



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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

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

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on
THURSDAY 15 APRIL 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
<http://sharepoint.bromley.gov.uk>**

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 18 FEBRUARY 2010**
(Pages 5 - 14)
- 4 PLANNING APPLICATIONS**

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

Report No.	Ward	Page Ref.	Application Number and Address
4.1	Penge and Cator	15-18	(09/02898/DEEM3) - The Groves Day Nursery, Woodbine Grove, Penge, London SE20.

SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page Ref.	Application Number and Address
4.2	Farnborough and Crofton	19-24	(09/03496/EXTEND) - 2 Pondfield Road, Orpington.
4.3	West Wickham	25-28	(10/00113/FULL6) - 28 Manor Park Road, West Wickham.
4.4	Cray Valley East	29-38	(10/00211/FULL2) - Crouch Farm, Crockenhill Road, Swanley.
4.5	Bickley	39-52	(10/00230/FULL1) - Land East Side, Blackbrook Lane, Bickley.
4.6	Farnborough and Crofton Conservation Area	53-58	(10/00308/FULL6) - 9 Park Avenue, Farnborough, Orpington.
4.7	Farnborough and Crofton Conservation Area	59-62	(10/00316/CAC) - 9 Park Avenue, Farnborough, Orpington.
4.8	Chislehurst	63-68	(10/00330/FULL6) - 47 Elmstead Lane, Chislehurst.

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

Report No.	Ward	Page Ref.	Application Number and Address
4.9	Orpington	69-74	(09/02232/FULL2) - 47 Eldred Drive, Orpington.
4.10	Petts Wood and Knoll	75-78	(10/00008/FULL6) - 39 Broadcroft Road, Petts Wood, Orpington.
4.11	Bickley	79-82	(10/00266/FULL6) - 17 Hawthorne Road, Bickley, Bromley.
4.12	Copers Cope	83-92	(10/00474/OUT) - 2 Stanley Avenue, Beckenham.

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

Report No.	Ward	Page Ref.	Application Number and Address
4.13	Darwin	93-98	(10/00192/VAR) - Archies Stables, Cudham Lane North, Cudham, Sevenoaks.
4.14	Farnborough and Crofton	99-104	(10/00337/FULL6) - 22 Monks Way, Orpington.

5 CONTRAVENTIONS AND OTHER ISSUES

Report No.	Ward	Page Ref.	Application Number and Address
			NO REPORTS

6 TREE PRESERVATION ORDERS

Report No.	Ward	Page Ref.	Application Number and Address
6.1	Farnborough and Crofton	105-106	(ES TPO 2340) - Objections to Tree Preservation Order 2340 at Tanglewood, Sunnydale and Briarfield, Hazel Grove, Farnborough.
6.2	Shortlands	107-108	(ES TPO 2352) - Objections to Tree Preservation Order 2352 at 42 and 44 Westmoreland Road, Bromley.

7 MATTERS FOR INFORMATION:- ENFORCEMENT ACTION AUTHORISED BY CHIEF PLANNER UNDER DELEGATED AUTHORITY

NO REPORTS

PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held on 18 February 2010

Present:

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

Also in attendance:

Councillors Bloomfield and Tom Papworth

26 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS**

Apologies for absence were received from Councillors Gordon Norrie and Karen Roberts. Councillor Peter Fookes attended as alternate for Councillor Roberts.

27 **DECLARATIONS OF INTEREST**

Councillor Martin Curry declared a personal interest in Item 3 as a non-executive Director for Broomleigh. He remained in the room but did not vote.

28 **MINUTES**

RESOLVED that the Minutes of the meeting held on 17 December 2009 be confirmed and signed as a true record.

29 **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 CHELSFIELD AND PRATTS BOTTOM WARD

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

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

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

1. The site is located within the Green Belt and this form of development is considered to be inappropriate and the Council sees no very special circumstances which might justify the grant of planning permission to a development which will result in a loss of openness, harm to the character and appearance of the Green Belt, contrary to Policy G1 of the Unitary Development Plan.
 2. The proposed development would be detrimental to the amenities of the neighbouring residential properties particularly by means of noise and disturbance contrary to Policy BE1 of the Unitary Development Plan.
- Councillor Dean's vote against refusal was noted.

**2
PENGE AND CATOR
WARD**

(09/03152/FULL1) 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 at **6 Padua Road, Penge, London SE20.**

Oral representations 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 the application be DEFERRED**, without prejudice to any future consideration, to:-

- reduce the number of units; and
- increase the car parking from 3 to 4 spaces.

Councillor Dean's vote against deferral was noted.

**3
CHELSFIELD AND
PRATTS BOTTOM
WARD**

(09/03167/FULL1) Two detached two storey three bedroom dwellings with 4 car parking spaces and cycle store on land adjacent to 19 Daleside Close at **Land rear of 104-108 Windsor Drive, Daleside Close, Orpington.**

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

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

It was also reported that a revised site map had been circulated to Members.

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

1. The proposal constitutes a cramped overdevelopment of the site out of character with the locality and contrary to Policy H7 and BE1 of the Unitary Development Plan.

**4
BROMLEY COMMON
AND KESTON WARD**

(09/03260/FULL6) Single storey side extensions and pitched roof to existing garage at **Turpington Farm House, 146 Southborough Lane, Bromley.**

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

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

**5
BROMLEY TOWN
WARD**

(09/03314/DET) Details of appearance, layout and scale of outline permission ref 09/01137 granted for 69 flats with car parking at **Garrard House, 2-6 Homesdale Road, Bromley.**

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

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

**6
DARWIN WARD**

(09/03367/FULL6) 3 front dormer extensions and front porch canopy at **Hope Cottage, Grays Road, Westerham.**

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Bloomfield 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.

**7
CHELSFIELD AND
PRATTS BOTTOM
WARD**

(09/03440/FULL6) Ground and first floor side extension at **25 Warren Road, Orpington.**

It was reported that the adjacent school had no significant objections.

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.

**8
BROMLEY TOWN
WARD**

(09/03467/EXTEND) 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 at **37 London Road, Bromley.**

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.

**9
FARNBOROUGH
AND CROFTON
WARD**

(09/03496/EXTEND) Extension of time limit for implementation of permission ref. 06/03806 granted for two bedroom chalet dwelling at **2 Pondfield Road, Orpington.**

The Chief Planner clarified the position of the proposed development on the site map contained within the report. Members having considered the report and objections, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration to:-

- to seek either to remove or obscure glazing to the window in the rear elevation; and
- to seek screening between the development and boundary with Lovibonds Avenue.

Councillors Dean, Evans and Jenkins voted against deferral.

SECTION 3

Applications recommended for Permission, Approval or Consent

**10
BROMLEY TOWN
WARD**

(09/03107/FULL2) Description amended to read 'Change of use of unit 5 from office (Class B1) to (Class B1) office and (Class D1) non residential institution, air conditioning unit on rear elevation at **Unit 5, Archers Court, 48 Masons Hill, Bromley**'.

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 with condition 4 amended to read:-

'4. The use shall not operate before 09.30am and after 8.00pm on Monday to Saturday and not before 11am and after 5pm on Sundays. The use shall not operate on any Bank/Public Holidays, 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.'

**11
WEST WICKHAM
WARD**

(10/00027/FULL1) 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 at **65 Grosvenor Road, West Wickham.**

Comments from the Metropolitan Police were reported at the meeting.

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

"10. The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall seek to achieve the "Secured by Design" accreditation awarded by the Metropolitan Police.

Reason: In the interest of security and crime prevention and to accord with Policies H7 and BE1 of the Unitary Development Plan."

SECTION 4

Applications recommended for refusal or disapproval of details

NO REPORTS

30

SUPPLEMENTARY AGENDA

S1

**FARNBOROUGH
AND CROFTON
WARD**

Conservation Area

(09/03362) Detached two storey five bedroom house with roofspace accommodation and integral garage at **11 The Glen, Orpington.**

Oral representations 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 and informatives set out in the report of the Chief Planner.

S2

**FARNBOROUGH
AND CROFTON
WARD**

Conservation Area

(09/03535) Demolition of existing dwelling
CONSERVATION AREA CONSENT at 11 The Glen, Orpington.

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

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

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

“A planning application at the neighbouring site will be considered at the same Plans Sub-Committee and it is expedient that both applications are considered at the same time.”

S3

**FARNBOROUGH
AND CROFTON
WARD**

Conservation Area

(09/03544) Detached four bedroom two storey dwelling with integral garage at **13 The Glen, Orpington.**

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 and informative set out in the report of the Chief Planner.

S4
FARNBOROUGH
AND CROFTON
WARD
Conservation Area

(09/03545) Demolition of existing two storey dwelling
CONSERVATION AREA CONSENT at **13 The Glen,**
Orpington.
Oral representations in support of the application were
received at the meeting.
Members having considered the report and
representations, **RESOLVED that CONSERVATION**
AREA CONSENT BE GRANTED as recommended,
subject to the condition set out in the report of the Chief
Planner.

31

CONTRAVENTIONS AND OTHER ISSUES

Members considered the following reports of the Chief
Planner:-

A
BICKLEY WARD

(DRR/10/00020) Alleged deposit of material and raising of
ground levels in rear garden at **13 Woodlands Road,**
Bromley.
Oral representations in favour of enforcement action were
received at the meeting.
Members having considered the report and
representations, **RESOLVED that NO FURTHER**
ACTION BE TAKEN SUBJECT TO ADDITIONAL
LANDSCAPING ALONG THE SIDE AND REAR
BOUNDARIES OF THE SITE.

B
CRYSTAL PALACE
WARD

(DRR/10/00021) 2 storey rear extension and conversion
into 5 flats at **39 Selby Road, London SE20.**
Oral representations in favour of enforcement action were
received. Oral representations from Ward Member,
Councillor Tom Papworth in favour of enforcement action
were received at the meeting.
It was also reported that in respect of the ongoing
prosecution action, the Court agreed to adjourn the matter
for a further two months due to the owner's continued ill-
health.
Members having considered the report and
representations, **RESOLVED that 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 COST INCURRED BE
RECOVERED FROM THE OWNER/LEASEHOLDER
TOGETHER WITH A LEGAL CHARGE REGISTERED.

**C
BROMLEY TOWN
WARD**

(DRR/10/00022) Breach of condition relating to the floodlights on the all weather sports pitch at **The Ravensbourne School, Hayes Lane, Hayes, Bromley.** Oral representations in favour and against a breach of condition notice being issued were received at the meeting.

Members having considered the report and representations, **RESOLVED that A BREACH OF CONDITION NOTICE BE ISSUED TO SECURE COMPLIANCE WITH CONDITION 8 OF PLANNING PERMISSION REF. 91/01549.**

Councillor Robert Evans' vote against the Breach of Condition Notice being issued was noted.

**D
DARWIN WARD**

(DRR/10/00023) Over height wall and fence at **Meadowcroft, Berrys Green Road, Cudham.** Oral representations from Ward Member, Councillor Bloomfield in support of the recommendation were received at the meeting.

Members having considered the report and representations, **RESOLVED that:-**

1. LEGAL PROCEEDINGS BE RESUMED TO SECURE COMPLIANCE WITH THE EFFECTIVE ENFORCEMENT NOTICE.

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.

32

TREE PRESERVATION ORDERS

**SHORTLANDS
WARD**

(TPO 2341) Objections to Tree Preservation Order 2341 at **42 Durham Avenue, Bromley.**

Members having considered the report and objections, **RESOLVED that Tree Preservation Order 2341** relating to two oak trees in the garden of 42A Durham Avenue **BE CONFIRMED** as recommended in the report of the Chief Planner.

**FARNBOROUGH
AND CROFTON
WARD**

(TPO 2346) Objections to Tree Preservation Order 2346
at **14 Tubbenden Lane, Orpington.**

Members having considered the report and objections,
RESOLVED that Tree Preservation Order 2346 relating
to one beech tree **BE CONFIRMED** as recommended in
the report of the Chief Planner.

The meeting closed at 9.10 pm.

Chairman

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Agenda Item 4.1

Application No : 09/02898/DEEM3

Ward:
Penge And Cator

Address : The Groves Day Nursery Woodbine
Grove Penge London SE20 8UX

OS Grid Ref: E: 534912 N: 170128

Applicant : Mrs C Edwards

Objections : NO

Description of Development:

Door with access ramp and balustrade on north east elevation

Proposal

- The proposal is to replace an existing window on the front (north-east) elevation with a door with a raised grassed verge externally to provide access to the existing soft play area.
- Handrails will also be provided.
- The aim of the scheme is to provide the internal training area with access to the external play area as currently this is not possible other than via the adjacent crèche.
- It is not proposed that any additional staff or children will attend the children and family centre.

Location

- The application site is a centre for children and families.
- It is located on the corner of the junction of Woodbine Grove with Oakfield Road.
- Access to the centre is from Woodbine Grove.

Comments from Local Residents

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

Comments from Consultees

No comments received to date.

Planning Considerations

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

BE1 Design of New Development
C1 Community Facilities
C7 Educational and Pre-School Facilities

London Plan:

Chapter 3 Objectives 2 & 4

Policy 3A.17: Addressing the needs of London's diverse population

Policy 3D.13 Children and Young People's Play and informal recreation strategies

Planning History

No relevant planning history.

Conclusions

The main issues relating to the application are the effect that it would have on the character and appearance of the host building and the area in general, as well as the impact that it would have on the amenities of the occupants of surrounding residential properties.

The site of the proposed access is adjacent to 'Cumberland Terrace' which is a row of residential dwellings. In terms of the impact on the amenities of the occupiers of these dwellings, as the external play area is already in situ at the site, it is not considered that simply proposing a new access to it will have a significant impact in terms of increased levels of noise or disturbance.

From a visual perspective, the proposed door may be considered to be 'de-minimus' development and would not have a significant visual impact. Furthermore, the access ramp would be of a fairly shallow gradient and would not appear unduly prominent or uncharacteristic in the context of this site.

In addition it is considered that the proposal would support the requirements of the London Plan in addressing the needs of diverse groups and enabling them access to play space.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 09/02898, excluding exempt information.

as amended by documents received on 02.03.2010

Subject to the following conditions:

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

Reasons for granting permission:

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

- BE1 Design of New Development
- C1 Community Facilities
- C7 Educational and Pre-School Facilities

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

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

and having regard to all other matters raised.

Reference: 09/02898/DEEM3

Address: The Groves Day Nursery Woodbine Grove Penge London SE20 8UX

Proposal: Door with access ramp and balustrade on north east elevation



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Agenda Item 4.2

Application No : 09/03496/EXTEND

Ward:
Farnborough And Crofton

Address : 2 Pondfield Road Orpington BR6 8HJ

OS Grid Ref: E: 543984 N: 165402

Applicant : Mr David Evans

Objections : YES

Description of Development:

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

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding

Proposal

This application was deferred by the Plans Sub Committee on the 18th February 2010 to enquire if the applicant would alter the window in the rear elevation to either be removed, given there is a proposed window in the western flank elevation serving the same bedroom or obscure glaze the window and provide screening between the window and the common boundary with Lovibonds Avenue. The applicant has written to the Council on the 26th February 2010 stating that if required would be agreeable to providing obscure glazing to this window.

The previous report is repeated below updated where appropriate for Members information.

This proposal is for an extension of time limit for implementation of permission ref. 06/03806 granted for two bedroom chalet dwelling.

- The chalet dwelling will be located approximately 8m decreasing to 5m from the public footpath along Pondfield Road.
- There will be a separation of 3m from the new dwelling and the rear boundary with No. 117 and 4m between the new dwelling and the rear boundary with No. 115.
- The new dwelling will have a maximum width of 9.5m and depth of 10.2m
- The new dwelling will have a maximum height of ~7.4m

Location

The site is located on an estate development of 24 detached dwellings all of similar design and mostly open frontages. The site is roughly trapezoidal in shape and lies to the south-west of No. 2 Pondfield Road and is approximately 450m².

Consultations

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

- building a house in a back garden is unacceptable;
- windows will look straight into garden and neighbouring house resulting in a loss of privacy;
- enjoyment of neighbouring house will be ruined;
- loss of a mature trees in the existing garden and grass frontage;
- neighbours were not consulted in the 2006 application therefore this is the first time they have had the opportunity to raise their concerns;
- 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 - Single storey side extension to existing 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 permission 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. The applicant has confirmed that if required the window to the rear elevation could be obscure glazed in order to elevate this concern.

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'n'l 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 | ACI12 | Obscure glazing (1 insert) | in the first floor rear elevation |
| | ACI12R | I12 reason (1 insert) | BE1 |

- | | | | |
|----|-------|--------------------------------|--|
| 12 | 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.

- | | | | |
|----|--|--|--|
| 13 | 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.

