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

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

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on  
**THURSDAY 10 NOVEMBER 2011 AT 7.00 PM**

MARK BOWEN  
Director of Resources

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**

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**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**

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**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](http://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 15 SEPTEMBER 2011**  
(Pages 1 - 12)
- 4 **PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
<b>NO REPORTS</b>			

### SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.1	Chislehurst Conservation Area	13 - 18	(11/00537/FULL1) - Land at Former Kemnal Manor Estate, Kemnal Road, Chislehurst.
4.2	Crystal Palace Conservation Area	19 - 30	(11/01537/FULL1) - 25 Church Road, Anerley, London, SE19.
4.3	Crystal Palace Conservation Area	31 - 32	(11/01541/FULL1) - 25 Church Road, Anerley, London, SE19.
4.4	Chelsfield and Pratts Bottom	33 - 36	(11/01612/FULL 6) - 98 Worlds End Lane, Orpington.
4.5	Crystal Palace Conservation Area	37 - 38	(11/01663/ADV) - 25 Church Road, Anerley, London, SE19.
4.6	West Wickham	39 - 46	(11/01921/FULL1) - 32 Corkscrew Hill, West Wickham.
4.7	Kelsey and Eden Park	47 - 52	(11/01978/FULL1) - 20 Ellesmere Avenue, Beckenham.

4.8	Darwin	53 - 68	(11/02499/FULL1) - Cherry Lodge Golf Club, Jail Lane, Biggin Hill.
4.9	Bromley Common and Keston	69 - 76	(11/02519/OUT) - Keston Methodist Church, Croydon Road, Keston.
4.10	Bromley Common and Keston	77 - 82	(11/02557/FULL6) - 52 Oxhath Crescent, Bromley.
4.11	Bromley Common and Keston	83 - 88	(11/02558/FULL6) - 54 Oxhath Crescent, Bromley.
4.12	Kelsey and Eden Park	89 - 94	(11/02580/FULL6) - 30 Abbots Way, Beckenham.
4.13	Bromley Common and Keston Conservation Area	95 - 100	(11/02713/CAC) - 5 Longdon Wood, Keston.
4.14	Bromley Common and Keston Conservation Area	101 - 106	(11/02729/FULL1) - 5 Longdon Wood, Keston.
4.15	Chelsfield and Pratts Bottom	107 - 110	(11/02850/PLUD) - 98 Worlds End Lane, Orpington.

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

Report No.	Ward	Page No.	Application Number and Address
4.16	Shortlands	111 - 116	(11/02108/FULL6) - 30 Hayes Way, Beckenham, BR3 6RL.
4.17	Hayes and Coney Hall	117 - 122	(11/02249/FULL6) - 127 Gates Green Road, West Wickham.
4.18	Farnborough and Crofton	123 - 128	(11/02375/FULL6) - 38 Mada Road, Orpington.
4.19	Petts Wood and Knoll	129 - 132	(11/02820/FULL6) - 37 Lynwood Grove, Orpington.
4.20	Petts Wood and Knoll	133 - 138	(11/02867/FULL6) - 59 Mayfield Avenue, Orpington.

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

Report No.	Ward	Page No.	Application Number and Address
4.21	Bickley	139 - 142	(11/02366/FULL1) - 21 Shawfield Park, Bromley.

**5 CONTRAVENTIONS AND OTHER ISSUES**

Report No.	Ward	Page No.	Application Number and Address
5.1	Penge and Cator	143 - 146	(DRR/11/117) - 38 Lennard Road, Penge, SE20 7LX.

**6 TREE PRESERVATION ORDERS**

Report No.	Ward	Page No.	Application Number and Address
6.1	Chislehurst	147 - 150	(TPO 2414) - Objections to Tree Preservation Order 2414 at The Glasshouse, Kennal Road, Chislehurst.
6.2	Chislehurst	151 - 154	(TPO 2418) - Objections to Tree Preservation Order 2418 at 39 Homewood Crescent, Chislehurst.
6.3	Bromley Common and Keston	155 - 160	(TPO 2439) - Objections to Tree Preservation Order 2439 at 24 Croydon Road, Keston.

**7 MATTERS FOR INFORMATION:- ENFORCEMENT ACTION AUTHORISED BY CHIEF PLANNER UNDER DELEGATED AUTHORITY****NO REPORTS**

## PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 15 September 2011

### Present:

Councillor Alexa Michael (Chairman)

Councillors Douglas Auld, John Canvin, Peter Dean,  
Peter Fookes, Kate Lymer, Richard Scoates and Harry Stranger

### Also Present:

Councillors Russell Mellor

## 9 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

An apology for absence was received from Councillor Simon Fawthrop and Councillor Douglas Auld attended as his alternate. An apology for absence was also received from Councillor Russell Jackson.

## 10 DECLARATIONS OF INTEREST

There were no declarations of interest.

## 11 CONFIRMATION OF MINUTES OF MEETING HELD ON 21 JULY 2011

**RESOLVED** that the Minutes of the meeting held on 21 July 2011 be confirmed and signed as a correct record.

## 12 PLANNING APPLICATIONS

### SECTION 1

(Applications submitted by the London Borough of Bromley)

### 12.1 ORPINGTON

**(11/02361/FULL1) - Priory School, Tintagel Road, Orpington.**

Description of application - Solar Panels on roof.

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.

**SECTION 2**

(Applications meriting special consideration)

**12.2  
COPERS COPE**

**(10/02964/FULL1) - 57 Albemarle Road,  
Beckenham.**

Description of application amended to read,  
“Demolition of Nos 57 and 57b and erection of three/  
four storey block with accommodation in roof space  
comprising 1 one bedroom, 18 two bedroom and 2  
three bedroom flats with 21 car parking spaces.”

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Russell Mellor, were received at the meeting. It was noted that on page 17 of the Chief Planner’s report under the heading, ‘Proposal’, paragraph 6 was amended to read, “The building will provide a mix of open market and affordable housing and a mix of unit sizes. Two 3 bed units, 2x2 bed wheelchair unit, 2x2 bed units and 1x1 bed unit will be affordable housing units and the remaining 14x2 bed flats will be market units.” It was reported that the application had been amended by documents received on 6 September 2011.

Members having considered the report, objections, and representations, **RESOLVED** that **PERMISSION BE GRANTED, SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT** relating to the provision of affordable housing as recommended, for the reasons and subject to the conditions and informatives set out in the report of the Chief Planner with a further condition to read:-

“27. Details of the means of privacy screening for the balcony(ies) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details and permanently retained as such.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.”

**12.3  
FARNBOROUGH AND  
CROFTON  
CONSERVATION AREA**

**(11/00315/FULL6) - Lulworth, Elm Walk, Orpington.**

Description of application - Single storey building at side for swimming pool plant room RETROSPECTIVE APPLICATION.

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.

**12.4  
CHISLEHURST**

**(11/00537/FULL1) - Land at Former Kemnal Manor Estate, Kemnal Road, Chislehurst.**

Description of application – Chapel with vestry and toilet (revised design to scheme permitted under ref. 05/03871 for use of land for human burials including chapel and other buildings, car parking and vehicular access).

**THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.**

**12.5  
CHISLEHURST  
CONSERVATION AREA**

**(11/00904/FULL1) - Beaverwood Lodge Sports & Leisure Club, Beaverwood Road, Chislehurst.**

Description of application – Two storey replacement sports/ leisure and functions/ pavilion building including bar/ kitchen/ function room, indoor leisure, changing rooms, basement storage, ancillary offices and caretakers flat.

It was reported that the application had been amended by documents received on 28 April and 28 June 2011. It was reported that Ward Member, Councillor Katy Boughey, had no objection to the application.

Members having considered the report, **RESOLVED that PERMISSION BE GRANTED, SUBJECT TO ANY DIRECTION BY THE GREATER LONDON AUTHORITY** as recommended, for the reasons and subject to the conditions set out in the report of the Chief Planner with the deletion of condition 2.

**12.6  
CHISLEHURST**

**(11/00910/CAC) - Beaverwood Lodge Sports and Leisure Club, Beaverwood Road, Chislehurst.**

Description of application – Demolition of two storey sports/ leisure and functions/ pavilion building  
**CONSERVATION AREA CONSENT.**

It was reported that the application had been amended by documents received on 28 April and 28 June 2011. It was reported that Ward Member,

Councillor Katy Boughey, had no objection to the application.

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

**12.7  
BROMLEY TOWN**

**(11/01317/FULL1) - Prospect House,  
19-21 Homesdale Road, Bromley.**

Description of application - Five storey building comprising 23 one bedroom, 10 two bedroom and 4 three bedroom flats with 21 car parking spaces, bicycle parking and refuse/ recycling storage at basement level.

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

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

1. The proposal is lacking in adequate on-site car parking and will be likely to lead to increased demand for on-street car parking in the surrounding area detrimental to the amenities of nearby residents and prejudicial to the free flow of traffic and conditions of general safety along the highway.
2. The proposal would be an overdevelopment of the site at an excessive residential density providing inadequate separation to Cobden Court and insufficient opportunities for soft landscaping to enhance the setting of the development thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.

**12.8  
BROMLEY COMMON AND  
KESTON**

**(11/01623/OUT) - 5 The Drift, Bromley.**

Description of application - Change of Use from light industry (Class B1) to residential (Class C3). Conversion of existing buildings to 5 self contained dwellings. Landscaping works **OUTLINE APPLICATION**.

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

It was noted that on page 62 of the Chief Planner's report under the heading, 'Comments from Consultees', the second sentence was amended to read, "The proposal is to change the existing (Class



B1) buildings into 5 residential units (4x2 bed and 1x1 bed flats).”

Members having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, for the reasons and subject to the conditions and informatives set out in the report of the Chief Planner with an amendment to Condition 10, the addition of a further condition and the deletion of Informative 1:-  
“10. Details of a foul water drainage system including details of the cess pit shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

21. Prior to commencement of the development hereby permitted, a survey of the condition of the road shall be submitted and agreed by the Local Planning Authority and any damage caused to the surface of the road during the construction phase of the development will be reinstated to a standard at least commensurate with its condition prior to the commencement of the development.

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

**12.9  
KELSEY AND EDEN PARK**

**(11/01937/FULL6) - 4 Stanhope Grove,  
Beckenham.**

Description of application - Part one/two storey front/side and rear extension. Front porch. Roof alterations to incorporate rear dormer extension.

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

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

**12.10  
PLAISTOW AND  
SUNDRIDGE**

**(11/01989/FULL1) - Sundridge Park Manor,  
Willoughby Lane, Bromley.**

Description of application - Partial demolition/external alterations and two storey rear extension with basement and surface car parking and change of use of Mansion and The Cottage from hotel to 13 two bedroom and 1 three bedroom flats.

It was noted that the recommendation contained in the Chief Planner's report was amended to, "Permission, subject to the prior completion of a legal agreement relating to the payment of funds for maintenance of the woodland in accordance with approved management plan and to the consideration of existing Section 106 obligations. It was also noted that the Golf Club had no objection to the application.

Members having considered the report, **RESOLVED** that **PERMISSION BE GRANTED, SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT RELATING TO THE PAYMENT OF FUNDS FOR MAINTENANCE OF THE WOODLAND IN ACCORDANCE WITH APPROVED MANAGEMENT PLAN AND TO THE CONSIDERATION OF EXISTING SECTION 106 OBLIGATIONS**, as recommended, for the reasons and subject to the conditions and informative set out in the report of the Chief Planner with the deletion of conditions 7 and 10 and amendments to conditions 27, 30, 31 and 32 to read:-

"27. Details of the proposed slab levels of the extension and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

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

30. Before any works on site are commenced, an updated site-wide energy strategy assessment shall be submitted to and approved by the Local Planning Authority, following consultation with English Heritage to further investigate opportunities to provide renewable energy on the site.

The results of this strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve an agreed reduction

in carbon dioxide emissions from on-site renewable energy generation. The feasibility of the provision of combined heat and power (CHP) to supply thermal and electrical energy to the site or the most appropriate buildings within the permitted development should be included within the assessment. The final designs, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

REASON: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2011.

31. There shall be no car parking within the application site beyond the south and east elevations of the building at any time. Details of measures to ensure this shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved details.

