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

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

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 3 MARCH 2011 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 6 JANUARY 2011**
(Pages 5 - 10)
- 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	Darwin	11 - 16	(06/03582/FULL2) - Highams Hill Farm, Sheepbarn Lane, Warlingham.
4.2	Chislehurst Conservation Area	17 - 22	(10/03016/FULL3) - 45 High Street, Chislehurst.
4.3	Kelsey and Eden Park	23 - 30	(10/03161/FULL1) - Backwoods, Kelsey Lane, Beckenham.
4.4	Chelsfield and Pratts Bottom	31 - 38	(10/03255/OUT) - Orpington Sports Club, Goddington Lane, Orpington.
4.5	Kelsey and Eden Park	39 - 46	(10/03256/FULL1) - Langley Park School For Girls, Hawksbrook Lane, Beckenham.
4.6	Bromley Common and Keston Conservation Area	47 - 56	(10/03491/FULL1) - Land at Langham Close, Bromley.
4.7	Plaistow and Sundridge	57 - 62	(10/03540/DET) - Land adj Wyndways, 45 Garden Road, Bromley.
4.8	Biggin Hill	63 - 66	(11/00033/FULL6) - 81 Jail Lane, Biggin Hill.

4.9	Petts Wood and Knoll	67 - 70	(11/00182/FULL6) - 46 Red Cedars Road, Orpington.
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SECTION 3 (Applications recommended for permission, approval or consent)

Report No.	Ward	Page Ref.	Application Number and Address
4.10	Shortlands	71 - 78	(10/02118/FULL6) - 90 Malmains Way, Beckenham.
4.11	Bickley	79 - 86	(10/03350/FULL1) - The Priory, Westbury Road, Bromley.
4.12	Shortlands Conservation Area	87 - 92	(10/03493/FULL6) - 1 Malmains Way, Beckenham.
4.13	Shortlands Conservation Area	93 - 98	(10/03661/VAR) - 15 Durham Avenue, Shortlands, Bromley.
4.14	Chelsfield and Pratts Bottom	99 - 104	(11/00017/FULL1) - 154 Worlds End Lane, Orpington.
4.15	Cray Valley East	105 - 108	(11/00023/FULL1) - Oak View, Crockenhill Road, Orpington.

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

Report No.	Ward	Page Ref.	Application Number and Address
4.16	West Wickham	109 - 112	(10/02959/TPO) - Chez Nous, 7A Acacia Gardens, West Wickham.
4.17	Hayes and Coney Hall	113 - 116	(10/03218/TPO) - 11 Sedgewood Close, Hayes, Bromley.

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
	NO REPORTS		

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

NO REPORTS

PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 6 January 2011

Present:

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

Also Present:

Councillors Russell Mellor

31 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

No apologies for absence were received. Councillor Michael Turner was not present.

32 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

33 CONFIRMATION OF MINUTES OF MEETING HELD ON 4 NOVEMBER 2010

RESOLVED that the Minutes of the meeting held on 4 November 2010 be confirmed.

34 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

34.1 MOTTINGHAM AND CHISLEHURST NORTH

**(10/03347/FULL1) - Dorset Road Infant School,
Dorset Road, Mottingham.**

Description of development amended to read,
"Relocation of existing side boundary fence".

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

34.2
CRAY VALLEY WEST

(10/03349/FULL1) - Field Studies Centre, Midfield Primary School, Grovelands Road, Orpington.
Description of development - Resurfacing of access road to Grovelands Centre from Midfield Way.

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

“4. Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

SECTION 2

(Applications meriting special consideration)

34.3
CRAY VALLEY EAST

(10/00657/VAR) - Bournewood Sand and Gravel, Swanley Bypass, Swanley.

Description of development - Variation of conditions 1, 12 and 13 of 00/02071 and condition 1 of 08/03444 to allow extraction of Thanet Sand, restoration and recontouring with inert waste and associated access, buildings and structure to continue/ remain until 14th January 2018.

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

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

1. The unauthorised activities which have continued at the site and the unsightly visual impact of the operations on the openness of the Green Belt and the character of the area and amenities of local residents in general, the proposed extension of time for the extraction of minerals until 2018 is considered to be inappropriate development in the Green Belt as the

high environmental standards and minimal impact of the process required by PPG2 - Green Belts and UDP Policy G15 are not being met at the site and the Council does not consider that the necessary standards are likely to be met in the future. The proposal is therefore contrary to Unitary Development Plan Policy G15 and PPG2 - Green Belts

2. There is sufficient doubt that the extraction of Thanet Sand is economically viable and that the extracted material is of suitable quality and the continuation of mineral extraction would result in ongoing visual harm to the openness and character of the Green Belt and further harm to the amenities of nearby residents contrary to Policy G14 of the Unitary Development Plan.

**34.4
CHISLEHURST**

(10/02027/FULL6) - Two Chimneys, Oakwood Close, Chislehurst.

Description of development - Erection of acoustic fence within the curtilage adjacent to the south and south east boundaries of the property max height 3 metres.

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

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

1. The proposal by reason of its excessive height and prominent location is visually obtrusive and harmful to the character of appearance of the Chislehurst Conservation Area contrary to Policies BE7 and BE11 of the Unitary Development Plan.

**34.5
CLOCK HOUSE**

(10/02321/FULL3) - 2 Beckenham Road, Beckenham.

Description of development - Conversion into five 2 bedroom apartments, landscaping, removal of access ramp on property frontage, change of use from business (Class B1) to dwellinghouse (Class C3 (a)) and from business (Class B1) to non-residential institution: function hall (Class D1) for rear building.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**34.6
COPERS COPE**

(10/02849/FULL6) - 16 Scotts Lane, Shortlands, Bromley.

Description of development - Two storey front/side extension, resiting of existing shed, creation of new driveway including hardstanding and 3 additional car parking spaces. Erection of new detached garage.

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

A copy of an appeal decision for Planning application 08/00195/FULL1 relating to 18 Scotts Way, Bromley, that was dismissed on 30 April 2009 was available to Members for inspection.

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

1. The proposed two storey extension will result in an unacceptable impact on the visual amenities and outlook of adjacent residential properties by reason of its siting, design and bulk, therefore contrary to Policies BE1 and H8 of the Unitary Development Plan.

**34.7
CHISLEHURST**

(10/02901/FULL6) - 28 Wimborne Avenue, Chislehurst.

Description of development - Part one/two storey front, side and rear extensions, elevational alterations and ground works to rear to provide sunken terrace with retaining wall.

Comments from Ward Member, Katy Boughey, in objection to the application were reported.

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

**34.8
DARWIN**

(10/03126/FULL6) - 140 Cudham Lane North, Cudham.

Description of development - Detached single storey double garage to front.

THIS REPORT WAS WITHDRAWN BY THE APPLICANT.

SECTION 3

(Applications recommended for permission, approval or consent)

**34.9
KELSEY AND EDEN PARK**

(10/02940/FULL6) - 34 Gordon Road, Beckenham.

Description of development - Single storey rear extension.

Oral representations in support of the application were received at the meeting. It was reported that the application had been amended by documents received on 5 January 2011.

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

**34.10
ORPINGTON**

(10/03037/FULL6) - 205 Charterhouse Road, Orpington.

Description of development - Part one/two storey side and rear extension. Front porch.

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

SECTION 4

(Applications recommended for refusal or disapproval of details)

**34.11
CRYSTAL PALACE
Conservation Area**

(10/03112/FULL6) - 17 Belvedere Road, Anerley, London, SE19.

Description of development - Two storey rear extension.

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

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

2. The proposal would result in an unacceptable loss of amenity to neighbouring properties by reason of noise, light and visual amenity, contrary to Policy BE1 of the Unitary Development Plan.

**34.12
CRYSTAL PALACE
Conservation Area**

**(10/03113/LBC) - 17 Belvedere Road, Anerley,
London, SE19.**

Description of development - Internal alterations including blocking in rear window at basement level, new opening in rear wall, relocation of timber stairs to rear garden at ground floor level, creation of internal partition wall, relocation of internal door opening, new internal steps, new internal door, relocation of rear window, new opening in rear elevation at first floor level, insulation to external walls and 2 storey rear extension. LISTED BUILDING CONSENT.

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

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

35 CONTRAVENTIONS AND OTHER ISSUES

**35.1
BROMLEY COMMON AND
KESTON**

**(DRR/10/00142) - Garage Constructed within rear
of curtilage of 92 Oxhath Crescent, Bromley.**

Members having considered the report, **RESOLVED that ENFORCEMENT ACTION BE AUTHORISED** on the grounds of overdevelopment and impact on the amenities of neighbouring properties **FOR THE REMOVAL OF THE UNAUTHORISED STRUCTURE.**

The Meeting ended at 7.59 pm

Chairman

SECTION '2' – Applications meriting special consideration

Application No : 06/03582/FULL2

Ward:
Darwin

Address : Highams Hill Farm Sheepbarn Lane
Warlingham Surrey CR6 9PQ

OS Grid Ref: E: 540000 N: 161282

Applicant : P Johnson And Son Ltd

Objections : NO

Description of Development:

Change of use of three former poultry houses from agriculture into uses within Classes B1 B2 B8 [of the Town And Country Planning (Use Classes) order 1987 as amended] with ancillary parking.

Proposal

Retrospective planning permission is sought for the change of use of three poultry sheds from agricultural use to commercial use within Classes B1, B2 and B8.

The sheds are currently divided into commercial units and occupied as follows:

- Unit 1 - Hammonds Furniture Ltd – storage and distribution of bedroom furniture (12,000 sq ft)
- Unit 2 - Frontline Marketing Ltd – storage and fabrication of shop racking (12,000 sq ft)
- Unit 3 - Creator International Ltd – storage and fabrication of exhibition stands (12,000 sq ft)
- Unit 4 – Vacant (6,000 sq ft)
- Unit 5 – GlassEco Ltd – manufacturing products from recycled glass (6,000 sq ft)
- Unit 6 – Benchworks – storage of exhibition stands 6,000 sq ft)
- Unit 7 – Atomizer Ltd – storage and distribution of industrial sprayers (6,000 sq ft)
- Unit 8 – BPS Access Solutions – Storage and distribution of ladders (12,0000 sq ft)
- Studio – Vacant (5,000 sq ft converted control room)

The application is accompanied by an Evaluation of Options report by Kernon Countryside Consultants which concludes that the poultry units are no longer viable. The application is also accompanied by a Transport Statement.

The application has been the subject of delays due to negotiations regarding highways issues.

Location

- Site occupied by 3 former poultry sheds each measuring approx 88m long (at the longest point) and approx. 21m wide with associated car parking
- site is designated Green Belt and is located towards the western edge of the borough between Biggin Hill and New Addington
- surrounding Green Belt land is predominantly rural in character and includes a number of Sites of Interest for Nature Conservation
- there is a travelling showpeople's site to the west.

Comments from Local Residents

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

Comments from Consultees

- Highways – no objections
- Council's in-house drainage consultant - no objections
- Environment Agency - no objections.

Planning Considerations

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

UDP

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T18 Road Safety
- G1 The Green Belt

London Plan

3D.9 Green Belt.

Policy G1 states that:

'The re-use of a building in the Green Belt will be inappropriate unless it meets all of the following criteria:

- (v) it will not have a materially greater impact than the present use on the open character of the land;
- (vi) use of the land surrounding the building and boundary treatments will not harm the openness of the land or conflict with the purposes of including land in the Green Belt;

- (vii) the building is of permanent construction and capable of conversion or re-use without extensive or complete reconstruction;
- (viii) the form, bulk and design of the building are in keeping with its surroundings;
- (ix) the proposed use does not entail external storage of materials, plant or machinery; and
- (x) the proposed use has no adverse effect on the recreational enjoyment or appearance of the countryside.'

Conclusions

The main issues relating to the application are whether the re-use of the buildings is appropriate in the Green Belt, the effect of the proposal on the character of the area and the openness of the Green Belt, the impact on the residential amenities of nearby dwellings, and the highways implications of the proposal.

With regard to the criteria for the appropriate re-use of buildings within the Green Belt set out in Policy G1 it is considered that:

- The uses have potential for a greater amount of vehicle parking than the previous use, however the main area of hardstanding used for car parking has not increased in size and is screened from the south by a bund – given the impact of the sheds it may be considered that there is not a materially greater impact on the openness of the Green Belt from any additional car parking relating to the uses
- in that there is no external storage and all commercial activities other than loading and unloading take place within the buildings, the use of the land surrounding the sheds and the boundary treatments has not changed following the change of use
- buildings have been adapted without reconstruction
- the appearance of the buildings has not changed since their previous agricultural use, which was considered acceptable
- adequate storage space is available inside the buildings whilst access and parking provision has not changed since previous use
- there are no adverse impacts on the recreational enjoyment or appearance of the countryside.

The proposed use of the buildings can be considered to comply with the requirements of Policy G1 regarding re-use of buildings in the Green Belt. The change of use of the buildings involved the demolition of feed silos and the buildings have not been externally altered, therefore it can be considered in relation to the vehicle parking associated with the commercial use that the effect of the development on the openness of the Green Belt has been neutral.

The nearest residential dwellings are Highams Hill Cottages and Highams Hill Farmhouse, which are related to the farm. It may be considered that the current uses of the buildings result in less harm to residential amenities than an intensive poultry farming operation.

The applicant has agreed to a condition securing highway safety improvement measures to address highway safety concerns.

The change of use of the former poultry sheds is not considered to result in any undue harm in planning terms.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 A scheme of road safety measures to be paid for by the applicant and to include a 'slow' road marking and a 'road narrows' sign shall be submitted to and approved in writing by the Local Planning Authority and implemented by 31.08.11.

Reason: In the interests of highway safety and in order to comply with Policy T18 of the Unitary Development Plan.

- 2 A scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority and shall be implemented by 31.08.2011. That scheme shall include all of the following elements unless specifically excluded, in writing, by the Local Planning Authority:

(a) A desk study identifying:

- All previous uses
- Potential contaminants associated with those uses
- A conceptual model of the site indicating sources, pathways and receptors
- Potentially unacceptable risks arising from contamination at the site.

(b) A site investigation scheme, based on (1) to provide information for an assessment of the risk to all receptors that may be affected, including those off site.

(c) The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.

(d) A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance, further monitoring and reporting.

Any changes to these agreed elements require the express consent of the Local Planning Authority.

Reason: To protect controlled waters.

- 3 Soakaways shall only be used in areas on site where they would not present a risk to groundwater. If any soakaways are proposed, details of their location shall be submitted and approved in writing by the Local Planning Authority, and any soakaways provided shall be in accordance with the approved details.

Reason: To prevent pollution of controlled waters.

Reasons for permission:

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

UDP

BE1 Design of New Development

T3 Parking

T18 Road Safety

G1 The Green Belt

London Plan

3D.9 Green Belt.

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

- (a) the impact of the proposal on the openness and visual amenities of the Metropolitan Green Belt
- (b) the impact on the amenities of the occupiers of nearby properties
- (c) the safety of pedestrians and motorists on the adjacent highway
- (d) the transport policies of the development plan

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Under the terms of the Water resources Act 1991, the prior written consent of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters (e.g. watercourses and underground waters), and may be required for any discharge of surface water to such controlled waters or for any discharge of sewage or trade effluent from buildings or fixed plant into or onto ground or into waters which are not controlled waters. Such consent may be withheld. Contact Jodie Catchpole on 01276 454300 for further details.

Reference: 06/03582/FULL2

Address: Highams Hill Farm Layhams Road Keston BR2 6AR

Proposal: Change of use of three former poultry houses from agriculture into uses within Classes B1 B2 B8 [of the Town And Country Planning (Use Classes) order 1987 as amended] with ancillary parking.



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SECTION '2' – Applications meriting special consideration

Application No : 10/03016/FULL3

Ward:
Chislehurst

Address : 45 High Street Chislehurst BR7 5AF

OS Grid Ref: E: 543865 N: 170782

Applicant : Mr Williams

Objections : YES

Description of Development:

Single storey extension to rear of Nos. 43 and 45 for use as dining and kitchen area ancillary to restaurant at No. 43

Key designations:

Conservation Area: Chislehurst

Locally Listed Building

London Distributor Roads

Retail Shopping Frontage

Proposal

The proposal involves extending the restaurant (A3) use of No 43 by way of providing a rear extension to the rear of both Nos. 43 and 45 High Street which would be accessed via frontage at No 43. Most of the retail area of No 45 would be retained.

Location

The site is located along High Street Chislehurst which forms the main local shopping area.

Comments from Local Residents

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

- property at No. 45 has been vacant for 10 years due to high rental price and could have been let out several times already.
- intention will be to subsequently convert the front of the premises to a restaurant use
- sufficient number of A3 uses already exist in the area

Comments from Consultees

No technical highways or environmental health objections have been raised

Planning Considerations

Policies BE1 (Design of New Development), BE10 (Locally Listed Buildings), BE11 (Conservation Areas), S4 (Local Centres) and S9 (Food and Drink Premises) of the Unitary Development Plan apply to the development and should be afforded due consideration.

Planning History

It should be noted that a single storey extension was granted for No. 45 under ref. 08/02300, although this did not incorporate a Class A3 use. As such, no objection is raised, in principle, to the erection of a single storey rear extension. Permission was also granted to extend the restaurant area at No. 43 under ref. 09/02615, although this too remains unimplemented.

Under application ref. 06/00764 planning permission for a change of use of ground floor from retail (A1) to restaurant and bar (A3/A4) at these premises was refused on the following ground:

The proposal would result in the unacceptable loss of a Class A1 retail unit, which would be harmful to the retail character of this Local Town Centre, and the proposed Class A3/A4 use would contribute to an overconcentration of similar uses, thereby contrary to Policy S.3 of the adopted Unitary Development Plan and Policies S4 and S7 of the second deposit draft Unitary Development Plan (September 2002).

The 2006 application was subsequently dismissed at appeal, the Appeal Inspector considering that 'on balance, both national guidance and development plan policy objectives weigh against the proposal. An additional establishment of the type proposed would add to the concentration of similar uses in this part of the town centre and, in conjunction with the restaurants either side of the site, would harm the retail character of this sensitive location.'

In assessing the appeal premises, the Inspector noted that these are 'located in a fairly central position in the town centre' and that in 'this part of the High Street, between Sainsburys in the north and the public car park at the southern end, are more than 30 ground floor units, with A1 uses substantially outnumbered by premises in other uses. There are restaurants either side of the appeal property and a further five A3 uses to the south. Elsewhere in the centre uses in Classes A3, A4 and A5 are well represented.' The Inspector also considered that 'the centre contained a limited range of shops selling comparison goods. Food sales were focused overwhelmingly on a single supermarket, which I consider emphasises the importance of protecting the vitality and viability of other retailing in the centre. Along an important section of the High Street, in the vicinity of the appeal site, there is now a large majority of non-retail uses, including a substantial

number of restaurants. With regard to the previous appeal site [at 31 High Street], this was not... flanked by other restaurant uses.'

More recently, under ref. 09/02617 an application for a single storey rear extension and change of use of basement, first and second floors and rear part of ground floor from retail (Class A1) to restaurant (Class A3) was refused on the following ground:

The proposal would result in the further proliferation of A3 uses in this part of Chislehurst High Street and would result in the loss of part of an A1 use, thereby harmful to the retail character of this local centre, and contrary to Policies S4 and S9 of the Unitary Development Plan.

