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DATE: 26 October 2010

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

Councillor Peter Dean (Chairman)
Councillors Simon Fawthrop, Peter Fookes,
Russell Jackson, David McBride, Alexa Michael,
Gordon Norrie, Harry Stranger and Michael Turner

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 4 NOVEMBER 2010 AT 7.00 PM

MARK BOWEN
Director of Legal, Democratic and
Customer Services.

Members of the public can speak at Plans Sub-Committee meetings on planning reports, contravention reports or tree preservation orders. To do so, you must have already written to the Council expressing your view on the particular matter, and indicated your wish to speak by contacting the Democratic Services team by no later than 10.00am on the working day before the date of the meeting.

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

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

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

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

Copies of the documents referred to below can be obtained from
www.bromley.gov.uk/meetings

A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 9 SEPTEMBER 2010**
(Pages 5 - 18)
- 4 **PLANNING APPLICATIONS**

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

Report No.	Ward	Page Ref.	Application Number and Address
4.1	Bromley Town	19 - 22	(10/02732/FULL1) - Veolia Environmental Services, Baths Road, Bromley.

SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page Ref.	Application Number and Address
4.2	Cray Valley East	23 - 32	(10/01675/FULL1) - Kelsey House, 2 Perry Hall Road, Orpington.
4.3	Copers Cope	33 - 40	(10/02346/FULL1) - 125 Park Road, Beckenham.
4.4	Chelsfield and Pratts Bottom	41 - 46	(10/02468/FULL6) - 29 Shelley Close, Orpington.
4.5	Petts Wood and Knoll	47 - 50	(10/02525/FULL6) - 57 Elm Grove, Orpington.
4.6	Farnborough and Crofton	51 - 56	(10/02585/FULL6) - 12 Broughton Road, Orpington.
4.7	Darwin	57 - 62	(10/02659/FULL6) - 23 Hazelwood Road, Cudham.
4.8	Darwin	63 - 70	(10/02808/FULL1) - Land North East of Summer Shaw, Cudham Lane North, Cudham.

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

Report No.	Ward	Page Ref.	Application Number and Address
4.9	Plaistow and Sundridge	71 - 78	(10/02022/FULL1) - Sundridge Park Golf Club, Garden Road, Bromley.
4.10	Petts Wood and Knoll	79 - 84	(10/02833/PLUD) - 64 Great Thrift, Petts Wood.

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

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

5 CONTRAVENTIONS AND OTHER ISSUES

Report No.	Ward	Page Ref.	Application Number and Address
5.1	Bromley Town	85 - 88	(DRR/10/00119) - 25 Lynwood Grove, Orpington.
5.2	Chelsfield and Pratts Bottom	89 - 90	(DRR/10/00120) Single Storey Side/Rear Extension at 17 Porthallow Close, Orpington.

6 TREE PRESERVATION ORDERS

NO REPORTS

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

NO REPORTS

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PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held on 9 September 2010

Present:

Councillor Peter Dean (Chairman)
Councillor Russell Jackson (Vice-Chairman)
Councillors Simon Fawthrop, David McBride, Alexa Michael,
Gordon Norrie, Harry Stranger and Michael Turner

Also Present:

Councillors Douglas Auld, Will Harmer, Kate Lymer,
Diana MacMull, Russell Mellor, Richard Scoates and
Colin Smith

17 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

An apology for absence from Councillor Peter Fookes was received.

18 DECLARATIONS OF INTEREST

Councillor David McBride declared a prejudicial interest in Item marked 4.3 on the agenda and minuted under item 20.3. Councillor Alexa Michael declared a prejudicial interest in Item marked 4.22 on the agenda and minuted under item 20.22. They left the room for the duration of their respective item and did not vote.

19 CONFIRMATION OF MINUTES OF MEETING HELD ON 15 JULY 2010

RESOLVED that the minutes of the meeting held on 15 July 2010 be confirmed.

20 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

NO REPORTS

SECTION 2

(Applications meriting special consideration)

**20.1
Farnborough and Crofton
Conservation Area**

(08/03188/FULL6) - Lulworth, Elm Walk, Orpington.

Description of application – Single storey side extension RETROSPECTIVE APPLICATION.

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

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the reason set out in the report of the Chief Planner. **IT WAS FURTHER RESOLVED that ENFORCEMENT ACTION BE AUTHORISED** to secure the removal of the unauthorised plant equipment from the building.

**20.2
Penge and Cator**

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

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

THIS REPORT WAS WITHDRAWN BY CHIEF PLANNER.

**20.3
Orpington**

(10/00750/OUT) - Garage Compound adjacent to 111 Eldred Drive, Orpington.

Description of application – Erection of 3 two storey three bedroom terraced properties with roofspace accommodation. OUTLINE APPLICATION.

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

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

**20.4
Copers Cope**

(10/01127/FULL1) - Bishop Challoner School, 228 Bromley Road, Bromley.

Description of application – Detached portable building.

Oral representations in objection to and in support of

the application were received. Oral representations from Ward Member, Councillor Russell Mellor were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** for the reasons and subject to the conditions set out in the report of the Chief Planner with an amendment to condition 2:-
“2. The detached single storey portable building hereby permitted shall only be used for purposes ancillary to Bishop Challoner School and shall not be used for the teaching of performing arts or for any other use.

REASON: In order to comply with Policies BE1 and G8 of the Unitary Development Plan and in the interest of the residential amenities of the area.”

**20.5
Bromley Common and
Keston
Conservation Area**

(10/01350/FULL1) - Land at Langham Close, Bromley.

Description of application – 2 detached two storey five bedroom dwelling with integral and detached garage and access road at land at Langham Close.

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** for the reasons set out in the report of the Chief Planner.

**20.6
Kelsey and Eden Park**

(10/01710/EXTEND) - 63 Hayes Lane, Beckenham.

Description of application – Extension of time limit for implementation of permission reference 06/01883 granted on appeal for a two storey dwelling fronting Quinton Close at land rear of Hayes Lane. OUTLINE APPLICATION.

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** for the reason set out in the report of the Chief Planner.

**20.7
Cray Valley East**

(10/01762/VAR) - Unit 20, Nugent Shopping Park, Cray Avenue, Orpington.

Description of application – Variation of condition 1 of ref. 08/03150 to allow the sale of pharmaceutical products within Phase 2 of Nugent Shopping Park.

Oral representations in objection to and in support of the application were received at the meeting. Comments from Councillor Roxy Fawthrop in objection to the application were reported. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED**, for the reason set out in the report of the Chief Planner.

**20.8
Shortlands**

(10/01829/FULL6) - 81B Elwill Way, Beckenham.

Description of application – Retention of boundary enclosure comprising gate/piers and railings at front
RETROSPECTIVE APPLICATION.

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** for the reasons set out in the report of the Chief Planner with a condition:-

“1. The gates and railings hereby permitted shall be removed from the site before the applicant, Mr David Haye, and his family vacates the property. The permission granted shall not apply to future owners/occupiers of the property without approval from the Council.

Reason: The permission has been granted in light of particular security concerns which apply only to the applicant and therefore the proposal will no longer be considered acceptable when he and his family are no longer in residence, in accordance with Unitary Development Plan Policy BE1 (viii).

**20.9
Bromley Common and
Keston**

(10/01847/PLUD) - 25 Keston Gardens, Keston.

Description of application – Single storey rear extension and conversion of garage to habitable room. CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT.

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

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration for clarification of the measurements of the roof and the extension.

**20.10
Bromley Common and
Keston**

(10/01849/PLUD) - 25 Keston Gardens, Keston.

Description of application – Two storey rear extension and conversion of garage to habitable room.
CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT.

THIS REPORT WAS WITHDRAWN BY THE APPLICANT.

**20.11
Kelsey and Eden Park**

(10/01908/DET) - 63 Hayes Lane, Beckenham.

Description of application – Details of design, external appearance, landscaping, parking, foul and surface water drainage pursuant to conditions 1,2 4 and 5 of outline permission ref 06/00360 granted on appeal for two storey dwelling fronting Quinton Close at land rear of 63 Hayes Lane.

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

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

1. The proposal, by reason of its design, would result in a development that is out of character with the form of surrounding development, contrary to Policies BE1 and H7 of the Unitary Development Plan.
2. The proposed access arrangements are considered to be inadequate and likely to result in a detrimental impact on highway safety by reason of dangerous manoeuvring onto a narrow highway, contrary to Policy T18 of the Unitary Development Plan.

**20.12
Cray Valley East**

(10/01989/FULL2) - Crouch Farm, Crockenhill Road, Swanley.

Description of application – Change of use of agricultural building (Building A) from agricultural use to Class B1 business use with associated parking.
RETROSPECTIVE APPLICATION.

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

Comments from Councillor Roxy Fawthrop in objection to the application were reported.

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

1. The proposal would have a detrimental impact on

the amenities of the occupiers of the adjacent residential property at Crouch Farm House by reason of noise and disturbance, therefore contrary to Policy BE1 of the Unitary Development Plan.

2. The commercial use of Building A is considered to be inappropriate within the Green Belt and to have an unacceptable impact on the character and appearance of the area, contrary to Unitary Development Plan Policies G1 and BE1.

IT WAS FURTHER RESOLVED that ENFORCEMENT ACTION BE AUTHORISED to secure the cessation of the unauthorised use.

**20.13
Petts Wood and Knoll
Conservation Area**

(10/02069/FULL1) - 6 Station Square, Petts Wood.

Description of application – Shopfront (RETROSPECTIVE APPLICATION).

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, for the reasons and subject to the condition and informative set out in the report of the Chief Planner.

**20.14
Bickley**

(10/02076/OUT) - Wilderwood, Widmore Green, Bromley.

Description of application – Erection of two storey building comprising of 6 two bedroom flats with undercroft parking (OUTLINE APPLICATION).

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Kate Lymer in objection to the application were received at the meeting. It was reported that a Ward Member objected to the application. Comments from Environmental Health were reported.

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

1. The proposed development, by reason of its size and bulk and amount of building and hard surfaces would constitute an overdevelopment of the site and would result in an overbearing and detrimental feature within the streetscene, contrary to Policies BE1 and H7 of the Unitary Development Plan.
2. The proposed additional vehicular movements to

enter and exit the site will increase the potential for highway safety concerns, therefore contrary to Policy T18 of the Unitary Development Plan.

**20.15
Crystal Palace**

(10/02210/FULL1) - 6 Lullington Road, Penge, London, SE20.

Description of application – Two storey side extension and conversion of property into 1 one bedroom and 1 two bedroom flats.

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

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

SECTION 3

(Applications recommended for permission, approval or consent)

**20.16
Penge and Cator**

(10/01253/FULL1) - 46 Green Lane, Penge, London, SE20.

Description of application – Change of use of second floor into 3 two bedroom flats and 1 one bedroom flat, elevational alterations and 3 car parking spaces at the rear.

Comments from Councillor John Getgood were reported.

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

**20.17
Penge and Cator**

(10/01454/FULL6) - 1 Lucas Road, Penge, London, SE20.

Description of application – First floor rear and two storey side extension.

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

Members having considered the report and representations, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner and for the following reasons:-

“Reasons for granting permission:

In granting permission the local planning authority had regard to the following policies of the Unitary Development Plan and the London Plan:

BE1 Design of New Development

H8 Residential Extensions

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

(a) the visual impact in the street scene

(b) the impact on the amenities of the occupiers of nearby residential properties

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

**20.18
Clock House**

(10/01496/FULL1) - 162 - 164 Ravenscroft Road, Beckenham.

Description of application – Demolition of existing light industrial unit and erection of two storey building comprising one 1 bedroom, two 2 bedroom and one studio flat (including use of roof space). Provision of associated parking and amenity area.

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, for the reasons and subject to the conditions and informatives set out in the report of the Chief Planner.

**20.19
Copers Cope**

(10/01573/FULL1) - 68 Park Road, Beckenham.

Description of application – Construction of three storey block to provide 7 two bedroom flats with underground and forecourt parking for 8 cars and associated cycle and refuse stores.

Oral representations from 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 REFUSED** for the following reasons:-

1. The proposal, by reason of its excessive mass and overbearing bulk, would constitute an overdevelopment of the site, contrary to Policies BE1 and H7 of the Unitary Development Plan.
2. The proposed development, by reason of its excessive bulk and scale, would result in a detrimental impact on the amenities of adjoining neighbouring properties by reason of loss of privacy, contrary to

Policies BE1 and H7 of the Unitary Development Plan.

**20.20
Petts Wood and Knoll**

(10/01888/FULL6) - 2 Hillview Crescent, Orpington.

Description of application – Two storey side and single storey rear extension.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Douglas Auld in objection to the application were received at the meeting.

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

1. The proposed extension would, by reason of its close proximity to No. 3 Hillview Crescent, have a seriously detrimental effect on the daylighting to the ground floor flank windows of this adjoining house which the occupants of that dwelling might reasonably expect to be able to continue to enjoy, contrary to Policies H8, H9 and BE1 of the Unitary Development Plan.

2. The proposed extension would, by reason of the lack of side space to the boundary with 3 Hillview Crescent, have a detrimental impact on the spatial standards, and character and appearance of the area, contrary to Policies H8, H9 and BE1 of the Unitary Development Plan.

3. The proposed extension by reason of the amount and design of built development, would constitute an overdevelopment of the site, harmful to the spatial standards, character and appearance of the area, contrary to Policies H8, H9 and BE1 of the Unitary Development Plan.

**20.21
Copers Cope**

(10/01916/OUT) - 66 Park Road, Beckenham.

Description of application – Construction of three storey block to provide 6 two bedroom flats with underground and forecourt parking for 7 cars and associated cycle and refuse stores.