REASON: In order to comply with Policies G2 and BE1 of the Unitary Development Plan and to protect MOL and improve appearance.

32. Prior to any work commencing on site details of the design and appearance of the 'juliette' balconies shall be submitted to and approved in writing by the Local Planning Authority and the 'juliette' balconies shall subsequently be carried out in accordance with the approved plans.

REASON: To ensure the design and appearance of the balconies is sympathetic to the appearance and setting of the listed building in accordance with Policy BE8 of the Unitary Development Plan."

**12.11  
PLAISTOW AND  
SUNDRIDGE**

**(11/01994/LBC) - Sundridge Park Manor,  
Willoughby Lane, Bromley.**

Description of application - Partial demolition, internal and external alterations and rear extension to Mansion LISTED BUILDING CONSENT.

It was noted that the recommendation contained in the Chief Planner's report was amended to, "Permission, subject to the prior completion of a legal agreement relating to the payment of funds for maintenance of the woodland in accordance with approved management plan and to the consideration of existing Section106 obligations. It was also noted that the

Golf Club had no objection to the application. Members having considered the report, **RESOLVED** that **LISTED BUILDING CONSENT BE GRANTED, SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT** relating to the payment of funds for maintenance of the woodland in accordance with approved management plan and to the consideration of existing Section 106 obligations, as recommended, for the reasons and subject to the conditions and informative set out in the report of the Chief Planner.

**12.12  
BIGGIN HILL**

**(11/02137/TPO) - 35 Valley View, Biggin Hill.**

Description of application - Fell 1 Oak tree in back garden Subject to TPO 301.

Oral representations in favour of the tree being felled were received at the meeting.

Members having considered the report and representations, **RESOLVED** that the application **BE DEFERRED** without prejudice to any future consideration for the Applicant to seek a specialist tree report.

**12.13  
CHELSFIELD & PRATTS  
BOTTOM**

**(11/02332/TPO) - 47 Helegan Close, Orpington.**

Description of application - Fell 1 sycamore tree in the back garden subject to TPO 1433.

Members having considered the report, **RESOLVED that A SPLIT DECISION BE ISSUED PROVIDING PERMISSION BE REFUSED TO FELL ONE SYCAMORE TREE IN THE BACK GARDEN UNDER TREE PRESERVATION ORDER NO 1433 BUT THAT CONSENT BE GIVEN FOR TREE WORKS**, as recommended in the report of the Chief Planner.

**SECTION 3**

(Applications recommended for permission, approval or consent)

**12.14  
BROMLEY COMMON AND  
KESTON**

**(11/00399/FULL2) - 20 Chantry Lane, Bromley.**

Description of application - Change of use of part of ground and first floor from offices to non residential institution (Class D1) and elevational alterations including conversion of ancillary garage into office space.

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 with amendments to conditions 3 and 5 and a further condition to read:-

“3. The D1 use shall not take place other than between the hours of 09:00 - 21:00 on Mondays to Fridays and 0930am - 19:30 on Saturdays.

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

5. No more than 20 customers/visitors shall at any time be accommodated within the D1 part of the premises hereby permitted in accordance with the details submitted on the 16th June 2011.

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

6. Details of measures to soundproof the premises so as to achieve a reasonable resistance to airborne sound transference as far as is practical having regard to existing construction shall be submitted to and approved in writing by the Local Planning Authority. These measures shall be implemented before the use hereby permitted commences and shall be permanently retained thereafter.

REASON: In order to comply with Policy S9 of the Unitary Development Plan and to ensure a satisfactory standard of amenity for adjacent properties.”

**12.15  
COPERS COPE**

**(11/01372/FULL6) - 84 Copers Cope Road,  
Beckenham.**

Description of application - Single storey side, rear and front extensions including conversion of garage to habitable accommodation.

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

It was reported that a letter had been received to withdraw previous objections.

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

**12.16  
CHISLEHURST  
CONSERVATION AREA**

**(11/01535/FULL6) - 3 Islehurst Close, Chislehurst.**

Description of application - Two storey side extension. Detached double garage to front and alterations to existing vehicular access.

It was reported that further objections to the application had been received. Comments from Councillor Katy Boughey in objection to the application were reported.

Members having considered the report and objections, **RESOLVED** that the application **BE DEFERRED** without prejudice to any future consideration to revise the location of the proposed detached double garage.

**12.17  
ORPINGTON**

**(11/01826/FULL3) - 51 Sevenoaks Road, Orpington.**

Description of application - Change of use of existing garage to computer learning centre (D1) and single storey rear extension.

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.

**12.18  
SHORTLANDS**

**(11/02004/FULL1) - 47 Malmains Way, Beckenham.**

Description of application - Demolition of existing dwelling and erection of detached two storey five bedroom dwelling with accommodation in roof space.

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

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

**12.19  
BICKLEY**

**(11/02258/FULL6) - 51 Pembroke Road, Bromley.**

Description of application – Two storey side extension.

It was noted that on page 135 of the Chief Planner's report under the heading, 'Proposal', the fourth line was amended to read, "The roof will be gabled to be

subservient to the main roof of the” etc. It was reported that the application had been amended by documents received on 30 August 2011. 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.

#### **SECTION 4**

(Applications recommended for refusal or disapproval of details)

#### **12.20 PETTS WOOD AND KNOLL CONSERVATION AREA**

**(11/02201/ELUD) - 5 The Chenies, Petts Wood.**

Description of application – Rooflights CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT.

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

Members having considered the report, objections and representations, **RESOLVED THAT A CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT BE REFUSED** as recommended, for the reason set out in the report of the Chief Planner.

#### **13 CONTRAVENTIONS AND OTHER ISSUES**

##### **13.1 COPERS COPE**

**(DRR/11/090) - Three Chestnuts, Scotts Avenue, Bromley - Front Boundary Fencing**

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

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

“The report is required to be considered as a matter of urgency as a complaint has been received that works are continuing on site without planning permission and further unauthorised works may be completed before the next meeting of a Plans Sub-Committee.”

**13.2  
COPERS COPE**

**Land r/o 80 High Street, Beckenham, BR3 1DT-  
Reinstatement of Fire Damaged Building  
(11/00454)**

Oral representations in favour of action being taken were received. Oral representations from Ward Member, Councillor Russell Mellor, in favour of action being taken were received at the meeting. Members were advised regarding the balancing exercise to be undertaken between the foreseeable costs and benefits likely to result from a Stop Notice, prior to consideration of the issue of a Stop Notice. Members having considered the report and representations **RESOLVED that a STOP NOTICE BE AUTHORISED**, the Notice to be served if the works do not cease.

The Meeting ended at 8.50 pm

Chairman



## SECTION '2' – Applications meriting special consideration

**Application No :** 11/00537/FULL1

**Ward:**  
**Chislehurst**

**Address :** Land At Former Kemnal Manor Estate  
Kemnal Road Chislehurst

**OS Grid Ref:** E: 544886 N: 171773

**Applicant :** Memorial Property Investments Ltd      **Objections :** YES

### **Description of Development:**

Chapel with vestry and toilet (revised design to scheme permitted under ref. 05/03871 for use of land for human burials including chapel and other buildings, car parking and vehicular access)

#### Key designations:

Conservation Area: Chislehurst  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Sites of Interest for Nat. Conservation  
Tree Preservation Order

The application was deferred at the Plans Sub-Committee meeting of 18th August 2011 to address highways concerns about the seating capacity (approx. seating area 170m<sup>2</sup>) and to seek the provision of the essential ancillary facilities proposed under withdrawn application ref. 11/01721 (for 2 single storey buildings comprising offices, refreshments/ cafe, florist shop and toilets for cemetery) within the chapel building. In response, the applicant has revised the scheme, which incorporates a reduced seating capacity (approximate seating area 100m<sup>2</sup>), waiting areas, toilets and offices within the chapel building.

The applicant has made the following comments in support of the revised proposal:

- proposal is now broadly akin to the extant 2006 scheme with a similar provision of ancillary facilities
- current scheme offers a more attractive building both in operational terms and design and appearance
- applicant is proposing to appoint an on-site caretaker to oversee day to day management of the chapel and additional support staff will be based within off-site office/administrative accommodation in a commercial location

- overall level of ancillary facilities now proposed is entirely sufficient and adequate for successful operation of the chapel and it is not proposed to submit a subsequent application for additional ancillary facilities within Kemnal Manor.

The previous report, amended where appropriate, is repeated below.

### **Proposal**

- Revised design of chapel previously approved under planning permission ref. 05/03871 granted for change of use of former parkland to use for human burials, erection of a detached chapel, a cupola shelter, tractor shed and staff facilities, a surface car park for approx. 75 vehicles, accessway, landscaping and new vehicular access to/from Sidcup By-Pass (A20)
- chapel will include a vestry, toilets, offices, waiting areas and a covered entrance where hearses will arrive
- chapel will be similar in scale to that previously approved
- materials will include natural stone walling, natural slate roofing, large glazed openings within a timber frame structure.

The applications are accompanied by Planning Statements and a Design and Access Statements.

### **Location**

- Former Kemnal Manor Estate grounds are situated on the south-west side of the A20 (Sidcup Road/By-Pass) which forms part of the northern boundary of the borough with London Borough of Bexley and is a short distance from the boundary with London Borough of Greenwich
- Kemnal Estate is a large expanse of generally neglected former grounds of the long since destroyed former manor house
- site is wholly within an inner wedge of the Green Belt and additionally falls within the Chislehurst Conservation Area whilst parts of the Kemnal Manor grounds are designated as a Site of Importance for Nature Conservation (SINC)
- works have commenced on the implementation of the 2006 planning permission granted for a cemetery with ancillary facilities.

### **Comments from Local Residents**

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

- roof is exceptionally large
- harm to openness of Green Belt
- condition 13 vii of planning permission ref. 05/03871 regarding a specific landscaping scheme adjacent to the residential dwelling at The Glasshouse was not addressed under application ref. 09/01995
- no details of basement in revised scheme

- basement is a crematorium in waiting – coffin store is unnecessary
- planning statement is misleading – The Glasshouse is adjacent to site and affected by aggressive and cynical commercial development
- significant felling of trees to date
- it is not clear what assessment was made of Green Belt, environmental and trees impacts prior to the grant of planning permission ref. 05/03871 .

Members should note that the application has been revised and previously proposed basement accommodation referred to above has been removed. The Council has only approved the first of five phases of landscaping to the north of the site and this is not in close proximity to The Glasshouse.

- Metropolitan Police Crime Prevention Design Advisor – no objections
- London Borough of Bexley - no objections
- Waste Advisers – no objections regarding refuse collection arrangements
- Thames Water - no objections
- Council's in-house drainage consultant – no objections
- Environmental Health – no objections
- Advisory Panel for Conservation Areas - no objections.

The proposal is not considered to be materially different from the previously approved scheme in terms of its highways implications.

### **Planning History**

Planning permission was granted in November 2006 for change of use of former parkland to use for human burials, erection of a detached chapel (approx. seating area 72m<sup>2</sup>), a cupola shelter, tractor shed and staff facilities, a surface car park for approx. 75 vehicles, accessway, landscaping and new vehicular access to/from Sidcup By-Pass (A20) (ref. 05/03871).

### **Planning Considerations**

The main policies of the Bromley Unitary Development Plan considered to be relevant to this application include:

- G1 The Green Belt
- BE1 Design of New Development
- BE11 Conservation Areas
- BE14 Trees in Conservation Areas
- C1 Community Facilities
- T3 Parking
- T18 Road Safety

In strategic terms the most relevant London Plan policies are:

- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character

- 7.6 Architecture
- 7.16 Green Belt
- 7.23 Burial spaces.

Planning Policy Guidance Note 2 (PPG2) states at paragraph 3.4 that the construction of new buildings inside a Green Belt is inappropriate unless they are for specified purposes, including essential facilities for cemeteries. Paragraph 3.5 states that essential facilities should be genuinely required for uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it.

No significant trees will be affected by the proposals.

## Conclusions

The site is not in close proximity to any other properties. The main issues to be considered in these cases are whether the proposals are appropriate development in the Green Belt and the impact of the proposal on the character and appearance of the conservation area and on the openness of the Green Belt.