Conclusions

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

In contrast to the earlier applications it is now intended to retain much of the existing retail area at No. 45 (up to and including the stairwell) and for the area to the rear (including the as-yet-to-be implemented rear extension) to be utilised as an extended restaurant area for No. 43. The retained retail (A1) area would be larger than the area proposed previously under ref. 09/02617 and a mixed A1/A3 hybrid use at No. 45 would therefore be avoided. Members should consider whether the retained retail unit will be of adequate size or layout to justify the loss of the rear part to an A3 use, or whether this development will result in the further proliferation of A3 uses within this part of Chislehurst High Street and would result in the unacceptable loss of part of an A1 retail floor space. Members should have particular regard to the retail vitality and viability of the local shopping area and the 2006 appeal decision.

Background papers referred to during production of this report comprise all correspondence on files refs. 06/00764, 09/02615, 09/02617 and 10/03016, excluding exempt information.

as amended by documents received on 11.02.2011

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 | ACC04
ACC04R | Matching materials
Reason C04 |
| 3 | ACJ10
ACJ10R | Ventilation system for restaurant/take-a
J10 reason |
| 4 | ACK01 | Compliance with submitted plan |

Reason: In order to ensure that the restaurant use does not encroach into the designated retail area of No 45 High Street so as to safeguard the retail vitality of High Street Chislehurst, in accordance with Policy S4 of the Unitary Development Plan.

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
H8 Residential Extensions

The development is considered satisfactory in relation to the following:

- (a) the appearance of the development in the street scene;
- (b) the relation of the development to the adjacent property;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the impact of the development on the retail vitality of the 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 proposal would result in the further proliferation of A3 uses in this part of Chislehurst High Street and would result in the loss of part of an A1 use, thereby harmful to the retail character of this local centre, and contrary to Policies S4 and S9 of the Unitary Development Plan.

Reference: 10/03016/FULL3
Address: 43 High Street Chislehurst BR7 5AF
Proposal: Single storey extension to rear of Nos. 43 and 45 for use as dining and kitchen area ancillary to restaurant at No. 43



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SECTION '2' – Applications meriting special consideration

Application No : 10/03161/FULL1

Ward:
Kelsey And Eden Park

Address : Backwoods Kelsey Lane Beckenham
BR3 3NE

OS Grid Ref: E: 537217 N: 169220

Applicant : Finn Dental Specialists

Objections : NO

Description of Development:

Proposed single storey side and front (southern elevation) extension at dental practice

Proposal

This application is for a proposed single storey side and front (southern elevation) extension.

While the Design and Access Statement refers to the front elevation of the property as that facing the highway for the purposes of this description, the front elevation shall be the principle south facing elevation. It is proposed to demolish an existing single storey side extension and construct a single storey side and front extension which is of contemporary design. The property is to be extended approximately 5.9m from the flank wall of the original dwellinghouse, which will be approximately 2.2m beyond the existing single storey side extension. The proposed extension shall not project beyond the rear elevation of the property and shall be 9.9m in length. The principle elevation of the property is to be extended by 1.6m and 3.2m beyond the front elevation of the existing single storey side extension.

Location

The application is located to the west of Kelsey Lane and is a detached two storey property currently in use as a dental practice with the principle elevation facing southwards. Properties in the area differ significantly in terms of architectural style and scale with a number of detached properties within sizeable grounds and smaller scale semi-detached properties.

Comments from Local Residents

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

Comments from Consultees

The Council's Highways Drainage Section were consulted who stated that the plans do not indicate any Public S.W. Sewer in close proximity to the site and as such connecting to an existing Main Sewer as indicated is not possible. The applicant is required therefore, to submit details for the proposed SUDS (Sustainable Drainage Systems) as the use of SUDS was also indicated in the plans.

Thames Water and the Council's Waste Advisors and Environmental Health Department were also consulted who raised no objections to the proposal.

The Highway's Department were consulted who stated the development is situated on the west side of Kelsey Lane, Beckenham. The site is located in an area with medium PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible). The applicant is providing 5 off street parking spaces inclusive of 1 disabled bay via the existing access from Kelsey Lane, which is acceptable. Although the proposal will result in loss of a parking space it was considered that the proposal would not have a significant impact on parking demand within the local road network and as such no objections were raised from a highways perspective.

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
C4 Health Facilities

Planning History

In 2005 under planning ref. 05/01976, permission was refused for a part one/two storey extension comprising additional floor space for dental practice (the ground floor was to be extended by 10.25m in width which is 3.75m wider than the current application) and stairs to first floor flat which was refused on the following grounds:

“The proposal would result in an over-intensive use of the site as a result of the increased floorspace for the surgery use of the premises, detrimental to the amenities of nearby residential properties by reason of likely increase in car parking, general noise and disturbance associated with the comings and goings of practitioners, staff, patients, visitors and callers, thereby contrary to Appendix III.5 of the adopted Unitary Development Plan and Policies C5 and BE1 of the second deposit draft Unitary Development Plan (September 2002)”

In 2003 under planning ref. 03/00661, permission was refused for a part change of use of ground floor from residential to dental surgery and conversion of first floor to 1 one bedroom flat, with 6 car parking spaces on the following grounds:

“The proposal would result in an overintensive use of the site as a result of the increased commercial use of the premises in conjunction with the provision of a self-contained residential flat, which would be out of character within this residential neighbourhood and detrimental to the residential amenities of the area thereby contrary to Appendix III.5 of the adopted Unitary Development Plan and Policies C5 and BE1 of the second deposit draft Unitary Development Plan (September 2002).

The proposal would result in an increase in vehicular traffic on this unmade road and would be lacking in adequate parking to serve the needs of the proposed consulting rooms and flat, thereby contrary to Policy T.15 of the adopted Unitary Development Plan and Policies T3 and T17 of the second deposit draft Unitary Development Plan (September 2002)”.

This application was subsequently allowed at appeal. While the first floor does not have a front door separating it from the dental surgery below it may still be deemed to be a flat as outlined by Circular 10/97 Para 2.81 as it comprises a separate "planning unit" from the rest of the building and has been adapted for residential purposes, containing the normal facilities for cooking, eating and sleeping associated with use as a dwellinghouse (in addition see Barrow B.C. 10/7/96). As such this Appeal Decision appears to be the most recent planning permission pertaining to the property. It is not clear however, whether this is currently the situation although a plan indicating the layout of the first floor has been provided.

In 2001 under planning ref. 01/02337, permission was granted for a part one/two storey side/rear extensions, plus single storey front extension. This does not appear to have been implemented.

In 2001 under planning ref. 00/03362, permission was granted for the removal of condition 01 of permission ref. 94/2566 granted for change of use of ground floor from residential to dental surgery. Condition 1 stated “the use shall be carried out only by Mr. G. Finn whilst he is residential occupier” which was replaced by Condition 1 of 00/03362 which stated “the occupation of the dwelling at Backwoods shall be limited to a person carrying on the dental practice at the premises together with any dependent of such person residing with him or her”. Therefore, the current position is that any dentist as opposed to solely Mr. G Finn may reside in the first floor of property.

In 1994 under planning ref. 94/02566, permission was granted for a change of use for part of the ground floor from residential to dental surgery which was a retrospective application.

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.

Policy C4 is a key consideration when determining this application, it states “applications for new or improved health care facilities will be permitted provided

that they are accessible by public transport or are located within town centres, district centres, local centres or local neighbourhood centres and parades". The application site is located within an area with a medium PTAL (Public Transport Accessibility Level) rate and is in close proximity to Manor Road and Beckenham High Street. No objections were raised from a highways perspective and as such the application site is considered to be sufficiently accessible by public transport and is adherence with Policy C4.

The majority of the fenestration to be inserted in the rear elevation of the proposal is to be located at a high level and the window which is to be located at eye level is to have a timber screen in front of the glazing. Therefore, given the 3m distance from the boundary the potential loss of light or of privacy or sense of overlooking for 'Wayside' is not anticipated to be of such an extent as to warrant refusal. The majority of the windows to be inserted on the principle elevation are also located above eye level and any lower level windows shall be fixed with timber screens and given the distance of approximately 7.5m to the boundary with 'The Dingle' the impact in terms of loss of light or privacy is anticipated to be minimal. A number of windows are to be located in the western side elevation, however, given the distance to the boundary with the rear garden areas of No. 25 and No. 27 of approximately 11.5m and the existing planting at the boundary, the proposal is not anticipated to be significantly detrimental in terms of loss of light or privacy for No. 25 or No. 27.

Para 6.11 of Policy BE1 states "good modern design can be imaginative and innovative, and will be welcomed in appropriate circumstances where it contributes positively to the surrounding environment". The contemporary design of the proposed extension is not considered to be unduly harmful to the appearance of the original dwellinghouse. The majority of the proposed extension shall not be visible from the highway as the existing structure shall shield it from view. Members are asked to consider whether the considerable scale of the development is acceptable as despite being single storey is 6m in width which is more than 50% of the width of the original dwellinghouse and shall project 3.2m beyond the principal elevation of the property. Members should consider whether this is acceptable given the context of the site where the proposal will be set within a large plot and given the orientation of the property it is not anticipated to be highly visible in the streetscene.

In summation, Members are asked to consider whether the development in the manner proposed is acceptable in terms of the impact on the residential amenity of neighbouring properties and whether the proposed extension which is to be of a considerable scale will impact upon the overall appearance of the property or the streetscene to such an extent as to warrant refusal given the orientation of the property whereby the proposed extension shall not be highly visible from the highway.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/03161, excluding exempt information.

as amended by documents received on 10.12.2010 25.01.2011

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

0 D00002 If Members are minded to grant planning permission the following conditions are suggested:

1 ACA01 Commencement of development within 3 yrs

ACA01R A01 Reason 3 years

2 ACC01 Satisfactory materials (ext'nl surfaces)

ACC01R Reason C01

3 ACD06 Sustainable drainage system (SuDS)

ADD06R Reason D06

4 ACH03 Satisfactory parking - full application

ACH03R Reason H03

5 The use which permitted shall not operate outside the following times:

- 08:30 to 18:30 Monday to Friday;
- 08:30 to 13:30 on Saturday; and
- not at any time on Sunday, Bank Holidays or Public Holidays.

Reason: As per Condition 3 of Appeal Decision APP/G5180/A/03/1129503 and in the interests of the residential amenities of the area in accordance with Policy BE1 of the Unitary Development Plan.

6 No more than 16 patients per day shall be admitted to the dental surgery from Monday to Friday, and no more than 10 patients shall be admitted on a Saturday.

Reason: To allow the Council to consider any increase in the level of activity at the site and in the interests of the residential amenities of the area in accordance with Policy BE1 of the Unitary Development Plan.

7 The occupation of the dwelling at Backwoods shall be limited to a person carrying on the dental practice at the premises together with any dependent of such person residing with him or her.

Reason: In the interests of the residential amenities of the area in accordance with Policy BE1 of the Unitary Development Plan.

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

BE1 Design of New Development

C4 Health Facilities

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

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

and having regard to all other matters raised.

INFORMATIVE(S)

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

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

- 1 The proposed development by reason of its size and design would be seriously out of character and scale with the surrounding area and would be visually unrelated to the existing building detrimental to the appearance of the dwelling and contrary to Policy BE1 of the Unitary Development Plan.
- 2 The proposed development would intensify and consolidate an existing commercial use located in an otherwise wholly residential area and be detrimental to the residential amenities of nearby properties by reason of noise and general disturbance likely to result from the use.

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SECTION '2' – Applications meriting special consideration

Application No : 10/03255/OUT

Ward:
Chelsfield **And** **Pratts**
Bottom

Address : **Orpington Sports Club** **Goddington**
 Lane Orpington BR6 9SH

OS Grid Ref: **E: 547318** **N: 164861**

Applicant : **Mr Keith White**

Objections : YES

Description of Development:

Demolition of part of sports and social facilities and erection of two storey building comprising changing rooms, social facilities, gym and ancillary facilities

Proposal

Outline planning permission (including details of layout and means of access) is sought for a two storey clubhouse providing changing rooms, first aid room and toilets at ground floor level and a gym and social facilities at first floor level. The building will be located to the south of the existing buildings and the existing clubhouse will be demolished. A multi-use games area may occupy the site of the existing clubhouse but does not form part of this planning application.

The applicants have provided details of existing and proposed amount of development as follows:

Existing	
Single storey clubhouse	850m ² floorspace
Changing rooms	552m ² floorspace

Total footprint	1,402m ²
Total floorspace	1,402m ²
Total volume	2,688m ³

Proposed	
Two storey clubhouse	968m ² floorspace
Changing rooms refurbished	552m ² floorspace

Total footprint	1,036m ²
Total floorspace	1,520m ²
Total volume	3,388m ³

New floorspace providing additional essential facilities for outdoor sport 382m²

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

- existing clubhouse is financially unviable and practically unrealistic to repair and refurbish to modern standards
- grounds and facilities are regularly used by over 500 adults and 500 youngsters and provide community facilities for local organisations
- facilities provide much needed outlet for all ages to participate in sport and leisure activities and require upgrading to retain user base
- club have ambitions to make facility more available to other members of community in order that it can be sustainable
- new building will provide improved acoustic performance.

The applicant has set out 'very special circumstances' to justify inappropriate development in the Green Belt as follows:

- proposal results in demolition of unsightly and unwelcoming existing building which is in poor state of repair and beyond its natural life
- demolition of existing clubhouse will improve openness on that part of site and will open up views of the playing fields from the site entrance
- reduced footprint of development will improve openness of site
- proposed clubhouse will improve security and reduce crime as there will be overlooking of car park and low level fenestration is kept to a minimum
- proposal will open up views of car park from playing fields thereby improving security
- robust boundary enclosure is proposed
- proposed building will improve appearance of site
- proposed clubhouse will be located in less open part of site
- ground floor changing rooms are essential facilities for outdoor sport and recreation and part of the use of the building (454m² floor area) is appropriate in the Green Belt – loss of changing rooms within existing clubhouse is 72m² therefore 42% of proposed new floorspace can be considered essential facilities for outdoor sport
- existing clubhouse provides 577m² gross internal floorspace for social purposes whilst new clubhouse will incorporate 458m² first floor social space (including replacement gym) – proposal will reduce amount of inappropriate floorspace on the site
- changing rooms to new and existing building will provide modern facilities
- social facilities will continue to serve rugby club and community users
- proposal will incorporate renewable energy generation, a green roof or wall and a Sustainable Urban Drainage System (SUDS) in accordance with London Plan Policies 4A.7, 4A.11 and 4A.14.

The application is also accompanied by a Statement of Community Involvement, a copy of a publicity leaflet, a Transport Statement and a car parking survey.

Location

- Westcombe Park and Orpington Sports Club is a multi sport site on the eastern edge of Orpington which accommodates 2 football pitches, 2 cricket pitches in the summer, 6 tennis courts, hall, clubhouse, changing block, modular changing rooms and storage buildings
- hall is used for judo, table tennis, bridge, music acts and club dinners and lunches
- site is surrounded by Green Belt land on three sides and there are detached bungalows fronting Goddington Lane to the west.

Comments from Local Residents

Nearby residents were notified of the application and a representation was received which can be summarised as follows:

- increased traffic and noise and disturbance will result from growth in club members
- anti-social behaviour in car park.

Comments from Consultees

Environmental Health – no technical objections.

Metropolitan Police Crime Prevention Design Adviser - no objections.

Council's in-house Drainage Consultant - no objections.

Council's Waste Adviser – no objections regarding refuse storage and collection arrangements.

Highways - no technical objections.

Planning Considerations

The application falls to be determined primarily in accordance with the following policies:

Unitary Development Plan

- T3 Parking
- T18 Road Safety
- BE1 Design of New Development
- G1 Green Belt
- L9 Indoor Recreation and Leisure

London Plan

- 3D.6 The Olympic and Paralympic Games and sports facilities
- 3D.9 Green Belt

- 4B.1 Design principles for a compact city
- 4B.8 Respect local context and communities

Policy G1 of the UDP states that permission will not be given for inappropriate development in the Green Belt unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. The policy indicates that:

new buildings or extensions to buildings providing essential facilities for outdoor sport and outdoor recreation are considered appropriate within the Green Belt.

Planning History

The planning history for the site primarily relates to the existing buildings. A 300 capacity seating grandstand adjacent to rugby pitch granted permission in February 2005 (ref. 04/04404).

Conclusions

The proposed building includes essential facilities for outdoor sport and recreation but is inappropriate development in Green Belt by virtue of the social facilities and gym. The main issues to be considered in this case are as follows:

- whether very special circumstances have been demonstrated to justify inappropriate development in the Green Belt
- impact of the proposal on the character and visual amenities of the area, including impact on the openness of the Green Belt
- impact of the proposal on the residential amenities of nearby occupants
- highways implications of the proposal.

The applicant has set out a case to justify inappropriate development in the Green Belt and the following are considered to be the key arguments:

- need to provide modern facilities
- improved appearance of site and opening up of views of playing fields from entrance to site
- reduction in footprint of development on the site
- significant component of proposal constitutes essential facilities for outdoor sport and recreation
- reduction in amount of floorspace providing social facilities and gym on site.

Whilst the volume of development on the site will increase it can be considered that there will be an overall improvement in openness, particularly when viewed from the public realm. It is considered that the applicant's argument is persuasive and that very special circumstances to justify inappropriate development in the Green Belt have been demonstrated. The proposal provides the opportunity to improve the visual amenities of the area, particularly through removal of the existing clubhouse, subject to satisfactory details of the appearance of the proposed building.

In view of the fact that an existing facility is being replaced it can be considered that there will be no undue harm to the residential amenities of the occupants of nearby properties.

Background papers referred to during the production of this report comprise all correspondence and other documents on file ref. 10/03255, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA02 Details req. pursuant outline permission appearance,
 landscaping and scale
 ACA02R Reason A02
- 2 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 3 ACC03 Details of windows
 ACC03R Reason C03
- 4 ACI21 Secured By Design
 ACI21R I21 reason
- 5 ACK03 No equipment on roof
 ACK03R K03 reason
- 6 The existing clubhouse building shall be demolished within three months of first occupation of the development hereby permitted.

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

Reasons for granting planning permission:

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

Unitary Development Plan

- T3 Parking
- T18 Road Safety
- BE1 Design of New Development
- G1 Green Belt
- L9 Indoor Recreation and Leisure

London Plan

- 3D.6 The Olympic and Paralympic Games and sports facilities
- 3D.9 Green Belt
- 4B.1 Design principles for a compact city
- 4B.8 Respect local context and communities

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

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding area
- (d) the impact of the proposal on the openness and visual amenities of the Green Belt
- (e) the impact on the amenities of the occupiers of adjacent and nearby properties
- (f) the safety and security of buildings and the spaces around them
- (g) the design policies of the development plan

and having regard to all other matters raised.

INFORMATIVE(S)

1 RDI06 Notify Building Control re. demolition

Reference: 10/03255/OUT

Address: Orpington Sports Club Goddington Lane Orpington BR6 9SH

Proposal: Demolition of part of sports and social facilities and erection of two storey building comprising changing rooms, social facilities, gym and ancillary facilities



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SECTION '2' – Applications meriting special consideration

Application No : 10/03256/FULL1

Ward:
Kelsey And Eden Park

Address : Langley Park School For Girls
Hawksbrook Lane Beckenham BR3 3BE

OS Grid Ref: E: 537998 N: 167337

Applicant : Langley Park School For Girls

Objections : YES

Description of Development:

First floor extension to sixth form block. Two storey detached music block. Additional hardstanding to enlarge existing car park/ replace parking spaces

Proposal

- Two storey detached building for use as music block.
- First floor extension to existing single storey sixth form block.
- Hardstanding for replacement car parking spaces.

