



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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

Councillor Alexa Michael (Chairman)
Councillor Simon Fawthrop (Vice-Chairman)
Councillors Peter Dean, Lydia Buttinger, Russell Jackson, Kate Lymer,
Richard Scoates, John Canvin and Peter Fookes

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on
THURSDAY 12 AUGUST 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 17 JUNE 2010**
(Pages 5 - 22)
- 4 PLANNING APPLICATIONS**

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

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

SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page Ref.	Application Number and Address
4.1	Cray Valley East	23 - 28	(09/03041/FULL1) - Lower Hockenden Farm, Hockenden Lane, Swanley.
4.2	Clock House Conservation Area	29 - 36	(09/03280/FULL1) - 28 Beckenham Road, Beckenham.
4.3	Clock House Conservation Area	37 - 44	(09/03281/LBC) - 28 Beckenham Road, Beckenham.
4.4	Bromley Town	45 - 50	(10/00210/FULL2) - Unit 4, 21 Waldo Road, Bromley.
4.5	Darwin	51 - 56	(10/00925/FULL1) - Cottage Farm, Cackets Lane, Cudham, Sevenoaks.
4.6	Petts Wood and Knoll	57 - 62	(10/00982/FULL6) - 197 Chislehurst Road, Orpington.
4.7	Petts Wood and Knoll Conservation Area	63 - 68	(10/01128/FULL6) - 253 Chislehurst Road, Orpington.
4.8	Shortlands Conservation Area	69 - 74	(10/01276/VAR) - 50-52 Shortlands Road, Shortlands, Bromley.

4.9	Bromley Common and Keston	75 - 82	(10/013334/FULL1) - 20 Gravel Road, Bromley.
4.10	Darwin	83 - 88	(10/01434/FULL4) - Speedwell, Jail Lane, Biggin Hill.

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

Report No.	Ward	Page Ref.	Application Number and Address
4.11	Plaistow and Sundridge	89 - 92	(10/01332/FULL6) - 32A Park Avenue, Bromley.
4.12	Cray Valley West	93 - 98	(10/01559/FULL2) - 76 Grovelands Road, Orpington.

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
			NO REPORTS

6 TREE PRESERVATION ORDERS

Report No.	Ward	Page Ref.	Application Number and Address
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7 MATTERS FOR INFORMATION:- ENFORCEMENT ACTION AUTHORISED BY CHIEF PLANNER UNDER DELEGATED AUTHORITY

NO REPORTS

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PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held on 17 June 2010

Present:

Councillor Alexa Michael (Chairman)
Councillor Simon Fawthrop (Vice-Chairman)
Councillors Peter Dean, Lydia Buttinger, Russell Jackson,
Richard Scoates, John Canvin, Peter Fookes and
Harry Stranger

Also Present:

Councillor Mrs Anne Manning, Councillor Russell Mellor and
Councillor Gordon Norrie

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

An apology for absence was received from Councillor Kate Lymer; Councillor Harry Stranger acted as alternate.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 CONFIRMATION OF MINUTES OF MEETING HELD ON 15 APRIL 2010

RESOLVED that the Minutes of the meeting held on 15 April 2010 be confirmed and signed as a correct record.

4 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

4.1 Cray Valley East

(10/00211/FULL2) - Crouch Farm, Crockenhill Road, Swanley.

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

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

Fortune in objection to the application were reported at the meeting.

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

1. The intensity of the use of the site by virtue of the number of different activities involved unrelated to agriculture would be contrary to Policy G1 of the Unitary Development Plan.
2. The proposal would have a detrimental impact on the setting of Crouch Farm and the amenities which the occupiers of that property might reasonably expect to continue to enjoy by reason of disturbance and visual impact.

4.2 Shortlands

(10/00512/FULL1) - 143 Westmoreland Road, Bromley.

Description of application - Retention of storage container. RETROSPECTIVE APPLICATION.

Members having considered the report and objections **RESOLVED that PERMISSION BE GRANTED** for the reasons and subject to the conditions set out in the report of the Chief Planner with condition 1 amended to read:-

"1 The building hereby permitted shall be removed and the land reinstated to its former condition on or before the 17 June 2012.

REASON: In order that the situation can be reconsidered in the light of the circumstances at that time in the interest of the amenities of the area.

4.3 Bromley Town

(10/00756/FULL1) - Sussex House, 8-10 Homesdale Road, Bromley.

Description of application - Six storey block comprising 12 one bedroom, 19 two bedroom and 1 three bedroom flats (including bicycle parking and refuse/recycling storage within block) and 20 car parking spaces.

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

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

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

4.4
Chislehurst

(10/00776/FULL2) - 76 Green Lane, Chislehurst.

Description of application - Change of use from former Royal British Legion Club to convenience food retailer.

Oral representations in objection to and in support of the application were received at the meeting. Comments from Ward Members, Councillors Katy Boughey, Eric Bosshard and Ian Payne were reported at the meeting.

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

It was reported that comments had been received from the Chislehurst Society, the British Legion and Planning Policy Officers.

With regard to the need for a youth club in Chislehurst, Councillor Simon Fawthrop drew Members' attention to the applicant's offer to provide full development management services, including funding of planning, design and project management services as a donation to the Chislehurst community. Alternatively, the applicant would be prepared to offer a monetary donation of £20,000.

Members having considered the report, objections and representations **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the following conditions and informative:-

1. The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

REASON: Section 91, Town and Country Planning Act 1990.

2. Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to

preclude vehicular access to the said land or garages.

REASON: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road

users and would be detrimental to amenities and prejudicial to road safety.

3. The use shall not operate before 07:00 nor after 22:00 Monday to Saturday nor before 10:00 or after 22:00 on Sundays.

REASON: In the interests of the amenities of local residents and to comply with Policy BE1 of the Unitary Development Plan.

4. Before any part of the development hereby permitted is first occupied the access to Green Lane shall be provided with 3.3m x 2.4m visibility splays and there shall be no obstruction to visibility in excess of 1.0m in height within these splays except for trees selected by the Local Planning Authority, and which shall be permanently retained thereafter.

REASON: In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

5. While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

REASON: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the adopted Unitary Development Plan.

6. The car parking area hereby permitted shall be used only by customers and employees of the premises at the application site and for servicing of the said premises hereby permitted.

REASON: Development without adequate parking or garage provision is likely to lead to parking inconvenient to other road users and to be detrimental to amenities and prejudicial to road safety and would not comply with Policy T3 and Appendix II Unitary Development Plan.

7. Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

REASON: In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

8. Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and be implemented before the development is first occupied and the lighting shall be permanently retained thereafter.

REASON: In order to comply with Policy T3 and Appendix II of the Unitary Development Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

9. The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details of an enclosure to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such.

REASON: In order to comply with Policy T11 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

10. Before commencement of the use of the development hereby permitted the service yard and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use at all times and no development whether permitted by the Town & Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out in the service yard or in such a position as to preclude vehicular access to or manoeuvring in the said yard.

REASON: Development without adequate servicing facilities is likely to lead to vehicle manoeuvres inconvenient to other road users and be detrimental to the free flow of traffic and conditions of safety in the highway and would not comply with Policy T17 of the Unitary Development Plan.

11. Whilst the development hereby permitted is being carried out, provision shall be made to accommodate operatives and construction vehicles off-loading, parking and turning within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and such provision shall remain available for such uses to the satisfaction of the Local Planning Authority throughout the course of development.

REASON: In the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan.

12. Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

REASON: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

13. Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

REASON: To ensure a satisfactory means of surface water drainage and to accord with Policy ER13 of the Unitary Development Plan.

14. Prior to commencement of the development hereby permitted a Service and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority. The Service and Delivery Plan shall be implemented in accordance with the agreed details.

REASON: In order to comply with Policy T18 of the Unitary Development Plan and in the interests of vehicle and pedestrian safety and the free flow of traffic in Green Lane, and in the interests of the amenities of local residents to comply with Policy BE1 of the Unitary Development Plan.

INFORMATIVE

1. There are public sewers crossing this site and no building works will be permitted within 3 metres of the sewers without Thames Water's approval. Should a building over/diversion application form, or other

information relating to Thames Water's assets be required, the applicant should be advised to contact Thames Water Developer Services on 0845 850 2777.

**4.5
Copers Cope**

(10/00893/FULL1) - 14 Robins Court, 77 Bromley Road, Beckenham.

Description of application - Demolish existing house and erection of new three storey building comprising five apartments/provision of associated car parking at 12A and 14 Robins Court.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Russell Mellor in objection to the application were received at the meeting. Members having considered the report, objections and representations **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration to seek a reduction in the number of units by at least one.

**4.6
Kelsey and Eden Park**

(10/00971/FULL2) - Elmer Lodge, 11 Dunbar Avenue, Beckenham.

Description of application - Change of use from public house (Class A4) to community hall, meeting rooms and chapel (Class D1).

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

Members having considered the report, objections and representations **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with the addition of a further condition to read:-
"7 The premises shall be used for social functions on no more than two evenings between Monday and Saturday.

REASON: In the interests of the amenities of neighbouring residents and in order to comply with Policy BE1 of the Unitary Development Plan."

**4.7
Penge and Cator**

**(10/01002/FULL6) - 42 Chesham Road, Penge,
London SE20.**

Description of application - Single storey rear extension and raised patio, steps, balustrade and steps to rear PART RETROSPECTIVE 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. **IT WAS FURTHER RESOLVED that ENFORCEMENT ACTION BE AUTHORISED TO SEEK THE REMOVAL OF THE DECKING IN EXCESS OF PERMITTED DEVELOPMENT.**

**4.8
Cray Valley East**

(10/01059/FULL6) - 11 Renton Drive, Orpington.

Description of application - Single storey side extension and rear dormer extension and alterations to roof.

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

It was reported that further representations in support of the application had been received from the applicant and a neighbour.

It was reported that the application had been amended by documents received on 2 June 2010. 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.

**4.9
Biggin Hill**

(10/01111/OUT) - 36 Polesteeple Hill, Biggin Hill.

Description of application - Demolition of existing dwelling and erection of a three storey block comprising of 9 three bedroom flats, 9 car parking spaces, cycle and waste stores. OUTLINE APPLICATION.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Gordon Norrie in

objection to the application were received at the meeting. Councillor Gordon Norrie also spoke on behalf of Ward Member, Councillor Julian Benington. It was reported that further objections to the application had been received.

It was reported that the application had been amended by documents received on 11 June 2010. Comments from the Highways Division were reported at the meeting.

The Chief Planner confirmed that a copy of the sightline agreement had been received as stipulated on page 60 of the report (second paragraph of the section headed 'Comments from Consultees').

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

1. The site is within an area of low accessibility to public transport and hence higher than average car ownership and, with the absence of information to the contrary, the potential overspill parking is likely to result in an increase in on-street parking which will interfere with the free flow of traffic to the detriment of road safety contrary to Policies T3 and T18 of the Unitary Development Plan.

2. The lack of adequate provision for pedestrian movement in the vicinity of the development and lack of links to the surrounding footpath network onto Polesteep Hill would be harmful to the pedestrian environment and therefore contrary to Policy T6 of the Unitary Development Plan.

3. The proposal would be an overdevelopment of the site on land which is not previously developed resulting in a loss of garden land, out of character with the locality thereby detrimental to its visual amenities and character, and would be lacking in adequate amenity space for future occupiers, contrary to Policies H7 and BE1 of the Unitary Development Plan and PPS 3.

4.10 Chislehurst

(10/01174/FULL1) - Babington House School, Grange Drive, Chislehurst.

Amended description of application - "Extension to provide store room and additional learning support classroom in roof void with two dormers on north western elevation (Amendment to permission ref. 08/03940 granted for part one/two/three storey extension).

It was reported that no objections to the application had been received from Heritage and Urban Design. Members having considered the report **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the following conditions:-

1. The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

REASON: Section 91, Town and Country Planning Act 1990.

2. Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.

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.

3. No trees on the site shall be felled, lopped, topped or pruned before or during building operations except with the prior agreement in writing by the Local Planning Authority. Any trees removed or which die through lopping, topping or pruning shall be replaced in the next planting season with trees of such size and species as may be agreed with the Authority.

REASON: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that as many trees as possible are preserved at this stage, in the interest of amenity.

4. No demolition, site clearance or building works (including trenches, pipelines for services or drains) shall be undertaken until Chestnut Pale fencing not less than 1.2 metres in height has been erected around every tree or tree group on the site shown to be retained on the submitted drawings at the furthest extent of the spread of the canopy of any tree or tree group except where development is hereby permitted within this area. The fence shall be placed so as to exclude the site of the said development but otherwise as far as possible from the trees. The areas enclosed by fencing shall not be used for any purpose and no structures, machinery, equipment, materials or spoil shall be stored or positioned within these areas. Such fencing shall be retained during the course of the building work hereby permitted.

REASON: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained are adequately protected.

5. No bonfires shall take place within 6 metres of the furthest extent of the spread of the canopy of any tree or tree group shown to be retained on the submitted drawings.

REASON: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained on the site are adequately protected.

6. No trenches, pipelines for services or drains shall be sited under the spread of the canopy of any tree or tree group shown to be retained on the submitted plans without the prior agreement in writing by the Local Planning Authority.

REASON: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained on the site are adequately protected.

7. The applicant shall at his own expense instruct an arboricultural consultant, approved by the Council in writing to liaise with the developer and/or his architect or engineer to approve details of construction methods, oversee the works and report to the Council throughout the period of the works in so far as the works may affect trees within the site. Works shall not commence on site until a consultant has been appointed. After commencement of the project, all persons employed or engaged on the project shall immediately comply with any reasonable instruction, advice or request given or made by the arboricultural consultant in respect of works in so far as they relate or affect trees within the site, including an instruction to cease work if the arboricultural consultant considers that works have deviated from the agreed working methods and in these circumstances works shall not recommence until or unless written authority has been given by the Council or the arboricultural consultant that such works may recommence.

REASON: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policy NE7 of the Unitary Development Plan.

8. The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by 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.

9, The surface water drainage system indicated on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

REASON: To ensure satisfactory implementation of the surface water drainage proposals and to accord with Policy ER13 of the Unitary Development Plan.

10. Details of a foul water drainage system shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

REASON: To ensure satisfactory means of foul water drainage and to accord with Policy ER13 of the Unitary Development Plan.