Oral representations from 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 REFUSED** for the following reasons:-

1. The proposal, by reason of its excessive mass and

overbearing bulk, would constitute an overdevelopment of the site, contrary to Policies BE1 and H7 of the Unitary Development Plan.

2. The proposed development, by reason of its excessive bulk and scale, would result in a detrimental impact on the amenities of adjoining neighbouring properties by reason of loss of privacy, contrary to Policies BE1 and H7 of the Unitary Development Plan.

**20.22
Bromley Common and
Keston**

(10/02002/FULL6) - 80 Bromley Common, Bromley.

Description of application – Two storey rear extension with accommodation in roof space. Attached single storey garage and summerhouse and new roof over existing single storey side extension.

Oral representations 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, for the reasons and subject to the conditions set out in the report of the Chief Planner.

**20.23
Petts Wood and Knoll**

(10/02033/FULL1) - 101 Queensway, Petts Wood.

Description of application – Single storey rear extension to provide additional ground floor retail space.

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

1. The proposed extension by reason of its rearward projection and size will be an unacceptable form of development, resulting in an overdevelopment of the site, harmful to the character of the area and the amenities of adjoining residential properties by reason of additional disturbance and visual impact, therefore contrary to Policy BE1 of the Unitary Development Plan.
2. The proposed retention of 2 car parking spaces would be inappropriate in this highly accessible town centre location, thereby contrary to Policy T3 of the Unitary Development Plan.

SECTION 4

(Applications recommended for refusal or disapproval of details)

20.24
Petts Wood and Knoll

(10/02034/FULL1) - 101 Queensway, Petts Wood.

Description of application – Part one/part two storey rear extension to provide 1 one bedroom flat and additional ground floor retail space.

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

20.25
Darwin

(10/02059/FULL2) - Archies Stables, Cudham Lane North, Cudham.

Description of application – Change of use of land from equestrian to gypsy and traveller caravan site comprising 1 pitch accommodating one mobile home and one touring caravan, together with additional hardstanding area, concrete post and timber panelled fence (max height 1.98m) steel gates (max height 1.98m) detached shed, lamp post and utility room. RETROSPECTIVE APPLICATION.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Richard Scoates in objection to the application were received at the meeting. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reasons set out in the report of the Chief Planner.

20.26
Bromley Town
Conservation Area

(10/02104/VAR) - 205 High Street, Bromley.

Description of application – Variation of Condition 2 of permission 10/01408 granted for use of ground floor as a drinking establishment (Use Class A4) to permit opening hours from 09.00am to 00.30am, Sundays to Wednesdays inclusive and 09.00am to 01.30am Thursday to Saturday inclusive.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Will Harmer, in objection to the application were received at the meeting. It was reported that two Ward Members objected to the application together with the Police. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the following reason:-

1. The proposed increase in opening hours would be likely to exacerbate problems of late night noised, disturbance, anti-social behaviour (and the fear of such behaviour), which would be seriously detrimental to the amenities of residential neighbourhoods and the character of the town centre, contrary to Policies BE11 and S9 of the Unitary Development Plan.

21 CONTRAVENTIONS AND OTHER ISSUES

21.1 Copers Cope

(DRR/09/00119) - Request for a Tree Preservation Order at 91 Copers Cope Road and land at rear of 91-117 Copers Cope Road, Beckenham.

Description of application – (DRR/09/00119) Request for a Tree Preservation Order at 91 Copers Cope Road and land at rear of 91-117 Copers Cope Road, Beckenham.

Oral representations from Councillor Russell Mellor in support of a Tree Preservation Order being authorised were received at the meeting.

Members having considered the report and representations, **RESOLVED that a TREE PRESERVATION ORDER NOT BE AUTHORISED**, as recommended, in the report of the Chief Planner.

22 TREE PRESERVATION ORDERS

22.1 Chelsfield and Pratts Bottom

Objections to Tree Preservation Order 2358 at Edgehill, Stonehouse Road, Halstead.

Description of application – (TPO 2358) Objections to Tree Preservation Order 2358 at Edgehill, Stonehouse Road, Halstead.

Members having considered the report, **RESOLVED that TREE PRESERVATION ORDER NO 2358 RELATING TO ONE PINE TREE BE CONFIRMED**, as recommended, in the report of the Chief Planner.

23 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if

members of the Press and public were present there would be disclosure to them of exempt information.

25

**EXEMPT MINUTE OF THE MEETING HELD ON
THURSDAY, 15 JULY 2010**

RESOLVED that the exempt minute of the meeting held on 15 July 2010 be confirmed.

The Meeting ended at 10.40 pm

Chairman

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Agenda Item 4.1

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

Application No : 10/02732/FULL1

Ward:
Bromley Town

Address : Veolia Environmental Services Baths
Road Bromley BR2 9RB

OS Grid Ref: E: 541756 N: 168457

Applicant : London Borough Of Bromley

Objections : NO

Description of Development:

Installation of two mobile huts

Key designations:

Flood Zone 2

Flood Zone 3

Proposal

- The application is for two mobile huts to be located within the Central Depot, Bromley.
- The huts measure approximately 48m² and 39m² with a height of approximately 3.4 metres from ground level.
- The proposed huts are to be used by staff at the depot as a mess area and contain toilet and washing facilities.

Location

- The application site is located to the north west of Baths Road and is the Council's central depot.
- The huts are to be located close to the Baths Road entrance to the site within a three sided concrete walled area.

Comments from Local Residents

The application was advertised by way of site notice and newspaper advertisement. There have been no comments received from surrounding residents.

Comments from Consultees

The Environment Agency have been consulted in relation to the application and their comments will be reported verbally.

Planning Considerations

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

BE1 Design of New Development

Planning History

There are a number of previous applications at the site, the most recent of which was granted planning permission in 2010 under ref. 10/00884 for an additional entrance to offices and 2 external air conditioning units.

Conclusions

The main issues relating to this application are the impact of the proposed mobile units on the character and amenities of the surrounding area.

The proposed units are to provide existing members of staff with toilet and washing facilities and a general staff area. The units are sited within the central depot and are unlikely to be visible from the main entrance. They are of a modest height and whilst parts of them may be visible from the Baths Road entrance, they are unlikely to have a harmful visual impact on the streetscene.

The units are proposed to be sited a good distance from any residential properties, reducing any possible visual impact. The use of the units is such that they are unlikely to have a detrimental effect in terms of noise, smells or contamination and are therefore considered to have very little impact of the character or amenities of neighbouring properties.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/00884 and 10/02732, excluding exempt information.

as amended by documents received on 15.10.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

Reasons for granting permission:

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

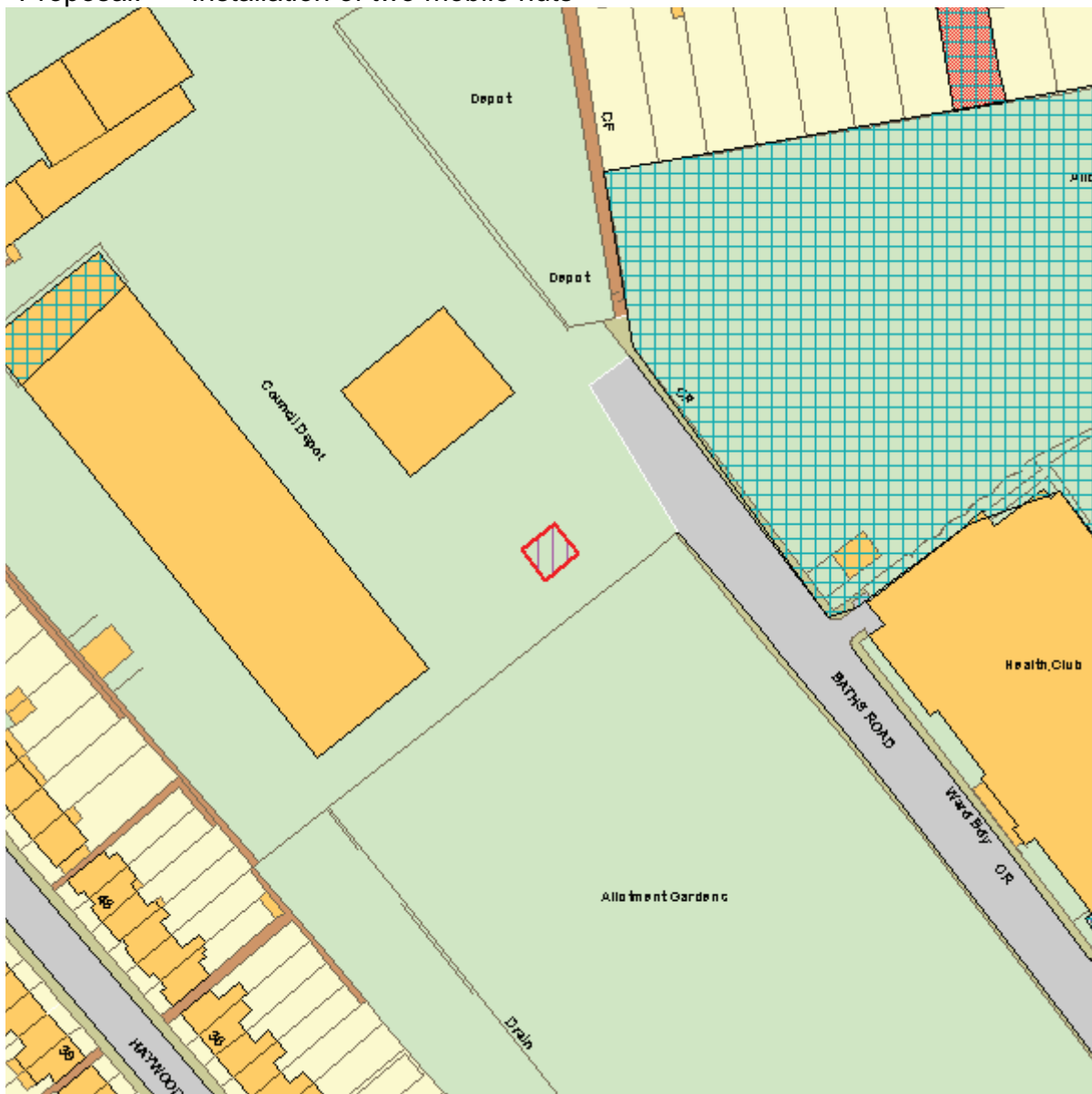
BE1 Design of New Development

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

- (a) the appearance of the development in the streetscene
- (b) the relationship of the development to adjacent 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

and having regard to all other matters raised.

Reference: 10/02732/FULL1
Address: Veolia Environmental Services Baths Road Bromley BR2 9RB
Proposal: Installation of two mobile huts



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SECTION '2' – Applications meriting special consideration

Application No : 10/01675/FULL1

Ward:
Cray Valley East

Address : Kelsey House 2 Perry Hall Road
Orpington BR6 0JJ

OS Grid Ref: E: 546667 N: 166881

Applicant : Stonechart Property Ltd

Objections : YES

Description of Development:

Three storey rear extension and rooftop stairwell extension and conversion of Kelsey House to provide 4 one bedroom, 11 two bedroom and 6 three bedroom flats and erection of three storey block comprising 3 one bedroom, 3 two bedroom and 3 three bedroom flats with 24 car parking spaces and associated bicycle parking and refuse storage

The application was deferred at the Plans Sub Committee meeting of 7 October 2010 in order to seek a reduction in the bulk and density of the proposed new build block fronting Perry Hall Road. The applicant has amended the scheme as follows:

- number of units within new build block reduced from 11 to 9 (total reduced from 32 to 30)
- footprint of new build block reduced by 17.5% and roof structure redesigned to reduce bulk
- spatial separation to 14 Perry Hall Road has been doubled and the amount of usable amenity space has been increased
- number of car parking spaces increased from 24 to 28.

The original report follows and has been amended where appropriate.

Proposal

- Kelsey House will be extended to the rear and converted to provide 4 one bedroom, 11 two bedroom and 6 three bedroom flats
- existing single storey ground floor element of Kelsey House will be demolished and proposed 3 storey extension will occupy similar footprint
- existing commercial façade will be clad to provide a contemporary residential appearance
- new block will provide 3 one bedroom flats, 3 two bedroom wheelchair flats on the ground floor and 3 three bedroom flats

- building will be of a traditional style with contemporary detailing and will feature slate grey tiled roofing and flat roofed dormers
- application states that design and scale of block seeks to respect nearby houses on Perry Hall Road and Willow Close
- second floor flats will be single aspect with windows looking out to Perry Hall Road to minimise overlooking
- existing vehicular access will be retained and there will be off-street parking for 28 cars
- communal amenity space will be provided on converted building within rooftop terrace with privacy screen
- existing boundary enclosures will be retained and made good
- renewable energy provided by roof mounted photovoltaic panels
- scheme will be 100% affordable housing
- application states that scheme reflects identified housing need in the area as advised by the Council's Housing Department.

Application documents

The application is accompanied by the following:

- Planning, Design and Access Statement
- Statement of Community Involvement
- Environmental Report
- Flood Risk Assessment
- Energy Statement
- Archaeological Desktop Study
- Parking Survey
- Marketing Campaign Report.

Location

- 0.228 ha site lies at junction of Perry Hall Road and the High Street at the edge of Orpington town centre
- Kelsey House is an approx. 30 year old three storey purpose built office building at eastern end of site and remainder of site is laid out as car parking
- building last used as headquarters of Kelsey Housing Association (KHA) but is now vacant except for temporary skeleton maintenance staff - KHA recently merged with a larger Registered Social Landlord (RSL) and premises are now surplus to requirements
- site is enclosed with high security steel palisade fencing and entrance gates
- surrounding area comprises:
 - o Victorian terraced houses fronting Perry Hall Road to the west
 - o petrol filling station and tyre fitting business to the south west
 - o Priory Gardens public park to the south and east
 - o Carlton Parade comprising shops with flats over to the north
 - o interwar semi-detached properties fronting Willow Close to the north.

