the existing pattern of development as to be unacceptable. Therefore Members must assess if there has been a significant change in circumstances to warrant taking a different view.

At the time the application was first considered, planning permission had been granted for front and rear dormers to provide first floor accommodation at Nos. 115 and 117. These permissions have since been completed and from the approved plans there are 2 bedrooms in each house which have windows in the rear elevation and 2 bathrooms. There appears to be minimum separation of approximately 19.5m between the windows in the first floor rear elevations of Nos. 115 and 117 to the proposed window at the above dwelling.

Given that permission has previously been granted for this proposal Members may therefore agree that the circumstances have not significantly altered to warrant a different decision and therefore permission should be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 06/03806 and 09/03496, 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  | ACB01   | Trees to be retained during building op. |               |
|    | ACB01R  | Reason B01                               |               |
| 4  | ACD02   | Surface water drainage - no det. submitt |               |
|    | ADD02R  | Reason D02                               |               |
| 5  | ACD05   | No change to ground levels               |               |
|    | ADD05R  | Reason D05                               |               |
| 6  | ACH02   | Satisfactory parking - no details submit |               |
|    | ACH02R  | Reason H02                               |               |
| 7  | ACH04   | Size of parking bays/garages             |               |
|    | ACH04R  | Reason H04                               |               |
| 8  | ACH12   | Vis. splays (vehicular access) (2 in)    | 3.3m x 2.4m x |
|    | 3.3m 1m |  |               |
|    | ACH12R  | Reason H12                               |               |
| 9  | ACH32   | Highway Drainage                         |               |
|    | ADH32R  | Reason H32                               |               |
| 10 | ACI02   | Rest of "pd" Rights - Class A, B,C and E |               |

**Reason:** In the interest of the amenities of the neighbouring properties and given the restricted nature of the site with regard to Policy BE1 of the Unitary Development Plan.

11 ACK01 Compliance with submitted plan

**Reason:** In order to ensure that the proposed dwelling is appropriately sited within the limited configuration of the severed plot.

12 A minimum rear garden separation of 3 metres shall be provided from the proposed rear south east wall of the dwelling.

**Reason:** In order to provide an adequate separation to the adjacent boundary.

**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  
NE7 Development and Trees  
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 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 loss of the Silver Birch Tree;

and having regard to all other matters raised.

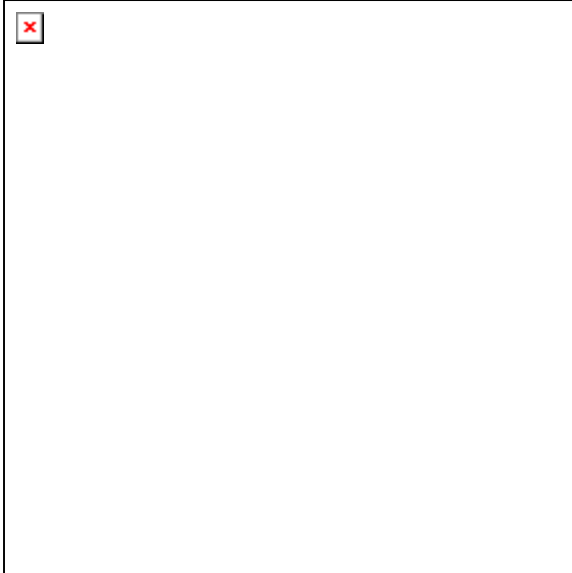
**INFORMATIVE(S)**

1 RDI03 Seek engineering advice  
2 RDI16 Contact Highways. re. crossover

Reference: 09/03496/EXTEND

Address: 2 Pondfield Road Orpington BR6 8HJ

Proposal: Extension of time limit for implementation of permission reference DC/06/03806 granted for two bedroom chalet dwelling.



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

This page is left intentionally blank



There six designated car parking spaces within the car park at the rear of the property with access from Fletchers Close.

### **Comments from Local Residents**

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

### **Comments from Consultees**

Transport for London has no objections to the change of use of the premises.

From a Highways point of view the area is located within the Controlled Parking Zone and the PTAL rate is high in addition six car parking spaces would be provided; therefore on balance there are no objections to the application.

From an Environmental point of view there are no objections to the proposal.

From a Planning Policy point of view, the following points were raised:

- Policy EMP3: the conversion of offices for other uses will be permitted only where it can be demonstrated that there is no local shortage of office floor space and that there is no loss of employment resulting from the proposal
- Whilst there is no loss of employment as the premises are vacant: the marketing supplied appears relatively weak – rent higher than average - and no use of the councils Commercial Property Database.
- The recently produced “Economic Development and Employment Land Study” (Grimley report) emphasises the importance of protecting employment activity in the Homesdale Road area – specifically office related

### **Planning Considerations**

The application falls to be determined in accordance with Policies BE1 Design of new development, EMP3 Conversion of offices for other uses, T2 Assessment of transport effects and T3 Parking

### **Planning History**

Archers Court comprises of 9 Units, planning permission was granted for a three storey office building with 50 car parking spaces in 1988

### **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 Grimley Report emphasises the importance of protecting employment activity in the Homesdale Road area – specifically office related:

#### Homesdale Road

8.27 The employment activities on Homesdale Road, being predominantly office related, cover an area of circa 3.2 hectares. There are a significant number of vacant premises on the site which offer the potential for reoccupation. The buildings date from between the 1970s and 1990s and are observed to be a good quality from external observation, set in a good quality environment.