11. While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

REASON: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the adopted Unitary Development Plan.

12. The existing temporary classroom and assembly hall shall be demolished and the sites cleared within one month of the first occupation of the new buildings being permitted.

REASON: To prevent an overdevelopment of the site and in the interests of the amenities of the area.

13. The accommodation hereby permitted shall only be used for purposes associated with the school.

REASON: In the interests of the amenities of the area.

**4.11
Petts Wood and Knoll**

**(10/01199/FULL1) - Land adjacent to 10
Westholme, Orpington.**

Description of application - Two storey detached house with integral garage.

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 following reason:-

1. The proposal would be an overdevelopment of the site on land which is not previously developed resulting in a loss of garden land, out of character with the locality thereby detrimental to its visual amenities and character, contrary to Policies H7 and BE1 of the Unitary Development Plan and PPS 3.
Councillor Peter Dean's vote against refusal was noted.

**4.12
Kelsey and Eden Park;
Conservation Area**

(10/01252/FULL1) - Land adjacent to 66 Manor Way, Beckenham.

Description of application - Erection of a detached three bedroom dwelling with integral garage.

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 following reasons:-

1. The proposal would be an overdevelopment of the site on land which is not previously developed resulting in a loss of garden land, out of character with the locality thereby detrimental to its visual amenities and character, contrary to Policies H7 and BE1 of the Unitary Development Plan and PPS 3.

2. The proposed development would result in the loss of an open area which contributes positively to the character and appearance of the Conservation Area, thereby contrary to Policies BE11 and H7 of the Unitary Development Plan.

Councillor Peter Dean's vote against refusal was noted.

**4.13
Chislehurst; Conservation Area**

(10/01271/FULL1) - Farringtons School, Perry Street, Chislehurst.

Description of application - Canopy shelter and zip wire playing structure with associated fencing.

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

It was reported that no objections to the application had been received from the Advisory Panel for Conservation Areas.

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

SECTION 3

(Applications recommended for permission, approval or consent)

**4.14
Plaistow and Sundridge**

(09/03071/FULL2) -14 Farwig Lane, Bromley.

Description of application - Conversion of 2 storey office and light industrial building to 4 live/work units comprising 2 light industrial units and 2 office units each with residential accommodation.

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

**4.15
Chislehurst; Conservation Area**

(10/00226/FULL1) - Rear of 113 High Street, Chislehurst.

Description of application - First floor extension to provide office accommodation and single storey garage extension.

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

**4.16
Bromley Common and Keston**

(10/00436/FULL6) - Badgers, Leafy Grove, Keston

Description of application - Part one/two storey side/rear extension, roof alterations incorporating dormer extensions to provide accommodation in roof space and formation of access onto Leafy Grove.

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

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

1. The proposals represent excessive out of character extensions, harmful to the host dwelling, contrary to Policies H8 and BE1 of the Unitary Development Plan.

4.17
Crystal Palace

(10/00881/FULL1) - Land rear of 21 to 29 Thicket Road, Penge, London SE20.

Description of application - Demolition of existing garages and erection of three storey building to provide 2 two bedroom and 2 one bedroom flats together with 4 three bedroom houses and associated off-street parking and cycle and refuse store.

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.

4.18
Bickley

(10/00945/FULL1) - Bullers Wood School for Girls, St Nicolas Lane, Chislehurst.

Description of application - Detached 3/4 storey building to provide classrooms. Incorporation of walk way and car parking spaces.

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

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

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

4.19
Chislehurst; Conservation Area

(10/01281/FULL6) - 7 Heathfield, Chislehurst.

Description of application - Part one/two storey side, two storey rear extensions. Single storey rear extension and replacement roof to existing rear extension. Front porch canopy and front extension to form glazed stairwell. Enlargement of roof including 3 rear roof lights.

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.

SECTION 4

(Applications recommended for refusal or disapproval of details)

**4.20
Mottingham and
Chislehurst North**

**(10/00687/FULL6) - 34 Beaconsfield Road,
Mottingham, London SE9.**

Description of application - Single storey rear extension 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 REFUSED** as recommended for the reason set out in the report of the Chief Planner. **IT WAS FURTHER RESOLVED that ENFORCEMENT ACTION BE AUTHORISED TO SEEK A REDUCTION IN THE SIZE OF THE EXTENSION TO WITHIN THE LIMITS OF PERMITTED DEVELOPMENT.**

5 CONTRAVENTIONS AND OTHER ISSUES

**5.1
Hayes and Coney Hall**

**(DRR/10/00065) - 39 Chestnut Avenue, West
Wickham**

Oral representations against enforcement action being taken were received.

Oral representations from Ward Member, Councillor Mrs Manning against enforcement action being taken were received at the meeting.

Members having considered the report and representations **RESOLVED that NO FURTHER ACTION BE TAKEN.**

**THE ATTACHED REPORT
MISSED CIRCULATION
WHEN THE AGENDA WAS
PUBLISHED.**

The attached report listed below was not circulated with the published agenda and is now submitted for consideration.

**S5.2
Cray Valley West**

**(LDCS10114) - Direct Action Under S219 of the
Town and Country Planning Act 1990 (As
Amended) in Respect of 14 Broomwood Road,
Orpington**

Members having considered the report, **RESOLVED that ACTION BE AUTHORISED UNDER S219 OF THE TCPA 1990 FOR THE COUNCIL TO UNDERTAKE THE STEPS REQUIRED BY THE NOTICE.**

IT WAS FURTHER RESOLVED THAT ACTION BE AUTHORISED FOR THE COUNCIL TO RECOVER THE REASONABLE COSTS INCURRED AS A RESULT OF THE STEPS TAKEN TO COMPLY WITH THE NOTICE FROM THE OWNER, FAILING WHICH, A CHARGE WILL BE ATTACHED TO THE LAND.

6 TREE PRESERVATION ORDERS

6.1 Mottingham and Chislehurst North

(ES TPO 2350) - Objections to Tree Preservation Order 2350 at Carters Hill Close, Mottingham

Members having considered the report **RESOLVED that Tree Preservation Order No 2350 relating to one cedar tree BE CONFIRMED** as recommended in the report of the Chief Planner.

The Meeting ended at 9.47 pm

Chairman

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SECTION '2' – Applications meriting special consideration

Application No : 09/03041/FULL1

Ward:
Cray Valley East

Address : Lower Hockenden Farm Hockenden
Lane Swanley BR8 7QH

OS Grid Ref: E: 549405 N: 168960

Applicant : Garnet Properties Ltd

Objections : YES

Description of Development:

Retention of car parking/manoeuvring space to serve existing business and agricultural uses

RETROSPECTIVE APPLICATION

Key designations:

Green Belt

Proposal

- This application seeks permission for the retention of hardstanding for parking and storage
- The use of the hardstanding is in part for commercial uses in converted farm buildings, which have recently been the subject of a granted certificate of lawfulness; and in part in connection with an agricultural use of the surrounding land
- Information has been submitted to support the agricultural use of adjoining land which has been examined by the Council's agricultural consultant
- A design, access and planning statement has been submitted along with a parking statement to explain the layout and parking operations in the yard.

Location

The site is on the north east of Hockenden Lane in a rural location. To the north east immediately adjoining the house is Meadow House, a residential dwelling, and to the south west and north west is open land

Comments from Local Residents

Several local objections have been received including from immediately adjacent residential property. Issues raised include:

- the hardstanding and buildings will be used in connection with Bournemouth Quarry for heavy machinery
- the Green Belt location is not appropriate for industrial and heavy goods vehicles
- the site is currently being used as a dumping ground for machines and containers
- Area B should be returned to grass as it was previously as there is ample hardstanding within the site without this area
- traffic and noise from heavy vehicles will create noise and disturbance for residents

Comments from Consultees

Drainage has no comments on the application.

Highways are content with the proposal following the submission of a parking statement.

Planning Considerations

The site is within the Green Belt and UDP Policies G1, BE1, T3 and T18 are relevant.

Planning History

The site was the subject of a certificate of lawfulness for existing commercial uses within the buildings which was granted in 2009 under reference 08/00718. The hardstanding around the buildings was not included in the certificate and is therefore applied for in this application. There is no other relevant planning history.

Conclusions

This application can be split into two primary elements – the hardstanding to serve the commercial buildings, and the hardstanding to serve the agricultural use.

The hardstanding to serve the commercial buildings is already in place. This development is contrary to Green Belt policy as it is inappropriate with regard to Policy G1, however consideration must be given to the historic use of the area as a farmyard and the likely existence of some form of hardstanding within this area since the buildings were constructed. The agent has submitted an argument that the alternative to granting this application would be detrimental to highway safety as vehicles would park on the road, and has suggested that this, alongside the fact that the hardstanding was already in situ albeit for a different use, comprises very special circumstances to warrant an exception to Green Belt policy. Members may feel that in this particular

case, subject to suitable conditions to ensure the permanent removal of existing outside storage of materials and machinery, the circumstances may warrant a grant of planning permission.

The agricultural use of Area B has been supported by the submission of a farm plan for a tenant farmer who owns land at Crockenhill. The plan has been examined by the Council's agricultural consultant. He concludes that there is a case for a limited area of hardstanding for the storage of some farm equipment which would be used for the agricultural operation at Lower Hockenden Farm, and for a straw stack. An updated plan showing a reduced area for the agricultural use has been provided. Legitimate agricultural development can be considered as appropriate within the Green Belt in accordance with Policy G1, and provided this area is used for the purposes suggested, the retention of the hardstanding is considered to accord with Green Belt policy

Background papers referred to during production of this report comprise all correspondence on files refs. 09/03041 and 08/00718, excluding exempt information.

as amended by documents received on 30.06.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 Details of a scheme of landscaping, including species for planting, size and height of bunds and any proposed boundary enclosures, shall be submitted to and approved in writing by the Local Planning Authority within 3 months of the date of this permission. The approved scheme shall be implemented in the first planting season following approval. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

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

- 2 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 3 The hardstanding and parking areas comprising Area A on the approved plan shall only be used for vehicle parking and manoeuvring in connection with the lawful uses of the buildings within Area A and shall not be used for storage or operation of any goods, machinery, plant or waste or any other purpose unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the hardstanding is not used for purposes unassociated with the use of the land to prevent an overintensive use of the site in the interests of the Green Belt and the amenities of local residents, in accordance with Policies G1 and BE1 of the UDP.

- 4 The hardstanding and parking area comprising Area B on the approved plan shall only be used in connection with the lawful agricultural use of land at Lower Hockenden Farm for the storage of agricultural machinery and crops and for no other purpose unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure that the hardstanding is not used for purposes unassociated with the use of the land to prevent an overintensive use of the site in the interests of the Green Belt and the amenities of local residents, in accordance with Policies G1 and BE1 of the UDP.

- 5 ACJ08 Rest. hours of vehicle mov. any (2 ins) 07:00 22:00
ACJ08R J08 reason (1 insert)

Reasons for permission:

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

- G1 Green Belt
- BE1 Design of New Development
- T3 Parking
- T18 Road Safety

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

The proposed retention of hardstanding is considered to partly constitute appropriate development and part be subject of very special circumstances both of which are considered acceptable reasons to allow the proposal within the Green Belt. Highway safety matters have been adequately addressed and the visual impact of the development will be minimal.

Reference: 09/03041/FULL1
Address: Lower Hockenden Farm Hockenden Lane Swanley BR8 7QH
Proposal: Retention of car parking/manoeuvring space to serve existing business and agricultural uses
RETROSPECTIVE APPLICATION



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SECTION '2' – Applications meriting special consideration

Application No : 09/03280/FULL1

Ward:
Clock House

Address : 28 Beckenham Road Beckenham BR3
4LS

OS Grid Ref: E: 536553 N: 169572

Applicant : Citygate

Objections : NO

Description of Development:

Two storey extension for disabled access lift and glazed entrance canopy to northern elevation together with refurbishment of building.

Key designations:

Conservation Area: Elm Road

Flood Zone 2

Historic Flooding

Locally Listed Building

Proposal

It is proposed to construct a two storey extension to the side of the host building (northern elevation), to provide a disabled access lift. In addition, a glazed entrance canopy is proposed to an existing entrance door on the northern elevation, together with the refurbishment of the building. The building is currently vacant, and these works are proposed in connection with the Applicant's plans to bring the building back into use as a community arts/media centre.

The details of the works proposed are as follows:

- two storey extension to northern elevation, to provide disabled access lift
- measures approx. 6.1m in width at ground floor level, reducing to 3.2m above with overhanging flat roof
- approx. 9.3m in height and 3.6m in depth
- lift to provide access to basement, ground and first floors which are currently only accessible via steps
- extension to be finished with timber cladding at ground floor level and render above

- contemporary design, attached to main building with glass enclosure
- entrance canopy to be constructed above existing northern entrance to ground floor of building

Members may wish to note that a separate application seeking listed building consent for the above works (together with other external/internal alterations which would not require planning permission) is also to be found on this agenda, under ref. 09/03281/LBC.

In support of the application, the Applicant (Citygate) has submitted a Design and Access Statement (revised statement received 28th May 2010), the main points of which can be summarised as follows:

- building is in a poor state of repair, and it is now proposed to refurbish the entire building and open it once again as a centre for arts and media available to all
- proposed to improve the external appearance of the building returning it (where possible) to its original state
- proposal will continue with similar uses for most areas of the building
- only additional feature will be a disabled access lift
- this structure will not be visible from the road or above the height of the building
- new lift shaft has been designed to look significantly different from the existing building while complying with DDA regulations
- modern look will match other structures nearby but clearly distinguishable from the Victorian style and architecture of the main building

With particular regard to access, the statement makes the following points:

- current access will remain, although changes must be made to conform with Part M of the Building Regulations
- to make use of 28 Beckenham Road as a community centre it must be accessible for all and in line with Citygate's policy of inclusion a Strategic Accessibility Statement was written by an accredited access auditor
- the audit makes clear that access to all floors would be essential to ensure compliance with current regulations and best practice
- the building imposes constraints when considering vertical movement, with access made more difficult for anyone with a disability as the existing entrance is approached by a set of steps approx. 1.4m in height
- while a ramp could be used to access part of the building it would have to be in excess of 30m and could prove unacceptably tiring for wheelchair users
- in light of the above it would be necessary to provide an external lift to give access to the ground floor, although an additional solution would need to be found to provide access to the basement and first floor, i.e. a second lift, either internally, or one external lift to serve all floors
- the configuration of the building is such that access to all floors is difficult to achieve internally

- other aspect to consider is the plan for evacuation in the event of fire – an internal lift would not be usable in the event of a fire and would require the construction of refuge zones and an alternative means of escape (including carry-down procedures which presents several issues)
- to resolve the issues the preferred option for building evacuation would involve the construction of an external lift with a separate power supply to ensure it can be used as a fire-fighting lift
- plans provided show a separate lift shaft set 1.5m from the building, with connecting walkways (1.5m square to allow wheelchairs to turn) designed to be used as refuge zones with access via a suitable fire resisting door
- design also provides stair basement exit for ambulant people as well as access to the lift for anyone with mobility issues

Location

The application site is located on the northern side of Beckenham Road, Beckenham and comprises a grade II listed former technical institute, which had more recently been in use as a community arts/media facility known as 'The Studio', although is currently vacant.