The proposal is considered to be an essential facility for a cemetery and is appropriate development in the Green Belt. The building is similar in scale to the previously approved chapel and it can be considered that the design and materials are of a high quality and represent an improvement on the previous scheme. The applicant has revised the scheme to incorporate all of the necessary facilities within the chapel building and it is now comparable to the previously approved facility.

Background papers referred to during the production of this report comprise all correspondence and other documents on files refs. 05/03871 and 11/00537, excluding exempt information.

as amended by documents received on 08.04.2011 19.05.2011

## 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 | ACC03  | Details of windows                       |
|   | ACC03R | Reason C03                               |
| 4 | ACI21  | Secured By Design                        |
|   | ACI21R | I21 reason                               |
| 5 | ACK05  | Slab levels - no details submitted       |
|   | ACK05R | K05 reason                               |

**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

- G1 The Green Belt
- BE1 Design of New Development
- BE11 Conservation Areas
- BE14 Trees in Conservation Areas
- C1 Community Facilities
- T3 Parking
- T18 Road Safety

London Plan

- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.16 Green Belt
- 7.23 Burial spaces

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

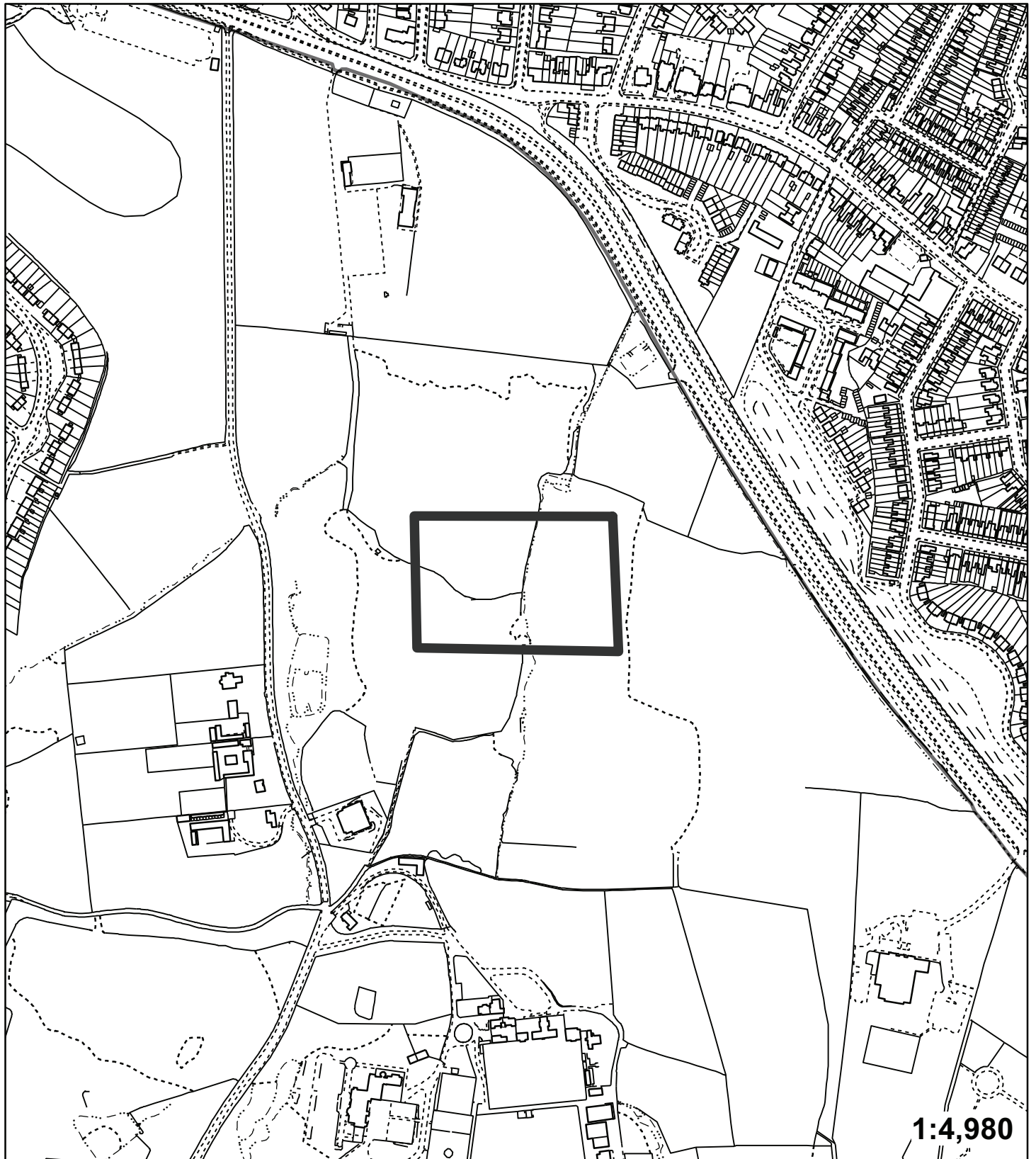
- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character and appearance of the development in the Chislehurst Conservation Area
- (d) the impact on the openness and visual amenities of the Green Belt
- (e) the impact on the amenities of the occupiers of adjacent and nearby properties
- (f) the safety of pedestrians and motorists on the adjacent highway
- (g) the safety and security of buildings and the spaces around them
- (h) accessibility to buildings
- (i) the design policies of the development plan

and having regard to all other matters raised.

**Application:**11/00537/FULL1

**Address:** Land At Former Kemnal Manor Estate Kemnal Road  
Chislehurst

**Proposal:** Chapel with vestry and toilet (revised design to scheme permitted under ref. 05/03871 for use of land for human burials including chapel and other buildings, car parking and vehicular access)



## SECTION '2' – Applications meriting special consideration

**Application No :** 11/01537/FULL1

**Ward:**  
Crystal Palace

**Address :** 25 Church Road Anerley London SE19  
2TE

**OS Grid Ref:** E: 533664 N: 170639

**Applicant :** KICC

**Objections :** YES

### **Description of Development:**

Soft and hard landscaping including benches and bicycle stands

Key designations:

Conservation Area: Crystal Palace Park  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London Distributor Roads

**Joint report with application refs. 11/01537, 11/01541 and 11/01663**

### **Proposal**

#### Application ref. 11/01537

The proposal site is a small open area between the northern flank elevation of the cinema building and the public footway behind a bus shelter and telephone kiosk. It is proposed to create a formal landscaped area featuring block paving, grass, shrubs and bedding plants to accommodate benches, litter bins and a bicycle parking stand.

#### Application ref. 11/01541

It is proposed to remove the existing canopy over the front doors of the building and install glazed windows and double doors measuring approx. 7.4m wide and 3.8m high in total. A new canopy will be installed approx. 1.3m higher than the existing canopy, with signage above. Two additional windows are proposed at first floor level.

#### Application ref. 11/01663

It is proposed to erect a timber framed, non-illuminated 6.58m x 2.92m advertisement billboard on the blank part of the northern elevation of the building fronting Church Road.

### **Location**

The application property is a 1927 built art-deco cinema building converted to a bingo hall in 1968, later run by Gala Bingo until June 2009 when the use ceased. The building is a steel framed structure with a corrugated profiled steel roof and comprises a ground floor with mezzanine staff area and upper circle level.

The application site is located on the eastern side of Church Road within the Crystal Palace Park Conservation Area. Church Road is mixed in character, at its northern end near the junction with Anerley Hill / Westow Hill / Crystal Palace Parade it takes on a mainly commercial character, with residential flats above shops. Along part of Church Road many of the commercial units are interspersed with residential buildings including larger residential blocks and some semi-detached housing. The site is bounded to the north by a building which has ground floor commercial use and residential above, and to the south by a vacant building formerly used as a car showroom which was originally also a cinema. Immediately to the east there is a narrow lane which provides access to the site and other properties in the road, also to the rear gardens of properties in Patterson Road. To the west on the opposite side of Church Road there are commercial properties within the London Borough of Croydon.

### **Comments from Local Residents**

Nearby residents were notified of the applications and a large number of representations have been received, many featuring duplicated text. A significant proportion of the representations comprised joint objections to all three applications and included general comments which can be summarised as follows:

- errors and misleading statements in application documents / conservation area status conflicts with applicant's assertion that area has a 'sharp urban edge'
- applicant has failed to engage with local community / local opinion is being ignored / applicant is attempting to ride roughshod over local community and local planning authority which is politically and morally unacceptable
- conflicting statements on proposed use of the building / proposed use has not been made clear / impossible to consider how proposals relate to proposed use and are necessary / premature to determine application without clarification of proposed use / no information on hours of operation, numbers of people using building, number of Class D2 events and what those events will be
- proposed use does not have planning permission / internal works carried out and indicated on plans provide a similar layout to previously refused church proposal - these facilities are not consistent with D2 use / applicant's statements on proposed use are not consistent with a D2 use / D2 use of the building is likely to incorporate D1 uses / applicant publically stated that it was considering D2 use of building, including concerts



- capacity of building has increased / building can accommodate up to 3,000 people / building will have significant trip generating potential
- sole purpose of purchase of building was relocation of place of worship
- 3 applications should be considered together given cumulative impact of proposals
- granting permission will effectively validate works carried out to date and indicate acceptance of loss of community use of building / KICC are being allowed to develop building for inappropriate use unhindered
- applicant previously emphasised potential for intensive use of building within existing permitted use and resulting highways and pedestrian impacts
- applicant has history of attracting very large crowds to events in South London, including annual event at Fairfield Halls in Croydon / applicant significantly intensified use of former cinema in Hoe Street, Walthamstow between 2005 and 2009 / harm to area from intensification of use
- previous planning application indicated that visitors would travel from Kent and Surrey
- location of ticket booth immediately adjacent to entrance doors could hamper free movement of crowds into building / internal foyer is of insufficient size to accommodate influx of people arriving for events
- significant size and presence of building / building is landmark / only art-deco cinema building in the area / unique and unusual to conservation area
- building makes significant contribution to conservation area / harm to character and appearance of conservation area and adjacent conservation areas / harm to architectural integrity and art-deco character of building / building retains key features of original design / contribution of building to area could be significantly enhanced whilst retaining key features / insensitive proposal for painting of building
- previous introduction of uPVC windows, billboards and external canopy fail to reflect grandeur of building
- applicant fails to recognise importance of the building / applicant should have presented expert architectural advice within application
- building has been allowed to fall into further disrepair since applicant purchased it
- building is a heritage asset as defined in Planning Policy Statement 5 (PPS5) / presumption in favour of conservation of heritage assets / local planning authority should not validate application where impact of proposal on heritage assets is not clear from application documents
- remaining art-deco cinema buildings should be protected and conserved / applicant has sensitively restored former cinema building in Walthamstow
- non-religious people will feel excluded from important local landmark / church will add nothing to local community / building should benefit local community / community will be deprived of a valuable resource / local community are united in opposition to KICC proposals / over 3,000 objectors to previous application / in climate of civil unrest it is important to build a sense of community amongst existing residents rather than allow people from outside to take control of an area
- already enough churches in the area
- area needs an entertainment venue / building has long history as entertainment venue / building should provide a cinema / cinema operator is

ready and willing to move into building / cinema would provide economic and community benefits / widespread local support for cinema

- town centre is becoming run-down / building is key to social, economic and cultural regeneration of Triangle, particularly Church Road / harm to vitality and vibrancy of town centre
- detrimental impact on highway and pedestrian safety from crowds / increased traffic congestion / increased demand for on-street parking in the surrounding area / significant impact of KICC church services in Walthamstow town centre
- applicant is proposing to relocate its administrative function to the building – office building would be more suitable / numerous derelict churches that applicant could use
- proposals conflict with relevant local, strategic and national policy.