- | | | | |
|----|---|--|--|
| 14 | Details of a scheme of landscaping for the area between the rear elevation and the common boundary with Lovidbonds Avenue shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those original planted. | | |
|----|---|--|--|

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

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:

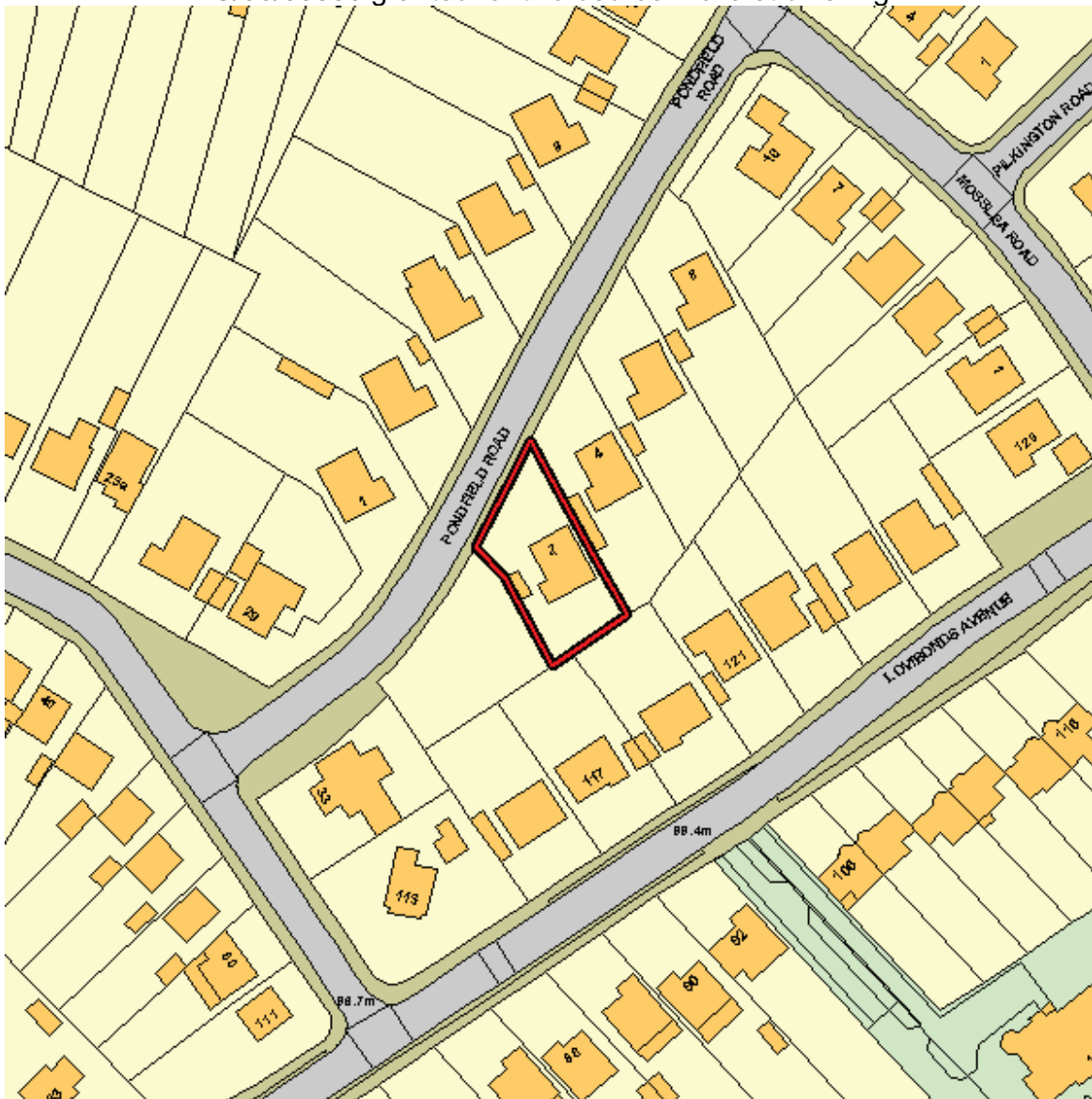
- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent property;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the light and outlook 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 |
| 3 | RD130 | Obscure Glazing |

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.



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Agenda Item 4.3

Application No : 10/00113/FULL6

Ward:
West Wickham

Address : 28 Manor Park Road West Wickham
BR4 0JZ

OS Grid Ref: E: 537815 N: 166287

Applicant : Mr H Leach

Objections : NO

Description of Development:

Single storey rear extension
RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Local Distributor Roads

Proposal

This application seeks to retain a single storey rear extension (RETROSPECTIVE APPLICATION). The property is end-terrace.

The rear extension measures at 5m deep x 2.5m wide with a flat roof measuring at 3.6m high at highest point with decking internally and externally.

Comments from Local Residents

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

Planning Considerations

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

Conclusions

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

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

In terms of loss of amenities, the properties are mainly south facing and in the morning shadowing will principally take place from an easterly direction. The extension measures at 5m deep with a solid brick wall measuring at 3.6m high on the shared boundary with 30 Manor Park Road. A habitable room window is located in the rear elevation towards the side boundary with the application site. This neighbour would not under normal circumstances experience an adverse loss of outlook or sunlight/daylight, however given the depth of the extension and the orientation of the properties, it is considered that the extension in this instance is too excessive and adversely affects the amenities of the neighbouring property at 30 Manor Park Road due to loss of amenities and outlook.

Members will need to consider whether the impact of the extension on No.30 Manor Park Road, particularly in terms of the visual impact and prospect issues, is significant enough to warrant the application being refused and whether enforcement action to authorise the removal of the extension would be expedient in this instance.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/00113, excluding exempt information.

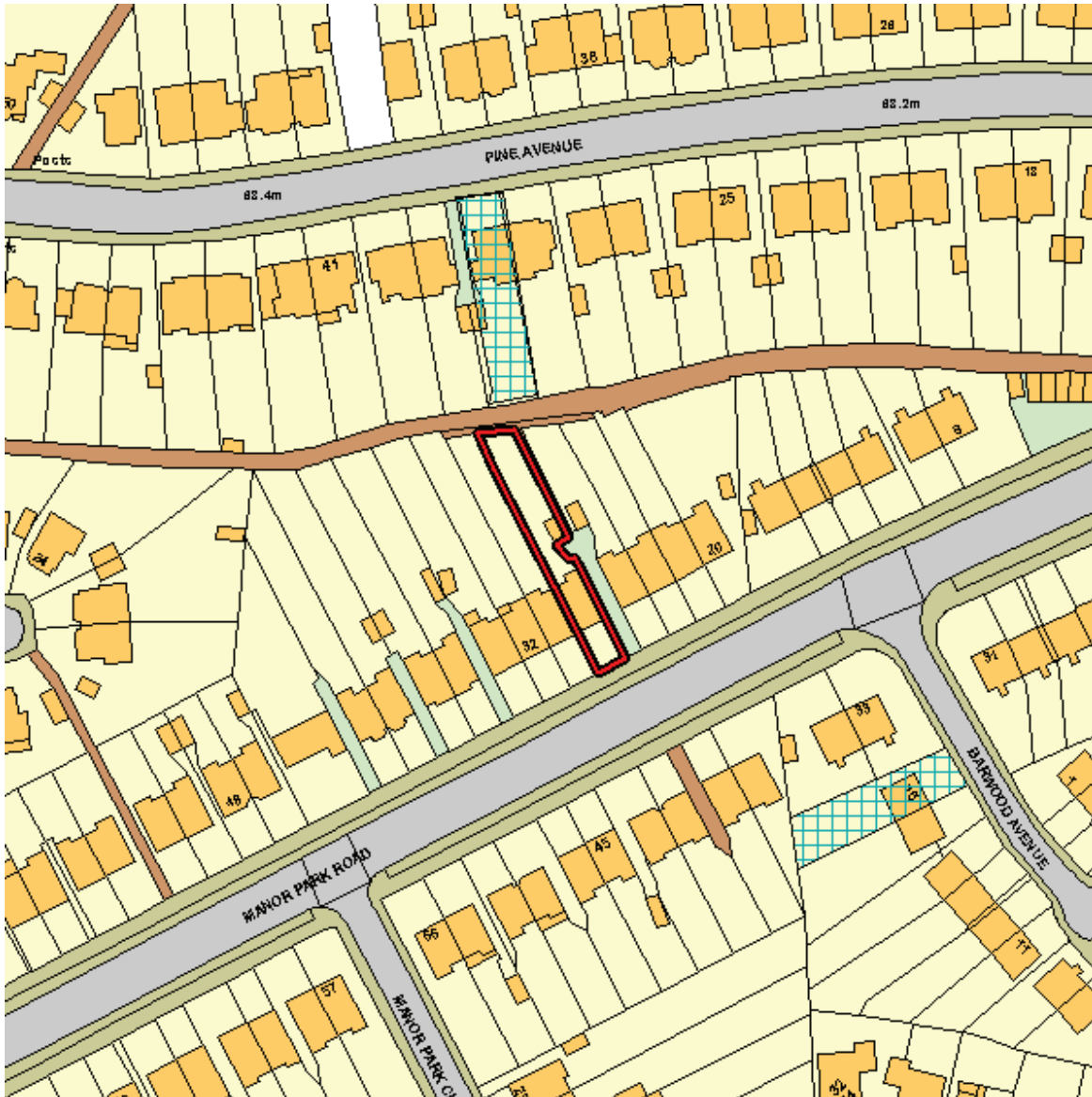
RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- 0 D00002 If Members are minded to grant planning permission, no conditions have been suggested.

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

- 1 The extension, due to its depth is considered too excessive and the development would therefore seriously harm the neighbouring amenities by reason of visual impact, contrary to Policies BE1 and H8 of the Unitary Development Plan.

Reference: 10/00113/FULL6
Address: 28 Manor Park Road West Wickham BR4 0JZ
Proposal: Single storey rear extension
RETROSPECTIVE APPLICATION



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Agenda Item 4.4

Application No : 10/00211/FULL2

Ward:
Cray Valley East

Address : Crouch Farm Crockenhill Road Swanley
BR8 8EP

OS Grid Ref: E: 549392 N: 167211

Applicant : A.W. Batchelor _ Sons

Objections : YES

Description of Development:

Change of use of agricultural buildings to Class B1/B8 commercial use including elevational alterations and ancillary car and van parking spaces.

Key designations:

Green Belt
Locally Listed Building

Proposal

This application was deferred on 18th March in order for Members to attend a site visit in relation to this application. The previous report is repeated below with some minor modifications.

Permission is sought to convert three agricultural buildings within this farm to B1 business use and B8 storage use with ancillary car and van parking. The buildings which are identified as A, B and C on the proposal would serve the following uses:

- Building A – agricultural workshop involving agricultural and vehicle repair
- Building B – to house storage containers which would be let out to individuals for storage or for the storage of small domestic items
- Building C – workshop, communal toilets/washroom and vehicle bays involving light industrial repairs and covered storage for private cars, boats or other large items

Various elevational alterations will be undertaken to accommodate the new uses, including new doors and windows although no major structural rebuilding is proposed. 13 parking spaces (including 4 van spaces) would be provided.

A Desk Study and report relating to bat and owl activity within the application buildings have been submitted in support of the application and are included within the file.

Location

The application site is located within the Metropolitan Green Belt and adjoins the B258 Crockenhill Road connecting St Mary Cray and Crockenhill Village. The site is located approximately half way between these two areas. The site comprises 200 acres of land used for arable farming, and the main buildings associated with the farm form a cluster located within a 20 metre proximity north of Crockenhill Road.

Agricultural activity has historically existed at the application site known as Crouch Farm. The application site adjoins Crouch Farm House, a Grade II listed farmhouse of early traditional framed construction which is considered to date back in parts to the Fourteenth Century and which has a shared history with the farmyard, although it is now under separate ownership.

Comments from Local Residents

A number of representations have been received both in support of and objecting to the application. In summary, the objections are raised on the basis that the proposal will undermine the setting of a neighbouring listed building, that it will harm residential amenity and that it will undermine the character of the Green Belt. Supporters of the application state that the proposal will support the core agricultural business, that it will benefit local businesses and that it will not be un-neighbourly.

Objections to the proposal have been received which may be summarised as follows:

- application submission is flawed and misleading;
- application makes no reference to the importance of the adjoining Grade II listed building, Crouch Farm House, including the desirability of preserving the setting;
- character and economic viability of the listed building may suffer as it would be robbed of much of its interest;
- development of the farm will undermine the setting and townscape associated with the neighbouring listed building;
- structural integrity of listed building will be susceptible as a result of industrial activity occurring within close proximity;
- proposed development and large parking area will undermine the privacy and security of the neighbouring dwelling;
- attractiveness of the area has been harmed due to activities on the application site;
- proposal will result in noise and disturbance due to work noise and pollution, and harm the tranquil environment of the surrounding area;
- proposed landscaping will not mitigate harm resulting from the development, nor prevent intrusion of noise, emissions and light pollution;
- scale of industrial use and parking is extensive and not in keeping with the area;
- proposed uses do not represent a low-key activity, for instance, it involves heavy-duty 3 Phase electrical re-wiring, and general motor work will be undertaken as opposed to agricultural repair;

- proposal involves external storage of materials, plan, machinery and storage;
- industrial use has potential to expand within the site;
- proposed B1/B8 use is not genuine and would be likely to lead to abuse;
- proposal does not represent form of farm diversification or an appropriate (e.g. more small scale) use for redundant farm buildings;
- there are several vacant units outside the Green Belt which should be used instead;
- sufficient storage is available on the site following the development of a new oversized barn on adjacent land;
- proposal does not preserve the openness of the Green Belt;
- large scale industrial usage and shipping containers are an incongruous feature in this rural area, highly inappropriate in the Green Belt and will have an overbearing effect on the neighbouring listed house, and appear visible from the street;
- proposal involves significant reconstruction to accommodate the new uses and will not be a case of re-use, as sought through Green Belt policy;
- proposal will lead to encroachment of this part of the Green Belt which separates St Mary Cray and Crockenhill Village;
- openness of the Green Belt should be maintained so that all people can benefit from its beauty and enjoy leisurely pursuits;
- woodland has been cleared to accommodate the new uses and the external storage of scraps/spares is taking place to the detriment of the visual amenities of the area;
- proposed use has severe effects on recreational enjoyment of the countryside;
- proposal does not represent a high standard of design;
- safety risk for pedestrians with increased vehicle/heavy vehicle movements;
- no evidence that proposal will provide wider community benefits

Objections have also been raised by the Kevington Residents Association.

The local Member of Parliament objects to the proposal on the basis that the proposal represents and inappropriate and overlarge development in the Green Belt

Letters of support were received which may be summarised as follows:

- uses sought in the application will be of benefit to local businesses;
- use would be particularly beneficial for agricultural and horticultural services in the area;
- applicant is a committed member of the local community and will ensure that good use is made of the buildings with regard to the interests of neighbouring residents

A letter of support was also received from the National Farmers' Union which may be summarised as follows:

- the applicant will renovate buildings that have become redundant in terms of their original agricultural use;
- the proposal will generate a stream of income that will support the core business of farming and help preserve the agricultural character of the area

Comments from Consultees

No technical objections have been raised by the Council's Highway Development Engineer or with regard to refuse collection.

No technical objections have been raised by the Environment Agency, subject to the inclusion of suggested conditions.

No technical objections are raised from an Environmental Health perspective.

Objections have been raised by Crockenhill Parish Council on the basis that the use proposed within Building A would constitute a more intensive B2 (general industrial use) which would undermine neighbouring amenity. Further objections are raised on the basis that the storage containers are harmful to the visual amenity of the area, and that no very special circumstances exist to support the conversion of Building C to a non-agricultural use and that a B8 designation could result in a wide range of uses operating within the building. Additional objections are raised on the basis that the site does not benefit from adequate access which would result in large vehicles passing through Crockenhill Village; the proposed parking provision may be exceeded; the proposal could result in light pollution; the proposal would generally undermine the visual amenities of the area; and that there is no evidence that the scheme would enhance or provide wider benefits to the community.

Objections have been raised by Sevenoaks District Council on the basis that the proposal would lead to an intensification of the numbers of visitors to the site that could have a detrimental impact upon highway safety, and could have a detrimental impact upon the amenities of the neighbouring residential properties. Any additional structures would have a detrimental impact upon the openness of the Green Belt. [Note: no additional structures are, in fact, proposed as part of this application]

Planning Considerations

Relevant policies in the Unitary Development Plan are G1 (Green Belts), BE1 (Design of New Development), BE8 (Statutory Listed Buildings), ER7 (Contaminated Land), T3 (Parking) and T18 (Road Safety). At a national policy level, PPG2 (Green Belts), PPS7 (Sustainable Development in Rural Areas) and PPG15 (Planning and the Historic Environment) are relevant.

From a heritage and conservation perspective, it is not considered that the proposal will impact on the setting of the neighbouring listed building and no objection is raised in this regard.

Policy G1 of the Bromley Unitary Development seeks to protect and maintain the openness of the Metropolitan Green Belt. In general, activities which support the open character of the Green Belt such as agriculture and outdoor recreation are considered appropriate. With regard to the re-use of existing buildings this will be considered inappropriate unless it will not have a materially greater impact than the present use on the open character of the land; it will not harm the openness of the land or conflict with the purposes of including land in the Green Belt; the building is of permanent construction and capable of conversion or re-use without extensive or complete reconstruction; the form, bulk and design of the building are in keeping with its surroundings; the proposed use does not entail external storage of materials, plant or machinery; and the proposed use has no adverse effect on the recreational enjoyment or appearance of the countryside.

Planning History

Several planning applications have been submitted in relation to this site. Most recently, under application ref 05/01095 planning permission was granted for the creation of new farm access further to the west, together with an associated driveway and replacement field entrance. Under ref 07/01466 planning permission was granted for a replacement agricultural building approximately 40 metres to the west of Building C.

Conclusions

The key issues in this case relate to the appropriateness of this development within the Green Belt; its impact on residential amenity; and its impact on the setting of the listed building at Crouch Farm House.

In this case, it is considered that the proposed scheme will, in general, adhere to the objectives of Policy G1, particularly in view of the proposed re-use of existing building which will engender little change in the visual amenities of the area. The activities will be confined to a relatively small area with the majority of the farm area remaining unaffected. Whilst concerns are raised in regard to the nature of the proposed uses, the applicant has indicated that a proportion of the new uses will be agricultural-related which will serve local agricultural needs.