Comments from Local Residents

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

- overdevelopment
- overlooking / loss of privacy
- inadequate security on site
- increased noise and disturbance
- devaluation of nearby property
- inadequate parking / increased demand for on-street parking
- increased anti-social behaviour
- disruption during construction period.

Comments from Consultees

There are no objections from the Assistant Director of Housing and Residential Services.

English Heritage has no objections in terms of archaeology, subject to a condition securing a programme of archaeological works.

There are no objections in terms of sustainable development and renewable energy.

The Council's Economic Development and Business Coordinator has objected to the proposal on the basis that there will be an increased demand for office floorspace as the economy recovers.

The Metropolitan Police Crime Prevention Design Adviser has requested that a condition is attached to any planning permission to secure measures to minimise crime.

Any further comments will be reported verbally at the meeting, including highways comments regarding the revised car parking arrangements.

Planning Considerations

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
- H2 Affordable Housing
- H7 Housing Density and Design

BE1 Design of New Development
BE16 Ancient Monuments and Archaeology
EMP3 Conversion or Redevelopment of Offices
EMP5 Development Outside Business Areas

London Plan

2A.9 The Suburbs: supporting sustainable communities
3A.3 Maximising the potential of sites
3A.5 Housing choice
3A.6 Quality of new housing provision
3A.10 Negotiating affordable housing in individual private residential and mixed-use schemes
3A.11 Affordable housing thresholds
3A.17 Addressing the needs of London's diverse population
3C.2 Matching development to transport capacity
3C.23 Parking Strategy
3D.13 Children and young people's play and informal recreation strategies
4A.1 Tackling Climate Change
4A.3 Sustainable design and construction
4A.4 Energy assessment
4A.6 Decentralised energy: heating, cooling and power
4A.7 Renewable energy
4A.9 Adaptation to climate change
4A.12 Flooding
4A.13 Flood risk management
4A.14 Sustainable drainage
4A.18 Water and sewerage infrastructure
4A.19 Improving air quality
4B.1 Design principles for a compact city
4B.5 Creating an inclusive environment
4B.6 Safety, security and fire prevention and protection
4B.8 Respect local context and communities

The following documents are also relevant:

Mayor of London's Waste Strategy
Mayor of London's Ambient Noise Strategy.

Policy EMP3 of the Unitary Development Plan states that the conversion or redevelopment of offices for other uses will be permitted only where: (i) it can be demonstrated that there is no local shortage of office floorspace and there is evidence of long term vacancy despite marketing of the premises; and (ii) there is no likely loss of employment resulting from the proposal.

Policy EMP5 of the Unitary Development Plan states that the redevelopment of business sites or premises outside of the Designated Business Areas will be permitted provided that: (i) The size, configuration, access arrangements or other characteristics make it unsuitable for uses Classes B1, B2 or B8 use, and (ii) Full

and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for those uses.

The Marketing Campaign Report which accompanied the application states that the existing office building is disadvantaged by its Orpington location (which is viewed as secondary to Bromley) and by its distance from Orpington railway station. It also provides a market overview which indicates significant office vacancies in the Orpington area.

The residential density of the scheme is equivalent to 132 dwellings per hectare.

A Section 106 legal agreement is being prepared to secure the affordable housing.

Conclusions

The main issues to be considered in this case are the impact on the character and residential amenities of the area and the implications of the loss of the office accommodation.

In terms of the impact of the proposal on the character of the area, the new block will seek to respect the character of Perry Hall Road through its design and materials. The block will appear slightly higher and bulkier than the adjacent terraced housing but will not result in undue harm to the character of the area, and has now been reduced in size following the recent deferral. Kelsey House is a functional office building of no particular architectural merit and the proposed cladding should improve its appearance. It will be extended to the rear and will appear bulkier but this should not unduly harm the character of the area, particularly as there is currently a three storey element of the building which projects to the rear along Perry Hall Road.

There will be increased overlooking of properties on Willow Close from the two blocks, however the back to back separation between the buildings is considered sufficient to avoid undue harm from overlooking, particularly given that the top floor flats within the new block will be single aspect. In terms of the impact of the proposal on 26 and 26A Carlton Parade, Kelsey House already projects to the rear adjacent to these properties and the rear extension to Kelsey House should not result in an undue loss of light or outlook.

It can be recognised that Kelsey House is not especially well located as far as the present office market is concerned. The applicants have carried out a marketing campaign in compliance with policies EMP3 and EMP5 and this would appear to satisfactorily demonstrate that there is a lack of demand for the office accommodation. The building is in a residential area and redevelopment of the site for other industrial uses may not be viable or desirable in terms of local amenity. It may therefore be considered that policies EMP3 and EMP5 are satisfied. The Council's Economic Development and Business Coordinator has objected to the proposal on the basis that the office floorspace should be retained to meet anticipated future demand once the economy recovers. Policies EMP3 and EMP5 recognise current circumstances and do not take account of anticipated future

demand therefore refusal of planning permission on such a basis is considered inappropriate.

The scheme offers benefits insofar as it provides 100% affordable housing including 3 wheelchair units. It can be considered that satisfactory amenity space is provided given the roof terrace and soft landscaped areas whilst Priory Gardens is located opposite.

On balance, the proposal is considered acceptable.

as amended by documents received on 13.09.2010 20.09.2010 17.10.2010

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

and the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
ACA04R Reason A04
- 3 ACA08 Boundary enclosures - implementation
ACA08R Reason A08
- 4 ACC01 Satisfactory materials (ext'nl surfaces)
ACC01R Reason C01
- 5 ACD02 Surface water drainage - no det. submitt
ADD02R Reason D02
- 6 ACD04 Foul water drainage - no details submitt
ADD04R Reason D04
- 7 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 8 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 9 ACH18 Refuse storage - no details submitted
ACH18R Reason H18
- 10 ACH22 Bicycle Parking
ACH22R Reason H22
- 11 ACH23 Lighting scheme for access/parking
ACH23R Reason H23
- 12 ACH27 Arrangements for construction period
ACH27R Reason H27
- 13 ACH32 Highway Drainage
ADH32R Reason H32
- 14 ACI21 Secured By Design
ACI21R I21 reason
- 15 ACK05 Slab levels - no details submitted
ACK05R K05 reason
- 16 ACK08 Archaeological access
ACK08R K08 reason
- 17 ACK09 Soil survey - contaminated land
ACK09R K09 reason

- 18 ACL01 Energy Strategy Report
ADL01R Reason L01
- 19 No additional structure, plant, equipment or machinery shall be placed erected or installed on or above the roof or on external walls without the prior approval in writing by or on behalf of the Local Planning Authority.
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.
- 20 Details of privacy screens to the rooftop amenity area shall be submitted to and approved in writing by the local planning authority and the approved screens shall be permanently maintained thereafter.
ACI12R I12 reason (1 insert) BE1

Reasons for permission:

In granting permission the Local Planning Authority had regard to the following policies of the Unitary Development Plan 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
- H2 Affordable Housing
- H7 Housing Density and Design
- BE1 Design of New Development
- BE16 Ancient Monuments and Archaeology
- EMP3 Conversion or Redevelopment of Offices
- EMP5 Development Outside Business Areas

London Plan

- 2A.9 The Suburbs: supporting sustainable communities
- 3A.3 Maximising the potential of sites
- 3A.5 Housing choice
- 3A.6 Quality of new housing provision
- 3A.10 Negotiating affordable housing in individual private residential and mixed-use schemes
- 3A.11 Affordable housing thresholds
- 3A.17 Addressing the needs of London's diverse population
- 3C.2 Matching development to transport capacity
- 3C.23 Parking Strategy
- 3D.13 Children and young people's play and informal recreation strategies
- 4A.1 Tackling Climate Change
- 4A.3 Sustainable design and construction
- 4A.4 Energy assessment

- 4A.6 Decentralised energy: heating, cooling and power
- 4A.7 Renewable energy
- 4A.9 Adaptation to climate change
- 4A12 Flooding
- 4A.13 Flood risk management
- 4A.14 Sustainable drainage
- 4A.18 Water and sewerage infrastructure
- 4A.19 Improving air quality
- 4B.1 Design principles for a compact city
- 4B.5 Creating an inclusive environment
- 4B.6 Safety, security and fire prevention and protection
- 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 housing policies of the development plan
- (h) the design policies of the development plan
- (i) the transport policies of the development plan

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with appropriate English Heritage guidelines.
- 2 RDI16 Contact Highways re. crossover

Reference: 10/01675/FULL1

Address: 27 Carlton Parade Orpington BR6 0JB

Proposal: Three storey rear extension and rooftop stairwell extension and conversion of Kelsey House to provide 4 one bedroom, 11 two bedroom and 6 three bedroom flats and erection of three storey block comprising 3 one bedroom, 3 two bedroom and 3 three bedroom flats with 24 car parking spaces and associated bicycle parking and refuse storage



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Agenda Item 4.3

SECTION '2' – Applications meriting special consideration

Application No : 10/02346/FULL1

Ward:
Copers Cope

Address : 125 Park Road Beckenham BR3 1QJ

OS Grid Ref: E: 536747 N: 170373

Applicant : Park Road Investments Ltd

Objections : YES

Description of Development:

Demolition of existing buildings and erection of four storey block comprising 2 one bedroom, 4 two bedroom and 3 three bedroom flats, and two storey block comprising 3 business units (Class B1) and 12 car parking spaces

Proposal

Planning permission is sought to demolish the existing commercial units at the site and to replace with the following:

- four storey block comprising 9 flats
- two storey block comprising 3 business units
- 12 car parking spaces (3 for the commercial units and 9 for the proposed residential units)
- 2 refuse stores (1 for residential block and 1 for commercial units)
- cycle store for 9 bikes
- amenity space for flats measuring a maximum of 8.3m (when scaled)
- the residential block will retain a minimum separation of 1.7m to the western boundary and minimum separation of 2.2m to the eastern boundary (when scaled)

The access to the site will remain from Park Road with the access drive alongside No.123 Park Road.

Location

The site currently comprises 5 business units located at the end of Park Road. The Agent states that only 2 of the units are currently occupied, employing a total of 3 people. The site is located in close proximity to New Beckenham station with the railway line located on the western side of the site. The area directly surrounding the site is wholly residential with single dwellinghouses at Nos. 123 and 127 Park Road, and 2 blocks of flats at Nos. 51 and 53 Copers Cope Road.

Comments from Local Residents

There have been local objections raised in respect of the application which are summarised below:

- impact on quality of life
- impact of noise
- impact on outlook
- loss of privacy
- impact on property values
- concerns over scale and height of proposed buildings
- buildings at present are low rise
- concerns that trees that currently screen the site would need to be removed
- not clear how boundaries will be dealt with
- loss of trees
- concerns over balconies provided
- inadequate parking

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

Comments from Consultees

Environmental Health Officer (Pollution) did not raise objections with regard to the submitted noise survey or the Phase 1 Desk Study (regarding contaminated land).

The Council's Highways Officer does not raise objections to the proposal.

Network Rail do not raise objection but list a number of informatives for the Applicant.

To date, no comments have been received from the Metropolitan Police, Thames Water or Waste Services. However, comments on the previously withdrawn application ref. 10/00169 can be summarised as follows:

- concerns raised by Waste Service regarding lack of turning area for refuse vehicles (applicant has addressed these in the current application)
- concerns raised by Metropolitan Police regarding proposed crime prevention measures (applicant has since met with Crime Prevention Officer to discuss requirements)
- no comments were received from Thames Water

Planning Considerations

In considering the application the main policies are H1, H7, H9, BE1, EMP5, T3 and T18 of the Unitary Development Plan. These concern the housing supply, density and design of new housing/new development, the provision of adequate car parking and new accesses and road safety.

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

Policy BE1 requires a high standard of design in new development generally, and seeks to protect the amenities of the occupants of neighbouring properties.

Policy EMP5 states that the redevelopment of business sites will be permitted provided that the characteristics of the site make it unsuitable for uses in Classes B1, B2 and B8; and full and proper marketing of the site confirms the unsuitability and financial non-viability of the site for those uses.

The site is located in an area with a low public transport accessibility level (PTAL) rate of 2 (on a scale of 1-6, where 6 is the most accessible).

Policy T3 seeks to ensure that off street parking provisions for new development are to approved standards. Policy T18 requires that issues of road safety are considered in determining planning applications.

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

Central Government guidance in the form of Planning Policy Guidance 24 “Planning and Noise” introduces the concept of Noise Exposure Categories (NECs) ranging from A (noise need not be considered as a determining factor in granting permission) – D (planning permission should normally be refused), to help local planning authorities in their consideration of applications for residential development near transport-related noise sources. The site is with Noise Exposure Category B.

Planning History

Two similar applications have been submitted and subsequently withdrawn by the applicant following discussions with officers (refs.08/02166 and 10/00169).

Conclusions

The main issues in this case are whether this type of development is acceptable in principle in this location, the likely impact of the proposed scheme on the character and appearance of the surrounding area, and on the amenities of neighbouring residential properties, having particular regard to layout and design of the proposed scheme.

It is not considered that the redevelopment of the site would be unacceptable in principle. The site has historically been used for commercial purposes and the surrounding area is characterised by residential developments. The Agent has put the argument forward that although the proposed commercial units represent a reduction in commercial floor area, they would provide more marketable and usable units. The Agent has also submitted information from a marketing agent stating that the units would not be suitable to market. It is considered that although there will be a loss of commercial floorspace, the proposal does include new commercial floorspace and Members will need to consider whether this is sufficient to address Policy EMP5.