The application specific comments received from nearby residents can be summarised as follows:

Application ref. 11/01537

- unclear why people would want to sit in this area next to busy road rather than nearby green spaces
- increased potential for crime and anti-social behaviour, in particular by providing hiding spaces from where pedestrians / bus stop users can be targeted
- KICC events could result in large crowds using landscaped space and spilling onto pavement where people wait for buses pushing pedestrians out onto busy road
- increased noise and disturbance from use of landscaped space
- lack of detail regarding maintenance of landscape features
- area will become litter strewn and unsightly unless properly maintained
- proposal is an attempt to woo local authority support
- churchgoers will arrive in cars rather than cycle up hill
- site is too narrow for bicycle parking
- landscaping is poor quality / generic and unimaginative
- poor design / inadequate number of bicycle stands
- overspill of cycle parking will restrict availability of stands nearby / increased cycle parking in the area will be detrimental to highway and pedestrian safety
- Application ref. 11/01541
- no need for elevational alterations
- justification that lobby needs extra natural light seems strange
- unsuitable materials / uPVC windows inappropriate in conservation area / existing uPVC windows are an unauthorised development
- capacity of building has been increased to over 1,000 and proposed doors would appear inappropriate from a crowd safety and management point of view
- replacement of existing entrance doors and location of ticket booth will create bottlenecks and congestion restricting safe movement of large

crowds in and out of building / existing doors allow separate entrance and exit routes

- harsh industrial appearance / building will resemble car showroom
- loss of historic significance / elegance / architectural integrity / art-deco character / original features / horizontal form / symmetry of building
- despite unfortunate alterations building retains key original design features / building should be restored to original appearance
- canopy should be retained in same position / raising canopy will result in loss of unique geometric raised stucco surround
- rectangular render architrave which frames door opening is a feature since 1928 and its loss is undesirable
- striped painting of building will detract from existing stucco detailing
- glazing on lower floor should reflect original design intentions / doors and fanlight windows above canopy have been a feature of building since 1928
- entertainment use does not require large glazed panels and doors to display internal features
- proposed windows reflect poor and out of character alterations made by previous owners
- signage is out of character with building and conservation area
- Application ref. 11/01663
- insufficient details of materials and colours of billboard and advertisements
- elevation drawings misrepresent roof structure to support applicant's assertions regarding character of building and surrounding area
- billboard will reverse Council's previous success in removing advertisements along Church Road
- visual impact, particularly upon residents living opposite / street clutter
- billboard is large, prominent and unnecessary
- scale and location of hoarding inappropriate for a residential and conservation area
- out of character with host building
- dangerous distraction to motorists
- hoarding will be used for religious advertisements which is not consistent with use of the building
- religious advertisements are often bright and garish
- Crystal Palace Park Conservation Area Supplementary Planning Guidance (CPPSPG) states that advertisements requiring consent will be restricted to properties that depend on advertising to carry out their business – applicant has failed to explain nature of business and use of building
- applicant has not explained why it cannot advertise its business more sensitively in accordance with CPPSPG
- applicant has not indicated whether purpose of hoarding is to obtain revenue from third party advertising and why this is necessary for charity with revenues exceeding £12 million per annum
- 'The Open Door' signage relates to a charity and not the applicant's business at the premises and is therefore contrary to CPPSPG.

Representations received included objections from London Assembly members, local councillors (including from neighbouring authorities) and an MP.

## **Comments from Consultees**

### Application ref. 11/01537

The Advisory Panel for Conservation Areas (APCA) have no objections to the proposal but advise that a maintenance agreement should be put in place to ensure that the area is kept free of litter.

In terms of cycle parking the type of stand proposed is not recommended as some users may find it difficult to lift their bikes up onto the rack. A derivation of the Sheffield stand would be preferable in terms of security and ease of use.

There are no technical objections in terms of highways. However, the landscaped area will be made available for use by the public and be treated as part of the public highway. It will accumulate litter and will require maintenance and repair and the Council should seek an undertaking from the applicant that they will regularly clean, maintain and repair the area. A sign advising that the area is privately owned but publicly accessible should be erected as it will be perceived by the public as part of the highway and they will contact the Council when problems arise.

Croydon Council have no objections to the proposal.

Comments from the Metropolitan Police Crime Prevention Design Advisor will be reported verbally at the meeting.

### Application ref. 11/01541

APCA have commented that the alterations fail to respect the architectural integrity of the building. In particular, the canopy and remaining original windows should be retained and new windows should re-instate the original window design.

Croydon Council have objected on the following ground:

‘The proposal would significantly alter the appearance of the building. The alterations would not be sympathetic to the building or the surrounding area and would be harmful to the setting of the adjacent Upper Norwood Conservation Area and would thereby conflict with Policy UC3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) 2006 Saved Policies.’

Members should note that Croydon’s Development Plan policies and policy documents are not relevant to the determination of planning applications within Bromley.

### Application ref. 11/01663

APCA have commented that the proposals will detract from the architectural integrity of the building thereby harmful to the conservation area.

Croydon Council have objected to the proposal on the following grounds:

'The size and location of the advertisement coupled with the existing three advertising hoardings would be detrimental to the visual amenities of the street scene and would thereby conflict with Policy UD5 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) 2006 Saved Policies and Supplementary Planning Guidance No. 8 on Advertisement Hoardings and Other Advertisements.

The development would not preserve or enhance the character of the adjacent Upper Norwood Conservation Area and would therefore conflict with Policy UC3 of the Croydon Replacement Unitary Development Plan (The Croydon Plan) 2006 Saved Policies.'

Members should note that the three advertisement hoardings are no longer present on the building and that Croydon's Development Plan policies and policy documents are not relevant to the determination of planning applications within Bromley.

### **Planning Considerations**

The main policies of the Bromley Unitary Development Plan considered to be relevant to this application include:

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

In strategic terms the most relevant London Plan policy is:

- 7.8 Heritage Assets and Archaeology.

The Supplementary Planning Guidance for the Crystal Palace Park Conservation Area states at paragraphs 6.8-6.9:

'The Council wishes to ensure that businesses in conservation areas are fully able to advertise their goods and services. However, it will also wish to reduce the visual clutter that poorly designed and located advertisements can sometimes cause. Advertisements, which require consent, will be restricted to properties, which depend on advertising to carry out their business.

Advertisements, which, in the Council's opinion, detract from the character of the area, will be resisted or made subject to discontinuance action where necessary. New and replacement signs should be designed in a way that minimises their adverse impact they should not be displayed at first floor level or above, especially on exposed flank walls.'

Policy BE21 of the UDP states that advertisements and hoardings should preserve or enhance the character or appearance of conservation areas and paragraph 6.64 states that advertisement hoardings will normally be resisted in Conservation Areas and residential parts of the borough, even on a temporary basis.

The site was designated part of the Crystal Palace Park Conservation Area in 1989.

There have been a large number of objections to the three applications and many of these are concerned with the potential use of the building and its implications. The building has been refurbished internally and KICC advised at a meeting with a Council Officer in March 2011 that it will accommodate various uses including drama, conferences, music associated with the Christian community, income generating activities of a 'business centre' nature and community uses. The applicant has since confirmed in writing that the use of the building will fall under Use Class D2. There remains concern that the use of the building may not fall under Class D2 and to date neither a Certificate of Lawfulness application nor planning application have not been received regarding the future use. Should the building be brought into an unlawful use then the Local Planning Authority can take the appropriate enforcement action at that stage but it cannot pre-empt a potentially unlawful use. The use of the building is not relevant to the determination of these planning applications and they should be assessed on their planning merits, in particular the impact of the proposals on the character and appearance of the application property and the Crystal Palace Park Conservation Area.

### **Planning History**

Planning permission was refused under application ref. 09/02202 for change of use from bingo hall (Class D2) to church/ community use (Class D1) together with ancillary offices, cafe and bookshop on the following grounds:

'The proposed development, involving the loss of an important entertainment/leisure use within Use Class D2 and the introduction of a mixed use including a place of worship within Use Class D1, would result in a reduction in the range of facilities provided within the town centre detrimental to the proper functioning of the daytime and evening economy and harmful to the social, cultural and economic characteristics of the area, thereby contrary to Policies 3A.18, 3D.1 and 4B.8 of the London Plan.

The nature of the activity associated with a Class D1 use such as a place of worship and the scale of the user means that they are likely to have a wide catchment for its congregation and attract a large number of cars and as a result the development will have a significant adverse impact on the surrounding area in terms of parking demand and pedestrian safety, contrary to Policy T18 of the Unitary Development Plan.'

Planning permission was granted at appeal for 4 non-illuminated advertising hoardings for a period of three years in November 1982. Planning permission was granted at appeal in June 1988 for their retention for a further two years. The hoardings remained in place beyond the temporary period and have only been removed in recent years. The following is an excerpt from the Inspector's 1988 report:

'The panels are large features, but they are seen against the large building and at a relatively low level in line with existing shop fronts. The alignment of Church Road and the angled setting of the panels from the general building line restricts the overall range of visibility. Although the panels are imposing features in the immediate street scene, it is not considered that, when seen against the large building to the rear and in line with the existing commercial frontages, their display is unduly intrusive.'

## **Conclusions**

### Application ref. 11/01537

The proposed landscaping and furniture will improve the appearance of this part of Church Road and will provide amenity value as a seating area. The cycle parking is considered unsuitable and this issue can be addressed by a condition.

### Application ref. 11/01541

The building is an art deco cinema of some architectural interest and makes a positive contribution to the conservation area. The proposed alterations are insensitive, failing to respect the original design of the building and are therefore harmful to its architectural integrity and the character and appearance of the conservation area.

### Application ref. 11/01663

For many years three large advertisement hoardings occupied the wall upon which the proposed hoarding will be sited. However, the site was designated part of a Conservation Area after the 1988 appeal decision and therefore stricter criteria are applicable in assessing the merits of the application proposal. The proposed hoarding will add to visual clutter and be undesirable, particularly in view of other existing hoardings in the surrounding area, detrimental to the character and appearance of the Conservation Area.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1ACA01 Commencement of development within 3 yrs
- ACA01R A01 Reason 3 years
- 2ACA04 Landscaping Scheme - full app no details
- ACA04R Reason A04

3 Prior to the commencement of development details of bicycle parking shall be submitted to and approved in writing by the Local Planning Authority and provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking shall be permanently retained thereafter.

Reason: In order to secure a more suitable cycle stand as the proposed stand is considered unsatisfactory and to comply with Policy T7 of the Unitary Development Plan.

- 4 Prior to the commencement of development details of a notice or notices advising that the publicly accessible area is privately owned and maintained shall be submitted to and approved in writing by the Local Planning Authority and the approved notices shall be displayed and permanently retained thereafter.

Reason: In order to inform the public of the status and ownership of the site and to comply with Policy BE1 of the Unitary Development Plan.

- 5 Prior to the commencement of the use of the development hereby permitted details of a programme of regular cleaning and maintenance of the landscaped area shall be submitted to and approved in writing by the Local Planning Authority and the landscaped area shall be maintained in accordance with the approved details thereafter.

Reason: In the interests of the visual amenities of the area and in order to comply with Policy BE1 of the Unitary Development Plan.