Location

- The school is located on the northern side of Hawksbrook Lane.
- To the east the site is bordered by St Dunstan's Lane and, beyond that, sports grounds and a golf course.
- The site is bordered to the west by Langley Park School for Boys.
- To the south are games/tennis courts and playing fields.
- To the north are the playing fields.
- The proposed music block would be sited at the eastern side of the site near to St Dunstan's Lane.
- The site of the music block forms part of an existing car park.
- The sixth form block which is to be extended to two storeys is located towards the southern edge of the site.
- The proposed car park enlargement would be to the car park adjacent to the sixth form block at the southern edge of the site.

Comments from Local Residents

- The Governing body of Langley Park School for Boys has asked that the application be determined in accordance with the relevant planning policies.

- Old Dunstonian's Sports Club Ltd has raised concerns over the supply of water to building within their grounds being unduly affected by the development.

Comments from Consultees

The Council's Highways Development Officer has advised that, provided the numbers of staff and/or pupils at the school is not to be increased, there are no objections to the proposal, subject to an amended parking layout being submitted with regard to section 2 of the car park.

The Council's Drainage Planner has advised that the site is within an area where the Environment Agency requires restrictions on the rate of discharge and a petrol interceptor is required as the number of car parking spaces exceeds 30.

The Council's Children and Young People Services support the application.

The Metropolitan Police Crime Prevention Design Advisor raises concerns over the lack of information in the application relating to how crime prevention measures will be incorporated into the design of the development and recommends a 'Secured by Design' condition being attached to any permission given so that the development achieves full SBD accreditation.

Planning Considerations

The site falls within Metropolitan Open Land (MOL) where permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm. Furthermore, the openness and visual amenity of the MOL shall not be injured by any proposals for development within or conspicuous from the MOL which might be visually detrimental by reasons of scale, siting, materials or design.

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

- BE1 Design of New Development
- C7 Educational and Pre-School Facilities
- G2 Metropolitan Open Land
- NE7 Development and Trees
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T15 Traffic management
- T18 Road Safety

In strategic terms the most relevant London Plan policies are:

- 3A.24 Education facilities
- 3C.23 Parking Strategy
- 3D.8 Realising the value of open space and green infrastructure

3D.10 Metropolitan Open Land
4A.14 Sustainable Drainage

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

PPS1: Delivering Sustainable Development
PPG13: Transport

The scheme would result in the loss of 10 trees. The arboricultural report accompanying the application grades them as C. There are no objections to the loss of these trees subject to the imposition of a condition that replacement trees are planted elsewhere on the site.

Planning History

Planning permission was granted for the single storey detached building for use as sixth form block under ref. 05/04454.

Conclusions

Assessment

The main issues relating to the application are the effect that it would have on the openness and visual amenity of the MOL, the impact that it would have on the amenities of the occupants of surrounding residential properties, the effect it would have on parking and the local highway network and the effect it would have on any significant trees.

According to the criteria in Policy G2 of the UDP the proposed music block and the extension to the sixth form block would constitute inappropriate development within the MOL. The applicant has provided further information to address the inappropriateness. They state that very special circumstances exist as the new music block would allow the school to offer its students an improved educational experience where currently music rooms are shared with other departments and facilities are inadequate. Furthermore, it is also stated that the sixth form block extension would provide extra study and teaching space as well as office accommodation for staff, improving cohesion by having all the facilities located within one building and reducing pressure in other areas of the school which are nearing use capacity.

It is noted that a report commissioned by the Council in 2008 into the sufficiency and suitability of accommodation at the school, highlighted a number of deficiencies with the existing school accommodation. Specifically, the report identified that the school's music and sixth form accommodation was inadequate, circulation spaces and the accommodation constraints were curtailing the sixth form offer and both drama and music spaces were at 100% capacity. The report also identified that the existing site access and car parking for staff and visitors is difficult.

In their statement of why very special circumstances exist, the applicant states that as the development would be located within the built-up area of the school, surrounded on three sides by larger buildings, it would preserve the current levels of openness and maintain the break in the urban fabric.

The proposed music block would be positioned on the site of an existing car park with buildings to the north and south. To the west is a large area of hardstanding with existing school buildings beyond. It would measure approximately 10 metres to the highest point of the roof. Whilst it is agreed that the building would be within the curtilage of the existing built-up area of the site, Members may consider that the existing sense of spaciousness could be diminished by enclosing the open area with a building of this height, as well as impacting views from St Dunstons Lane and the sports field to the east. With regard to design and materials, the music block would have a sedum roof and cedar cladding which would enable it to blend in with its open surroundings and appear less conspicuous from the surrounding area of MOL. Furthermore, the design, with its two angular roof structures, would give the building visual interest.

Taking all this into account, Members will need to carefully consider whether the scale and siting of the proposed music block would harmfully impact the openness and visual amenity of the MOL to an extent which would warrant refusal of the scheme, or whether the existing pattern of development at the site and extensive tree planting along the St Dunstan's Lane/Sports Field boundary, as well as the proposed design and materials, would sufficiently mitigate any significantly harmful effects.

The existing single storey sixth form block is located within the built curtilage of the school site. The proposal would result in a replica second storey with a flat roof measuring 6.5m high (as scaled from ground level). It would match the existing cedar-clad single storey building in its design and materials, and this would soften the visual impact of the building in the context of the surrounding woodland. Whilst the second floor extension would invariably have some effect on the views into the site from the Hawksbrook Lane boundary, it is considered that as it would be fairly modest in height it would not significantly harm the openness and/or visual amenity of the MOL or the area in general.

The proposed car park enlargement would encroach into the wooded area at the southern edge of the site and would result in the loss of 10 trees. In terms of visual impact, the wooded area would remain largely intact, protecting the visual amenities of the MOL and there are no objections to the loss of these trees from an arboricultural perspective.

There are no additional children or staff proposed as a result of the scheme and the proposal would not result in a loss or gain in number of car parking spaces. The proposal is therefore considered acceptable in terms of parking and impact on the wider road network.

There are no residential buildings nearby which would be adversely affected by the proposal.

Conclusions

The application has been assessed in light of the aims and objectives of the London Borough of Bromley UDP, all other relevant national and regional planning guidance and all other material planning considerations. Overall, Members may agree that the proposal is of a high standard of design, would complement the scale, form and materials of adjacent buildings and areas and would not result in any conditions prejudicial to highway safety. However, it falls within MOL where special circumstances apply.

Given that the site is designated MOL, Members will therefore need to carefully consider whether or not very special circumstances have been demonstrated that clearly outweigh the harm and, if so, whether the openness and visual amenity of the MOL would be injured by the proposal.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/03256 and 05/04454, excluding exempt information.

as amended by documents received on 03.02.2011

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 | ACB05
ACB05R | Replacement tree(s) elsewhere on site
Reason B05 |
| 4 | ACC01
ACC01R | Satisfactory materials (ext'n'l surfaces)
Reason C01 |
| 5 | ACD02
ADD02R | Surface water drainage - no det. submitt
Reason D02 |
| 6 | ACH02
ACH02R | Satisfactory parking - no details submit
Reason H02 |
| 7 | ACI21
ACI21R | Secured By Design
I21 reason |

Reasons for granting permission:

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

- BE1 Design of New Development
- C7 Educational and Pre-School Facilities
- G2 Metropolitan Open Land
- NE7 Development and Trees

- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T15 Traffic management
- 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 character of the development in the surrounding area
- (c) the impact on the amenities of the occupiers of adjacent and nearby properties
- (d) the relationship of the development to trees to be retained
- (e) accessibility to buildings
- (f) the safety of pedestrians and motorists on the adjacent highway
- (g) the transport policies of the development plan
- (h) the urban design policies of the development plan
- (i) the recreational open space policies of the development plan
- (j) the adjoining owners concerns raised during the consultation process

and having regard to all other matter raised.

INFORMATIVE(S)

- 1 RD112 Disability Legislation
- 2 The site is within an area where the Environment Agency requires restrictions on the rate of discharge and a petrol interceptor is required as the number of car parking spaces exceeds 30No.

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

- 1 The site falls within Metropolitan Open Land wherein there is a presumption against inappropriate development and the Council sees no very special circumstances which might justify the grant of planning permission as an exception to Policy G2 of the Unitary Development Plan.
- 2 The proposal would, by virtue of its scale and location, have a detrimental impact on the openness and visual amenity of the area, contrary to Policy G2 of the Unitary Development Plan regarding development within or conspicuous from Metropolitan Open Land.

Reference: 10/03256/FULL1

Address: Langley Park School For Girls Hawksbrook Lane Beckenham BR3 3BE

Proposal: First floor extension to sixth form block. Two storey detached music block. Additional hardstanding to enlarge existing car park/ replace parking spaces



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SECTION '2' – Applications meriting special consideration

Application No : 10/03491/FULL1

Ward:
**Bromley Common And
Keston**

Address : Land At Langham Close Bromley

OS Grid Ref: E: 542189 N: 165987

Applicant : Heltfield Ltd

Objections : YES

Description of Development:

2 detached two storey five bedroom dwellings each with attached garage with access road at land at Langham Close.

Key designations:

Conservation Area: Bromley, Hayes and Keston

Proposal

- Planning permission is sought for 2 detached houses (indicated as Plots 4 and 5) bringing the total up to 7 dwellings
- Plots 1 and 2 were granted planning permission under ref. 06/04235 and have now been constructed
- Plot 3 was allowed on appeal after being refused under planning ref. 08/00264 and has been constructed
- Plots 7 and 8 were granted permission under planning ref. 07/02420
- The proposed houses are of a traditional design with facing materials being predominantly brick
- The rear gardens of the proposed houses are of an irregular shape but extend to between a min 12 and max 17.6m in depth
- Plot 4 has an attached single garage whilst plot 5 incorporates an attached detached double garage

Location

The application site is situated on the north-western side of Gravel Road and comprises an irregular plot of 0.35 hectares. The surrounding area is residential in character with the area to the west of the site forming part of Bromley, Hayes and Keston Common Conservation Area. There protected trees to the western boundary of the site.

Comments from Local Residents

There have been both letters of support and objection submitted in relation to this application which are summarised below:

- the proposed trees on the boundary between the maisonettes and plots 4 and 5 will do little to disguise the large brick flank wall of the proposed house at plot 5
- parking of cars in the access road will provide potential hazard for emergency vehicles
- the gardens of the maisonettes at Trinity Close are not comparable with rear gardens in the vicinity
- the proposed conservatory to the house at plot 5 would not be in keeping
- the close proximity of plot 5 to maisonettes in Trinity Close would result in a loss of outlook and privacy
- the wild life habitat incorporating owls and badgers have been disturbed and probably destroyed by the construction process
- the houses proposed on plots 4 and 5 are not even in keeping with the houses already built along Langham Close
- private gated entrances and over-sized houses are not in character with the area
- buildings currently surrounding the site are complimentary to the established architecture whilst the proposed houses are not

Comments from Consultees

Drainage: the views of the Head of Building Control on the use of soakaways for disposal of surface water should be obtained. If soakaways are not an acceptable method of drainage, it should be noted that this site is within the area where the Environment Agency – Thames Region requires restriction on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries including storage if necessary.

Building Control: comments received will be reported verbally.

Environmental Health (housing): No Comment

Advisory Panel for Conservation Areas (APCA) - no objection

Thames Water- no objections raised subject to suggested informative.

From a highways point of view the revised plan is acceptable.

Trees – The report now reflects the damage to the large protected oak tree. Part of the house and drive at plot 5 extends into the root protection area of the oak tree, with the appropriate safeguards it would be feasible to construct both without long term harm to the tree. In view of the arboricultural report it would be difficult to support a reason for refusal based upon the impact on the oak tree. If permission is to be granted it should be subject to safeguarding conditions in respect of an arboricultural method statement and an appointment of an arboricultural supervisor.

Any further comments will be reported verbally.

Planning Considerations

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

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

The London Plan now also forms part of the development plan where Policies 4B.1, 4B.3, and 4B.7 are relevant.

As indicated earlier in the report, the current application is very similar to the application recently refused for 2 detached houses under planning ref. 10/01350. The main changes are as follows:

- rear garden depth between 12m-17.8m as opposed to 14.5m and 18m previously
- Plot 4 - attached garage moved from western to eastern flank of house, overall foot print of house comparable
- Plot 5 - detached double garage relocated from north-western flank and now attached to south-eastern flank of the house, overall footprint of house increased by addition of rear conservatory
- site boundary delineation revised; increased by approx. 2.4m - 4.8m to part of northern boundary closest to gardens attached to Trinity Close. Increased by average 5m [triangular shaped parcel of land] to northern boundary closest to rear boundary of North House. This is achieved by the inclusion of a small part of the rear garden of North House.
- access road terminates at access to attached double garage at plot 5 as opposed ambiguously adjacent to plot 5 previously
- minimum separation between dwelling on plot 3 [already constructed] and proposed dwelling on plot 4 increased from approx. 1.8m to 2.6m

Planning History

Under ref. 08/00264, a scheme for 5 detached houses was allowed on appeal. The Council originally refused the application on the following grounds:

The proposal, by reason of the size, siting and number of units proposed, represents a cramped overdevelopment of the site, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposal, given the size, design and positioning of the proposed house on Plot 4 will have an undue impact upon the amenities of the neighbouring

residential properties due to the loss of privacy, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.

The proposal would prejudice the retention of one of the protected trees on the site and the replacement of protected trees that have been removed without consent, thereby contrary to Policy NE7 of the Unitary Development Plan.

Members should also be aware that Costs were awarded to the appellant against the Council on the basis that the third ground of refusal was not substantiated.

The main issues considered by the Inspector were whether the proposed development was cramped on the site, its impact on the neighbour's privacy and outlook, and its impact on trees. The Inspector concluded that:

- The increase in the site area and introduction of a fifth house will have little impact on the remaining sense of spaciousness or the rural character of the site, particularly as the site has been increased in size.
- I find the appeal scheme would be neither unacceptable nor significantly greater than that of the approved scheme.
- I can understand that any reduction in privacy would not be welcomed by the occupier (of Middle House), but the appeal site is in an urban area subject to considerable pressure for housing development.
- Overall therefore I conclude on this issue that the proposed development would not cause unacceptable harm to the amenities of neighbours.
- I consider the proposal would not have an unacceptable impact on protected trees
- I do not think that the parking arrangements would be inadequate.
- I note that Middle House is in a Conservation Area, but there is no suggestion that the development has any impact on the Conservation Area.

Permission was granted under ref. 06/04235 for the demolition of No.20 Gravel Road and the erection of 4 detached houses (3 five bedroom and 1 four bedroom). Permission was later granted under ref. 07/02420 for elevational alterations and the enlargement of Plot 1.

Under ref. 06/02502, planning permission was dismissed at appeal for 5 detached houses the Planning Inspector stated that there would be an unacceptable level of overlooking and loss of privacy.

Planning permission was refused and dismissed at appeal under ref. 06/00619 for 6 detached houses for the following reason:

The proposal, given the size, design and positioning of the proposed houses on plots 1 and 2, and the position of the access drive, will have an undue impact upon the amenities of the neighbouring residential properties due to the loss of privacy and prospect and due to noise and disturbance respectively, thereby contrary to Policies H.2 and E.1 of the adopted Unitary Development Plan (September 2002) and Policies 4B.1 and 4B.7 of the London Plan.

The Planning Inspector stated that significant harm would be caused to the outlook and privacy of the residents of No. 12 Gravel Road which could not be overcome by condition.

Under planning ref. 09/01303, planning permission was refused and later dismissed at appeal for the erection of 5 detached houses with garages. In reaching his decision the Inspector focused on the 3 houses not yet built as a comparable development to the current application. With regard to the layout of the scheme the Inspector concluded:

“Notwithstanding the stepped layout, the properties would still be quite close together, with little additional spacing than between the already constructed properties or those of the permitted scheme, despite the increase in the overall numbers of properties. The sheer amount of built form extending right up to the end of the site would clearly be evident when within the development and the mass of built form towards the north-western end of the site would be seen from other surrounding properties and gardens.”

With regard to the privacy and outlook of occupiers of nearby dwellings the Inspector concluded as follows:

“...proposed plot 5 would be somewhat closer to the rears of Nos. 15 and 16 and, while angled slightly away, would be at less of an angle than would be the case with proposed plot 6 and the rears of Nos. 13 and 14...there would be a reduction of privacy compared with the permitted scheme for occupiers of Nos. 15 and 16 when in their main facing rooms and remaining rear gardens. However, I consider that the loss of privacy for those occupiers would not be so serious as to be unacceptable although it would be noticeable. I am of the same opinion with respect to the change in outlook which those occupiers would experience as a consequence of the proposed scheme.

In concluding, the Inspector stated:

“I consider the determining issue in this appeal to be the harm to the character and appearance of the surrounding area which would be caused if I were to allow this appeal.”

Under planning ref. 10/01350, planning permission was refused for a very similar proposal for 2 detached houses. An appeal has been submitted and is currently being considered with an Inspectors site visit taking place on the 16 February.

Conclusions

The issues in this case is whether 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 findings of the Inspector in dismissing the previous proposal.

The current application is very similar to the application previously refused and awaiting the outcome of a pending appeal. The amendments to the scheme are for the most part considered to be improvements although the overall development will result in changes that in some instances will reduce the scheme and others will further increase the development. An example of this would be the relocation of the detached double garage at plot 5 away from the northern boundary with Trinity Close to an attached position on the other side of the house being an improvement. As opposed to the addition of a conservatory to the rear of house on plot 5 and increase in building footprint to both plots. Furthermore, the amendments to the site boundary to increase its size does not physically alter the spatial relationship between existing and proposed buildings to any significant degree.

Members should carefully consider the relationship with adjoining development in particular whether the relationship between plot 3 and 4 is now acceptable. The relationship with plot 4 and the properties in Trinity Close has been improved, therefore the focus should be whether the changes to the scheme offer have gone far enough in offering an acceptable way forward to the scheme pre

Members will also note that the impact on trees can be controlled by the imposition of standard conditions.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/01303, 10/01350 and 10/03491, 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 | ACB18
ACB18R | Trees-Arboricultural Method Statement
Reason B18 |
| 5 | ACB19
ACB19R | Trees - App'ment of Arboricultural Super
Reason B19 |
| 6 | ACC01
ACC01R | Satisfactory materials (ext'nl surfaces)
Reason C01 |
| 7 | ACD02
ADD02R | Surface water drainage - no det. submitt
Reason D02 |
| 8 | ACH03
ACH03R | Satisfactory parking - full application
Reason H03 |

- 9 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 10 ACH23 Lighting scheme for access/parking
ACH23R Reason H23
- 11 ACH27 Arrangements for construction period
ACH27R Reason H27
- 12 ACH29 Construction Management Plan
ACH29R Reason H29
- 13 ACI02 Rest of "pd" Rights - Class A, B,C and E

Reason: In the interest of the amenities of adjoining residents.

- 14 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.

- 15 Before the development hereby permitted is first occupied, the proposed windows in the first floor flank elevations of the proposed houses shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

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

- 16 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.

