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DATE: 9 March 2010

To: Members of the
PLANS SUB-COMMITTEE NO. 2

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

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY, 18TH MARCH, 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>**

AGENDA

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 21 JANUARY 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	Cray Valley West	15 - 18	(10/00032/DEEM3) - Midfield Primary School, Grovelands Road, Orpington.

SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page Ref.	Application Number and Address
4.2	Crystal Palace	19 - 24	(09/03307/FULL1) - 43 Selby Road, Penge, London SE20
4.3	Copers Cope; Conservation Area	25 - 28	(09/03532/FULL1) - Christophers School, 49 Bromley Road, Beckenham.
4.4	Copers Cope; Conservation Area	29 - 34	(09/03593/FULL1) - 4A Chancery Lane, Beckenham.
4.5	Copers Cope; Conservation Area	35 - 38	(09/03594/CAC) - 4A Chancery Lane, Beckenham.
4.6	Bickley	39 - 46	(09/03611/FULL1) - 1 Mavelstone Close, Bromley.
4.7	Biggin Hill	47 - 54	(09/03615/FULL1) - 160 - 166 Main Road, Biggin Hill.

4.8	Biggin Hill	55 - 60	(10/00158/FULL1) - 57 Lusted Hall Lane, Biggin Hill.
4.9	Cray Valley East	61 - 70	(10/00211/FULL2) - Crouch Farm, Crockenhill Road, Swanley.
4.10	Chislehurst; Conservation Area	71 - 78	(10/00214/FULL6) - 28 Camden Park Road, Chislehurst.
4.11	Crystal Palace	79 - 84	(10/00269/FULL1) - 40 Selby Road, Penge, London SE20.

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

Report No.	Ward	Page Ref.	Application Number and Address
4.12	Shortlands; Conservation Area	85 - 90	(09/03486/FULL6) - 31 Malmaims Way, Beckenham.
4.13	Mottingham and Chislehurst North	91 - 94	(09/03565/FULL6) - 1 Lianne Grove, Mottingham, London SE9.
4.14	Mottingham and Chislehurst North	95 - 98	(09/03566/FULL6) - 2 Lianne Grove, Mottingham, London SE9.
4.15	Plaistow and Sundridge	99 - 104	(10/00155/FULL1) - Land adjacent to 23 to 27 Thornton Road, Bromley.
4.16	Petts Wood and Knoll; Conservation Area	105 - 108	(10/00162/FULL1) - 11 Station Square, Petts Wood.
4.17	Petts Wood and Knoll	109 - 112	(10/00163/ADV) - 11 Station Square, Petts Wood.

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

Report No.	Ward	Page Ref.	Application Number and Address
4.18	Farnborough and Crofton	113 - 116	(10/00212/FULL1) - School House, Avebury Road, Orpington.

5 CONTRAVENTIONS AND OTHER ISSUES

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

6 TREE PRESERVATION ORDERS

Report No.	Ward	Page Ref.	Application Number and Address
6.1	Farnborough and Crofton;	117 - 120	(TPO 2345) - Objections to Tree Preservation Order 2345 at School House, Avebury Road, Orpington.

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

7.1			NO REPORTS
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PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held on 21 January 2010

Present:

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

Also present:

Councillors Nicholas Bennett, Ruth Bennett,
Stephen Carr, Mrs Carole Hubbard, Brian Humphrys
and Russell Mellor

25 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

No apologies were received, all Members were present.

26 DECLARATIONS OF INTEREST

Councillor Mrs Jennifer Hillier declared a personal interest in Item 8; she spoke to the item and did not vote. Councillor Martin Curry declared a prejudicial interest in Item 14; he spoke to the item, then left the Council Chamber. Councillor Martin Curry also declared a prejudicial interest in Item 19; he left the Council Chamber for the duration of this item.

27 MINUTES

RESOLVED that the Minutes of the meeting held on 12 November 2009 be confirmed.

28 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
WEST WICKHAM
WARD**

(09/02353/OUT) Demolition of No.80 The Alders and construction of 8 detached and semi-detached houses with access drive and bridge over River Beck
OUTLINE at 80 The Alders, West Wickham.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Members, Councillor Nicholas Bennett and Councillor Brian Humphrys, in objection to the application were received at the meeting.

It was reported that further objections to the application had been received together with a letter of support.

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

1. The proposal constitutes an unsatisfactory backland development which would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy, by reason of the proposed access road running along the party boundary together with the proposed bridge and properties themselves and the general disturbance which would arise from users of the development, and the impact of the number of units proposed on the amenities of properties adjoining the site in view of the limited area of the total application site which is available for development and the loss of trees involved, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

2. In the absence of evidence to the contrary by way of relevant up to date surveys, the proposal is likely to be prejudicial to wildlife activity on the site contrary to Policy NE5 of the Unitary Development Plan.

3. In the absence of evidence to the contrary, the proposed development and the remedial measures identified by the Environment Agency as being required to satisfy the issues raised in the Flood Risk Assessment would be likely to exacerbate the impact of the proposal on the amenities of properties adjoining the site. In the absence of the remedial measures the proposed development would be contrary to Policy 4A.12 of the London Plan and the advice in PPS 25.

2
**BROMLEY
COMMON
& KESTON WARD**

(09/02704/FULL6) Two storey side extension at **Farringleys, Westerham Road, Keston.**
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 an informative set out in the report of the Chief Planner.

3
**BROMLEY
COMMON
& KESTON WARD**

(09/02795/FULL2) Use of detached building in rear garden for dog grooming. **RETROSPECTIVE APPLICATION at 32 Balfour Road, Bromley.**
Oral representations in objection to and in support of the application were received at the meeting.
Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reason set out in the report of the Chief Planner. **IT WAS FURTHER RESOLVED that ENFORCEMENT ACTION BE AUTHORISED** to cease the unauthorised use of the building for dog grooming without planning permission with a three month compliance period.

4
**HAYES & CONEY
HALL WARD**

(09/02816/FULL1) Single storey rear extension to form one bedroom flat including external staircase boundary wall and refuse bins at **45 Station Approach, Hayes.**
Members having considered the report and objections, **RESOLVED THAT PERMISSION BE GRANTED** for the reasons and subject to the conditions set out in the report of the Chief Planner with an additional condition:-
5. "The flat roof area of the extension hereby permitted shall not be used as a balcony or sitting out area and there shall be no access to the roof area.
REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties."

5
**BROMLEY COMMON
& KESTON WARD**

(09/02950/FULL6) Two storey rear extension and first floor flank window at **8 Parkfield Way, 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.

- 6**
BROMLEY COMMON & KESTON WARD
Conservation Area
- (09/02960/FULL1) Demolition of existing dwelling and erection of 5 bedroom dwelling house with integral granny annexe and double garage at **53 Forest Drive, Keston.** Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Stephen Carr, in objection to the application, and oral representations from Ward Member, Ruth Bennett, 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 an informative set out in the report of the Chief Planner.
- 7**
BROMLEY COMMON & KESTON WARD
Conservation Area
- (09/02961/CAC) Demolition of existing dwelling
CONSERVATION AREA CONSENT at 53 Forest Drive, Keston. Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Stephen Carr, in objection to the application and oral representations from Ward Member, Ruth Bennett, 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.
- 8**
FARNBOROUGH & CROFTON WARD
- (09/03008/OUT) Demolition of existing house and erection of 1 detached five bedroom house and 2 detached three bedroom chalet bungalows with associated access road garaging and car parking **OUTLINE APPLICATION at 183 Crofton Road, Orpington.** Oral representations in objection to and in support of the application were received at the meeting. It was reported that further objections to the application had been received. Comments from Greater London Authority were reported together with comments from Ward Members, Councillors Tim Stevens and Charles Joel. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the reasons set out in the report of the Chief Planner.

9
**PENGE & CATOR
WARD**

(09/03091/FULL2) Change of use of first and second floors from retail into 6 two bedroom flats and 2 studio flats. Elevational alterations. 3 car parking spaces at rear at **46 Green Lane, Penge.**

Members having considered the report, **RESOLVED that PERMISSION BE REFUSED** for the reasons set out in the report of the Chief Planner with an amendment to condition 1:

"1. The proposal constitutes an over intensive use of the property contrary to Policy BE1 of the Unitary Development Plan, resulting in an under provision of 2-3 on site parking spaces leading to increased demand for on-street parking in the vicinity of the application site, contrary to Policy T18 of the Unitary Development Plan.

10
BIGGIN HILL WARD

(09/03178/FULL6) Single storey rear extension RETROSPECTIVE APPLICATION at **215 Main Road, Biggin Hill.**

It was noted that Ward Member, Councillor Julian Benington, objected to the application.

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

1. The erection of a rear conservatory, in addition to the existing rear extension, across the width of the site results in a cramped overdevelopment of the site, excessive in scale in relation to the host dwelling, contrary to Policies H8 and BE1 of the Unitary Development Plan.

11
BICKLEY WARD

(09/03193/FULL6) Single storey front and rear extensions, part one/two storey front/side and rear extensions and two rear dormers at **Jasmin, Chislehurst Road, Bromley.**

It was reported that an objection to the application had been received.

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

12
**PETTS WOOD
& KNOLL WARD**

(09/03220/FULL6) Part one/two storey front/side/rear extension at **29 Priory Avenue, Petts Wood.**

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

**13
BICKLEY WARD**

(09/03326/FULL6) One/two storey front, side and rear and single storey rear extensions at **41 Bishops Avenue, Bromley.**

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 set out in the report of the Chief Planner.

SECTION 3

Applications recommended for Permission, Approval or Consent

**14
CRYSTAL PALACE
WARD**

(09/01791/FULL1) Part two/ three storey block comprising 3 bedroom house and 12 two bedroom flats. Three storey block comprising replacement community centre/ 9 two bedroom and 1 three bedroom flats. Single storey building comprising bicycle parking and plant room. 23 car parking spaces. Replacement all weather multi-use games area at **Community Centre, Castledine Road, London SE20.**

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

Members having considered the report, objections, and representations, **RESOLVED that PERMISSION BE GRANTED, SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT**, relating to affordable housing and the maintenance of the games area, as recommended, and subject to the conditions and informatives set out in the report of the Chief Planner.

**15
COPERS
COPE WARD**

(09/02167/FULL1) Conversion of existing basement storage area into 2 one bedroom flats and installation of new windows to rear and side elevation. Formation of new storage cellar/communal store room/bicycle and bin store (at No.1- 8 St. Clare Court) - **AMENDED DESCRIPTION at 1 St. Clare Court, Foxgrove Avenue, Beckenham.**

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Russell Mellor, in objection to the application were received at the meeting.

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

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

“3. No construction work shall take place on Saturdays, Sundays or Bank Holidays, nor before 9am or after 5pm Monday to Friday.

REASON: In the interests of the amenities of the existing residents of St Clare Court and in order to comply with Policy BE1 of the Unitary Development Plan.”

16
BICKLEY WARD
Conservation Area

(09/02220/FULL1) Two storey extensions and rear dormer extensions and conversion into 4 one bedroom and 8 two bedroom flats with 18 car parking spaces at **17 St. Georges Road, Bromley.**

Members having considered the report and objections, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with an informative:-

“INFORMATIVE: The vehicle and pedestrian right of way to 17a St Georges Road at the rear of the application site should be safeguarded to prevent any obstruction. “

17
BICKLEY WARD
Conservation Area

(09/02221/CAC) Two storey extensions and rear dormer extensions and conversion into 4 one bedroom and 8 two bedroom flats with 18 car parking spaces **CONSERVATION AREA CONSENT** at **17 St. Georges Road, Bromley.**

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

18
BICKLEY WARD
Conservation Area

(09/02695/FULL6) Single storey side extension, single storey rear extension with light lantern at **24 St Georges Road, Bickley.**

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

19
**PENGE &
CATOR WARD**
Conservation Area

Description amended to read, “(09/02824/FULL1) New shopfront at **The Market Tavern, 201 - 205 Maple Road, Penge.**”

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

PLANS SUB-COMMITTEE NO.2
21 January 2010

20
KELSEY & EDEN
PARK WARD

(09/02879/FULL6) Part one/two storey rear extension with rear dormers to form accommodation in roof (Amendment to scheme permitted under ref.08/01837 to increase the height of the single storey rear extension to 2750mm and to install obscure glazed window on the western flank of the original house) at **57 Hayes Lane, Beckenham.**

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 set out in the report of the Chief Planner.

21
KELSEY & EDEN
PARK WARD

(09/02956/DET) Details of landscaping and appearance pursuant to outline permission ref 09/01141/OUT granted for three storey block with accommodation in roof comprising 12 two bedroom and 2 three bedroom flats and including basement for 16 car parking spaces/ bicycle parking at **14 Kemerton Road, Beckenham.**

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

Members having considered the report, objections and representations, **RESOLVED THAT THE APPLICATION BE APPROVED**, as recommended, subject to the following condition:

"1. Details of a scheme of planting additional to that shown on the approved plans on the boundary of the site with Little Orchard 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 similar size and species to those originally planted.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and to safeguard the amenities of adjacent residents.

22
COPERS
COPE WARD

(09/02968/FULL1) Demolition of existing dwelling and erection of three storey block comprising of 6 one bedroom flats with communal room and ancillary managers office with 6 car parking spaces and new vehicular access onto Westgate Road plus associated bin and cycle store at **36A Albemarle Road, Beckenham**. Oral representations from Ward Member, Councillor Russell Mellor, in objection to 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.

23
PETTS WOOD
& KNOLL WARD

(09/03468/FULL6) Part one/two storey front/side/rear extension and roof alterations at **41 Towncourt Crescent, Petts Wood**. 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 PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

Section 4

Applications recommended for Refusal or Disapproval of Details

NO REPORTS

29

CONTRAVENTIONS AND OTHER ISSUES

Members considered the following reports of the Chief Planner:-

A
DARWIN WARD

(DRR/10/0001) **The Retreat, L/A Claremont, Berrys Green Road, Berrys Green**. Members having considered the report, **RESOLVED that NO FURTHER ACTION BE TAKEN**.