The application site is also located within the Elm Road Conservation Area and falls within Flood Zone 2.

Comments from Local Residents

Nearby owners/occupiers were notified of the application, advertisements were displayed on site and published in the local press, and no representations were received.

Comments from Consultees

English Heritage was notified of the application, and advised that it did not consider this necessary under the relevant statutory provisions.

While the site is located within Flood Zone 2, as a result of the nature of the development under consideration here the application would appear to be subject to the Environment Agency's standing advice and would not need to be referred to them for comment.

Planning Considerations

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

- BE1 Design of New Development
- BE8 Statutory Listed Buildings
- BE11 Conservation Areas

BE14 Trees in Conservation Areas

C3 Access to Buildings for People with Disabilities

With regard to trees, it is advised that existing trees within the site are in poor condition and in view of their proximity to the building no objection would be raised to their removal.

From the conservation point of view, it is acknowledged that the external lift would appear to be the only means of achieving the access the Applicant seeks to provide. However, at present concerns are raised regarding the design and appearance. While a contemporary approach may be acceptable, the design could be sleeker and the bulk reduced (with particular regard to the roof canopy). Accordingly it is recommended that the detailed design and appearance, and materials be controlled by condition should permission be granted.

Planning History

Under ref. 06/02935, planning permission was granted for a disabled access lift (external platform type).

Under ref. 06/02937, listed building consent was granted for external disabled access and internal alterations.

Conclusions

The main issues for Members to consider in this case will be the impact of the proposed extension for the access lift and entrance canopy on the character, appearance and special interest of the statutory listed host building, and to the character and appearance of the Conservation Area. The refurbishment works proposed are predominantly covered and dealt with by the application for listed building consent, which is also under consideration and to be found elsewhere on this agenda.

Members will note that the proposed two storey extension for the lift is proposed as a result of detailed consideration as to how best to achieve the desired level of disabled access to the building while respecting the fact that it is of historic interest, reflected in the statutory listed status. At present, the building is only accessible via steps, with the ground floor being set approx. 1.4m above natural ground level. Accordingly, it is inevitable that some alterations to the fabric of the building would be required in order to facilitate disabled access, which is of course seen to be necessary in view of the community use of the building that is proposed.

The Applicant submits that the current proposal for an external lift, which would facilitate disabled access to the basement, ground and first floors via a single lift and point of access, is the most appropriate solution to solving the issues surrounding provision of disabled access balanced with the need to preserve the character,

appearance and special interest of the listed building. The proposed lift would involve a single addition to the building and avoid the need for complex internal alterations, and would, in view of its design, appear to read as a contemporary and distinct addition to the building, featuring a contemporary look and materials which represent a departure from the traditional brick construction of the host building. In addition, due to the siting of the lift shaft which would be detached from the main building and linked with glazed walkways, it is intended that the lift could also be used in case of fire to facilitate emergency egress for disabled persons.

Members will need to carefully consider the acceptability of the proposed lift extension in view of the case put forward by the Applicant (and summarised at the beginning of the report), however may agree that the approach adopted would preserve the character, appearance and special interest of the listed building in principle since the extension would clearly appear as a contemporary addition and does not seek to replicate the original design and features of the building itself. Furthermore, the extension would be attached to the main building via glazed walkways, which may serve to soften the link between the original and contemporary elements of the extended building. Final details of the design, appearance and materials proposed to be used for the external surfaces of the extension could be secured by appropriately worded conditions.

In more general planning terms, the lift extension would be subservient to the host building, and would be sited away from the Beckenham Road elevation and set back from the main elevation, and may not therefore appear unduly prominent within the surrounding area. Accordingly Members may agree that the character and appearance of the Conservation Area would be preserved in this case. With regard to residential amenities, Members may agree that in view of the nature and siting of the proposed lift extension, the amenities of nearby residential properties are unlikely to be harmed.

Finally, the proposed entrance canopy may be considered a modest addition to the host building that would not unduly compromise the character, appearance and special interest of the listed building in view of the fact that it will serve an existing entrance and may be easily removed from the building. Given its siting on the northern elevation and not highly visible within the surrounding area, again it may be considered that the character and appearance of the Conservation Area would be preserved.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/03280, 09/03281, 06/02935 and 06/02937, excluding exempt information.

as amended by documents received on 28.05.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 3 ACC06 Mortar details
 ACC06R Reason C06
- 4 ACC08 Satisfactory materials (all surfaces)
 ACC08R Reason C08
- 5 Prior to the commencement of the development hereby permitted, details of the design and external appearance of the lift extension hereby permitted shall be submitted to and approved in writing by the Local Planning Authority. The extension shall be constructed in accordance with the approved details.

Reason: In order to comply with Policies BE1 and BE8 of the Unitary Development Plan and in the interests of the character, appearance and special interest of the listed building.

Reasons for granting permission:

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

- BE1 Design of New Development
- BE8 Statutory Listed Buildings
- BE11 Conservation Areas
- BE14 Trees in Conservation Areas
- C3 Access to Buildings for People with Disabilities

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

- (a) the relationship of the development to adjacent properties
- (b) the character of the development in the surrounding area
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties
- (d) the contemporary design of the proposed lift extension
- (e) the preservation of the character and appearance of the Conservation Area
- (f) the preservation of the character, appearance and special interest of the listed building
- (g) the impact of the development to trees within the site
- (h) the design and conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

Reference: 09/03280/FULL1

Address: 28 Beckenham Road Beckenham BR3 4LS

Proposal: Two storey extension for disabled access lift and glazed entrance canopy to northern elevation together with refurbishment of building.



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SECTION '2' – Applications meriting special consideration

Application No : 09/03281/LBC

Ward:
Clock House

Address : 28 Beckenham Road Beckenham BR3
4LS

OS Grid Ref: E: 536553 N: 169572

Applicant : Citygate

Objections : YES

Description of Development:

Internal and external alterations including construction of two storey extension for disabled access lift, removal of brick structure in basement, repairs to windows, replacement gas boilers and heating, insertion of steel beams for floor re-enforcement , replacement ceilings and external pigeon spikes. LISTED BUILDING CONSENT

Key designations:

Conservation Area: Elm Road

Flood Zone 2

Locally Listed Building

Proposal

Listed building consent is sought for the following works which are proposed to the host building in connection with the Applicant's plans to bring the building back into use as a community arts/media centre:

- internal and external alterations including construction of two storey extension for disabled access lift, removal of brick structure in basement
- repairs to windows
- replacement gas boilers and heating
- insertion of steel beams for floor re-enforcement
- insertion of mezzanine storage area
- replacement ceilings and external pigeon spikes

A full schedule of works has been submitted by the Applicant and is available for Members to view on the application file.

Members may wish to note that a separate application seeking planning permission for some of the above works is also to be found on this agenda, under ref. 09/03280/FULL1.

In support of the application, the Applicant (Citygate) has submitted a Design and Access Statement (revised statement received 28th May 2010), the main points of which can be summarised as follows:

- building is in a poor state of repair, and it is now proposed to refurbish the entire building and open it once again as a centre for arts and media available to all
- proposed to improve the external appearance of the building returning it (where possible) to its original state
- proposal will continue with similar uses for most areas of the building
- only additional feature will be a disabled access lift
- this structure will not be visible from the road or above the height of the building
- new lift shaft has been designed to look significantly different from the existing building while complying with DDA regulations
- modern look will match other structures nearby but clearly distinguishable from the Victorian style and architecture of the main building

Location

The application site is located on the northern side of Beckenham Road, Beckenham and comprises a grade II listed former technical institute, which had more recently been in use as a community arts/media facility known as 'The Studio', although is currently vacant. Members will be aware that the building is currently on the 'Heritage at Risk Register'.

The application site is also located within the Elm Road Conservation Area and falls within Flood Zone 2.

Comments from Local Residents

Nearby owners/occupiers were notified of the application, advertisements were displayed on site and published in the local press, and representations were received which can be summarised as follows:

- no clear indication as to what building will be used for
- concerns regarding the level of detail provided regarding the structural alterations proposed
- removal of masonry wall and replacement with point loaded steel beam has serious public safety and structural implications, in addition to possible ramifications for insurance and heritage issues
- alterations to listed buildings can only be justified to the degree that they are shown to be necessary – no such proof has been made or argued for

Comments from Consultees

English Heritage was notified of the application and advised that it should be determined in accordance with national and local policy and on the basis of the Council's specialist conservation advice.

Planning Considerations

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

BE8 Statutory Listed Buildings

From the conservation point of view, it is acknowledged that the external lift would appear to be the only means of achieving the access the Applicant seeks to provide. However, at present concerns are raised regarding the design and appearance. While a contemporary approach may be acceptable, the design could be sleeker and the bulk reduced (with particular regard to the roof canopy). Accordingly it is recommended that the detailed design and appearance, and materials be controlled by condition should permission be granted. Further information is required as to how the lift extension will be attached to the main building and the extent of the fabric of the building that will be removed (i.e. new openings etc.).

With particular regard to the internal and external alterations, a number of conditions are recommended. However concerns are raised regarding the level of detail that is provided regarding the structural alterations proposed, which again is recommended to be secured by an appropriate condition.

Planning History

Under ref. 06/02935, planning permission was granted for a disabled access lift (external platform type).

Under ref. 06/02937/LBC, listed building consent was granted for external disabled access and internal alterations.

Conclusions

The main issue for Members to consider in this case will be the acceptability of the proposed works and alterations with regard to the preservation of the character, appearance and special interest of the listed building.

The proposed alterations to the listed building are proposed in connection with its continued use as a community media/arts centre. Members will be aware that the building has been vacant for an extended period of time and is on the 'Heritage at Risk Register'. The Applicant has stated in the supporting documentation that it is

intended to improve the external appearance of the building returning it (where possible) to its original state.

The proposed lift extension may, in view of the contemporary design approach that has been adopted, represent a clear departure from the traditional design of the listed building and may therefore be considered to preserve its character, appearance and special interest.

While concerns have been raised regarding the level of detail that has been provided at this stage with particular regard to the lift extension and how it will be attached to the listed building and the internal structural alterations, Members may agree that these detail could be secured by appropriately worded planning conditions.

On balance, Members may agree that the proposed alterations and works are acceptable in principle and that listed building consent should be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/03280, 09/03281, 06/02935 and 06/02937, excluding exempt information.

as amended by documents received on 28.05.2010

RECOMMENDATION: GRANT LISTED BUILDING CONSENT

subject to the following conditions:

- 1 ACG01 Comm.of dev-Listed Building and Con.Area
 ACG01R Reason G01
- 2 ACG03 Stability during partial demolition
 ACG03R Reason G03
- 3 ACG04 Submission of structural eng. drawings
 ACG04R Reason G04
- 4 Structural engineers' drawings, indicating the intended method of ensuring the stability of the fabric to be retained throughout the period of demolition and reconstruction of the walls and floors requiring steel beams, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun. All works of demolition and construction shall be carried out in accordance with the approved engineering drawings.

Reason: In order to comply with Policy BE8 of the Unitary Development Plan and to protect the fabric of the Listed Building.

- 5 ACG07 Repointing by hand
 ACG07R Reason G07
- 6 ACG08 No external services
 ACG08R Reason G08

- 7 Detailed drawings or samples of materials, as appropriate, in respect of the following, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun:

Detailed architectural drawings of proposed external lift shaft
Cross section through external lift shaft to show extent of new openings in host building
Details of treatment of the new openings between the host dwelling and the external lift shaft
Details of all windows to be repaired or replaced
Details of restoration/repair work to front door
Details of method of sound insulation
Details of existing fabric to be disposed of
Details of the location and installation method for partition and moveable walls
Details of new internal doors/new openings
Details of the method for repair/reinstatement of parquet floor
Details of the method for repair/reinstatement of tiled floor
Survey and method of repairs to roof
Details of the proposed sprung floors
Details of the appearance and installation of internal light fittings
Details of the installation of sound system
Details of replacement ceilings
Building regulations details particularly with respect to fire safety
Details of radiators/plumbing/water tank/toilets
Details of internal finishes (floors, ceilings and walls)
Details of new external grilles
Details of new electrical systems/ cables/ boilers/lights/fuse boards
Details of the method of sanding /painting/varnishing handrails/metal railings on the staircase

- | | | |
|----|--------|--|
| | ACG10R | Reason G10 |
| 8 | ACG11 | Matching internal and external materials |
| | ACG11R | Reason G11 |
| 9 | ACG12 | Precautions against loss and damage |
| | ACG12R | Reason G12 |
| 10 | ACG14 | Installation of internal services |
| | ACG14R | Reason G14 |

Reasons for granting consent:

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

BE8 Statutory Listed Buildings

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

- (a) the contemporary design of the proposed lift extension
- (b) the preservation of the character, appearance and special interest of the listed building
- (c) the conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

Reference: 09/03281/LBC

Address: 28 Beckenham Road Beckenham BR3 4LS

Proposal: Internal and external alterations including construction of two storey extension for disabled access lift, removal of brick structure in basement, repairs to windows, replacement gas boilers and heating, insertion of steel beams for floor re-enforcement , replacement ceilings and external pigeon spikes. LISTED BUILDING CONSENT



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SECTION '2' – Applications meriting special consideration

Application No : 10/00210/FULL2

Ward:
Bromley Town

Address : Unit 4 21 Waldo Road Bromley BR1 2QX

OS Grid Ref: E: 541583 N: 168664

Applicant : Mr N Thompson

Objections : YES

Description of Development:

Change of use from food preparation (sui generis) to music rehearsal training centre (Class D1).