8.28 The site has very good access to amenities and good public transport provision. There is the identified need for additional parking provision at the site to support the potential quantum of office-related activities that could come forwards on the site.

8.29 The level of vacancy within the existing stock on the site suggests that there may be issues with the internal specification of the premises relative to occupier requirements as this site is generally observed to be a good quality business location. Planning policy should look to protect employment activity on the site – specifically office related.

8.30 It is recognised that there are existing, extant residential planning permissions within this area. The Council should look to resist granting such permissions in the future to protect the site for potential office development. Should the extant residential permissions (such as that on Garrard House) not be implemented within the appropriate timescales, the Council should revert to promoting this as an employment location.

The applicants have agreed to accept a condition requiring the use to revert back to offices should the proposed use cease. Members may consider that if this application is acceptable an appropriately worded condition would be required to ensure that the use would revert to office use.

On balance, it may be appropriate to grant permission to the proposed use subject to such a condition. A permission on this basis would enable this currently vacant unit to provide commercial activity and employment, whilst maintaining its long term office potential.

Background papers referred to during production of this report comprise all correspondence on file ref. 09/03107, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

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

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACH03  | Satisfactory parking - full application  |
|   | ACH03R | Reason H03                               |

- 3     ACH30        Travel Plan  
      ACH30R      Reason H30
- 4     The use shall not operate before 09.30am and after 8.00pm on Monday to Saturday and note before 11am and after 5pm on Sundays. The use shall not operate on Christmas Day or Good Friday
- Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interests of the amenities of the surrounding area.
- 5     The premises shall only be used for mixed Class B1 (offices) and Class D1 (Non residential use) of the Schedule to the Town and Country (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enhancing that Order with or without modification), and should this use hereby approved cease it shall revert to Class B1 offices.
- Reason:** In order to comply with Policy EMP3 of the Unitary Development Plan.
- 6     AJ02B         Justification UNIQUE reason OTHER apps

Policies (UDP)

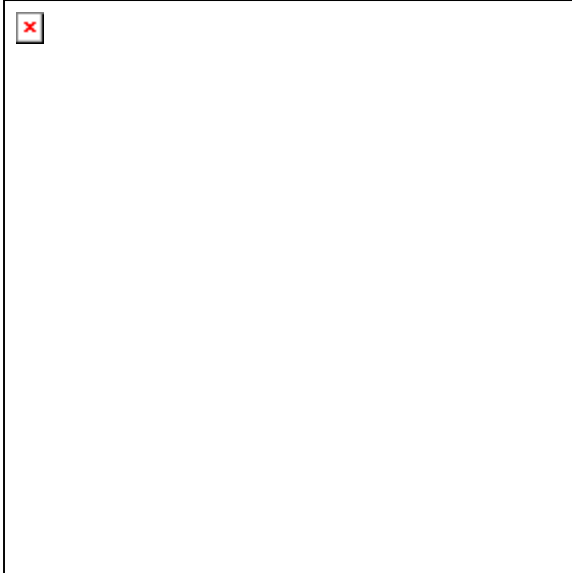
- BE1   Design of new development  
EMP3  Conversion of offices for other uses  
T2    Assessment of transport effects  
T3    Parking



Reference: 09/03107/FULL2

Address: Unit 5 Archers Court 48 Masons Hill Bromley BR2 9JG

Proposal: Change of use of unit 5 from office (Class B1) to (Class B) office and (Class D1) non residential institution, air conditioning unit on rear elevation.



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

This page is left intentionally blank

1.           **Application No :** 10/00027/FULL1

**Ward :**  
**West Wickham**

**Address :** 65 Grosvenor Road West Wickham BR4 9PY   **Conservation Area:**NO

**OS Grid E:** 537762 **N:** 166026

**Ref:**

**Applicant :** Mr D Arnold

**Objections :** NO

## **Description of Development:**

Demolition of existing dwelling and erection of detached two storey block with accommodation in roof space comprising of 2 studio flats and 3 one bedroom flats with new vehicular access and 4 car parking spaces to rear and one car parking space with associated bin store to front.

## **Proposal**

- The development proposes the demolition of the existing detached two storey residential dwelling house and the construction of a detached two storey block of flats.
- The block comprises of 5 flats which consist of 2 studio flats, and 3 one bedroom flats. The rear ground floor flat will have access to a private garden area to the rear of the site. All other flats will have access to a communal garden towards the rear of the site. The development is contained within a two storey building and with accommodation in the roof space.
- A new vehicular access with 4 car parking spaces is located off Grosvenor Road towards the rear of the block and one car parking space with an associated bin store is located towards the front of the block.
- The application site extends to an area of 0.048 hectares and the proposed density is around 104 dwellings per hectare.