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

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character and appearance of the development in the Crystal Palace Park Conservation Area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the design policies of the development plan

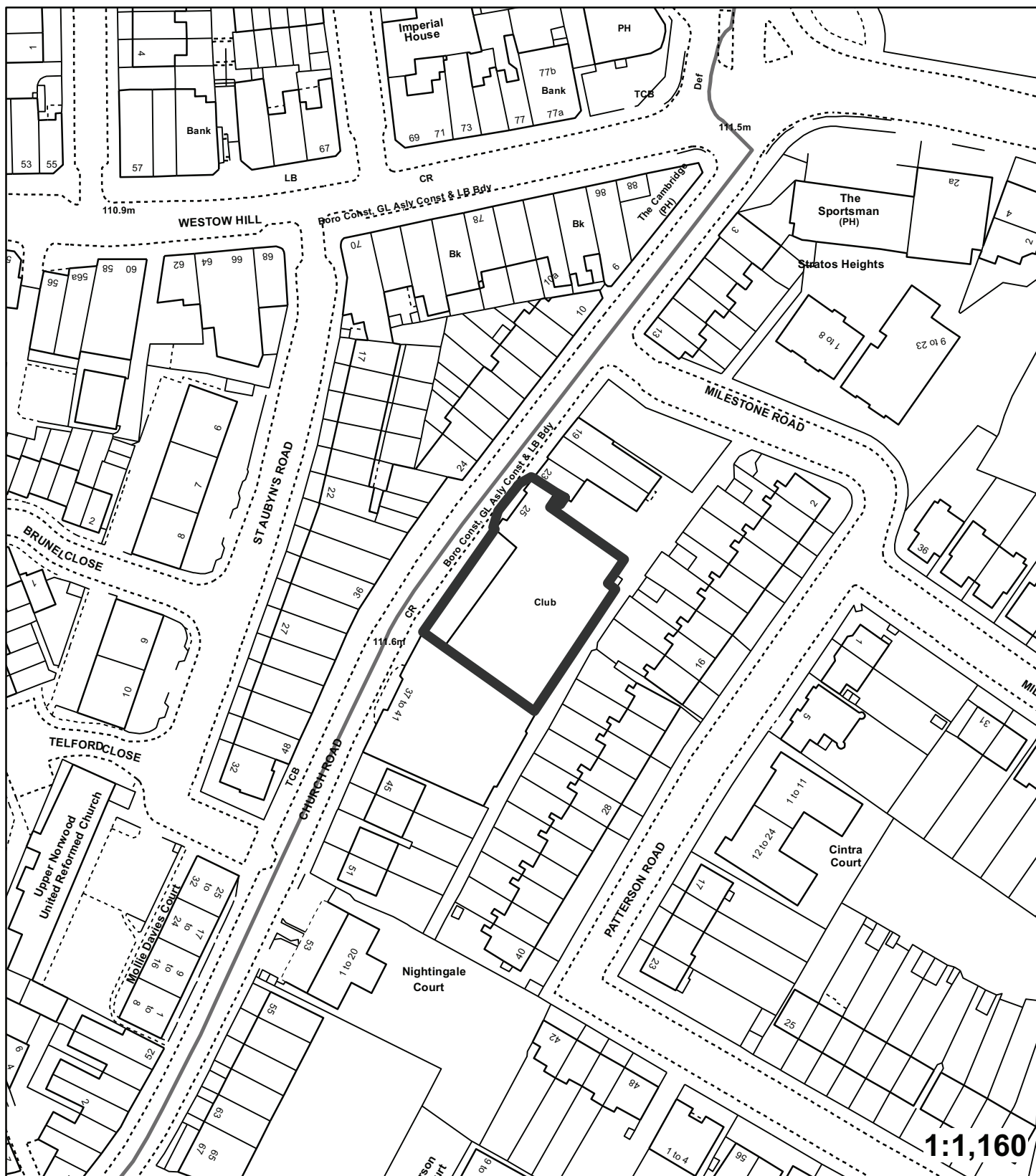
and having regard to all other matters raised.



**Application:**11/01537/FULL1

**Address:** 25 Church Road Anerley London SE19 2TE

**Proposal:** Soft and hard landscaping including benches and bicycle stands



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## SECTION '2' – Applications meriting special consideration

**Application No :** 11/01541/FULL1

**Ward:**  
Crystal Palace

**Address :** 25 Church Road Anerley London SE19  
2TE

**OS Grid Ref:** E: 533664 N: 170639

**Applicant :** KICC

**Objections :** YES

### **Description of Development:**

Canopy and alterations to front elevation

Key designations:

Conservation Area: Crystal Palace Park

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

**Joint report with application refs. 11/01537, 11/01541 and 11/01663**

### **RECOMMENDATION: PERMISSION BE REFUSED**

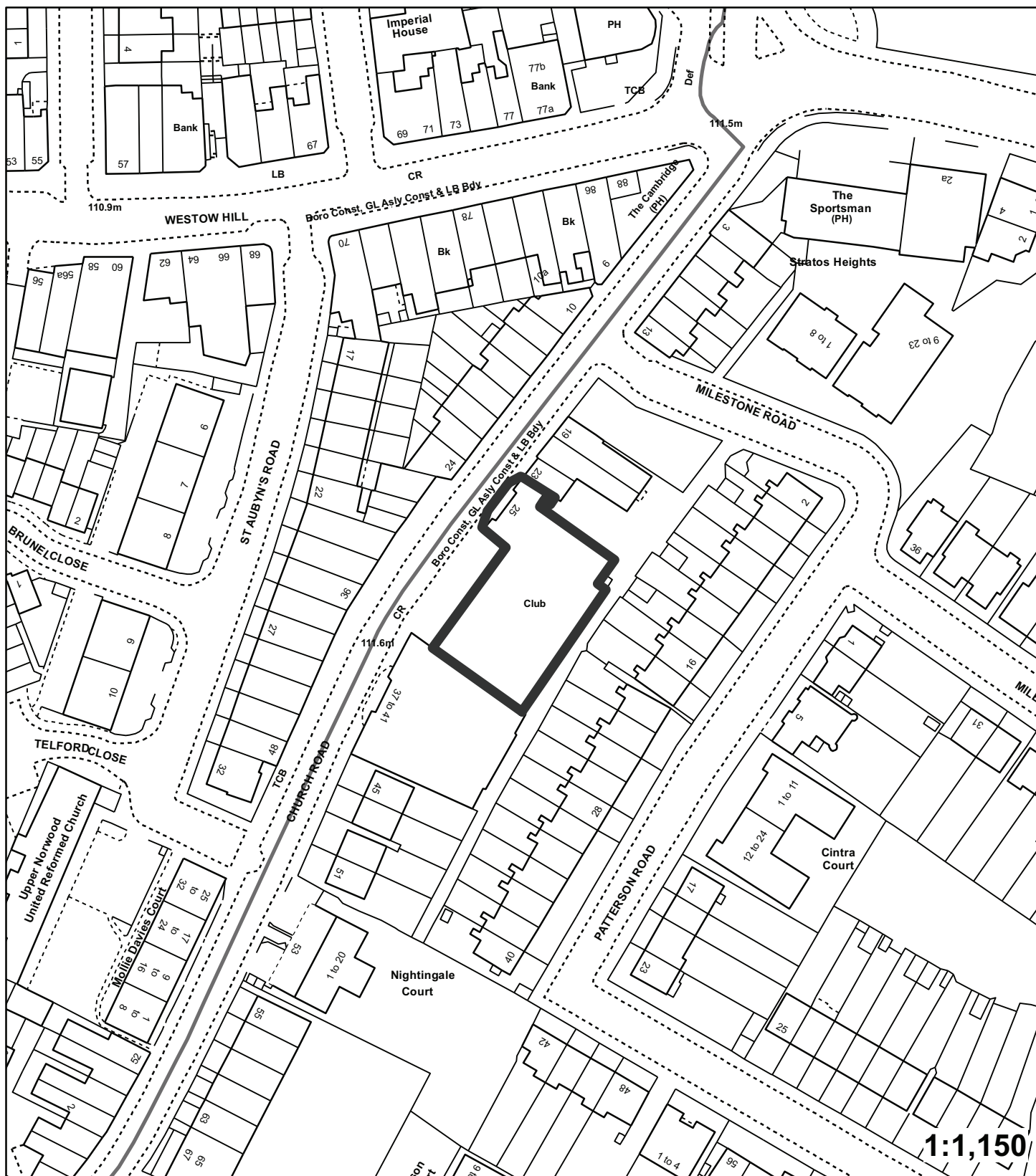
The reasons for refusal are:

- 1 The host building is an attractive example of an art-deco cinema building with significant architectural merit which makes a positive contribution to the Crystal Palace Park Conservation Area and the proposed alterations would fail to respect the architectural integrity of the building, and be detrimental to the character and appearance of the Conservation Area contrary to Policies BE1 and BE11 of the Unitary Development Plan.

**Application:**11/01541/FULL1

**Address:** 25 Church Road Anerley London SE19 2TE

**Proposal:** Canopy and alterations to front elevation



## SECTION '2' – Applications meriting special consideration

**Application No :** 11/01612/FULL6

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

**Address :** 98 Worlds End Lane Orpington BR6  
6AR

**OS Grid Ref:** E: 546240 N: 163371

**Applicant :** Mr Graham Smith

**Objections :** NO

### **Description of Development:**

Roof alterations incorporating front dormer extension and alterations to existing rear dormer extension.

Key designations:

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

### **Proposal**

- It is proposed to add a gable end roof extension (with small hip) and flat-roofed front and rear dormers in order to provide additional first floor accommodation
- The front dormer would be similar in size to the existing front dormer which would be retained, while the rear dormer would be an extension of the existing rear dormer which would double its width
- Amended plans were submitted to provide a small hip rather than a full gable end extension.

### **Location**

The property is a semi-detached chalet bungalow and is located on the northern side of Worlds End Lane, which rises up in an easterly direction at this point. It is bounded to the east by a large detached dwelling at No.100, and backs onto its L-shaped rear garden.

The property currently has small front and rear dormers providing first floor accommodation, which are similar to those at the adjoining property, No.96.

### **Comments from Local Residents**

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

### **Planning Considerations**

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

BE1 Design of New Development  
H8 Residential Extensions

### **Planning History**

Planning permission was granted in 2006 (ref. 06/02738) for a single storey rear extension.

A current application, which is under consideration elsewhere on this agenda (ref. 11/02850), seeks a Lawful Development Certificate for smaller roof extensions which do not include a front dormer extension. It is recommended that the Certificate be granted.

### **Conclusions**

The main issues in this case are the impact of the proposed roof extensions on the visual amenities of the street scene and the surrounding area, and on the amenities of the occupants of neighbouring residential properties.

Under Policy H8, the enlargement of a roof structure from a hipped design to a gable end and dormer extensions into prominent roof slopes are normally resisted on a semi-detached property where it would unbalance the symmetrical appearance of the pair of dwellings and appear bulky and prominent within the street scene. In this case, the adjoining semi has a fully hipped roof and a small front dormer, and therefore the proposed gable end roof design to No.98 and its additional front dormer would appear bulky and prominent in the street scene, and would unbalance the symmetrical appearance of this pair of dwellings. The small hip provided to the gable roof would not significantly reduce the impact of the proposals within the street scene.

Members should bear in mind that a full gable end roof extension and rear dormer could be provided under "permitted development rights" (see ref.11/02850), however, any front dormer extension would require permission, and this adds to the likely bulky and prominent appearance of the proposals within the street scene. Whilst the dormer has been designed with a flat roof and scale to reflect that of the existing dormer, it is considered to unbalance the appearance of the building.

Background papers referred to during production of this report comprise all correspondence on files refs. 06/02738, 11/01612 and 11/02850, excluding exempt information.

as amended by documents received on 12.09.2011

## **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposal, involving as it does substantial alteration to the existing roof line of the property and an additional front dormer, would be detrimental to the symmetrical appearance of this pair of semi-detached dwellings and to the street scene generally, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

**Application:** 11/01612/FULL6

**Address:** 98 Worlds End Lane Orpington BR6 6AR

**Proposal:** Roof alterations incorporating front dormer extension and alterations to existing rear dormer extension.





## SECTION '2' – Applications meriting special consideration

**Application No :** 11/01663/ADV

**Ward:**  
**Crystal Palace**

**Address :** 25 Church Road Anerley London SE19  
2TE

**OS Grid Ref:** E: 533664 N: 170639

**Applicant :** KICC

**Objections :** YES

### **Description of Development:**

Non-illuminated wall mounted advertisement display board

Key designations:

Conservation Area: Crystal Palace Park  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London Distributor Roads