Key designations:

Flood Zone 2
Flood Zone 3

Proposal

Planning permission is sought for the change of use of the premises from food preparation (sui generis) to music rehearsal training centre (Class D1). This use has already commenced.

A design and access statement has been submitted in support of the application, the main points of which can be summarised as follows:

- there is strong demand for rehearsal space in Bromley
- site chosen for its size and location away from residential properties yet still close to transport links
- expected traffic concentrated around 6.30pm – 8.00pm weekdays and Sundays
- at these times the Waldo Road Council depot is shut, ensuring that there would be no adverse impact on local traffic
- premises heavily soundproofed
- no external changes proposed
- opening hours 10.00am to 11.00pm Monday to Sunday
- estimated that 8 jobs would be created
- lack of similar facilities in the borough

In addition, further information has been submitted concerning the details of sound attenuation measures that have been incorporated into the construction of the rehearsal rooms, and most recently the results of independent acoustic testing which was carried out to measure sound levels outside the premises.

Location

The application site is located on the northern side of Waldo Road, Bromley, and comprises an industrial unit forming part of a group of 4 units at No. 21. The immediate surrounding area is predominantly industrial/commercial; although there are residential properties located approx. 50m to the south on Mornington Avenue, and approx. 52m to the north on Homesdale Road (beyond the adjacent railway lines).

Comments from Local Residents

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

- noise and disturbance
- exacerbates existing noise and disturbance issues which arise from nearby Waldo Road refuse site
- concerns regarding hours of operation and fact that premises proposed to operate 7 days a week

Comments from Consultees

Environmental Health (pollution) raise no objection to the application. It is advised that any noise escaping from the building would not result in a statutory noise nuisance and neither is it expected that it would give rise to a significant loss of amenity.

In addition, Members should be aware that Environmental Health have been investigating an on-going complaint of noise nuisance associated with the application site, however no statutory nuisance has been proven.

From the technical Highways perspective, no objections are raised.

Planning Considerations

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

Unitary Development Plan

BE1 Design of New Development

C1 Community Facilities

EMP6 Development Outside Business Areas
T18 Road Safety

The London Plan

4A.20 Reducing Noise and Enhancing Soundscapes

National Planning Policy

PPG 24 Planning and Noise

Planning History

Under ref. 04/01605, planning permission was granted for the change of use of the premises from light industry (Class B1) to use of premises for food production, packaging and delivery to customers.

Conclusions

The main issues for consideration in this case will be the acceptability of the change of use in principle, having regard to the submission that it would meet a community need and since it would appear to be a non-conforming business use (having regard to the Council's Business and Regeneration Policies); the impact of the use to the character of the area and the amenities of neighbouring residential properties (with particular regard to noise and disturbance); and the impact to conditions of road safety.

Members may agree that the proposed use, which the Applicant indicates would meet a community need (in view of the lack of similar facilities in the borough) may be acceptable as a community facility on the basis that it would be accessible by means other than the car and would be accessible to the members of the community it is intended to serve.

With regard to the principle of the use which would fall within Class D1 (assembly and leisure) of the Use Classes Order, Members will be aware that it would not constitute a 'conforming' business use. However, Policy EMP6 provides that where outside of the designated business areas (as is the case here) non-conforming business uses may be acceptable provided there is no significant adverse impact on the amenity of the surrounding properties. In this case, it is not considered that the surrounding industrial/commercial units would be significantly affected by the use. Indeed Members will note that no adverse comments have been received from these properties.

Turning to the second issue, it is not considered that the use of the premises would result in significant harm to the character of the area. Although primarily industrial/commercial in nature, the use of the premises would in spite of its Class D1

classification involve the provision of service (i.e. rehearsal rooms for hire) and may not be significantly dissimilar in its nature to adjacent uses.

With regard to the impact to the amenities of neighbouring residential properties, Members will note that many local residents (primarily from Mornington Avenue to the south) have objected on the grounds of noise and disturbance. Since the application was originally submitted, it is apparent that sound attenuation measures have been incorporated into the construction (as detailed in the supporting documentation) and Members will note the views of Environmental Health in considering that any noise escaping from the building would not result in a statutory noise nuisance and neither is it expected that it would give rise to a significant loss of amenity. The results of the acoustic survey that was recently carried out on behalf of the Applicant appear to demonstrate that there was no measurable increase in noise levels outside the building when the rehearsal rooms were in use, and consequently it is unlikely that airborne noise levels would be measurable at nearby dwellings.

Notwithstanding the above concerns have continued to be raised locally and the site has been the subject of an on-going noise nuisance investigation by Environmental Health, although Members will note that it has not been possible to demonstrate statutory nuisance in this case.

In light of the above Members will need to carefully consider the acceptability of the proposed use in view of the technical advice of Environmental Health and the nature and extent of objections received locally. However, Members may agree that on balance, the use of the premises as a music rehearsal training centre may not result in a significant loss of amenity to warrant the refusal of planning permission on these grounds alone.

Finally, with regard to the impact of the use to conditions of road safety, Members may agree that in view of the technical Highways comments received, a significant impact may not arise.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/00210 and 04/01605, excluding exempt information.

as amended by documents received on 07.07.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

1 ACJ06 Restricted hours of use on any day 10:00am 11:00pm
Reason: In order to comply with Policy BE1 of the Unitary Development Plan, Policy 4A.20 of the London Plan and PPG 24, and in the interest of the amenities of the area.

Reasons for granting permission:

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

Unitary Development Plan

BE1 Design of New Development
C1 Community Facilities
EMP6 Development Outside Business Areas
T18 Road Safety

The London Plan

4A.20 Reducing Noise and Enhancing Soundscapes

National Planning Policy

PPG 24 Planning and Noise

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

- (a) the impact of the proposed use on the amenities of the occupiers of adjacent and nearby residential properties
- (b) the provision of an accessible community facility
- (c) the impact of the proposal to conditions of road safety
- (d) the business and regeneration policies of the Unitary Development Plan
- (e) the community services policies of the Unitary Development Plan
- (f) the conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

Reference: 10/00210/FULL2

Address: Unit 4 21 Waldo Road Bromley BR1 2QX

Proposal: Change of use from food preparation (sui generis) to music rehearsal training centre (Class D1).



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SECTION '2' – Applications meriting special consideration

Application No : 10/00925/FULL1

Ward:
Darwin

Address : Cottage Farm Cackets Lane Cudham
Sevenoaks TN14 7QG

OS Grid Ref: E: 545129 N: 159562

Applicant : Cottage Farms Ltd (Mr P Baxter)

Objections : YES

Description of Development:

Erection of glasshouse for agricultural purposes
RETROSPECTIVE APPLICATION

Key designations:

Special Advertisement Control Area
Green Belt

Proposal

This application seeks permission for a freestanding glasshouse of 320sqm at Cottage Farm, a site primarily used for an agricultural business involving the rearing of turkeys. These are predominantly sold at Polhill Garden Centre nearby. The applicant resides at the site. The glasshouse is 5 metres in height to the top of the pitched roof. It is located to the rear of the existing residential garden to the south western side of the farm complex.

The use is stated to be for horticultural purposes for a variety of plants and food which cannot normally be grown in the English climate. This use extends to other areas of the site where there are two historic smaller glasshouses and some open horticulture. The use is partly for the family but predominantly as an ancillary part of the butchery and catering business. It is also stated that in addition to the 30 people already employed at the site a further person would be employed in connection with this proposal.

Location

The site is located within the countryside in a small cluster of buildings, some relating to the turkey business at Cottage Farm, the residential buildings attached to the farm and several other residential properties to the north west of the site fronting Cacketts Lane. Predominantly open Green Belt land bounds the site to the south, east and west and to the north on the opposite side of the lane. A public footpath runs across the top of the field on the opposite side of the lane from which the site is visible.

Comments from Local Residents

A large number of representations supporting this proposal have been received, all of which are on template letters, mostly individually signed and addressed by individuals from inside and outside of the Borough. None appear to be from immediate neighbours.

The comments in the letters suggest that to move the glasshouse would make no sense as it would be more visible and will impact more on the environment, and support the granting of permission for it in the current location.

One letter of objection has been received from a close neighbour who points out that the committee previously found this location to be unacceptable in deferring the application to seek a revised siting. It is also pointed out that the application does not seek to reduce the height of the building and that the proposed screening will be ineffective.

Comments from Consultees

There are no consultee comments to report.

Planning Considerations

The proposal falls to be considered with regard to Policies G1 (Green Belt), NE12 (Landscape Character), BE1 (Design), BE3 (Buildings in Rural Areas) and BE11 (Conservation Areas). PPG2 – Green Belts is also relevant.

The Conservation Area adjoins the site and includes the cottages at the front on Cacketts Lane.

Planning History

Planning history for the site is limited to historic applications in connection with the turkey rearing business, plus application ref. 08/04238 which was permitted for the glasshouse but with a lower overall height and revised location closer to the existing farm buildings.

This matter was also previously reported to Members in the form of an enforcement report on 1st April 2010, where consideration was deferred due to the receipt of a

planning application which was submitted the day before the committee meeting. It was invalid and a letter was sent to the agent on 13th April 2010 requesting further information. No further information was received and the matter was reported to committee as an enforcement report for the second time on 1st July 2010. However, because the application was finally validated upon receipt of further information on 23rd June 2010, Members deferred consideration once again.

Conclusions

The primary issues in this case are whether the glasshouse is appropriate development within the Green Belt and whether it is harmful to the landscape and visual amenities of nearby properties, with regard to the above policies.

Following receipt of a complaint to the Council in November 2008, a retrospective planning application was submitted under ref. 08/04238 for a glasshouse of 320 square metres at Cottage Farm, which had been erected without the benefit of planning permission. The application states that the glasshouse is used for commercial horticulture and a business plan was presented to the committee to support this claim. Members deferred the application from Plans Sub Committee on 19th March 2009 in order to seek amendments to the scheme to reduce its height and potential re-siting, and further information regarding the uses proposed.

Following receipt of the business plan, the Council sought a view from agricultural consultants, who expressed some concern that the plan was not sound. The applicant's agent responded providing further information on income to be derived from the glasshouse, and the application was amended to show a revised location closer to existing farm buildings, a reduced height and setting into the ground to reduce the impact on the Green Belt and countryside, and to improve the views from nearby residential properties. Members granted permission for the revised siting, subject to a condition that the existing glasshouse should be demolished and all materials removed from the site by 31st January 2010. However, since this permission has not been implemented, it is not possible for the Council to enforce the condition as it has yet to become effective.

With regard to the location in the Green Belt, PPG2 and UDP Policy G1 state that new development within the Green Belt is inappropriate unless for certain purposes, which include agriculture, and Members will need to decide whether they agree with the applicant that the proposal constitutes appropriate development within the Green Belt by virtue of its horticultural use. The use appears to have some commercial horticultural element to it, however it would appear from letters on the previous file that the use of the entire building is not simply for the agricultural business, particularly as it is also linked to the applicant's hobby and adjacent to the domestic garden area rather than within the commercial area of the site. The entire use of the building would not appear to be for horticulture, as at least part appears to be for a hobby, and it is considered therefore that the building may not be appropriate development in the Green Belt. In the event that Members do consider that the

development is appropriate, then its visual impact still remains to be considered and this is not acceptable simply because a development is appropriate – it would then be necessary to have regard to its impact upon the openness and character of the Green Belt prior to determining this application.

The glasshouse remains in situ in its original location and this application seeks permission for the second time (the first application ref. 08/04238 resulted in an approval for a lower building in a revised location). The structure is 5m to the top and is located to the rear of the existing residential garden to the south western side of the farm complex. It is visible from around the site and clearly has some impact on the openness of the area and the Green Belt. The building is extremely large and despite being constructed predominantly of glass has a considerable impact upon the landscape, particularly when viewed from nearby residential properties and nearby public viewpoints. It is not considered that it will readily blend into the landscape even if screened with planting given its overall size and height. The proposal therefore conflicts with Policies BE1, BE3 and NE12 and also harms openness and visual character of the Green Belt.

Background papers referred to during production of this report comprise all correspondence on file ref. 08/04238, excluding exempt information.