Furthermore, PPS7 lends support for the reuse of existing buildings for economic development purposes, and goes on to promote farm diversification, as proposed in this case, to help sustain an agricultural enterprise. In particular, Paragraph 30 (iii) states that LPAs should give favourable consideration to proposals for diversification in the Green Belt where development preserves its openness, and even for purposes where this is not the case, farm diversification can contribute to very special circumstances.

With regard to residential amenities of nearby properties, B1 and B8 uses by their nature should not cause undue disturbance. Conditions can be imposed to assist in controlling any potential disturbance in accordance with the specific proposal.

There is additional car parking which will have a greater impact on the openness of the Green Belt depending on the intensity of activities at the site; however, this all lies within the farm yard and will not, as with the buildings, encroach any further into open countryside.

The non-agricultural related uses are considered acceptable on the basis that these will be confined to two existing buildings and the imposition of conditions will control the nature of their activities, which will also be in the interest of neighbouring amenity. In the case of the storage use, it is not anticipated that this will result in significant activity within the site. In any case, hours of operation may be restricted in the interest of neighbouring amenity.

In terms of the impact of this scheme on the setting of the neighbouring listed building, given the proposed utilisation of existing structures, it is not considered that there will be a significant change in its setting. Whilst new activities will occur within the application site, the nature of these activities is not considered significant enough to warrant refusal with regard to the setting of the listed building or in terms of its amenity.

In summary, there is strong policy support for legitimate farm diversification and this proposal would appear to fall within this category with only limited increase in activity at the site, therefore according with established policy.

Background papers referred to during production of this report comprise all correspondence on files refs. 05/01095, 07/01466 and 10/00211, 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 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 4 | ACJ03 | No outside storage |

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the visual amenities and openness of Green Belt.

5 Building A shall be used for the purposes of agricultural vehicle and machinery repair and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties and in the interest of the visual amenities and openness of Green Belt.

6 Building B shall be used for the purposes of storage and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties and in the interest of the visual amenities and openness of Green Belt.

7 Building C shall be used for a single workshop and for the purposes of storage and for no other purpose (including any other purpose in Classes B1 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties and in the interest of the visual amenities and openness of Green Belt.

8 The proposed agricultural vehicle and machinery repair use and workshop use shall not operate before 7.00am and after 6.00pm Monday to Friday, nor before 8.00am and after 1.00pm on Saturdays and not at all on any Sunday, Bank Holiday Xmas Day or Good Friday

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the area.

9 The proposed storage use shall not operate before 7.00am and after 6.00pm Monday to Friday, nor before 8.00am and after 6.00pm on Saturdays and not at all on any Sunday, Bank Holiday Xmas Day or Good Friday

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the area.

10 ACK09 Soil survey - contaminated land
ACK09R K09 reason

11 Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified:
 - all previous uses
 - potential contaminants associated with those uses

- a conceptual model of the site indicating sources, pathways and receptors
 - potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
 - 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
 - 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.
Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: This site lies on the Upper Chalk, which is classified as a principal aquifer in the Groundwater Protection: Policy and Practice. This site does lie in a source protection zone III (SPZ) for several public water supply wells. Therefore potable supplies could be at risk from activities at this site and all precautions should be taken to prevent discharges and spillages to ground.

12 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no building, structure alteration or excavation permitted by Parts 6 and 7 of Schedule 2 of the 1995 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties and in the interest of the visual amenities and openness of Green Belt.

Reasons for permission:

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

- G1 Green Belt
- BE1 Design of New Development
- BE8 Statutory Listed Buildings
- ER7 Contaminated Land
- T3 Parking
- T18 Road Safety

The development is considered satisfactory in relation to the following:

- (a) the appearance of the development in the street scene;
- (b) the relation of the development to the adjacent property;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the impact of the development on the visual amenities of the Green Belt;
- (f) the impact of the development on the setting of the adjacent listed building;
- (g) the privacy of occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

Reference: 10/00211/FULL2

Address: Crouch Farm Crockenhill Road Swanley BR8 8EP

Proposal: Change of use of agricultural buildings to Class B1/B8 commercial use including elevational alterations and ancillary car and van parking spaces.



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Application No : 10/00230/FULL1

Ward:
Bickley

Address : Land East Side Blackbrook Lane
Bickley Bromley

OS Grid Ref: E: 543189 N: 168460

Applicant : London Quadrant Housing Trust

Objections : YES

Description of Development:

96 dwellings (72 houses and 24 flats - 2 one bedroom/ 22 two bedroom/ 27 three bedroom/ 38 four bedroom/ 7 five bedroom) with estate roads and pedestrian routes, 144 car parking spaces and open space

Proposal

Full planning permission is sought for the development of the application site to provide 96 residential units as follows:

- 51 market units comprising 7x5 bedroom houses, 31x4 bedroom houses and 13x3 bedroom houses
- 21 affordable rented houses comprising 7x4 bedroom houses and 14x3 bedroom houses
- 24 affordable flats comprising 2x1 bedroom (both rented) and 22x2 bedroom (4 rented and 18 shared ownership)
- the dwellings will be provided in a mix of 2 storey with rooms in the roof and 3 storey houses and 3 x 3 storey blocks of flats – a total of 14 house types and 3 flat types are proposed
- affordable housing will be provided in the southern part of the site with the market units in the central and northern part of the site. A total of 36.2% habitable rooms (x% units) are affordable with 67.7% for social rented and 32.2% for shared ownership
- 6 wheelchair accessible units will be provided for the affordable units and almost all of the market homes will be capable of wheelchair use without structural alteration. Each of the affordable wheelchair accessible properties will have a covered parking space within the curtilage
- the overall density of the development will 29 units per hectare (124.24 habitable rooms per hectare)
- one single vehicular access point will be provided to Blackbrook Lane, opposite Nos 103 and 105 Blackbrook Lane. Two additional pedestrian and cycle access points will be provided, one at the north leading on to Thornet Wood Road and one at the southern end of the site leading on to Blackbrook Lane
- within the development a hierarchy of roads is proposed to provide primary access roads, leading to more informal 'homezone' areas with shared

pedestrian/vehicular use. These areas will be identified by the use of a variety of different materials, including a band of cobbles and signs to denote the 'homezone' area

- a total of 151 car parking spaces are proposed, 136 of which will be off street. Each house will have at least one parking space within its curtilage with 2 spaces for each of the 4 and 5 bedroom units. This equates to an average of 1.5 spaces across the site. The parking for the flats will also be within the curtilage of each block. Fifteen visitor parking spaces will be provided in unmarked areas of the carriageway where the road will be wider
- cycle parking is proposed for each unit either within the curtilage or in dedicated cycle storage areas
- there will be private gardens to the front and rear of each house. Each upper floor flat will have a balcony and ground floor flats will have a dedicated patio area. Also communal spaces will be associated with each of the 3 blocks of flats. In addition there will be a range of public spaces on the site with a landscaped green in the northern part, a central green opposite the main entrance road and an equipped playspace and area of retained woodland in southern part of the site
- all homes will meet Lifetime Homes Standards and Code for Sustainable Development Level 3 and the applicant intends that Code for Sustainable Development Level 4 will be met . Affordable Homes will also meet the Design and Quality Standards set by the Homes and Communities Agency
- a community biomass heating system will be provided for the affordable housing units
- the application documents refer to a D1 building for people with learning difficulties – the applicant has advised that this is not being sought as part of the application and was included in error.

The applicant has submitted a substantial amount of information to support the application as follows:

- Design and Access Statement
- Planning Statement
- Green Belt Report
- Housing Supply Assessment
- Transport Assessment
- Arboricultural Implications and Enhancement Report
- Ecological Assessment
- Consultation Statement
- Sustainable Design and Construction Statement
- Archaeology Aerial Photographic Assessment

In summary the applicant considers that there are 'very special circumstances' that would justify the granting of planning permission for housing on this Green Belt site as follows:

- the Council does not have a five year supply of deliverable housing sites and longer term housing supply is dependent on sites in Bromley Town Centre. There are still insufficient sites to meet current and emerging housing requirements, placing a heavy reliance on windfall sites
- there is an identified need for larger affordable family housing in the borough which is not being addressed and can be met by this development
- the impact on the 'openness' of the Green Belt is not significant as many of the trees on the site will be retained and the site is already surrounded by built development
- the development of the site does not compromise the purpose or land use objectives of the Green Belt
- there are numerous recent examples of land in the Green Belt or on Metropolitan Open Land that have been released for housing development following successful appeals where housing supply and the impact on openness have been cited, and accepted, as 'very special circumstances.'

In addition the applicant considers that the proposal is acceptable in general terms for the following reasons:

- the scheme meets all of the UDP requirements in terms of density, affordable housing, car and cycle parking provision, impact on the surrounding road network, provision of private and public amenity space, protection of the ecological and environmental attributes of the site, energy requirements and housing quality standards
- in terms of layout, scale, massing and appearance the proposed houses and flats will relate successfully to each other and to the character of the surrounding area,
- the protected trees on the site would be retained and, where possible, enhanced and provide a barrier between existing houses and the site
- planning contributions relating the provision of affordable housing, education, public art, travel plan and tree management are offered.

Location

The application site is located on the eastern side of Blackbrook Lane and extends from Bromley High School in the south and to the junction of Blackbrook Lane and Thornet Wood Road in the north. To the east lies the Bickley Manor Hotel. There is residential development on the western side of Blackbrook Lane characterised by detached 2 storey dwellings. Thornet Wood Road comprises primarily detached bungalows.

The application site is vacant and supports scrubby grassland in the centre, many of the trees are self sown, smaller trees across the site and larger, mature trees around the perimeter of the site. The trees on the perimeter and a within a wider area in the south east corner of the site are protected by a Tree Preservation Order.

Comments from Local Residents

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

- land is Green Belt and should not be built on under any circumstances
- further erosion of open 'green field' land when taken with Aquila and Blue Circle developments which have added significant pressure to the area
- lack of 5 year housing supply and need for larger family housing does not constitute 'very special circumstances'
- openness of Green Belt would be severely reduced
- site was specifically excluded from development because of its important Green Belt designation
- EIA should be undertaken
- housing should be on 'brownfield' land not Green Belt
- overdensity and layout is out of character with the area; three storey buildings are out of character with the area
- Blackbrook Lane is already very busy and the infrastructure cannot take any more traffic, especially on top of traffic from the Aquila development; increase pressure on all nearby junctions namely Bickley Park Road/Blackbrook Lane Hawthorne Road/Blackbrook Lane junction and Hawthorne Road; Blackbrook Lane/Southborough Lane
- traffic busier in Blackbrook Lane since the installation of width restrictors in Southborough Road which has diverted traffic to Blackbrook Lane
- additional traffic would reduce safety for pupils and staff at Bromley High School and other pedestrians using Blackbrook Lane
- on-street parking outside the site will result from the development
- traffic flows were not measured at the busiest times when the school opens and closes and the survey was carried out in 2008
- other new developments in the area have altered the character in an adverse way
- medical centres and A&E departments locally are already oversubscribed
- increased pressure on local schools from more children in the area
- loss of this land to residential use will put pressure on nearby fields and Bickley Manor Hotel for residential development
- the soil is clay which is already prone to flooding and the drainage arrangements will make this worse; pumps for drainage are unreliable
- bats and great crested newts in Jubilee Park and other local wildlife could be adversely disturbed
- lack of information about the impact on air quality
- increased crime/vandalism from social housing already experienced since Aquila site was occupied
- loss of trees and vegetation on the site which currently makes an important contribution to the area in visual and wildlife terms

- the local consultation of residents was nearly 2 years ago and the current scheme does not address the concerns raised at the time
- the site may be used to house travellers if housing development is approved
- disturbance during construction

One letter raises no objections, subject to no increase in density if permission is granted, no vehicular access to Thornet Wood Road, tree belt fronting Thornet Wood Road being enhanced and a playing field being purchased and used to expand Jubilee Park.

Pre application consultation was carried out by the applicant on October 11th 2008 in the form of an exhibition at Bromley High School which was attended by 230 people. Details of the feedback are set out in a Consultation Statement submitted with the application.

Comments from Consultees

The Council's Housing Development Manager raises no objections to the proposal.

The Council's Highways Officer raises no objections to the proposal.

The Metropolitan Police Design Advisor advises that he would prefer not to see the inclusion of secondary pedestrian and cycle entrances to the north and south of the site as this can give opportunity for persons of unlawful intent to enter the site. The applicant advises that these entrances are provided to provide better access for the new residents to local facilities and prevent occupants and other people making their own informal access points. In addition the entrance points will be well lit and could be controlled by resident only gates.

English Heritage raises no objections to the proposal on archaeological grounds.

Thames Water raises no objections to the proposal.

The Environment Agency raises no objections to the proposal subject to the submission of a revised Flood Risk Assessment (FRA) incorporating permeable paving and surface water detention areas. An amended FRA has been submitted and confirmation as to its acceptability will be reported verbally to the meeting.

The Council's Drainage Consultant raises some concerns regarding the location of measures proposed to deal with surface water from a 100 year storm. However it is not considered that the concerns would justify a reason for refusal but should be further investigated if the application is refused and goes to appeal.

The GLA have raised concerns about this application and advise that it does not comply with the London Plan for the following reasons:

- The proposal represents inappropriate development on Green Belt land for which very special circumstances have not been presented to outweigh the resultant harm, contrary to the requirements of PPG2 and London Plan policy 3D.9 (Policy 7.16 of the draft replacement London Plan)
- The applicant has failed to demonstrate that the maximum reasonable amount of affordable housing has been provided in accordance with London Plan policy 3A.10 (Policy 3.13 of the draft replacement London Plan). Further information based on local housing need/market demand is required to justify the unit mix to ensure compliance with the London Plan
- The proposed level of development would significantly alter the openness and natural character of this site, contrary to the requirements of PPG2 and London Plan policy 3D.9 (Policy 7.16 of the draft replacement London Plan).
- Inadequate information is provided in the design and access statement to maximise inclusive access for people with mobility impairments through out the scheme, and to ensure compliance with London Plan policy 4B.5 (Policy 3.1 of the draft replacement London Plan).
- The applicant has broadly followed the energy hierarchy asset out in the London Plan. Sufficient information has been provided to understand the proposals as a whole and to verify carbon dioxide savings in principle. However further information is required in order ti ensure compliance with London Plan policy 4A.4 (Policy 5.2 of the draft replacement London Plan).
- While the development is unlikely to impact on the public transport or strategic road network, additional information is however required to ensure compliance with London Plan policies 3C.20 and 3C.25 (policies 6.7 and 6.14 of the draft replacement London Plan).

Taking each of these comments in turn officers have the following comments:

- Green Belt – officers agree with these comments.
- Housing – the level and mix of affordable housing accords with Policy H2 of the Council’s Unitary Development Plan.
- Design – officers agree with these comments.
- Inclusive design – the applicant has advised that all of the market units are capable of wheelchair use without structural alteration.
- Energy – as the application is recommended for refusal this matter can be addressed should an appeal be submitted.
- Transport - as the application is recommended for refusal this matter can be addressed should an appeal be submitted.

Transport for London note that the proposed parking levels accord with the maximum London Plan standards but exceed the UDP standards. They advise that the parking levels should be reduced. They also advise that S106 contributions should be sought for bus stop improvements.

Local Members have expressed concerns about the scheme regarding traffic generation and development of Green Belt land for housing.

Planning Considerations

The application falls to be determined in accordance with the following Unitary Development Plan policies, which have been 'saved' by direction from the Secretary of State on July 20th 2009:

BE1 Design of New Development
G1 Green Belt
H1 Housing Supply
H2 Affordable Housing
H7 Housing Density and Design
NE4 Additional Nature Conservation Sites
NE5 Protected Species
NE7 Development and Trees
NE12 Landscape Quality and Character
T2 Assessment of Transport Effects
T3 Parking
T7 Cyclists
IMP1 Planning Obligations

The adopted Affordable Housing Supplementary Planning Document is relevant.

In strategic terms the most relevant London Plan policies are:

3A.1 Increasing London's Housing Supply
3A.2 Borough Housing targets
3A.3 Maximising potential of sites
3A.5 Housing choice
3A.9 Affordable Housing targets
3C.23 Parking Strategy
3D.9 Green Belt
3D.13 Children and young peoples play and informal recreation strategies
3D.14 Biodiversity and Nature Conservation
3D.15 Trees
4A.1 Tackling climate change
4A.3 Sustainable design and construction
4A.4 Energy assessment
4A.7 Renewable energy
4A.14 Sustainable drainage
4B.1 Design principles for a compact city

The Draft Replacement London Plan, published in October 2009 is also a material consideration, including

- paragraph 3.3 and Table 3.1 which set out proposed housing targets for Bromley

- paragraph 3.12 – affordable housing target.
- Policy 7.16 – Green Belt

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

PPS 1 Developing Sustainable Development
PPG 2 Green Belt
PPS 3 Housing
PPS 9 Biodiversity and Geological Conservation
PPG 13 Transport
PPS 25 Development and Flood Risk

From a tree point of view the proposed layout would not significantly harm any retained tree and the majority of trees protected by the Tree Preservation Order will be retained. The area of regenerating woodland in the south-east corner of the site (within the TPO) will be retained as a small nature reserve.

From an ecological point of view the site is not a Site of Interest for Nature Conservation and the report submitted by the applicant advises that there are no protected species on the site. The proposed mitigation and enhancement measures resulting from the loss of the vegetation in the centre of the site are considered to be acceptable.

The report is submitted to Plans Sub Committee because there is considerable local interest in the development.

Planning History

There have been no recent relevant applications on the site.