- 17 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- BE1 Design of New Development
- T3 Parking
- T18 Road Safety

Policies (London Plan)

- 4B.1 Design Principles for a Compact City
- 4B.3 Maximising the Potential of Sites
- 4B.7 Respect Local Context and Communities

PPS3 Housing

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

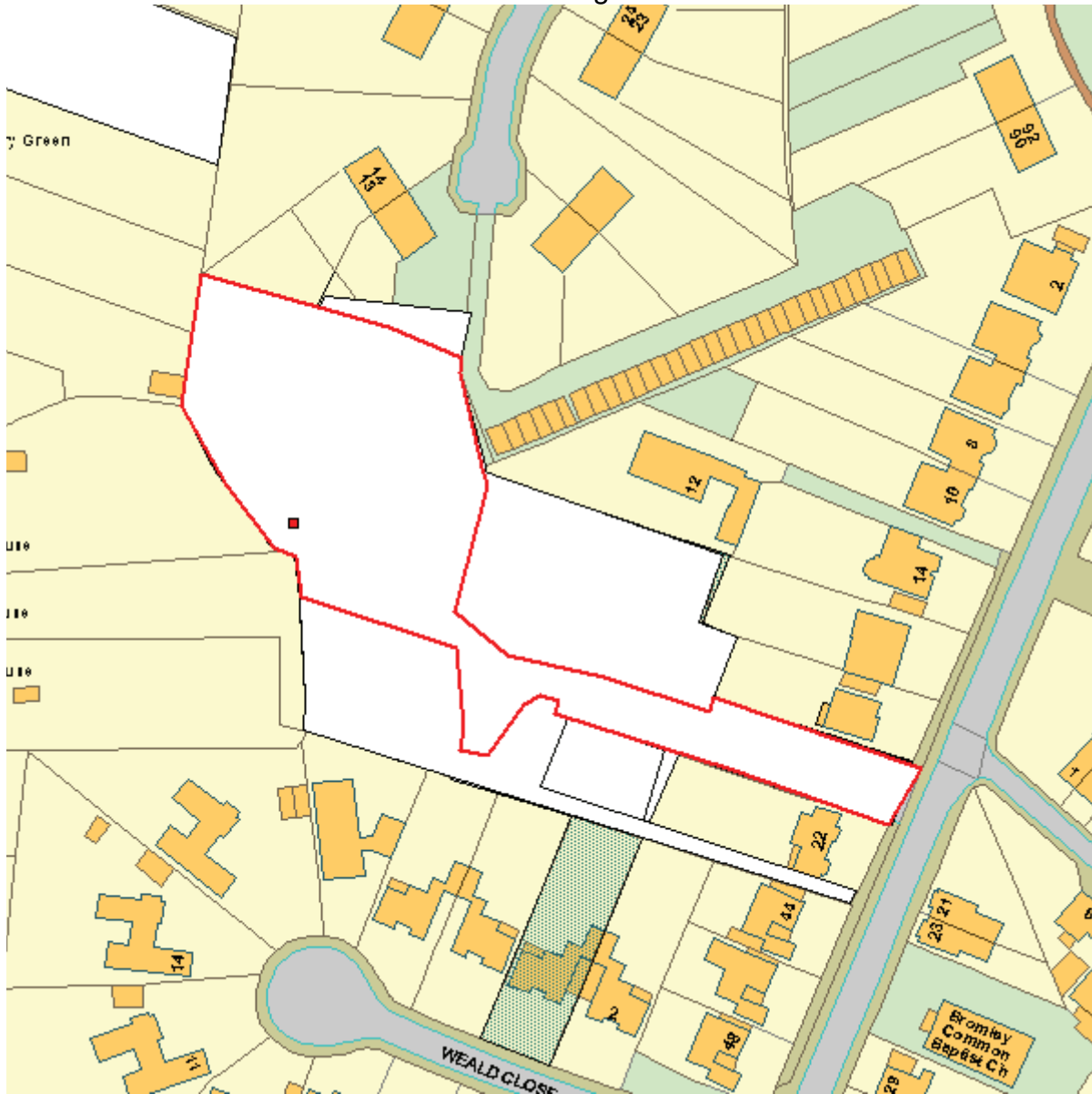
- 1 The proposal, given the positioning and size of the proposed house on plot 5 will have an undue impact on the amenities of the neighbouring properties at Nos 13-16 Trinity Close by reason of loss of outlook, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.

- 2 The proposal, given the positioning of the proposed house on plot 4 in relation to the approved house at plot 3 would result in an cramped and awkward relationship harmful to the spatial character of the proposed development and the “Langham Close” scheme as a whole thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.

Reference: 10/03491/FULL1

Address: Land At Langham Close Bromley

Proposal: 2 detached two storey five bedroom dwellings each with attached garage with access road at land at Langham Close.



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SECTION '2' – Applications meriting special consideration

Application No : 10/03540/DET

Ward:
Plaistow And Sundridge

Address : Land Adj Wyndways 45 Garden Road
Bromley

OS Grid Ref: E: 541040 N: 170678

Applicant : Graham Barrington Ltd

Objections : YES

Description of Development:

Details pursuant to outline permission reference 10/00504 for a detached six bedroom house and garage.

AMENDED SITING PLAN RECEIVED

Key designations:

Green Chain
Metropolitan Open Land

Proposal

This proposal seeks permission for a detached two storey dwelling house with habitable accommodation in the roof space and attached double garage with access drive

Location

The application site is located on the northern side of Garden Road and comprises of land adjacent Wyndways 45 Garden Road Bromley and abutting the boundary of Sundridge Park Golf Course. The access to the property is from the un-adopted portion of Garden Road

The wider surrounding area is characterised by detached development.

Comments from Local Residents

- Objection is raised with regards to the siting of the proposed dwelling, the outline application Ref 07/01725 has a plan indicating the proposed location of the dwellinghouse. The current application shows the proposed dwelling in a completely different position.

- the design statement submitted with application 10/00504 stated that “any design would respect the existing building line”
- the application is not compliant with the terms that outline permission was granted
- it was always the intention of the previous owner to site a new house in line with the other properties.
- although the proposed property is attractive in design, it is extremely large and the closeness of the building will affect our light as there is only a single tract outside our house.
- the size of the house could mean a family with many cars which could mean additional problems with parking on Garden Road.
- the position of the property is past the building line and effect the street scene.
- the revised plan showing the dwelling being set back does not satisfy any of the objections from the surrounding neighbours
- the modest change which is inherent in the revised plans does nothing to overcome the concerns of the objectors
- strongly object to any attempt to extend the building line in this manner

Comments from Consultees

From a Highways perspective the access arrangement is from Garden Road, fronting a portion of the road which is un-adopted. This is acceptable in principle. The parking, cycle storage & visibility splays are satisfactory.

In terms of the impact the development would have on trees there would be no objections to the proposal.

Thames Water has not objections to the application

Highway Authority - Drainage - Restrictions relating to discharge of surface water apply. Impose standard condition.

The Waste Advisor has requested that refuse and recycling is to be left at the edge of the curtilage

The Bromley Crime Advisor requires a condition be put on any permission to the effect that the development achieves a Secure by Design certification.

Planning Considerations

The London Plan and Policies BE1, H7, H9, T3, T11 and T18 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 and safeguard the amenities of neighbouring properties and the visual amenities of the area.

(H7 Housing Design, H9 Side Space, T3 Parking, T11 New Accesses and T18 Road Safety).

National Guidance:
Planning Policy Statement 1
Planning Policy Statement 3

All other material considerations shall also be taken into account.

Planning History

Outline planning permission was first granted in 1976 for a detached dwelling and double garage under ref. 76/02070, and outline permission had been renewed every three years until application ref. 10/00504.

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.

As stated previously the proposal is for detached two storey dwelling house with habitable accommodation in the roof space and attached double garage with access drive. The site is located within a primarily residential area therefore in principle the use of the site for residential development is acceptable. However the suitability of the site in terms of its constraints and potential to accommodate an extra dwelling are assessed as follows.

The redevelopment of existing residential areas by making effective use of land is encouraged in PPS3; however, this should only be where the development is acceptable to the locality in its design, siting and layout without detriment to the local character and appearance.

Policy H7 Paragraph 4.35 of the UDP (2006) states:

Scope for further housing development occurs mainly on "infill" sites, or redevelopment of older, low-density property, and through the redevelopment of large non residential sites. The Council's primary objective is to ensure a high standard of residential environment. Redevelopment should be of a design that is sympathetic to and complements the surrounding residential area but not necessarily a reproduction of the established form and pattern of development.

With regard to the above statements 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.

In regard to the character of the immediate area, this is comprised of detached dwellings including some significantly sized dwellings. It could be considered that given the existence of other relatively large dwellings, the replacement dwelling would not be out character with others that presently exists in the locality. However due to the prominent location of the plot at the end of this section of Edward Road, the size and siting of the proposed dwelling has to be considered relation to

neighbouring plots and whether the development would be detriment to local visual and residential amenity.

Members are asked to consider the impact on the visual amenities of the neighbouring properties as well as the impact on the amenities enjoyed by surrounding dwellings.

It is clear that there will be an impact on the street scene and local amenities as a result of this proposal and a judgement needs to be made about whether the impact is unduly harmful. Accordingly, Members will need to take account of the plans that have been submitted for this site and comments made by residents during the consultation period.

as amended by documents received on 31.01.2011

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 | ACD02
ADD02R | Surface water drainage - no det. submitt
Reason D02 |
| 3 | ACH03
ACH03R | Satisfactory parking - full application
Reason H03 |
| 4 | ACH32
ADH32R | Highway Drainage
Reason H32 |
| 5 | ACI02
ACI03R | Rest of "pd" Rights - Class A, B,C and E
Reason I03 |
| 6 | ACI21
ACI21R | Secured By Design
I21 reason |
| 7 | ACK05
ACK05R | Slab levels - no details submitted
K05 reason |
| 8 | AJ02B | Justification UNIQUE reason OTHER apps |

Policies (UDP)

- BE1 Design of New Development
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T11 New Accesses
- T18 Road Safety

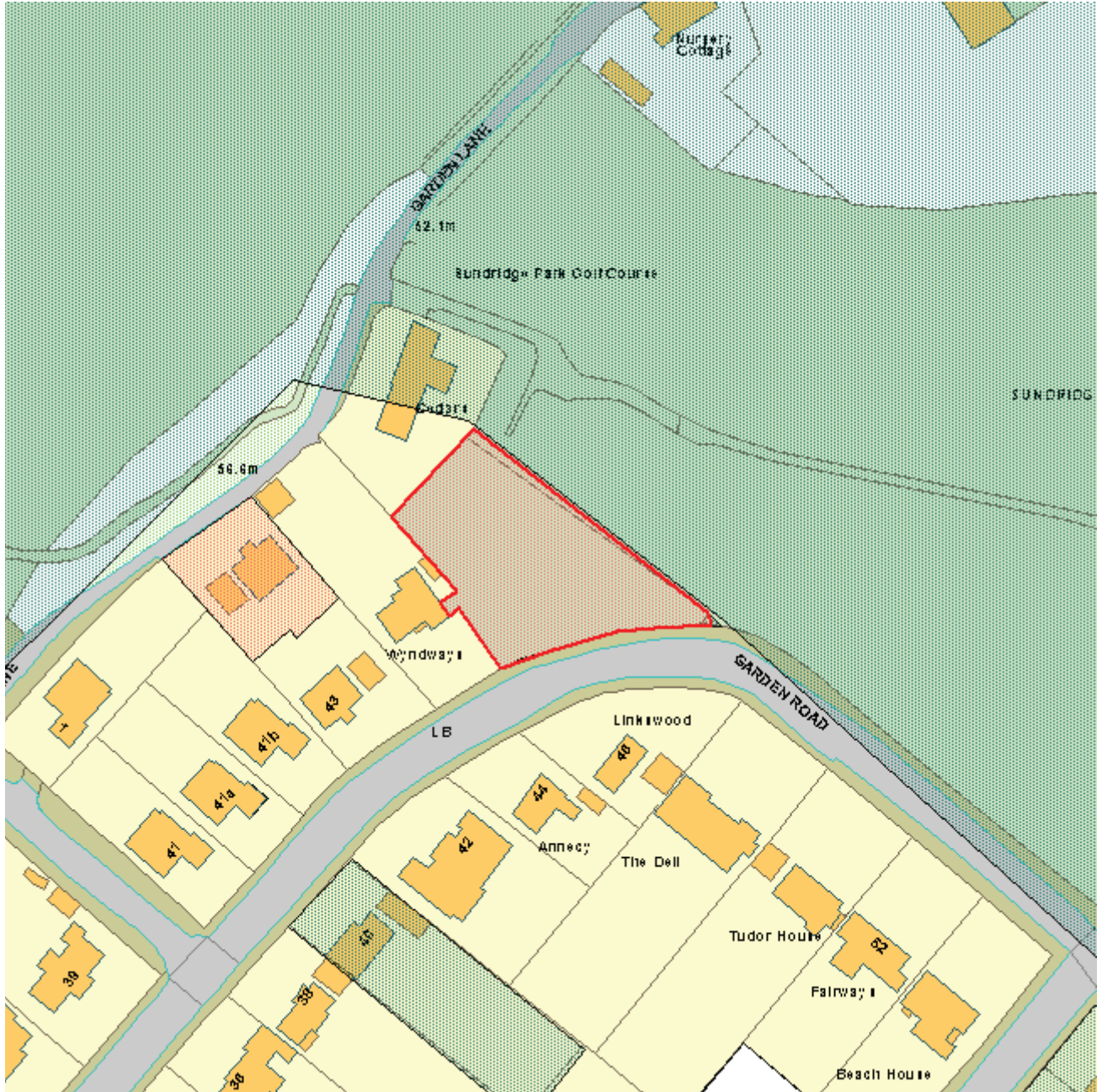
INFORMATIVE(S)

- 1 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

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

- 1 The proposed dwelling by reason of its prominent projection forward of the building line would be harmful to the appearance of the street scene and to the amenities and appearance of the area, contrary to Policies BE1 and H7 of the Unitary Development Plan.

Reference: 10/03540/DET
Address: Land Adj Wyndways 45 Garden Road Bromley
Proposal: Details pursuant to outline permission reference 10/00504 for a detached six bedroom house and garage.
AMENDED SITING PLAN RECEIVED



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SECTION '2' – Applications meriting special consideration

Application No : 11/00033/FULL6

Ward:
Biggin Hill

Address : 81 Jail Lane Biggin Hill TN16 3SE

OS Grid Ref: E: 542230 N: 159484

Applicant : Mr David Hitching

Objections : NO

Description of Development:

Part one/two storey side and rear extension. Roof alterations incorporating rear dormer extension and roof light

Key designations:

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

Proposal

This application concerns a part one/two storey side and rear extension which will align with the original flank elevation of the property and project an additional 3 metres beyond at two storey height. The extension will be approximately 11.0m in depth and the front 1 metre will be single storey, this element incorporating a gable roof. The extension will maintain a separation of 0.2m from the south-eastern flank boundary.

Location

The site is located along the northern side of Jail Lane and adjoins a public footpath along its south-eastern boundary.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and at the time that this report was compiled no representations were received.

Comments from Consultees

Not applicable.

Planning Considerations

Policies BE1, H8 and H9 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 which complements the qualities of the surrounding area; to ensure adequate side space provision in the case of two storey development; and to safeguard the amenities of neighbouring properties.

Planning History

There is no relevant planning history concerning this property.

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.

Whilst the proposed part one/two storey extension will be built to within close proximity of the flank boundary, a wide separation will be maintained from the neighbouring dwelling at No 83 by virtue of a public footpath which separates the two properties. Accordingly, it is not considered that there would be any prospect of a cramped form of development from occurring which would be at odds with local spatial or separation standards. Furthermore, it is considered that a wide enough separation will be maintained in respect of the dwelling at No 83 to avoid a significant impact on its amenities. Much of the proposed development will also be obscured from the side of the adjoining semi at No 79 which will be well separated from the application dwelling. The proposal is therefore considered to comply with the aims of Policy H9.

Background papers referred to during production of this report comprise all correspondence on file ref. 11/00033, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACI12 | Obscure glazing (1 insert) along the first floor south eastern elevation |
| | ACI12R | I12 reason (1 insert) BE1 |
| 4 | ACI17 | No additional windows (2 inserts) first floor flank extension |
| | ACI17R | I17 reason (1 insert) BE1 |

Reasons for permission:

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

policies of the Unitary Development Plan:

BE1 Design of New Development

H8 Residential Extensions

The development is considered satisfactory in relation to the following:

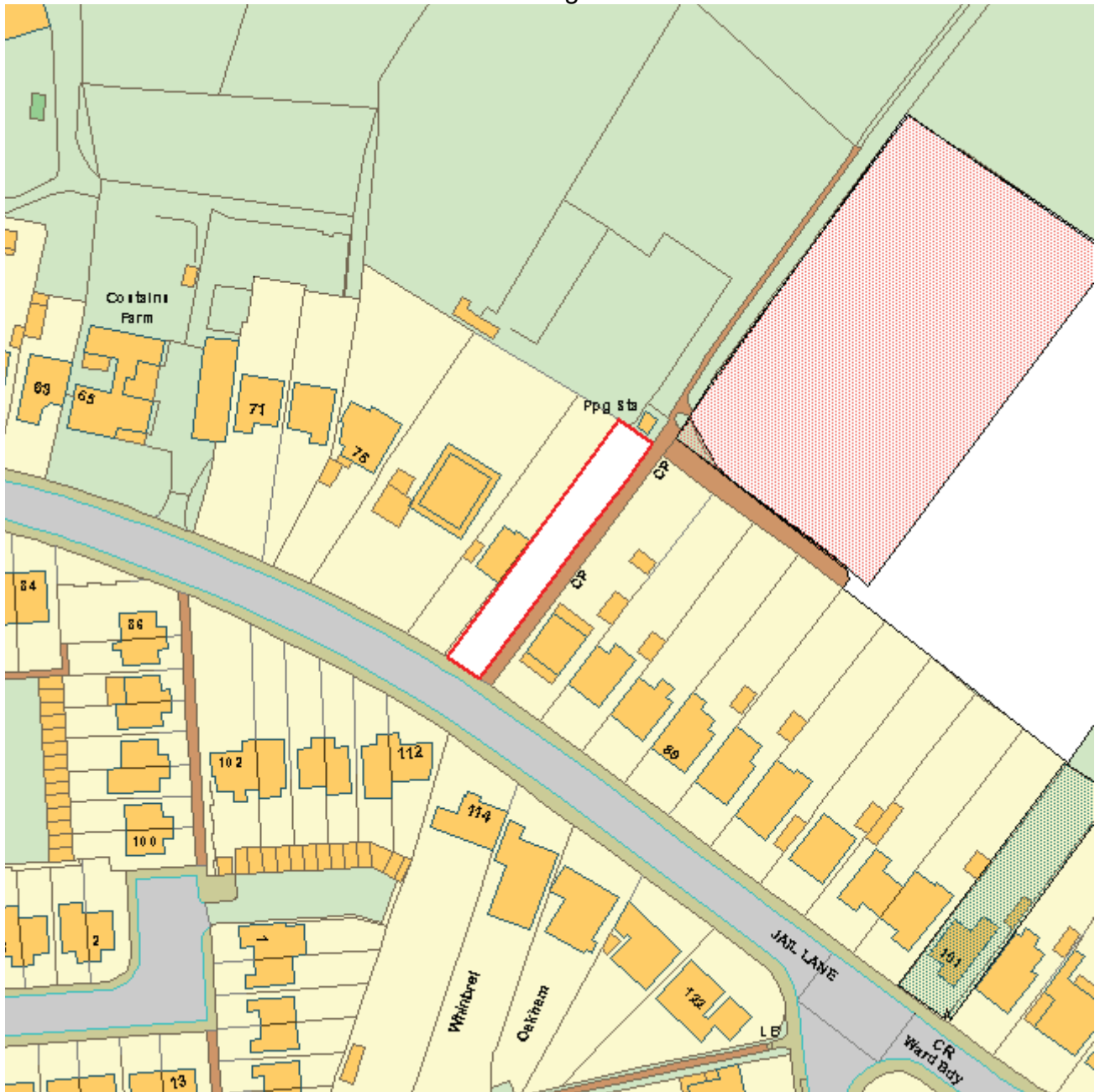
- (a) the appearance of the development in the street scene;
- (b) the relation of the development to the adjacent property;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the light and outlook 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: 11/00033/FULL6

Address: 81 Jail Lane Biggin Hill TN16 3SE

Proposal: Part one/two storey side and rear extension. Roof alterations incorporating rear dormer extension and roof light



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SECTION '2' – Applications meriting special consideration

Application No : 11/00182/FULL6

Ward:
Petts Wood And Knoll

Address : 46 Red Cedars Road Orpington BR6
0BX

OS Grid Ref: E: 545187 N: 166660

Applicant : Mrs Welch

Objections : NO

Description of Development:

Part one/ two storey side extension and pitched roof to front

Key designations:

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

Proposal

This application concerns a part one/two storey side extension which will align with the existing property at the front and rear. The extension will project sideward by approximately 2.6m up the southern flank boundary. The first floor addition will be set back approximately 6.0m from the front of the dwelling and maintain a 1.0m separation from the flank boundary. In addition, a pitched roof will be added to the front part of the extension which will overlap the existing front porch projection.