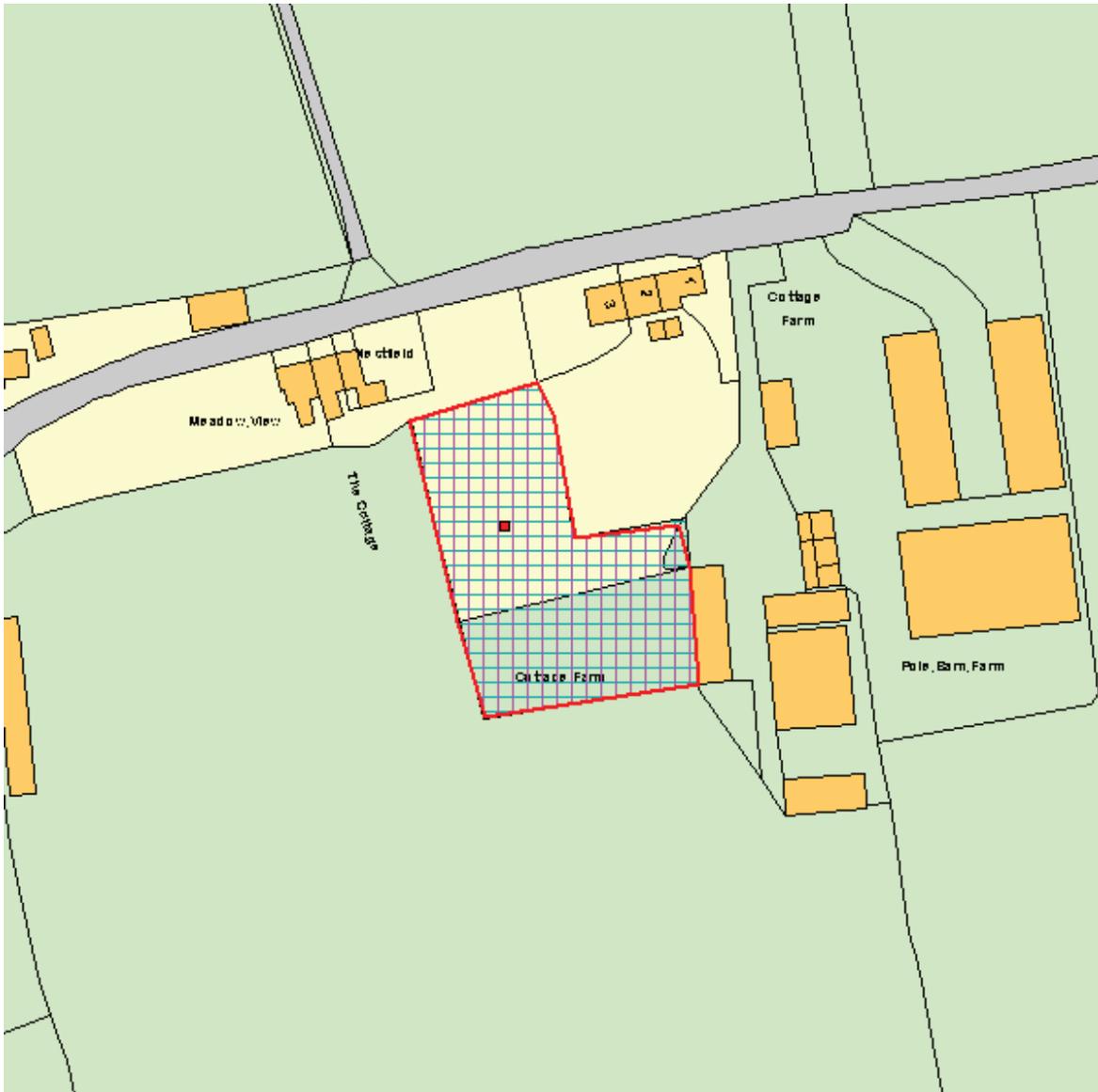
RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The glasshouse is located within the Green Belt where there is a presumption against inappropriate development. No very special circumstances have been put forward to justify the setting aside of normal policy requirements and the proposal is therefore contrary to Policy G1 of the Unitary Development Plan and PPG2 - Green Belts.
- 2 The glasshouse, by reason of its overall size and siting, constitutes a visually intrusive form of development, harmful to the rural character of the area, therefore contrary to Policies BE1, BE3 and NE12 of the Unitary Development Plan.

Further recommendation - Enforcement Action be authorised to secure the demolition of the glasshouse.

Reference: 10/00925/FULL1
Address: Cottage Farm Cackets Lane Cudham Sevenoaks TN14 7QG
Proposal: Erection of glasshouse for agricultural purposes
RETROSPECTIVE APPLICATION



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SECTION '2' – Applications meriting special consideration

Application No : 10/00982/FULL6

Ward:
Petts Wood And Knoll

Address : 197 Chislehurst Road Orpington BR5
1NP

OS Grid Ref: E: 545465 N: 167572

Applicant : Mr D Said

Objections : NO

Description of Development:

Part one/two storey side/rear and single storey side extensions, front porch, formation of vehicular access

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London Distributor Roads

Proposal

The application was deferred at Plans Sub-Committee on the 15th July 2010 in order for Members to undertake a site visit. The report is repeated below.

- The proposal includes 2 side extensions, one either side of the main dwelling. One will be two storey and the other single storey.
- The single storey side extension will measure 4.2m and will be sited close to the flank boundary with No. 195. The single storey side extension will have a height of 4.3m and will have a hipped roof (2.4m to eaves level).
- The two storey side extension will measure 2.5m in width and will retain a 1.0m side space to the flank boundary with No. 199.
- The two storey side extension will not be subservient to the main dwelling and will incorporate a hipped roof.
- Towards the rear of the site, a single storey extension will be located behind the two storey side extension and will be wider so that it adjoins the flank boundary. This extension will project to the rearmost point of the existing

dwelling and will incorporate a pitched roof of 4.2m in height (2.6m to the eaves).

Location

The application site is on the western side of Chislehurst Road close to a sharp bend in the road. The site possesses a detached two storey residential dwelling. The properties on this part of Chislehurst Road are mainly two storey detached dwellings with open frontages and generous rear gardens. The site lies within the Petts Wood Area of Special Residential Character.

Comments from Local Residents

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

Comments from Consultees

Technical highways objections are raised in respect to inadequate sightlines for the proposed access.

Planning Considerations

The main policies relevant to this case are Policies BE1 (Design Of New Development), H8 (Residential Extensions), H9 (Side Space) and H10 (Areas of Special Residential Character).

Planning History

Planning permission was refused under ref. 09/00668 for a one/two storey side/rear and two storey side extensions, front porch, formation of vehicular access on the following grounds:

The proposed extension, by reason of its excessive bulk and scale, would result in a cramped overdevelopment of the site, detrimental to the character and appearance of the Area of Special Residential Character, contrary to Policies BE1, H8 and H10 of the Unitary Development Plan.

Conclusions

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

Concern was raised in respect to the original plans as the two storey side extension provided only a minimum 1m side space and the extension was not subservient to the main building. Amended plans have been requested but have not been forthcoming.

The resulting dwelling would occupy the entire width of the plot, retaining a gap at first floor above the garage and a 1.0m side space to the northern flank boundary. Within an ASRC, minimum side space is often considered unacceptable due to the commonly prevailing greater spatial standards which characterise such areas. In this case, the proposed 1m side space is considered harmful to the spacious character and appearance of the area. The two storey extension is considered to be excessively bulky and as a result, does not respect this character.

It is noted that two storey side extensions have been constructed at Nos. 195 and 199, however the extensions at No. 195 was permitted in 1979 and 1985 respectively (ref. 85/02500) and there is no recent planning history for a two storey extension planning history for No. 199 (existing extension permitted in 1973). The extensions at No. 195 are both subservient to the main dwelling but are considerably bulky. No. 199 possesses one 2 storey extension. No. 197 is sited significantly forward of No. 195 and is considered to be a prominent dwelling. The reduction in the bulk of the extension to that previously refused is considered to be significant and will retain first floor side space to one side of the dwelling. The resulting dwelling is therefore considered not to excessively compromise the spacious character of the ASRC, contrary to Policy H9.

With regards to amenities of neighbouring properties, the most affected property would be No. 199 sited to the north. Flank windows at this property would suffer from limited loss of light and prospect. This property is separated by at least 2m from the boundary and flank windows serve secondary windows to a living room and first floor bathroom. On balance it is considered that the proposal would not result in a significant impact on residential amenity.

Chislehurst Road is a local distributor road, whereby new accesses will be permitted where there is no suitable alternative, subject to highway safety. The proposed additional access is considered to be harmful to highway safety as suitable sightlines cannot be achieved within the land controlled by the applicant. Although no objection was raised in this respect for the previous application, the matter has been reconsidered by the highway engineer who is concerned that the proposal will impact on highway safety.

On balance it is considered that the development in the manner proposed is unacceptable as it would result in a detrimental impact to the character and appearance of this Area of Special Residential Character and would impact detrimentally on conditions of highway safety. It is therefore recommended that the application is refused.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/00668 and 10/00982, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

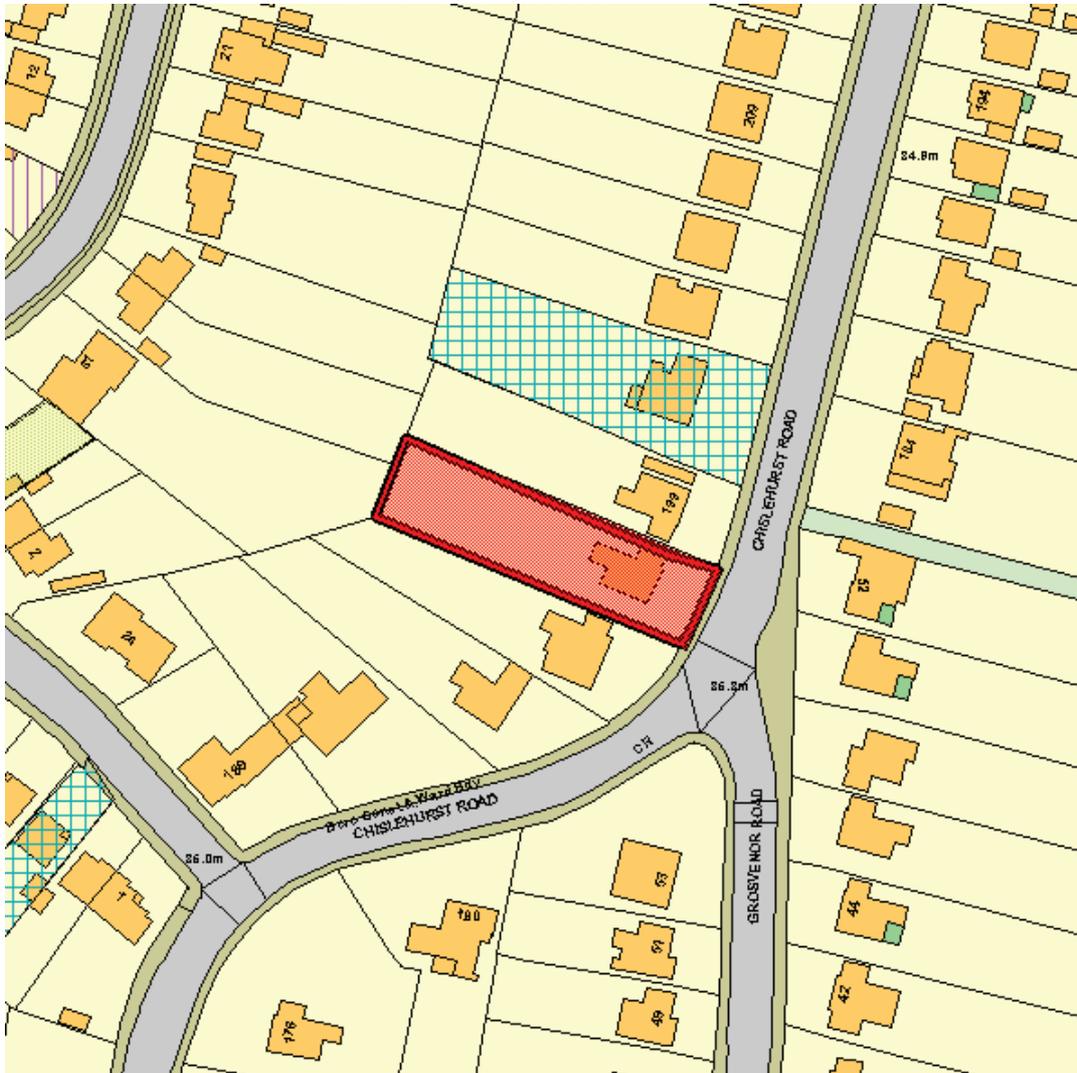
The reasons for refusal are:

- 1 The proposed extension, by reason of its proximity to the flank boundary, would result in a cramped development, detrimental to the character and appearance of the Area of Special Residential Character, contrary to Policies BE1, H8 and H10 of the Unitary Development Plan.
- 2 Inadequate existing sightlines for the proposed vehicular access exist and therefore the use of the access would be prejudicial to the safety and free flow of traffic, contrary to Policies T11 and T18 of the Unitary Development Plan.

Reference: 10/00982/FULL6

Address: 197 Chislehurst Road Orpington BR5 1NP

Proposal: Part one/two storey side/rear and single storey side extensions, front porch, formation of vehicular access



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SECTION '2' – Applications meriting special consideration

Application No : 10/01128/FULL6

Ward:
Petts Wood And Knoll

Address : 253 Chislehurst Road Orpington BR5
1NS

OS Grid Ref: E: 545489 N: 167970

Applicant : Mr S A Purdie

Objections : NO

Description of Development:

Part one/two storey side and rear extension. Single storey detached garage to front/side

Key designations:

Conservation Area: Chislehurst Road Petts Wood
Adj Area of Special Res. Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London Distributor Roads

Proposal

This application was deferred by the Plans Sub Committee on 15th July so that Members would have an opportunity to visit the application site. The previous report is repeated below.

- The proposal is for an L-shaped part one/two storey side and rear extension which would project beyond the northern and western flanks of the host property. An existing side garage would be demolished to accommodate this extension.
- The two storey element would be set approximately 3.7m inward from the front part of the side extension and would maintain a separation of approximately 1.3m with the flank boundary. The roof above the extension would be subservient in relation to that of the existing house with its apex set at a lower height.

- In addition to the above a detached garage would be built to the south of the main dwelling and incorporate a footprint measuring approximately 5.6m x 3.7m and a pitched roof.

Location

The application site is located within the Chislehurst Road Petts Wood Conservation Area, approximately 30 metres to the south of the junction with Kingsway. The area is characterised by large detached houses situated on sizeable plots well separated from the highway.

Comments from Local Residents

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

Comments from Consultees

The application was not inspected by the Advisory Panel for Conservation Areas.

Planning Considerations

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

Following the submission of revised plans no specific conservation objections are raised, subject to conditions.

Planning History

A two storey extension proposed along the southern side of the host building was refused in 2001 (ref. 01/01356) on the basis that that it would detract from the character of the building and Conservation Area. That proposal was markedly different to this scheme.

Conclusions

The main issues relating to the application are the effect that it would have on the character and appearance of the Chislehurst Road Petts Wood Conservation Area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Unlike most other houses along the street, the existing dwelling has been built at an angle in relation to the street and, as a consequence, the boundaries are tapered in relation to the house. In the case of the proposed side extension, the gap between the dwelling and the boundary increases as one approaches the rear of the site. With this in mind the proposal has been designed to make use of the tapering boundary, however in doing so there is a breach of Policy H9 which requires a minimum 1m sidespace and greater in areas where the spatial character requires. This occurs where the single storey front corner of the proposed extension projects to within 1m of the boundary, however this immediately tapers away to provide an increasing sidespace towards the rear of the dwelling.