In terms of form and scale, the proposed height of the block of flats would be comparable with a number of properties fronting Copers Cope Road, however these are set within larger plots with space retained between the buildings and the front boundary, and amenity areas and parking to the rear. Although regard should be had to the existing site conditions, which comprise total site coverage with buildings and hard surfaces, it is the case that the proposal would also result in intensive site coverage with development. Whilst soft landscaping and amenity space are proposed, Members may consider that the site will be redeveloped more densely than at present and may appear cramped when compared to adjoining sites.

The proposed four storey residential block does now maintain a minimum separation of 1.7m to the western boundary and minimum separation of 2.2m to the eastern boundary (when scaled), which has been increased when compared to the previously withdrawn applications. The application in this respect would accord with Policy H9 in that a minimum 1m separation is retained to the adjoining boundaries. The commercial block is located with approximately 0.2m from the western boundary but Members will note that Policy H9 is not relevant in that this part of the development is non-residential, also a "terracing effect" will not occur here, so this will not appear cramped.

With regard to the impact of the proposed building on the residential amenity of the neighbouring properties, the proposed is set at reasonable distances away from the adjoining properties. However, given the unusual shape of the site the proposed development will be to the rear of a number of residential properties and particular consideration should be given to the proposed windows in the upper floors and the terrace areas to the third floor residential units. The windows proposed on the upper floors of the commercial block and to the northern flank of the residential block are indicated to be obscure glazed which may help to mitigate impact potential impact on No.123 Park Road.

In terms of the impact on Nos. 123 and 125 Park Road, Members should consider the possible impact of increased vehicular movements into and out of the site, and along the proposed access road. A total of 12 car parking spaces are proposed which accords with the Council's standards, and there are no technical highways objections regarding to the number of spaces proposed.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/02346, 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 ACC01 Satisfactory materials (ext'nl surfaces)
ACC01R Reason C01
- 3 ACC03 Details of windows
ACC03R Reason C03
- 4 ACD02 Surface water drainage - no det. submitt
ADD02R Reason D02
- 5 ACK09 Soil survey - contaminated land
ACK09R K09 reason
- 6 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 7 ACH18 Refuse storage - no details submitted
ACH18R Reason H18
- 8 ACH11 Visibility splays (new buildings) (3 in) vehicular access
3.3 x 2.4 x 3.3m 1m
ACH11R Reason H11
- 9 ACH22 Bicycle Parking
ACH22R Reason H22
- 10 ACH32 Highway Drainage
ADH32R Reason H32
- 11 Before the development hereby permitted is first occupied, the proposed window(s) in the first, second and third floor northern elevation of the residential block shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.
ACI12R I12 reason (1 insert) BE1
- 12 Before the development hereby permitted is first occupied, the proposed window(s) in the first floor eastern elevations of the commercial block shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.
ACI12R I12 reason (1 insert) BE1
- 13 ACI15 Protection from traffic noise (1 insert) rail
ADI15R Reason I15
- 14 ACI21 Secured By Design
ACI21R I21 reason
- 15 ACI24 Details of means of screening-balconies
ACI24R Reason I24R

Reason 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
- BE1 Design of New Development
- EMP5 Development outside Business Areas
- T3 Parking
- T18 Road Safety

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

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to the 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 light and outlook of occupiers of adjacent and nearby properties
- (f) the privacy of occupiers of adjacent and nearby properties
- (g) the safety of pedestrians and motorists on the adjacent highway
- (h) the safety and security of building and the spaces around them
- (i) accessibility to the building
- (j) the housing policies of the development plan
- (k) the urban design policies of the development plan
- (l) the transport policies of the development plan
- (m) the neighbour concerns raised during the consultation process

and having regard to all other matters raised.

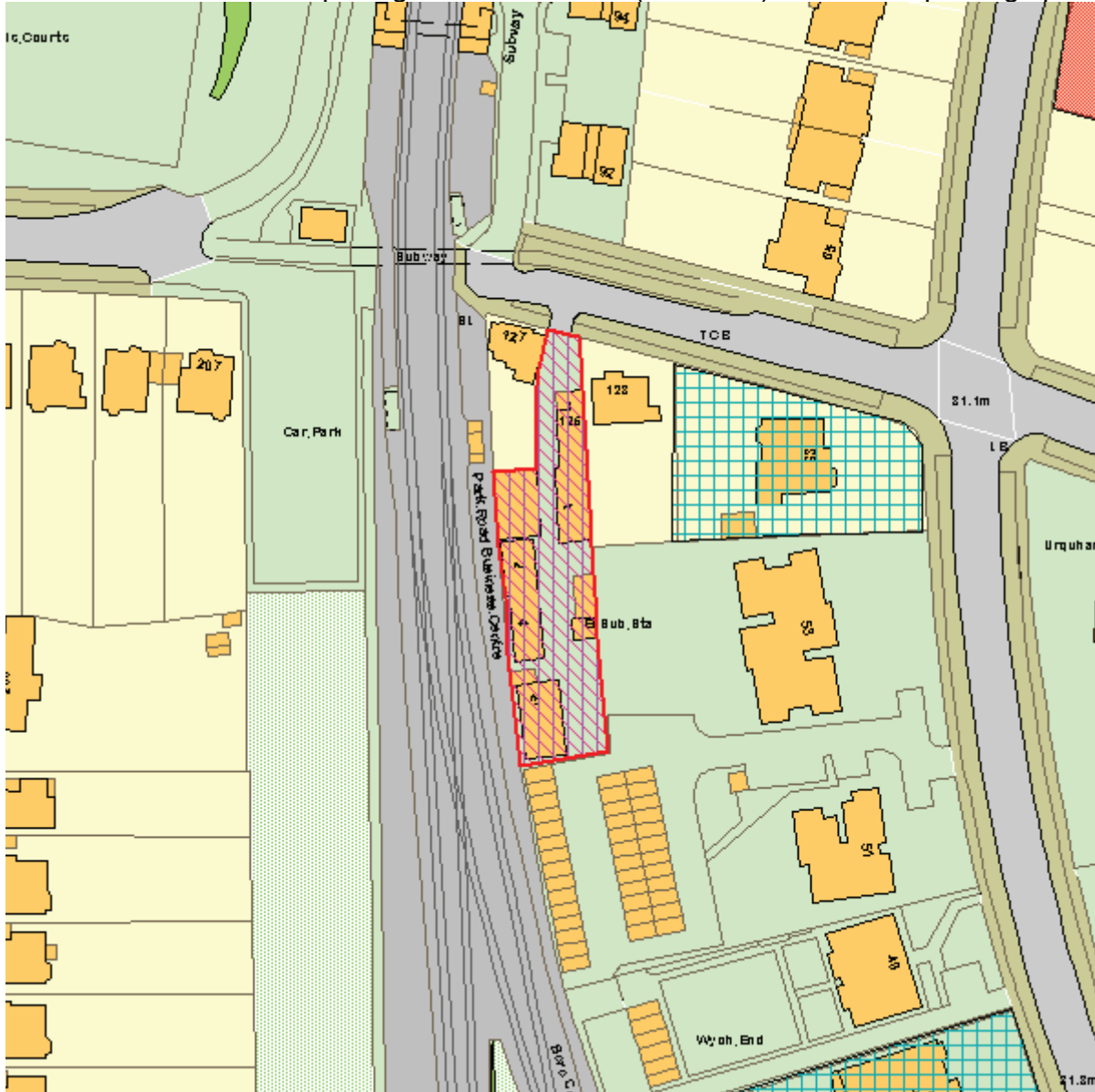
INFORMATIVE(S)

- 1 RDI10 Consult Land Charges/Street Numbering
- 2 You should be aware of Network Rail's requests set out in the email dated 9th September 2010.
- 3 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

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

- 1 The proposal would result in a cramped overdevelopment of the site, out of character with the surrounding area, contrary to Policies BE1 and H7 of the Unitary Development Plan.

Reference: 10/02346/FULL1
Address: 125 Park Road Beckenham BR3 1QJ
Proposal: Demolition of existing buildings and erection of four storey block comprising 2 one bedroom, 4 two bedroom and 3 three bedroom flats, and two storey block comprising 3 business units (Class B1) and 12 car parking spaces



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SECTION '2' – Applications meriting special consideration

Application No : 10/02468/FULL6

Ward:
Chelsfield And Pratts
Bottom

Address : 29 Shelley Close Orpington BR6 9QX

OS Grid Ref: E: 545453 N: 165418

Applicant : Mr I Chase

Objections : YES

Description of Development:

One/two storey side extension and elevational alterations

Key designations:

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

Proposal

The application seeks planning permission for a part one/two storey side extension and elevational alterations.

Location

The application site consists of a two-storey, semi-detached dwelling located on the northwestern side of Shelley Close. All of the Shelley Close dwellings, except for the two corner properties fronting Ridgeway Crescent are of the same vintage and style (Dutch Barn) as the application site.

Comments from Local Residents

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

- access to main sewage drainage would be in the middle of the proposed kitchen;
- proposal for a larger property may require additional sound proofing between both semi-detached properties; and
- there are 2 tall Spruce trees in similar location to the proposed parking space located nearest to road frontage.

Comments from Consultees

Highways: States that the proposal includes the conversion of the existing garage. There are 3 parking spaces shown on the frontage and would have no objection to the application, subject to the standard condition relating to satisfactory parking.

Planning Considerations

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

Planning History

1987: Planning application (87/02580/FUL) Granted permission for a single storey rear extension.

2000: Planning application (00/02584/FULL1) granted permission for a two storey side extension and alterations to front elevation.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the surrounding area and the impact that it would have on the amenities of the occupants of surrounding residential properties. Other considerations are the amenity afforded by the trees onsite and potential highway impacts and associated road safety.

It is noted that planning permission was granted under ref. 00/02584 for a two storey side extension that extended closer to the flank boundary than the current proposal.

Subsequent to the initial proposal, the application has been amended so that the proposed side elevation maintains a separation to the adjoining boundary of 1 metre for the majority of the flank wall. As the area is neither a Conservation Area nor an Area of Special Residential Character, Members may consider this amount of side space, albeit with a small infringement, acceptable and not result in a detrimental impact on the character of the surrounding area. Regard should also be had to the fact that the dwelling on adjoining property to the northeast (No. 30) is well-separated from the application site and therefore, the open appearance the currently exists will be maintained.

The side extension will not be visible from the adjoining semi-detached property (No. 28) as it will not extend further forward or rearward of the existing front and rear building lines respectively. In addition, the extension will be well-separated from the property (No. 30) to the northeast that it would face. Furthermore, the proposal would result in the removal of the existing window at first floor level within the northeastern flank elevation facing No. 30 and therefore, arguably result in an improvement over the current situation with regard to privacy. A condition requiring no windows to be installed in this elevation without prior approval of the Local

Planning Authority is recommended to ensure any change in potential overlooking is satisfactorily assessed. Members may therefore consider that the proposed extension will not harm the residential amenities enjoyed by the occupiers of adjoining properties.

Members may consider that as enough space on the frontage of the property would remain in order to accommodate a minimum of two vehicles, the loss of the garage to accommodate the extension is not considered to result in harm to the highway or its users.

With regard to the potential removal of the 2 Spruce trees at the front of the dwelling, the trees are not protected and nor is the area a conservation area. Furthermore, the trees are not considered to add greatly to the overall amenity of the surrounding area. Members may therefore consider that their potential removal to accommodate the carparking spaces is acceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 00/02584 and 10/02468, excluding exempt information.

as amended by documents received on 19.10.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|--------|--|-------------------------------|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACC07 | Materials as set out in application | |
| | ACC07R | Reason C07 | |
| 3 | ACH03 | Satisfactory parking - full application | |
| | ACH03R | Reason H03 | |
| 4 | ACI13 | No windows (2 inserts) | north-eastern flank extension |
| | ACI13R | I13 reason (1 insert) | BE1 |

Reasons for granting permission:

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

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

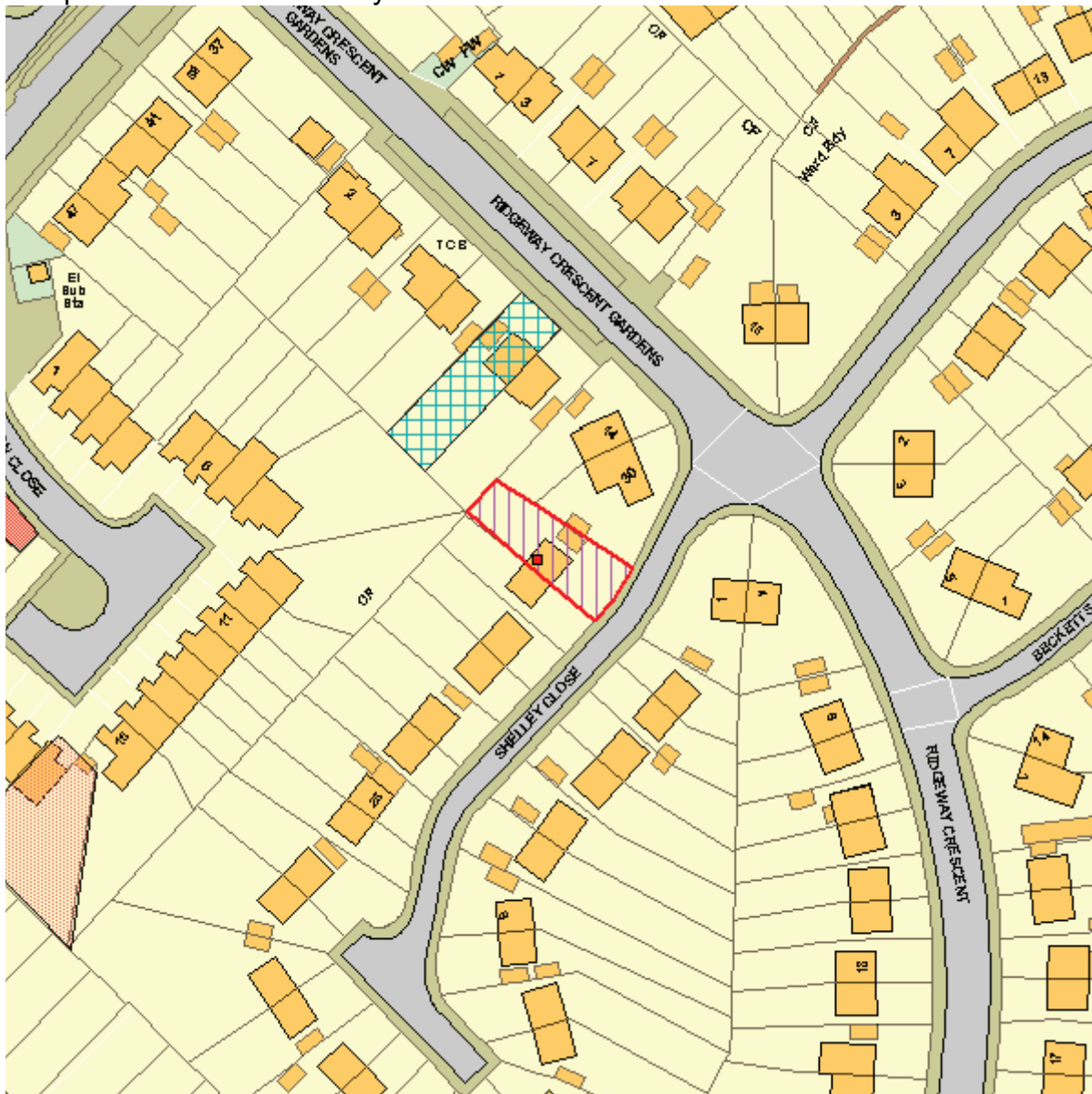
The development is considered to be satisfactory in relation to the following:

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

- (d) the impact on trees and landscaping;
- (e) the impact on the highway and the safety of its users;

and having regard to all other matters raised.

Reference: 10/02468/FULL6
Address: 29 Shelley Close Orpington BR6 9QX
Proposal: One/two storey side extension and elevational alterations



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SECTION '2' – Applications meriting special consideration

Application No : 10/02525/FULL6

Ward:
Petts Wood And Knoll

Address : 57 Elm Grove Orpington BR6 0AA

OS Grid Ref: E: 545594 N: 166061

Applicant : Mr And Mrs M Ketenci

Objections : YES

Description of Development:

Single storey detached building to rear
RETROSPECTIVE APPLICATION

Key designations:

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

Proposal

This retrospective application relates to a detached outbuilding which has been constructed within the rear garden area of the application site. It is built on a low wooden platform and incorporates a footprint measuring approximately 4.9m (w) x 6.0m and a shallow pitched roof which rises to a maximum height of approximately 2.8m above ground level. The building is of timber and felt construction and has subdivided with an internal partition.

Location

The application property forms part of Elm Grove, although the outbuilding in question fronts Hill View Road from where it is most visible. The building is located within 2.0m of the public highway at Hill View Road, although the separation increases given the tapered site boundary. The land between the development and the highway is understood to be under separate ownership.

Comments from Local Residents

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

- structure breaks the well established building line of Hill View Road and, if approved, could create a precedent for similar development
- development is large and out of character in the road
- for its size the building is not a children's playhouse and includes a concrete base
- concern that building will house a hot tub/jacuzzi
- a large tree was felled to accommodate this building and another tree is within falling distance of this tree
- development will cause unacceptable degree of noise and disturbance to neighbouring properties
- plot is too small to accommodate this structure
- building will devalue neighbouring properties

Comments from Consultees

Not applicable

Planning Considerations

Policy BE1 (design and layout of new development) of the Unitary Development Plan apply to the development and should be given due consideration. This policy seeks to ensure a satisfactory standard of design and to safeguard the overall character and amenities of the area.

Planning History

There is no relevant planning history relating to this application.

Conclusions

The main consideration in this case relates to the siting of the building and its impact on the character and appearance of the surrounding area and streetscene.

Whilst no objection would be raised in principle in relation to the provision of an outbuilding within the site curtilage, given the proximity of the outbuilding to the highway and its overall size, it is considered that this development appears out of character with and detrimental to the visual amenities of the area, particularly given its conflict with the established building line along Hill View Road. Whilst it is probable that the building could be partially screened along its rear elevation, this would not overcome the prominence of the building as it will remain clearly visible when viewed from the north and from the side of No 52 Hill View Road.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/02525, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The detached outbuilding is unacceptable by reason of its siting in advance of the established building line along Hill View Road and its position relative to the back edge of the highway, representing a form of development out of character with and detrimental to the visual amenities of the area, contrary to Policy BE1 of the Unitary Development Plan.

Further recommendation:

Enforcement action authorised to remove this unauthorised development.

Reference: 10/02525/FULL6
Address: 57 Elm Grove Orpington BR6 0AA
Proposal: Single storey detached building to rear
RETROSPECTIVE APPLICATION



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SECTION '2' – Applications meriting special consideration

Application No : 10/02585/FULL6

Ward:
Farnborough And Crofton

Address : 12 Broughton Road Orpington BR6 8EQ

OS Grid Ref: E: 544536 N: 165522

Applicant : Mr R Popov

Objections : NO

Description of Development:

First floor side and rear extension, replacement enlarged roof to existing single storey rear extension

Key designations:

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

Proposal

- The proposal is to extend above the existing single storey garage to the side/rear of the property and replace the existing roof of the single storey rear extension.
- The side element is set back from the front of the property by approximately 4.7 metres and continues beyond the rear of the property by approximately 4.5 metres. The extension is approximately 1.5 metres away from the flank boundary with the side element measuring approximately 1.2 metres in width.
- The first floor rear element has an overall depth of 4.5 metres and extends approximately 2.8 metres along the rear elevation leaving a separation of approximately 3.3 metres between the extension and the adjoining boundary.
- The overall height of the extension is approximately 6.6 metres with a hipped roof to the side and dual pitched roof to the rear.
- There is an obscure glazed window to the south eastern flank elevation, a side roof light and a window to the rear elevation.
- The roof of the existing single storey rear extension is to be replaced with a dual pitched roof measuring approximately 3.7 metres in height with roof lights to both roof slopes.

Location

- The application site is located to the south west of Broughton Road and is a semi-detached family dwelling.
- The area is mainly comprised of semi-detached properties, some of which differ in design but most are of a similar size.

Comments from Local Residents

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

Comments from Consultees

No external consultees have been consulted in relation to this application.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Planning History

Planning permission was granted for a single storey rear extension in 1997 under ref. 97/01029.

Conclusions

In assessing this application, the main issues to be considered are the impact of the proposal on the amenities of surrounding residents and the effect the proposal is likely to have on the spatial standards and general character of the surrounding area.

The property currently has a single storey attached garage to the south eastern side of the dwelling which is built up to the site boundary. This is proposed to remain with the first floor side/rear extension built above. This results in a development which does not comply with the Council's requirement for a one metres side space to be maintained for the full flank elevation. However, Members may consider that given the 1.5 metres step in from the flank boundary and the large step back from the front of the property, the small side element which does not technically comply with the requirements of Policy H9 is unlikely to harm the spatial standards of the area. A similar development can be seen at No. 8 Broughton Road which was granted planning permission in 1993 under ref. 93/00947.

The side element of the proposal is considered to be in keeping with the character of the host dwelling and other properties in the surrounding area. A sufficient amount of space is retained to the side to allow views through between the two

properties and maintain the spatial standards of the area. The proposal may be considered to have little impact on the visual amenities of surrounding properties and the streetscene.

To the rear, the first floor element projects a considerable distance to the rear. The neighbouring property to the south east of the application site projects approximately 3 metres beyond the rear of the application property at two storeys and benefits from a single storey garage which projects further to the rear. Members may consider that a 1.5 metre projection beyond the rear of this property with a separation of approximately 4 metres is unlikely to result in a significant loss of light or visual amenity. The flank window is obscure glazed and it may be considered that the window to the rear is unlikely to result in an unacceptable amount of overlooking.

The neighbour to the north west of the application site, No. 10 benefits from a first floor and single storey rear extension of a similar layout to that currently proposed at No. 12. The first floor element at No. 10 is located closer to the adjoining boundary with No. 12. Members may consider that the proposed first floor rear element, whilst having a deep rearward projection, is unlikely to have an unduly harmful impact on the amenities of No. 10 in terms of light, visual amenity or privacy due to the separation between the extension and the adjoining boundary.

The replacement roof to the single storey rear extension may be considered to have little further impact on the amenities of either neighbouring property. A large amount of the rear extension is unlikely to be visible from the two neighbouring properties as it projects only 1 metre beyond the rear of the existing rear and proposed first floor element at the application site and the adjoining neighbour's single storey rear extension. The roof proposed is considered to be in keeping with the host dwelling and unlikely to be visually intrusive.

Due to the existing single storey garage to the side of the dwelling, the proposal does not comply with side space requirements. However, Members are asked to consider whether the steps taken to retain sufficient spatial standards in the area result in an acceptable proposal.

Background papers referred to during production of this report comprise all correspondence on files refs. 93/00947, 97/01029 and 10/02585, 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 | ACI12 | Obscure glazing (1 insert) to the south eastern elevation |
| | ACI12R | I12 reason (1 insert) BE1 |
| 4 | ACI17 | No additional windows (2 inserts) south eastern extension |

ACI17R I17 reason (1 insert) BE1

Reasons for granting permission:

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

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

- (a) the appearance of the development in the streetscene
- (b) the relationship of the development to adjacent 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

and having regard to all other matters raised.

Reference: 10/02585/FULL6

Address: 12 Broughton Road Orpington BR6 8EQ

Proposal: First floor side and rear extension, replacement enlarged roof to existing single storey rear extension



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SECTION '2' – Applications meriting special consideration

Application No : 10/02659/FULL6

Ward:
Darwin

Address : 23 Hazelwood Road Cudham Sevenoaks
TN14 7QU

OS Grid Ref: E: 544628 N: 161448

Applicant : Mr B Edge

Objections : YES

Description of Development:

Front, side and rear extensions. Front porch. Addition of first floor incorporating front and rear dormers to form two storey house.

Key designations:

Special Advertisement Control Area
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding

Proposal

- The application is to reconfigure and extend the existing dwelling to form a two storey detached dwelling.
- The proposal includes infilling between the existing dwelling and detached garage and the formation of a first floor over this infill, part of the existing single storey rearward projection and the garage.
- The first floor accommodation is contained within the roof space with four dormer windows to the front and three to the rear with a small first floor extension to the rear.
- The existing dining room and bathroom are to be removed to provide a traditional shaped dwelling with a part one/two storey rearward projection
- The proposed extensions result in a property measuring approximately 16 metres in width and 6.5 metres in height. The proposal incorporates a number of roof designs with the main roof being a barn style roof, a small hipped porch roof and dual pitched dormers and rearward projection.

Location

- The application site is located to the south east of Hazelwood Road and is currently a detached bungalow with accommodation within the roof space and a detached garage to the side.
- The site lies within the Metropolitan Green Belt but is in a small residential enclave with Cudham Lane North to the east and Downe Avenue to the west.
- Hazelwood Road is comprised of mainly detached family dwellings, some of which are modest, some of which have been extended to provide large detached dwellings.

Comments from Local Residents

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

- only one garage, could result in problems with parking and allow for 5th bedroom;
- windows and rendering not in keeping with surrounding semi-rural properties.

Planning Considerations

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

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

London Plan Policy 3D.9 - Green Belt

PPG 2 Green Belt

Planning History

- 73/02394 – Refused – Demolition of detached garage and outhouse and erection of detached chalet bungalow and detached double garage, garage and store.
- 75/00108 – Refused – Detached 2 bedroom bungalow and garage.
- 75/01668 – Permission – Demolition and erection of detached 2 bedroom bungalow.
- 78/01476 – Refused - Single storey side and rear extensions to detached chalet bungalow on land adjacent (OUTLINE)
- 78/01717 – Permission – External brick skin to existing detached bungalow.
- 80/00006 – Permission – Single storey extensions and garage
- 81/01338 – Permission – Dormer extensions and single storey rear extension.
- 10/00057 – Refused – Side and rear extensions, front porch. Addition of first floor incorporating front and rear dormers to form 2 storey house.

Conclusions

The main issues relating to the application are whether the proposed development would constitute appropriate development within the Green Belt and, if not, whether very special circumstances exist, and the effect that it would have on the visual amenity and openness of the area.

The previous application was refused on the following ground:

The site is located within the Green Belt and the proposal would result in an unacceptably disproportionate addition to the original building. No very special circumstances exist to warrant setting aside normal policy requirements and as such, the extension would constitute inappropriate development detrimental to the openness and visual amenities of the Green Belt, contrary to Policy G4 of the adopted Unitary Development Plan and central government guidance contained in PPG2 'Green Belts'.

The application has been reduced to provide a smaller percentage increase over the existing property.