## **Location**

The application site is located on a corner plot on the south western side of Grosvenor Road. The highway wraps around the sites eastern and northern boundaries and is located around 35 metres from the junction with Manor Road.

The site is located towards the south west of West Wickham town centre and currently contains an existing detached two storey dwelling which is of no specific architectural merit with two detached garage buildings to the rear adjacent to the western boundary.

The areas to the east, south and west are principally residential in character with a mixture of two storey dwellings, flats and maisonettes. Located towards the north of the site are the vehicular access for the multi storey car park and

the service access to the rear of the supermarket which fronts the High Street.

### **Comments from Local Residents**

To date, no letters of objection have been received from local residents.

### **Comments from Consultees**

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

No technical objections are raised to the new vehicular access

From a planning highways perspective, no technical objections are raised subject to conditions concerning adequate visibility splays and parking layout details.

### **Planning Considerations**

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

- H1 Housing Supply
- H7 Housing density and Design
- 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 optimise 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 site extends to an area of around 480sq.m (0.048ha).The proposal appears to be located within a suburban area (Table 4.2 of the UDP- density/location matrix) and as such the density of the proposed development which equates to around 104 dwellings per hectare is considered appropriate for this location.

A decision on an application for this number of units cannot be made under delegated powers.

### **Planning History**

Under planning application ref. 06/03762, permission was refused and dismissed at appeal for a detached one bedroom single storey house on land to the rear of 65 Grosvenor Road.

Under planning application ref. 08/00206, permission was granted for the change of use of the existing footpath towards the northern boundary of the site at the side of the dwelling from a footway to a garden and the erection of a 1.8m high fence and vehicular gates.

Under planning application ref. 09/02476, permission was granted for the demolition of existing dwelling and erection of detached two storey block with accommodation in roof space comprising of 3 one bedroom flats and one studio flat with new vehicular access and 3 car parking spaces to rear and one car parking space with associated bin store to front.

### **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 light, privacy and outlook, whether the proposal would significantly harm the spatial standards of the locality and be in keeping with the character and appearance of the area and street scene in general and whether the development would result in increased on street parking detrimental to highway safety.

The proposed appearance and scale of the building is that of a two storey dwelling with a front gable feature similar to the adjacent properties located towards the south. The development proposed is of a similar height to adjacent properties and appears to be accommodated satisfactorily within the street scene. The proposed building is the same footprint as that previously permitted with this revised scheme including the provision of a dormer extension in the northern roof slope. The roof dormer faces across the highway and looks towards the rear of the supermarket building. The

approved scheme provided habitable accommodation across three levels and the same arrangement is again proposed.

The existing dwelling located on site is set back from the road and the proposed building is to be located in a similar position away from the existing bend in the road. The proposed building is to be sited some 1.25 metres away from the boundary with No. 63 Grosvenor Road and as such provides a greater separation than currently exists between the two properties.

The proposed development would accord better with the character of the road as a whole than the existing building of a smaller domestic scale which is of no specific architectural merit. The design of the scheme provides an appropriate solution which would not overwhelm the remaining dwellings close by.

Policies H7 and BE1 draw 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 ridge height of the proposed building will match that of the neighbouring properties at No. 61 and 63 with certain design features such as the front gable incorporated into the development to respect the existing character and appearance of the street scene.

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

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

Members will therefore need to consider whether the layout of the site leaves adequate separation between buildings and whether considering the changes proposed, the development is still in keeping with the character and appearance of the area or significantly harms residential amenity.

It is considered that there may 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 impact is unduly harmful. Accordingly Members will need to consider, taking into account the approved development, whether this proposal is satisfactory.

On balance, Members may consider that these specific proposals in this location are acceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 06/03762, 08/00206, 09/02476 and 10/00027, 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 | ACC01  | Satisfactory materials (ext'nl surfaces) |             |
|   | ACC01R | Reason C01                               |             |
| 4 | ACD02  | Surface water drainage - no det. submitt |             |
|   | ADD02R | Reason D02                               |             |
| 5 | ACH12  | Vis. splays (vehicular access) (2 in)    | 2.0m x 2.0m |
|   |        | 1m                                       |             |
|   | ACH12R | Reason H12                               |             |
| 6 | ACH22  | Bicycle Parking                          |             |
|   | ACH22R | Reason H22                               |             |
| 7 | ACH32  | Highway Drainage                         |             |
|   | ADH32R | Reason H32                               |             |
| 8 | ACI11  | Obscure glaz'g/details of opening (1 in) | in the      |
|   |        | southern elevation                       |             |

**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.

- |   |       |                                   |                   |
|---|-------|-----------------------------------|-------------------|
| 9 | ACI17 | No additional windows (2 inserts) | southern building |
|---|-------|-----------------------------------|-------------------|

**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
- 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) accessibility to buildings
- (i) the housing policies of the development plan
- (j) the urban design policies of the development plan

and having regard to all other matters raised.