Given the unique siting and design of the property, as well as the proposed degree of separation between the extension and the boundary overall, it is considered that the side/rear extension could be accommodated without harming the spatial standards which characterise the area. Furthermore, since the first floor element will be set back in relation to the dwelling frontage, it will somewhat be obscured from street, thereby preserving the architectural integrity of the host structure.

No specific concerns are raised in relation to the proposed garage of which the design will match many of the existing properties in the area. With regard to neighbouring amenity given the siting of the extension and the separation with the properties either side, it is not considered that this will be significantly harmed.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character or appearance of the Conservation Area.

Background papers referred to during production of this report comprise all correspondence on files refs. 01/01356 and 10/01128, excluding exempt information.

as amended by documents received on 18.06.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | | |
|---|--------|--|-------|-----------------------|
| 1 | ACA01 | Commencement of development within 3 yrs | | |
| | ACA01R | A01 Reason 3 years | | |
| 2 | ACC01 | Satisfactory materials (ext'nl surfaces) | | |
| | ACC01R | Reason C01 | | |
| 3 | ACC03 | Details of windows | | |
| | ACC03R | Reason C03 | | |
| 4 | ACI13 | No windows (2 inserts) | flank | first floor extension |
| | ACI13R | I13 reason (1 insert) | BE1 | |

Reasons for permission:

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

BE1 Design of New Development

BE11 Conservation Areas

H8 Residential Extensions

H9 Side Space

The development is considered satisfactory in relation to the following:

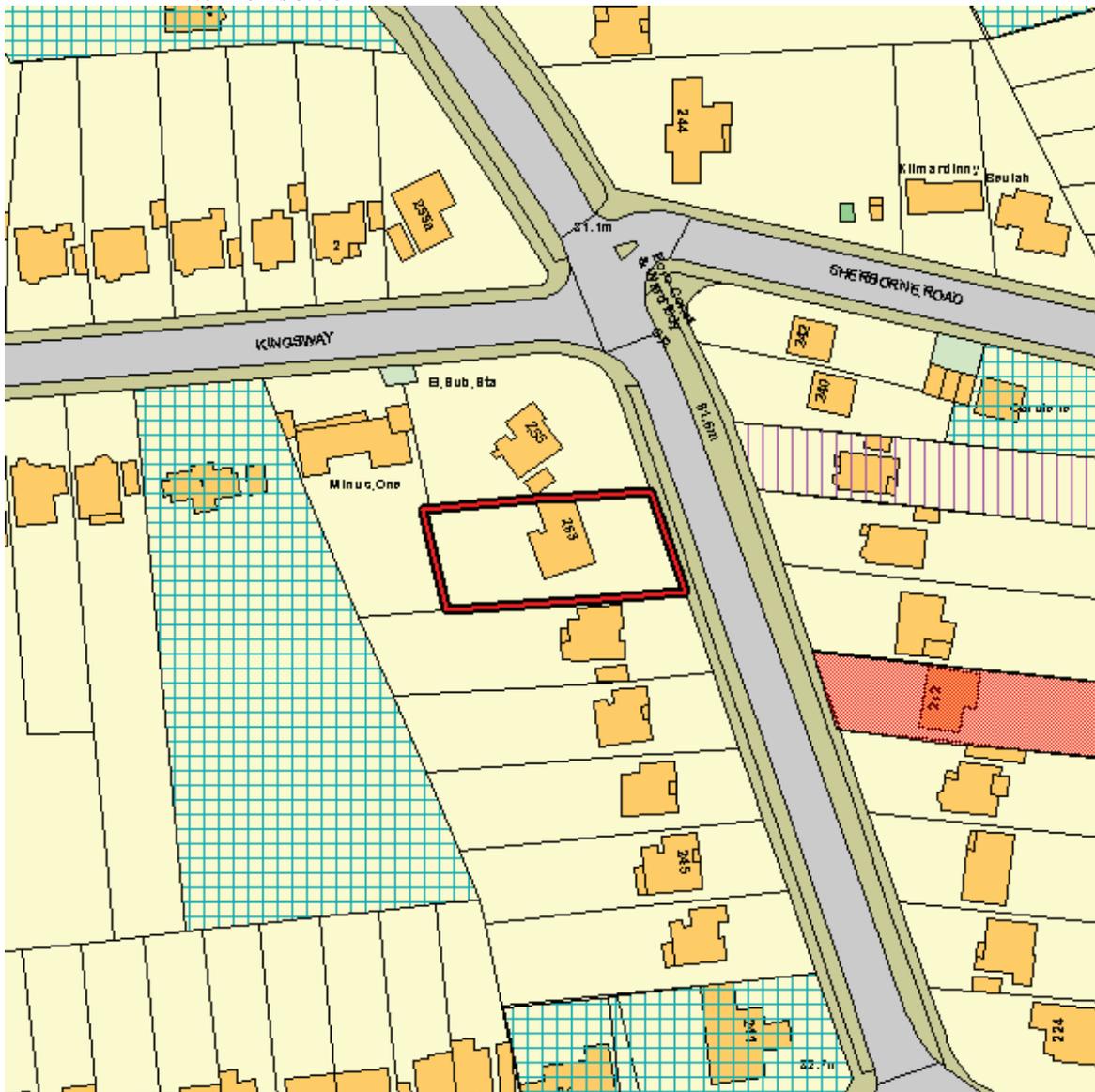
- (a) the appearance of the development in the street scene;
- (b) the relation of the development to the adjacent property;
- (c) the character of the development in the Conservation Area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the light and outlook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

and having regard to all other matters raised.

Reference: 10/01128/FULL6

Address: 253 Chislehurst Road Orpington BR5 1NS

Proposal: Part one/two storey side and rear extension. Single storey detached garage to front/side



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SECTION '2' – Applications meriting special consideration

Application No : 10/01276/VAR

Ward:
Shortlands

Address : 50 - 52 Shortlands Road Shortlands
Bromley BR2 0JP

OS Grid Ref: E: 538979 N: 168912

Applicant : Mr Richard Percy

Objections : YES

Description of Development:

Variation of condition 5 of permission ref 04/00477, granted for single storey rear extension to No. 52 and change of use of No's 50 and 52 from residential (Class C3) to children's day nursey (Class D1) with 3 car parking spaces at front, to allow up to 60 children to be accommodated at any one time (RETROSPECTIVE APPLICATION)

Key designations:

Conservation Area: Shortlands

Proposal

- Planning permission was granted under ref. 04/00477 for a Single storey rear extension to No. 52 and change of use of Nos. 50 and 52 from residential (Class C3) to children's day nursery (Class D1) with 3 car parking spaces at front.
- The permission included a condition which restricted the number of children attending the nursery to no more than 32 at any one time in order to safeguard the amenities of local residents and to ensure that the proposal did not have an unsatisfactory impact on on-street parking or highway safety.
- The proposal is to vary this condition to allow up to 60 children to be accommodated at any one time.
- The application is being made retrospectively since the condition has already been breached. There are currently 46 children attending the nursery.

Location

- The application site is a detached building which originally comprised of two semi-detached dwellings.

- The current use of the building is a children's nursery/pre-school (originally approved under ref. 03/03046)
- The site falls within the Shortlands Conservation Area.

Comments from Local Residents

- 60 places would seem to be unsuitable in a building with only two upstairs toilets and just one steep staircase;
- increase in staff parking in Bromley Grove;
- increase in traffic delivering and collecting children;
- increase in noise;
- overdevelopment in a residential and conservation area;
- impact on adjoining properties;
- noise of children playing lasts all day;
- increase in pulling in and out of nursery close to bend is an issue;
- impact of 60 children will be detrimental to quiet enjoyment of property;
- unsuitable for a building of this size;
- increase in traffic could endanger children's safety;
- parking an issue in Shortlands Grove;
- number of children proposed appears to be in excess of numbers advised by child Care Act regs.

The full texts of the correspondence received relating to this application are available to view on file.

Comments from Consultees

The Council's Highways Development Engineers were consulted on the application and have raised no objections to the variation subject to a condition regarding satisfactory parking layout being applied to any approval.

The Council's Education division (Early Years) are in support of the application subject to Health and Safety and OFSTED approval.

The Council's Environmental Health (pollution) team have raised no objections.

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
- BE11 Conservation Areas
- C7 Educational and Pre-School Facilities
- T1 Transport Demand
- T2 Assessment of Transport Effects

T18 Road Safety

4A.20 and Mayors Ambient Noise Strategy

PPS1 Delivering Sustainable Development

Planning History

There have been several planning applications in relation to this site. The most recent and relevant applications were as follows:

09/00733: Planning permission was granted for a Part one/two storey side/rear extension and increase in roof height to provide ancillary space for nursery. A condition was attached to the permission stating that "No additional children shall attend the nursery without the prior approval in writing of the Local Planning Authority".

08/02600: Planning permission was refused for roof alterations and second floor addition to provide ancillary space for nursery with external access steps.

06/04255: Planning permission was granted for a first floor rear extension – to date this has not been implemented.

Conclusions

The main issues relating to the application are the impact of the increased number of children attending the nursery on the amenities of nearby residents, and the effects on traffic, parking, and general conditions of road safety in this part of the Conservation area.

There have been numerous concerns raised from nearby residents about the increase in noise which may result from the additional children. At present there are 46 children attending the nursery. Whilst some additional noise may be incurred when the children are in the outside rear playground, this is not likely to be at all times of the year and would probably be weather dependant. Furthermore, the nursery is only in use Mondays to Fridays between the hours of 0800 and 1800 (as per condition 5 of permission ref. 04/00477). It is therefore considered that the increase from 46 to 60 children is unlikely to result in a significant loss of amenity to local residents. Furthermore, the applicant has assured that 60 is the maximum number of children that would be present at any one time and, of these, 25 would be 'sessional' and only 35 full-time attendees.

However, as the ref. 04/00477 permission only allowed 32 children to attend the nursery, the impact of the increase from 32 to 60 children must now be considered. On the one hand, as the breach of condition has been ongoing since 2006 and as the matter was only recently raised by local residents, it may be considered that current

noise levels caused by 46 nursery attendees are not significantly detrimental to the enjoyment of surrounding properties. On the other hand, neighbours may have come to accept that the noise levels currently experienced are those to be expected from 32 nursery attendees and, should this application be refused and the breach of condition remedied, noise levels may decrease to more acceptable levels.

The second main issue relating to the application is the impact on parking, traffic, and general conditions of Highways safety in the vicinity of the nursery. The current level of use of the nursery does not appear to have resulted in any personal injuries or accidents in Shortlands Road in the vicinity of the site since the number of children attending the nursery was increased. In order to assess the potential impact that the proposed increase to 60 nursery attendees would have, the applicant has submitted traffic and parking surveys showing the amount of traffic and on-street parking in the vicinity of the site at various times of the day. The survey indicates that there are on-street parking spaces available for additional demand during the hours of maximum parking demand. As such, the proposal is considered acceptable in terms of the impact on highways safety and on-street parking.

To summarise, Members need to consider whether or not the increase in the number of children attending the nursery would lead to an increase in noise levels significant enough to have an unduly harmful effect on the amenities of nearby residents, even though only 35 of the nursery attendees would attend full time and the other 25 would be 'sessional'. Furthermore, there are currently already 46 children in attendance at the nursery. In terms of the effect on parking in the surrounding road network, there appears to be on-street parking spaces available for additional demand during the hours of maximum parking demand and Members may therefore consider that the proposal would not significantly impact the local road network.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/01276, excluding exempt information.

as amended by documents received on 21.07.2010

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- 0 D00002 If Members are minded to grant planning permission the following conditions are suggested:
- 1 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 2 a) The children attending the day nursery/playgroup shall be between the ages of 0 and 5 years and not more than 60 children shall be accommodated at any one time.
b) The use of the premises for the purpose permitted shall be limited to Mondays to Fridays inclusive between the hours of 0800 and 1800.

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

Reasons for granting permission:

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

- BE1 Design of New Development
- BE11 Conservation Areas
- C7 Educational and Pre-School Facilities
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T18 Road Safety

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

- (a) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (b) the transport policies of the development plan;
- (c) the safety of pedestrians and motorists on the adjacent highway;
- (d) the preservation or enhancement of the conservation area.

and having regard to all other matters raised.

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

- 1 The proposed increase in the number of children attending the playgroup would be detrimental to the amenities of adjacent and nearby residents by reason of the additional noise and disturbance generated, contrary to Policy BE1 of the Unitary Development Plan.

Reference: 10/01276/VAR

Address: 50 - 52 Shortlands Road Shortlands Bromley BR2 0JP

Proposal: Variation of condition 5 of permission ref 04/00477, granted for single storey rear extension to No. 52 and change of use of No's 50 and 52 from residential (Class C3) to children's day nursey (Class D1) with 3 car parking spaces at front, to allow up to 60 children to be accommodated at any one time (RETROSPECTIVE APPLICATION)



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SECTION '2' – Applications meriting special consideration

Application No : 10/01334/FULL1

Ward:
Bromley Common And
Keston

Address : 20 Gravel Road Bromley BR2 8PF

OS Grid Ref: E: 542283 N: 165943

Applicant : Heltfield Ltd

Objections : YES

Description of Development:

Revisions to detached house at plot 8 of permission reference 09/02222 to include single storey side extension for garage.

Key designations:

Tree Preservation Order

Proposal

- Revisions to the detached house at plot No.8 of permission ref. 09/02222 to include a single storey side extension for garage.
- The garage would be located adjacent to the southern boundary of the site.
- It would have a pitched roof measuring approximately 4.2m to the ridge.

Location

- The application site is situated on the north-western side of Gravel Road.
- The surrounding area is residential, with area to the west of the site forming part of Bromley, Hayes and Keston Common Conservation Area.
- The east of the site is bounded by the rear gardens of properties in Gravel Road.
- The south of the site is bounded by the rear gardens of properties in Weald Close.
- There are trees to the western boundary of the site protected by TPO No. 2078.

Comments from Local Residents

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

- unsightly;
- damage or loss of protected trees;
- over-development of the site;
- concerns that trees along rear of fence at No.6 Weald close will be interfered with;
- trees screen neighbours from development and provide some privacy;
- appeal decision stated that strip of land between 22 and 44 Gravel Rd should be retained as undeveloped garden land;
- arboricultural report refers to a small Holly to be removed which is in neighbouring garden.