**Joint report with application refs. 11/01537, 11/01541 and 11/01663**

### **RECOMMENDATION: PERMISSION BE REFUSED**

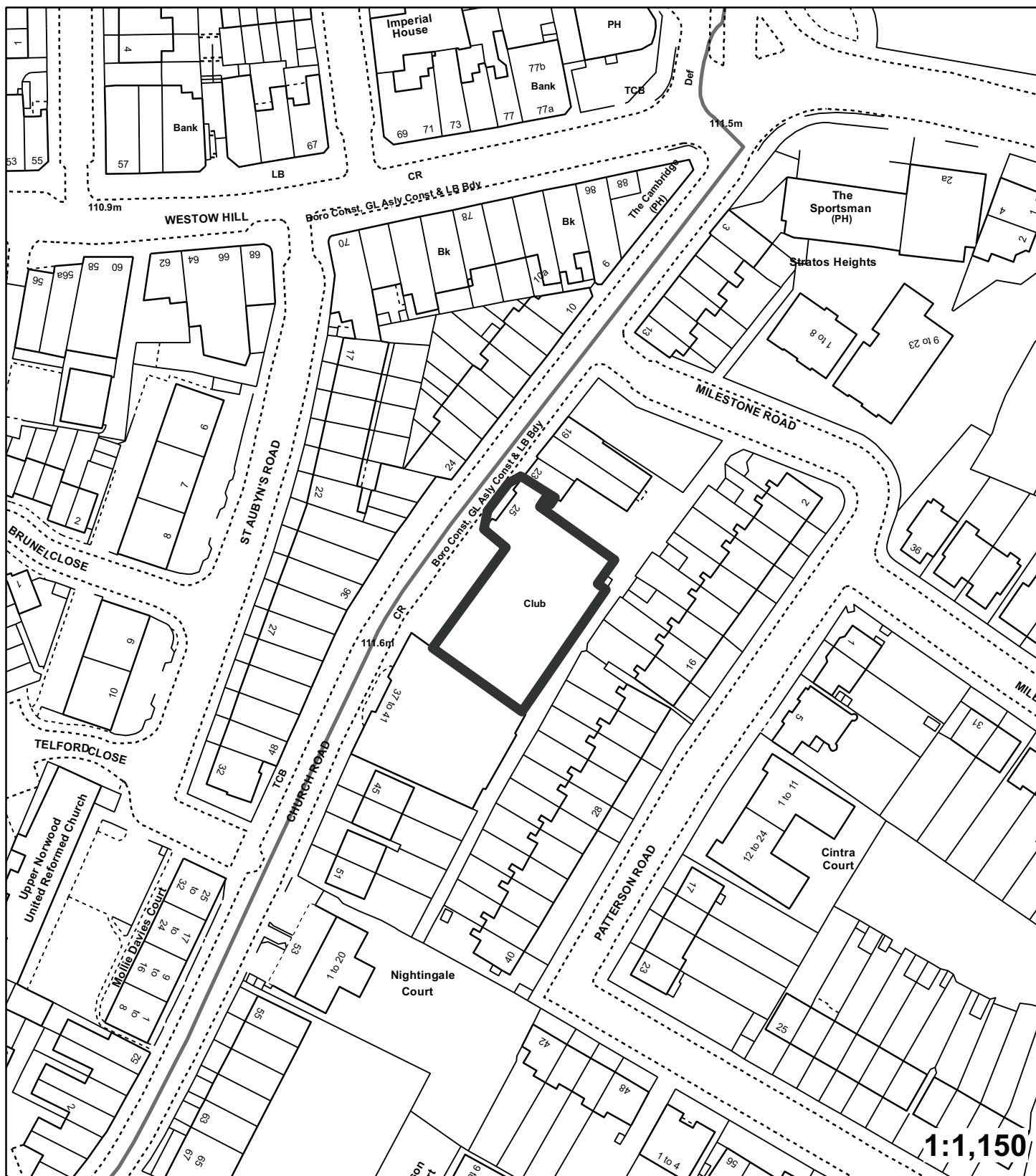
The reasons for refusal are:

- 1 The proposed advertisement hoarding will be detrimental to the visual amenities, character and appearance of the Crystal Palace Park Conservation Area thereby contrary to Policies BE1, BE11 and BE21 of the Unitary Development Plan.

**Application:**11/01663/ADV

**Address:** 25 Church Road Anerley London SE19 2TE

**Proposal:** Non-illuminated wall mounted advertisement display board



## SECTION '2' – Applications meriting special consideration

**Application No :** 11/01921/FULL1

**Ward:**  
**West Wickham**

**Address :** 32 Corkscrew Hill West Wickham BR4  
9BB

**OS Grid Ref:** E: 538805 N: 165356

**Applicant :** Mr James Caldwell

**Objections :** YES

### **Description of Development:**

Sub division of existing plot and erection of detached four bedroom house

Key designations:

Local Distributor Roads

### **Proposal**

It is proposed to subdivide the existing plot and erect a detached four bedroom house. The rear garden would measure just short of 20m in depth and have a maximum width of 10m, tapering to zero to the rear. The house would be (max.) 7.7m high and would be situated approx. 2.7m away from the shared boundary with No.34. On the opposite side the boundary is irregular and tapering and a side space of between 0.8m and 6m (at the front) would be maintained with the shared boundary with the host property at No. 32. The plan originally submitted under the current application has been amended to show the garage abutting the boundary with the host plot deleted from the scheme.

### **Location**

The site is situated on the eastern side of Corkscrew Hill, a primarily residential road which winds down hill from West Wickham towards the junction with Addington Road (A2202). The site is currently occupied by one of pair of interwar semi-detached houses, of chalet design, each with a triangular shaped plot. Together with the adjoining house, the application property occupies a corner position at the junction with between Corkscrew Hill and Courtfield Rise. The pattern of layout is reflected on the opposite side of the corner junction. The houses at either side of the corner pairs are generally semi-detached properties with rectangular shaped plots. Across the road there are semi-detached and detached houses and a local garage.

There is currently a detached double garage at the western side of the application property as well as an older detached single garage close to the eastern boundary with No.34.

### **Comments from Local Residents**

Nearby owners /occupiers were notified of the application and representations were received including a letter from the West Wickham Residents Association and a petition signed by 46 local residents.

In all 25 objections were received in relation to the submitted scheme including 3 in relation to the latest revision to the scheme. One letter in support has also been received. The ward Councillor Nicholas Bennett has also raised objections to the proposals despite the revisions the scheme he considers that it remains an overdevelopment lacking in adequate rear amenity space and further that it would have a seriously detrimental affect on the visual and spatial qualities of the area.

The main body of representations from local residents may be summarised as follows:

- the amended plans show that the property would still be very cramped privacy and out look would still be affected, there would be constant noise form cars parking alongside our boundary
- the proposed building foot print has been amended but the height and scale of the building has not
- whilst the removal of the garages in the original application produces a clear gap between neighbouring properties and goes some way to meet the original objections it would still have a seriously detrimental affect on the spatial qualities of the area and the appearance of the location as viewed from Corkscrew Hill
- garden attached to No.32 will become particularly cramped
- rear garden of proposed house remains undersized
- the proposed house if built would not be in keeping with the spatial character of the area and would appear very cramped
- proposal will set an undesirable precedent for future development within the locality
- proposal will put increased pressure on the drainage system
- additional traffic exiting onto Corkscrew Hill would be harmful to highway safety
- the increased traffic movement from an additional property immediately in front of the bus stop will compromise highway safety
- undersized garden
- disproportionate site coverage with buildings
- loss of sunlight privacy and outlook
- increased noise and disturbance in rear garden
- the plot is wide enough to accommodate a new property but would have to be in keeping with the existing chalet style of house.

Any further local representations received will be reported verbally.

### **Comments from Consultees**

Highways – the following comments were made from the highways team in relation to the amended scheme which proposed no garage space. The applicant should be informed that 4 parking spaces are required, 2 for the proposed and two for the donor property; these spaces should be marked out on a plan. Furthermore the applicant should provide a pedestrian link between the new development and the donor property so that parking spaces can be accessed more conveniently.

In view of the above comments a further set of plans was submitted on 13th October 2011. This latest plan showed the 4 parking spaces set out and also the pedestrian link between the proposed house and No.32. Highways have now confirmed that the revised parking layout is satisfactory subject to safeguarding conditions.

Drainage – Comments made on this site in relation to the previous application (10/03515) requests the applicant to provide soakage test results for the proposed soakaway at application stage.

The drainage comments on the current scheme once again request that soakage tests be carried and have suggested that a condition be attached to ensure tests are carried out prior to the commencement of development.

### **Planning Considerations**

The main changes since the previous application (ref. 10/03515) are as follows:

- deletion of both single garages to either side of the proposed house
- deletion of dormer to the northern- eastern flank elevation
- deletion of catslide roof design to both side elevations

An appeal relating to the previous application under planning ref.10/03515 was recently dismissed. With regard to the impact of the proposed house on the Character and appearance of the area the Inspector noted the following:

“...it is difficult to identify a complete pair that remains of that arrangement. Nevertheless, whilst there have been changes to the side roofs, with the addition of a variety of dormers of full height extensions, the gaps largely remain and provide a pleasing rhythm. Within the resulting variety, these gaps are important to the character and appearance of the area, and in the case of corner plots, provide a spacious entry to the road and an appropriate means of turning the corner. Whatever the reason for this, as referred to by the appellant, these are now a prominent feature of the street scene of both Corkscrew Hill and Courtfield Rise.

That is not to say that these gaps need remain fully open and the presence of the large garage on or about the footprint of the proposal shows that built form can be accommodated.”

With regard to character and appearance the Inspector concluded as follows:

“... the existing garages show that a building can be accommodated on the site but that which is proposed would appear uncharacteristically cramped and would seriously erode the spatial qualities of this area as seen from the main road.”

With regard to the impact of the proposal on the ‘living conditions’ of local residents and in particular residents at No. 34 the Inspector concluded as follows:

“Whilst there would be some change, and this neighbour would experience the shortcomings of the scheme at close quarters, these matters would not amount to the degree of change that would cause harm to their living conditions in planning terms”.

There would remain the shortcomings of the cramped arrangement, and that would have an adverse on the outlook of the neighbouring occupier.

## **Conclusions**

The Inspectors decision letter appears to indicate that the principal of redevelopment is acceptable on this site. The shortcomings of the previous scheme were also highlighted and in particular it was noted that “The development would appear cramped against the host building and poorly related to the neighbouring building up the hill, relying on the space that dwelling has to provide openness and that would be insufficient”. The current scheme seeks to address the main area of criticism outlined in the decision letter by introducing gaps to either side of the building where previously single storey garages abutted the boundary.

Technically whilst the sidespaces have been introduced to improve the spaciousness, to the rear part of the building the minimum width of the side space at 0.8m which is less than the 1m required under policy H9, at its widest however the side space splays out to 6m to the front edge of the building where it would be more visible in the street scene.

Despite the changes to the scheme there remains a considerable amount of local opposition to the proposal. Particularly from the neighbours at No. 34 who maintain their stance that the proposed dwelling would be over large for the plot it seeks to accommodate. It is likely that this property would be most affected by the proposal, particularly in terms of loss of outlook. However, the Inspector in considering this aspect with the previous larger scheme did not consider that the impact on residential amenity would be so undue as to warrant a refusal on this basis. It therefore follows that a reduced scheme which takes the building further away would warrant the same conclusion.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01921 and 10/03515, excluding exempt information.

as amended by documents received on 13.10.2011

## **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 ACA07 Boundary enclosure - no detail submitted  
ACA07R Reason A07
- 4 ACC01 Satisfactory materials (ext'nl surfaces)  
ACC01R Reason C01
- 5 ACD02 Surface water drainage - no det. submitt  
ADD02R Reason D02
- 6 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 7 ACH22 Bicycle Parking  
ACH22R Reason H22
- 8 ACH32 Highway Drainage  
ADH32R Reason H32
- 9 ACI02 Rest of "pd" Rights - Class A, B,C and E

**Reason:** In order to comply with Policies H7 and BE1 of the Unitary Development Plan and to prevent overdevelopment of the site.

- 10 ACI11 Obscure glaz'g/details of opening (1 in) on the first floor  
northern elevation  
ACI11R Reason I11 (1 insert) BE1
- 11 ACI17 No additional windows (2 inserts) northern and southern  
dwelling  
ACI17R I17 reason (1 insert) BE1
- 12 ACK01 Compliance with submitted plan

**Reason:** In order to comply with Policies BE1 and H7 of the Unitary Development Plan and to ensure a satisfactory standard of development in the interests of the visual and residential amenities of the area.

- 13 ACK05 Slab levels - no details submitted  
ACK05R K05 reason
- 14 No development shall take place until a soakage test has been carried out on the application site, the results of the test shall be submitted to and approved in writing by or on behalf of the Local Planning Authority prior to any development taking place."