INFORMATIVE(S)

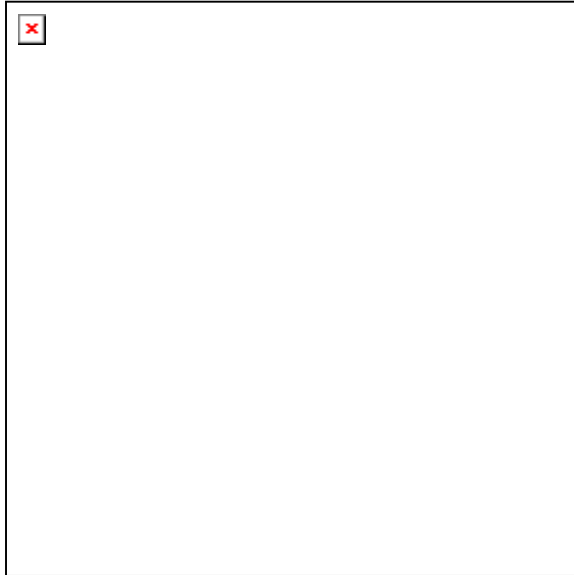
- |   |       |  |
|---|-------|--|
| 1 | RDI06 | Notify Building Control re. demolition |
| 2 | RDI10 | Consult Land Charges/Street Numbering  |
| 3 | RDI16 | Contact Highways re. crossover         |
| 4 | RDI23 | Notification re. sewer realignment     |



Reference: 10/00027/FULL1

Address: 65 Grosvenor Road West Wickham BR4 9PY

Proposal: Demolition of existing dwelling and erection of detached two storey block with accommodation in roof space comprising of 2 studio flats and 3 one bedroom flats with new vehicular access and 4 car parking spaces to rear and one car parking space with associated bin store to front.



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

This page is left intentionally blank

Report No.  
DRR/10/00020

London Borough of Bromley

Agenda  
Item No. **5A**

PART 1 - PUBLIC

---

**Decision Maker:** PLANS SUB COMMITTEE No. 4

**Date:** 18 February 2010

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** 13 WOODLANDS ROAD, BROMLEY BR1 2AD - ALLEGED  
DEPOSIT OF MATERIAL AND RAISING OF GROUND LEVELS  
IN REAR GARDEN

**Contact Officer:** Tim Bloomfield, Development Control Manager  
Tel: 020 8313 4687 Tel No E-mail: tim.bloomfield@bromley.gov.uk

**Chief Officer:** Chief Planner

**Ward:** Farnborough and Crofton

---

**1. Reason for report**

Complaints have been received that material has been deposited in the rear garden of this large detached dwelling and the land has been extensively re-contoured. It is alleged that the work has involved substantial engineering operations which has raised ground levels in particular around the site boundaries.

---

**2. RECOMMENDATION(S)**

No further action subject to additional landscaping along the side and rear boundaries of the site.

### 3. COMMENTARY

- 3.1 Under planning reference 03/01700 permission was granted on 2 July 2003 for single storey side and rear extensions and rear dormer to existing building (13 and 15 Woodland Road). This permission included the construction of an indoor swimming pool at the rear the property.
- 3.2 The property is a listed building within Bickley Park Conservation Area.
- 3.3 Following a complaint in June 2009 concerning the alleged deposit of waste material in the rear garden a site inspection was made. It is alleged that material including demolition rubble and earth had been excavated to the rear of the house and deposited in the rear garden which had been comprehensively landscaped and re-contoured, in places raising ground levels around the edge of the site above the level of the adjoining gardens. The landscaping includes gravel footpaths, steps, internal brick retaining walls and earth banking around the site boundaries.
- 3.4 The scale of the landscaping works was considered to involve engineering operations which required planning permission and the owner was requested to submit a retrospective planning application.
- 3.5 The owner maintains that the material/spoil from the demolition of a former rear extension and construction of the recent extensions was disposed of rather than being retained and deposited in the rear garden. The owner also maintains that before any works were carried out the rear garden had a significant upward gradient which it is claimed has not been modified to any material extent.
- 3.6 The owner has submitted photographs of the rear garden taken during construction work following the demolition of the former rear extension. The photographs show that former ground levels in the rear garden were generally similar to the present levels, although extensive re-contouring, landscaping and construction work has since taken place. The banking of material around the site boundaries is a matter of particular concern and the owner has agreed to additional tree and shrub planting in order to mitigate any problems of overlooking and loss of privacy.
- 3.7 The Ward Member has stated he had dealings at the site 5-8 years ago when he met the previous owner on the site. He recalls that the garden at that time was in a very unkempt state and was completely overgrown. He also recalls that the garden had a steep incline towards the rear boundary and he was able to look down on the adjoining gardens from the top of the slope. He concludes that the garden levels today are no higher than they were when he visited the site around 2004.
- 3.8 From the available evidence it is concluded that although the appearance of the rear garden may have significantly changed as a result of extensive landscaping works the overall levels have not materially increased. The engineering works appear to be less extensive than initially thought but in order to mitigate concerns about the impact on the amenities of adjoining properties the owner has agreed to carry out additional landscaping around the edges of the site to provide more effective boundary screening.