Comments from Consultees

The Council's highways development engineers have raised no objections to the application subject to various conditions being placed on any grant of permission.

Planning Considerations

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- NE7 Development and Trees
- T3 Parking
- T5 Access for people with restricted mobility
- T6 Pedestrians
- T7 Cyclists
- T15 Traffic management
- T16 Traffic management and Sensitive Environments
- T18 Road Safety

Planning History

There have been a number of applications for development to the r/o 20 Gravel Road.

06/00619 - 6 detached houses: refused and dismissed at appeal

06/02502 - 5 detached houses: refused and dismissed at appeal

06/04235 - 4 detached houses: permission granted

07/02420 – 4 detached houses (amendment to ref. 06/04235): permission granted

08/00264 – 3 detached houses (bringing the total to 5): refused and then allowed on appeal. Costs were also awarded against the Council as the third ground of refusal could not be substantiated. The main issues considered by the Inspector were whether the proposed development was cramped on the site, whether it would be significantly greater than that of the approved scheme, its impact on the neighbour's privacy and outlook, and its impact on trees.

09/01303 - 5 detached houses (bringing the total up to 8 dwellings at the site). The application was deferred by Plans-Sub Committee 2 on 23rd July 2009 to seek a reduction in the number of units by 1. The applicants, having considered the request, declined to alter the application and appealed against non-determination. The appeal was dismissed on 16th Feb 2010.

09/02222 – 1 detached house (which did not appear in previous applications) and revisions to house at plot 3 of ref. 08/00264: permission granted

09/03390 - Revisions to detached house at plot 8 of permission ref. 09/02222 to include amended design and layout to provide additional bedroom at first floor and widening of access road – permission granted

Conclusions

The main issues in this case are the likely impact of the proposed scheme on the character and appearance of the surrounding area, and on the amenities of neighbouring residential properties, having particular regard to the density, layout and design of the proposed scheme. Regard must also be given to the previous applications and subsequent appeal decisions at the site.

The proposed garage would be sited approximately 0.6 metres from the boundary with 4 Weald Close. The garage is single storey measuring approximately 4.2m in height to the ridge. There is currently a separation of approximately 4.2m between the two storey house and the rear boundaries of 4 and 6 Weald Close. With the properties in Weald Close having rear gardens of approximately 20m in depth, it is considered unlikely that the single storey garage would have a significantly greater visual impact than the house already approved at the site to the detriment of the amenities of these neighbouring properties.

It is noted that in the ref. 08/00264 appeal decision, the Planning Inspector added a condition to the permission stating that "the strip of land between 22 and 44 Gravel Road shall be retained as undeveloped garden land". However, the original planning approval for the house at plot 8 (ref. 09/02222) allowed a parking area and area of hardstanding right up to the boundary with 6 Weald Close. In the current proposal there would be a 0.6m side space retained between the garage and the flank boundary of the site. Members may therefore consider that whilst the amount of built development on the site is proposed to increase and would encroach on this strip of land, the introduction of this single storey garage would have little impact on the sense

of spaciousness of the site and would not appear unacceptably cramped or overdeveloped.

A semi-mature Sycamore tree is proposed to be removed in order to enable the garage to be built. This is not considered a significant tree in terms of its contribution to the character of the area however it does provide some moderate screening of the site from No.6 Weald Close. Nevertheless, there are a number of other trees along this boundary which are to be retained and, in the position proposed; the Sycamore does little to screen the garage anyway. On balance, its loss is therefore considered acceptable.

To summarise, this is a finely balanced case and Members will need to consider whether the garage in the location proposed, encroaching onto the strip of land which the Appeal Inspector sought to be retained, would result in a significant visual impact, detrimental to the character and spaciousness of the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/01334, 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
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACA04
ACA04R | Landscaping Scheme - full app no details
Reason A04 |
| 3 | ACA08
ACA08R | Boundary enclosures - implementation
Reason A08 |
| 4 | ACB01
ACB01R | Trees to be retained during building op.
Reason B01 |
| 5 | ACB02
ACB02R | Trees - protective fencing
Reason B02 |
| 6 | ACB03
ACB03R | Trees - no bonfires
Reason B03 |
| 7 | ACB04
ACB04R | Trees - no trenches, pipelines or drains
Reason B04 |
| 8 | ACB16
ACB16R | Trees - no excavation
Reason B16 |
| 9 | ACC01
ACC01R | Satisfactory materials (ext'nl surfaces)
Reason C01 |
| 10 | ACD02
ADD02R | Surface water drainage - no det. submitt
Reason D02 |
| 11 | ACH03
ACH03R | Satisfactory parking - full application
Reason H03 |

- 12 ACH05 Size of garage
ACH05R Reason H05
- 13 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 14 ACH17 Materials for estate road
ACH17R Reason H17
- 15 ACH27 Arrangements for construction period
ACH27R Reason H27
- 16 ACH29 Construction Management Plan
ACH29R Reason H29
- 17 ACI02 Rest of "pd" Rights - Class A, B,C and E

Reason: In the interest of amenities of adjoining residents.

- 18 ACI12 Obscure glazing (1 insert) on the first floor flank elevations
ACI12R I12 reason (1 insert) BE1
- 19 No windows, other than those shown on the permitted plans shall be inserted in the first floor flank elevations of the houses.

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

- 20 The strip of land between 22 and 44 Gravel Road shall be retained as undeveloped garden land.

Reason: In the interest of the amenities of the adjacent properties.

Reasons for granting permission:

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- NE7 Development and Trees
- T3 Parking
- T5 Access for people with restricted mobility
- T6 Pedestrians
- T7 Cyclists
- T15 Traffic management
- T16 Traffic management and Sensitive Environments
- 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 housing policies of the development plan
- (i) the transport policies of the development plan
- (j) the neighbour concerns raised during the consultation process

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Please be aware that with regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 2 Suitably constructed soakaway(s) having an adequate capacity and located not less than five metres from any building or highway may be used for rainwater disposal subject to site conditions (i.e. a permeable soil strata being prevalent and the in the absence of a high ground water table) should there be no means of connection to a surface water sewer. Further guidance on soakaway design may be obtained with reference to BRE Digest 365 soakaway design.

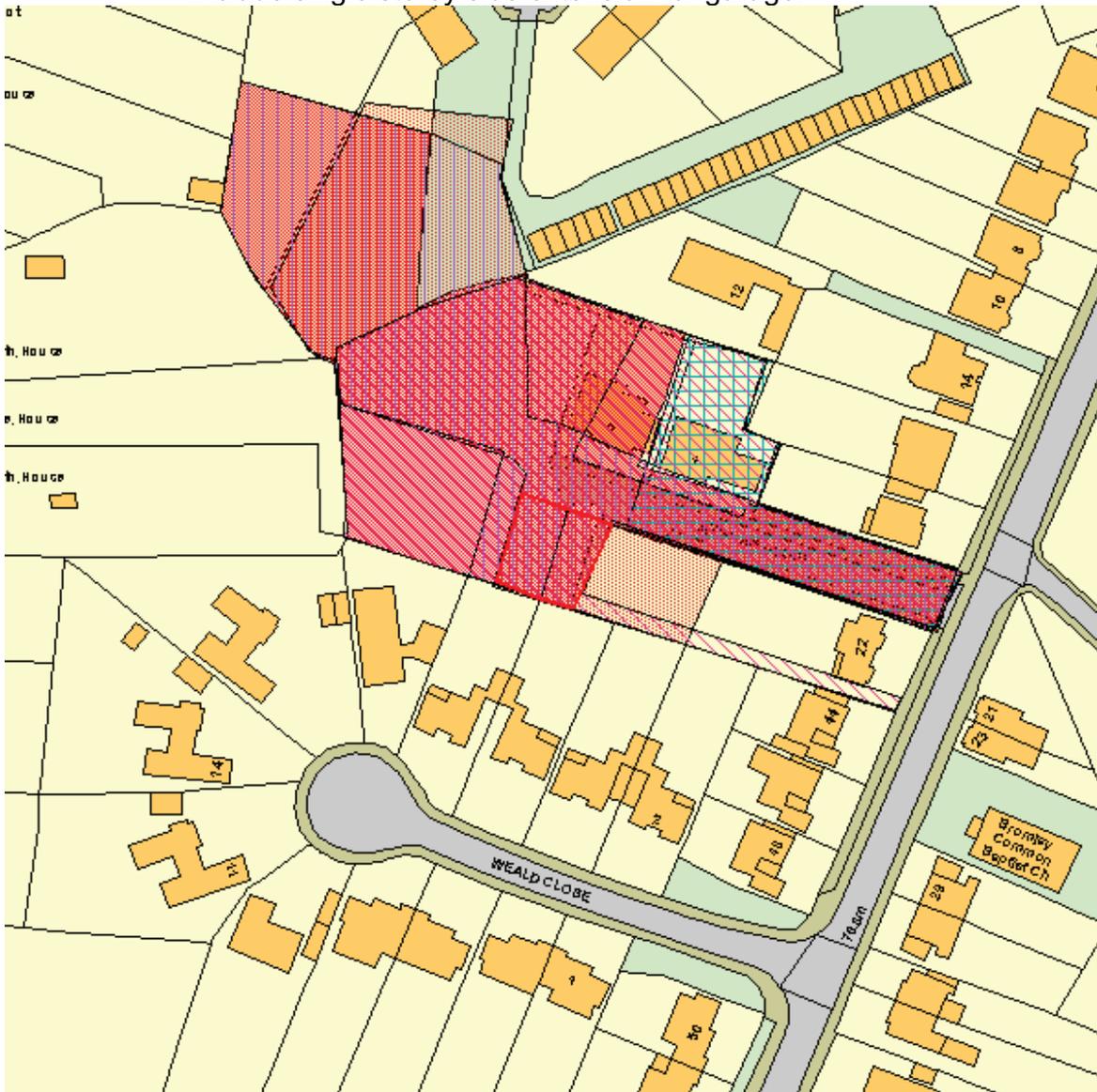
D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The garage, in the location proposed, would result in a cramped overdevelopment of the site, detrimental to the visual amenities, character and sense of spaciousness of the area, thereby contrary to Policies BE1 and H7of the Unitary Development Plan.

Reference: 10/01334/FULL1

Address: 20 Gravel Road Bromley BR2 8PF

Proposal: Revisions to detached house at plot 8 of permission reference 09/02222 to include single storey side extension for garage.



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SECTION '2' – Applications meriting special consideration

Application No : 10/01434/FULL4

Ward:
Darwin

Address : Speedwell Jail Lane Biggin Hill TN16
3AX

OS Grid Ref: E: 543432 N: 159324

Applicant : Mr And Mrs Clark

Objections : YES

Description of Development:

Application to modify legal agreement attached to planning permission 98/00210 to retain the original bungalow.

Proposal

- This application seeks to modify a Section 106 legal agreement from this site which was agreed and signed in February 2001 as part of planning permission ref. 98/00210 granted for a replacement dwelling. The agreement required the existing dwelling to be demolished within one month of the first occupation of the dwelling and this application seeks to retain the bungalow.
- The applicant's agent has submitted a supporting case which explains that although the planning permission for the new house on the site was subject to an agreed requirement to demolish the majority of other buildings, and that the gain to openness was achieved by the deed, that no condition was imposed to remove permitted development rights for the land.
- Permitted development rights could be used to construct outbuildings and extend the new dwelling, and it is offered as part of this application that the owners will relinquish any rights to extend the dwelling or construct outbuildings without planning permission, which will allow the Council to control the contribution to openness that the land provides.

Location

The site is located in a rural area on Jail Lane, opposite the Old Jail public house. Two further residential dwellings are located to the east on the same side of Jail Lane. The new larger dwelling on the site is located further back into the site than the bungalow, which is sited towards the front behind a vegetation screen with its own garden. There

currently exist two clear residential curtilages within this site, although they share an entrance from Jail Lane.

Comments from Local Residents

One letter has been received from a neighbour which objects to the proposal on the basis that the bungalow should have been demolished as part of the proposal to construct a new dwelling and the existing bungalow overlooks the neighbour's land and is in a poor state of repair.

Comments from Consultees

There are no comments from consultees to report.

Planning Considerations

The proposal to vary the legal agreement to allow the bungalow to remain needs to be considered with primary regard to Policy G1 (Green Belt) and Policy G5 (Replacement dwellings in the Green Belt), and national guidance in PPG2 – Green Belts

Planning History

Outline planning permission was granted subject to a Section 106 legal agreement in 2001 under ref. 98/00210 for a replacement dwelling at the site. The circumstances of this application, essentially that the demolition of the existing dwelling and a number of outbuildings would result in a reduction in built development in the Green Belt, were considered sufficiently compelling to make an exception to the normal policy regarding replacement dwellings and result in an improvement to the openness of the Green Belt.

Details pursuant to the outline permission showing design and external appearance were subsequently refused in 2001 under ref.01/00537 as the details submitted did not comply with the principles of the outline permission, showing a larger dwelling (floor area of 350sqm plus basement) than anticipated (floor area 320sqm) which would result in harm rather than improvement to the openness of the Green Belt, therefore contrary to policy. Details were finally approved for a more modest dwelling under ref. 01/01534 for a dwelling of 335sqm.

Conclusions

It is clear that the Council went to considerable lengths to ensure that the proposal for a replacement dwelling at this site resulted in an overall improvement to the openness and character of the Green Belt, indeed this was the very factor that led the Council to grant outline planning permission subject to the legal agreement it is sought to vary, since the construction of a dwelling is by definition inappropriate development. The demolition of the bungalow, and other outbuildings, were a significant and persuasive

element of the decision and constituted the very special circumstances necessary to allow inappropriate development in the Green Belt.

It is undoubtedly contrary to Policy G1 and Policy G5 and the terms of the previous permission that the bungalow remains in situ. The removal of built development to justify the new house is totally undermined by the failure to comply with the terms of the S106 agreement, and harm is caused to the openness of the Green Belt by the retention of the bungalow, both in principle and in actual terms, since the dwelling is visible from public vantage points, particularly in the winter months when vegetation is less dense, and being close to the road frontage.