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

- 15 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

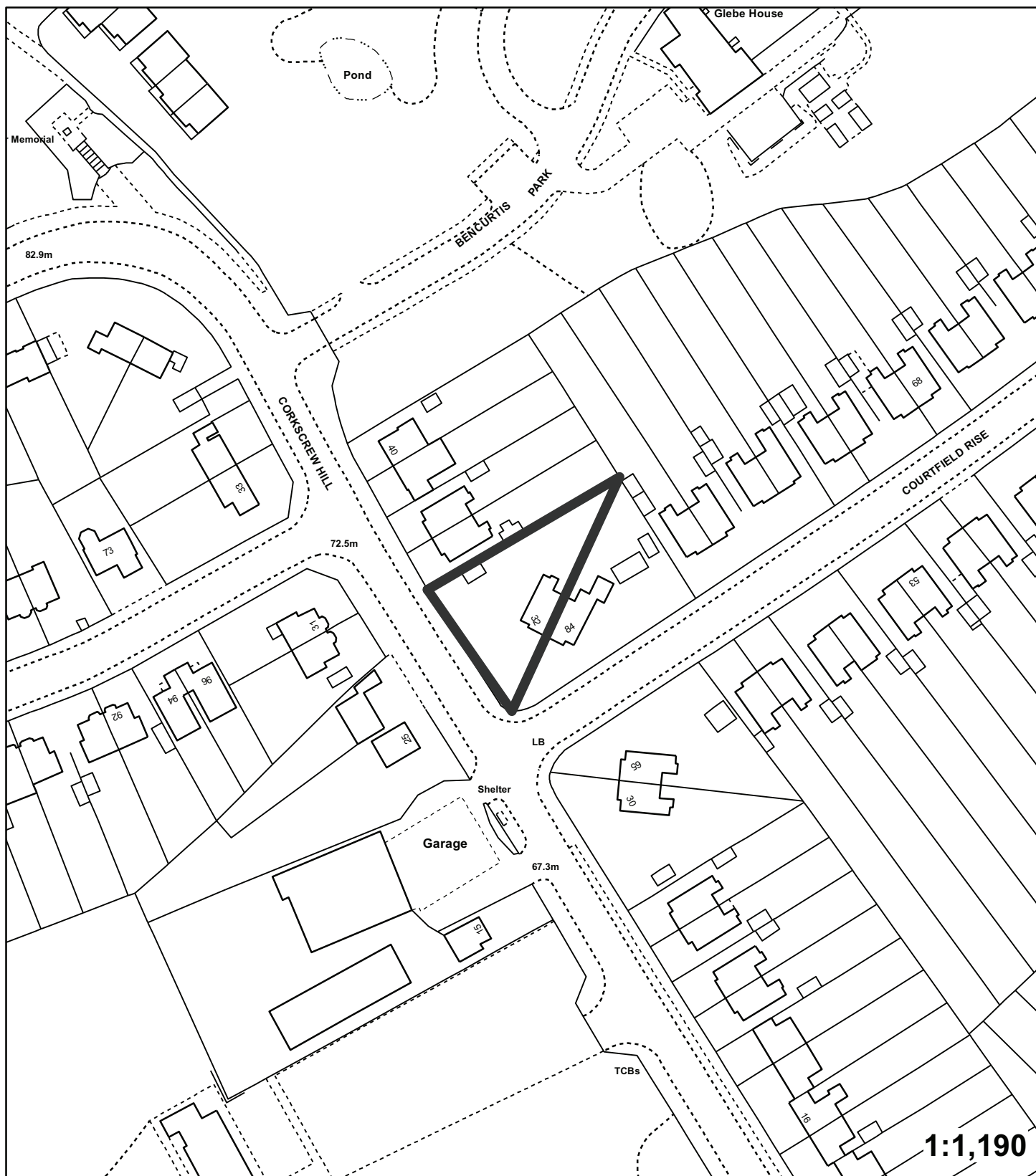
BE1 Design of New Development  
H7 Housing Density and Design  
H9 Side Space



**Application:**11/01921/FULL1

**Address:** 32 Corkscrew Hill West Wickham BR4 9BB

**Proposal:** Sub division of existing plot and erection of detached four bedroom house



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## SECTION '2' – Applications meriting special consideration

**Application No :** 11/01978/FULL1

**Ward:**  
Kelsey And Eden Park

**Address :** 20 Ellesmere Avenue Beckenham BR3  
6NN

**OS Grid Ref:** E: 537959 N: 169162

**Applicant :** Mr A Ralph

**Objections :** YES

### **Description of Development:**

Detached two storey 3 bedroom dwelling on land adjacent to 20 Ellesmere Avenue with associated driveway and car parking

Key designations:

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

### **Proposal**

The application proposes to construct a detached two storey 3 bedroom dwelling on land adjacent to 20 Ellesmere Avenue with associated driveway and car parking.

The proposed dwelling would be a detached property two storeys in height and would mirror the design of the existing dwelling at number 20 Ellesmere Avenue with a pitched tiled roof, partial timber cladding, white render and facing brickwork. The dwelling would be located 2 metres away from the existing flank wall of number 20 and some 1.85 metres away from the northern boundary of the site.

The existing crossover located at the end of Ellesmere Avenue which currently serves number 20 and provides access to a detached outbuilding and area of hard surfacing is to be retained. This area would be re-landscaped with permeable paving providing a new driveway in front of the proposed dwelling with four off street car parking spaces and a secure bicycle store.

### **Location**

The application site consists of part of the rear and side garden area of number 20 Ellesmere Avenue which is an end of terrace two storey residential dwelling. The area is predominantly residential in character

### **Comments from Local Residents**

- the development would result in a loss of privacy
- the existing boundary screening would be lost
- the development would result in an increased noise and disturbance
- the development would result in an increase of on street car parking and cause problems for traffic, parking and local residents near to the site
- the gross expanse of car parking would result in harm to the existing street scene and character of the area

### **Comments from Consultees**

From a drainage perspective surface water would have been drained to soakaways

With regards to highway planning issues, no technical objections are raised. The site is located in an area where public transport accessibility is low. The development therefore provides appropriate parking provision and the layout and details of this should the application be approved can be achieved through appropriate planning conditions.

### **Planning Considerations**

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

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

#### London Plan

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable drainage
- 7.3 Designing Out Crime
- 7.4 Local Character

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

## **Planning History**

Under planning application ref. 08/02230, planning permission was refused for a detached two storey dwelling and detached double garage. The proposal was considered an unacceptable cramped form of development, out of character with the street scene and harmful to existing spatial standards due to the lack of a 1 metre distance towards the boundaries of the site. The proposal also resulted in the loss of existing off street parking and in the absence of any details to indicate otherwise was considered to result in an undesirable and harmful increase of on – street parking in nearby roads.

Under planning application ref. 08/03839, planning permission was refused for a detached two storey 4 bedroom dwelling on land adjacent to 20 Ellesmere Avenue. The proposed development was considered to result in the loss of existing off-street parking and give rise to an undesirable increase of on-street parking in nearby roads, contrary to Policy T3 of the Unitary Development Plan.

## **Conclusions**

The main issues, which are relevant in the consideration of this application, are whether the revisions made since the previous application adequately addresses previous refusal grounds in terms of the potential impact on the spatial standards, the impact of the proposals on the character and appearance of the area and the street scene in general; and the standard of accommodation for the future occupiers of the proposed dwelling.

In terms of the amenity of the local residents and spatial standards, the proposal maintains adequate distances between the surrounding properties and appears to have a minimal impact on the immediate neighbours, given the general pattern of development in the area.

PPS3 'Housing' seeks more efficient use of land whilst at the same time not compromising the quality of the environment. The application is clearly a case that needs to be assessed in the light of this guidance.

The current application submitted is for development of a similar design to the adjoining houses which matches the existing street scene and surroundings. The proposal represents a logical infill from of development for this plot, with an acceptable site layout and design.

The proposed development is of an acceptable density, providing adequate amenity space and parking, sympathetic to and complementing the surrounding area.

Policy H9 draws attention to the need to respect the spatial standards of the surrounding area. The characteristics of the area are predominantly that of terraced and semi detached dwellings. Policy BE1 highlights the need for proposals to be of a high standard of design and layout complementing the scale, form and materials of adjacent buildings. The proposed dwelling now maintains a 1 metre side space to the boundaries of the site, compliant with Policy H9.

The level of parking provision has been increased and the development now provides an appropriate off street parking area for four vehicles. This parking area would reduce the potential impact the development may have on the existing off street car parking situation.

In this case it is clear that there will be an impact on nearby properties as a result of this proposal and a judgement needs to be made about whether the impact is unduly harmful. Accordingly, it is considered that this proposal is acceptable in this location.

The proposed dwelling is of a footprint similar to the adjoining terraces in keeping with the existing character of the area. The proposal effectively creates a detached house which fits into its site and surroundings without harming the spatial standards or existing street scene.

Members will need to consider whether the proposal sufficiently addresses the previous refusal, and taking into account local objections whether this proposal is satisfactory.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/02230, 08/03839 and 11/01978, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |    |        |  |
|----|--------|--|
| 1  | ACA01  | Commencement of development within 3 yrs |
|    | ACA01R | A01 Reason 3 years                       |
| 2  | ACA04  | Landscaping Scheme - full app no details |
|    | ACA04R | Reason A04                               |
| 3  | ACA07  | Boundary enclosure - no detail submitted |
|    | ACA07R | Reason A07                               |
| 4  | ACB01  | Trees to be retained during building op. |
|    | ACB01R | Reason B01                               |
| 5  | ACB02  | Trees - protective fencing               |
|    | ACB02R | Reason B02                               |
| 6  | ACB03  | Trees - no bonfires                      |
|    | ACB03R | Reason B03                               |
| 7  | ACB04  | Trees - no trenches, pipelines or drains |
|    | ACB04R | Reason B04                               |
| 8  | ACB16  | Trees - no excavation                    |
|    | ACB16R | Reason B16                               |
| 9  | ACC01  | Satisfactory materials (ext'nl surfaces) |
|    | ACC01R | Reason C01                               |
| 10 | ACD02  | Surface water drainage - no det. submitt |
|    | ADD02R | Reason D02                               |
| 11 | ACH02  | Satisfactory parking - no details submit |
|    | ACH02R | Reason H02                               |
| 12 | ACH22  | Bicycle Parking                          |

- ACH22R Reason H22
- 13 ACH32 Highway Drainage  
ADH32R Reason H32
- 14 No loose materials shall be used for the surfacing of the car parking and turning area hereby permitted.  
**Reason:** In the interests of highway and pedestrian safety and to accord with Policies T3 and T18 of the Unitary Development Plan.
- 15 ACI02 Rest of "pd" Rights - Class A, B,C and E  
**Reason:** To protect the amenities of the adjoining residents in order to comply with Policies H7 and BE1 of the Unitary Development Plan.

**Reason for granting permission:**

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

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

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

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook of occupiers of adjacent and nearby properties
- (f) the privacy of occupiers of adjacent and nearby properties
- (g) the safety of pedestrians and motorists on the adjacent highway
- (h) accessibility to buildings
- (i) the housing policies of the development plan
- (j) the urban design policies of the development plan

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 RDI10 Consult Land Charges/Street Numbering  
2 RDI16 Contact Highways re. crossover  
3 RDI23 Notification re. sewer realignment

**Application:**11/01978/FULL1

**Address:** 20 Ellesmere Avenue Beckenham BR3 6NN

**Proposal:** Detached two storey 3 bedroom dwelling on land adjacent to 20 Ellesmere Avenue with associated driveway and car parking





## SECTION '2' – Applications meriting special consideration

**Application No :** 11/02499/FULL1

**Ward:**  
Darwin

**Address :** Cherry Lodge Golf Club Jail Lane  
Biggin Hill TN16 3AX

**OS Grid Ref:** E: 543279 N: 158788

**Applicant :** Cherry Lodge Golf Club

**Objections :** YES

### **Description of Development:**

Improvement of golf club course including deposit of inert materials to remodel 2nd, 3rd, 4th, 5th, 7th, 8th, 10th, 11th, 12th, 13th and 14th holes and provide multi-shot driving range (on existing practice ground outfield), chipping academy and putting green. Replacement single storey driving range building. Laying out of hard surface on existing informal car parking area to provide 93 spaces. Drainage and landscaping works. Alteration of vehicular access to Main Road and construction of temporary haul roads and compound for import of soil, including wheel washing facility, site office and related buildings

Key designations:

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

### **Proposal**

Planning permission is sought for the improvement of Cherry Lodge Golf Course, to include the deposit of inert materials to remodel 11 holes and to provide a multi-shot driving range (on existing practice ground outfield), chipping academy and putting green. The proposal will also involve drainage works and landscaping (including a scheme of planting).