## London Borough of Bromley

Report No.  
DRR/01/00021

PART 1 - PUBLIC

Agenda  
Item No.

**5B**

---

Title: **39 SELBY ROAD, LONDON SE20**  
**2 STOREY REAR EXTENSION & CONVERSION INTO 5 FLATS**

Decision Maker: **Plans Sub-Committee No.4 & Portfolioholder  
for Renewal & Recreation** Decision Date: **18 Feb 2010**

Decision Type: Non-Urgent Non-Executive Key

Budget/Policy Framework: Within policy and budget

Chief Officer: Chief Planner/Director of Legal & Democratic Services

Contact Officer: Tim Bloomfield, Development Control Manager & Horatio Chance, Solicitor  
Tel: 020 8313 4687 E-mail: tim.bloomfield@bromley.gov.uk

Ward: Crystal Palace

---

### 1. SUMMARY

- 1.1 This property was extended and converted into flats in 2007 without planning permission. Planning permission has been refused and there are effective enforcement notices which were dismissed on appeal in 2008. Legal proceedings have been commenced but delays have been experienced in progressing the prosecution. It is considered that it would be appropriate to carry out works in default to secure compliance with the effective notices.

### 2. RECOMMENDATION

- 2.1 Authority be given to enter the land and carry out the necessary works in default to secure compliance with the effective enforcement notices and the costs incurred be recovered from the owner/leaseholder together with a legal charge registered.

### **3. COMMENTARY**

3.1 The relevant background is summarised below.

Complaints were received in 2006 that it was proposed to subdivide the property into flats. Investigations confirmed that a rear dormer extension had been constructed and that work had commenced on constructing a 2 storey rear extension without planning permission.

3.2 The matter was reported to Plans Sub-Committee on 4/1/07 and enforcement action was authorised to remove the 2 storey rear extension. 2 enforcement notices were issued in April 2008 to remove the rear extension and cease the use of the property as 5 self contained flats. A retrospective planning application for the rear extension was refused in March 2008 (Ref. 07/03964).

3.3 The subsequent appeals were dismissed on 2/12/08. Legal proceedings were subsequently commenced to secure compliance with the effective notices. However, the first hearings have so far been adjourned on 5 occasions on medical grounds, and there is increasing concern that further delays may be experienced in progressing the prosecution and securing compliance.

3.4 In the circumstances it is considered that it would be appropriate to carry out works in default to ensure that the requirements of the effective enforcement notices are fully complied with. Estimates for the cost of the works involved have been requested and will be reported to the meeting verbally.

3.5 The demolition of the 2 storey rear extension is relatively straightforward and requires making good any damage to the original building and the removal of all building rubble as a result of the demolition.

3.6 Securing compliance with the second notice is likely to be more problematical as 4 of the 5 flats are currently occupied on short term tenancies. Before any works are carried out to remove all fittings associated with the conversion, the existing tenants will have to vacate the premises. This process may take some time in order to give the tenants sufficient time to find alternative accommodation. As the 2 storey extension provides living accommodation associated with some of the flats, then this part of the property would have to be vacated before any works commence.

3.7 The Appeal Inspector concluded that that the extension has no relationship to the original dwelling in that it appeared as a dominant, overbearing and featureless structure unlike any other extension in the locality. The Inspector went on to say that from the rear gardens of properties in this section of Selby Road it appears as an incongruous feature, drawing the eye and harming the outlook. It is possible to see the extension from Selby Road where its flat roof, bulk and featureless side elevation are at odds with the surrounding properties. The Inspector felt that the Development has led to unacceptable harm to the character and appearance of the locality contrary to Policies BE1 and H8 of the UDP. In conclusion it was stated that a condition requiring materials to match would not overcome the harm identified. Accordingly, it was on this basis the Council took the view to prosecute the Owner.

### **4. LEGAL IMPLICATIONS**

4.1 As has been mentioned in the body of the report the Council as Local Planning Authority can invoke its powers under the Town and Country Planning Act 1990 to enter the land in order to secure compliance with the effective notices. Reasonable notice must be given to the Owner and Occupiers, advising them of the Councils intention to take direct action but at the same time for the sake of equitableness the Owner should be afforded one last opportunity to seek compliance with the terms of the notices. Notwithstanding the

subsequent events that have happened since service of the enforcement notices the Council must be seen to be acting lawfully and reasonably in all of the circumstances.

- 4.2 It is noted that four out of the five flats are currently tenanted. The Council will need to enter the land free from obstruction. It is a criminal offence for the Owner or Occupiers to obstruct Council Officers during the execution of such works, the penalty of which can lead to imprisonment or a fine.

It is not clear at this stage whether the Council would have an obligation to re-house those persons as "Housing Authority" should they present themselves as being homeless. The Council has a duty to consult with the individuals concerned. Assuming Authority is to be given I would recommend that the Councils Housing Department canvass the views of the individuals concerned to establish what the housing need is, if at all.