However in an appeal decision notice dated 20 March 1982 (ref 19/80/2356 and 3457) the Inspector considered two applications for residential development. He concluded that the site significantly contributed to the visual appearance of the Green Belt and helped maintain the character and essential function of the Green Belt. The Inspector also referred to a previous decision in the 1960's where the Borough Council and the Kent County Council agreed that the Aquila site could be permanently maintained as a defence research establishment providing the buildings on Blackbrook Lane were removed and the site returned to the Green Belt. The roads and buildings were cleared in 1975.

In addition there have been three applications for development of part of the site, as follows:

83/01060 Erection of 9 bungalows - application refused 1st August 1983 and appeal withdrawn.

88/03405/FUL (Plots 1, junction Thornet Wood Road and Blackbrook Lane) Change of use from green belt land to garden nursery and erection of landscape accommodation with provision of 6 car parking spaces - application withdrawn.

88/4131 (Plots 1 and 2, junction Thornet Wood Road and Blackbrook Lane) - use of land as garden nursery and erection of landscape accommodation with provision of new access and 10 car parking spaces application refused 23 December 1988 and appeal dismissed 7th August 1989.

As part of the pre-application process the applicant sought a screening opinion as to whether an Environmental Impact Assessment was required (ref 08/03747/EIA). The proposals constitute Schedule 2 development within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999. After taking into account the selection criteria in Schedule 3 of the Regulations and the terms of the European Directive, it was considered that the proposed development would not be likely to have significant effects on the environment by virtue of factors such as nature, size and location. This opinion was expressed taking into account all relevant matters, including the information submitted with the request, advice from technical consultees and the scale/characteristics of the proposed development on the site. The applicants were advised accordingly.

Conclusions

The main issues to be considered are:

- whether the proposal is an inappropriate use in the Green Belt and, if so, whether there are 'very special circumstances, that outweigh the harm caused by inappropriateness and any other harm
- whether the development has an adverse impact on the openness of the green belt
- the impact of the development on trees and the biodiversity of the site
- the impact of the scale, layout and massing of the development
- the impact on the local transport network, and parking provision on the site

The proposed residential development is considered to be an inappropriate use within the Green Belt and is unacceptable in principle, in terms of Central Government advice in PPG2 'Green Belts,' and adopted UDP and London Plan policies. It is considered that insufficient grounds have been presented by the applicant to demonstrate that there are 'very special circumstances' to overcome these objections for the following reasons:

- The site lies on the urban edge of the green belt and these areas come under the most intense pressure for development so it is critical to defend this green belt boundary

- It contributes to maintaining separation between Bickley and Petts Wood which would be lost if the site was redeveloped for housing.
- Diversion of resources to developing vacant green belt sites is a direct competition to the ongoing process of developing brownfield sites in the urban areas of the borough and it is recognised planning policy to deliver sustainable communities in the urban area and protect the Green Belt.
- The applicant considers that there are two very special circumstances for the development of the site. The first relates to the Council's five year supply of deliverable housing and the second to the need for larger affordable housing. The Council does not agree with these reasons; the Council is confident that it will meet the housing target having regard to the recent Strategic Housing Land Availability Assessment (SHLAA) and the residential units proposed in the Bromley Area Action Plan. The Council has exceeded its affordable housing target (as set out in the UDP) for the last three years and will seek the provision of affordable housing on all sites. With regard to large family housing it is necessary for the applicant to demonstrate that this provision cannot be made on non-Metropolitan Open Land or Green Belt sites. This evidence has not been submitted.
- Green Belt allocation - the site was considered for residential development by the Inquiry preceding the adoption of UDP in July 2006 and also reviewed as part of the Housing Supply Study commissioned by the Council at the Inspector's request. In both instances it was recommended that the application site should not be released from the Green Belt.
- It is considered that the arguments regarding the removal of the site from the Green Belt, as set out in the applicants Green Belt Report, would be better considered as part of the LDF Core Strategy and Sites Allocation DPD process rather than in the context of a stand alone planning application.
- The examples of schemes previously allowed in the Green Belt share some of the same issues as this current application. However the sites in Bromley, with the exception of Anerley School for Boys, were identified for potential development in the Housing Supply Study and following the due process were permitted, albeit on appeal in some cases.
- The site cannot be considered as previously developed as the MOD buildings that occupied the site were temporary and relinquished to enable structures to remain on the Aquila site.
- The applicant refers to the erosion of the Green Belt through the development of Bromley High School. However it is considered that this is an institution within the Green Belt and, as such, an appropriate use of Green Belt land. This is not sufficient reason to relinquish the adjacent site to residential development.

With regard to openness it is noted that the perimeter trees will be retained and the applicant has included areas of green space within the layout of the development. However it is considered that this does not compensate for the impact on openness that the erection of 96 dwellings would have on this site. The site provides an important visual edge to this part of the Green Belt and the eastern side of Blackbrook Lane is significantly different in character to the western side as a result of this site

and Jubilee Park to the south. The retention of the tree belt along the frontage would not be sufficient to maintain this contribution, as residential development within the site would be clearly visible and give it an urban rather than rural appearance.

The density of the development will be 29 units per hectare (124.24 habitable rooms per hectare): this is below the Council's normal density requirements as set out in the UDP. This is due to the need to retain the TPO woodland area in the south-east corner and the provision of several green open spaces, including an equipped children's play area, on the site.

With regard to the impact on the local transport network the Council's Highway Engineer has assessed the submitted Transport Assessment and taken into consideration the concerns raised by local residents regarding congestion and pedestrian safety. With regard to public safety it is considered that there is unlikely to be a significant impact from the proposed development as the entrance to the new development will be approx 100m away from the entrance to the school and an automated crossing has been recently installed immediately outside the school to assist children and parents crossing Blackbrook Lane.

With regard to traffic congestion it is accepted that additional car movements will be generated as a result of the new development. However it is not considered that this will be significant in the context of the general level of traffic using Blackbrook Lane at present during peak hours and, therefore, would not cause traffic flow and highway safety problems.

The number of parking spaces shown equates to an average of 1.5 spaces per unit. Whilst this would be above the UDP standard (119 spaces required), this reflects the current car ownership of 1.37 spaces per unit, in the area, and the low PTAL rate (PTAL 1) of the site. Separate visitor parking is shown across the site and it is considered that the overall parking provision proposed is acceptable. In addition each property will be provided with cycle parking and a Travel Plan for the site has been submitted to encourage the use of public transport.

With regard to the design of the buildings on the site there will be a mixture of house types and 3 blocks of flats. The immediately surrounding area is characterised by houses and bungalows but the wider area comprises a mixture of flats and houses. In view of this members may consider that the layout, scale and design of development shown on the submitted plans is acceptable.

Finally pre application negotiations included discussions regarding the Heads of Terms for a S106 legal agreement. These included education contributions amounting to £1,289,492.93. In addition Transport for London has requested contributions for bus stop improvements amounting to £20,000. The applicants have been informed of the contributions required but have reserved their position in this respect. In the absence of agreement to the payment of these contributions it is recommended that the application be refused for the reasons set out below.

In summary, the application site makes an important contribution to the designated Metropolitan Green Belt in both visual terms and in the provision of an important separation between Bickley and Petts Wood. The applicant has not demonstrated that there are 'very special circumstances' sufficient to outweigh the harm that the development will do to the Green Belt and as such the application is unacceptable and recommended for refusal for the reasons set out below.

Background papers referred to during the production of this report comprise all correspondence on file ref. 10/00230, excluding exempt information.

as amended by documents received on 09.03.2010 10.03.2010 23.03.2010
26.03.2010

RECOMMENDATION: PERMISSION BE REFUSED

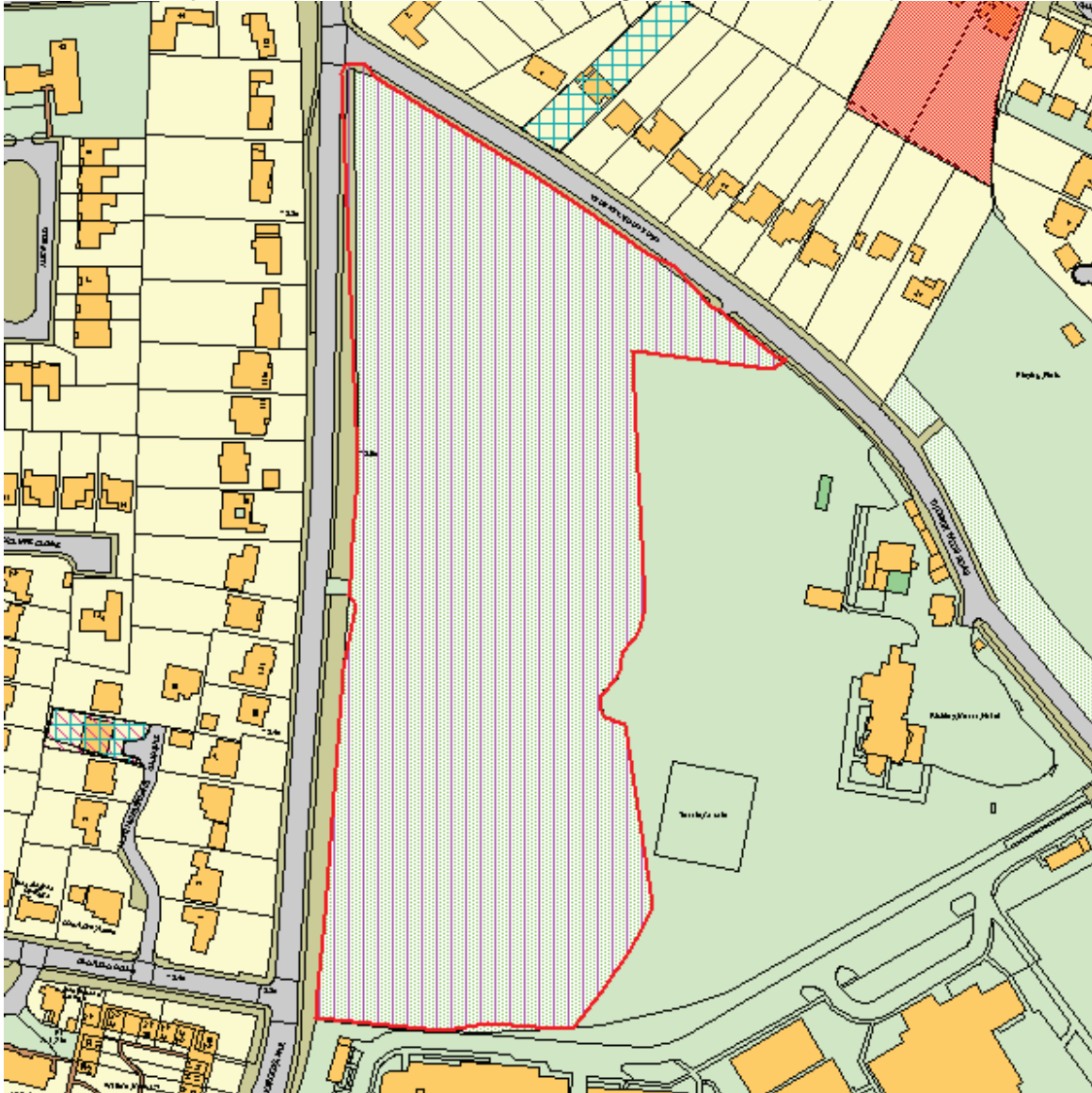
The reasons for refusal are:

- 1 The site is designated Green Belt and the Council sees no very special circumstances which might justify the grant of planning permission as an exception to Policy G1 of the Unitary Development Plan, Policy 3D.9 of the London Plan and Central Government advice in PPG2 'Green Belts'.
- 2 The introduction of built development on this site will be injurious to the openness and visual amenity of the Green Belt Land contrary to Policy G1 of the Unitary Development Plan, Policy 3D.9 of the London Plan and Central Government advice in PPG2 'Green Belts'.
- 3 In the absence of a commitment to pay the appropriate contribution towards necessary and relevant physical and social infrastructure relating to education and bus stop improvements the application is contrary to Policy IMP1 of the Council's Unitary Development Plan.

Reference: 10/00230/FULL1

Address: Land Opposite 9 To 17 Thornet Wood Road Bickley Bromley

Proposal: 96 dwellings (72 houses and 24 flats - 2 one bedroom/ 22 two bedroom/ 27 three bedroom/ 38 four bedroom/ 7 five bedroom) with estate roads and pedestrian routes, 144 car parking spaces and open space



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Agenda Item 4.6

Application No : 10/00308/FULL6

Ward:
Farnborough And Crofton

Address : 9 Park Avenue Farnborough Orpington
BR6 8LJ

OS Grid Ref: E: 542819 N: 165408

Applicant : Mr And Mrs Voisey

Objections : YES

Description of Development:

First floor side and rear extensions, creation of second floor loft room accommodation with front and rear dormers and elevational alterations

Key designations:

Conservation Area: Farnborough Park
Adj Area of Special Res. Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding

Joint application with ref. 10/00316

Proposal

- This proposal is for first floor front, side and rear extensions, the creation of second floor loft accommodation with front and rear dormers and other elevational alterations, particularly along the first floor front elevation.
- The ground floor will remain unaltered with a minimum side space of approximately 0.4m maintained between its north eastern flank and the boundary with No 11.
- A first floor front, side and rear extension will be added along the northern side of the dwelling with the extension projecting to within 1 metre of the NE boundary.
- The roof will be extended above the first floor extension with additional accommodation created at second floor level and three dormers added at the front and four at the rear
- A further application has been submitted for Conservation Area Consent concerning removal of part of the existing roof to accommodate the proposed extension

Location

The application site comprises a detached house located within a substantial plot with the house itself set approximately 15.0m off the highway. The flank boundaries are

tapered with the gap between the north eastern flank (extension side) of the dwelling and boundary widening toward the rear of the site.

The site is located within the Farnborough Park Estate which comprises a collection of large, detached dwellings, which date predominantly from the inter-war years and which are situated on substantial plots with generous separation amongst the houses. These are generally of individual design and are constructed from a range of materials. A number of properties within the Estate have been redeveloped or extended in recent decades with the dwellings generally having expanded significantly in size.

Comments from Local Residents

Nearby owners/occupiers were notified of the application. Objections were received from the Farnborough Park Estate Ltd which can be summarised as follows:

- no discernable difference to the previous plans submitted under ref. 09/01651 which was withdrawn as it was recommended for refusal;
- applicant has made a token gesture of removing the first floor extension 1 metre away from the boundary, but only leaving 1 metre insufficient side space;
- the side space at first floor level should be at least 2 metres;
- the Conservation Area status granted in 1989 was given to protect the spatial aspect of the Park which is slowly being eroded by plans such as these

Comments from Consultees

Objections have been raised by the Advisory Panel for Conservation Areas on the basis that the proposal constitutes an overdevelopment causing loss to spatial standards at first floor level between the houses, contrary to Policies BE1 and BE11 of the UDP and Paras 3.18-19 of the Farnborough Park SPG.

Planning Considerations

Policies BE1, H8, H9 and BE11 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design; to safeguard the amenities of neighbouring properties; to ensure adequate side space provision in the case of two storey development and to protect the overall character of conservation areas.

The Supplementary Planning Guidance for the Farnborough Park Conservation Area is also relevant to this application.

Concerns have been raised by Heritage & Urban Design in relation to the proposed side space provision to the right hand side of the dwelling.

Planning History

Under application ref. 09/01651, a planning application for a first floor front/side/rear extension and the creation of second floor accommodation with front and rear dormers was withdrawn following concerns relating to side space provision. In that proposal, a minimum 0.6m gap was to be maintained between the first floor extension and the flank boundary.

Under refs. 09/02390 and 09/02404, permission was granted for various alterations to the neighbouring house at No. 11, including the demolition of an attached garage located to the west of that site.

Conclusions

The main issue relating to this application is the effect that it would have on the character and appearance of the Farnborough Park Conservation Area with particular regard to side space provision and spatial standards.

In terms of the Unitary Development Plan, Policy BE11 concerning Conservation Areas states that new development should respect or complement the layout, scale, form and materials of existing buildings and spaces; and that it should respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area. Policy H9, which relates specifically to side space provision, states that when considering applications for development comprising two or more storeys in height, and where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This is considered necessary to protect the high spatial standards and level of visual amenity which characterises many of the Borough's residential areas. At the very least, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building.

The applicant argues that the proposal will not harm the spatial standards of the area with the extended dwelling remaining lower in height than No 11 and that the 1 metre gap at first floor level between the extension and the boundary will accord with Policy H9. Of note, the neighbouring house at No 11 is sited at least 3 metres away from the boundary with No 9, whilst the boundary between the two properties is tapered with side space between the dwelling and the boundary decreasing toward the front of the site.

Whilst no objections are raised to the design of the extension (which is sympathetic in appearance to the host dwelling and is not considered harmful to neighbouring amenity), Members will need to consider whether the proposed side space separation is adequate in this case. Whilst the proposal fails to adhere to the criteria set out in Policy H9, consideration should be given to the points raised in the preceding paragraph and whether in these circumstances the proposal will be acceptable in the absence of a minimum 1 metre side space being retained for the full height and length of the flank wall of the building and, secondly, whether the provision of a minimum 1

metre separation at first floor level will be acceptable in principle. Members should consider whether the proposal will preserve or enhance the character and appearance of the Farnborough Park Conservation Area, as well as preserve the spatial and separation standards associated with the Estate.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/01651, 09/02390, 10/00308 and 10/00316, excluding exempt information.