PLANS SUB-COMMITTEE NO.2
21 January 2010

- B**
BICKLEY WARD (DRR/10/00018) **3 Beech Copse, Bromley.**
Members having considered the report, **RESOLVED** that
THE ENFORCEMENT NOTICE BE WITHDRAWN.
- C**
DARWIN WARD (DRR/10/00019) **73 Homestead Road, Bromley.**
THIS REPORT WAS WITHDRAWN BY THE CHIEF
PLANNER.

The meeting closed at 10.21pm

Chairman

Agenda Item 4.1

Application No : 10/00032/DEEM3

Ward:
Cray Valley West

Address : Midfield Primary School Grovelands
Road Orpington BR5 3EG

OS Grid Ref: E: 546304 N: 170044

Applicant : Midfield Primary School

Objections : NO

Description of Development:

Two free standing canopies

Key designations:

Green Belt

Proposal

It is proposed to construct two freestanding canopies within the school playground to the south of the school buildings. Measurements taken from the drawings supplied indicate that the smaller canopy will measure 3 metres in width and 6 metres in depth and the larger canopy 5 metres in width and 7 metres in depth with both canopies having a height of 3.6 metres.

A supporting design and access statement accompanies this application. The canopies are intended to “enhance the ability for lessons... to be held outside” and “act as a shelter from inclement weather”, which is in accordance with “current curriculum requirements”. It is intended that each of the canopies will accommodate a class of pupils comfortably and are “inoffensive” in appearance and of a “pleasing design”. Their siting will be such that there will be no impact on the wider environment and will be hidden from view to the public by the main school complex.

Location

The application site is located on the south of Grovelands Road and to the north of Midfield Way. It is bounded mainly by residential properties to the south, east and north-east and the Scadbury Park Nature Reserve to the north-west. The site comprises school buildings to the north and playing fields to the south.

Comments from Local Residents

As of the date of the agenda closing, no comments from local residents had yet been received. Any comments received will be reported verbally at Committee.

Planning Considerations

The main policies relevant to this case are Policies BE1 and G1 of the Unitary Development Plan. Policy BE1 sets out the design principles that would be applied when considering proposals for new development and G1 seeks to prevent inappropriate development in the Green Belt except where very special circumstances can be demonstrated.

Planning History

Planning permission (90/01074) was granted in 1990 for the relocation of a swimming pool. More recently, planning permissions elsewhere on the site were granted in 2007 for the installation of an enclosed external play area with two freestanding canopy structures, fencing and alterations to windows ((07/01039) and one detached free-standing canopy (07/01177).

Conclusions

The proposed canopies cannot strictly be considered 'appropriate' development for this Green Belt site. However, the canopies are open-sided structures of modest dimensions that will contribute positively to the outdoor use of this part of the school site. The canopies will not appear conspicuous within the wider area, nor significantly compromise the openness and visual amenity of the Green Belt in general. These factors in combination with the educational benefits of the proposal may be considered suitable circumstances within which to make an exception to established policy. On balance, the proposed canopies may therefore be considered acceptable.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/00032, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC07 | Materials as set out in application |
| | ACC07R | Reason C07 |

Reasons for granting permission:

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

- | | |
|-----|---------------------------|
| BE1 | Design of New Development |
| G1 | Green Belt |

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

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

- (d) the character of the development in the surrounding area;
- (e) the character and openness of the Green Belt

and having regard to all other matters raised.

Reference: 10/00032/DEEM3

Address: Midfield Primary School Grovelands Road Orpington BR5 3EG

Proposal: Two free standing canopies



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Agenda Item 4.2

Application No : 09/03307/FULL1

Ward:
Crystal Palace

Address : 43 Selby Road Penge London SE20 8ST

OS Grid Ref: E: 534419 N: 169080

Applicant : Miss Fiona Ly

Objections : YES

Description of Development:

Single storey rear extension and conversion to form 3 two bedroom flats with forecourt parking and cycle and refuse stores

Key designations:

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

Proposal

It is proposed to extend and convert the host building to provide flatted accommodation. The works would involve the following:

- single storey rear extension (max. depth 3.5m)
- conversion of ground floor to form 2 two bedroom flats
- conversion of first floor to provide 1 two bedroom flat
- two off-street parking spaces on forecourt together with soft landscaping
- rear amenity area with communal access for all flats

The application is accompanied by a Design and Access Statement and a Parking Stress Survey.

Members may wish to note that a similar proposal concerning No. 40 Selby Road is currently under consideration (ref. 10/00269) and is also to be found on this agenda.

Location

The application property is located on the western side of Selby Road, Penge, and comprises a linked semi-detached property which is currently vacant, having previously been used as a single dwelling house.

The immediate surrounding area comprises a mix of single dwelling houses and flatted accommodation, including properties which have been converted to form flats. The site is opposite a car workshop.

Comments from Local Residents

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

- concerns regarding parking provision and increased pressure in vicinity
- amenity space not sufficient
- concerns regarding refuse storage arrangements
- deterioration in living environment as a result of other conversions
- increased congestion and noise and disturbance (including from communal garden)
- overdevelopment
- overlooking
- poor design
- reduction in number of family dwellings
- devaluation of adjacent properties
- concerns regarding drainage

Comments from Consultees

From the technical Highways perspective no objections are raised.

From the Environmental Health (housing) perspective, it is advised that the means of escape from the bedrooms to flats 1 and 2 is unsatisfactory unless the bedrooms are provided with a secondary means of escape, such as an escape window. This matter would be controlled under the Building Regulations.

Planning Considerations

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

BE1 Design of New Development
H11 Residential Conversions
T18 Road Safety

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

Planning History

While there is no recent planning history of relevance to this application, Members will be aware that both Nos. 39 and 40 Selby Road have recently been the subject of applications seeking planning permission for their extension and conversion to flats. While no grant of permission has been forthcoming for either to date, No 39 has in fact been extended by way of a substantial two storey rear addition and been converted to form 5 flats and is currently the subject of on-going enforcement proceedings.

Of recent interest and of particular relevance to this application is the recent appeal decision concerning No. 40, following the Council's refusal to grant planning permission for a single storey rear extension and conversion to form 2 two bedroom and 1 one bedroom flats under ref. 08/03948. The appeal was dismissed on the basis that the amenity space provision would not satisfactorily meet the needs of future occupiers, particularly given that the occupiers of the first floor flat would have no access to the rear amenity area. Nevertheless the Inspector did not consider that the provision of two additional households would result in unacceptable noise and disturbance above existing conditions, nor indeed that the proposed conversion would harm the character/appearance of the area.

Conclusions

The proposed extension to the host property is within the generally accepted tolerances for a property of this type, and would not result in a significant loss of amenity to local residents. The proposed conversion to flats would result in two additional units on the site, which may not be significantly intensive nor result in a significant increase in comings and goings to give rise to a loss of amenity to adjacent residents. Members will note that the increase of two units in the case of No. 40 was not found to be of concern at appeal in this respect. With regard to the provision of amenity space, the rear garden would be made available to the occupiers of all three flats via a communal access. It is considered that this communal area would adequately meet the needs of the future occupiers of the proposed dwellings.

Two off-street parking spaces are proposed and, in view of the information submitted concerning parking stress, no technical objections have been raised from the Highways perspective with regard to parking and road safety.

While concerns have been raised locally with regard to the potential for noise and disturbance arising from the use of the amenity area, it is not considered that the net increase in two households would be likely to result in an unacceptable increase above existing conditions. In addition, concerns have been raised regarding the siting of the proposed refuse store within the rear amenity area, however Members may wish to note that an alternative siting may be secured by the imposition of a standard planning condition.

On balance, Members may agree that the proposed extension and conversion of the dwelling to form flatted accommodation is acceptable in this case.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03948 and 09/03307, 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	ACA04	Landscaping Scheme - full app no details
	ACA04R	Reason A04
4	ACH03	Satisfactory parking - full application
	ACH03R	Reason H03
5	ACH18	Refuse storage - no details submitted
	ACH18R	Reason H18
6	ACH22	Bicycle Parking
	ACH22R	Reason H22

Reasons for granting permission:

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

BE1 Design of New Development
H11 Residential Conversions
T18 Road Safety

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

- (a) the density of the proposed development and the provision of additional housing on a previously developed site
- (b) the relationship of the development to adjacent properties
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the proposed parking provision and the impact to conditions of road safety
- (f) the housing policies of the Unitary Development Plan
- (g) the transport policies of the Unitary Development Plan
- (h) the conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

INFORMATIVE(S)

1	RDI10	Consult Land Charges/Street Numbering
2	RDI15	Highways Act – overhanging vehicles
3	RDI16	Contact Highways re. crossover
4		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.”

Reference: 09/03307/FULL1

Address: 43 Selby Road Penge London SE20 8ST

Proposal: Single storey rear extension and conversion to form 3 two bedroom flats with forecourt parking and cycle and refuse stores



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Agenda Item 4.3

Application No : 09/03532/FULL1

Ward:
Copers Cope

Address : St Christophers School 49 Bromley
Road Beckenham BR3 5PA

OS Grid Ref: E: 538284 N: 169385

Applicant : St Christophers School

Objections : NO

Description of Development:

Two storey building to provide replacement teaching accommodation

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Locally Listed Building
London Distributor Roads
Urban Open Space

Proposal

This proposal is to demolish an existing single storey wooden teaching building sited adjacent to the school hall at the rear of the site and replace it with a modern two storey building.

Location

The application site is situated on the northern side of Bromley Road near to the junction of Oakwood Avenue, and comprises of a school with various ancillary buildings and playing field. The main building on the site is Listed Building and is situated on the southern side of the site fronting Bromley Road. The site is designated as Urban Open Space within the Unitary Development Plan.

Comments from Local Residents

No representations were received from nearby owners/occupiers.

Planning Considerations

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

BE1 Design of New Development

BE8 Historic Buildings (Statutory Listed Buildings)
C1 Community Facilities
G8 Urban Open Space

From a tree perspective:- An Arboricultural survey has now been submitted, the survey includes a method statement and provided the developer adheres to its requirements the building can be accommodated without harm to the trees. Standard condition B.19 should be included in any permission.

From the Heritage and Urban Design point of view the proposal is considered as a high quality modern design and would not impact on the historic main building due to its location.

Planning History

Planning Permission and Listed Building Consent have been granted for the following applications:

- Demolition of storage rooms, single storey extension and internal alterations to former barn with disabled access ramp (ref. 01/03861)
- Demolition of timber framed building and erection of single storey extension comprising 2 classrooms (ref. 99/00211)
- Demolition of existing classrooms and staff room and erection of two storey side extension comprising 2 replacement classrooms, replacement staff room, upgraded music room and drama studio and ancillary facilities (ref. 04/00618)

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area including the effect on the Urban open space and the Listed Building within the site and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The replacement building is of a contemporary style and will provide teaching facilities on two floors. The building will be similar in height to the adjacent school hall; the design uses various finishes and insulation materials and incorporates Sustainable measures to reduce energy use, including an area of green roof.

Although the proposed building is of a modern style the site comprises buildings of various styles. This proposed building would not be considered out of character and would not impact on the area or the listed building, therefore it is considered acceptable.

Having had regard to the to above it is considered that the proposed building would be an improvement on the existing structure and would not have a significant impact on the character of the area or the appearance of the listed building.

Having regard to the relevant policies in the Unitary Development Plan, it is considered that the proposal will not have an adverse effect on the character of the Urban Open Space or general appearance of the school, nor will it result in undue harm to the residential amenities of the occupiers of neighbouring properties.

as amended by documents received on 19.02.2010

Background papers referred to during production of this report comprise all correspondence on file ref. 09/03532, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACB19 | Trees - App'ment of Arboricultural Super |
| | ACB19R | Reason B19 |
| 3 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 4 | ACK01 | Compliance with submitted plan |

Reason:

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
- BE8 Historic Buildings (Statutory Listed Buildings)
- C1 Community Facilities
- G8 Urban Open Space