Location

The site is located along the eastern side of Red Cedars Road – a wholly residential street – which along this part comprises mainly two storey detached dwellings.

Comments from Local Residents

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

Comments from Consultees

Not applicable.

Planning Considerations

Policies BE1, H8 and H9 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 which complements the qualities of the surrounding area; to ensure adequate side space provision in the case of two storey development; and to safeguard the amenities of neighbouring properties.

Planning History

Under ref 10/03095 a proposed two storey front extension was refused on the following ground:

The proposed extension, by reason of its design and prominent projection forward of the dwelling, would appear out of character with the neighbouring properties along this part of Red Cedars Road which share a similar design, and this proposal would represent an incongruous feature in the streetscene detrimental to the visual amenities and character of the area, contrary to Policies H8 and BE1 of the Unitary Development Plan.

This application is currently awaiting the outcome of an appeal.

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 proposed front element of the extension will be restricted to single storey and not project forward of the existing porch. This will, to an extent, mimic the neighbouring dwellings at Nos. 48 and 50 which incorporate prominent pitched roofs above their single storey front garage or porch projections.

Whilst the proposed part one/two storey extension will be built to within close proximity of the flank boundary, the first floor element will maintain a side space separation of 1 metre. Members should assess the impact of this development, in particular of the first floor side addition (which is set back), with particular regard to the spatial standards of the area and whether an acceptable gap will be maintained at both levels between the extension and the adjacent dwelling at No 44.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/03095 and 11/00182, excluding exempt information.

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- | | | |
|---|--------|--|
| 0 | D00002 | If Members are minded to grant planning permission the following conditions are suggested: |
| 1 | ACA01 | Commencement of development within 3 yrs |

- | | | | |
|---|--------|--|-----------------|
| | ACA01R | A01 Reason 3 years | |
| 2 | ACA04 | Landscaping Scheme - full app no details | |
| | ACA04R | Reason A04 | |
| 3 | ACI13 | No windows (2 inserts) | flank 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
H8 Residential Extensions

The development is considered satisfactory in relation to the following:

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

and having regard to all other matters raised.

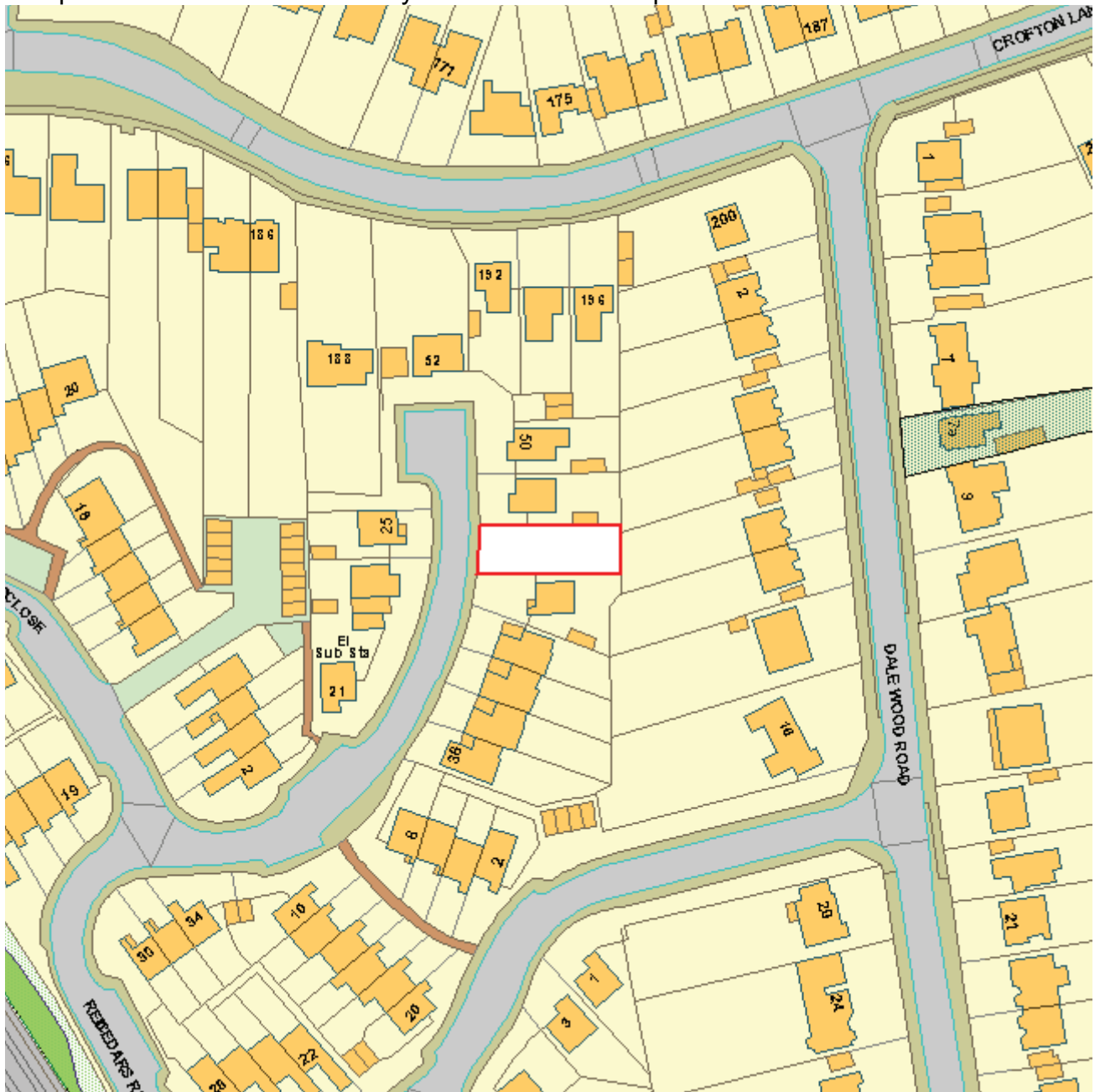
D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The proposed part one/two storey side extension constitutes a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies BE1, H8 and H9 of the Unitary Development Plan.

Reference: 11/00182/FULL6

Address: 46 Red Cedars Road Orpington BR6 0BX

Proposal: Part one/ two storey side extension and pitched roof to front



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

Application No : 10/02118/FULL6

Ward:
Shortlands

Address : 90 Malmains Way Beckenham BR3 6SF

OS Grid Ref: E: 538837 N: 167746

Applicant : Dr S Sivathanan

Objections : YES

Description of Development:

First floor side extension

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Tree Preservation Order

This application was previously presented to the Plans Sub Committee on 3rd February and was deferred without prejudice for Members to carry out a site visit on 19th February. The previous report is repeated suitably amended.

Proposal

The application property is a detached modern house built in the mid 1990's and features a front gable and a pitched 'catslide' roof orientated away from the north-western boundary. It is proposed to extend this dwelling in the form of a first floor side extension incorporating a front gable marginally set back [approx. 0.5m] from the front building line. One obscure glazed side elevation window is proposed and this would serve an ensuite shower room. As a part of the proposals the applicant has also indicated a willingness to introduce a white render to the side elevation in an effort to provide reflected light to the neighbouring property at No.88. The ridge height of the extended roof will continue the height of the existing roof apex.

The distance maintained to the boundary with No.88 would be approx. 1.07m, the flank to flank distance between the Nos. 88 and 90 would be approx. 3.2m. To the south-eastern boundary a distance of approx. 2.6m would be retained.

Location

The property is located at the south-eastern end of Malmain Way close to the junction with Bushey Way. The street is characterised by detached dwellings of varied design mostly dating from the 1920-50's set within an attractive tree-lined setting. The property falls within Park Langley Area of Special Residential Character (ASRC) and is described within the Unitary Development Plan (UDP) as follows:

“...built sporadically between the 1920's and 1950's, whilst not of the same exceptional standard [as the Conservation Area] has the character of a garden estate given by the high quality and appearance of the hedges, walls, fences, and front gardens. The area, which comprises almost exclusively large detached two storey family homes on generous plots ...represents a coherent, continuous and easily identifiable area, which has maintained its character and unity intact.”

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 3 representations were received including a letter from the Park Langley Residents Association (PLRA) which can be summarised as follows:

- PLRA -Proposal would obscure an important space separating the neighbouring property and allowing an open view between buildings and would be seriously detrimental to the street scene
- kitchen window at No.88 would be overshadowed by the proposal
- extension is too large and will dominate No.88
- proposal will severely reduce the light coming into the kitchen and bathroom
- loss of outlook - view from kitchen window will be a vertical wall
- flank window on side elevation is a secondary window and therefore unnecessary
- reduction in the depth of the front gable is minimal and the entire front gable would block out sunlight
- introduction of white rendering to the side elevation is aesthetically inappropriate and will provide little reflected light

Comments from Consultees

No significant trees will be affected by this proposal.

Planning Considerations

In considering the application the main policies are H9, H10, H8 and BE1 of the Unitary Development Plan.

Policy H9 requires a minimum sidespace of 1m in respect of extensions of two or more storeys in height but expects more generous sidespaces where higher standards of separation already exist.

Policy H10 concerns Areas of Special Residential Character, applications in these areas will be required to respect and complement the established and individual qualities of the area.

Policy H8 concerns residential extensions and requires design and layout of proposals to complement scale and form of host dwelling, respect spaces and gaps between buildings where contribute to the character of an area.

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

The principal issues in this case are whether the side extension would appear cramped and overdominant, detrimental to the character and appearance of the Park Langley Area of Special Residential Character and detrimental to the residential amenities of the neighbouring property at No. 88.

In support of the proposal the applicant sets out a number of points as follows:

- by introducing a white rendered finish to the side elevation this will introduce reflected light to neighbouring property
- by reducing the depth of the gable it will be set behind the front elevation of the neighbouring house.

Furthermore, the applicant quotes a number of developments both close by and in the general vicinity which they consider to be comparable developments that set a precedent for the type of development which they wish to achieve including. Developments closest to the application site are considered to be more materially relevant [photo's on file] :

The property on the opposite side of the road at No. 97 is a comparable example. This dwelling was also allowed on appeal in 1995 under planning ref. 94/01368 and was built with a 'cat slide' roof not dissimilar to the application property. A further application under ref. 02/00251 for a first floor side extension and single storey rear extension was later granted under planning ref. 02/00251 and this filled in the gap at first floor level in a similar way as is currently being proposed. In this instance a side space of 1.75m was shown to be retained to the boundary with the neighbouring property at No.97. The flank to flank distance is approx.3.5m.

The property at No.71a had previously been a bungalow and was granted permission in 2004 under ref.04/03714 for a first floor extension to transform it into a house. This property retained a 1m side space the separation to the side elevation of the neighbouring property at No.71 was approx. 2m.

The most recent appeal decision regarding this site relates to an application for a single storey side extension under planning ref. 02/01238. With regards to the character of the area the Inspector noted the following [para. 9]:

“The street scene is characteristically spacious in character. This is due in part to the maintenance of significant side gaps between buildings, partly at upper floor level, though in some instances two-storey flank walls are no more than 1m from the side boundary; the more important factors are the wide roads and generous separation between the fronts of opposing houses.”

With regards to the impact of the proposal on the neighbouring property at No. 88 the Inspector noted [para. 11]:

“Turning to the impact on neighbours, the adjoining house No.88 Malmaims Way has its kitchen window in the flank wall facing the appeal site at a distance of barely 2m. The proposed extension would be only 3m from that window and the long sweep of the extended roof would be a dominant feature. Moreover the outlook from that window would be somewhat reduced by the front and rear projections, the smaller side gap and the new roofline. Nonetheless thanks to the shape of the proposed new roof there would be no undue loss of light or sunlight to the south facing window. Bearing in mind also that the kitchen in question is a working kitchen rather than a habitable room I am not satisfied that the residential enjoyment of No.88 would be so adversely affected by the appeal scheme as to justify my dismissing the appeal on that ground alone.”

In this instance it is considered that the space maintained to the boundary at approx. 1.07m is comparable with other side spaces within the street. In addition the space between the properties at just over 3m is considered adequate considering the location of the property within the ASRC but crucially outside of the Conservation Area. Furthermore, the side space to the south-eastern boundary with No.92 at 2.6m ensures that there is adequate space maintained about the building.

Clearly the proposal will reduce the outlook from the kitchen window however as described by the Inspector this is a “working kitchen” rather than a habitable room. The kitchen does opens out onto a “habitable” dining area but this area gains light and outlook from the french style doors which lead out onto the garden patio.

Planning History

92/01672/OUT LAND ADJOINING 92 MALMAIMS WAY BECKENHAM
BR3 2SF
DETACHED TWO STOREY DWELLING WITH INTEGRAL GARAGE
OUTLINE PER 23.09.1992
94/0588/FUL LAND ADJOINING 92 MALMAIMS WAY BECKENHAM
BR3 2SF
DETACHED TWO STOREY FIVE BEDROOM HOUSE WITH INTEGRAL
GARAGE
REF 22.06.1994

94/01855/FUL LAND ADJOINING 92 MALMAINS WAY BECKENHAM
BR3 2SF

DETACHED TWO STOREY FOUR BEDROOM HOUSE WITH ATTACHED
GARAGE RETROSPECTIVE APPLICATION PER 22.09.1994

95/01433/FUL GREENHOUSE SUMMER HOUSE AND SHED
RETROSPECTIVE

APPLICATION PER 02.08.1995

02/01238/FULL1 Single storey side/rear extension and single storey rear
extension for conservatory REF 15.05.2002

03/01919/FULL1 Single storey side/rear extension and single storey rear
extension for conservatory (amendment to scheme permitted under ref. 02/01238,
alteration to roof design) PER 02.07.2003

Application ref. 94/00588 would have resulted in a dwelling similar to that now on
site and was refused because of its impact on the ASRC.

Application ref. 02/01238 proposed an extension that in effect resulted in an
enlarged property similar to that previously refused under ref. 94/00588. However,
this extension was allowed on appeal and was subsequently completed.

Conclusions

It is considered that the proposal in terms of its impact on the street scene is
comparable with nearby development. The 3m space between properties is also
considered to be sufficient to maintain the character of this area in fact.

The outlook from the kitchen window would be reduced and it would also be
likely that there would be some loss of light however this would be to a non
habitable working kitchen and this impact alone is not considered on balance to
be so severe to warrant refusal of this application on this basis.

Background papers referred to during production of this report comprise all
correspondence on files refs. 10/02118, 02/01238, 02/00251, 04/03714 and
94/0588, excluding exempt information.

as amended by documents received on 24.09.2010 14.01.2011

RECOMMENDATION: PERMISSION

Subject to the following conditions:

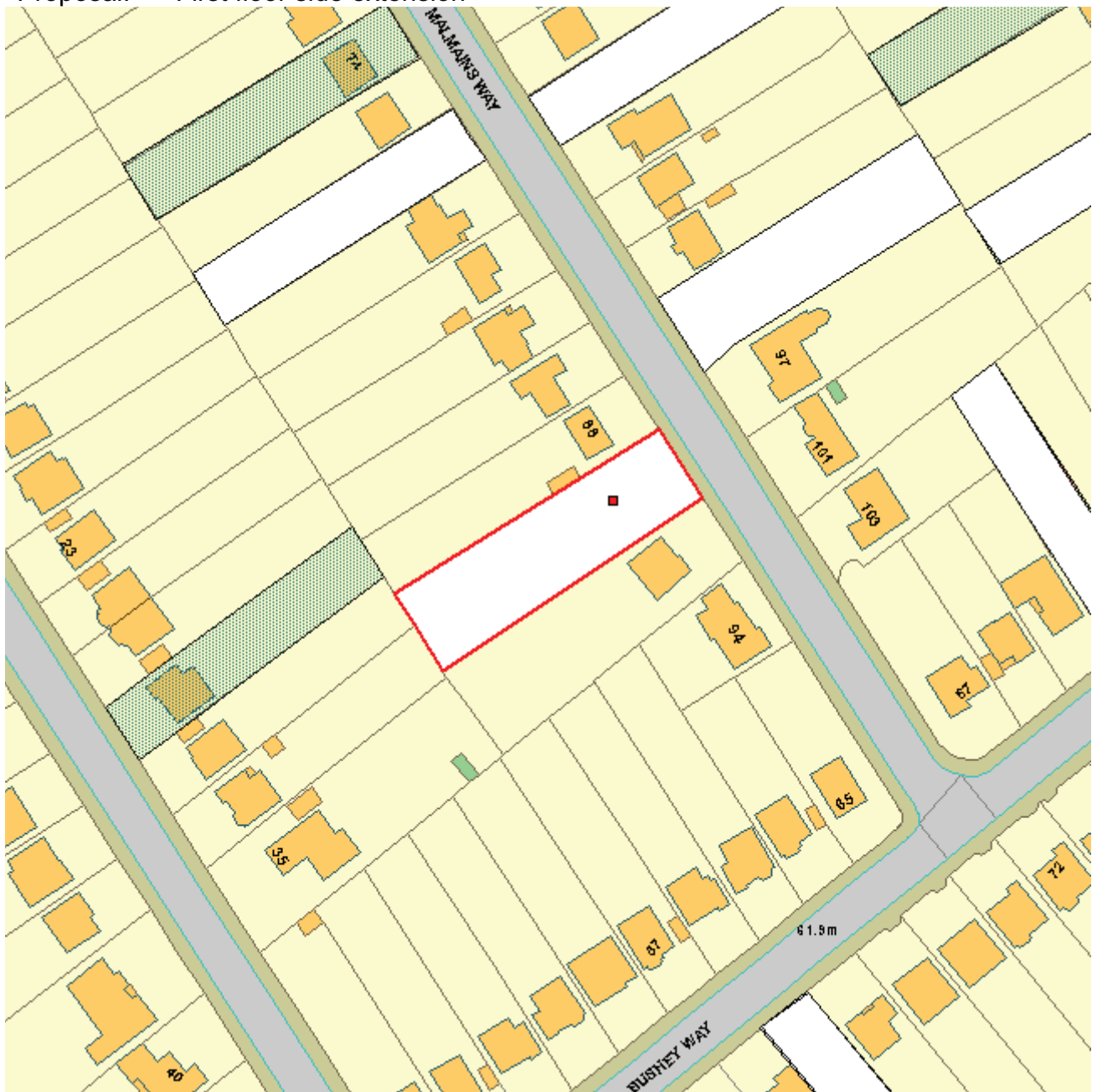
- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACC01 Satisfactory materials (ext'nl surfaces)
ACC01R Reason C01
- 3 ACI17 No additional windows (2 inserts) north-western first floor
side extension
ACI17R I17 reason (1 insert) BE1
- 4 ACI11 Obscure glaz'g/details of opening (1 in) in the north-
western flank elevation

	ACI11R	Reason I11 (1 insert)	H8		
5	ACI12	Obscure glazing (1 insert)		in the north-western	flank
		elevation			
	ACI12R	I12 reason (1 insert)	H8		
6	AJ02B	Justification UNIQUE reason			OTHER apps

Policies (UDP)

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

Reference: 10/02118/FULL6
Address: 90 Malmaims Way Beckenham BR3 6SF
Proposal: First floor side extension



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

Application No : 10/03350/FULL1

Ward:
Bickley

Address : The Priory Westbury Road Bromley BR1
2QB

OS Grid Ref: E: 541758 N: 169631

Applicant : Mr S Birchmore

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of 2 detached two storey dwellings (with accommodation in roof space) fronting Park Farm Road

Proposal

Planning permission is sought for the demolition of the existing dwelling at 'The Priory', Westbury Road, and the construction of 2 detached two storey dwellings (with accommodation in roofspace) fronting Park Farm Road. The details of the proposal are as follows:

- dwelling at 'Plot A' to measure approx. 16m in width, 16.9m in depth and have a height of approx. 8.2m (to the ridge)
- to feature two storey front projection with forward facing gable and integral garage, together with single storey projection at rear for garden room
- to feature four rear dormer windows
- external surfaces to be finished with off white render, and grey slate for roofing
- dwelling at 'Plot B' to measure approx. 19m in width, 13.8m in depth and have a height of approx. 8.15m (to the ridge)
- to feature two storey front projection with forward facing gable together with single storey projection to side/rear for orangery
- single storey projection to side for double garage
- external surfaces to be finished with off-white render, facing brickwork and tile hanging, with red clay tiles for roofing

In addition to the above, it is proposed to provide boundary enclosures fronting Park Farm Road and Westbury Road comprising gates and railings set above a dwarf wall to a maximum height of approx. 2.2m.