National policy, contained within Planning Policy Guidance Note 2: Green Belts (PPG2), contains a presumption against inappropriate development. The guidance identifies development that would be appropriate. The extension of dwellings is appropriate providing it does not result in disproportionate additions over and above the size of the original building. Inappropriate development should not be approved unless there are very special circumstances so that the harm caused is clearly outweighed by other considerations. It is for the applicant to show why permission should be granted. In this case, it is argued that the revised proposal for a smaller and more in keeping extension, by virtue of its location to the existing settlement and its relationship with both existing and proposed surrounding built form, can wholly support the minimal form of development proposed. The applicant accepts that the property lies within the Green Belt but argues that the proposal provides a dwelling which is appropriate to the location and respects the character and appearance of the locality.

The house has been extended in the past and it is estimated that the current proposal would result in about a 300% increase in floor area over the original dwelling. However, a large amount of this currently exists. The proposal represents an approximate 50% increase over what is existing. This increase would be in excess of that permitted under the terms of Unitary Development Plan (UDP) policy G4. Among other things, this seeks to limit extensions to dwellings in the Green Belt so that the increase in floor area over the original dwelling is no more than 10%. The applicant argues that the proposal is in keeping with other forms of development in the surrounding area. A number of properties in Hazelwood Road have been extended well over the 10% allowance as indicated in Policy G4. Properties 7 and 25 Hazelwood Road have been extended over 200% over the original dwelling with a number of other properties being replaced or extended over the 10% allowance in this particular road. Hazelwood Road is adjoined on either side by other residential roads and is therefore unlikely to have a substantial impact on the open character of the Green Belt. However, the site remains

designated as Green Belt and any proposal should be assessed against the relevant policies.

The effect on openness is a function of the physical presence of development. The overall height and bulk of the extended dwelling may be considered to result in an inappropriate form of development within the Green Belt. Members may consider that whilst the proposal is in excess of the percentage increase allowed in Policy G4, the site would benefit from reconfiguration to provide a more complete and aesthetically pleasing dwelling than currently exists. However, Members are also asked to consider whether the current proposal has been adequately reduced from the previous scheme to address the grounds of refusal or whether the overall bulk of the proposed dwelling remains harmful to the open character of the Green Belt.

Given all of the above it is considered that the proposal would constitute inappropriate development in the Green Belt and whilst special circumstances have been submitted, the proposal is not considered to have adequately addressed the previous grounds of refusal. The requirements of PPG2 and UDP saved policy G4, which seek to protect the character of the Green Belt, would not be met.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/00517, 09/01210, 10/00057 and 10/02659, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The site is located within the Green Belt and the proposal would result in an unacceptably disproportionate addition to the original building. No very special circumstances exist to warrant setting aside normal policy requirements and as such, the extension would constitute inappropriate development detrimental to the openness and visual amenities of the Green Belt, contrary to Policy G4 of the adopted Unitary Development Plan and central government guidance contained in PPG2 'Green Belts'.

Reference: 10/02659/FULL6

Address: 23 Hazelwood Road Cudham Sevenoaks TN14 7QU

Proposal: Front, side and rear extensions. Front porch. Addition of first floor incorporating front and rear dormers to form two storey house.



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SECTION '2' – Applications meriting special consideration

Application No : 10/02808/FULL1

Ward:
Darwin

Address : Land North East Of Summer Shaw
Cudham Lane North Cudham
Sevenoaks

OS Grid Ref: E: 544551 N: 160123

Applicant : Mrs F. Crompton

Objections : YES

Description of Development:

Single storey building for accommodation of cattle and horses and use of land for agriculture and grazing of horses PART RETROSPECTIVE

Proposal

The application is for a block comprising stables, a double foaling and calf rearing box and storage rooms.

At the time of writing the applicant is in the process of selling The Paddocks, an 8.5 ha smallholding which lies to the east of Court Cottages. It is anticipated that it will have been sold by the date of the sub-committee meeting. The applicant developed the smallholding from 1987 with livestock including ewes, beef cattle, goats, horses and a variety of geese, ducks and chickens. Personal circumstances restricted development of the holding from 1994 and the land remained in the joint ownership of the applicant and her ex-husband. The livery business has developed over time and it is understood that it now includes the rescue of horses and ponies, riding lessons for local children and training of problem horses for owners. There are a number of buildings available at The Paddocks including an L-shaped stable block incorporating 7 stables and a small hay store. The stables currently accommodate 17 horses in total; 10 horses owned by the applicant, including rescued ponies, mares (including 4 broodmares) and riding horses; 4 DIY liveries and 3 horses under training. The livery clients use the stable facilities whilst the rescued ponies live out all year.

The 10 ha of land adjoining Court Cottages and The Paddocks, known as Meads Pleasure (the application site), was purchased by the applicant and her current husband in April 2008. The land can be accessed directly from the applicant's property (No. 1 Court Cottages) with an additional access point and parking area in the north-western corner of the land from Cudham Lane. It is understood that the applicant wishes to further develop the smallholding to a maximum of 15-20

horses, 150 sheep (including ewes and lambs), 4 beef cattle, 50 chickens and 6 beehives. An L-shaped stable block is proposed at Meads Pleasure to accommodate some of the increased numbers and to provide for the animals once the land and buildings at The Paddocks are sold and no longer available.

The block will measure 20m x 20m, with a 3m high flat roof. The building will incorporate:

- (i) 3 stables measuring 3.3m x 3.5m
- (ii) 3 stables measuring 3m x 3.7m
- (iii) 1 double foaling box (also suitable for calf rearing) measuring 6.2m x 3.7m
- (iv) feed and tack store measuring 3.3m x 4.9m
- (v) general store room measuring 3.3m x 5.1m.

The building will be fronted by a 2.8m wide concrete apron and will be sited approximately 10m from the residential curtilage of Court Cottages and 3.5m from the roadside hedge.

The applicant has submitted supporting statements which include the following points:

- proposal has been discussed with neighbours who are satisfied
- building will not be visible from public realm
- building is critical in terms of animal welfare – Meads Pleasure will be sold at end of October and most of the horses are used to a stable and could not survive a winter without extreme detriment to their health and wellbeing – farm is 600ft above sea level and is very exposed to high wind, rain and driving snow making shelter essential
- purchase of The Paddocks has involved large mortgage and the land must generate an income – proposal is essential for livelihood
- earlier concerns over size of building and access arrangements have been addressed – proposal now involves a smaller L-shaped block with a flat roof
- builder is leaving for Australia at end of November and building must be complete by this time.

Location

The site is open Green Belt land to the north of Cudham Village and lies adjacent to Cudham Conservation Area, a Site of Interest for Nature Conservation and a proposed World Heritage Site. The surrounding area predominantly comprises open countryside.

Comments from Local Residents

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

- smell from manure heaps will be blown to south affecting nearby properties – stables should be located further to the north

- applicant may intend to extend riding school facilities resulting in greater use of site access from Cudham Lane South.

A number of letters of support have been submitted which can be summarised as follows:

- applicant does not run a riding school or equestrian centre – she has her own riding and competition horses and takes on rescued horses and those requiring training or rehabilitation as part of her business
- most of applicant's livery horses are horses that have been rehabilitated and feel safe and secure in her hands
- rescue of horses and ponies is a result of dedication and selflessness
- animals require shelter and refusal of planning permission will harm animal welfare
- farrier is entitled to additional clean stable in which to work
- Council should understand that horses need stables before bad weather sets in
- purchase of Meads Pleasure required large mortgage and loans and continuation of business is required to repay them
- long delay has resulted in unnecessary financial and emotional stress
- scheme will not harm rural character of area and will not be visible from nearby houses or the public realm
- local children benefit from unique learning experience involving care for animals, riding, organic farming and animal husbandry – this develops responsibility, patience and experience of working with adults whilst keeping children off the streets
- smallholding is one of only ones in the area and offers locally produced chicken, lamb, eggs, honey and vegetables
- applicant will be left unemployed if permission is not granted
- proposal is not an attempt at profiteering
- snow last winter emphasises importance of proper facilities for animals.

Comments from Consultees

It has not been necessary to carry out statutory or non-statutory consultations on this application.

Planning Considerations

Reading Agricultural Consultants (RAC) have advised that:

- land available is sufficient to support the proposed level of activity
- proposal could not be considered as 'small stables' and would therefore be inappropriate development in the Green Belt
- the equestrian enterprise has operated for a number of years at similar equine numbers as currently and it is clear that the provision of seven stables and a small hay store at The Paddocks has been sufficient to support the enterprise

- application seeks provision of 6 stables and a double foaling box which is broadly in line with the existing facilities at The Paddocks
- 2 stores for feed, tack and general storage appears reasonable for an enterprise of this nature
- stables will be required if equine enterprise at Meads Pleasure is to continue as planned - stabling is therefore essential for its long term stability but only if the use is considered acceptable.

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

- G1 The Green Belt
- BE1 Design of New Development
- BE3 Buildings in Rural Areas
- BE13 Development adjacent to a Conservation Area
- NE2 Development and Nature Conservation Sites
- NE6 World Heritage Site
- L3 Horses, Stabling and Riding Facilities

Policy G1 of the Unitary Development Plan states that:

‘Within the Green Belt permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm.

The construction of new buildings or extensions to buildings on land falling within the Green Belt will be inappropriate, unless it is for the following purposes:

- (i) agriculture and forestry (unless permitted development rights have been withdrawn);
- (ii) essential facilities for outdoor sport and outdoor recreation and open air facilities and other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it...’

Planning Policy Guidance Note 2 expands on appropriate uses in the Green Belt at paragraph 3.5:

‘Essential facilities should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it. Possible examples of such facilities include...small stables for outdoor sport and outdoor recreation.’

The main issues to be considered in this case are as follows:

- whether very special circumstances have been demonstrated to justify inappropriate development in the Green Belt
- impact of the proposal on the openness and visual amenities of the Green Belt
- impact of the proposal on the character and appearance of the adjacent conservation area

- impact of the proposal on the amenities of the occupants of nearby residential properties.

Work on the development has commenced with the ground being levelled and the laying of foundations and some blocks. Works ceased at the end of August pending the outcome of this planning applications following discussion between the applicant and officers.

Planning History

Planning permission was refused in November 2009 for 2 single storey buildings for use as a barn and the accommodation of sheep, cattle and horses and the use of land for agriculture and grazing of horses (ref. 09/02456). The grounds of refusal were as follows:

1. The proposal, by reason of its height and scale, will be harmful to the openness and visual amenities of the Green Belt and will constitute inappropriate development and the Council sees no very special circumstances to justify the grant of planning permission as an exception to Policy G1 of the Unitary Development Plan.
2. The proposal, by reason of its height and scale, would be harmful to the character and appearances of the Cudham Conservation Area, contrary to Policy BE13 of the Unitary Development Plan.

Planning permission was refused in July 2010 for a single storey building for accommodation of sheep, cattle and horses, and the use of land for agriculture and the grazing of horses on the same grounds as above (ref. 10/00649).

Conclusions

RAC advise that the proposed building is required if the enterprise that took place at Meads Pleasure is to continue as planned. The enterprise will involve sheep and cattle farming, and buildings related to such agricultural uses are considered appropriate in the Green Belt. The building will partially relate to an agricultural use but will also be used for the keeping of horses, and as it cannot be considered 'small stables' it will be inappropriate development in the Green Belt. Stables are not an unusual feature in the Green Belt and the building has been substantially reduced in size following earlier applications. This is a balanced case but in view of the mixed use and the limited scale of the impact on the openness and visual amenities of the Green Belt it may be considered that the proposal can be treated as an exception to Green Belt policy.

Views of the building from Cudham Lane North will be limited given the topography of the land and the hedging to the site boundary and it can be considered that the reduced scale of the building is sufficient to overcome the previous ground of refusal regarding impact on the adjacent Conservation area.

The proposal should not result in any undue harm to the residential amenities of nearby properties.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--------------------|
| 1 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |

Reasons for granting planning approval:

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

- G1 The Green Belt
- BE1 Design of New Development
- BE3 Buildings in Rural Areas
- BE13 Development adjacent to a Conservation Area
- NE2 Development and Nature Conservation Sites
- NE6 World Heritage Site
- L3 Horses, Stabling and Riding Facilities