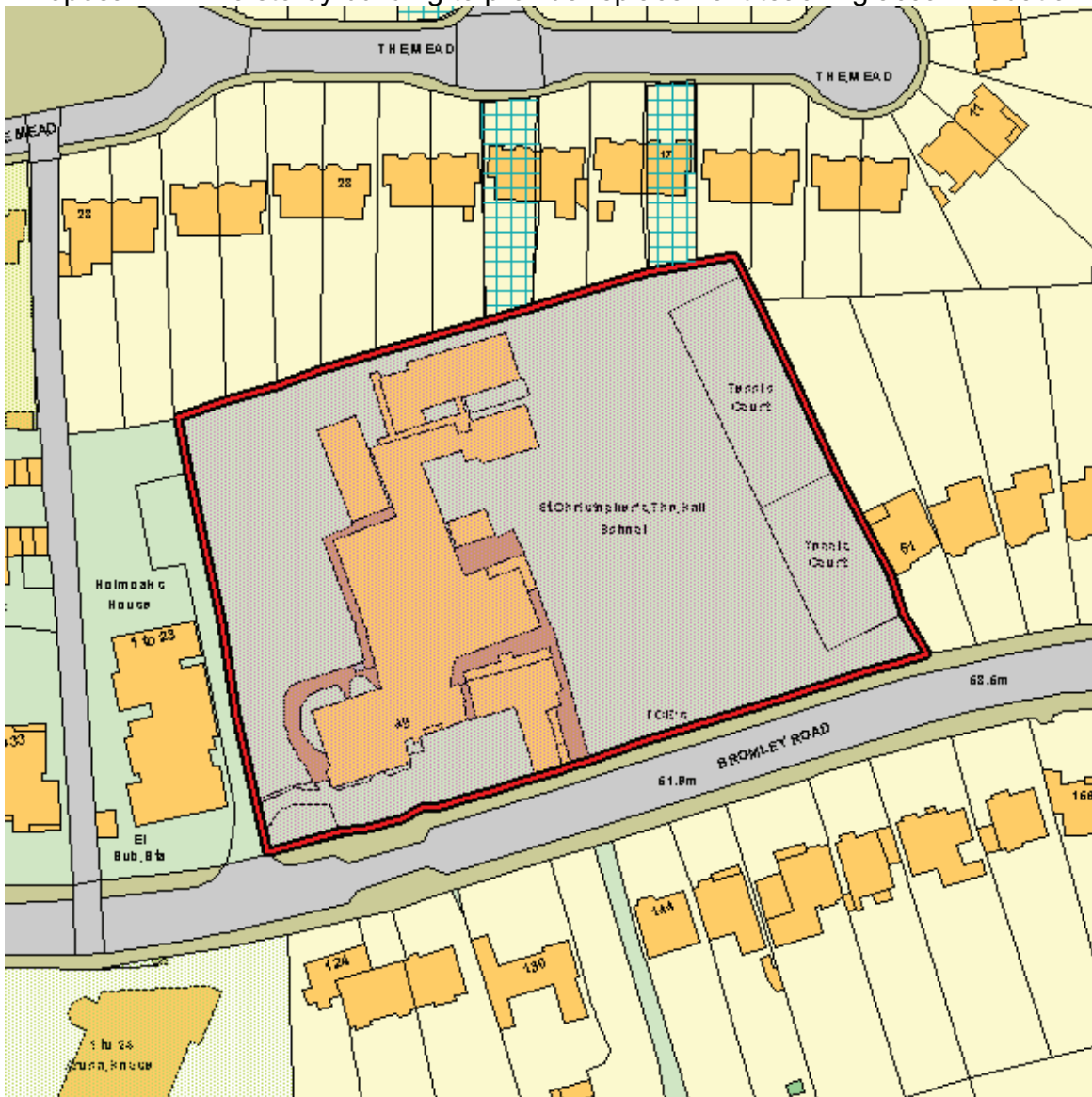
INFORMATIVE(S)

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

Reference: 09/03532/FULL1

Address: St Christophers School 49 Bromley Road Beckenham BR3 5PA

Proposal: Two storey building to provide replacement teaching accommodation



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Application No : 09/03593/FULL1

Ward:
Copers Cope

Address : 4A Chancery Lane Beckenham BR3 6NR

OS Grid Ref: E: 537925 N: 169393

Applicant : Hugo Appleby Ltd

Objections : YES

Description of Development:

Conversion of existing office to 1 two bedroom dwellinghouse, demolition of existing kitchen at rear and elevation alterations.

Key designations:

Conservation Area: Chancery Lane

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

London Distributor Roads

Proposal

- The property is currently operating as a commercial unit, and the application seeks planning permission to convert the existing office into 1 two bedroom dwellinghouse, including the demolition of an existing rear appendage currently used as a kitchen for the office, plus elevation alterations.
- All external doors and windows should be retained, with the only elevations alterations being blocking up windows which are currently located in the flank elevation of the proposed ground floor bedroom and new doors to the rear wall of this room.
- Access to the dwellinghouse will be to the front of the property via the existing door, and an existing door at the bottom of the staircase will be retained for use as an emergency exit, which leads into a shared alleyway adjacent to No. 2 Chancery Lane.
- An existing rear appendage, currently used as a kitchen for the commercial unit, is to be demolished in order to allow for a larger rear garden for the residential property.
- No on-site car parking is to be provided, however there are no parking restrictions along Chancery Lane or surrounding roads, and a parking stress

survey was submitted alongside the application in order to provide supporting evidence in favour of the scheme.

- Bins and recycling boxes can be left to the front of the property on bin collection days.

Location

The application site is located on the north-western side of Chancery Lane, and the entire road falls within the Chancery Lane Conservation Area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received from local residents and the Chancery Lane and Limes Road Resident's Association, which can be summarised as follows:

- concerns raised regarding the windows in the side of the ground floor kitchen and first floor bedroom in terms of privacy;
- owner of No. 4 wishes to extend in future, the current proposal may affect this;
- the application property plays an integral role of the current mix of residential and commercial properties in the area;
- the range of commercial premises that existing within the conservation area and their close association with the residential development are an essential part of the historic character of the area;
- the change of use therefore will affect the balance and ambience of the area;
- by slowly eroding the commercial sites the status of conservation area bestowed on the area will become irrelevant.

Comments from Consultees

A parking stress survey was submitted as part of the application. From a Highways point of view, it was considered that there are on-street parking spaces available for additional demand during the hours of maximum residential parking demand and the area has a moderate PTAL rate. Therefore no objections were raised to the application.

Thames Water did not object to the proposal, provided access to the public sewers which cross the site is still possible.

From an Environmental Health Housing point of view, no objections were raised provided the development can meet building regulations approval.

Planning Considerations

The application falls to be determined in accordance with policies BE1, BE11, H12 and EMP3 of the Unitary Development Plan.

In view of the possible impact the scheme may have upon the existing character of the Chancery Lane Conservation Area that the site is located within, it was considered appropriate that the current application be considered by Committee.

Planning History

In terms of relevant planning history at the site, planning permission was granted under ref. 85/00209 for change of use from silk screen printing to design studio in 1985.

Conclusions

The main issues relating to the application are the effect that the proposal would have on the character of the Chancery Lane Conservation Area that the property is located within and the impact that it would have on the amenities of the occupants of surrounding residential and commercial properties.

The application property is surrounded by residential properties to the east, north and south, with commercial properties to the west. Therefore it may be considered that the conversion of the property into residential use would not be out of keeping within the area. There are minimal elevation alterations being proposed, and although the resident of the adjoining property, No. 4, has raised objection to the existing windows in the flank wall of the property which currently serve the office and would serve the proposed kitchen, as they may lead to possible loss of privacy and a problem should the adjoining property be extended in the future, these are existing windows and are not something that can necessarily be controlled as part of the planning application.

No off-street parking for the proposed residential property is to be supplied, however a parking stress survey was submitted in support of the application and it was considered by the Highways Engineers that no objection could be raised.

The existing rear appendage is to be demolished as part of the current application and is also the subject of a separate Conservation Area Consent application. This element of the property may not be considered to be of particular architectural merit and as it is not visible from the frontage of the property it may be considered by Members that the demolition of this structure would not be unacceptable.

The actual issue of converting the property into residential is therefore the subject of Policies H12 and EMP3. Policy H12 allows for conversion of non-residential buildings to residential use where the office is genuinely redundant provided it will provide a high quality residential environment within the constraints of the existing building and will also comply with the other housing policies within the Unitary Development Plan. PPG3 (para 41) also suggests that buildings which have previously been in non-

residential use can provide important additional sources of housing. As such, a somewhat flexible approach is suggested when looking at planning standards relating to conversion into residential use, and whilst conversions are not likely to be acceptable where there continues to be a viable commercial use or demand for the premises, if it can be demonstrated that there is no local shortage of office floorspace and no likely loss of employment resulting from the proposal, such an application may be considered acceptable.

Accordingly, Members Views are requested on this matter to ascertain whether the principle of the conversion of this commercial property into residential use is acceptable in the manner proposed by providing a satisfactory quality of accommodation and amenity space for future residents, and by still retaining a mix of uses along this road, which leads to the application being worthy of permission being granted. Alternatively, Members may consider that insufficient evidence has been submitted to prove that there is no need for the commercial unit in this location, and that also allowing the conversion of this property into residential use would result in an unacceptable loss of a commercial property within the Chancery Lane Conservation Area, which would be detrimental to the mixed-use character of the area and which would set an unwanted precedent within the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/03593 and 09/0594, 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 ACA07 Boundary enclosure - no detail submitted

ACA07R Reason A07

3 ACC01 Satisfactory materials (ext'nl surfaces)

ACC01R Reason C01

4 ACI02 Rest of "pd" Rights - Class A, B,C and E

Reason: In order to comply with Policies BE1, BE11 and H12 of the Unitary Development Plan and to protect the amenities of the residents of nearby residential properties.

5 ACK01 Compliance with submitted plan

Reason: In order to comply with Policies BE1, BE11 and H12 of the Unitary Development Plan, and to protect the amenities of the residents of nearby residential 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
BE11 Conservation Areas
H12 Conversion of Non-Residential Uses

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

- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to the adjacent properties;
- (c) the character of development in the Chancery Lane 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;
- (g) the housing policies of the development plan;
- (h) and having regard to all other matters raised including concerns from neighbours.

INFORMATIVE(S)

- | | | |
|---|--------|---|
| 1 | RDI23 | Notification re. sewer realignment |
| | D00003 | If Members are minded to refuse planning permission the following grounds are suggested: |
| 1 | | The proposed conversion of this property from commercial use to residential in this part of the Chancery Lane Conservation Area would set a precedent and lead to a retrograde change in the character of the area, which at present is a reflection of long-standing mixed-use of commercial and residential properties, therefore contrary to Policies BE1, BE11 and H12 of the Unitary Development Plan. |
| 2 | | Insufficient evidence has been submitted with the application in order to demonstrate that there is evidence of long-term vacancy despite marketing of the premises, or to demonstrate that there is no likely loss of employment resulting from the proposal or a local shortage of office floorspace, therefore contrary to Policies H12 and EMP3 of the Unitary Development Plan. |

Reference: 09/03593/FULL1

Address: 4A Chancery Lane Beckenham BR3 6NR

Proposal: Conversion of existing office to 1 two bedroom dwellinghouse, demolition of existing kitchen at rear and elevation alterations.



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Agenda Item 4.5

Application No : 09/03594/CAC

Ward:
Copers Cope

Address : 4A Chancery Lane Beckenham BR3 6NR

OS Grid Ref: E: 537925 N: 169393

Applicant : Hugo Appleby Ltd

Objections : NO

Description of Development:

Demolition of single storey structure at rear.
CONSERVATION AREA CONSENT

Key designations:

Conservation Area: Chancery Lane
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads

Proposal

- The application seeks Conservation Area Consent to demolish an existing appendage located to the rear of the main property.
- The rear appendage is currently used as a kitchen for the existing commercial unit.
- It is proposed to demolish the structure in order to allow for additional amenity space to the rear of the property, which is currently the subject of a full planning application to convert the unit to residential.
- The Conservation Area Consent application is to be determined in association with the full planning application, reference DC/09/03593/FULL1.

Location

The application site is located on the north-western side of Chancery Lane, and the entire road falls within the Chancery Lane Conservation Area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application however no representations were received with regard to the Conservation Area Consent application.

Comments from Consultees

No objection was raised with regard to the demolition of the rear appendage from the point of view of the Advisory Panel for Conservation Areas.

Planning Considerations

The application falls to be determined in accordance with policies BE11 and BE12 of the Unitary Development Plan.

In view of the possible impact the linked full planning application, ref. 09/03593, may have upon the existing character of the Chancery Lane Conservation Area that the site is located within, it was considered appropriate that the current application be considered by Committee in accordance with the full application.

Planning History

In terms of relevant planning history at the site, planning permission was granted under ref. 85/00209 for change of use from silk screen printing to design studio in 1985.

A current full application, to be determined alongside the current Conservation Area Consent application, is also pending decision.

Conclusions

The main issue relating to this application is the effect that the demolition of the building would have on the character and appearance of the conservation area.

Members may consider that the existing rear appendage, currently used as a kitchen for the commercial property, has no particular architectural merit and should permission be granted for the conversion of the property into residential use under reference DC/09/03593, the loss of the structure would not have a significantly harmful impact on the character of the conservation area in would in fact provide additional amenity space which may be considered to further enhance the character of the conservation area.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/03593 and 09/03594, excluding exempt information.

RECOMMENDATION: GRANT CONSERVATION AREA CONSENT

subject to the following conditions:

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

Reasons for granting consent:

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

BE11 Conservation Areas

BE12 Demolition in Conservation Areas

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

- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to the adjacent properties;
- (c) the character of development in the Chancery Lane 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;
- (g) the housing policies of the development plan;
- (h) and having regard to all other matters raised including concerns from neighbours.

Reference: 09/03594/CAC
Address: 4A Chancery Lane Beckenham BR3 6NR
Proposal: Demolition of single storey structure at rear.
CONSERVATION AREA CONSENT



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Application No : 09/03611/FULL1

Ward:
Bickley

Address : 1 Mavelstone Close Bromley BR1 2PJ

OS Grid Ref: E: 542075 N: 169928

Applicant : Mrs L Buchanan

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of a detached two storey dwelling with accommodation in the roof space and attached garage.

Key designations:

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

Proposal

The application proposes the demolition of the existing bungalow and erection of a replacement two storey dwelling with accommodation in the roof space and attached garage. The details of the proposal are summarised below:

- the replacement dwelling would appear two storey when viewed from the road, however due to the sloping nature of the site towards the rear, the rear part of the dwelling follows the contours of the land and will include a lower ground floor level,
- the proposed dwelling would provide a footprint of approx. 194 sq.m compared to the existing dwelling at approx. 183 sq.m. and would be similarly positioned within the plot,
- the proposed dwelling would not extend as deep at the rear as the existing house, but would extend further forward at the front and be brought closer to the flank boundary with Mavelstone Road,
- the house will be set back between approx. 9.9m – 10.15m from Mavelstone Close
- a minimum side space of approx.1.m (measured from the rear of the single storey garage) and a minimum separation between the two storey element of the proposal (at the rear) to the flank boundary with No.2 of approx. 3.6m will be retained (when scaled from the submitted drawings).
- the submitted plans show a separation of between approx. 6.6m (at the rear) and 5.69m (to the front (excluding the flank bay feature) between the dwelling and the flank boundary with Mavelstone Road,

- flank windows (facing No.2) are proposed to the lower ground floor habitable rooms within the new dwelling, although these will be obscured from view by the existing flank boundary fencing. Two upper floor windows on this flank are also proposed which would be obscure glazed to an en-suite and bathroom and high - level rooflights are also proposed to a play room.
- 4 car parking spaces can be accommodated on the site including a part integral/attached double garage,
- the replacement dwelling is of traditional appearance including a hipped roof design and tile hanging to the elevations.