Amended plans have been received showing a reduction in the height of both dwellings and the deletion of a two storey rear addition to the dwelling at 'Plot B'.

Location

The application site is located on the western side of Westbury Road at the junction with Park Farm Road, and comprises a large detached dwelling set on a corner plot.

Comments from Local Residents

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

- properties would be extremely cramped and would represent an overdevelopment
- plot is not suited in size for two large six bedroom family homes
- contravenes brownfield regulations
- objection to demolition of existing dwelling
- proposal not eco-friendly
- re-orientation will result in views towards neighbouring properties
- development not in keeping with surrounding properties
- Westbury Road frontage will become unsightly
- planning history noted but scheme still considered overdevelopment
- dwellings would detract from spacious feel of area
- development would significantly affect privacy, daylight and noise levels of properties, as well as general enjoyment of the area
- height of dwellings is excessive
- limited parking proposed which may lead to on-street parking
- existing trees are an attractive feature – it is unclear whether these would be retained
- overlooking, loss of light and prospect to adjacent property at No. 22 in view of height of dwellings
- concern regarding impact of additional development on the site and drainage, which may lead to flooding in future
- changes to PPS 3 resulting in gardens of residential properties no longer being considered brown field sites
- objection to any possibility of existing telephone cubicle and pole being re-positioned

In addition, comments were received from the Sundridge Residents Association which can be summarised as follows:

- grant of outline planning permission is regrettable
- proposal seeks increased accommodation over the appeal scheme, with 'massive' two storey rear extension to the right side house and single storey extension to side projecting ahead of the building line
- hipped roofs replaced with gables increasing the impression of excessive mass and bulk

- application is highly contentious in terms of adverse effect on amenity and the street scene
- side extension for garage must not be considered a permissible encroachment on the side space
- is highly unlikely that the Inspector would have allowed this revised scheme
- garden depth inadequate (in view of two storey rear addition to right side house)
- would result in a material loss of amenity to adjoining house
- boundary enclosures unattractive
- road safety implications of re-positioned access to right side house (adjacent to junction with Westbury Road)
- car parking would be likely to take place on the corner of the site which would be detrimental to the street scene and visual amenity
- on-street parking would also be generated
- existing street furniture would be interfered with as a result of re-positioned driveway to left side house
- established tree planting would be lost
- some control over retention of boundary vegetation should be exercised to lessen adverse visual impact and loss of privacy

Comments from Consultees

Highways Drainage raises no objection to the proposal.

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

Highways raise no objection to the proposal subject to the imposition of conditions.

Thames Water raises no objection to the proposal.

Planning Considerations

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

- BE1 Design of New Development
- H7 Density and Design of New Housing
- H9 Side Space
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

With regard to trees, no objections are raised.

Planning History

Under ref. 08/01768, outline planning permission was granted at appeal for two detached two storey dwellings, with appearance, landscaping and layout as the reserved matters. Indicative plans provided at that stage appeared to show two

storey dwellings with accommodation in the roofspace, each with two storey projections to the front (appearing to feature hipped roofs) and single storey rear elements. The application forms indicated that the dwellings would benefit from in excess of 4 bedrooms each.

Conclusions

The proposal before Members follows the grant of outline planning permission under ref. 08/01768 for two dwellings on the site fronting Park Farm Road. The dwellings now proposed would adhere to the footprint of the previous scheme, but for the addition of a single storey projection to the side of the dwelling at 'Plot B' which has been added in lieu of an integral garage which allows for greater residential accommodation internally. Other changes include the addition of forward facing gables to the two storey front projections featured on both dwellings, together with alternative locations for the accesses to both plots. In addition, both dwellings would appear to feature more substantial dormers to the rear roofslopes than indicated on the plans previously approved (although dormers are no longer proposed to the front).

The principle of the development now proposed would be similar to the scheme allowed at appeal, however it is important to note that this application seeks full planning permission and does not intend to follow the appeal scheme as a 'details pursuant' application. Indeed, this application includes changes from the indicative appeal scheme, and those plans did not include details of the height or form of the dwellings. Accordingly, it will be necessary for Members to make an assessment of the current proposal on its own merits, yet bearing in mind the fact that the principle of development is in essence, identical to that allowed at appeal.

The proposal would involve the demolition of the existing dwelling which currently fronts Westbury Road, and the construction of two new dwellings fronting Park Farm Road. At appeal, the Inspector found that the site would lend itself to this re-orientation, that the dwellings would be set back sufficiently from Park Farm Road, and that the changes would not affect the overall character of the street scene to a degree or in a manner that would warrant refusal of planning permission. In view of the similarities in terms of the layout of the development currently under consideration and the appeal scheme, it may be considered that the principle of two dwellings on the site may again be acceptable in this case.

A single storey extension is now proposed to the side of the dwelling at 'Plot B' to provide a double garage, however in view of the separation that would be still be retained to the flank boundary, the single storey construction of this element and the fact that the site levels would be slightly lower than street level, this element would not appear unduly prominent nor harmful to the character and appearance of the area.

Turning to the form and scale of the dwellings, the amended plans received indicate a reduction in the height of both dwellings from approx. 9.3m to 8.1m. This height would appear to be similar to the height of the adjacent dwelling at No. 22 Park Farm Road. The dwellings would appear to be more substantial in form when compared to neighbours, particularly in view of the width proposed, however

this is for the most part consistent with the appeal scheme. In terms of their form, the dwellings would be largely traditional with hipped roofs, although each would employ a different palette of materials and design details, with the dwelling at 'Plot A' taking on an almost 'Georgian' appearance, while the dwelling at 'Plot B' would appear to be similar to the existing dwelling on the site. In view of the varied form and character of properties on Park Farm Road and in Westbury Road, this approach is not considered to be problematical.

Regarding the impact of the proposed development to the amenities of local residents, the properties most likely to be affected would be those adjoining the site at 22 Park Farm Road and at 'Erival', Westbury Road. The relationship of the proposed development with these properties would be consistent with the appeal scheme, which in addition included accommodation in the roofspace. It is not considered that the proposal would therefore give rise to a significantly greater degree of overlooking or loss of privacy than was found to be acceptable with the appeal scheme.

Regarding the impact to the adjacent property at No. 22 Park Farm Road, the Inspector noted in determining the appeal that this would depend on the height and form of the dwelling at 'Plot A', which were matters of relative detail that were not before him at that time. The plans now under consideration would appear to indicate that the dwelling at 'Plot A' would not be significantly taller than No. 22, while the slab for the dwelling would appear to be set approx. 0.5m above the level of the adjacent site. Accordingly, and in view of the separation between the dwellings (approx. 5m maximum), it is not considered that the dwelling at 'Plot A' would result in an unacceptable loss of amenity to No. 22. On balance, Members may agree that the proposal would not result in a significant loss of amenity to local residents so as to warrant refusal of planning permission in this case.

With regard to the gates and railings proposed, there is a varied character to front boundary treatment in the vicinity of the site. At present, the boundary of the site fronting Westbury Road features gates and railings set on a dwarf wall, while the Park Farm Road frontage features a brick wall and close boarded fencing, with vegetation also. Bearing this in mind, it is not considered that the front boundary enclosure as proposed would result in a significantly greater impact than the existing situation, indeed the low level walling with railings above would provide a slightly greater sense of openness. On balance it is not considered that this element of the proposal would result in harm to the character of the area or visual amenities of the street scene.

Finally, Members will be aware of the changes to PPS 3 comprising the removal of the minimum density figure for housing and the removal of 'garden land' from the definition of 'previously developed land'. Nevertheless, the suitability of sites for residential development must continue to be assessed on a case by case basis having regard to individual planning merits, adopted development plan policy and any other material planning considerations. In this case it is clear that the site would not constitute previously developed land. However, in view of its characteristics and location, together with the impact to the amenities of neighbouring residents (as discussed above) and in having regard to the planning history, Members may agree that it is on balance, suitable to accommodate

additional residential development in principle and that planning permission should be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/03350 and 08/01768, excluding exempt information.

as amended by documents received on 21.01.2011 03.02.2011

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACC07 | Materials as set out in application |
| | ACC07R | Reason C07 |
| 4 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 5 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 6 | ACH26 | Repair to damaged roads |
| | ACH26R | Reason H26 |
| 7 | ACD02 | Surface water drainage - no det. submitt |
| | ADD02R | Reason D02 |

Reasons for granting permission:

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

- BE1 Design of New Development
- H7 Density and Design of New Housing
- H9 Side Space
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

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

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent 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 Unitary Development Plan
- (i) the conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

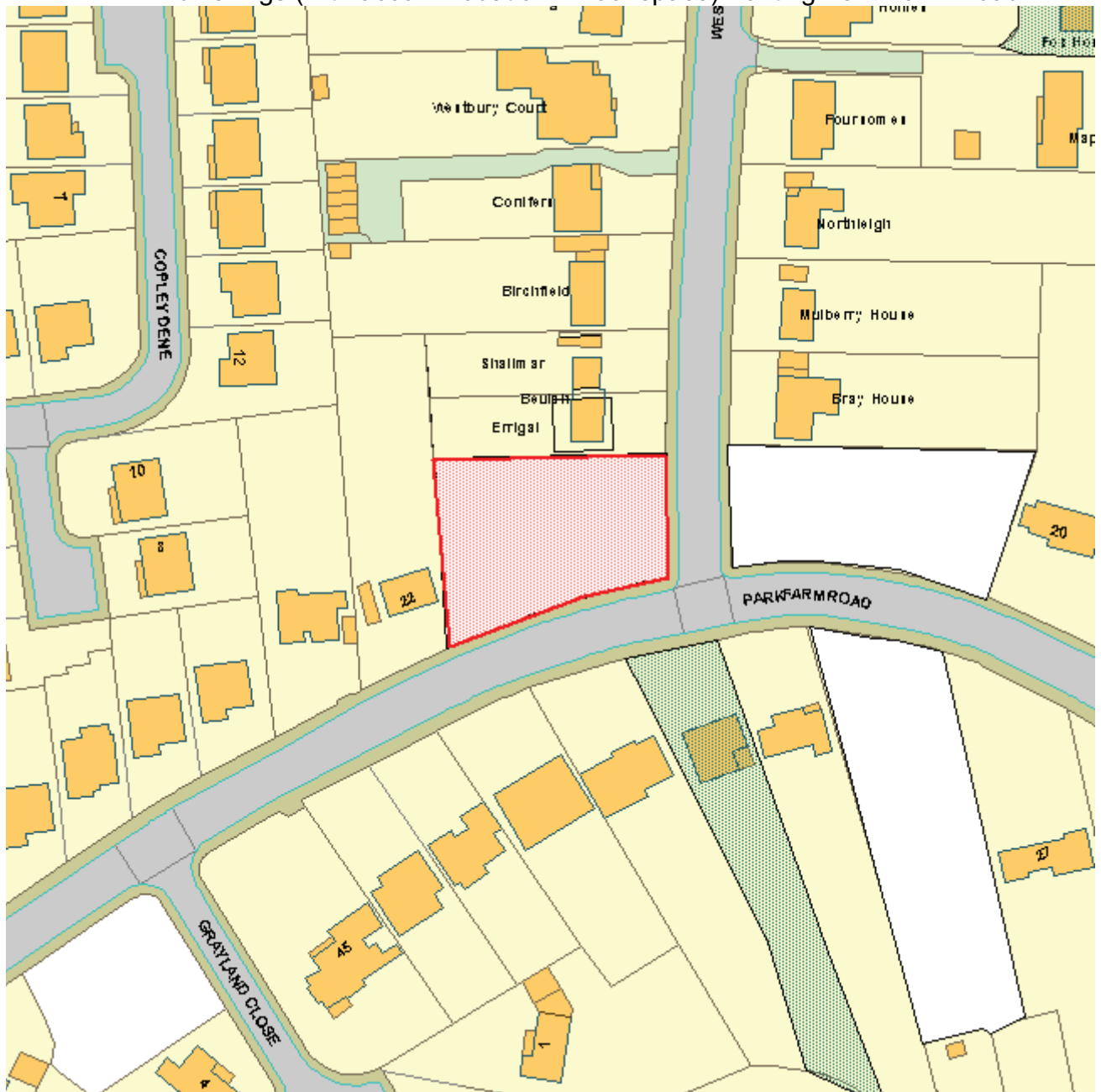
INFORMATIVE(S)

- 1 RDI10 Consult Land Charges/Street Numbering
- 2 The applicant is advised that the condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development. The applicant should, therefore, also be advised that before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which Park Farm Road and Westbury Road are laid out.

Reference: 10/03350/FULL1

Address: The Priory Westbury Road Bromley BR1 2QB

Proposal: Demolition of existing dwelling and erection of 2 detached two storey dwellings (with accommodation in roof space) fronting Park Farm Road



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

Application No : 10/03493/FULL6

Ward:
Shortlands

Address : 1 Malmaison Way Beckenham BR3 6SA

OS Grid Ref: E: 538242 N: 168252

Applicant : Mr & Mrs Felgate

Objections : YES

Description of Development:

First floor front/side extension, single storey front extension, single storey rear extensions and single storey side extension with accommodation in roofspace.

Key designations:

Conservation Area:

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Proposal

This proposal is for a first floor front/side extension, single storey front extension, single storey rear extensions and single storey side extension with accommodation in roofspace and rear dormer window.

The proposal is comprised of the following elements:

- A first floor side/front extension to the east of the property, the majority of which shall not extend to the side beyond an existing dormer window extension. The proposal will include a 1.1m extension to the front which shall be 2.9m in width.
- The property is proposed to be extended 1.75m to the front at a single storey level which will form an 'infill' development between the main dwellinghouse and the existing single storey garage.
- The property is also to be extended by 2.85m to the western side of the property at a single storey level which projects parallel to the site boundary and shall be 5.5m in width at the widest point and shall be 7.3m in length. Accommodation is to be provided in the roofspace above with a rooflight to be inserted in the front elevation and a dormer window is to be inserted in the rear elevation, the total height of the proposal is 5.2m and as such may be viewed as a two storey development.

- The existing garage is proposed to be extended 3m to the rear which shall connect to a 5m extension from the rear elevation of the main dwellinghouse and shall have a total width of 9.2m.
- An additional rear extension is also proposed which shall be 5m in width and shall project 1.1m beyond the existing conservatory extension.

Location

The property is located to the north of Malmains Way and is a detached two storey single family dwellinghouse located within the Park Langley Conservation Area. Park Langley is an Edwardian 'garden suburb' development with later low density housing set within a mature landscape.

Comments from Local Residents

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

- concerns there is a window planned overlooking 3 Malmains Way which is closer than the existing window. The existing window is obscure glazed and concerns as it is not clear whether the new window will have the same, if not it is seen as invading the privacy of the neighbouring properties.

The Park Langley Residents Association requested that the Planning Authority is satisfied that the proposal accords with Policy BE1 and The Planning Guide para 3.1 and that in particular the existing streetscene is preserved or enhanced and that it is not detrimental to that aspect of the area by virtue of over-development.

Comments from Consultees

The Advisory Panel for Conservation Areas were consulted who objected the now superseded application at it was considered that the proposal is an overdevelopment with a loss of side space and the pleasing balance and composition of the original design, contrary to Policies BE1, BE11 and SPG 3 paragraphs 24 – 25.

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
 H8 Residential Extensions
 H9 Side Space

Planning History

In 1990 under planning ref. 90/03276, permission was granted for a detached single storey swimming pool cover.

In 1992 under planning ref. 91/01319, permission was granted for a revised plan for permission ref. 90/03276 for the siting of the poll cover on the extended patio.

In 1993 under ref. 93/02265, Conservation Area Consent was granted for the removal of a chimney stack.

In 2005 under ref. 05/00948, no objections were raised to the intention to fell 1 hawthorn tree in the front garden.

In 2007 under planning ref. 07/00109, permission was granted for the construction of four front pillars to maximum height of 1.8 metres.

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 single storey side extension with accommodation in the roofspace is not anticipated to result in a loss of light for the neighbouring property at No.39 Wickham Way given the orientation of the site whereby the application site borders the rear garden area of No. 39 and the rear elevation of No. 39 is located approximately 30m from the boundary with No. 1 Malmain Way. In addition as no windows are to be located in the side elevation of the proposal the impact in terms of loss of privacy shall also be negligible. The existing pool house shall shield the majority of the proposed rear extension from view and as such the impact on the residential amenity of No. 39 shall also be negligible.

The impact of the first floor side extension to the east of the property on the residential amenity of No. 3 is also anticipated to be minimal. No windows are located in the flank elevation of No. 3 and as such the impact in terms of loss of privacy shall be negligible. One window which services a bathroom is located in the side elevation of the proposal and were permission to be attached a condition requiring this to be obscure glazed would be attached. Given the modest scale of the proposal, the impact in terms of loss of light to No. 3 is anticipated to be minimal.

The ground floor rear extension shall project 3m beyond the rear elevation of the existing garage which shall be 5m beyond the rear elevation of the main dwellinghouse. Given that a 4m rear extension constitutes permitted development at this detached property and that the neighbouring property at No. 3 is located on a higher ground level than the application site, the impact on the residential amenity for this property is not anticipated to be of such an extent as to warrant refusal.

The first floor front/side extension of the proposal is not in accordance with Policy H9 as a 1m distance is not maintained for the full height and length of the flank wall of the building, due to an existing single storey element which is constructed right up to the boundary with No. 3. However, given that the first floor front/side extension is stepped back 3.2m from the boundary with No. 3 the proposal will not result in unrelated terracing and as such may be considered acceptable.

From a heritage perspective the current revised scheme is considered to be acceptable in that the first floor front/side extension has been stepped back from the principle elevation and shall have a lower roof height than the main dwellinghouse and as such shall appear subservient and has been designed to respect and complement the original dwellinghouse, in line with Policy BE11. It was also considered that the first floor front/side extension is aesthetically more pleasing than the existing façade which features a side dormer window extension which is not in keeping with the principle elevation.