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- 0 D00002 If Members are minded to grant planning permission the following conditions are suggested:
- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACI12 Obscure glazing (1 insert) located along the flank elevation of the side extension
ACI12R I12 reason (1 insert) BE1
- 3 ACI17 No additional windows (2 inserts) flank side extension
ACI17R I17 reason (1 insert) BE1

Reasons for permission:

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

- BE1 Design of New Development
- BE11 Conservation Areas
- H8 Residential Extensions
- H9 Side Space

The development is considered satisfactory in relation to the following:

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

and having regard to all other matters raised.

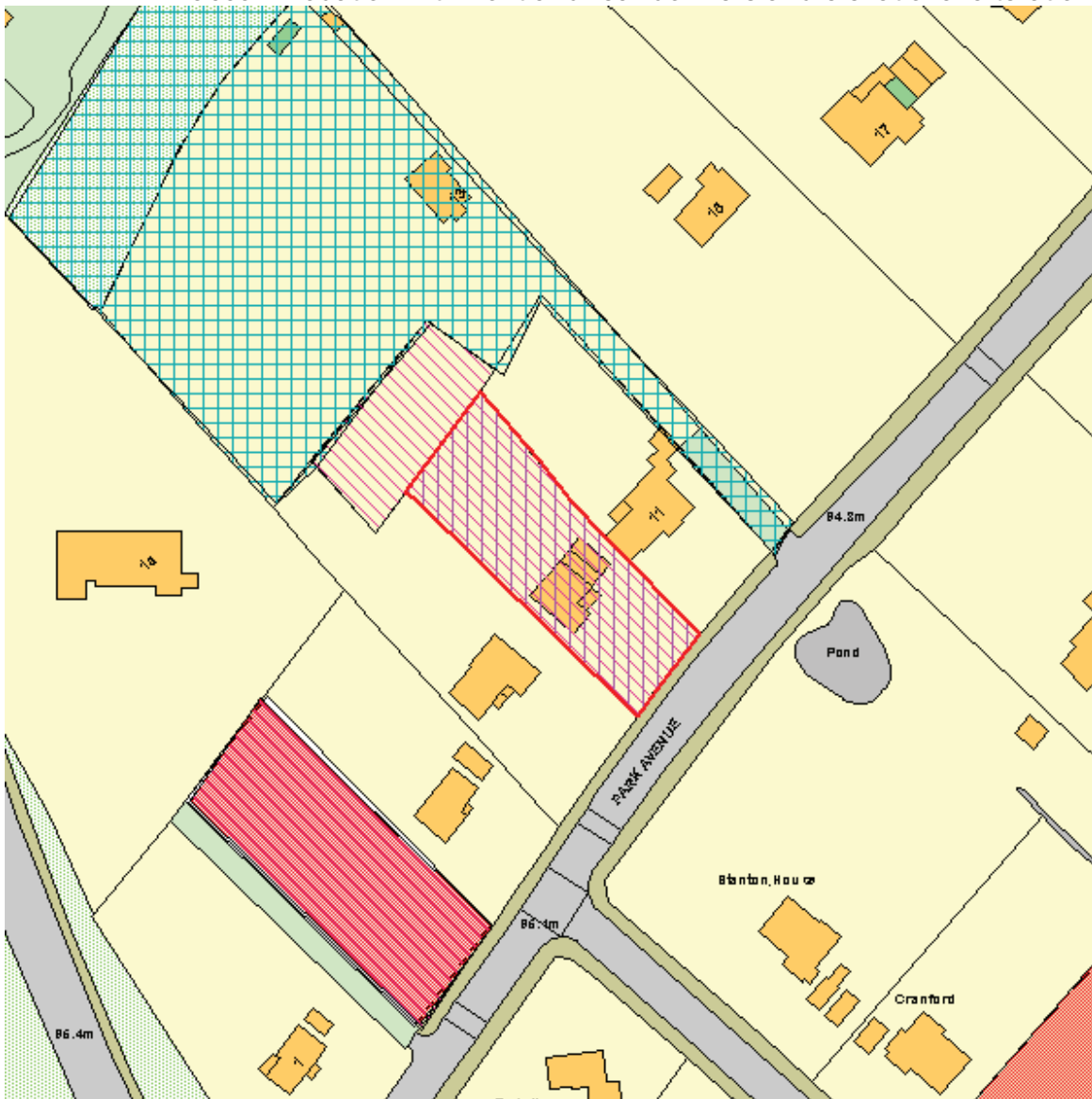
- D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The proposed extension, by reason of its proximity to the boundary, constitutes a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the Farnborough Park Conservation Area is at present developed and contrary to Policies H8, H9, BE1 and BE11 of the Unitary Development Plan and in terms of the Supplementary Planning Guidance for the Farnborough Park Conservation Area.

Reference: 10/00308/FULL6

Address: 9 Park Avenue Farnborough Orpington BR6 8LJ

Proposal: First floor side and rear extensions, creation of second floor loft room accommodation with front and rear dormers and elevational alterations



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Application No : 10/00316/CAC

Ward:
Farnborough And Crofton

Address : 9 Park Avenue Farnborough Orpington
BR6 8LJ

OS Grid Ref: E: 542819 N: 165408

Applicant : Mr And Mrs Voisey

Objections : NO

Description of Development:

Demolition of existing roof (Conservation Area Consent).

Key designations:

Conservation Area: Farnborough Park
Adj Area of Special Res. Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding

Joint application with ref. 10/00308

Proposal

Conservation Area Consent is sought to demolish parts of the existing roof to accommodate first and second floor extensions (as proposed under ref. 10/00308)

Location

The application site comprises a detached house located within a substantial plot with the house itself set approximately 15.0m off the highway. The flank boundaries are tapered with the gap between the north eastern flank (extension side) of the dwelling and boundary widening toward the rear of the site.

The site is located within the Farnborough Park Estate which comprises a collection of large, detached dwellings, which date predominantly from the inter-war years and which are situated on substantial plots with generous separation amongst the houses. These are generally of individual designs and are constructed from a range of materials. A number of properties within the Estate have been redeveloped or extended in recent decades with the dwellings generally having expanded significantly in size.

Comments from Local Residents

Nearby owners/occupiers were notified of the application. No representations were received specifically in respect of this Conservation Area Consent application.

Comments from Consultees

Objections have been raised by the Advisory Panel for Conservation Areas in the absence of an acceptable solution as proposed under ref. 10/00308.

Planning Considerations

Unitary Development Plan Policy BE12 (Demolition in Conservation Areas) is relevant to this application and should be afforded due consideration.

The Supplementary Planning Guidance for the Farnborough Park Conservation Area is also relevant to this application.

Planning History

See report ref. 10/00308

Conclusions

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

Given the conclusions expressed in the accompanying report, ref. 10/00308, Members will need to consider whether this proposal will be acceptable in light of the desirability of the main proposal for which planning permission is sought.

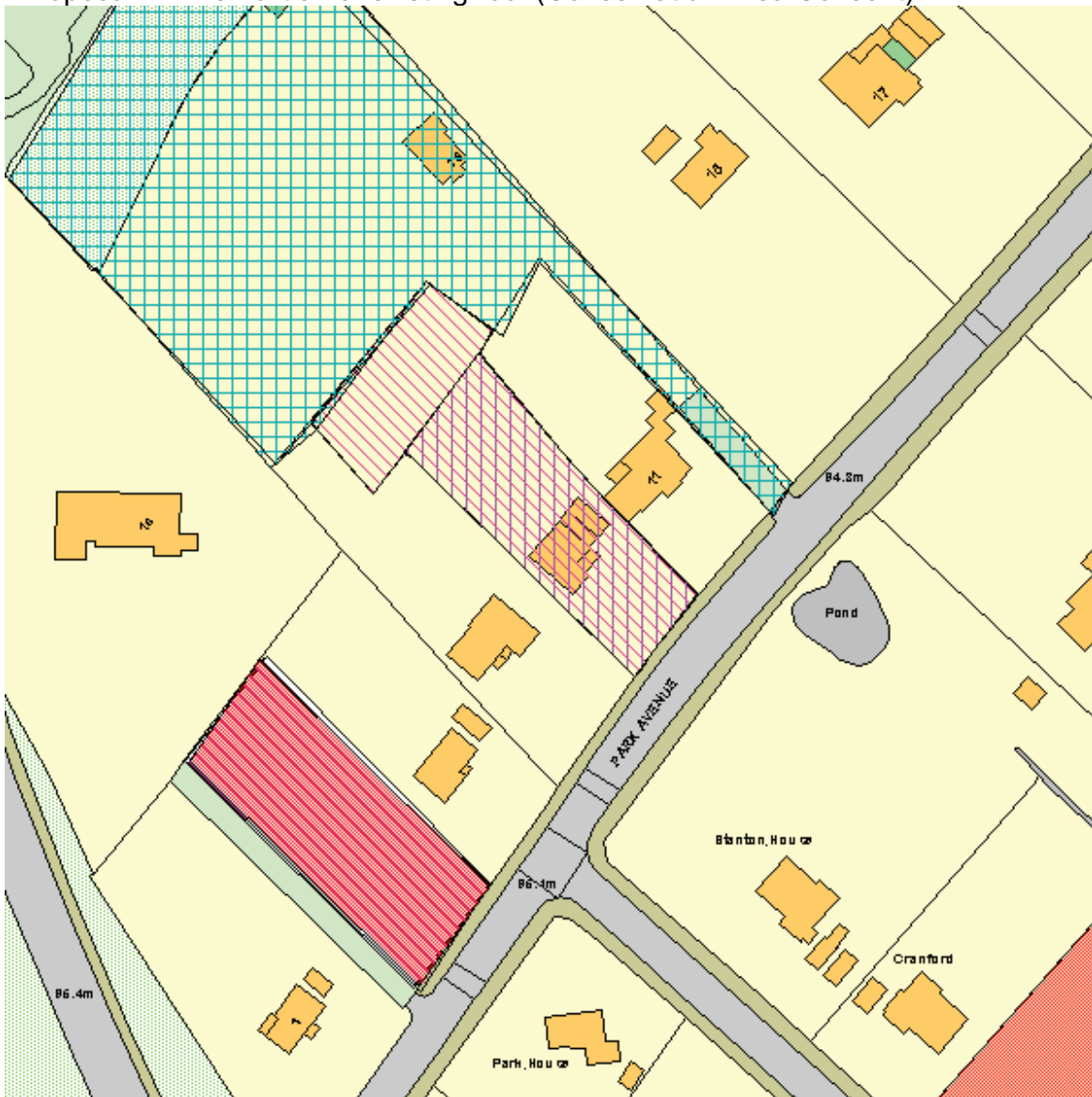
Background papers referred to during production of this report comprise all correspondence on file refs: 09/01651, 09/02390, 10/00308 and 10/00316, excluding exempt information.

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- | | | |
|---|-----------------|--|
| 0 | D00002 | If Members are minded to grant planning permission the following conditions are suggested: |
| 1 | ACG01
ACG01R | Comm.of dev-Listed Building and Con.Area
Reason G01 |
| | D00003 | If Members are minded to refuse planning permission the following grounds are suggested: |

- 1 The proposal is considered unacceptable in the absence of a suitable scheme to extend the host dwelling and would therefore be contrary to Policy BE12 of the Unitary Development Plan and in terms of the Supplementary Planning Guidance for the Farnborough Park Conservation Area.

Reference: 10/00316/CAC
Address: 9 Park Avenue Farnborough Orpington BR6 8LJ
Proposal: Demolition of existing roof (Conservation Area Consent).



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Agenda Item 4.8

Application No : 10/00330/FULL6

Ward:
Chislehurst

Address : 47 Elmstead Lane Chislehurst BR7 5EG

OS Grid Ref: E: 542339 N: 170732

Applicant : Mr And Mrs Searle

Objections : YES

Description of Development:

Roof alterations with rear dormer with juliet balcony and front dormer and 2 roof lights. Single storey canopy to front, creation of patio steps and driveway with retaining walls to front. Front railings and detached double garage.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
Tree Preservation Order

Proposal

This proposal can be divided into 7 elements:

- alterations to the roof to include a rear dormer with juliet balcony
- front dormer
- two additional roof lights in the front elevation
- single storey canopy to front,
- creation of patio steps and driveway with retaining walls to front
- front railings to a maximum height of 1.8m
- detached double garage.

Location

The property is a detached bungalow located on the western side of Elmstead Lane the neighbouring properties along the road are substantial two storey dwellings. Elmstead Lane rises north to south and the gardens are steeply rising from east to west.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and one letter of objection was received which can be summarised as follows:

- concern over loss of privacy to rear garden;
- overbearing impact onto neighbouring patio area;
- proposed garage would have an overbearing impact at the front of the property

The Chislehurst Society also have made an observation and request that the proposal is checked to ensure that the extension does not cause unacceptable overlooking of the rear garden of No. 47a.

Please note that full texts are available on the planning file.

Comments from Consultees

With regards to highway safety the proposal will allow for the turning of at least two cars and therefore is not likely to prejudice the free flow of traffic along Elmstead Lane.

With regards to the new surfacing to the front of the property no surface water should be allowed to runoff into the public highway.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
NE7 Development and Trees
T18 Road Safety

With regards to trees the front of the site is covered by a blanket TPO made in 1969, the order affects a depth of 6 metres into the site and there is only one tree of sufficient age to be protected by the order on this site and that is a yew. The scale of work is such that the yew tree would need to be removed, it is of local importance but in view of the improvements for highway safety reasons it is considered that the tree is not of such outstanding value to warrant refusing the proposal. Suitable replacements subject to conditions should be imposed if permission is granted.

Planning History

Permission was granted under ref: 88/01932 for a two storey side extension, however this was never constructed.

Under planning ref: 89/02076 outline planning permission was granted for 8 houses with integral garages in three blocks with ancillary parking and access road to 45-47 Elmstead Lane was permitted but never constructed.

Following this under planning ref: 91/01895 permission was granted for a detached dwelling (now known as 47a).

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 alterations to the roof will alter the roof from a hip to gable end which will increase the bulk of the roof.

The proposed alterations to the front elevation including the front dormer and canopy over the new front entrance, patio, steps and new front railings are considered acceptable. The roof at present is large and the new front dormer and canopy over the entrance would break up the front elevation creating an interesting design feature. Overall the alterations to the front of the property are not considered to be detrimental to the character of the area, highway safety or street scene generally.

With regards to the rear elevation it is proposed to include a box dormer with Juliet balcony to the master bedroom. The dormer is fairly large and Members may consider it to be unattractive, however it is to the rear of the property and will not have any impact on the street scene.

Concern has been raised over loss of privacy, Members should note that under permitted development a loft conversion with a rear dormer of a maximum 50 cubic metres could be erected at the property without the need for planning permission and would have the same impact in terms of loss of privacy. Given the changes in level at the site and with the gardens rising steeply from east to west any development which would include accommodation within the roof space would result in a loss of privacy to the rear of the garden of the neighbouring property No. 47a. Members will therefore have to consider if the proposal would result in a significant impact to the amenities of No. 47a to warrant a refusal of planning permission with consideration to permitted development rights.

With regards to the proposed garage it will be located in advance of the building line along Elmstead Lane, however given the established planning within the frontage and change in level along the road it is not considered to have a detrimental impact on the amenities of the neighbouring property No. 47a or impact on the character of the area or street scene generally.

Having had regard to the above Members may consider that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to neighbouring residents nor impact detrimentally on the character of the area or street scene generally.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/00330, excluding exempt information.

as amended by documents received on 29.03.2010 30.03.2010

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 ACC07 Materials as set out in application
 ACC07R Reason C07
- 4 ACI08 Private vehicles only
 ACI08R Reason I08
- 5 ACB05 Replacement tree(s) elsewhere on site
 ACB05R Reason B05
- 6 ACH32 Highway Drainage
 ADH32R Reason H32
- 7 Before the development hereby permitted is first occupied the proposed windows to the roof space in the northern and southern flank elevations shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and fixed shut and shall subsequently be permanently retained in accordance with the approved details.