Since it is clear that it is not appropriate and harmful in policy terms for the dwelling to remain, the only other consideration is the arguments put forward in support of this application. The agent has made a case in the submission that the new dwelling still benefits from permitted development rights both for extensions and outbuildings. These rights, it is argued could result in considerable extensions and / or large outbuildings being constructed within the site which could have a far greater impact upon the openness of the Green Belt than the retained bungalow. It is suggested that the applicants would give up their permitted development rights in exchange for retaining the bungalow, thus enabling the Council to have greater control over the openness of the Green Belt within the site.

The significant point with regard to this offer is that permitted development rights would not permit the construction of a self contained two floored dwelling with its own residential curtilage, which the bungalow currently comprises. Class E of residential permitted development allows no development in front of the original dwellinghouse (i.e. between the road and the new dwelling where the bungalow is located), and is subject to other size and height restrictions which the bungalow would not comply with, including a limit to a single storey, the bungalow clearly having a second floor in the roofspace also served by a dormer window. It is considered unlikely that the harm caused by this separate two storey residence to the openness of the Green Belt would be exceeded by the limited size and nature extensions and outbuildings allowed under permitted development.

Members will need to consider this proposal carefully, however it is recommended that the benefits of the offer being made do not outweigh the harm caused to the Green Belt and area by the self contained dwelling located in front of the new house in a prominent location set in its own curtilage. The principles of the original decision ought to be adhered to in this case for the reasons set out above, and it is recommended that the legal agreement should not be varied or discharged. Further Members should consider whether to enforce the terms of the legal agreement and require the demolition of the bungalow.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/01434, 98/00210, 01/00537 and 01/01534, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The retention of the bungalow would be inappropriate in the Green Belt result in ongoing harm to the openness and character of the Green Belt and the area in general, undermining the principles upon which the replacement dwelling at the house was granted planning permission and contrary to Policies G1 and G5 of the Unitary Development Plan and PPG2 - Green Belts.

Further recommendation - legal action be authorised to ensure compliance with the terms of the s106 legal agreement attached to permission 98/00210

Reference: 10/01434/FULL4

Address: Speedwell Jail Lane Biggin Hill TN16 3AX

Proposal: Application to modify legal agreement attached to planning permission 98/00210 to retain the original bungalow.



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

Application No : 10/01332/FULL6

Ward:
Plaistow And Sundridge

Address : 32A Park Avenue Bromley BR1 4EE

OS Grid Ref: E: 539965 N: 170521

Applicant : Mr Yanardag

Objections : NO

Description of Development:

Ground and first floor front extensions. Bow window to front and conversion of garage to a habitable room.

Key designations:

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

Proposal

- The application site is situated on the south side of Park Avenue near to the junction with Kinnaird Avenue.
- The property is set back from the highway at about 20 metres and comprises of a 2 storey detached house.

Comments from Local Residents

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

Comments from Consultees

From a Highways perspective there are no objections

Planning Considerations

The application falls to be determined in accordance with the following policies BE1 (Design of New Development) H8 (Residential Extensions) and H9 (Side space)of the Unitary Development Plan and the London Plan:

Policy H9 Side Space states:

“ the council will normally require the following (i) for a proposal of two storeys or more in height, a minimum 1 metre side space from the boundary of the site should be retained for the full height and length of the flank wall of the building.”

4.48: It is important to prevent a cramped appearance and unrelated terracing from occurring.

Planning History

No recent planning history

Conclusions

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

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

The proposed forward depth of the ground floor extension is 3 metres and the first floor forward projection is 2.4 metres with a pitched roof.

The orientation of the property in terms of sun light will have a minimum effect on No 32 Park Avenue; however it could be considered that the proposed first floor extension would have an impact upon the natural light to the first floor window of No34 which appears to be a bathroom. There is a side space of approximately 1.55 metres between the flank walls of the properties at this height. However the existing garage to the ground floor is only 0.55m to the boundary which is a technical breach of Policy H9 (side space). The proposal as submitted would appear to not lead to a lowering of spatial standards nor result in undue harm to amenity of local residents.

Accordingly, Members may agree that taking in to account the specific location of the property in relation to its neighbours and its position in the street scene in general that this application is acceptable and that adequate separation between buildings is retained and that the policy and amenity of adjoining neighbours is safeguarded. However members will need to consider this matter with specific reference to the provision of Policies mentioned previously.

Having regard to the above it is considered that the proposed extensions should not have a detrimental impact upon the amenities of the residents of the neighbouring properties, nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/01332, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC04
ACC04R | Matching materials
Reason C04 |
| 3 | AJ01B | Justification GENERIC reason FULL6 apps |

Reference: 10/01332/FULL6

Address: 32A Park Avenue Bromley BR1 4EE

Proposal: Ground and first floor front extensions. Bow window to front and conversion of garage to a habitable room.



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

Application No : 10/01559/FULL2

Ward:
Cray Valley West

Address : 76 Grovelands Road Orpington BR5
3EE

OS Grid Ref: E: 546464 N: 170134

Applicant : Ms Y Xu

Objections : YES

Description of Development:

Change of use from dry cleaners (A1) to hot food takeaways (A5) with ventilation ductwork at rear

Proposal

Planning permission is sought for the change of use of the premises from a dry cleaners shop to a hot food takeaway (Class A5). In addition, ventilation ductwork is proposed to the rear. The takeaway is proposed to be operated between 5.00pm and 11.00pm Monday to Friday and on Sundays, and between 5.00pm and 11.30pm on Saturdays.

The premises are located in a designated shopping frontage and, in support of the proposed change of use from retail the following information has been supplied concerning the term of vacancy, the marketing of the premises and any interest generated:

- premises last used by a dry cleaning business, which ceased on 11th March 2009
- letting particulars have been placed on the Council's website, stating that any use would be considered subject to planning permission
- letters were sent out to parties who had previously requested notification when shops became available
- since the premises were first marketed two interested parties came forward, both wishing to use the premises as a hot food takeaway – one was selected although withdrew their interest in July 2009
- another interested party came forward in September 2009 wishing to use the premises for retail purposes but again withdrew their interest shortly afterwards

- since that time the shop has been available with no further offers of interest until the current party (the Applicant) came forward

Location

The application premises are located on the northern side of Grovelands Road, Orpington, and comprise a ground floor retail unit which has been vacant since March 2009 although was last used as a dry cleaners shop. The premises fall within the Grovelands Road shopping parade as defined in the Unitary Development Plan.

The surrounding area is predominantly residential in character, although there are mixed use commercial/residential properties immediately adjoining the site within the shopping parade, and a primary school opposite.

Comments from Local Residents

Nearby residents were notified of the application and a statutory notice was posted at the site. Representations were received which can be summarised as follows:

- concerns regarding smells
- anti-social behaviour
- attract vermin
- rubbish
- there are already hot food takeaways in the Cotmandene Area

In addition, three separate multi-signature petitions echoing the concerns raised above were received in objection.

Comments from Consultees

From the technical Highways and Environmental Health (pollution) perspectives, no objections were raised.

Planning Considerations

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

BE1 Design of New Development
S5 Local Neighbourhood Centres, Parades and Individual Shops
S9 Food and Drink Premises
ER9 Ventilation

Planning History

There is no recent planning history of relevance to this application.

Conclusions

As the application property is located within a designated shopping parade, it is necessary for any change of use from retail (Class A1) to another use to contribute to the range of local services or the provision of local community facilities, and to contribute to the vitality of the centre by providing a service or attracting visitors during shopping hours, in line with the requirements of Policy S5. Alternatively, Policy S5 provides that other uses may be acceptable if it can be demonstrated that there has been a long term vacancy and a lack of demand for Class A1 use, as well as a lack of demand for service or community use before other uses are proposed.

In this case it is evident that the first proviso of Policy S5 will not be met – the proposed use would not contribute to the vitality of the centre during shopping hours in view of the evening/night-time opening hours proposed. However, it is clear from the information provided concerning the marketing of the premises that in the 15 months since they were vacated, there has been little interest from retail operators, or service or community uses. Accordingly, Members may consider that in principle the loss of retail use may be acceptable in this instance.

With regard to the proposed hot food takeaway use, Members will note the concerns raised by local residents regarding smells, however will be aware that no technical concerns have been raised from the Environmental Health (pollution) perspective. While hot food takeaways are typically evening/night-time uses, the nature of the use (i.e. with no consumption of food on the premises) is such that customer visits would be short, and indeed the impact to the amenities of the residential properties above the premises may be limited in terms of noise and disturbance generated from customers while inside the premises itself. Adequate on-street parking would appear to be available to the front of the premises, meaning that comings and goings to the site (and any noise and disturbance this may generate) would primarily be within the existing shopping parade and may not, therefore, be significantly detrimental to the amenities of neighbouring residents.

In addition, concerns have been raised locally that there are other hot food takeaways in the vicinity of the application site; these are in fact some distance away. There would appear to be only one other food and drink use within the shopping parade (a sandwich bar at No. 70), and accordingly Members may agree that the proposed use would not result in an over-concentration of similar uses in the area. Other concerns raised, such as increased litter and the possible attraction of vermin, are primarily management issues and would not be grounds for the refusal of planning permission in this case.

Having regard to the above, Members may agree that the proposed change of use is acceptable on balance and that planning permission should be granted.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/01559, excluding exempt information.

as amended by documents received on 07.07.2010

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACJ10 Ventilation system for restaurant/take-a
 ACJ10R J10 reason
- 3 The use hereby permitted shall not operate before 5.00pm nor after 11.00pm
 between Monday to Friday and on Sundays, nor before 5.00pm and 11.30pm
 on Saturdays.

Reason: In order to comply with Policy S9 of the Unitary Development Plan and in the interests of the amenities of nearby residential properties.

Reasons for granting permission:

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

- BE1 Design of New Development
- S5 Local Neighbourhood Centres, Parades and Individual Shops
- S9 Food and Drink Premises
- ER9 Ventilation

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

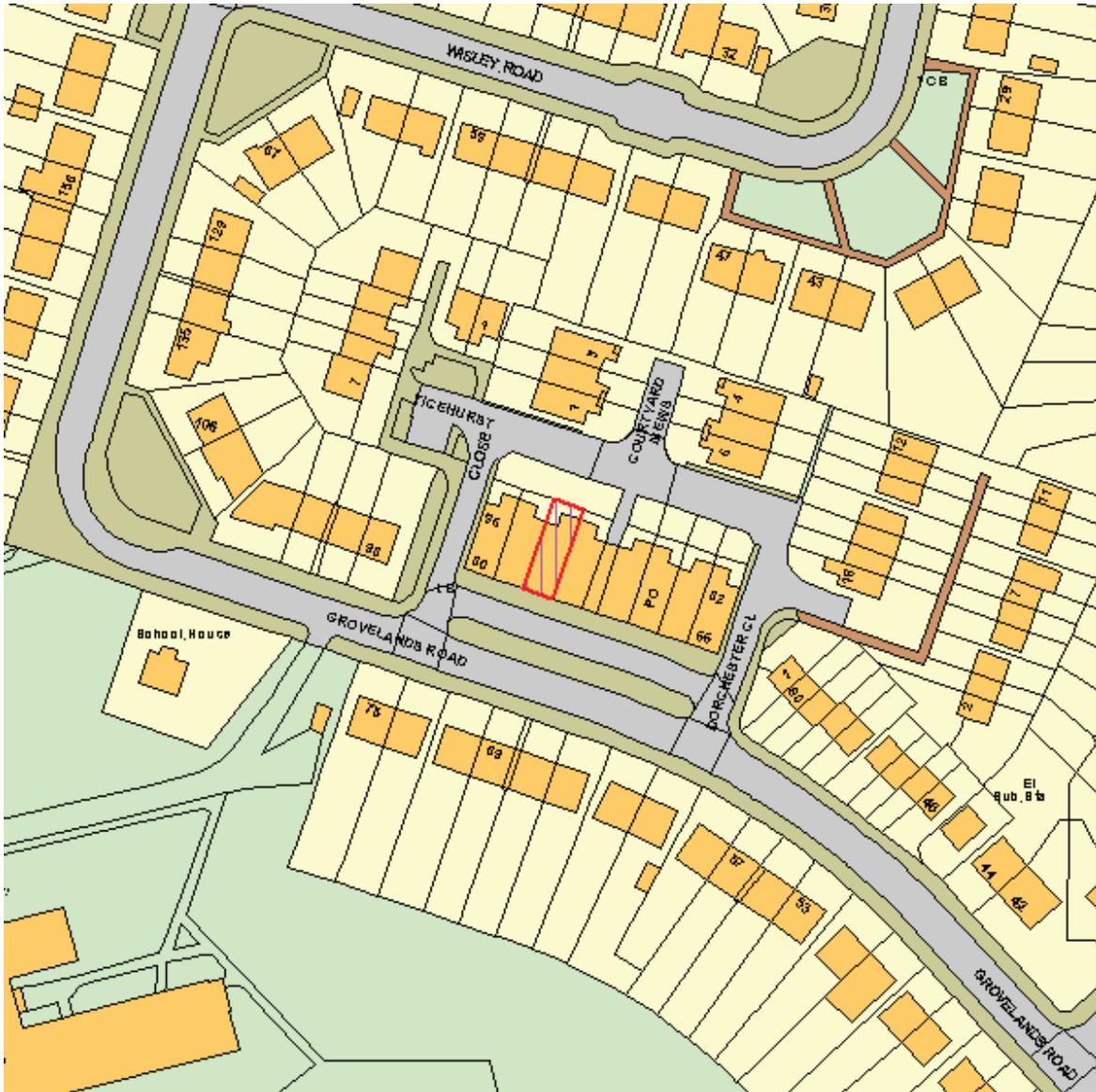
- (a) the impact of the proposed use on the amenities of the occupiers of adjacent and nearby residential properties
- (b) the loss of a retail use having regard to the term of vacancy and lack of interest in retail, service of community uses
- (c) the availability of on-street parking in the vicinity of the site
- (d) the acceptability of the proposed ventilation system
- (e) the shopping policies of the Unitary Development Plan
- (f) the conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

Reference: 10/01559/FULL2

Address: 76 Grovelands Road Orpington BR5 3EE

Proposal: Change of use from dry cleaners (A1) to hot food takeaways (A5) with ventilation ductwork at rear



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