The single storey side extension with accommodation in the roofspace which given its height of 5.2m is required to adhere to the 1m side space requirement in accordance with Policy H9. While this element of the application is sizeable it is set back 2.8m from the principle elevation and will also appear subservient to the main dwellinghouse and as such the impact on the overall appearance of the property or the streetscene is not anticipated to be of such an extent as to warrant refusal.

In summation, the proposal is considered acceptable in that it will not be unduly harmful to the residential amenities of the neighbouring properties nor will it be detrimental to the overall appearance of the property or the character of the Park Langley Conservation Area. While the first floor front/side extension is technically not in accordance with Policy H9 it shall not result in an undesirable terracing effect and as such is considered to be acceptable.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/03493, excluding exempt information.

as amended by documents received on 21.01.2011 16.02.2011

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|--------|--|--|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACC04 | Matching materials | |
| | ACC04R | Reason C04 | |
| 3 | ACI12 | Obscure glazing (1 insert) | in the first floor eastern flank elevation |
| | ACI12R | I12 reason (1 insert) | BE1 |
| 4 | ACI17 | No additional windows (2 inserts) | first floor flank extension |
| | ACI17R | I17 reason (1 insert) | BE1 |

Reasons for granting permission:

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

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

H9 Side Space

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

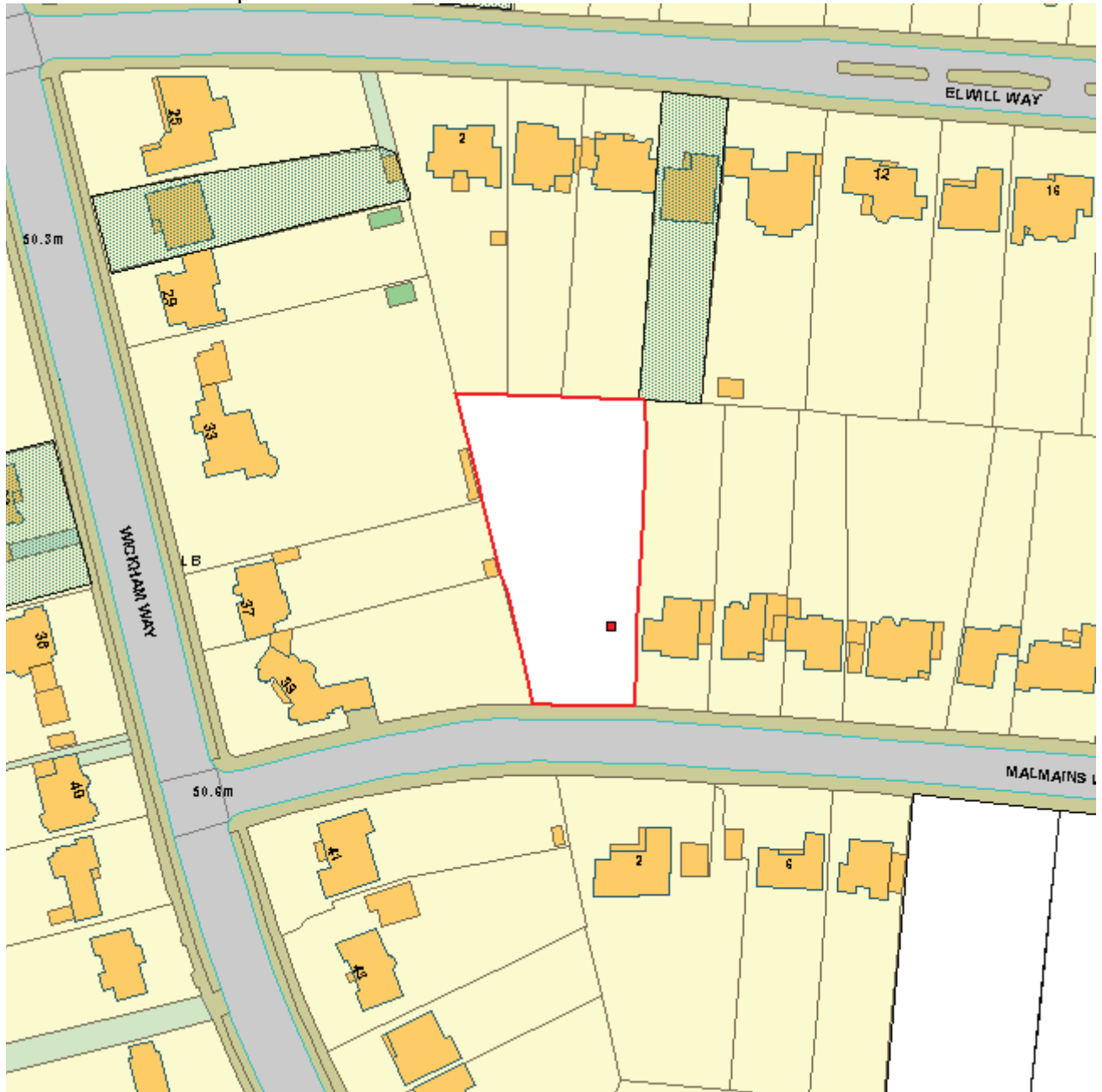
- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent properties;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the housing policies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

and having regard to all other matters raised.

Reference: 10/03493/FULL6

Address: 1 Malmaims Way Beckenham BR3 6SA

Proposal: First floor front/side extension, single storey front extension, single storey rear extensions and single storey side extension with accommodation in roofspace.



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

Application No : 10/03661/VAR

Ward:
Shortlands

Address : 15 Durham Avenue Shortlands Bromley
BR2 0QE

OS Grid Ref: E: 539666 N: 168297

Applicant : Skillcrown Homes Ltd

Objections : YES

Description of Development:

Variation of condition 2 and 7 of planning permission 09/00835 to provide permanent enclosure at front of units for drainage controls.

Key designations:

Conservation Area: Durham Avenue

Proposal

Under ref. 09/00835, planning permission was granted for two storey four bedroom detached house and two storey five bedroom detached house with integral garages, bin store and associated hard/soft landscaping at land adjoining 4 Lancaster Close and rear of 15 Durham Avenue. This development is now completed.

This application seeks approval for the variation of Conditions 4 and 7 of the above permission, which relate to landscaping and drainage, in order to retain a brick built cabinet located to the front of the site. The details of this structure are as follows:

- 1.7m high, 1.29m wide and 0.65m deep
- constructed from yellow stock brickwork, white PVCu fascia and felt roofing
- sited adjacent to driveway and site boundary with No. 5 Lancaster Close, approx. 6m from back edge of footway
- used to house drainage controls in connection with private sewerage infrastructure in the site

Location

The application site is located at the end of the cul-de-sac in Lancaster Close, between Nos. 4 and 5, comprising two detached dwellings which were completed in 2010. The site had formerly been part of the rear garden to No. 15 Durham

Avenue and as such falls within the Durham Avenue Conservation Area, although the remainder of Lancaster Close does not. The immediate surrounding area comprises large detached dwellings to the north (fronting Durham Avenue), with Lancaster Close comprising a 1960s backland development of detached houses with open frontages, adjoining the Conservation Area.

Comments from Local Residents

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

- application fails to detail the steps which the developer and the Council must take to ensure that the landscape plan is completed in full
- the application does not set out what is actually contained within the enclosure described
- Skillcrown (developer) had previously advised that the enclosure contained electrical controls and would be removed
- drainage issues are already of concern
- information submitted by applicant is insufficient to enable a proper decision to be made – points failed to address include:
- why the applicant has previously represented that the enclosure includes electrical controls which would be removed rather than drainage controls which are now permanent
- why the enclosure needs to be sited adjacent to No. 5 affecting this property
- the exact nature of the controls in the enclosure
- why the controls need to be publicly accessible rather than behind the fences of the properties away from public view
- why the drainage controls have not previously been set out in the plans approved and why these details are not the subject of this application
- objectors to the application will be at a disadvantage if this information is not clarified

Comments from Consultees

Comments received from Highways Drainage, Highways and Thames Water indicates no objection to the proposal.

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

Regarding trees, no objections have been raised.

From the Conservation point of view, no objections are raised.

Planning History

Under ref. 85/01274, planning permission was granted at appeal for the erection of 1 detached two storey dwelling and detached garage. Under ref. 06/04191, planning permission was allowed at appeal for a two storey three bedroom detached house and a two storey four bedroom detached house with integral garages at land adjoining 4 Lancaster Close and rear of 15 Durham Avenue.

Most recently, planning permission was granted under ref. 09/00835 for two storey four bedroom detached house and two storey five bedroom detached house with integral garages, bin store and associated hard/soft landscaping at land adjoining 4 Lancaster Close and rear of 15 Durham Avenue. This application was similar in principle to that allowed under ref. 06/04191 but sought approval for various alterations. This development has now been completed.

Conclusions

The main issues for Members to consider in this case will be the impact of the retention of the brick built cabinet (that this variation of condition application effectively seeks to retain permanently) to the character and appearance of the area, with particular regard to the Conservation Area designation, and the impact to the amenities of neighbouring residents. The details of the landscaping scheme and drainage (as required by Conditions 2 and 7) have previously been agreed by the Council. This application does not seek to alter any of the details previously approved and is primarily concerned with the retention of the cabinet in question.

While the cabinet is located to the front of the dwellings, it is not highly visible within the street scene being positioned behind an existing tree and screening by existing vegetation to a degree. The cabinet is of a relatively modest size, and is not visible from the nearest property at No. 5 in view of the existing garage to this property which would serve to obscure the cabinet from view.

Members will note that the cabinet has been retained on the site in order to house drainage controls (in connection with the private sewerage infrastructure in the site) and as such the Applicant's agent has indicated that it needs to be publicly accessible, presumably for maintenance purposes.

While concerns have been raised about the lack of technical detail provided as to the purpose of the drainage controls contained within the cabinet and how they relate to the details previously agreed, it is not a question of assessing the need for the cabinet, but the acceptability of its retention in light of the impact to the character of the area and the amenities of neighbouring residents. In any case Members will note that the drainage/sewerage infrastructure has already been completed at the site and the development occupied, and approval is not sought to alter any of the details previously agreed but to update the approved detail.

On balance, it is not considered that the retention of the brick built cabinet would unacceptably harm the character of the area or the amenities of neighbouring residents, and that the character and appearance of the Conservation Area would be preserved. Members may agree therefore that the variation of Conditions 2 and

7 should be approved with the effect of allowing the permanent retention of the cabinet.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/03661, 09/00835, 06/04191 and 85/01274, excluding exempt information.

RECOMMENDATION: APPROVAL

subject to the following conditions:

Reasons for granting approval:

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

BE1 Design of New Development
BE11 Conservation Areas

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

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

and having regard to all other matters raised.

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

Application No : 11/00017/FULL1

Ward:
Chelsfield And Pratts
Bottom

Address : 154 Worlds End Lane Orpington BR6
6AS

OS Grid Ref: E: 546948 N: 163290

Applicant : Paye Homes LLP

Objections : YES

Description of Development:

Erection of a detached two storey 6 bedroom dwelling with accommodation in the roof space, a basement and integral double garage (amendment to permission reference 10/00126/FULL1 to include two rear dormer windows)

Proposal

Under ref. 10/00126, planning permission was granted for the erection of a detached two storey 6 bedroom dwelling with accommodation in the roof space, a basement and integral double garage. This application seeks approval for the addition of two dormers to the rear roofslope, which would be fitted with obscure glazed windows and fixed lower casements. The dormers would measure approx. 2.1m in height, 1.9m in width and project approx. 1.5m from the plane of the roofslope, and feature a hipped roof design.

The application also includes details of a landscaping scheme, materials to be used for the external surfaces of the dwelling and the proposed boundary treatment, pursuant to Conditions 2, 4 and 5 of the permission granted under ref. 10/00126. The landscaping scheme is shown on plan ref. WEL-470-PD-01, while material details have also been provided on this drawing. It is indicated that the existing boundary treatment would be retained.

Location

The application site is located on the northern side of Worlds End Lane. The immediate surrounding area is residential in character, comprising detached dwellings set within large plots.

Comments from Local Residents

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

- current plans which include dormers to the rear go against those previously agreed with neighbours and by the Council
- previously approved plans were the result of protracted negotiations between all parties, with velux windows agreed to the rear roof slope to prevent any overlooking/loss of privacy to neighbours
- permitted development rights have been removed to prevent alterations such as this in the interests of the amenities of neighbouring residents
- planning history relating to this site is sensitive

Comments from Consultees

Highways, Highways Drainage and Thames Water raise no objection to the proposal.

Planning Considerations

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

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

With regard to trees and the proposed landscaping scheme, no objections are raised.

Planning History

Under ref. 02/00529, planning permission was granted for a single storey side and rear dormer extensions.

More recently, permission was refused (and a subsequent appeal dismissed) under ref. 06/03626 for the demolition of the existing dwelling and erection of detached six bedroom dwelling including accommodation within the roof and basement area together with integral garage. Under ref. 07/00830, permission was granted for single storey side and rear dormer extensions.

Under ref. 07/01381, planning permission was refused for the demolition of existing dwelling and erection of a six bedroom detached dwelling including accommodation within the roof and basement area together with integral garage.

Under ref. 08/01584, planning permission was refused (and a subsequent appeal dismissed) for the erection of a detached two storey 5 bedroom house.

Under ref. 08/03323, planning permission was refused (and a subsequent appeal dismissed) for the erection of detached two storey 5 bedroom dwelling with basement and integral double garage.

Most recently, planning permission was granted under ref. 10/00126 for the erection of a detached two storey 6 bedroom dwelling with accommodation in the roof space.

Conclusions

Members will note that there have been a number of planning applications which have been refused, and with subsequent appeals dismissed, concerning a replacement dwelling at the site. This history eventually resulted in the granting of permission under ref. 10/00126 for a detached two storey 6 bedroom dwelling with accommodation in the roofspace. The plans as approved featured rooflights to the rear roofslope, which it appears from the planning history had been favoured by local residents as opposed to dormer windows since it was considered that these would be less likely to result in overlooking and loss of privacy. Indeed permitted development rights for the new dwelling were removed by way of a condition attached to the approval (together with a condition stating that no additional windows be inserted to the flank elevations or roof slopes) in order that any alterations to the dwelling as approved would need to be the subject of a planning application in order that the Council could consider the merits of any such proposal in full, in the interests of preventing the overdevelopment of the site and in safeguarding the amenities of local residents.

The proposal now before the Council would be identical to that approved under ref. 10/00126 but for the inclusion of two rear dormer windows. While Members will note the concerns raised by local residents regarding previous negotiations with the developer culminating in a scheme which did not feature dormers, the main issue for consideration will need to be whether the addition of two rear dormers would result in a scheme that would unacceptably harm the character of the area or the amenities of neighbouring residents in material planning terms, having regard to local representations.

The proposed dormers would appear to be of a relatively modest size, and would not alter the overall form and scale of the development proposed. Given their siting to the rear roofslope, it is not considered that the character of the area would be unacceptably harmed. Turning to the matter of residential amenities, the proposed dormers may not, in view of their relatively modest dimensions and their siting, result in a significant impact to neighbours visually or in terms of access to light and outlook. Regarding any possibility of overlooking, the principle of accommodation in the roofspace of the house has been accepted, while it is not considered that dormers would necessarily give rise to a greater degree of overlooking or loss of privacy than would otherwise occur from the rooflights as approved. Nevertheless, the application indicates that the windows to the dormers would be obscure glazed and with fixed lower casements, which may serve to alleviate local concerns regarding overlooking.

On balance, Members may agree that the amendment to the approved scheme proposed, to include two rear dormers, is acceptable.

Finally with regard to the details submitted regarding the materials to be used for the external surfaces, boundary treatment and the landscaping scheme, these would all appear to be acceptable to comply with the requirements of the relevant conditions and Members may find it appropriate to agree these details.

Background papers referred to during production of this report comprise all correspondence on files refs. 02/00529, 06/03626, 07/00830, 07/01381, 08/01584, 08/03323, 10/00126 and 11/00017, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC07 Materials as set out in application
 ACC07R Reason C07
- 3 ACB01 Trees to be retained during building op.
 ACB01R Reason B01
- 4 ACA05 Landscaping scheme - implementation
 ACA05R Reason A05
- 5 ACA08 Boundary enclosures - implementation
 ACA08R Reason A08
- 6 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 7 ACI12 Obscure glazing (1 insert) in the rear dormers
 ACI12R I12 reason (1 insert) BE1
- 8 ACI02 Rest of "pd" Rights - Class A, B,C and E
 ACI03R Reason I03
- 9 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the flank elevations or roofslopes of the dwelling hereby permitted, without the prior approval in writing of the Local Planning Authority.
 ACI17R I17 reason (1 insert) H7
- 10 ACK01 Compliance with submitted plan
Reason: In the interests of the amenities of adjoining properties and the visual amenities of the area in general and to comply with Policies BE1 and H7 of the Unitary Development Plan.
- 11 ACK05 Slab levels - no details submitted
 ACK05R K05 reason

Reasons for granting permission:

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

BE1 Design of New Development

H7 Density and Design of New Housing
T3 Parking
T18 Road Safety
NE7 Development and Trees

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

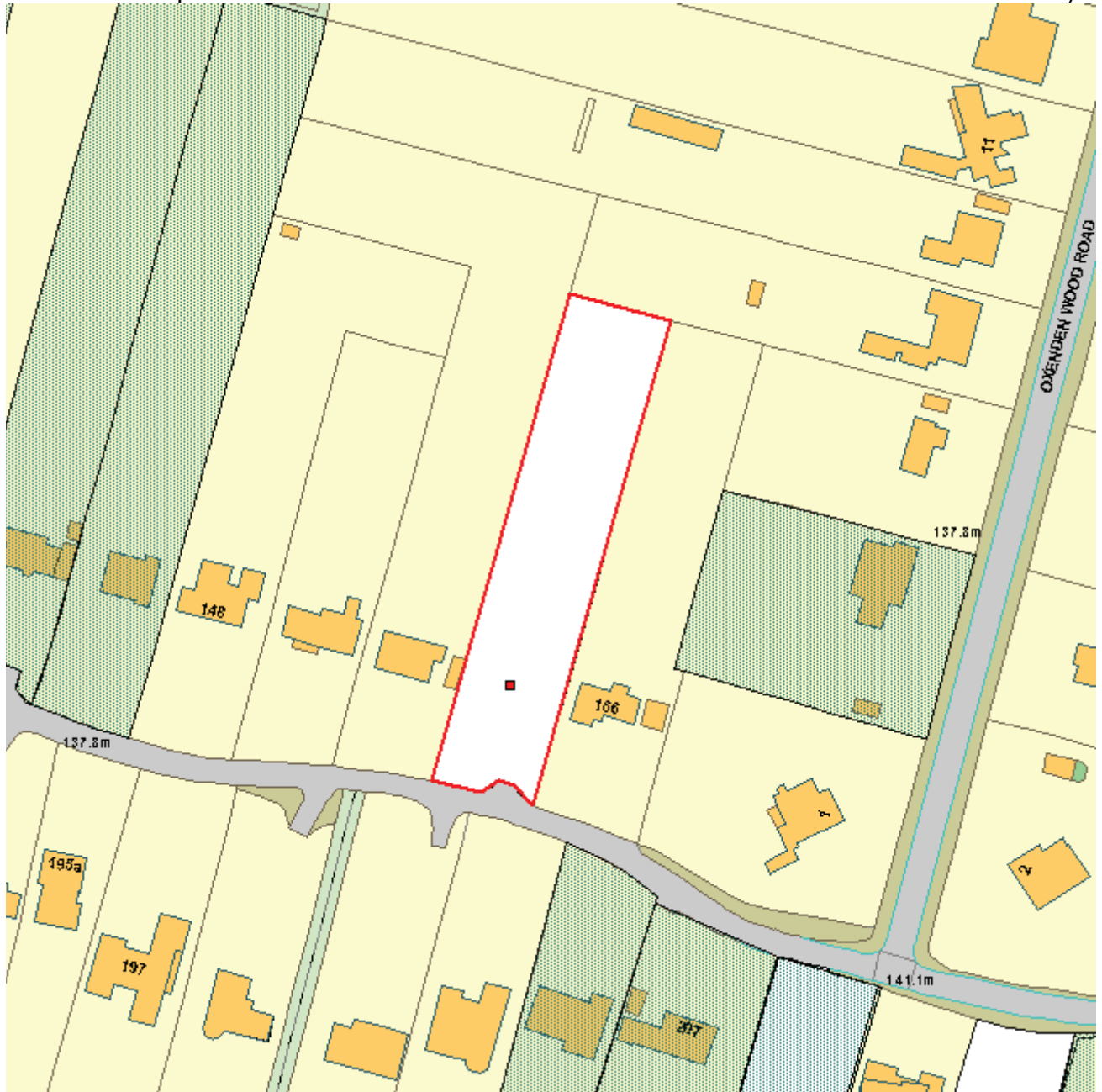
- (a) the impact of the proposed dormer windows to the character and appearance of the area
- (b) the impact to the amenities of neighbouring residents

and having regard to all other matters raised.