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

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

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

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

- (e) the light and outlook of occupiers of adjacent and nearby properties;
- (f) the privacy of occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

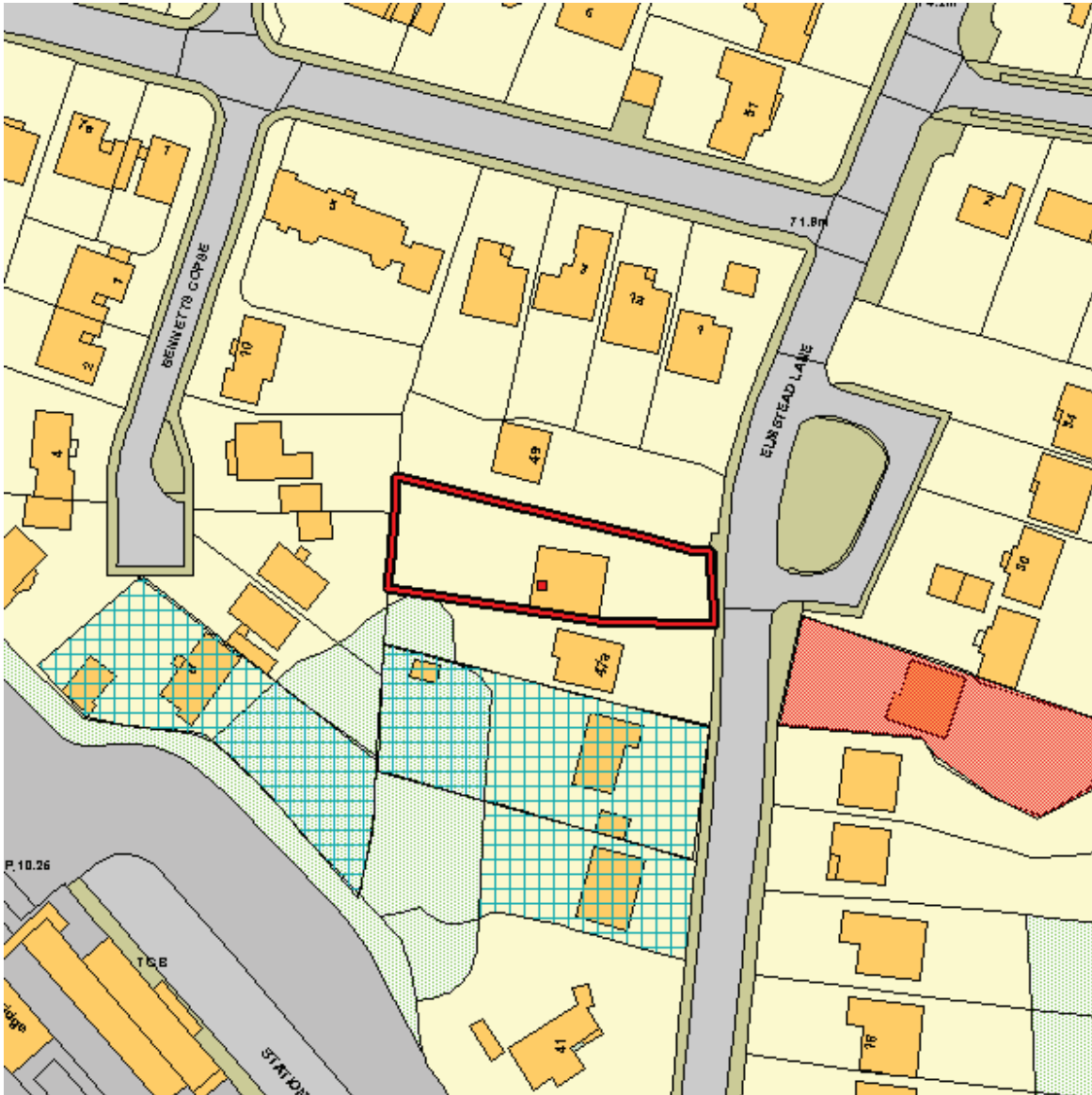
INFORMATIVE(S)

1 RD130 Obscure Glazing

Reference: 10/00330/FULL6

Address: 47 Elmstead Lane Chislehurst BR7 5EG

Proposal: Roof alterations with rear dormer with juliet balcony and front dormer and 2 roof lights. Single storey canopy to front, creation of patio steps and driveway with retaining walls to front. Front railings and detached double garage.



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Application No : 09/02232/FULL2

Ward:
Orpington

Address : 47 Eldred Drive Orpington Kent BR5
4PE

OS Grid Ref: E: 547450 N: 166016

Applicant : Mr Ali

Objections : YES

Description of Development:

Change of use of ground floor from retail (Class A1) to hot food takeaway (Class A5) with ventilation ductwork at rear.

Key designations:

Areas of Archeological Significance

Proposal

Planning permission is sought for the change of use of the currently vacant ground floor from retail (Class A1) to a hot food takeaway (Class A5) and the installation at the rear of the premises of associated extract ventilation equipment.

Location

The application site is located within a parade of 12 shops at ground floor (with 2 floors of residential above) on the northern side Eldred Drive, Orpington.

Comments from Local Residents

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

- a petition was received from 17 local residents objecting on 3 grounds:
- noise pollution associated with the hours of operation and increase in traffic;
- increase in discarded rubbish;
- smell in relation hours of operation being detrimental to the residential enjoyment;
- will increase an already high level of noise associated with anti-social behaviour and traffic; and
- increase in discarded rubbish.

Comments from Consultees

Environmental Health: No objections subject to the imposition of standard condition J10 requiring submission and approval of detailed plans of the appearance and equipment comprising a ventilation system.

Highways: No objections.

Planning Considerations

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

BE1 Design of New Development
S5 Local Neighbourhood Centres, Parades and Individual Shops
S9 Food and Drink Premises
ER3 Promoting Recycling
ER9 Ventilation
T18 Road Safety

Planning History

1989: Planning application (88/04418/FUL) refused for change of use from class A1 retail to class A2 licensed betting shop.

2005: Planning application (05/02586/FULL2) granted permission for the change of use from retail shop (class A1) to beauty salon.

Conclusions

- The main issues relating to the application are as follows:
- The change of use of the vacant Class A1 retail to Class A5 hot food takeaway; and
- The installation of the extraction equipment at the rear of the property and the impact that it would have on the amenities of the occupants of surrounding upper floor residential properties.

In respect of the former, Policies S5 and S9 of the UDP outline that the proposed use should have no adverse impact on residential amenity, not cause undue traffic congestion or be detrimental to the safety of other road users and pedestrians. Furthermore, proposed use should not result in an over concentration of food and drink establishments, be out of character with the retailing function of the area or harm the retail character of the shopping frontage.

It should be noted that the change from retail (Class A1) at the application site has already been recently accepted through the granting of permission ref. 05/02586. The conclusions of this previous permission are shared with regard to the acceptable loss of a retail (Class A1) unit due to there being sufficient other A1 uses within the parade.

It is therefore considered that the key test to the suitability of the use at this location is the overall provision of hot food takeaway (Class A5) uses within the parade. There is only one other hot food takeaway (Class A5) use within the parade, being the fish and chip shop at 27 Eldred Drive. Therefore, if permission was granted there would be 2 hot food takeaways within a parade of 12 shops and this is considered on balance, to be acceptable in principle and not result in an overconcentration of Class A5 uses within the parade or significantly change in the character of the immediate retailing function in the vicinity.

With regard to hours of opening, it is considered that the proposed 100am to 1100pm, 7 days a week is excessive and could be detrimental to the amenities enjoyed by neighbouring residential properties. Therefore, a condition is recommended that restricts the hours of opening to 1130am to 1000pm Monday through Saturday with no opening allowed on Sundays or public and bank holidays. Therefore, with suitable planning conditions on balance, the change of use is considered acceptable at this location within the parade.

In respect of the extraction equipment it is considered that the location of the equipment on the rear of the building is acceptable in terms of its visual impact. However, further technical details are required to determine noise and odour issues. This is not a sufficient reason for refusal and can be controlled by planning condition.

Background papers referred to during production of this report comprise all correspondence on files refs. 05/02586 and 09/02232, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | | |
|---|--------|--|-----------------|---------|
| 1 | ACA01 | Commencement of development within 3 yrs | | |
| | ACA01R | A01 Reason 3 years | | |
| 2 | ACH18 | Refuse storage - no details submitted | | |
| | ACH18R | Reason H18 | | |
| 3 | ACJ05 | Rest. hours of use and ex. Sun (2 ins) | 11.30am | 10.00pm |
| | ACJ05R | J05 reason | BE1, S9 and ER9 | |
| 4 | ACJ10 | Ventilation system for restaurant/take-a | | |
| | ACJ10R | J10 reason | | |

Reason 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
- S5 Local Neighbourhood Centres, Parades and Individual Shops

S9 Food and Drink Premises
ER3 Promoting Recycling
ER9 Ventilation
T18 Road Safety

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

- (a) the loss of a Class A1 retail use within a parade;
- (b) the impact on the amenities of the occupiers of nearby residential properties;

and having regard to all other matters raised.

Reference: 09/02232/FULL2

Address: 47 Eldred Drive Orpington BR5 4PE

Proposal: Change of use of ground floor from retail (Class A1) to hot food takeaway (Class A5) with ventilation ductwork at rear.



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Application No : 10/00008/FULL6

Ward:
Petts Wood And Knoll

Address : 39 Broadcroft Road Petts Wood
Orpington BR5 1ET

OS Grid Ref: E: 544557 N: 166569

Applicant : Mrs E Buss

Objections : YES

Description of Development:

Single storey side and rear extension

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding

Proposal

- The proposal is for a single storey extension which would extend behind the existing garage and would project a further 3.5m beyond the rear elevation of the house for its full width
- A pitched roof would be provided which would extend to a maximum 3.9m high behind the existing garage, but a maximum 3.6m high adjacent to No.41 (the adjoining semi).

Location

This semi-detached two storey property is located on the southern side of Broadcroft Road which is characterised by largely similar semi-detached properties, interspersed with some larger detached properties, such as No.37 immediately adjacent.

Comments from Local Residents

A letter of objection has been received from the occupiers of No.41 (the adjoining semi), the main points of which are summarised as follows:

- loss of light to rear dining room window
- difference in ground levels between the properties would make the extension appear higher and result in loss of outlook
- possible damage from foundations of extension.

Planning Considerations

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

- BE1 Design of New Development
- H8 Residential Extensions

This application has been called in by a Ward Member.

Conclusions

The main issues in this case are the impact of the proposals on the amenities of neighbouring residential properties in terms of loss of light, outlook and privacy.

The rear part of the extension would abut the boundary with No. 41, and some loss of sunlight would be likely to occur during the first part of the day. However, the depth of the extension is not considered to be excessive, and although some loss of outlook may also occur to the rear dining room window of No. 41, this is not considered, on balance, to be significantly detrimental to the amenities of the adjoining occupiers to justify withholding permission.

With regard to the impact on No. 37 to the east, this property has been extended to the rear with a two storey extension, and would not, therefore, be unduly affected by the current single storey proposals.

No windows are proposed in the flank elevations of the extension, and no loss of privacy to adjoining properties would therefore occur.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/00008, 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) | western flank extension |
| | ACI13R | I13 reason (1 insert) | BE1 |

Reasons for granting permission:

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

BE1 Design of New Development
H8 Residential Extensions

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

- (a) the visual impact on the street scene
- (b) the impact on the amenities of the occupiers of nearby residential properties

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

Reference: 10/00008/FULL6
Address: 39 Broadcroft Road Petts Wood Orpington BR5 1ET
Proposal: Single storey side and rear extension



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Application No : 10/00266/FULL6

Ward:
Bickley

Address : 17 Hawthorne Road Bickley Bromley
BR1 2HN

OS Grid Ref: E: 542984 N: 168694

Applicant : Mr Pope

Objections : NO

Description of Development:

Outdoor tennis court with 2.75 metres high chain link fence in rear garden

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Tree Preservation Order

Proposal

Planning permission is sought for an outdoor tennis court with 2.75 metre high chain link fence in rear garden.

Location

The application site consists of a detached two-storey dwelling located upon a relatively large corner site on the northern side of Hawthorne Road and to the east of Newhams Close.

Comments from Local Residents

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

Comments from Consultees

None.

Planning Considerations

The main policy relevant to this case is Policy BE1 (Design of New Development) of the adopted Unitary Development Plan.

Planning History

1987: Planning application (87/00374/FUL) granted permission for a two storey side extension.

2007: Planning application (07/03028/FULL6) granted permission for a single storey/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.

The application site appears to be large enough to accommodate the tennis court without the court dominating the dwelling or surrounding area. The adjoining property to the east is of similar size to the application site and is heavily vegetated with large trees on the boundary. The adjoining property to the north is also vegetated, although to a lesser extent on the boundary. To the south (Hawthorne Road) and to the west (Newhams Close) the application site is bounded by public highway. In addition, the eastern, northern and western boundaries all have existing close boarded fences.

It is considered that the extent (0.25 metres) of the fencing over that which is permitted (2.5 metres) under Class E of the General Permitted Development would not result in an adverse effect on neighbouring amenity.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/00266, 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 planning permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan:

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

H10 Areas of Special Residential Character

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

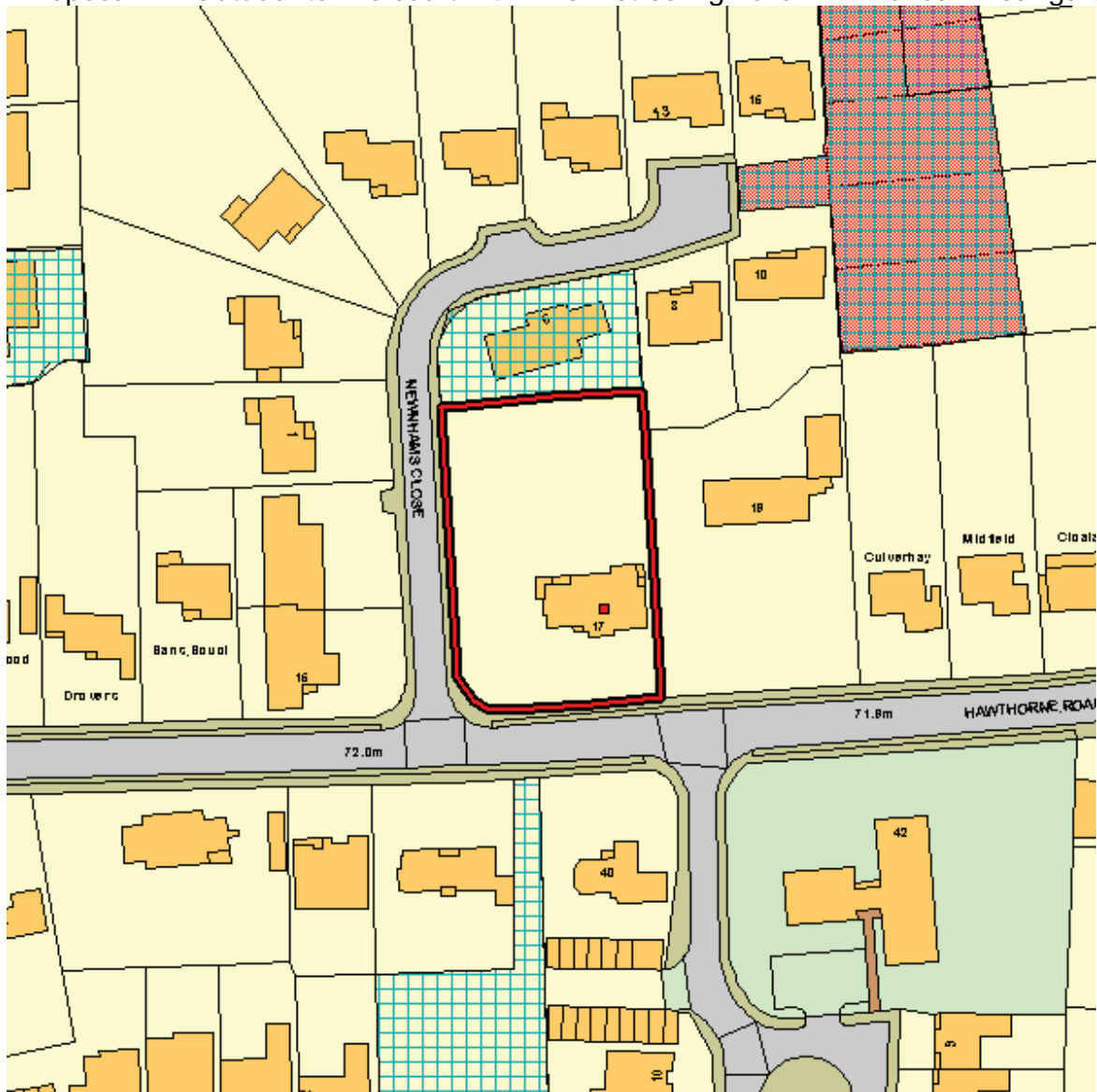
- (a) the relationship of the development to adjacent property;
- (b) the character of the development in the surrounding area;
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties, including light, prospect and privacy;

and having regard to all other matters raised.

Reference: 10/00266/FULL6

Address: 17 Hawthorne Road Bickley Bromley BR1 2HN

Proposal: Outdoor tennis court with 2.75 metres high chain link fence in rear garden



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Application No : 10/00474/OUT

Ward:
Copers Cope

Address : 2 Stanley Avenue Beckenham BR3 6PX

OS Grid Ref: E: 538275 N: 169004

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

Description of Development:

Detached 2 storey four bedroom house with integral garage with vehicular access fronting Stanley Avenue and part 2/3 storey terrace comprising 2 five bedroom and 4 four bedroom houses, car parking spaces and vehicular access fronting Overbury Avenue, plus associated refuse and cycle provision.

Proposal

- This application is put to Committee as the scheme falls outside of what can be determined under Delegated Powers.
- The current application seeks outline planning approval for a detached 2 storey four bedroom house with integral garage with vehicular access fronting Stanley Avenue and a part 2/3 storey terrace comprising 2 five bedroom and 4 four bedroom houses, with car parking spaces and vehicular access fronting Overbury Avenue, plus associated refuse and cycle provision.
- The proposal includes the demolition of 2 Stanley Avenue and 84-86 Overbury Avenue, which has already taken place as this element of the scheme has also formed part of previous planning approvals on this site.
- The details for which outline approval are sought are access and layout.
- The plans associated with the current application, with the exception of the layout and access siting plans, are therefore for illustrative purposes only.

Location

The application site comprises Numbers 84 – 86 Stanley Avenue and Number 2 Overbury Avenue which were two flats and a house converted from one large house. These properties have already been demolished following previous planning approvals.

The site is located on a prominent corner plot on the junction of Overbury Avenue and Stanley Avenue. The surrounding area primarily consists of residential properties, a mixture of two storey houses and blocks of flats.