Location

The application site comprises a bungalow on a corner site at the junction between Mavelstone Close and Mavelstone Road. The area is sylvan in character and comprises a variety of dwellings, primarily two storeys in height and includes a number of redeveloped sites, particularly within Mavelstone Close.

The site also lies directly adjacent to Mavelstone Road which lies within the Mavelstone Road Conservation Area.

Comments from Local Residents

At the time of writing this report, 1 letter has been received raising no objections to the proposed development and 1 letter of local objection had been received from the adjoining owners of No.2 of which are summarised below:

- the proposal would result in a substantial property affecting daylight and sunlight to the kitchen, dining room and courtyard garden,
- the proximity of the dwelling and its height to No.2 would result in a feeling of being hemmed in, overdominant development,
- property is out of scale and character in the street scene,
- the proposal is contrary to Policies H9, BE1 and BE17.

Comments from Consultees

No technical objections are raised from Thames Water.

At the time of writing this report, no technical comments had been received from the Council's Drainage and Highway sections. Members are advised however that no technical objections were raised to the proposals from a highway safety or drainage point of view under the previous application (09/02161) for a replacement dwelling, subject to safeguarding conditions.

The Advisory Panel for Conservation Areas have been consulted on this application, however any comments raised in respect of the application will be reported verbally at the meeting.

Planning Considerations

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

BE1 Design of New Development
BE13 Adjacent to Conservation Areas
H7 Housing Density and Design
T3 Parking
T18 Road Safety
NE7 Development and Trees

Supplementary Planning Guidance for Mavelstone Road Conservation Area

London Plan Policy 3A.1 Increasing London's supply of housing
Policy 3A.3 Maximising the potential of sites

There are no trees on the site which would be affected by the proposal.

Planning History

Under planning ref. 09/02161, permission was sought for a similar scheme to demolish the existing dwelling and replace it with a two storey house and garage. This application was subsequently withdrawn by the applicant following concerns raised by the case officer in respect of the scale and siting of the replacement dwelling.

Members may also be aware of the numerous developments which have recently been permitted in within the road including single storey side, rear and roof extensions to form a first floor to No.2 under planning ref. 08/02971, a two storey six bedroom dwelling with integral garage and accommodation in roof at No. 5 (09/03203), 1 five bedroom and 1 six bedroom two storey detached replacement houses with integral garages at Nos. 7 and 8 Mavelstone Close (08/00381) and an application for a replacement dwelling at No.3 (10/00080) is currently pending consideration.

Conclusions

The main issue in this case is the impact of the development upon the site and surrounding area including the adjacent Mavelstone Road Conservation Area and, its impact upon adjoining and nearby residential properties.

The area is characterised by a mix of property types within the vicinity, particularly two storey development and includes a number of redeveloped sites where reasonable separations are maintained to the adjacent properties.

It is acknowledged that the proposal represents a much larger dwelling of traditional design compared to the existing bungalow, particularly with regard to the perceived

bulk of the two storey rear addition when viewed from Mavelstone Road. However, the proposal has been designed to minimise the bulk whilst following the contours of the site and to maintain adequate degrees of separation about the building to the adjacent boundaries. It should also be noted that existing flank boundary fencing and vegetation will help to reduce the visual appearance of this bulk at the rear.

Policy BE13 in the UDP states that a development proposal adjacent to a conservation area will be expected to preserve or enhance its setting and not detract from view into or out of the area. In this case, the design of the dwelling is traditional in appearance and it may be considered aesthetically acceptable. The site is however on a prominent corner plot and consideration must be given to the increase in bulk and scale of the development on whether it would result in harm to the character and appearance of the adjacent conservation area and street scene in general.

With regard to the impact upon the amenities of the neighbouring properties, the flank wall to a recently constructed extension to High Birches runs parallel to the rear boundary of the application site. There are two obscure glazed flank windows to the extension which serve a corridor and two rooflights, (one to the corridor and one to a bedroom) however it is considered that given the separation between the proposed dwelling and the flank wall of High Birches and the vegetation which exists along this boundary that no adverse impact upon the amenities of the occupiers of this property is likely to result.

The greatest impact would be to the property directly adjacent to the site resulting in built development of an increased height and scale compared to the existing bungalow. The single storey garage element adjacent to the boundary with No.2 would be of a similar siting to the existing and the two storey element of the dwelling would be set back between approx. 8m (at the rear) – approx. 10m (at the front) from the flank wall of No.2 (when scaled from the submitted plans). The replacement dwelling would not extend as far at the rear compared to the existing bungalow and it is considered that there would be adequate separation with No.2 to lessen the impact of the increase in scale and height of the development.

The orientation is such that there will be a change experienced from the adjoining property in outlook and general lighting. There are ground floor flank windows and doors to No.2 which serve an en-suite, utility room and open plan kitchen and dining room. There are also patio doors to the kitchen/dining room at the rear which provide additional light to this part of the ground floor. Outside of the kitchen is a small courtyard area used by the occupants of that property which receives sunlight for part of the day given its southern orientation.

Whilst it is likely that some light to the flank windows and courtyard of No.2 may be obscured during part of the day because of the increase in scale of the proposed dwelling, there would be a reasonable degree of separation between the two storey flank wall of the proposed dwelling and the flank wall of No.2 to allow adequate separation and light to penetrate between the built development. In addition, the

potential for overlooking can be mitigated through a planning condition to control obscure glazing to the flank windows facing No.2.

Members will need to consider therefore whether the principle of redevelopment in the manner proposed is acceptable in that the replacement dwelling will preserve the character and appearance of the adjacent conservation area and the visual amenities in general and that the development by reason of its size and siting would not be significantly detrimental to the amenities of the adjoining occupiers.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/00381, 08/02971, 09/02161, 09/03203 and 10/00080, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|----|--------|---|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 4 | ACB01 | Trees to be retained during building op. |
| | ACB01R | Reason B01 |
| 5 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 6 | ACD02 | Surface water drainage - no det. submitt |
| | ADD02R | Reason D02 |
| 7 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 8 | ACI02 | Rest of "pd" Rights - Class A, B,C and E |
| | ACI03R | Reason I03 |
| 9 | ACI08 | Private vehicles only |
| | ACI08R | Reason I08 |
| 10 | ACI12 | Obscure glazing (1 insert) at first floor level in the northern elevation |
| | ACI12R | I12 reason (1 insert) BE1 and H7 |
| 11 | ACI17 | No additional windows (2 inserts) northern flank dwelling |
| | ACI17R | I17 reason (1 insert) BE1 and H7 |
| 12 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

Reasons for granting permission:

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

policies of the Unitary Development Plan:

- BE1 Design of New Development
- BE13 Development adjacent to a Conservation Area
- H7 Housing Density and Design
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

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

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character and appearance of the development in the surrounding area and in relation to the adjacent Mavelstone Road Conservation Area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the safety of pedestrians and motorists on the adjacent highway
- (f) the provision of satisfactory living accommodation for future residents
- (g) the housing, transport and environmental policies of the UDP

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 You are advised that Mavelstone Road is an unadopted street and the condition of the section of the street to which the proposed development has a frontage should, at the end of the development, be at least commensurate with that which existed prior to commencement of the development. The applicant is also advised that before any works connection with proposed development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil.

Reference: 09/03611/FULL1

Address: 1 Mavelstone Close Bromley BR1 2PJ

Proposal: Demolition of existing dwelling and erection of a detached two storey dwelling with accommodation in the roof space and attached garage.



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Application No : 09/03615/FULL1

Ward:
Biggin Hill

Address : 160 - 166 Main Road Biggin Hill TN16
3BA

OS Grid Ref: E: 542023 N: 158708

Applicant : Claverton Holdings Ltd

Objections : YES

Description of Development:

3 blocks (two storeys, two/ three storey and three storeys high) comprising 1 one bedroom, 13 two bedroom and 2 three bedroom flats, and 3 two storey three bedroom terraced houses with car parking spaces and access road

Proposal

Outline planning permission was granted at appeal for the change of use from industrial to residential of part of this site to permit residential development of two/three storeys for 16 three bedroom houses and 2 and 3 bedroom flats with car parking and associated amenity space. The application proposal is for a revised scheme involving an adjustment to the bulk and footprints of the buildings. The proposal is summarised as follows:

- Block A – three storey building providing 6 two bedroom flats for private sale, 6 undercroft car parking spaces and secure cycle storage
- Block B – two/three storey building providing 2 three bedroom, 3 two bedroom and 1 one bedroom flats to provide affordable housing
- Block C – two storey building providing 3 two bedroom flats for private sale and one three bedroom flat to provide affordable housing
- 3 two storey three bedroom houses for private sale.

Block A will be approx. 7m wider than the appeal scheme whilst Block B will be approx. 3.8m wider and approx. 1m deeper at the north west end. Block C will be approx. 3.5m wider and will be located approx. 2m closer to the south west boundary. The houses will be arranged in a straight terrace rather than a staggered terrace. The arrangement of the buildings in terms of storey heights is broadly consistent with that granted at appeal.

The blocks of flats will feature a contemporary design with flat roofs, render and timber cladding whilst the houses will feature pitched roofs to reflect more the more traditional design of properties fronting Sutherland Avenue.

The application is accompanied by a Design and Access Statement which includes the following points:

- modern design is intended to relate more appropriately to its commercial backland context.
- materials will result in building appearing clean, light and well articulated
- detailed design and treatment of elevations and central court will give development a sense of place
- scheme will be of a high quality design and be imaginative and attractive whilst complementing scale, form and layout of surrounding buildings
- layout of scheme, including orientation of habitable rooms, matches scheme granted permission in 2007.

Location

The key characteristics of the site and its surroundings are as follows:

- site lies to rear of row of shops in centre of Biggin Hill and is currently occupied by various commercial operations
- church hall lies adjacent to the south eastern boundary and there are further commercial operations beyond the north western boundary
- residential properties back onto the site at the rear
- on this side of Main Road surrounding development comprises a mixture of commercial, retail and residential uses whilst development opposite is mainly residential
- a number of shops in the area have flats above, some up to a total of three storeys in height, and there are several nearby examples of residential development behind frontage properties.

Comments from Local Residents

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

- gross overdevelopment
- out of character
- excessive height
- overlooking
- loss of light/outlook
- Block C is too close to rear gardens of houses fronting Sutherland Avenue
- pollution
- increased noise and disturbance
- increased anti-social behaviour
- loss of motoring services and local businesses
- loss of jobs
- there should be obscure glazing on the side of the building facing Sutherland Avenue
- decreased security at Sutherland Avenue properties

- increased congestion
- inadequate parking
- detrimental impact on pedestrian and vehicular safety
- difficulties accessing and egressing Haig Road
- increased pressure on local infrastructure and services
- condition securing acoustic screen to adjacent church should be applied, as per the previous permission.

Comments from Consultees

The Council's in-house drainage consultant has no objections.

There are no technical highways objections.

The Metropolitan Police Crime Prevention Design Adviser has no objections to the proposal.

Any further comments, including housing comments, will be reported verbally at the meeting.

Planning Considerations

Outline planning permission was granted at appeal for the change of use from industrial to residential for part of site to permit residential development of two/three storeys for 16 three bedroom houses and 2 and 3 bedroom flats with car parking and associated amenity space (ref. 06/03884).

With regard to the impact of the proposed development within its setting he noted that:

'most of the buildings would be concealed behind the frontage development. From certain aspects there would be limited glimpses of the three storey elements, but development at this height is, in any case, typical of the area.'

Regarding amenity space, the Inspector noted that:

'Whilst indicatively there would be limited soft landscaping surrounding the flats, most of the flats would be at first and second floor levels with parking beneath. This does not seem to me to be out of line with most flatted developments which occupiers often choose specifically because they are devoid of amenity space. As the appellant pointed out at the hearing, there is accessible green space in the locality and balconies could be provided. The two storey housing, which might be expected to prove the most attractive to families, would have its own private amenity space to the rear.'

The Inspector also considered that:

- the loss of the business use of the site would be acceptable and that the development would provide a better fit with the area than the existing commercial uses
- no material harm would result from the density of the development
- overlooking opportunities would be limited
- detailed design of flats and in terms of aspect and boundary treatment could mitigate noise and disturbance from the commercial operation adjacent to the north west boundary
- any harm from ventilation units to the shops could be dealt with in the reserved matters
- an appropriate acoustic boundary treatment would suffice to mitigate harm from noise from the adjacent church
- scheme would provide a mix of housing including a number of affordable units and would make efficient use of previously developed land in a good location with respect to local facilities and this weighs heavily in favour of the proposal.

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

UDP

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T7 Cyclists
- T18 Road Safety
- H1 Housing Supply
- H5 Accessible Housing
- H7 Housing Density and Design
- NE7 Development and trees
- BE1 Design of New Development
- EMP3 Office Development
- EMP5 Development Outside Business Areas
- ER7 Contaminated Land

London Plan

- 2A.9 The Suburbs: supporting sustainable communities
- 3A.3 Maximising the potential of sites
- 3A.6 Quality of new housing provision
- 4A.3 Sustainable Design and Construction
- 3D.13 Children and young people's play and informal recreation strategies
- 4A.4 Energy Assessment
- 4A.7 Renewable Energy
- 4B.1 Design Principles for a Compact City
- 4B.8 Respect local context and communities.