Reference: 11/00017/FULL1

Address: 154 Worlds End Lane Orpington BR6 6AS

Proposal: Erection of a detached two storey 6 bedroom dwelling with accommodation in the roof space, a basement and integral double garage (amendment to permission reference 10/00126/FULL1 to include two rear dormer windows)



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

Application No : 11/00023/FULL1

Ward:
Cray Valley East

Address : Oak View Crockenhill Road Orpington
BR5 4EP

OS Grid Ref: E: 548154 N: 167569

Applicant : Danshell Ltd

Objections : NO

Description of Development:

Single storey link extensions within internal courtyard of hospital

Key designations:

Green Belt
Locally Listed Building

Proposal

- These existing hospital buildings are arranged around an open courtyard and recreational area, and it is proposed to add a single storey link extension through the middle of the courtyard to provide a lounge area, thus dividing the recreational space in two
- open corridors around the perimeter of the courtyard would also be enclosed, and an infill extension in the north-eastern corner of the buildings would serve to completely enclose the courtyard
- the applicants have stated that the purpose of these proposals is to provide improved circulation arrangements around the buildings, particularly during poor weather, and to break up the unrelieved courtyard area to better utilise the space.

Location

This building is locally listed and is long established as a specialist hospital. It lies within the Green Belt and comprises a mixture of single storey and two storey buildings arranged around a central open courtyard.

The site lies on the northern side of Crockenhill Road, and is bounded to the west by Kevington Manor, a Grade II Listed Building, while part of the Listed brick

boundary wall lies within the vicinity of the hospital buildings. It is bounded to the north and south by farmland and woods.

Comments from Local Residents

No comments have been received from nearby residents.

Planning Considerations

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

BE1 Design of New Development
BE10 Locally Listed Buildings
G1 The Green Belt

Planning History

Permission and Listed Building consent were granted in 2000 for security fencing (refs.99/03448 and 99/03495), and applications for small single storey extensions were granted permission in 2003/4 under refs. 03/00635 and 03/03208.

Conclusions

The site is located within the Green Belt, and the main issues are; firstly, whether the proposals comprise inappropriate development, as defined by Policy G1 of the Unitary Development Plan, and if so, whether very special circumstances exist that clearly outweigh the harm by reason of inappropriateness or any other harm; and secondly, whether the extensions would harm the appearance of the building given its local listing, or the character of the surrounding area.

The proposed link extensions and enclosed corridors would be considered inappropriate development within the Green Belt as their use as part of a specialist hospital (Class C2) would not fall within the appropriate uses defined by Policy G1. However, the additional floorspace created by the proposals would amount to an increase of 286.6sq.m. or approximately 11% which would be mostly contained within the site, and would not (apart from the north-eastern infill extension) be visible externally, thereby protecting the open nature of the Green Belt.

The extensions are required to provide improved accommodation for the occupants, with better circulation between buildings and enhanced outdoor recreation areas, rather than for the intensification of the use of the site. Members may, therefore, consider that these special circumstances outweigh the harm by reason of inappropriateness caused by the proposals.

The extensions would be of a flat roofed design, constructed with grey fibreglass roofing, and would have brick walls to match the existing. They would blend with the existing buildings on the site, and would not appear obtrusive nor detract from the appearance of the locally listed building.

Background papers referred to during production of this report comprise all correspondence on files refs. 99/03448, 99/03495, 03/00635, 03/03208 and 11/00023, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

Reasons for permission:

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

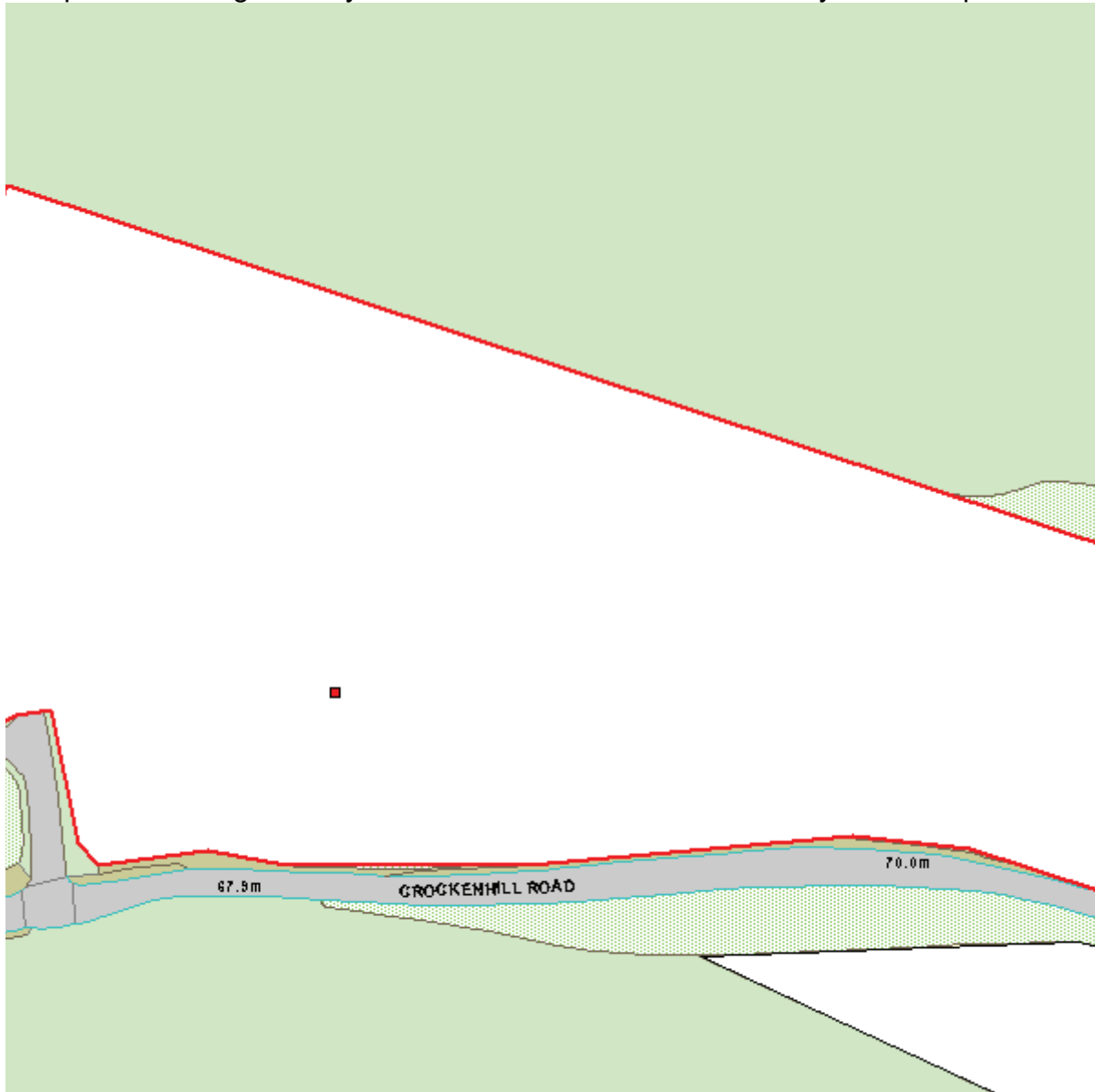
- BE1 Design of New Development
- BE10 Locally Listed Buildings
- G1 The Green Belt

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

- (a) the character of the development in the surrounding area
- (b) the relationship of the development to adjacent property
- (c) the impact of the development on the open nature of the Green Belt
- (d) the character and appearance of the locally listed building

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

Reference: 11/00023/FULL1
Address: Oak View Crockenhill Road Orpington BR5 4EP
Proposal: Single storey link extensions within internal courtyard of hospital



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SECTION '4' – Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 10/02959/TPO

Ward:
West Wickham

Address : Chez Nous 7A Acacia Gardens West
Wickham BR4 9LD

OS Grid Ref: E: 538169 N: 165521

Applicant : Mr G Coleman Smith

Objections : YES

Description of Development:

Fell 1 Cedar and 1 Cypress in back garden
SUBJECT TO TPO 2115

Key designations:

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

Proposal

Fell one cedar and one cypress in back garden Subject to TPO 2115

Location

Back garden of 7A Acacia Gardens.

Comments from Local Residents

- three letters of objection, all concerned about the loss of visual amenities in the street if the trees were to be removed.
- three letters of support have been received from the immediate neighbours
- one E Mail from the Ward Councillor who has visited the applicants and supports their proposal

Planning Considerations

This application has been made by the owners of the property because they are concerned about the proximity of the trees to their house, they are concerned that

the trees dominate the house and the trees move considerably in high wind. One of the trees almost touches the house and fear that the house could be damaged or that their neighbours property (no.7) could be damaged. The root system of the cypress was damaged by the builder when the conservatory was built and they fear that the stability of the tree has been compromised. The trees shade the back of the house and drop sap damaging the adjoining patio. They consider that the trees are of limited visual amenity value as their property is at the head of a small cul de sac and that the trees are neither rare nor scarce. They have planted 10 new trees in their garden – 2 cherries, 2 bays, 2 acer griseum, 2 pines, 1 hawthorn and 1 olive. Additionally the cypress lost some branches in the recent heavy snows and the adjoining owner has sent several photos of the damage.

The house was built 3 years ago in part of the garden of no.7. and it is a detached 2/3 storey 4 bedroom house with a reasonable sized back garden. While the house was under construction a single story side extension was built at no. 7. The two trees which are the subject of this application are a cypress and a cedar, both in the back garden of 7A but close to the rear of the house and close to the boundary with no.7. They are young mature trees which have grown up as a pair, both trees have limited canopy spread where the two canopies have grown together. They are in a reasonable condition, the lower canopy of the cedar is somewhat sparse and the roots of the cypress were damaged during construction work. At that time a report was provided by an arboricultural consultant and it concluded that the damage was not so severe as to compromise the long term health and stability of the tree.

The cypress is about 17 metres in height and is about 4 metres from the house. The cedar is slightly taller and is growing about 4 metres behind the cypress, so is 8 metres from the house. The trees are to the east of the house so will be shading it during the mornings. There are two other protected trees in the garden, an ash and a beech, both on the eastern boundary of the garden. The two trees which are the subject of this application are to the south of no.7 and do shade that garden for most of the day.

The snow damage to the cypress relates to the loss of 5 lower limbs. The damage is not so severe as to warrant the complete removal of the tree.

Planning History

None relevant.

Conclusions

The trees are visible from the surrounding roads, Woodland Way and Highfield Drive, although views are obscured by deciduous trees. They are clearly visible in Acacia Gardens and do make a contribution to the visual amenities of the area. Both trees are in a reasonable condition and the reasons given for the felling of the trees do not outweigh the amenity value of the trees.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/02959, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The cedar and cypress tree are considered to make an important contribution to the visual amenities of the street scene and the proposed felling would be detrimental to the amenities of the area.

Reference: 10/02959/TPO
Address: Chez Nous 7A Acacia Gardens West Wickham BR4 9LD
Proposal: Fell 1 Cedar and 1 Cypress in back garden
SUBJECT TO TPO 2115



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SECTION '4' – Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

Application No : 10/03218/TPO

Ward:
Hayes And Coney Hall

Address : 11 Sedgewood Close Hayes Bromley
BR2 7QL

OS Grid Ref: E: 539788 N: 166909

Applicant : Ms K Fackrell

Objections : NO

Description of Development:

Reduce height by 30%, crown reduce 30% and crown thin by 30% 1 oak tree in back garden
SUBJECT TO TPO 671

Key designations:

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

Proposal

Reduce height by 30%, crown reduce by 30% and crown thin by 30% one oak tree.

Location

In back garden of 11 Sedgewood Close, Hayes.

Comments from Local Residents

None

Planning Considerations

This application has been made by the owner of the property because she is concerned about health and safety issues in respect of her neighbours gardens and houses. She considers that the tree has reached a size where it has an overbearing presence and it is not in proportion with its surroundings. She considers that the proposed work would reduce the likelihood of limb failure.

The tree is about 20 metres in height and is in a healthy condition, with no evidence of any increased risk of branch failure. Leaf and acorn loss are not hazardous and their clearing is part of normal garden maintenance. The tree stands in the north eastern corner of the back garden and is 9 metres from the house, which is a semi detached house built in the 1970's. The tree although tall does not have a particularly wide spreading canopy. However it is of good form and is a very visible feature in Sedgewood Close and Malling Way. The proposed works are extensive and both height and crown reduction are major operations, which harm the health of a tree by creating large wounds which act as entry points for decay causing organisms, as well as disrupting the trees internal systems of transportation and growth control. The regrowth from the cut points would be dense and would cause more shade than currently exists as well as increasing the risks of branch failure. In addition the proposed work would harm the amenity value of the tree, which although dominating the applicants and surrounding gardens is not overly oppressive. Some minor work such as crown thinning would alleviate the problems without the drawbacks of heavy reduction.

Planning History

02/00578 Reduce height by one third and crown thin by 25% one oak tree - Refused

06/02907 – Reduce height by 25% and reduce lateral spread by 25% of one oak tree – Refused and a subsequent appeal was dismissed.

Conclusions

The oak tree is a significant feature in the locality and the proposed work would harm the health and appearance of the tree. Alternative, lesser work would be more appropriate and can be consented under this application.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/03218, excluding exempt information.

RECOMMENDATION: SPLIT DECISION

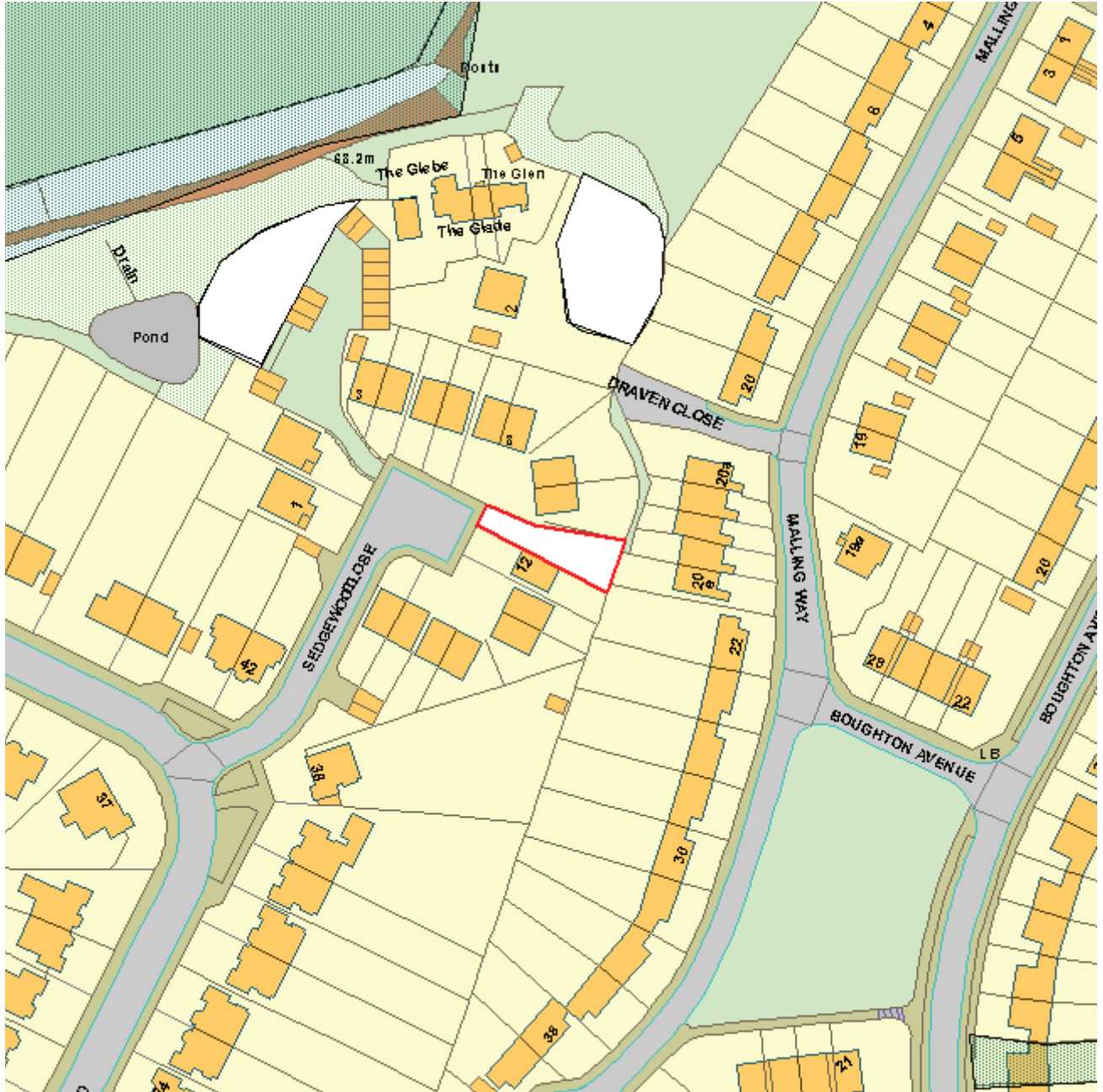
CONSENT – Crown thinning by no more than 20% 1 oak tree in back garden

- | | | |
|---|--------|-------------------|
| 1 | ACB09 | Tree Commencement |
| | ACB09R | B09 Reason |
| 2 | ACB07 | Tree Surgery |
| | ACB07R | B07 Reason |

REFUSAL - Reduce height by 30%, crown reduce 30% and crown thin by 30% 1 oak tree in back garden

- 1 The oak tree is considered to make an important contribution to the visual amenities of the street scene and the proposed reduction and thinning would be harmful to the future health of the tree. The proposed reduction would also be detrimental to the appearance of the tree and thereby detrimental to the visual amenities of the street scene.

Reference: 10/03218/TPO
Address: 11 Sedgewood Close Hayes Bromley BR2 7QL
Proposal: Reduce height by 30%, crown reduce 30% and crown thin by 30% 1 oak tree in back garden
SUBJECT TO TPO 671



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