Comments from Local Residents

Local residents were notified of the application, and the following responses were received:

- the proposal means further congestion to a key intersection;
- this area is already unsafe for children and the development will significantly impact upon traffic flow and safety;
- the development would lead to problems with the already over-subscribed primary school;
- the noise from the development would negatively impact upon the daily running of the school;
- loss of light to adjacent property due to proposed height of detached property;
- difficult to ascertain distances between proposed properties and existing properties on adjacent sites;
- windows in the rear of the proposed property will further overlook adjacent properties;
- electric gates are out of keeping along Stanley Avenue;
- trees on the site of 2 Stanley Avenue need to be removed as these will lead to further subsidence.

Full copies of all correspondence received can be found on the file.

Comments from Consultees

No objections were received from Environmental Health (pollution), Environmental Health (housing), Highways, Thames Water and Drainage.

In terms of Crime Prevention, it was accepted that crime prevention and community safety issues have been covered within the associated documentation in the application, however not in particular detail. It was stated that measures to minimise crime should be taken into account within the designing of the scheme. The physical security of the scheme can be addressed by way of condition.

Planning Considerations

No objections were raised in terms of the trees on the site and on adjoining sites.

The proposal falls to be determined with particular regard to Policies H7, T3, T11, T18 and BE1 of the adopted Unitary Development Plan.

In strategic terms the most relevant London Plan policies are:

Policy 3A.1 Increasing London's Supply of Housing
Policy 3A.3 Maximising the Potential of Sites
Policy 4A.3 Sustainable design and construction
Policies 4B.1 Design principles for a compact city
Policy 4B.8 Respect local context and communities

Central Government advice contained in PPS1 'Delivering Sustainable Development' and Planning Policy Statement 3 'Housing' are also relevant in the determination of the current application.

Planning History

In terms of planning history on the site, there have been a number of previous applications with different outcomes.

Planning permission was refused for an outline application under ref. 06/02377 for a three storey block comprising 12 two bedroom flats with 12 car parking spaces and refuse storage on the following grounds:

1. The proposed development, located as it is on this prominent corner site, would be out of character and scale with the local street scene and would constitute a cramped overdevelopment of the site at an excessive residential density and if permitted would establish an undesirable pattern for similar flatted development along Stanley Avenue, resulting in a retrograde lowering of the standards to which the area is at present developed, contrary to Policy H7 of the Unitary Development Plan;
2. The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able to continue to enjoy by reason of visual impact, loss of prospect and increased noise and disturbance, contrary to Policies BE1 and H7 of the Unitary Development Plan;
3. The proposed development, by reason of the lack of affordable housing provision, would be contrary to Policy H2 of the Unitary Development Plan; and
4. The proposed vehicular access and parking fronting Overbury Avenue, which would be located close to the junction between Overbury Avenue and Stanley Avenue, would not be in the interests of good highway planning and would have a detrimental effect on road safety, contrary to Policies T3 and T18 of the Unitary Development Plan.

Planning permission was also refused for an outline application under ref. 06/04074 for development proposing the demolition of 2 Stanley Avenue and 84-86 Overbury Avenue and erection of three storey block comprising 9 two and three bedroom flats with 10 car parking spaces/ cycle storage and refuse storage. This scheme was refused on the following grounds:

1. The proposed development would be out of character and scale with the local street scene and would constitute a cramped overdevelopment of the site at an excessive residential density, contrary to Policies BE1 and H7 of the Unitary Development Plan; and

2. The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able to continue to enjoy by reason of visual impact, loss of prospect and increased noise and disturbance, contrary to Policies BE1 and H7 of the Unitary Development Plan.

In this latter case, it was considered that the application had overcome the original refusal grounds 3 and 4 relating to affordable housing provision and highway safety but the other objections remained.

Both decisions were subsequently appealed against, with the original proposal, for a block of 12 flats being dismissed, and the second application relating to the block of 9 flats, being allowed by The Inspectorate.

In respect of the proposal for 9 flats which was allowed, the Inspector stated that “the visual bulk of the proposed building would be similar to the existing situation and would not be harmful to the street scene” and a similar view to the other appeal was expressed with respect to the impact on living conditions.

In respect of the proposal for 12 flats, which included two car parking areas, one of which accessed from Overbury Avenue, the Inspector states that “the access onto Overbury Avenue would be in close proximity to its junction with Stanley Avenue. It would however serve only 6 parking spaces, the intensity of its use would be similar to that of a large house, and the distance from the junction would be similar to others in the area. In my opinion, therefore, the access onto Overbury Avenue would not result in any material reduction in highway safety on the avenue.”

Prior to the outcome of these appeals, a third application was determined under ref. 07/00435 for the demolition of 2 Stanley Avenue and 84-86 Overbury Avenue and erection of 2/3 storey block comprising 9 two and three bedroom flats with 10 car parking spaces cycle storage and refuse storage. This was also an outline application and was refused on the following grounds:

1. The proposed development would be out of character and scale with the local street scene and would constitute a cramped overdevelopment of the site at an excessive residential density, contrary to Policies BE1 and H7 of the Unitary Development Plan.
2. The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able to continue to enjoy by reason of visual impact, loss of prospect and increased noise and disturbance, contrary to Policies BE1 and H7 of the Unitary Development Plan.

Following on from the appeal decision, planning approval was given for an application for details pursuant to outline application ref. 06/04074 which formed application ref. 07/03141. Furthermore, application ref. 07/04526 was granted permission for the demolition of 2 Stanley Avenue and 84-86 Overbury Avenue and erection of 2/3 storey block comprising of 9 two and three bedroom flats with 13 car parking spaces, vehicular access onto Stanley Avenue and Overbury Avenue, 2 detached carports, cycle and refuse store.

Conclusions

It is considered that the principle of redevelopment on this site has already been established by the grant of previous applications, namely ref. 06/04074 which was granted at Appeal, and ref. 07/04526. The main issues remain to be related to the effect of the proposal on the character and appearance of the surrounding area; the impact upon the amenities of nearby residents in terms of noise, disturbance, privacy, visual intrusion and daylight; and the impact upon highway safety.

Another consideration with this scheme is the alteration to the type of properties now being proposed which changes from a flatted development to a development providing houses. It may be considered that the provision of dwellinghouses in this location rather than a flatted development would be more in keeping with the character of the area. The scheme allowed at Appeal by the Inspector was not considered to have a harmful effect upon the character and appearance of the surrounding area, and the current scheme has been further reduced and moved in terms of footprint. Therefore it could be considered that the impact upon the amenities of the adjoining residents will be further reduced.

The current outline application seeks approval of access and layout only, therefore although the plans submitted as part of the application do provide elevation plans and floor plans, there are purely for illustrative purposes.

The layout of the proposed development as shown on Plan No. 0955/P01 indicates the current layout in solid black line and the previously approved layout which is shown in green. It can be seen that the overall footprint of the entire scheme has been significantly reduced, with the detached property closest to 'Wooknole', Stanley Avenue, being set substantially back from the previous position. The front elevation is now to be built in-line with the front elevation of Wooknole, as opposed to the previously permitted scheme which was to be set approximately 6.5 metres further forward. This should reduce the visual impact of the proposed development when looking out of the front elevation of 'Wooknole'. In addition, alterations have been made to the footprint of the detached property to the rear, so that the closest part of this property to Wooknole is to be built in-line with the rear elevation of the adjacent property.

In terms of the footprint of the proposed terrace of townhouses, this footprint has also been substantially reduced. The footprint of the unit closest to 78 Overbury Avenue

has not been greatly altered, nor has the overall width of this row of properties, but each property (Units 2 – 6) towards Stanley Avenue have been reduced in depth so that the front elevation of these properties have not greatly altered, but the rear elevations have been vastly changed.

Taking into account the Inspectors comments regarding a previously dismissed appeal on the site, no objection is raised to the provision of a second vehicular access point from Stanley Avenue, to provide access to the detached property. Therefore this element of the scheme to provide one vehicular access from Overbury Avenue and one vehicular access from Stanley Avenue, may be considered to be acceptable.

On balance, Members may consider that the proposal is acceptable. When considering the planning history of the site, including the Inspectors comments relating to the various Appeals, the layout of the proposed development and the access points to the site are considered to be acceptable, and unlikely to impact detrimentally upon the character of the area, the amenities of the neighbouring properties, or aspects of highway safety in the vicinity of the site.

Background papers referred to during the production of this report comprise all correspondence on files refs. 06/02377, 06/04074, 07/00435, 07/03141, 07/04526, 10/00474, AP/07/00043/S78, and AP/07/00053/S78, excluding exempt information.

as amended by documents received on 26.02.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|--------|---|-------------|
| 1 | ACA02 | Details req. pursuant outline permission | appearance, |
| | | landscaping and scale | |
| | ACA02R | Reason A02 | |
| 2 | ACA03 | Compliance with landscaping details | 1 |
| | ACA03R | Reason A03 | |
| 3 | ACA07 | Boundary enclosure - no detail submitted | |
| | ACA07R | Reason A07 | |
| 4 | ACB18 | Trees-Arboricultural Method Statement | |
| | ACB18R | Reason B18 | |
| 5 | ACB19 | Trees - App'ment of Arboricultural Super | |
| | ACB19R | Reason B19 | |
| 6 | ACD02 | Surface water drainage - no det. submitt | |
| | | Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan and PPS25. | |
| 7 | ACD04 | Foul water drainage - no details submitt | |
| | | Reason: To ensure satisfactory means of foul water drainage and to accord with Policy 4A.14 of the London Plan and PPS25. | |

- 8 ACD06 Sustainable drainage system (SuDS)
Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan and PPS25.
- 9 ACH02 Satisfactory parking - no details submit
ACH02R Reason H02
- 10 ACH04 Size of parking bays/garages
ACH04R Reason H04
- 11 ACH05 Size of garage
ACH05R Reason H05
- 12 ACH11 Visibility splays (new buildings) (3 in) access 3.3m x 2.4m
x 3.3m 1m
ACH11R Reason H11
- 13 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 14 ACH18 Refuse storage - no details submitted
ACH18R Reason H18
- 15 ACH22 Bicycle Parking
ACH22R Reason H22
- 16 ACH24 Stopping up of access
ACH24R Reason H24
- 17 ACH27 Arrangements for construction period
ACH27R Reason H27
- 18 ACH32 Highway Drainage
ADH32R Reason H32
- 19 ACI02 Rest of "pd" Rights - Class A, B,C and E
Reason: In order to protect the amenities of the residents of adjacent properties and to comply with Policies BE1 and H7 of the Unitary Development Plan.
- 20 ACI21 Secured By Design
ACI21R I21 reason
- 21 ACK05 Slab levels - no details submitted
ACK05R K05 reason
- 22 The developer should certify in writing to the Local Planning Authority that lighting of the access/car parking area is in accordance with BS 5489-1:2003 prior to first occupation and that such lighting will be maintained permanently thereafter.
Reason: In order to comply with Policy T3 and Appendix II of the Unitary Development Plan and in the interest of visual amenity and the safety of occupiers and visitors to the development.

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

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

INFORMATIVE(S)

- 1 RDI03 Seek engineering advice
- 2 RDI10 Consult Land Charges/Street Numbering
- 3 RDI16 Contact highways re. crossover
- 4 If during any works on site suspected contamination is encountered which has not been previously identified, Environmental Health should be contacted immediately. The additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.
- 5 Before the development commences, the applicant is advised to contact the Pollution Team of Environmental Health and Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or Environmental Protection Act 1990.
- 6 Any repositioning, alteration and / or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 7 With regard to surface water drainage, it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. Where the developer proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required by contacting 0845 850 2777. This is to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Reference: 10/00474/OUT

Address: 2 Stanley Avenue Beckenham BR3 6PX

Proposal: Detached 2 storey four bedroom house with integral garage with vehicular access fronting Stanley Avenue and part 2/3 storey terrace comprising 2 five bedroom and 4 four bedroom houses, car parking spaces and vehicular access fronting Overbury Avenue, plus associated refuse and cycle provision.



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Application No : 10/00192/VAR

Ward:
Darwin

Address : Archies Stables Cudham Lane North
Cudham Sevenoaks TN14 7QT

OS Grid Ref: E: 544557 N: 160989

Applicant : Charmaine Moore

Objections : YES

Description of Development:

Variation of condition 07 of 08/00559 and condition 12 of 08/03254 to allow stationing of caravan ancillary to the keeping of horses.

Proposal

- This application has been submitted in order to allow a caravan to be stationed along the northern side of the site, behind an existing stable block which was permitted under an earlier planning application. The caravan would measure 11m x 4m.
- The proposal is justified by the applicant on the basis that it will facilitate equestrian uses on the site (an area to snack and change clothes) and to be used for the occasional stay on the land over night.

Location

The application site is situated in the Metropolitan Green Belt and is approximately 0.25 hectares in area, with a 25.8 metre wide frontage to Cudham Lane North. The Shaws Girl Guide camp site adjoins the site to the south. The site previously formed part of a larger agricultural holding and was subdivided in early 2008 prior to the submission of the first planning application.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received from local residents/ owners, as well as from the Cudham Residents' Association which can be summarised as follows:

- site would be 'swamped' by the stationing of the proposed vehicle
- proposal would change the vista from a neighbouring campsite of the surrounding area
- proposal would set a precedent for others to follow
- field is not large enough to warrant all the applications which have been made on it recently

- the property is sited in the Green Belt and the requested permission for a caravan on site, especially one for residential use, would contravene the letter and the spirit of the current regulations
- the conditions, to protect the surrounding Green Belt area, which were imposed on the original Approval for equestrian use were freely agreed to by the owner
- the owner has already requested, and been granted, an easing of the conditions to permit the use of a toilet on the site, and is now seeking another relaxation aimed at residential use. This site does not have permission for such use. The ultimate possible purpose of such requests is questionable and should be considered
- the site is only large enough for the maintenance of a single horse, for which the current stabling and toilet facilities are perfectly adequate, as they are for many other horse owners, and this one should be no exception

Comments from Consultees

Not applicable

Planning Considerations

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

BE1	Design of New Development
G1	The Green Belt
NE12	Landscape Quality and Character
L3	Horses, Stables and riding Facilities
PPG2	Green Belts

Planning History

The use of the site for the keeping of a horse was permitted under ref 08/00559. Subsequently, under ref. 08/03254 permission was granted for a replacement and re-sited stable with additional store room and hardstanding area for horsebox and trailer parking. This work has been implemented. Further planning permission was granted for a detached WC building under ref. 09/02833. Both the 2008 applications which were permitted included conditions restricting Permitted Development on the site (No 7 of 08/00559; and No 12 of 08/03254):

“Notwithstanding the provisions of Part 4 of Schedule 2 of the Town and Country (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) the site shall not be used at any time for the holding of markets, fairs, war games, clay pigeon shooting, motor car and motor cycle racing (including trials of speed and practising for such racing or trials), or for the stationing or storage of a caravan or caravans (including the setting up or preparation for such uses or activities) at any time.”

Conclusions

It is now sought to vary the above condition in order to enable a caravan to be stationed on the site. This remains unacceptable in light of local and national planning policy. The proposed use constitutes a further encroachment in the Green Belt and is inappropriate since it will result in the creation of new accommodation capable of residential accommodation and will have a materially greater impact on the open character of the land. No very special circumstances are identified which may justify granting a variation of the above condition. Furthermore, it is considered that the above condition has already been justified at appeal where the applicant sought the removal of Condition 12 of 08/03254. In his consideration of this condition, the Planning Inspector noted that:

“The site is in an exposed and vulnerable position... [and that it] is quite small for the equestrian activity which it supports and in my view its maximum capacity for an appropriate form of development has been fully taken up by its permitted use and the buildings that have been erected thereon. To intensify that use, even on a temporary basis, would lead to a material loss of the level of openness of the land on a regular basis in a very noticeable and detrimental way. This would be significantly harmful to the character and appearance of the area and the integrity and function of the Green Belt in this location.”

The Inspector concluded that:

“the guidance set out in Circular 11/95 at paragraph 87 has been followed in that the exceptional circumstances referred to therein exist in this case, justifying the imposition of the condition. The condition is properly related to the development that has been permitted and serves a clear planning purpose. It is necessary to avoid the serious adverse effect on the environment which the added potential for a range of visually intrusive activities would result in.”