- 4.3 It may mean that a further report will have to be provided to Members before the works are executed if it transpires that there is in fact a housing need. Members should also be advised that there could be Human Rights implications flowing from a decision to take direct action, namely; the right to respect for family and private life under Article 8 of Part 1 of the Convention and Protection of Property under Article 1 Part II. However, until a full assessment is carried out by the Housing Department this is purely speculative.
- 4.4 In the event that direct action is authorised a Legal Charge will be registered against the property at H.M. Land Registry. The Owner will be responsible for paying the Councils costs incurred in connection with the above process.

<b>Non-Applicable Sections:</b>	Financial, Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	Enforcement files contain exempt information, as defined in Schedule 12A of the Local Government (Access to Information) Act 1985, and are therefore not available for public inspection.

Ref: H(DC)/TCB/ENF/06/850

This page is left intentionally blank



Report No.  
DRR/10/00022

London Borough of Bromley

Agenda  
Item No. **5C**

PART 1 - PUBLIC

---

**Decision Maker:** Plans Sub Committee No. 4

**Date:** 18<sup>th</sup> February 2010

**Decision Type:** Non-Urgent Non-Executive Key

**Title:** THE RAVENSBORNE SCHOOL, HAYES LANE, HAYES,  
BROMLEY, KENT BR2 9EH

**Contact Officer:** Tim Bloomfield, Development Control Manager  
Tel: 020 8313 4687 E-mail: tim.bloomfield@bromley.gov.uk

**Chief Officer:** Chief Planner

**Ward:** Hayes

---

1. Reason for report

Planning permission was granted in 1991 for an all weather sports pitch with floodlights subject to conditions to restrict the use of the lights. Further complaints have been received alleging that the relevant conditions are regularly being breached.

---

2. **RECOMMENDATION(S)**

2.1 A Breach of Condition Notice be issued to secure compliance with Condition 8 of planning permission ref. 91/01549.

### 3. COMMENTARY

3.1 There is considerable enforcement history on this site concerning the use of floodlights for the all weather pitch and numerous complaints have been received from local residents.

3.2 Under planning ref. 91.1549, planning permission was granted for the construction of an all-weather pitch and the use of flood lighting.

3.3 This permission was subject to various conditions.

Condition 7 states: -

***“The floodlights shall not operate other than between 09.00 and 18.00 hours Monday to Saturday except three days between Monday and Friday inclusive when the floodlights shall not operate other than between 09.00 and 21.30 hours”***

The condition was imposed to safeguard the amenities of local residents.

Condition 8 states:-

***“The lighting levels of the floodlights shall not exceed the following:***

***Mon- Frl 100 lux***

***Saturday 250 lux “***

The condition was imposed to protect the residential amenities of the occupants of nearby properties.

3.4 Since the granting of this permission numerous complaints have been received alleging that Conditions 7 and 8 were not being complied with.

3.5 Formal action was not considered to be necessary until 2006 when it appeared that condition 7 was regularly being breached and the floodlights were operating after 18-00 hours on more than 3 days per week.

3.6 On the 27<sup>th</sup> February 2007 a Breach of Condition Notice was issued to secure compliance with the condition which was complied with.

3.7 Although further complaints were received in 2008 concerning alleged breaches of the condition it was not considered expedient to commence legal proceedings.

3.8 Members will be aware that during summer months any breaches of the conditions are not readily identifiable but are more apparent during the autumn and winter months when the use of the lights is more intensive.

3.9 Numerous complaints have been received since the start of the current school year alleging that the floodlights are operating up to five days a week and beyond the times stipulated, in breach of the relevant condition.

3.10 Under planning reference 09/01193 permission was sought to vary condition 7 but was refused. An appeal has recently been lodged.

3.11 More recently, it appears that the floodlights are being used on weekdays using all 24 lights. There should only be 16 lights in use on Mondays to Fridays. The school has been advised of this and any response will be reported verbally.

#### 4. CONCLUSION

- 4.1 The School has been advised of the restrictions imposed by the conditions concerning the use of the floodlights. The unauthorised use of the floodlights in excess of the luminance restrictions is considered to result in material harm to the amenities of neighbouring properties. It is therefore recommended that a Breach of Condition Notice be issued regarding failure to comply with the relevant conditions.

<b>Non-Applicable Sections:</b>	Financial, Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	Enforcement files contain exempt information, as defined in Schedule 12A of the Local Government (Access to Information) Act 1985, and are therefore not available for public inspection.

Ref: H(DC)/CW/09/725



Report No.  
DRR/10/00023

London Borough of Bromley

Agenda  
Item No. **5D**

## PART 1 - PUBLIC

---

**Decision Maker:** PLANS SUB COMMITTEE No. 4

**Date:** 18 February 2010

**Decision Type:** Non-Urgent                      Non-Executive                      Key

**Title:** **OVER HEIGHT WALL AND FENCE - MEADOWCROFT,  
BERRYS GREEN ROAD, CUDHAM**

**Contact Officer:** Tim Bloomfield, Development Control manager  
Tel: 020 8313 4687 Tel No E-mail: tim.bloomfield@bromley.gov.uk

**Chief Officer:** Chief Planner

**Ward:** Darwin

---

1. Reason for report

A high brick boundary wall and railings has been erected along the front boundary to Berrys Green Road. Although an enforcement notice was issued and upheld on appeal in 2002 it has still not been complied with. Legal proceedings were commenced but have been held in abeyance for some time on the basis of the personal circumstances of the owner.