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

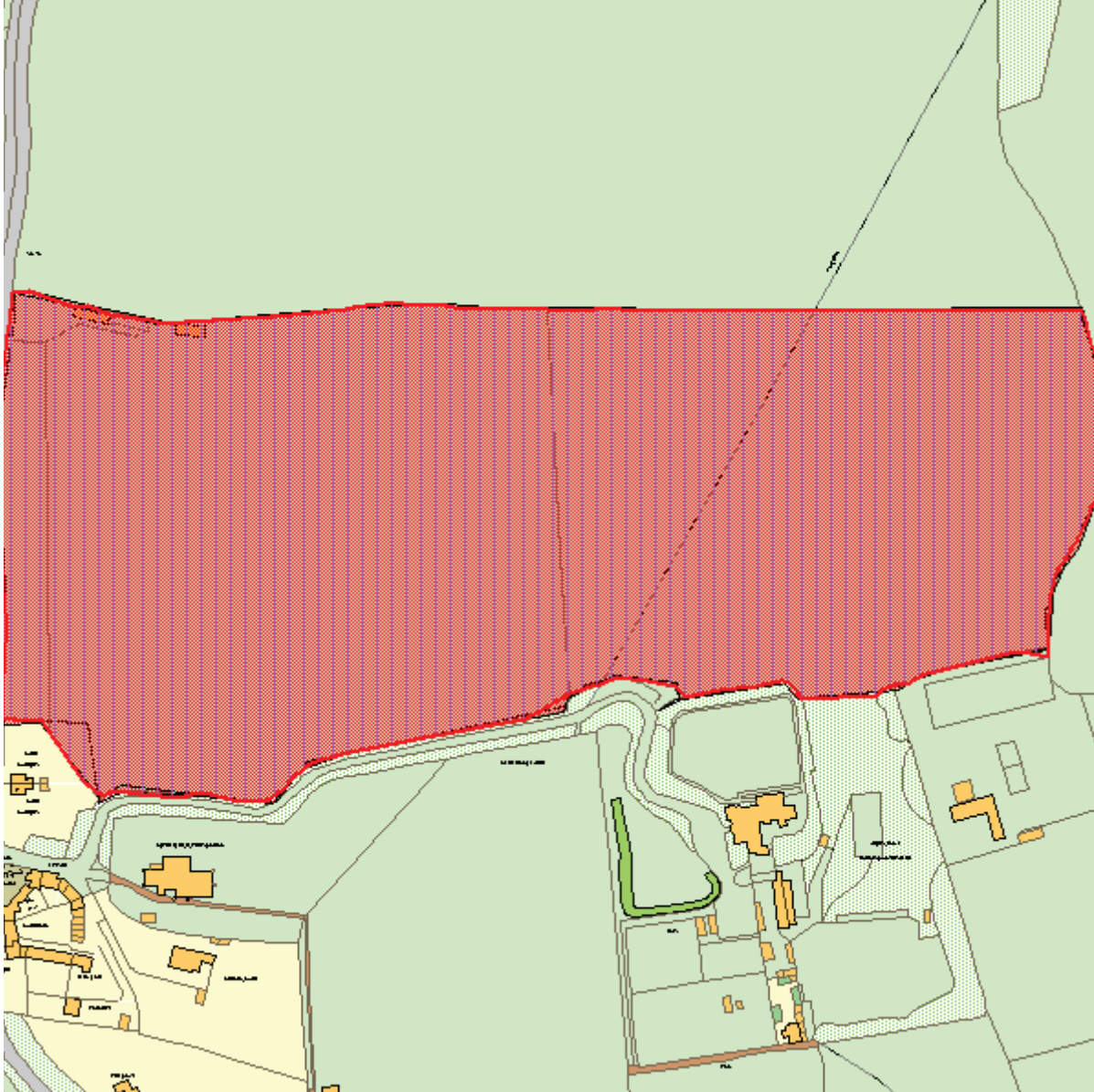
- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the adjacent Conservation Area
- (d) the openness and visual amenities of the Green Belt
- (e) the safety of pedestrians and motorists on the adjacent highway
- (f) the design policies of the development plan

and having regard to all other matters raised.

Reference: 10/02808/FULL1

Address: Land North East Of Summer Shaw Cudham Lane North Cudham
Sevenoaks

Proposal: Single storey building for accommodation of cattle and horses and use of
land for agriculture and grazing of horses PART RETROSPECTIVE



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

Application No : 10/02022/FULL1

Ward:
Plaistow And Sundridge

Address : Sundridge Park Golf Club Garden Road
Bromley BR1 3NE

OS Grid Ref: E: 540912 N: 170682

Applicant : Mr R Collins

Objections : YES

Description of Development:

Detached single storey building for use as driving range.

Key designations:

Green Belt
Locally Listed Building
Metropolitan Open Land

Proposal

- The proposal constitutes a detached single storey building for use as driving range.
- The proposed structure will house 4 practice bays, a tuition bay, a fitting bay, and a ball washing machine room.
- The proposed development will consist of a single storey timber structure, located adjacent to the existing car park for the existing area of the golf course currently used as a practise driving range and practise area.
- The structure will be faced with timber and surrounded by trees and shrubs on three sides.
- The proposed structure will measure 26.5 metres in width in total from one flank elevation to the other, 9.2 metres in depth at the widest point from front to rear elevation, the eaves will measure 2.3 metres in height at the lowest point and 3.6 metres in height at the highest point.
- The site will be accessed from the existing car park off of the existing private road which leads to the mansion.
- The basic requirement for a driving range, as outlined within the supporting Design and Access Statement, is for a sufficient distance to be provided for a ball to be driven and viewed. The required distance for junior golf, according to the supporting documentation, is to provide adequate practise facilities of 300 yards. This site has therefore been highlighted by the

applicant as suitable in terms of satisfying Health and Safety requirements, as it does not cross with other activities for example existing trees, greens or fairways, and is fairly self-contained.

Location

- The proposed building is to be located adjacent to an existing practice area which has been in use since 1988 and close to the site of an old cricket pavilion.
- It is envisaged that the new building will be fully screened by trees to be planted on three sides of the structure, and a number of these trees will be semi-mature that will be relocated from other areas of the site.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and the following representations were received:

- there was a previous building on the site that attracted noisy nocturnal parties that led to antisocial behaviour, attempted break-ins to the building and at least one attempt of arson;
- such a development will lead to increased road traffic on Willoughby Way, adding to congestion and danger at the point of Plaistow Lane which is a busy junction on one of the most dangerous bends in the borough;
- the danger is likely to be exacerbated by the new proposal to build 67 residential units alongside Sundridge Manor (ref. 10/02308);
- the Health and Safety concerns regarding the existing practice area are a red herring as there has been only one recorded incident of injury over many years;

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

Comments from Consultees

English Heritage raised no objection to the proposed scheme, and stated that the application should be determined in accordance with national and local policy guidance and on the basis of conservation advice.

No objection was raised from an Environmental Health point of view.

The Highways Engineers stated that the development would utilise the existing access arrangement via Garden Road leading to the surface level car parking which is satisfactory. It was stated that the development will not have a detrimental impact upon the parking and highway safety within the local road network, and on this basis the application is considered acceptable from a Highways point of view.

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

Planning Considerations

The plans associated with the application shows the locations and species of the trees that will be affected by the proposal. Whilst the proposal will mean the loss of the edge of the woodland and the trees to be lost would be 4 ash trees, 3 cherry trees and 1 poplar tree for the proposed structure, and 8 poplar trees and 1 cherry tree for the driving range. However the existing woodland is well-managed and new area of woodland have been planted. No objections have been raised to this aspect subject to a landscaping condition being imposed to ensure that the building is screened from the access drive, should permission be granted.

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

BE1 Design of New Development
BE15 Historic Parks and Gardens
G2 Metropolitan Open Land
L1 Outdoor Recreation and Leisure

Policy G2 states that the construction of new buildings or for extensions to buildings on land falling within Metropolitan Open Land will be inappropriate, unless it is for the following purposes:

(ii) essential facilities for outdoor sport and outdoor recreation, cemeteries and other uses of land which preserve the openness of the MOL and do not conflict with the purposes of including land in it.

However, Policy G2 further states that “the openness and visual amenity of the MOL shall not be injured by any proposal for development within or conspicuous from the MOL which might be visually detrimental by reasons of scale, siting, materials and design”.

Planning History

In terms of planning history, an application for a detached building for Youth Academy facility with toilets and four bay driving range was refused in August 2006 (ref. 06/02610) on the following ground:

The proposed extension would by reason of its size and design, be detrimental to the openness of this area of Metropolitan Open Land which is included in English Heritage's register of Historic Parks and Gardens, and as such would be contrary to Policies BE1, BE15, G2 and L1 of the Unitary Development Plan.

Following this refusal, a further application was submitted for the erection of a detached Youth Academy facility with toilets and four bay driving range which was also refused under ref. 06/03855 on the following ground:

The proposal would, by reason of its size and design, be detrimental to the openness of this area of Metropolitan Open Land, which is included in English Heritage's Register of Historic Parks and Gardens, contrary to Policies BE1, BE15 and G2 of the Unitary Development Plan.

This application was a revised scheme to the previously refused application (ref. 06/02610) and changes were made to the design of the building, which included a reduction in the basic internal height of the building from 2.750 metres to 2.475 metres, a reduction in the pitch of the roof from 35 degrees to 22.5 degrees and the omission of a centre roof cupola, clock tower and weather vane. These alterations to the design were made in an attempt to reduce the overall impact of the building.

An Appeal was lodged with the Planning Inspectorate under ref. AP/07/00099/S78 which was dismissed. Whilst the Inspector asserted that the proposed building would be reasonable essential for the golfing activities taking place within the grounds of the listed country house, and that the location would be reasonably appropriate as it would be close to the site of a cricket pavilion which may have been on site as recently as 1991, he did state that a building in this position, if designed with due care in response to its landscaped setting, could fit in well with the tradition of incidental buildings in the parkland surrounding a country house, and could act as a marker along the drive leading to the house.

However despite these findings, the Inspector found that the elevations of the proposed structure were be comparatively plain and forbidding in appearance, the design as submitted would result in a building that was intrusive as opposed to complementary to the surrounding parkland, and that the appearance of the development would not rise to the standard of architectural quality that the importance of the site deserved.

As such the Inspector found that the proposed development would not comply with the design requirements of Policies G2 and BE1 nor would it serve to protect the setting of the historic park as expected by Policy BE15, and all of these issues combined would therefore lead to development that would be harmful to the openness and visual amenity of Metropolitan Open Land, and to the special landscape quality of the surrounding parkland.

Following this, an application for a detached single storey building for use as driving range with associated hard standing area was submitted under ref. 09/00644 which was granted permission by the Local Planning Authority.

Within the current application, the orientation and position of the proposed building has been altered, with the structure being set back more towards the roadside than the previously permitted scheme. As a result, the location of the building will require the removal of some existing trees, which has been assessed by the Arboricultural Officer. In addition, the overall size of the proposed building compared to the previously permitted scheme has been reduced slightly in length by approximately 1 metre.

Conclusions

The main issues relating to the application are the effect that the proposal would have on the character and visual amenity of the area, which is designated Metropolitan Open Land, and on English Heritage's Register of Historic Parks and Gardens.

Sundridge Park Golf Course is a late eighteenth century/early nineteenth century landscaped garden associated with the Grade I listed mansion and outbuildings located to northeast of the application site. The area is on English Heritage's Register of Historic Parks and Gardens of Special Historic Interest in England (National Heritage Act 1983). Sundridge Park is classified as Grade II, which means that the site is of special historic interest.

The proposed building would be located on a site that is currently used as a practice driving range and putting area. This area is accessed via the entrance to Sundridge Park Golf Club from Plaistow Lane and is separate to the main club house in Garden Lane. The reasons for siting the building in this location are summarised in the Design and Access Statement, which asserts that the decision is guided by requirements from Health and Safety, which necessitate that a driving range should have sufficient distance for a ball to be driven and viewed. The required distance for junior golf to provide adequate practice facilities is 300 yards and according to the Design and Access Statement, the proposed site is the only area that will satisfy these requirements. It is further claimed in the Statement that the location of the proposed building is close to the site of a former cricket pavilion, which according to The Inspector could have been in situ as recently as 1991.

Policy G2 of the Unitary Development Plan states that "the openness and visual amenity of the MOL shall not be injured by any proposal for development within or conspicuous from the MOL which might be visually detrimental by reasons of scale, siting, materials and design", however the proposed youth academy building would be ancillary to the use of the land as a golf course. Members may wish to note that a single storey 20 bay range was permitted at Bromley Common Golf Club in December 2005 (ref. 05/03108), which falls within the Green Belt.

Based on the current proposal and the minimal alterations in comparison to the previously permitted scheme under ref. 09/00644, it could be considered that as the principle of permission has already been granted, the current scheme is also acceptable. In addition, there remains to be a significant difference between the current scheme and the two previous applications that were refused in 2006 (with one being dismissed at appeal) in order for the scheme to be worthy of planning permission being granted. It is considered that the principle of the development has already been accepted by the Planning Inspector and that the proposed design is more suitable now than in the previously refused schemes. The tree screening to be provided should largely screen the building from site and as such Members may find that the proposal is acceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 06/02610, 06/03855, 09/00644 and 10/02022, excluding exempt information.

as amended by documents received on 19.10.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
- 3 ACC01 Satisfactory materials (ext'n'l surfaces)
 ACC01R Reason C01
- 4 ACD02 Surface water drainage - no det. submitt
 ADD02R Reason D02
- 5 ACD04 Foul water drainage - no details submitt
 ADD04R Reason D04
- 6 ACH18 Refuse storage - no details submitted
 ACH18R Reason H18
- 7 ACJ22 Lighting Scheme
 ACJ22R J22 reason
- 8 The use shall not operate before 08:00 and after 21:30 on any day between
 the months of May to September, nor before 08:00 and after 17:00 on any
 day for the remainder of the year.
- Reason:** In order to comply with Policies G2, BE1 and L1 of the Unitary
 Development Plan and in the interests of the amenities of the area.
- 9 Details of a scheme of lighting (including the appearance, siting and
 technical details of the orientation and screening of the lights and the means
 of construction and laying out of the cabling) shall be submitted to and
 approved in writing by the Local Planning Authority before any work is
 commenced, and the approved scheme shall be implemented before the
 development hereby permitted is first occupied. Thereafter the approved
 scheme shall be permanently maintained in an efficient working manner and
 no further lighting shall be installed on the site without the prior approval in
 writing by the Local Planning Authority.
- Reason:** In order to comply with Policy ER10 of the Unitary Development Plan
 and in the interest of amenity and public safety.
- 10 The development hereby permitted shall not be carried out otherwise than in
 complete accordance with the plans approved under this planning
 permission and shall have no more than 4 driving bays and 1 tuition bay
 unless previously agreed in writing by the Local Planning Authority.
- Reason:** In order to comply with Policies G2, BE1 and L1 of the Unitary
 Development Plan and in the interests of the amenities of the area.
- 11 Details of any floodlights (including their appearance and technical details of
 the power, intensity, orientation and screening of the lamps) shall be
 submitted to and approved in writing by or on behalf of the Local Planning
 Authority, and the floodlights shall be installed in accordance with the
 approved details and permanently maintained as such thereafter.
- Reason:** In the interest of the visual and residential amenities of the area and to
 comply with Policy ER10 of the Unitary Development Plan.
- 12 The development hereby permitted shall not be carried out otherwise than in
 complete accordance with the plans approved under this planning
 permission and shall have no more than 4 driving bays, 1 fitting bay and 1
 tuition bay unless previously agreed in writing by the Local Planning
 Authority.
- Reason:** In order to comply with Policies G2, BE1 and L1 of the Unitary
 Development Plan and in the interests of the amenities of the area.