The residential density of the proposal is equivalent to 76 dwellings per hectare.

Conclusions

The main issues to be considered in this case are the impact of the proposal on the character of the area and the impact on the residential amenities of the area. The scheme will be cramped within the site, however the layout is broadly consistent with the scheme previously granted planning permission at appeal. It is therefore necessary to specifically consider whether the revised siting and changes to the bulk of the blocks will result in undue harm to visual and residential amenities.

The development will not be especially visible from Main Road. Block A will be visible over the shops fronting Main Road and the additional width of the block will make it somewhat more conspicuous when viewed down the access road. The additional bulk of Block B should not be particularly evident from Main Road due to its orientation. The amendments to the terrace of houses and Block C are relatively minor and should not result in undue harm. It may therefore be considered that the additional bulk of the blocks and the revised siting are not sufficiently harmful to warrant refusal of planning permission on character grounds relating to impact on nearby properties and the locality generally.

The internal layout of the units and the arrangement of windows is such that there should not be any undue loss of privacy to properties fronting Sutherland Avenue. The scheme should not result in any significant additional harm over and above the previously permitted scheme in terms of loss of outlook or visual impact from nearby dwellings.

A scheme to provide on site renewable energy is not proposed. However, on-site renewable energy was not secured through the outline permission granted at appeal and therefore the proposal can be considered acceptable in this regard.

as amended by documents received on 15.02.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACD06
ADD06R | Sustainable drainage system (SuDS)
Reason D06 |
| 3 | ACH02
ACH02R | Satisfactory parking - no details submit
Reason H02 |
| 4 | ACH16
ACH16R | Hardstanding for wash-down facilities
Reason H16 |
| 5 | ACH18 | Refuse storage - no details submitted |

	ACH18R	Reason H18
6	ACH22	Bicycle Parking
	ACH22R	Reason H22
7	ACH23	Lighting scheme for access/parking
	ACH23R	Reason H23
8	ACH27	Arrangements for construction period
	ACH27R	Reason H27
9	ACH32	Highway Drainage
	ADH32R	Reason H32
10	ACI21	Secured By Design
	ACI21R	I21 reason
11	ACK05	Slab levels - no details submitted
	ACK05R	K05 reason
12	ACK09	Soil survey - contaminated land
	ACK09R	K09 reason
13	No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The type of treatments proposed for the south eastern boundary adjacent to the church hall and the north western boundary adjacent to workshop 3 shall take account of the need for acoustic suppression. The boundary treatment shall be completed before the buildings are occupied and thereafter retained. Development shall be carried out in accordance with the approved details.	
	ACA07R	Reason A07

Reasons for granting planning permission:

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

UDP

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T7 Cyclists
- T18 Road Safety
- H1 Housing Supply
- H5 Accessible Housing
- H7 Housing Density and Design
- NE7 Development and trees
- BE1 Design of New Development
- EMP5 Development Outside Business Areas
- ER7 Contaminated Land

London Plan

- 2A.9 The Suburbs: supporting sustainable communities
- 3A.3 Maximising the potential of sites
- 3A.6 Quality of new housing provision
- 4A.3 Sustainable Design and Construction
- 3D.13 Children and young people's play and informal recreation strategies
- 4A.4 Energy Assessment
- 4A.7 Renewable Energy
- 4B.1 Design Principles for a Compact City
- 4B.8 Respect local context and communities.

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

- (a) the 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 safety of pedestrians and motorists on the adjacent highway
- (f) the safety and security of buildings and the spaces around them
- (g) accessibility to buildings
- (h) the design policies of the development plan
- (i) the transport policies of the development plan

and having regard to all other matters raised.

Reference: 09/03615/FULL1

Address: 160 - 166 Main Road Biggin Hill TN16 3BA

Proposal: 3 blocks (two storeys, two/ three storey and three storeys high) comprising 1 one bedroom, 13 two bedroom and 2 three bedroom flats, and 3 two storey three bedroom terraced houses with car parking spaces and access road



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Application No : 10/00158/FULL1

Ward:
Biggin Hill

Address : 57 Lusted Hall Lane Biggin Hill TN16
2NW

OS Grid Ref: E: 541647 N: 158302

Applicant : GVS Builders (Mr Spiteri)

Objections : YES

Description of Development:

Two 4 bedroom detached houses.

Proposal

- The application is for the demolition of the existing bungalow and the erection of 2 semi-detached 4 bedroom houses.
- The dwellings will be served by one access onto Lusted Hall Lane.
- The dwellings will have hipped roofs with a total height of 8.3m, incorporating front gable features.
- The properties will be set ~12.3m from the highway.
- The properties will be ~8.2m in width and ~13.4m in depth.

Location

The application site is on the western side of Lusted Hall Lane and at present comprises a bungalow with a spacious rear garden and significant space to the front of the building. The area is characterised by a mix of residential development, including terraces to the south and semi-detached dwellings to the north.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and a large number of representations were received. These are summarised as follows:

- loss of light/prospect
- impact on trees
- impact on highway safety
- increased noise with the proposed unidirectional flow plates
- the proposal in terms of sightlines/access has not altered from the previously refused scheme

Comments from Consultees

Technical highways objections are raised in respect to sub-standard sightlines of the existing access and general access onto this part of Lusted Hall Lane.

No technical drainage objections are raised, subject to standard conditions from Thames Water.

No Environmental Health objections are raised, subject to informatives.

No Thames Water objections are raised subject to an informative.

No Waste Services objections are raised.

Planning Considerations

The main policies relevant to this case are Policies BE1 (Design of New Development), H7 (Housing Density And Design), H9 (Side Space), T3 (Parking), T18 (Road Safety) and NE7 (Development And Trees).

Planning History

Planning permission was granted under ref. 03/01896 for 2 detached four bedroom houses with garages at No. 59 Lusted Hall Lane.

Planning permission was refused under ref. 08/02782 for the demolition of existing dwelling and erection of 5 three bedroom town houses with integral garages and associated parking. The application was refused on the basis of impact on the character of the area due to the height, bulk, scale, design, site coverage and number of units proposed, the fact that the proposal did not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two storey development, the inadequate existing sightlines and the probable intensification of vehicular use of the site which would be prejudicial to the safety and free flow of traffic and prejudice to the retention and well being of a number of trees which contribute to the visual amenities of the area. The proposal was contrary to Policies BE1, H7, H9, T18 and NE7 of the UDP.

Following this, under planning ref. 09/02706 permission was refused for the demolition of existing dwelling and erection of 1 four bedroom two storey detached dwelling and 2 three bedroom two storey semi-detached dwellings with associated car parking at front. The application was refused on the grounds of (i) inadequate existing sightlines and the probable intensification of vehicular use of the site would be prejudicial to the safety and free flow of traffic, contrary to Policy T18 of the Unitary Development Plan, and (ii) the proposed development, by reason of the number of dwellings and the inadequate plot widths, would result in an overdevelopment of the site out of character with the locality and contrary to Policy H7 and BE1 of the Unitary Development Plan.

Conclusions

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

The proposal seeks to replace an existing bungalow with 2 detached two storey dwellings. The proposal would copy the design of the neighbouring plot at No. 59 and have a side space of ~2.3 (decreasing to ~2.2) to the boundary with No. 59 and a side space of ~2.6m at the front decreasing to ~ 1.75m at the rear.

The proposed dwellings will each be approx. 8.3m in height and this is considered to be an improvement over the 11m height of the refused 08/02782 scheme. The reduction in the number of dwellings is also considered to result in a more appropriate use of the site in this location, overcoming the second ground of refusal and more closely matching the style and form of development on Lusted Hall Lane.

The decision at No. 59 (ref. 03/01896) is noted, and indeed the highways department requested a condition to improve sightlines under this previous application. However the application site is further up the hill and does not have the level of visibility that No. 59 does, with the right turn in the road located closer to No. 57 than to No. 55. Each site must be assessed on its own merits and the level of visibility at No. 57 is considered to be significantly less than that at No. 59.

The design of the dwellings is such that the ridge heights will stagger down the hill, resulting in a development which sits comfortably on the plot and does not appear excessively bulky, along with the fully hipped roofs. The reduction in bulk and height is also considered to result in a development which respects the amenities of neighbouring properties. It should be noted that the development is set back and will be ~3.2m beyond the rear elevation of No. 55 and ~3.15m beyond the rear elevation of No. 59. However, Members may considered that the separation is considered sufficient to mitigate any visual impact and loss of prospect from the neighbouring properties.

From a highway safety perspective, it is considered that the intensification of the use of the access, or any access on this part of Lusted Hall Lane would be detrimental to highway safety, as the required sightlines could not be achieved. This is because part of the required sightline falls outside of the control of the landowner (i.e. on the front garden of No. 55). It is therefore considered that the proposal would be unacceptable for this reason and the application is therefore recommended for refusal.

Having had regard to the above it was considered that the proposal is unacceptable in that it would result in a detrimental impact on highway safety.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/02782, 09/02706 and 10/00158, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The intensification of vehicular use of the site with inadequate sightlines would be prejudicial to the safety and free flow of traffic, contrary to Policy T18 of the Unitary Development Plan.

Reference: 10/00158/FULL1

Address: 57 Lusted Hall Lane Biggin Hill TN16 2NW

Proposal: Two 4 bedroom detached houses.



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Agenda Item 4.9

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 and 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

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 representation 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 activates 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 an 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.

No objection is raised by Sevenoaks District Council on the basis that the existing buildings are capable of conversion without major or substantial reconstruction in accordance with the advice in PPG2. The Council's comments are based on the assumption that the buildings would be used for genuine B1/B8 use. Concern is raised that the applicants intend to use Building A for a B8/sui generis use instead, which would have implications for residential amenity.

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 A 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 : 10/00214/FULL6

Ward:
Chislehurst

Address : 28 Camden Park Road Chislehurst BR7
5HG

OS Grid Ref: E: 542890 N: 170302

Applicant : Mr Paul Plummer

Objections : YES

Description of Development:

Single storey rear extension with swimming pool and cinema room in basement and roof alterations incorporating two rear dormers

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

- Single storey rear extension
- Under ground basement
- Loft conversion incorporating 2 rear dormers.

The proposal can be split into three main elements:

The Basement

The basement will measure 18.7m deep x 12.8m in width. The basement will be built under part of the house and garden and accommodate a proposed swimming pool, gym, cinema, snooker room, shower, plant room and escape stairs to garden.

The Ground Floor

The ground floor extension will project 4m from the rear wall of the existing dwellinghouse to provide additional floorspace to the existing kitchen/breakfast room, dining room and living room. Balustrade fencing will be built in the middle of the garden around a proposed light well to encompass the escape stairs from the basement.

Two rear dormers

Two single rear dormer windows are proposed in rear roofspace of the property to provide a fifth bedroom plus en-suite.

Location

The application site is a large detached property located on the southern side of Camden Park Road, Chislehurst. The site also lies within the Chislehurst conservation area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and one letter of representation was received concerning the impact of the development on the Silver Birch Tree which lies between No.28 and No.30 Camden Park Road.

Comments from Consultees

The Tree Officer comments will be reported verbally at the committee meeting.

APCA made the followings comments concerning the application “the rear extension should be set back at the junction of external corners of the original house to make a distinction between old and new structures”.

Thames Water – no objection subject to standard conditions and informative.

Drainage – the applicant should be advised that the swimming pool should not be emptied during heavy rain or at times of peak use and the discharge should be made to the foul sewerage system. This is to prevent overloading of the sewer system network.

Building Control – no objections so far as building regulations are concerned, subject to structural calculations, damp proofing and party wall agreement.

Environmental Health – no comments were received.

Planning Considerations

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

BE1	Development and new design
BE11	Conservation Areas
BE14	Trees in Conservation Areas
H8	Residential Extensions

The London Plan

4B.6 Sustainable Design and Construction

4B.7 Respect Local Context and Communities

4A.17 Water quality

Planning History

Under planning application ref. 09/01500, planning permission was refused for a single storey rear extension with swimming pool and cinema in basement. Two rear dormers. New patio and retaining wall at rear plus 2 ancillary single storey detached outbuildings to provide emergency escape and ventilation to basement. The decision notice carried two reasons for refusal which read as follows:

The development would result in an overdevelopment of the site, harmful to the prospect and visual amenities of both neighbouring properties and the character and appearance of the host dwelling by reason of visual impact and loss of privacy contrary to Policies H8, BE1 and BE11 of the Unitary Development Plan.

The proposal would necessitate the severe cutting back of root of trees on the site, which are considered to be of significant amenity value and would result in their loss, thereby harmful to the character and appearance of the conservation area and contrary to Policies BE11 and BE14 of the Unitary Development Plan.

Under planning application ref. 09/ 01454, planning permission was refused for a front extension to garage with storage facility in roofspace.

An appeal (ref. 08/00170/ENF) was allowed for the erection of a wall and gates in excess of 1m in height.

Under planning application ref. 07/00220, planning permission was refused for a two storey rear extension with swimming pool and cinema room in basement/2 rear dormer extension/patio and retaining wall at rear. The application was refused on the 29th October 2007 for the following reasons:

The proposed rear extension, given its scale, height and siting, would result in an overdevelopment of the site, harmful to the prospect and visual amenities of both neighbouring properties by reason of visual impact, loss of light, excessive overlooking and loss of privacy contrary to Policies H8, BE1 and BE11 of the Unitary Development Plan.

The proposal would necessitate the severe cutting back of roots of trees on the site, which are considered to be of significant amenity value and would be likely to result in their loss, thereby harmful to the character and appearance of the

conservation area and contrary to Policies BE11 and BE14 of the Unitary Development Plan.

Under planning application ref. 03/02541, planning permission was granted for a two storey front extension.