This application is to be refused on the basis that it will be harmful to the visual amenities and openness of the Green Belt, will represent an inappropriate form of development, and that the condition which it is sought to vary is itself considered justified and properly related to the development that has been permitted and serves a clear planning purpose. Furthermore, it is necessary to avoid the serious adverse effect on the environment which the added potential for a range of visually intrusive activities would result in. The proposal is not at all considered necessary to facilitate equestrian activities on the site.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/00559, 08/01950, 08/03254, 09/02833 and 10/00192, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

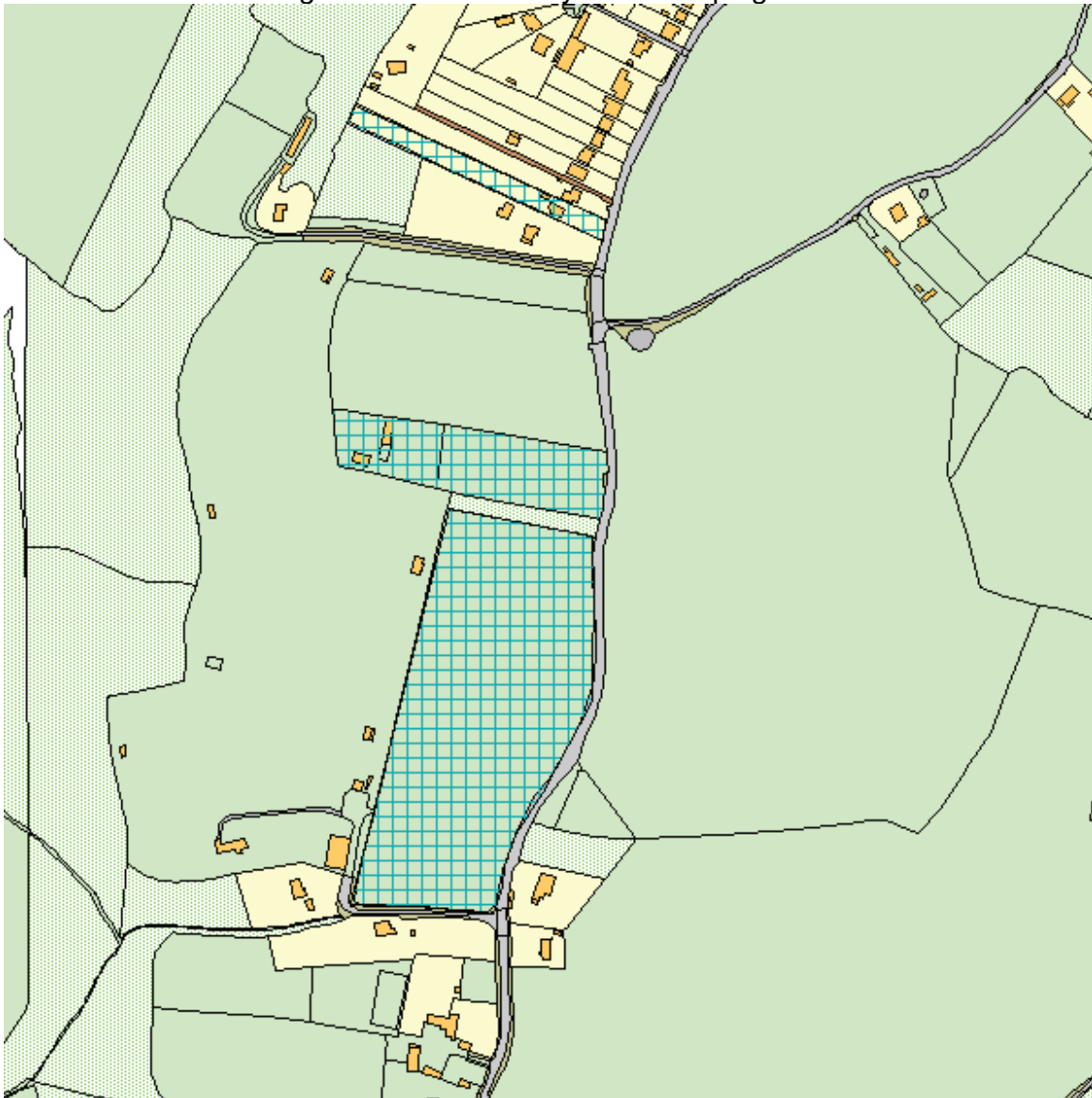
The reasons for refusal are:

- 1 The proposal constitutes an inappropriate and undesirable form of development, harmful to the open and rural character and visual amenities of the area, and no very special circumstances have been demonstrated to justify making an exception to Policies G1, NE12 and BE1 of the Unitary Development Plan and Planning Policy Guidance Note 2 'Green Belts'.

Reference: 10/00192/VAR

Address: Archies Stables Cudham Lane North Cudham Sevenoaks TN14 7QT

Proposal: Variation of condition 07 of 08/00559 and condition 12 of 08/03254 to allow stationing of caravan ancillary to the keeping of horses.



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Application No : 10/00337/FULL6

Ward:
Farnborough And Crofton

Address : 22 Monks Way Orpington BR5 1HN

OS Grid Ref: E: 544486 N: 166267

Applicant : Mr And Mrs Hudson

Objections : YES

Description of Development:

Single storey front extension, side and rear dormer extensions

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding

Proposal

- Two metre front extension
- Insertion of four dormer windows (two on either flank elevation to be obscure glazed and fixed shut)
- Three skylights (located on either flank elevation towards the front of the property)
- One rear dormer window

This application follows an appeal which was dismissed on the 24th November 2009. Two previous applications were refused on the 6th May 2009 (application ref. 09/00653) and 13th November 2008 (application ref. 08/03056).

Location

The application site is a detached bungalow which lies on the north side of Monks Way, Petts Wood, Kent.

Comments from Local Residents

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

- overlooking
- loss of privacy
- extension will not be in-keeping with other properties in the road
- loss of daylight and sunlight

- no material alterations since the previous application
- the proposal would result in a bulky development
- out of character with other properties in the area
- overshadowing

Comments from Consultees

Thames Water

There are public sewers crossing the site and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Should a building/diversion application form or other information relating to Thames Waters assets be required the applicant should be advised to contact Thames Water Developer Services.

Drainage

The proposed works appear to be very close to or over existing public sewer(s); the applicant should be advised to consult TWU as soon as possible to ascertain the exact sewer locations and to establish what protection measures may be required.

Planning Considerations

The London Borough of Bromley Unitary Development Plan (adopted 2006)

BE1 Design of New Development
H8 Residential Extensions

Planning History

An appeal was dismissed on the 24th November 2009. The Inspector cited that that the proposed development would be harmful to the living conditions of Nos. 20 and 24 Monks Way through actual and perceived overlooking and loss of sunlight.

Under planning application ref. 09/00653, planning permission was refused on the 6th May 2009 for a two storey front and rear roof extensions and 6 side dormers. The reasons for refusal were as follows:

The proposal would constitute an overdevelopment of the site by reason of the amount of site coverage and the bulk of the proposed extensions which would be detrimental and out of character with the surrounding area, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

The proposed roof extensions would give rise to an unacceptable degree of overlooking, loss of privacy and loss of light, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

Under planning application ref. 08/03056, planning permission was refused on the 13th November 2008 for a two storey front extension and 6 side dormers. The reasons for refusal were as follows:

The proposal would constitute an overdevelopment of the site by reason of the amount of site coverage and the proposed extensions would be detrimental and out of character with the surrounding area, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

The proposed roof extensions would give rise to an unacceptable degree of overlooking, loss of privacy and loss of light, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

Conclusions

Further to the Inspectors decision to dismiss the appeal in November 2009 the main issue to assess when considering this revised application is the impact of the development on the occupants of No. 20 and No.24 Monks Way.

The applicant has reduced the projection of the front extension from 3m to 2m, reduced the bulk of the dormers window on either flank elevation, substituted two of the dormer windows for skylights, omitted the proposed roof extension to the rear, made the dormer windows obscured glazed and two fixed shut and put a dormer window at the rear.

No. 22 Monks Way was built behind the established building line of other properties located in the immediate vicinity along Monks Way because a public sewer crosses the front garden of No. 22. Despite the changes made by the applicant No. 20 Monks Way will lose a degree of light if the proposed front extension is built. No. 24 Monks Way will also be affected by the proposed development as Nos.22 and 24 are built close together. No.24 already suffers from a loss of light to their kitchen which is dark especially during winter months. If the development was built the kitchen would be made considerably darker and the development would block out daylight and sunlight to No. 24's bathroom, staircase and hallway. The whole of the eastern flank of No. 24 will be significantly affected.

The front extension would also leave very little gap between Nos. 22 and 24. Taking into account the 2m extension, plus the overhang and guttering there would be 0.85m gap between the roof guttering. It is noted that issues of privacy and overlooking have been overcome by the insertion of skylight and four dormer windows on either flank elevation being obscured glazed and two fixed shut.

Despite the alterations made since the 2008 and 2009 applications the front extension will still cause a loss of daylight and sunlight to the occupiers of Nos. 20 and 24 which is detrimental to the enjoyment of their properties. The occupiers will still experience a certain degree of overshadowing and loss of light as a result of the front extension.

Other properties along Monks Way have had dormer extensions in similar elevations but not to the extent that the applicant is proposing. It is considered that the Inspector's concern for dismissing the appeal has not been overcome and planning permission should be refused.

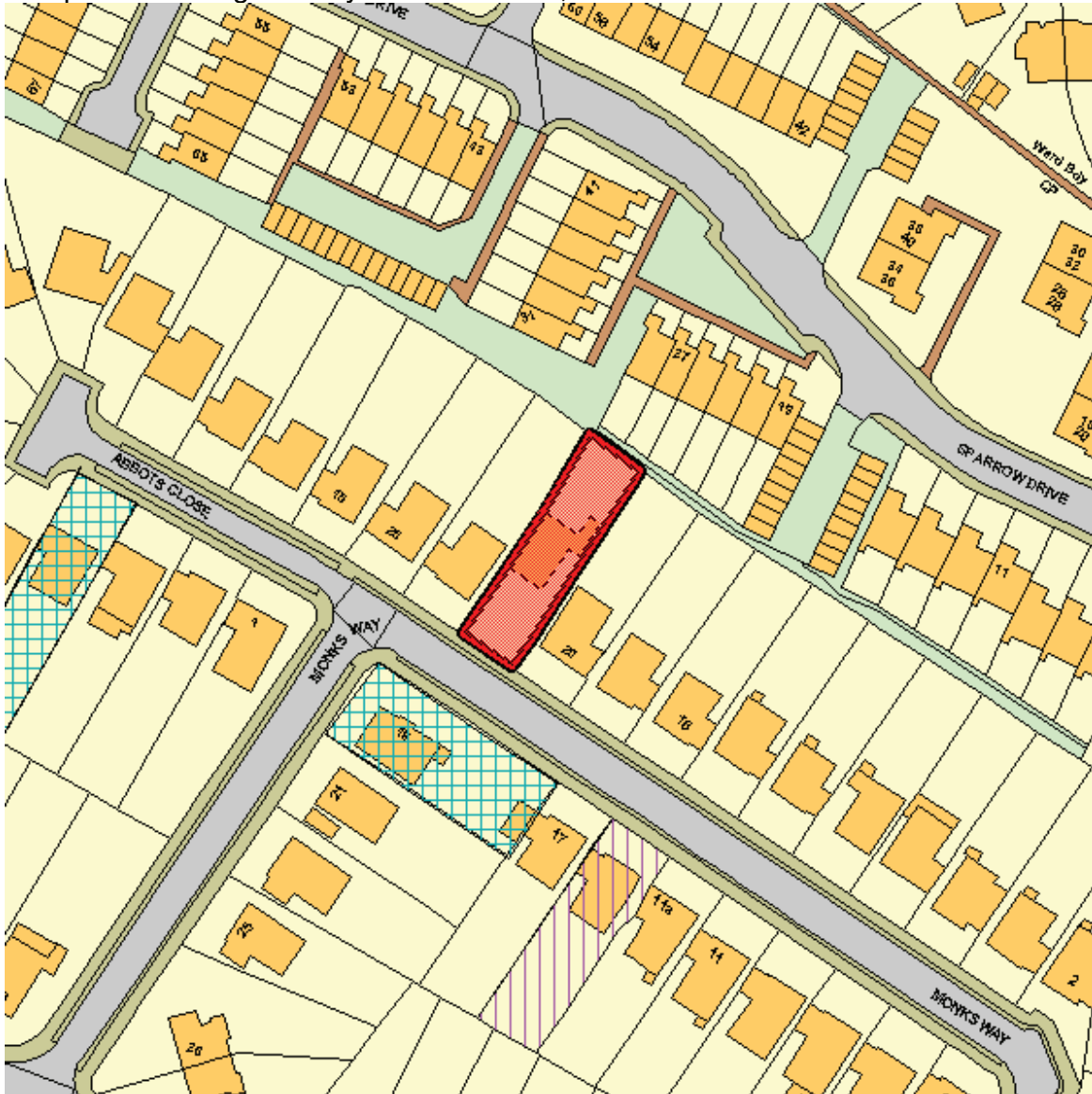
Background papers referred to during production of this report comprise all correspondence on files refs. AP/09/00118, 10/00337, 09/00653 and 08/03056, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed front extension together with the insertion of four dormer windows will cause an unacceptable loss of light and loss of prospect to No. 24 Monks Way contrary to Policies BE1 and H8 of the Bromley Unitary Development Plan.

Reference: 10/00337/FULL6
Address: 22 Monks Way Orpington BR5 1HN
Proposal: Single storey front extension, side and rear dormer extensions



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LONDON BOROUGH OF BROMLEY

COMMITTEE:	Plans Sub Committee No. 4
DATE:	15 April 2010
SUBJECT:	Objections to Tree Preservation Order 2340 at Tanglewood, Sunnysdale and Briarfield, Hazel Grove, Farnborough
CHIEF OFFICER:	Chief Planner
CONTACT OFFICER:	Coral Gibson ext 4516
WARD:	Farnborough and Crofton

1 COMMENTARY

1.1 This order was made on 4 November 2009 and relates to one oak tree in the back garden of Tanglewood, Sunnysdale and one oak tree in the back garden of Briarfield, Hazel Grove.

1.2 Objections have been received from arboricultural consultants acting for the loss adjusters for the insurers of the adjoining property, 13 Nutfield Way, Orpington. They had three main concerns:

- the reasons for the making of the order are not explained;
- the contribution provided by the trees is disproportionate to the compensation potentially payable due to additional engineering repair work;
- a significant carbon output as a result of the engineering work is in direct conflict with the Council's climate change strategy.

1.3 They have stated that when the Council made and served the order the papers that they received did not include the regulation 3 document which includes the grounds for making the order. This should have been included but it was confirmed that the grounds for making the order are that the trees make a significant contribution to the visual amenities of the area. The order was made as a result of a six weeks notice of intention to fell the two trees, one being in the back garden of Tanglewood, Sunnysdale and the other in the back garden of Briarfield, Hazel Grove. The trees are part of a line of oaks across back gardens in Hazel Grove. The trees provide an attractive backdrop to the houses in Sunnysdale and Hazel Grove which are within the Farnborough Park

conservation area where together with the design and character of the houses the trees provide an important contribution to the character of the estate. There are also clear views of the trees from Nutfield Way where the trees enhance the character and appearance of the development.

1.4 They contended that the value of the trees is far outweighed by the compensation that would be payable. The documents that were submitted to the Council with the six weeks notice of intention to fell the two trees related to a claim in connection with damage to the property at 13 Nutfield Way. The damage was first noticed only a few months after the current owner purchased the property and was notified to the insurers in November 2007. The damage was at the junction of the original dwelling and a two storey extension and was categorized as very slight. The reports from the loss adjusters and engineers both commented that the trees predate the extension and the main building. As the extension was built in 2001 and the trees are about 15 metres from the building it could be argued that the foundations should have been taken down to a depth unaffected by the influence of the trees. The objectors have provided some estimates for repair works: £4,000 would be needed for repairs if the felling of both trees was carried out and £25,000 for repairs if the tree work is not done, allowing for additional costs for bringing a claim, this could result in a cost of £27,000 to the Council. However they have not indicated the nature of either the cheaper repair works or the additional work, although by implication they seem to be saying that there would be some underpinning. In any case a claim for compensation could only follow if an application to the Council was made and refused consent. Both trees are outside the ownership of 13 Nutfield Way and they do not say if the tree owners have been contacted and what response they have given.

1.5 Their final point expressed concern about the carbon footprint that would be created by underpinning the property. They refer to the Council's Carbon Footprint Progress Report. This document relates to the carbon footprint of the Council (its own offices and activities) and is not a document for the carbon usage of the Borough as a whole. Whilst their concern to minimize the amount of carbon produced by underpinning is appreciated, the value of the trees should also be taken into account – they are of value in local temperature mediation and local biodiversity. Their value continues throughout their lifetime on which it is difficult to put a value.

2. POLICY IMPLICATIONS

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

3. LEGAL CONSIDERATIONS

3.1 If not confirmed the order will expire on 4 May 2010.

4. RECOMMENDATIONS

4.1 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.

LONDON BOROUGH OF BROMLEY

COMMITTEE: Plans Sub Committee No. 4

DATE: 15 April 2010

SUBJECT: Objections to Tree Preservation Order 2352 at 42 and 44 Westmoreland Road, Bromley

CHIEF OFFICER: Chief Planner

CONTACT OFFICER: Coral Gibson ext 4516

WARD: Shortlands

1. COMMENTARY

1.1 This order was made on 20 January 2010 and relates to one oak tree in the back garden of 44 Westmoreland Road and an oak and a yew in the back garden of no.42.

1.2 Objections have been received from the owner of no. 42 who initially pointed out a typing error in the preservation order document and then objected to the visit to his property of the tree officer and the taking of photographs. The Council's advice had been sought on a pre-application proposal for 42, 44, 46 and 48 Westmoreland Road. A site meeting was held with the proposer of the scheme, their planning consultant, two planning officers and the principal tree officer. The purpose of the site visit was to allow officers to properly assess the proposal. It has been explained that the tree officer was asked by the planning officers to provide advice about the trees at the properties. The presence of trees at a site is one of the factors that the planners take into consideration when assessing a development proposal. Photographs of the trees were taken. The objector has stated that he did not give his permission for photographs to be taken (although it should be noted that he was not present at the site meeting) and asked for the photos to be sent to him. This has been done. He has not made any specific comments about the trees but has suggested that the preservation of trees could be a condition attached to any planning permission. However no planning application has been submitted.

1.3 The two trees in the garden of no.42 are attractive healthy specimens – the oak is about 17 metres in height and the yew about 14 metres. They are both visible from surrounding roads and are trees worthy of retention in any future development proposals for the properties.

1.4 Comments were also received from the owner of no.44 about the yew tree in no 42. The concerns related to the impact of the tree on her washing line and some minor pruning to alleviate the problem has been agreed.

2. POLICY IMPLICATIONS

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

3. LEGAL CONSIDERATIONS

3.1 If not confirmed the order will expire on 20 July 2010.

4. RECOMMENDATIONS

4.1 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.