Reasons for granting permission:

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

- BE1 Design of New Development
- BE15 Historic Parks and Gardens
- G2 Metropolitan Open Land
- L1 Outdoor Recreation and Leisure

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

- (a) the character of the development in the surrounding area;
- (b) sustainability issues;
- (c) the impact on the amenities of nearby residents;
- (d) the setting of the nearby listed building;
- (e) the Metropolitan Open Land policies of the development plan;
- (f) the preservation or enhancement of the Metropolitan Open Land that the application site is located upon;
- (g) the concerns raised by local residents and interested parties;

and having regard to all other matters raised.

Reference: 10/02022/FULL1
Address: Sundridge Park Golf Club Garden Road Bromley BR1 3NE
Proposal: Detached single storey building for use as driving range.



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

Application No : 10/02833/PLUD

Ward:
Petts Wood And Knoll

Address : 64 Great Thrift Petts Wood Orpington
BR5 1NG

OS Grid Ref: E: 544359 N: 168327

Applicant : Mr D Christilaw

Objections : YES

Description of Development:

Single storey building at rear for use as triple garage and store CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT

Key designations:

Adj Area of Special Res. Character

Proposal

- This application seeks the Council's formal legal determination regarding whether a proposed outbuilding to the rear of 64 Great Thrift is permitted development.
- The proposed building will provide a double garage with attached store which will adjoin an existing summerhouse.
- The proposed building will have a dual pitch roof, three garage style doors to the front and one window to the side.
- It will face Silverdale Road where a vehicular access and hardstanding has been created under permitted development.
- The building will measure 2.3m high to eaves, and 3.9m high to the top of the roof, and will be set 2.0m from the rear boundary of 64 Great Thrift.
- The proposed use will be ancillary to the main use of the dwellinghouse at 64 Great Thrift.

Location

The property is located close to the junction of Great Thrift and Silverdale Road within a residential area of Petts Wood.

Comments from Local Residents

At the time of reporting, one representation had been received from a resident adjacent to the site. This expresses concern that yet another application has been submitted for this site and that objections are raised for the same reasons as on previous applications, in particular that if this proposal is allowed it will lead to the future sale of the ends of gardens and harm wildlife.

A letter has been received from the Member of Parliament for Orpington in which the MP considers that the planning application is inappropriate in an area of special residential character, it is the sixth such proposal and has been causing significant distress to local residents.

Comments from Consultees

Comments from a legal perspective concur with the recommendation and raise no objection to the granting of this certificate.

Planning Considerations

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

Planning History

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

A separate application for a boundary fence fronting Silverdale Road was refused by the Council but allowed at appeal.

Recently an application for a certificate of lawfulness for an identical outbuilding was refused by the Council. The applicant appealed this decision and the Inspector dismissed the appeal. The decision rested on whether the land upon which the outbuilding was to be constructed was within the curtilage of the dwellinghouse. Within his decision the Inspector commented as follows:

"I can see no good reason why the erection of a single-storey structure, to be used as a triple garage and store, cannot be regarded as a building required for a purpose incidental to the enjoyment of the dwellinghouse at 64 Great Thrift as such." (paragraph 6)

and then continues:

"Nevertheless, such a proposition has to be based on whether the land, upon which the proposed building was to be erected, fell within the curtilage of the dwellinghouse at 64 Great Thrift at the time that the application for the lawful development certificate, the request for confirmation of proposed lawfulness, was made. For the avoidance of doubt, this is neither the date that the appeal was lodged nor the time of my inspection of the site but 16 September 2009. If I reach the conclusion that the site of the proposed development did not, on 16 September 2009, fall within the curtilage of 64 Great Thrift, then I have no conclusion to reach other than to find the Council's decision, to refuse the lawful development certificate, to be well-founded." (paragraph 7)

And concludes:

"The land in question was undoubtedly within the curtilage of 66 Great Thrift at the time when Great Thrift, Silverdale Road and the surrounding area in general was laid out as a suburban housing estate between the two World Wars. It remained as such until various unsuccessful attempts were made to obtain planning permission for this rear garden land, fronting on to Silverdale Road to be developed, as a dwellinghouse. According to the local planning authority's representations, which are not contested by the appellant, the land in question could not have formed part of the curtilage of any dwellinghouse for several years, having been severed from number 66 some time ago. Photographs of the site of the proposed building taken on 17 October 2009, attached to Mr Richard Buxton's letter dated 21 January 2010, show an area of land entirely fenced off and separated from the original rear garden of 64 Great Thrift. (paragraph 8)

This photographic evidence postdates the crucial date for determining the lawfulness of the proposed development. In my professional judgement as a Chartered Surveyor, this fenced-off land, physically demarcated by a sturdy physical structure separating it from the original rear garden of 64 Great Thrift, could not be construed as falling inside the curtilage of the latter property at the time that the application for the certificate of proposed lawfulness was made. Even if the appellant owned all of the relevant land at the time, the clear-cut division between the land to the rear of 66 Great Thrift and the original rear garden of number 64 meant that that the site of the proposed triple garage and store could not be said to have been within the curtilage of the dwellinghouse on the relevant date. Therefore, the local planning authority's refusal of lawful development certificate was well-founded and the appeal fails." (paragraph 9)

Conclusions

This application must be determined solely on its legal merits.

Clearly the recent appeal decision is a matter of considerable weight in determining this revised application for a certificate of lawfulness. The only point of contention is whether the land forms part of the residential curtilage at the time of making the application. It is clear from the Inspector's decision that the land was fenced off and

physically separated from the main garden of 64 Great Thrift at the time of the previous application. However, a site visit has been made in connection with this current application on 8th October 2010 which shows that the situation has now changed. The current situation is understood to have been the case on the date of making the application 23rd September 2010 as set out in the supporting statement on the application forms. The fence has been removed for some time and there are signs that the enlarged garden area is being used for domestic purposes, including car parking, the growing of vegetables and children's play equipment. It is clear that the land upon which the building is proposed is now within the curtilage of 64 Great Thrift and the Inspector's sole reason for dismissing the appeal has been overcome.

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

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

Background papers referred to during production of this report comprise all correspondence on files refs. 84/00896, 84/01944, 04/01743, 05/00417, 07/02016, 07/02861, 08/00681, 09/02011, 09/02642, 09/02574, and 10/02833, excluding exempt information.

RECOMMENDATION: CERTIFICATE BE GRANTED

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

Reference: 10/02833/PLUD

Address: 64 Great Thrift Petts Wood Orpington BR5 1NG

Proposal: Single storey building at rear for use as triple garage and store
CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT



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London Borough of Bromley

Report No.
DRR/10/00119

PART 1 - PUBLIC

Agenda
Item No.

Title:	25 LYNWOOD GROVE ORPINGTON KENT BR6 OBD.		
Decision Maker:	Plans Sub-Committee No.2	Decision Date:	04 Nov 2010
Decision Type:	Urgent	Non-Executive	Key
Budget/Policy Framework:	Within policy and budget		
Chief Officer:	Chief Planner		
Contact Officer:	Tim Bloomfield, Development Control Manager Tel: 020 8313 4687 E-mail: tim.bloomfield@bromley.gov.uk		
Ward:	Bromley Town		

1. SUMMARY

- 1.1 Planning permission was granted under ref. 09/02017/FULL6 for roof alterations to incorporate a side dormer extension at 25 Lynwood Grove. A condition imposed on this grant of permission required details of the window including materials, method of opening and glazing be submitted to and approved in writing by the Local Planning Authority before any work commenced. The windows were to be installed in accordance with these details and retained as such thereafter.
- 1.2 On 29th March 2010, it was brought to the Council's attention that works had commenced at the property but were not in accordance with the approved plans in that the window was of a different design and location. In addition, the window was installed without the relevant planning condition being discharged.
- 1.3 The approved plans and dormer window as installed on site differ as follows:
 1. Window within dormer relocated further towards the rear of the property.

Window design approved with four panes of relatively equal size in cross design – windows installed on site are three large panes with a small fan light.
- 1.4 Details of the windows which are considered to be inadequate to discharge condition 3 of permission are as follows:
 2. The level of obscurity of the glazing is considered inadequate
 3. The method of opening is considered to be inappropriate

2. RECOMMENDATIONS

1. No further action taken regarding the relocation of the window or its revised design.

2. Glazing to be replaced with panes of a higher level of obscurity (equivalent to level 5) in accordance with details submitted to the Council 14th September 2010.
3. Method of opening to be altered to allow most westerly window to open towards the front of the property, the lower middle and easterly windows to be fixed but with opening fanlight.

3. COMMENTARY

- 3.1 A planning application was submitted in July 2009 for roof alterations to incorporate a side dormer. Letters were sent to adjoining neighbours and objections were received in relation to overlooking and loss of privacy.
- 3.2 Following discussions with the applicant, permission was granted under delegated powers on 21st September 2009 with a condition attached relating to the method of opening and glazing for the flank window. This condition stated as follows:
Details of the proposed window including materials, method of opening and glazing shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details and retained as such thereafter.
- 3.3 On 29th March 2010, it was brought to the Council's attention that works had commenced at the property without certain conditions being discharged. Furthermore, the works being carried out were not in complete accordance with the approved plans.
- 3.4 On 27th April, the application site was visited and photographs taken. The applicant was advised that the method of opening and glazing were not acceptable and that further details should be submitted in order to discharge the relevant condition.
- 3.5 A further visit was carried out on 10th May 2010 in order to assess the impact of the window on the neighbouring property.
- 3.6 On 24th August 2010, a letter was sent to the applicant requesting the details in order to discharge condition 3 of the planning permission to be submitted by 14th September 2010. Details relating to the opening of the window and a new obscure glazed panel were submitted on 14th September 2010.
- 3.7 On 24th September, the Council wrote to the applicant advising that whilst the level of obscurity for the window was acceptable, further details were required in relation to the means of opening of the window. No further details have been submitted.
- 3.8 It is considered that the revised design of dormer window, by reason of the method of opening, results in an unacceptable degree of overlooking of the neighbouring property, and therefore fails to comply with Policies BE1 and H8 of the Unitary Development Plan. The level of obscurity of the panel submitted to the Council is considered to be sufficient and should be installed in place of the existing glazing.
- 3.9 In light of the above it is recommended that enforcement action be authorised to ensure the agreed level of obscure glazing be installed and the method of opening to be altered to allow the most westerly window to open towards the front of the property, the lower middle and easterly windows to be fixed and the fan light to be openable as existing. Whilst the design and position of the window differs from the approved plans, it is considered that providing obscure glazing in accordance with the submitted details and method of opening are enforced, this would not result in material harm to the neighbouring property.

4. POLICY IMPLICATIONS

4.1 UDP Policies BE1 and H8 are relevant.

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

Ref: DC/KE/09/02017/FULL6

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London Borough of Bromley

Report No.
DRR/10/00120

PART 1 - PUBLIC

Agenda
Item No.

Title: **SINGLE STOREY SIDE/REAR EXTENSION AT 17
PORTHALLOW CLOSE, ORPINGTON, BR6 9XU**

Decision Maker: **Plans Sub-Committee No.2** Decision Date: **04 Nov 2010**

Decision Type: Non-Urgent Non-Executive Key

Budget/Policy Framework: Within policy and budget

Chief Officer: Chief Planner

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

Ward: Chelsfield and Pratts Bottom

1. SUMMARY

- 1.1 A single storey side and rear extension has been constructed at No. 17 Porthallow Close, Orpington under planning permission ref. 10/00362. A complaint has been received alleging that the extension has been built higher than permitted.

2. RECOMMENDATION

- 2.1 No further action be taken.

3. COMMENTARY

- 3.1 No. 17 Penhallow Close is a detached, two-storey dwelling located at the south-eastern end of the close.
- 3.2 A complaint has been received alleging that the flank wall was being built higher than permitted. A site visit was made and measurements taken and it was confirmed that the overall height of the side wall had been increased by the addition of a parapet wall which was not indicated on the approved plan.
- 3.3 The applicant was advised that the increase in height was considered to be material and that a retrospective planning application was required. No application has been received to date and it is necessary to consider whether the harm caused by the increase in height on the amenities of the adjoining property is such that enforcement action is expedient.
- 3.4 No windows were proposed in the western flank elevation facing 18 Porthallow Close, none have been constructed and the condition requiring permission for the installation of any windows in this proposed flank elevation remains in effect.
- 3.5 The overall height of the extension was measured on site to be approx. 3.3 metres at the point where the flat roof of the new extension joins the pitched roof of the existing garage

whereas the scaled dimension on the approved plan is approx. 2.9 metres, excluding a glazed roof lantern which projects 0.5m above the flat roof.

3.6 Although No. 18 is situated at a lower level in relation to No.17 the dwelling at No.18 is set in from the boundary by approximately 1 metre with its nearest ground floor window also being set approximately a further 1.5 metres further away from the extension. On balance, compared to the permitted extension it is concluded that the increased height does not result in a significant loss of residential amenity to the extent that enforcement action is expedient.

4. POLICY IMPLICATIONS

4.1 Unitary Development Plan Policies BE1 and H8 are relevant.

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

Ref: ENF/TF/10/00646/PLANS