Conclusions

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

Following the refusal of the previous scheme (app ref. 09/01500) in August last year the applicant has sought to overcome to the two reasons for refusal by removing the two tower structures located in the middle of the garden, which would act as a emergency escape staircase, and re-designing the basement so that it does not fall within the root protection area of the Birch Tree and the Maple Tree.

The principle of a basement extension is considered acceptable with no objection being raised from any of the consultee bodies (except for standard conditions). Other basement extensions have been granted within the locality. No.1 Camden Park Rd (opposite) was granted planning permission in 2002 (application ref. 02/00741).

Members will need to consider whether the two previous grounds of refusal have now been sufficiently overcome to grant planning permission for this new scheme. It may be considered that the conservation area would not be harmed as a result of the development which is entirely to the rear of the property.

The Tree Officers comments concerning any impact on the Trees will be reported verbally to Members on the evening of the committee. Should these not be supportive of the proposal, Members will need to consider whether the likely harm is sufficient to warrant refusal of the application.

The dormer windows are proposed to be built level with the existing ridge line. It is considered that this would lead to a degree of overlooking of No.26 as one of the rooms is proposed to be an additional bedroom but not to such a degree which would be unacceptable.

Overall, it is considered that the removal of the two tower structures are sufficient to overcome the reason for refusal. Subject to comments from a trees aspect, the second previous refusal ground may also be overcome.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/00214, 09/01500, 09/01454, 07/02220 and 03/02541, 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 ACB01 Trees to be retained during building op.
ACB01R Reason B01
- 3 ACB02 Trees - protective fencing
ACB02R Reason B02
- 4 ACB04 Trees - no trenches, pipelines or drains
ACB04R Reason B04
- 5 ACB10 Trees - details of protective fencing
ACB10R Reason B10
- 6 ACB12 Tree - details of excav. for foundations
ACB12R Reason B12
- 7 ACB18 Trees-Arboricultural Method Statement
ACB18R Reason B18
- 8 ACC07 Materials as set out in application
ACC07R Reason C07
- 9 ACK01 Compliance with submitted plan

Reason:

10 No additional plant equipment shall be allowed above ground level without prior approval of the Local Planning Authority.

Reason: In the interest of the amenities of the neighbouring residential properties.

11 Details of the swimming pool equipment and the insulation of the plant room shall be submitted to and approved in writing by or on behalf of the Local Planning Authority. The noise resulting from the use of the equipment should not result in an increase of the LAeq (5 minute) when measured within any neighbouring residential curtilage. The installation shall be carried out in accordance with the approved details and shall be permanently maintained thereafter.

Reason: In order to comply with Policy 4A.20 of the Mayors Ambient Noise Strategy and PPS24 and in the interest of the amenities of the neighbouring residential 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
- BE11 Conservation Areas
- BE14 Trees in Conservation Areas

H8 Residential Extensions

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

- (a) the relationship of the development to adjacent property;
- (b) the character of the development in the surrounding area;
- (c) the impact on the protected trees;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) 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 development would be likely to adversely affect the retention, long-term future and well-being of a mature Silver Birch Tree lying on the boundary between No.28 and No.30 Camden Park Road, which is protected by virtue of its location within the Chislehurst Conservation Area, detrimental to the visual amenities of the locality and contrary to Policies BE14 and NE7 of the Unitary Development Plan.

Reference: 10/00214/FULL6

Address: 28 Camden Park Road Chislehurst BR7 5HG

Proposal: Single storey rear extension with swimming pool and cinema room in basement and roof alterations incorporating two rear dormers



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Application No : 10/00269/FULL1

Ward:
Crystal Palace

Address : 40 Selby Road Penge London SE20 8ST

OS Grid Ref: E: 534404 N: 169115

Applicant : Mr J O'Connor

Objections : YES

Description of Development:

Single storey rear extension and conversion to form 2 two bedroom and 1 one bedroom flats.

Proposal

It is proposed to extend and convert the host building to provide flatted accommodation. The works would involve the following:

- single storey rear extension (max. depth 3.5m)
- conversion of ground floor to form 1 one bedroom and 1 two bedroom flats
- conversion of first floor to provide 1 two bedroom flat
- two off-street parking spaces on forecourt together with soft landscaping
- rear amenity area with communal access for all flats

The application is accompanied by a Design and Access Statement and additional information concerning on-street parking availability.

Members may wish to note that a similar proposal concerning No. 43 Selby Road is currently under consideration (ref. 09/03307) and is also to be found on this agenda.

Location

The application property is located on the western side of Selby Road, Penge, and comprises a linked semi-detached property which is currently vacant, having previously been used as a single dwelling house.

The immediate surrounding area comprises a mix of single dwelling houses and flatted accommodation, including properties which have been converted to form flats. The adjoining property, No. 39 Selby Road, has been the subject of an unauthorised conversion to form a total of 5 flats, including a large two storey rear extension. This property is the subject of on-going enforcement proceedings.

Comments from Local Residents

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

- concerns regarding parking stress and impact of additional flats in the street
- pressure to drainage and sewerage infrastructure
- concerns regarding provision of amenity space and potential for noise and disturbance
- general impact to quality of area/deterioration of living environment
- increased congestion and noise and disturbance
- overdevelopment
- poor design/overlooking and privacy issues
- reduction in number of family homes
- impact on community

Comments from Consultees

From the technical Highways perspective no objections are raised.

No objections were raised from the Environmental Health (housing) perspective.

The London Borough of Croydon was notified of the application and raised no objection to the proposal.

Planning Considerations

The host property has been the subject of several recent applications seeking permission for its extension and conversion to form flats.

Under ref. 08/01638, planning permission was refused for a single storey rear extension, a rear roof dormer and the conversion of the dwelling to form 2 two bedroom and 2 one bedroom flats. A subsequent application, which sought to address the Council's objection on grounds of overdevelopment and the inadequacy of the size of the off-street parking spaces proposed, was submitted under ref. 08/03948. This application proposed a total of three flats with a single storey rear extension, and the off-street parking having been deleted from the proposal (with supporting information concerning the availability of on-street parking in the vicinity of the site). The application was refused for the following reason:

“The proposed development would, by reason of the number of units proposed, constitute an overdevelopment of the site, out of character with the surrounding area, contrary to Policy H11 of the Unitary Development Plan.”

An appeal against this decision was dismissed, on the basis that the amenity space provision would not satisfactorily meet the needs of future occupiers, particularly given that the occupiers of the first floor flat would have no access to the rear amenity area. Nevertheless the Inspector did not consider that the provision of two additional

households would result in unacceptable noise and disturbance above existing conditions, nor indeed that the proposed conversion would harm the character/appearance of the area.

Most recently an application was submitted under ref. 09/03102 again for the extension and conversion of the property to form three flats, which sought to address the concerns raised by the Inspector at appeal regarding amenity space in providing a balcony at first floor level over the proposed rear extension. While it was noted that the balcony would appear to provide some amenity space that the Inspector had found to be of importance in this case, it was not considered to be a satisfactory solution on the basis of the likely loss of amenity that would occur to local residents from its use. The application was refused for the following reason:

“The proposed balcony to the rear at first floor level would give rise to a loss of amenity to the occupiers of adjoining residential properties, with particular regard to the general noise and disturbance that would be likely to result from its use, thereby contrary to Policies BE1 and H11 of the Unitary Development Plan.”

Conclusions

Members will note that at the recent appeal, the Inspector did not appear to raise any principle objection to the proposed extension and conversion of the host property to form a total of three flats, however was concerned that insufficient amenity space would be provided for future occupiers of the flats, particularly since the first floor flat would have no access to the rear garden. The proposal currently under consideration does not substantially differ from that previously considered at appeal, but for the inclusion of a communal access point to allow the occupiers of all three flats access to the rear communal amenity area. Accordingly, Members will need to consider whether this alteration would address the concerns regarding the provision of amenity space raised by the Inspector and indeed the concerns raised by the Council with regard to the most recent application (ref. 09/03102) which included a balcony at first floor level.

At appeal, the Inspector acknowledged that amenity space provision is a matter that is the subject of personal choice, but nevertheless must be fit for purpose. In this case, the occupiers of all three flats would have access to the rear garden, which would form a communal amenity area. This provision is considered to be adequate in meeting with the needs of future occupiers of the flats, and indeed is not an uncommon arrangement for flat conversions within the Borough. While concerns have been raised regarding noise and disturbance which may arise from the use of the rear amenity space, it is not considered that the net increase in two households would be likely to result in an unacceptable increase above existing conditions. While noise and disturbance was raised as a concern in the most recent application (09/03102) this was specifically concerning the use of the balcony then proposed,

given its siting at first floor level and the proximity to bedrooms within adjacent development.

With regard to the proposed rear extension, the number of units proposed and the impact of the proposed development to on-street parking demand in the vicinity of the site, Members will note that no concerns were raised by the Inspector at appeal with regard to these issues, nor indeed by the Council in considering the most recent application under ref. 09/03102.

Having regard to the above, Members may agree that the proposal now under consideration would appear to address the concerns raised at appeal, and accordingly that planning permission should be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/00269, 09/03102, 08/03948 and 08/01638, excluding exempt information.

as amended by documents received on 19.02.2010

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 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 4 | ACH18 | Refuse storage - no details submitted |
| | ACH18R | Reason H18 |
| 5 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |

Reasons for granting permission:

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

- BE1 Design of New Development
- H11 Residential Conversions
- T18 Road Safety

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

- (a) the density of the proposed development and the provision of additional housing on a previously developed site
- (b) the relationship of the development to adjacent properties
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the proposed parking provision and the impact to conditions of road safety
- (f) the housing policies of the Unitary Development Plan
- (g) the transport policies of the Unitary Development Plan
- (h) the conservation policies of the Unitary Development Plan
- (i) the provision of amenity space for future occupiers of the proposed flats

and having regard to all other matters raised.

INFORMATIVE(S)

1 RDI10 Consult Land Charges/Street Numbering

Reference: 10/00269/FULL1

Address: 40 Selby Road Penge London SE20 8ST

Proposal: Single storey rear extension and conversion to form 2 two bedroom and 1 one bedroom flats.



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Application No : 09/03486/FULL6

Ward:
Shortlands

Address : 31 Malmains Way Beckenham BR3 6SA

OS Grid Ref: E: 538471 N: 168232

Applicant : Mr Robin Southward

Objections : YES

Description of Development:

Two storey front/side extension with flank dormer and rear roof alterations (Amendment to application 08/03422 to retain roof profile as constructed)

Key designations:

Conservation Area: Park Langley

Area of Special Residential Character

Proposal

The application seeks retrospective permission for changes to the roof profile of the approved two storey front/side extension with flank dormer and rear roof alterations.

The changes involve an increase in the width of the roof profile to the south and north elevations by around 0.9m and an increase in the height of the roof pitch of the garage on the west and south elevations by around 0.8m.

Location

The application site is located within a predominantly residential area towards the eastern end of Malmains Way on the corner with Whitecroft Way within the Park Langley Conservation Area.

The site is screened by existing trees and hedges along the boundaries which are characteristic of properties within this conservation area. The area consists of substantial building plots with frontages of some 30 to 50m. The existing property currently has no extension but work has commenced on site.

Comments from Local Residents

The comments received are summarised below:

- The increase in size is highly objectionable as it results in an overdevelopment of the site out of character with the area.

- Building works have already started and it would appear that the change to the works approved is what they wanted to build at the start.
- It would appear that the purpose of this extension is to provide additional residential accommodation which is not appropriate here.
- This is not in keeping with the area
- This is not a small alteration to the approved plans. The scale of the revision will have a significant impact on the character and appearance of the conservation area.
- The new extension will be clearly visible from Whitecroft Way and is not well screened. This could clearly be separated into a separate dwelling and work has already started on this extension.
- The Park Langley Residents Association state that the application currently under consideration includes a roof structure more prominent than that approved and it is important to consider whether it is sufficiently detrimental to the conservation area and the street scene in general as this was an important factor in the dismissed appeal.
- The proposal is a small alteration and is in keeping with the area and street scene.
- The new extension is complimentary to the existing house and reflects the roof line more appropriately and is a visual improvement.

The full text of this correspondence is available to view on file.

Comments from Consultees

The Advisory Panel for Conservation Areas, (APCA) were consulted on the application and their comments can be summarised as follows:

The amendments do not substantially increase the harm to the conservation area or street scene.

Planning Considerations

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

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

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

Due to the previous applications, objections received and the outcome of the appeal decision it is considered appropriate for a decision to be made by a Committee.

Planning History

Under planning application ref. 07/00629, permission was refused for a two storey detached building for garage/games room. The proposed building, by reason of its size, siting and bulk, was considered to result in an intrusive, overdominant and cramped form of development, detrimental to the character and spatial standards on the Park Langley Conservation Area.

Under planning application ref. 08/03422, permission was granted for a two storey front/side extension with flank dormer and rear roof alterations.

Under planning application ref. 09/01386, permission was dismissed at appeal for a side garage with first floor games room/bed sitting room to be used for carer accommodation. The proposal was considered prominent and out of character with the scale and appearance of the original house. It was considered harmful to spatial standards by filling in the open area to the side of the property and detrimental to the character and appearance of the conservation area.

Conclusions

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

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

The principle of the extensions has already been agreed by the previous permission; however the extensions which are almost complete on site are not in accordance with the approved permission. The roof profile of the building has increased in width and height. The footprint and floor area are as originally approved.

It is considered that the proposed extensions would be unlikely to impact significantly on the amenities of neighbouring residents due to the distance from the boundary, the orientation of the site and existing boundary vegetation.

With regard to the impact of the proposed extensions on the visual amenities of the street scene, Members will note the substantial increase in the size of the property has previously been approved already reducing the visual gaps previously maintained

to the sides of the property. The changes to the roof profile to this approved scheme do not result in any further decrease in the side space maintained between the flank elevation and boundary adjacent to Whitecroft Way as the overall footprint of the building is to remain as approved.