---

2. **RECOMMENDATION(S)**

- 2.1 Legal proceedings be resumed to secure compliance with the effective enforcement notice.
- 2.2 In the event of the notice not being complied with within 3 months of the prosecution, authority be given to enter the land and carry out works in default to reduce the height of the wall to no more than 1m and remove the railings or relocate at least 2m back from the front boundary and a charge be placed on the land.

### 3. COMMENTARY

- 3.1 The site is a detached bungalow on the east side of Berrys Green Road set well back from the road. It is situated within the Green Belt in an attractive predominantly rural location.
- 3.2 A number of complaints were received in 2000 regarding the erection of a brick wall and metal railings along the road frontage. A retrospective planning application reference 99/02906 was submitted for the retention of the wall and railings. On 12 January 2000 permission was refused under delegated authority and enforcement action authorised to secure removal of the wall and railings in excess of 1m high.
- 3.3 A further amended planning application reference 00/01332 was subsequently refused permission and enforcement action authorised at Plans Sub-Committee on 1 March 2001.
- 3.4 On 4 July 2001 an Enforcement Notice was served on the owner requiring the following action to be taken;
- (1) To reduce the brick wall to one metre in height and to remove the railings from the said land.
- (2) To remove from the land all rubble and building materials in compliance with (1) above.
- 3.5 The appeal against the enforcement notice was dismissed in 2002. The period for compliance was extended from 28 days to 12 months, giving a compliance date of 12 July 2003.
- 3.6 On 24 June 2003 a further application was submitted for the retention of the wall and railings but was not determined on the grounds that it was not materially different to the previous applications, which were refused permission.
- 3.7 A further revised planning application reference 03/03088 seeking retention of the wall and re-siting of the railings was submitted. The revised proposal was for 2m high railings positioned in line with the recessed entry gates but with no change to the height of the wall fronting Berrys Green Road.
- 3.8 On 6 November 2003 the matter was reported to the Plans Sub-Committee when it was resolved that the front wall could be retained at its present height provided that the railings were relocated further back from the front boundary. However, following this decision it became apparent that the owner was suffering from severe health and personal domestic problems. This was confirmed by correspondence and enquiries made through a Senior Social Worker from Oxleas NHS Trust.
- 3.9 In these circumstances it was considered appropriate to defer legal proceedings on the basis of the very special circumstances of the owner. However the enforcement notice remains in force and has still not been complied with some 6 years since the effective date. Clearly, this situation should not continue indefinitely and in view of the excessive length of time involved it is considered that legal proceedings should be resumed to secure compliance with the effective notice. In the event of a successful prosecution and continued failure to comply with the effective notice, it is further recommended that it would be expedient to take direct action to reduce the height of the wall and remove or relocate the railings.

<b>Non-Applicable Sections:</b>	
Background Documents: (Access via Contact Officer)	

HDC/TCB/04/00127

Report No.  
ES TPO 2341

London Borough of Bromley

Agenda  
Item No. **6**

**PART 1 - PUBLIC**

**Decision Maker:**      **Plans 4 Sub-Committee**

**Date:**                      **18 February 2010**

**Decision Type:**      Non-Urgent                      Non-Executive                      Non-Key

**Title:**                      **OBJECTIONS TO TREE PRESERVATION ORDER 2341 AT  
42 DURHAM AVENUE, BROMLEY**

**Contact Officer:**      Coral Gibson, Principal Trees Officer  
Tel: 020 8313 4516    E-mail: coral.gibson@bromley.gov.uk

**Chief Officer:**              Chief Planner

**Ward:**                      Shortlands

1.    Reason for report

- 1.1    This order was made on 10 November 2009 and relates to two oak trees in the garden of 42A Durham Avenue.
- 1.2    Objections have been received by the owner of an adjoining property who expressed concern because trees in the area are already protected by virtue of their location within the Durham Avenue conservation area and also because the two trees are growing close to each other and one may need to be removed in the future. Comments have also been received by the owners of the property who expressed concern about the protection of T.1 because of its proximity to T.2 and the potential of the tree to cause damage to their property.
- 1.3    Firstly, the protection of trees in Durham Avenue was clarified. All trees in this area are protected by virtue of their location within the conservation area. This means that if any work to trees is proposed, 6 weeks notice in writing should be given to the Council who can either allow the proposed works or make a Tree Preservation Order. It does not have the power to revise the works and so the only way of controlling tree works which are not considered appropriate is by making a Tree Preservation Order. In this case the proposed work was to reduce the height of the two oak trees by one third. This work was considered to be inappropriate because the trees are visible from the street and also because height reduction by one third of oak trees is a major operation, which can harm the health of the trees by creating large wounds which act as entry points for decay causing organisms, as well as disrupting the trees internal systems of transportation and growth control. In addition it would harm the amenity value of the trees. Alternative work such as thinning the canopy and lifting the lower canopy would allow more light into the garden but would retain the trees as attractive healthy specimens. The following work has been agreed - the lifting of the lower canopies to give a clearance over the ground of no more than 4 metres and the thinning of the canopies by no more than 20%.
- 1.4    The objectors have been advised that Tree Preservation Orders do not preclude appropriate tree surgery or felling, although they do mean that the consent of the Council is required prior to most tree works being carried out. Trees sometimes require tree surgery or even felling but this