The host property is one of several in this location which is set within a generous plot and features a very wide separation between one side of the host property and the flank boundary. The increase in size of the approved extensions at roof level does not however result in any further reduction of spatial standards.

Members will therefore need to consider whether the increase in the size of this previously approved extension results in any significant harm to the character and appearance of the area with particular regard to the street scene and layout of the site

Background papers referred to during production of this report comprise all correspondence on files refs. 07/00629, 08/03422, 09/01386 and 09/03486, excluding exempt information.

as amended by documents received on 16.02.2010

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 | ACI07 | Restrict to members of household (1 in) | at 31 Malmaims Way |
| | ACI07R | Reason I07 | |

Reasons for permission:

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

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

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

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

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

and having regard to all other matters raised.

Reference: 09/03486/FULL6

Address: 31 Malmaims Way Beckenham BR3 6SA

Proposal: Two storey front/side extension with flank dormer and rear roof alterations
(Amendment to application 08/03422 to retain roof profile as constructed)



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Application No : 09/03565/FULL6

Ward:
Mottingham And Chislehurst
North

Address : 1 Lianne Grove Mottingham London
SE9 4AD

OS Grid Ref: E: 541416 N: 172380

Applicant : Mr Simon Cresswell

Objections : YES

Description of Development:

Front and rear dormer extensions and side rooflights

Key designations:

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

Joint report with application ref. 09/03566

Proposal

- It is proposed to add front and rear dormer extensions to these recently built dwellings known as Nos.1 and 2 Lianne Grove, in order to provide second floor accommodation
- The front dormer in each property would be obscure glazed and fixed shut
- Rooflights would also be proposed in the side elevations.

Location

These two detached dwellings are situated to the rear of Nos.90-94 Grove Park Road, and were permitted under refs.07/04512 (Outline) and 08/02056 (Details). They are set at an oblique angle to the properties fronting Grove Park Road, and gain access via an access road between Nos.90 and 92.

Consultations

Letters of objection have been received from local residents, including Mottingham Residents' Association, and the main points raised are summarised as follows:

- overdevelopment of the site
- insufficient parking for enlarged houses
- does not specify the proposed use of the loft space

- increased traffic to and from the site
- overlooking of adjacent gardens
- loss of outlook and view from neighbouring properties
- noise and disturbance during building works.

Planning Considerations

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

BE1 Design of New Development

H7 Housing Density and Design

Conclusions

The primary considerations in this case are whether the proposed alterations to the roofs of these properties would result in an overdevelopment of the site, and whether they would have a detrimental impact on the amenities of adjoining residents.

The size of the proposed dormer windows would not appear overlarge for these properties, and the use of the loft space for additional accommodation would not be uncommon for a property of this type. The proposals are not, therefore, considered to result in an overdevelopment of the site.

The rear dormers would face away from the properties fronting Grove Park Road, and would not, therefore, result in any overlooking, while the front dormers would be obscure glazed and fixed shut. The roof light in the south-eastern elevation of No.1 Lianne Grove, adjacent to the rear boundary of No. 92, could be conditioned to require obscure glazing in order to prevent any possibility of overlooking.

With regard to the impact on the outlook from neighbouring properties, the front dormer to No.1 would be largely hidden behind the front gable roof, and the dwelling at No.2 is set further away from neighbouring properties. The rear dormers are angled away from the side boundary, and would not adversely affect the outlook from neighbours in Grove Park Road.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 07/04512, 08/02056, 09/03565 and 09/03566, excluding exempt information.

as amended by documents received on 02.03.2010 21.01.2010 02.03.2010

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 ACI12 Obscure glazing (1 insert) in the south-eastern side roof slope
 ACI12R I12 reason (1 insert) BE1
- 4 Before the development hereby permitted is first occupied, the proposed front
 dormer window shall be obscure glazed and incapable of being opened, and
 shall subsequently be permanently maintained as such.
 ACI12R I12 reason (1 insert) BE1

5 **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

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

- (a) the character of the development in the surrounding area
- (b) the impact on the amenities of the occupiers of nearby residential properties

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

Reference: 09/03565/FULL6
Address: 1 Lianne Grove Mottingham London SE9 4AD
Proposal: Front and rear dormer extensions and side rooflights



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Application No : 09/03566/FULL6

Ward:
Mottingham And Chislehurst
North

Address : 2 Lianne Grove Mottingham London
SE9 4AD

OS Grid Ref: E: 541411 N: 172388

Applicant : Mr Simon Cresswell

Objections : YES

Description of Development:

Front and rear dormer extensions and side rooflights

Key designations:

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

Joint report with application ref. 09/03565

Proposal

- It is proposed to add front and rear dormer extensions to these recently built dwellings known as Nos.1 and 2 Lianne Grove, in order to provide second floor accommodation
- The front dormer in each property would be obscure glazed and fixed shut
- Rooflights would also be proposed in the side elevations.

Location

These two detached dwellings are situated to the rear of Nos.90-94 Grove Park Road, and were permitted under refs.07/04512 (Outline) and 08/02056 (Details). They are set at an oblique angle to the properties fronting Grove Park Road, and gain access via an access road between Nos.90 and 92.

Comments from Local Residents

Letters of objection have been received from local residents, including Mottingham Residents' Association, and the main points raised are summarised as follows:

- overdevelopment of the site
- insufficient parking for enlarged houses
- does not specify the proposed use of the loft space

- increased traffic to and from the site
- overlooking of adjacent gardens
- loss of outlook and view from neighbouring properties
- noise and disturbance during building works.

Planning Considerations

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

BE1 Design of New Development

H7 Housing Density and Design

Conclusions

The primary considerations in this case are whether the proposed alterations to the roofs of these properties would result in an overdevelopment of the site, and whether they would have a detrimental impact on the amenities of adjoining residents.

The size of the proposed dormer windows would not appear overlarge for these properties, and the use of the loft space for additional accommodation would not be uncommon for a property of this type. The proposals are not, therefore, considered to result in an overdevelopment of the site.

The rear dormers would face away from the properties fronting Grove Park Road, and would not, therefore, result in any overlooking, while the front dormers would be obscure glazed and fixed shut. The roof light in the south-eastern elevation of No.1 Lianne Grove, adjacent to the rear boundary of No. 92, could be conditioned to require obscure glazing in order to prevent any possibility of overlooking.

With regard to the impact on the outlook from neighbouring properties, the front dormer to No.1 would be largely hidden behind the front gable roof, and the dwelling at No.2 is set further away from neighbouring properties. The rear dormers are angled away from the side boundary, and would not adversely affect the outlook from neighbours in Grove Park Road.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 07/04512, 08/02056, 09/03565 and 09/03566, excluding exempt information.

as amended by documents received on 21.01.2010 02.03.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
 ACC04R Reason C04
- 3 Before the development hereby permitted is first occupied, the proposed front dormer window shall be obscure glazed and incapable of being opened, and shall subsequently be permanently maintained as such.
 ACI12R I12 reason (1 insert) BE1
- 4 **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

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

- (a) the character of the development in the surrounding area
- (b) the impact on the amenities of the occupiers of nearby residential properties

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

Reference: 09/03566/FULL6
Address: 2 Lianne Grove Mottingham London SE9 4AD
Proposal: Front and rear dormer extensions and side rooflights



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Application No : 10/00155/FULL1

Ward:
Plaistow And Sundridge

Address : Land Adjacent To 23 To 27 Thornton
Road Bromley

OS Grid Ref: E: 540355 N: 171418

Applicant : Baxter Homes (Mr M Baxter)

Objections : YES

Description of Development:

One pair of semi detached two storey three bedroom dwellings with accommodation in roof space and provision of new vehicular access from Thornton Road with new turning area and 4 car parking spaces.

Key designations:

Proposal

The development proposed is for the construction of one pair of semi detached two storey three bedroom dwellings with accommodation in the roof space on land adjacent to 23 – 27 Thornton Road.

The development also includes a new vehicular access from Thornton Road with a new turning area and 4 car parking spaces. There is an existing unregistered footpath which has become established across the site and links Hillcrest Road to Thornton Road. This footpath is to be retained and improved with new paving and planting with 'kissing gates' at each end to prevent access with motorcycles but allow wheelchair access.

The site area is some 0.137 hectares and the proposed development equates to a density of around 14.5 dwellings per hectare.

Location

The application site is located towards the northern end of Thornton Road and is bordered by school playing fields to the north and Thames Water Board land which consists of a covered reservoir to the south west. There is an existing public footpath which has been established linking Hillcrest Road to the west with Thornton Road.

Comments from Local Residents

- There should be no further development in this area after this proposal is constructed
- The close boarded fence will become a target for graffiti

- Access to the front doors of 25 and 27 should be kept clear at all times

Comments from Consultees

Southern Gas Networks advises that adequate precautions should be taken to ensure gas pipes are not damaged. If any pipes are damaged as a result of the works, the developer is liable for the cost of repairs.

With regards to drainage issues, the surface water outlet from the development should be restricted by way of appropriate planning conditions if permission is granted. The developer should ensure that if any discharge to a public sewer is proposed approval from Thames Water is obtained.

In terms of Environmental Health considerations, adequate means of mechanical ventilation should be provided in the bathroom.

With regards to Highway Planning issues, the principle of the development is considered acceptable in highway terms subject to appropriate conditions on any approval to ensure satisfactory parking and highway drainage. The route through the site should be adopted as a public highway under a section 38 agreement. Some of the works proposed to improve the turning facilities and create the public link are on land outside the applicants control and a legal agreement is necessary if permission is granted. Some of the land appears to be within Thames Waters control and they would need to be party to any legal agreements.

Planning Considerations

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

- H1 Housing Supply
- H7 Housing density and Design
- T3 Parking
- T6 Pedestrians
- T11 New Accesses
- T18 Road Safety
- BE1 Design of New Development

London Plan

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

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

As a similar development at this site was considered at Plans Sub Committee in 2007, it would seem appropriate that the current application should be processed in a similar way.

Planning History

Under planning application ref. 04/03257, an outline planning application was submitted for 2 semi-detached two storey three bedroom houses with access and car parking. This application was withdrawn to allow for further negotiations to resolve highways and Thames Water concerns.

Under planning application ref. 07/02146, outline planning permission was granted subject to a legal agreement for 2 two storey three bedroom dwellings and creation of new vehicular access to serve proposed dwellings. This permission was never implemented and the legal agreement has to date not yet been completed due to ongoing negotiations with Thames Water who own part of the land.

Conclusions

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

With regards to the layout and scale of the development, the proposal maintains adequate distances between the surrounding properties, with the location of the dwellings and the overall footprint being similar to that granted subject to a legal agreement in the outline planning permission. A side space of around 1m from the boundary with the school playing fields is provided. This application differs from that previously approved in that it is an application for full planning permission and no longer includes any realignment of the existing footpath. The proposal is on balance not considered to result in any significant harm to spatial standards within the area and provides an improved public footpath which links Thornton Road to Hillcrest Road.

The proposed appearance and scale of the building is that of a two storey dwelling using similar materials to those at adjacent dwellings. The development proposed is of a similar height to adjacent properties and appears to be accommodated satisfactorily within the street scene. The proposed building is of a similar footprint to that previously permitted. With regards to concerns raised by local residents about the

boundary enclosures proposed being subject to potential vandalism a condition could be imposed to secure more appropriate boundary enclosures where necessary.

Members may agree that, on balance the principle of development in the manner proposed would provide an acceptable form of infill development. The plot appears capable of adequately accommodating the development, increasing the provision of housing without significantly harming the character and appearance of the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 07/02146, 04/03257 and 10/00155, excluding exempt information.

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

and the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
- 3 ACA07 Boundary enclosure - no detail submitted
 ACA07R Reason A07
- 4 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 5 Details of the flank elevations including windows where appropriate shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The elevation shall be constructed 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 appearance of the building and the visual amenities of the area.

- 6 ACD03 Restricted 100mm outlet (drainage)
 ADD03R Reason D03
- 7 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 8 ACH16 Hardstanding for wash-down facilities
 ACH16R Reason H16
- 9 ACH32 Highway Drainage
 ADH32R Reason H32
- 10 ACI02 Rest of "pd" Rights - Class A, B,C and E

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

Reasons for granting permission:

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

- H1 Housing Supply
- H7 Housing Density and Design
- T3 Parking
- T6 Pedestrians
- T11 New Accesses
- T18 Road Safety
- BE1 Design of New Development

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

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

- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the privacy of occupiers of adjacent and nearby properties
- (g) the safety of pedestrians and motorists on the adjacent highway
- (h) accessibility to buildings
- (i) the housing policies of the development plan
- (j) the urban design policies of the development plan

and having regard to all other matters raised.

Reference: 10/00155/FULL1

Address: Land Adjacent To 23 To 27 Thornton Road Bromley

Proposal: One pair of semi detached two storey three bedroom dwellings with accommodation in roof space and provision of new vehicular access from Thornton Road with new turning area and 4 car parking spaces.



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Application No : 10/00162/FULL1

Ward:
Petts Wood And Knoll

Address : 11 Station Square Petts Wood
Orpington BR5 1LY

OS Grid Ref: E: 544511 N: 167672

Applicant : Sainsbury's Supermarkets Ltd.

Objections : YES

Description of Development:

Alterations to shopfront including installation of ATM machine, air conditioning units and plant on rear elevation and bin store to rear.

Key designations:

Conservation Area: Station Square Petts Wood

Primary Shopping Frontage

Proposal

- It is proposed to make alterations to the shopfront of these premises, which would include the installation of an ATM, and the bringing forward of the main entrance doors to come in line with the front elevation.
- It is also proposed to install wall-mounted air conditioning units on the rear wall of the premises facing the rear access road, and a plant unit at right angles to the rear wall.
- Bin stores would be provided adjacent to the northern side wall at the rear of the premises
- The agent has responded to a request by a local councillor to provide information on the proposed opening hours and likely delivery times to the store as follows:

Opening hours: 7am to 11pm every day

5 daily deliveries to the store (1 main Sainsbury's delivery at approximately 7am, 2 bread deliveries, 1 milk delivery and 1 cigarettes delivery).

-

An application for shop signs has been submitted under ref.10/000163, and will be considered elsewhere on the agenda.

Location

The application site comprises a vacant retail unit on the eastern side of Station Square which was previously used as an off licence, falling within Class A1 retail use.

It falls within Station Square Petts Wood Conservation Area and is designated as part of a Primary Shopping Frontage within Petts Wood District Centre.

Consultations

Local objections have been received to the proposals, including one from Petts Wood and District Residents' Association, and the concerns raised are summarised as follows:

- loss of window blinds and inset entrance door would be detrimental to the character of the Square
- conditions should be imposed to prevent noise pollution from air conditioning units, and to restrict hours of deliveries and the emptying of bins
- possible problems with unauthorised parking in the rear access road
- materials should be in keeping with the Conservation Area.

Comments from Consultees

The Council's Waste advisors have raised no objections to the proposal refuse storage area.

At the time of preparing this report, no comments had yet been received from the Advisory Panel for Conservation Areas, nor from the Council's Environmental Health Officer. Members will, therefore, be updated at the meeting.

Planning Considerations

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

BE1 Design of New Development
BE11 Conservation Areas
BE19 Shopfronts

SPG Station Square Petts Wood

This application has been called in by a Ward Member.

Conclusions

The main issues relating to the application are the impact of the proposals on the character and appearance of Station Square, Petts Wood Conservation Area, and the impact on the amenities of the occupants of nearby residential properties.

The proposed changes to the shopfront would be fairly minimal, and are not considered to have a detrimental impact on the overall appearance of the building, nor on the character and appearance of this part of the Conservation Area. Furthermore,

the air conditioning units, plant unit and bin stores are contained at the rear of the building and would not have an adverse impact on the Conservation Area.

Subject to the views of the Environmental Health Officer with regard to likely noise levels from the air conditioning units and plant unit, the proposals are not considered to have an adverse impact on the amenities of neighbouring residential properties.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/00162 and 10/00163, excluding exempt information.

as amended by documents received on 16.02.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |

Reasons for granting permission:

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

BE1 Design of New Development
BE11 Conservation Areas
BE19 Shopfronts

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

- (a) the visual impact on the Conservation Area
- (b) the impact on the amenities of the occupiers of nearby residential properties

and having regard to all other matters raised.

Reference: 10/00162/FULL1

Address: 11B Station Square Petts Wood Orpington BR5 1LY

Proposal: Alterations to shopfront including installation of ATM machine, air conditioning units and plant on rear elevation and bin store to rear.



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Application No : 10/00163/ADV

Ward:
Petts Wood And Knoll

Address : 11 Station Square Petts Wood
Orpington BR5 1LY

OS Grid Ref: E: 544511 N: 167672

Applicant : Sainsbury's Supermarkets Ltd

Objections : YES

Description of Development:

Internally illuminated fascia sign and 2 internally illuminated projecting box signs.
REVISED PLANS SHOWING MINOR AMENDMENTS TO SIGNS AND POSITION OF PLANT UNIT

Key designations:

Conservation Area: Station Square Petts Wood

Primary Shopping Frontage

Proposal

- It is proposed to erect an internally illuminated fascia sign and 2 internally illuminated projecting box signs, one at each end of the fascia sign
- The fascia sign measures 1.5m deep, and the projecting box signs each measure 0.9m x 0.6m
- Revised plans were submitted which moved the northern projecting sign from the left hand column onto the fascia sign
- An application for alterations to the shopfront, air conditioning units, plant and bin store has been submitted under ref.10/000162, and will be considered elsewhere on the agenda.

Location

The application site comprises a vacant retail unit on the eastern side of Station Square which was previously used as an off licence, falling within Class A1 retail use. It falls within Station Square Petts Wood Conservation Area and is designated as part of a Primary Shopping Frontage within Petts Wood District Centre.

Comments from Local Residents

Local objections have been received to the proposals, including one from Petts Wood and District Residents' Association, and the concerns raised are summarised as follows:

- internal illumination is inappropriate in conservation area

- signage should be smaller
- materials should be in keeping with the Conservation Area.

Comments from Consultees

At the time of preparing this report, no comments had yet been received from the Advisory Panel for Conservation Areas, and Members will, therefore, be updated at the meeting.

Planning Considerations

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

BE1 Design of New Development
BE11 Conservation Areas
BE21 Control of Advertisements, Hoardings and Signs

SPG Station Square Petts Wood

This application has been called in by a Ward Member.

Conclusions

The main issues relating to the application are the impact of the proposals on the character and appearance of Station Square, Petts Wood Conservation Area.

The previous fascia sign at the premises was a similar size to that now proposed but was externally illuminated by spot lights above. Internally illuminated fascia signs are generally resisted in conservation areas (Policy BE21), however, only the lettering on the proposed fascia sign would be internally illuminated which may not appear overly prominent in the Conservation Area, nor detract from the appearance of the building.

Two internally illuminated projecting box signs are proposed, which again are generally resisted in conservation areas. However, they are small in size, located at fascia level, and may not, on balance, be considered to detract from the street scene, particularly given the width of the shop frontage and the resulting distance between the two projecting signs.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/00162 and 10/00163, excluding exempt information.

RECOMMENDATION: ADVERTISEMENT CONSENT GRANTED

subject to the following conditions:

6	ACF01	Standard 5 year period		
	ACF01R	Reason F01		
7	ACF02	Rest. of luminance-(s) (2 in)	fascia signs	110
	ACF02R	Reason F02		
8	ACF03	Rest of luminance - proj. sign (2 in)	projecting box signs	
	110			
	ACF03R	Reason F03		

Reference: 10/00163/ADV

Address: 11 Station Square Petts Wood Orpington BR5 1LY

Proposal: Internally illuminated fascia sign and 2 internally illuminated projecting box signs.

REVISED PLANS SHOWING MINOR AMENDMENTS TO SIGNS AND POSITION OF PLANT UNIT



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Application No : 10/00212/FULL1

Ward:
Farnborough And Crofton

Address : School House Avebury Road Orpington
BR6 9SA

OS Grid Ref: E: 544746 N: 165246

Applicant : Skillcrown Homes Ltd

Objections : YES

Description of Development:

2 two storey 4 bedroom detached houses with integral garages and car parking spaces.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Urban Open Space

Proposal

The proposed development would entail the demolition of an existing detached dwelling and its replacement with two detached houses.

The proposed houses would occupy footprints of a maximum 12.5m (d) x 9.0m (w) with a side space of 2.0m separating the two properties

New vehicular accesses will be created, but these will not affect a young mature lime tree located within the south east corner of the site subject to a TPO

Location

The application site forms the north western corner of the Newstead Wood school site and incorporates a curtilage measuring 0.073 ha in area. The site has historically formed part of the school site and is occupied by a caretaker's house. Although the site is occupied by a dwelling, it is quite open and verdant in character with the existing building occupying a relatively limited proportion of the land. The front boundary enclosure is formed of a chain link fence which enables open views through much of the site. The northern boundary abuts Newstead Wood. The area to the east of the site is urban in character and comprises two storey houses fronting Avebury Road.

Comments from Local Residents

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

- development would intrusively infringe on Urban Open Space;
- concern as to well being of lime trees which provide an important wildlife habitat
- loss of lime trees is unjustified
- proposed dwellings would be too high, large and out of character with Avebury Road
- proposal does not accord with local planning policy
- proposed dwelling would be overbearing
- Newstead Wood School supports the application on the basis that it will provide funds to the school and on the basis that the proposed new house and landscaping will bring improvement to the site.

Comments from Consultees

No technical highways or tree-related objections have been raised, subject to conditions being imposed

No technical Cleansing or Drainage objections have been raised.
No objection has been raised by Thames Water.

Any additional comments will be reported verbally at the meeting.

Planning Considerations

Policies Unitary Development Plan Policies are G8 (Urban Open Space) BE1 (Design of New Development), H7 (Housing), T3 (Parking) and T18 Road Safety).

Policy G8 of the Unitary Development Plan states that proposals for built development in areas defined as Urban Open Space (UOS) will be permitted only under the following circumstances:

- (i) the development is related to the existing use (in this context, neither residential nor indoor sports development will normally be regarded as being related to the existing use); or
- (ii) the development is small scale and supports the outdoor recreational uses or children's play facilities on the site; or
- (iii) any replacement buildings do not exceed the site coverage of the existing development on the site.

Policy G8 also states that in all cases, the scale, siting, and size of the proposal should not unduly impair the open nature of the site.

Planning History

There is no significant history concerning this caretaker house site.

Conclusions

The main issue relating to the application concern its impact on the character and openness of this Urban Open Space.

Whilst the application site presently incorporates a single dwelling, the site forms part of the historic school grounds and was developed as a caretaker's dwelling for purposes relating to the maintenance and upkeep of the wider site. The proposed development will bear no relation to the existing use or support outdoor and recreational uses.

Notwithstanding the above considerations, the existing building is rather modest in scale and in keeping with the open and verdant nature of the surrounding area. By contrast, the replacement dwellings will not afford the same degree of openness as the existing building and will serve to erode the open nature of this Urban Open Space. No special circumstances are identified to justify permitting this development.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/00212, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The site is located within Urban Open Space wherein there is a presumption against the development of structures exceeding the site coverage of existing buildings and where the Council will resist proposals for built development unrelated to existing land uses, and the Council sees no special circumstances which might justify the grant of planning permission as an exception to Policy G8 of the Unitary Development Plan.

Reference: 10/00212/FULL1

Address: School House Avebury Road Orpington BR6 9SA

Proposal: 2 two storey 4 bedroom detached houses with integral garages and car parking spaces.



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LONDON BOROUGH OF BROMLEY

COMMITTEE: Plans Sub Committee No. 2

DATE: 18th March 2010

SUBJECT: Objections to Tree Preservation Order 2345 at School House, Avebury Road, Orpington

CHIEF OFFICER: Chief Planner

CONTACT OFFICER: Coral Gibson ext 4516

WARD: Farnborough and Crofton

1 COMMENTARY

1.1. This order was made on 17th December 2009 and relates to one lime tree in the garden of the School House, Avebury Road, Orpington.

1.2. Objections have been received from a consultant acting for developers who have a commercial interest in the property. He made 7 numbered points, the first 4 of which were statements of fact:

The tree is adjacent to the road and can be considered to be in a prominent location. As such it does contribute to the visual amenity of the area.

The tree is relatively young, within the first third of its expected life span, with an estimated age between 20-30 years old

The tree appears to be the end of a line of trees of similar age that could have been part of the same planting scheme,

The tree appears in a general healthy condition with no obvious physiological signs of disease or disorder.

1.3. There was no dispute on these points. The remaining three points relate to the structural condition of the tree. He drew attention to two tight forks which show signs of having included bark. He considered that this represents a management constraint and that the tree will require regular reduction. It is accepted that the nature of the forks represents an increased risk of failure at these points but the tree is in a healthy condition and does not currently require work. The location of the tree close to the road would mean that any future owner would need to ensure that the tree is regularly maintained and the

process of obtaining consent and having work carried out is not considered to be unduly onerous.

1.4. He commented that the location of the tree places considerable limitations on the design layout of a proposed new development. He also considered that because of the age of the tree it is unreasonable to place such a constraint on the property development when a replacement tree could be planted in a more appropriate location within the context of a new building layout. It should be noted that a planning application for the redevelopment of the school house (ref 10/00212) is under consideration on list 4 of this agenda. The proposal does show the retention of the lime tree.

1.5. He has stated that the tree is within the first third of its expected life span – this means that the tree has considerable potential for the future and it is considered important that such trees are protected as well as much older specimens which are within the last part of their life span. The tree is already in an appropriate location as it is at the end of a line of similar trees at the front of Newstead Wood School beside Avebury Road.

1.6. In respect of any development at the School House it was pointed out that Section 197 of the Town and Country Planning Act 1990 places a duty of local planning authorities to make Tree Preservation Orders in connection with the grant of planning permission. It underpins the power of local authorities to have regard to the impact of the proposal on trees in the vicinity, when determining applications for development. In effect, a Tree Preservation Order makes a tree a material consideration in the planning process. In this case the Council would expect any redevelopment or additional development at the School House to allow for the retention of the lime tree.

1.7. Objections have also been received from the Headteacher on behalf of the Governing Body. She has raised concerns about the health and safety of the tree because of its proximity to Avebury Road and risks of damage to cars and property and injury to pedestrians.

1.8. Concerns over safety are appreciated but the tree is currently in a healthy condition and does not require work. The location of the tree close to the road does mean that the tree would need to be regularly maintained. The process of obtaining consent and having work carried out is not considered to be unduly onerous. It was pointed out that a tree is not necessarily dangerous by virtue of its size, and although it is never possible to guarantee that a tree will not fall in a high wind, if a tree is reasonably healthy, then it is normally accepted that there is a low risk of the tree falling.

1.9. She referred to the purchaser of the land and was advised that with regard to the development potential of the School House, the Tree Preservation Order means that tree would be a material consideration in any proposal for development in the future, along with all the other planning considerations. The Council would have to come to a balanced view as to whether the retention of the tree was more important than proposed development. However this is not an issue that can be prejudged.

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 21st June 2010.

4. RECOMMENDATIONS

4.1. The Chief Planner advises that the tree make an important contribution to the visual amenity of the surrounding area and notwithstanding the objections raised, the order should be confirmed.

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