does not necessarily prevent Tree Preservation Orders being made for them. In respect of the trees growing beside each other, if it is demonstrated in the future that one of the trees should be removed for the benefit of the future health of the retained trees, then careful consideration of the proposal would be given.

**2. RECOMMENDATION**

- 2.1 The Chief Planner advises that the trees make an important contribution to the visual amenity of the surrounding area and notwithstanding the objections raised, the Order should be confirmed.
- 

**3. POLICY IMPLICATIONS**

- 3.1 This report is in accordance with Policy NE6 of the Council's adopted Unitary Development Plan.

**4. LEGAL CONSIDERATIONS**

- 4.1 If not confirmed the order will expire on 10<sup>th</sup> May 2010.

<b>Non-Applicable Sections:</b>	Financial and Personnel Implications
Background Documents: (Access via Contact Officer)	



Report No.  
ES TPO 2346

London Borough of Bromley

Agenda  
Item No.

## PART 1 - PUBLIC

---

**Decision Maker:** Plans 4 Sub-Committee

**Date:** 18 February 2010

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** **OBJECTIONS TO TREE PRESERVATION ORDER 2346 AT  
14 TUBBENDEN LANE, ORPINGTON**

**Contact Officer:** Coral Gibson, Principal Trees Officer  
Tel: 020 8313 4516 E-mail: coral.gibson@bromley.gov.uk

**Chief Officer:** Chief Planner

**Ward:** Farnborough and Crofton

---

1. Reason for report

- 1.1 This order was made on 21 December 2009 and relates to one beech tree in the garden of 14 Tubbenden Lane, Orpington. The owner of the property supports the making of the TPO.
- 1.2 Objections have been received by the owner of an adjoining property. They have set out the background since they purchased the property in 2004 and have concerns about the size of the tree, the amount that it overhangs their back garden and risks of parts of the tree falling or even the whole tree falling and damaging their property. They also asked about common law rights to remove overhanging branches.
- 1.3 Dealing with the last issue first, they were advised that they are correct in that landowners do have a right in Common Law to cut back any branches which overhang their property. They can only cut back to the boundary line and should offer the branches back to the owner of the tree. However this right is removed once a preservation order has been made. If someone wants to cut back overhanging branches from a preserved tree they would need the written consent of the Council in the same way as an owner. Cutting back of overhanging branches without the consent of the Council would be an offence. These "rules" also apply to roots which extend beyond the boundary.
- 1.4 They have expressed concern that in the event of a high wind part of or the whole tree could fall and cause damage. Their concerns about the safety of the tree are appreciated and whilst it is never possible to guarantee the tree's safety, provided it is in good health then this is normally accepted as a low risk. However it is prudent to have a tree inspected periodically by a qualified arboriculturalist, although as the tree is not in their ownership, this may be something which they might wish to discuss with their neighbour. The imposition of the TPO does not transfer responsibility of the tree to the Council, and this remains with the owner.
- 1.5 The matter of safety is of course an important one and it was pointed out that Tree Preservation Orders do not preclude appropriate tree surgery, although they do mean that the consent of the

Council is required prior to most tree works being carried out. Trees sometimes require tree surgery, and this does not necessarily prevent Tree Preservation Orders being made for them.

- 1.6 The objectors included in their correspondence a specification of proposed work which indicated removing all of the branches overhanging their garden back to suitable growing points. This represents a severe reduction of the tree on one side. Such work is a major operation, which would harm the health of the tree by creating large wounds which act as entry points for decay causing organisms, as well as disrupting the tree's internal systems of transportation and growth control. In addition it would harm the amenity value of the tree. Beech trees do not respond well to such reduction and the overall future health of the tree would be compromised. However as an alternative crown thinning by no more than 20% would be a more acceptable method of pruning the tree to allow more light and air through the tree and reduce the impact on their property

## 2. RECOMMENDATION

- 2.1 The Chief Planner advises that the tree makes an important contribution to the visual amenity of the surrounding area and notwithstanding the objections raised, the Order should be confirmed.
- 

## 3. POLICY IMPLICATIONS

- 3.1 This report is in accordance with Policy NE6 of the Council's adopted Unitary Development Plan.

## 4. LEGAL CONSIDERATIONS

- 4.1 If not confirmed the order will expire on 21 June 2010.

<b>Non-Applicable Sections:</b>	Financial and Personnel Implications
Background Documents: (Access via Contact Officer)	