In addition to the above, a single storey driving range building is proposed, and the laying out of a hard surface over the existing informal car parking area to provide 93 spaces.

In order to facilitate the works and the import of the inert materials to the site, it is proposed to provide a temporary vehicular access on to Main Road, Biggin Hill adjacent to an existing unmade byway (to the north of the Fox and Hounds PH),

and construct a temporary haul road (with wheel washing facility) and site compound, including site office and related buildings.

It is estimated that the construction phase of the works would take in the order of 12 months to complete, depending on the availability of suitable inert materials and restricted hours of operation due to adverse weather conditions. The inert materials will be brought to the site by 4-axle tipper spoil wagons (10m in length), and could arrive at the site from the north or south. Normal operating hours for fill importation would be 0930 – 1630 Mondays to Fridays, with an anticipated 70 deliveries per weekday, equating to 350 per week and 10 an hour on average.

With regard to the source and content of the inert (non-reactive) materials to be brought onto the site, the Applicant's Agent has advised that the vast majority will comprise soils extracted from construction sites, which will be screened and graded to ensure that no contaminated material or unsuitable substrate is utilised, while all work will be monitored by the Environment Agency under the Environmental Permitting Regulations (England and Wales) 2010.

The application is accompanied by a Planning, Design and Access Statement, which states that the application has been made to avert an impending threat of administration, which has arisen due to the poor practice facilities, lack of course subscriptions and unsustainable profit/loss margins. The decision has therefore been taken to pursue a scheme of modernisation to prevent the loss of the community use from the golf course to the club house and car park. It is stated that existing facilities require modernisation, while new facilities are required to increase revenue streams including club house rental, driving range ball fees and increased membership subscriptions. The Statement includes recent profit and loss accounts as an appendix.

With regard to the impact of the proposed development to the Green Belt, the Statement explains that the change in ground levels proposed would not restrict the open nature of the site, especially as care has been taken to avoid unnatural or awkward topography, with gentle contours proposed and generous planting to help assimilate the proposal into the landscape. It is argued that the overall appearance of the site, particularly from public vistas, would remain similar to existing, but with differing arrangements of contours, fairways and greens.

Concerning the proposed range shelter building, this would constitute an essential facility for the club, in providing covered bays to the upgraded driving range which would allow for year round play without concern for possible loss of revenue during periods of wetter weather, therefore providing a revenue stream.

In a more general sense, the Statement argues that each aspect of the proposed alterations are essential to the modernisation of the course and range, to put the Club on a sound financial footing. It is demonstrated in the Planning, Design and Access Statement and the Summary and Justification of the Course Alterations that each development aspect has a clear functional and essential use in order to rectify course problems and ensure the ongoing playability, safety and popularity of the sports facility.

The full details of the proposal are as follows:

#### Improvement works to existing course

The proposed works to the existing course are intended to improve its playability, address safety issues with ball containment both within the site itself between adjacent holes and beyond the site boundaries (particularly at hole 14 where mis-hit balls can fall outside of the course boundaries onto adjacent land), to improve drainage and to improve the appearance of the course overall. This is primarily to be achieved with additional mounding and course features, the re-grading of land, the re-positioning, raising and upgrading of tees, and the introduction of native planting/removal of unattractive non-native trees.

The proposed works would be phased to allow the course to remain open for their duration, commencing with the area furthest from the site entry points to the northern end of the course.

#### Multi-shot driving range with new range shelter

Designed to replace the existing range outfield which is broadly positioned within the centre of the course (between the 5th and 2nd holes), the multi-shot driving range is intended to provide a more realistic practice experience for golfers with features incorporated such as bunkers, greens and mounding etc. to encourage a range of shots of differing distances. The range will feature perimeter mounding for containment, ground re-modelling and a sub-surface drainage system. Landscaping would incorporate a mix of native trees and shrubs. No range netting is proposed; instead ball containment is expected to be achieved by the mounding and as a result of the sizable depth and width of the range.

The proposed range shelter will be at the southern edge of the range, constructed from timber and featuring a shallow pitched metal sheet roof, incorporating a total of 12 bays, measuring 42m in width, 5.15m in depth and with a maximum height of 3.75m.

#### Chipping Academy and Putting Green

The new chipping academy is proposed to be located south of the car park, for the practising and teaching of short game skills on the golf course. This element of the proposal is described as a critical aspect of the scheme, seeking to increase the viability of the driving range from an economic perspective and in providing a more family centred facility that will be available to a wider spectrum of the public.

#### Resurfaced car park

At present the car park contains 33 formalised car parking spaces and an informal area of approx. 1800m<sup>2</sup>, located to the south of the club house. It is intended to formalise the car park to provide an additional 93 spaces, resulting in 126 in total. The car park would be surfaced in permeable gravel or pea shingle.

#### Drainage works

In connection with the course improvements, the following drainage works are proposed:

- new soakaway to deal with surface water runoff from new range shelter building
- herringbone sub-surface drainage system for the driving range, 14th hole (to overcome standing water problem) and short game area
- swales alongside southern and part of eastern boundaries, and adjacent to south-western corner of site (as recommended in Flood Risk Assessment)
- surface water to drain into existing natural courses, swales and proposed filtration pond

#### Temporary access, haul and perimeter roads and site works

The proposed improvement works listed above will necessitate the importation of a significant quantity of inert material to the site. Amended plans regarding this aspect of the proposed works were received 20th October, which indicate that a proposed temporary vehicular access would be formed to the site from Main Road, Biggin Hill (A223), adjacent to unmade byway opposite Nos. 342 and 344 and to the north of the Fox and Hounds PH. From this access, a temporary haul road would be constructed, leading to a single point of access into the south-east corner of the golf course (near to Berrys Green Road). A site works compound will be constructed just inside the site boundary, comprising a site office, parking spaces and area for plant and machinery storage.

#### Rights of way mitigation

The site is crossed by Footpath 275 to the north over holes 1, 2, 5, 6, 15 and 17, and Footpath 275C traverses the site from the south-western corner in a north-easterly direction, crossing hole 9, part of the car park, the driving range and holes 2, 6 and 15. Bridleway 275B runs alongside the eastern site boundary, while Bridleway 277 runs alongside the southern boundary adjacent to hole 13.

The application documents initially included a 'Public Rights of Way Mitigation Plan', which advises that only Footpath 275C would require temporary closure, however that its destination points can still be reached by diverting users around the works using Footpath 275 and/or Berry's Green Road. It is advised that Footpath 275C can be re-instated once the first phase of the development has been shaped to sub surface levels (after 6 months from commencement). Footpath 275 would remain open, crossing the construction area, and would be provided with a suitable safety barrier between construction operations.

Bridleways 277 runs outside of the site boundaries, however the proposed haul road would need to cross this at the point of access into the site. It is indicated within the Construction Traffic Management Statement that where the haul road crosses a Public Right of Way, the 'junctions' would be provided with a safe crossing area with good visibility, with warning signs to the public and lorry drivers and speed restrictions introduced along with speed reducing ramps.

Following comments from local residents and consultees, a 'Haul Road and Footpath Mitigation Strategy' has been submitted (received 20th October), which proposes an amendment to the routing of the haul road (to reduce the number of crossings with rights of way and a reduction of the overall length of road required) and the re-positioning of the site works compound to within the golf course.

The following documents have been submitted in support of the application:

- Planning, Design and Access Statement which sets out the background to and details of the proposal within the planning context
- Visual Impact Assessment which illustrates views into the site comparing the existing and proposed course conditions
- Summary and Justification of Course Alterations which sets out the full details of the proposed works to each hole
- Archaeological Desk Based Assessment which concludes that there is low to moderate archaeological potential at the site
- Reptile Survey Report which concludes that the site is not a key reptile site
- Ecological Impact Assessment which considers the potential impacts on biodiversity as a result of the proposed works
- Biodiversity Benefits Analysis which sets out the key ecological design features embodied in the proposed plans
- Biodiversity Mitigation and Management Plan which provides details of proposed mitigation and habitat enhancement measures
- Arboricultural Implications Assessment which advises on trees to be retained, protection measures and the impact on local amenity of the removal of trees
- Flood Risk Assessment which recommends various drainage works to improve site conditions
- Surface Water Drainage Assessment which in conjunction with the Flood Risk Assessment sets out various proposals to improve site drainage
- Phase 1 Site Survey (Contaminated Land) which concludes that there is very low risk of potential contamination at the site
- Transport Statement which sets out the likely impact of the proposals on trip generation through increased membership of the club (updated 20th October following Highways comments)
- Construction Traffic Management Statement which sets out the proposed management of construction traffic for the duration of the works (updated 20th October to include revisions to haul road, site works compound, and to include a road safety audit of the proposed access onto Main Road)
- Construction Noise Assessment which concludes that the proposed works would fall within acceptable limits for temporary construction works
- Haul Road and Footpath Mitigation Strategy which responds to objections raised concerning the impacts upon users of rights of way as a result of the haul road

## **Location**

The application site is located on the southern side of Jail Lane, Biggin Hill, and comprises approx. 28 ha of Green Belt land in use as an 18 hole golf course with club house, car park and driving range shelter.

The site is surrounded by agricultural land to the south and west, with pockets of residential development to the north and east on Jail Lane and Berry's Green Road.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application by letter (including properties in the vicinity of the proposed access onto Main Road), an advertisement was placed in the local press and site notices were posted adjacent to the site entrance on Jail Lane, at the site of the proposed access onto Main Road and at the entrance to Bridleway 277 on Berry's Green Road.

In response a significant number of objections were received, including a large proportion of pro-forma letters as well as individually written letters, together with a number of supporting comments.

Comments made in objection can be summarised as follows:

- impact on openness and visual amenities of Green Belt
- haul road and site compound will have negative impact on character and appearance of open fields
- proposal will harm the landscape and impact upon nearby Kent Downs Area of Outstanding Natural Beauty
- negative effects on wildlife included protected species
- construction works will spoil enjoyment of the area for riders, walkers etc. and will affect public rights of way
- construction traffic will frighten horses
- objection to removal of hedgerow
- no justification has been provided for car park
- road network cannot sustain additional traffic/construction vehicles and is of insufficient width
- significant increase in traffic will result in undue noise, disturbance, pollution and congestion
- additional traffic will result in more accidents and harm pedestrian safety
- Main Road has recently been resurfaced – concern that construction vehicles will cause damage
- temporary haul road will lead to residential development
- no guarantees that the area would be restored to its original state after the works have been carried out
- proposal will lead to further (residential) development in the area once access road is provided into fields
- re-modelling of the course is unnecessary in view of the number of courses in the vicinity
- no employment benefits from scheme
- concerns regarding accuracy and pertinence of speed survey

- proposal should be reduced in scale
- proposed alterations unnecessary from golfer's perspective.

Comments made in support can be summarised as follows:

- proposal will improve course and club, attracting members and securing the future of the club
- will improve biodiversity
- provide employment
- rights of way maintained
- will improve safety of 14th hole
- effects of construction will be managed.

The Biggin Hill & District Residents Association strongly object to the application on the basis of the impact that the 'creation of a landfill site' would have upon Biggin Hill and the surrounding communities, in terms of large lorry movements to and from the site.

Bromley Bridleways Action Group (BBAG) requested further details as to how the bridleways will continue to be safe and accessible to riders.

Campaign to Protect Rural England (CPRE) London object to the application and express concerns that the haul road will remain as an open access road and the previous scheme for housing could be re-activated. Further concerns relate to the volume of traffic on Main Road and the effect on the quality of life enjoyed by residents along the route.

Comments were also received from Westerham Parish Council, which raise concerns that the lorry movements associated with the construction phase of the development would present an unacceptable traffic hazard on Westerham Hill, and would potentially harm a number of historic buildings on the A25 through excessive vibration and pollution.

The Applicant has provided a response to the objection comments, which can be summarised as follows:

- the club prides itself as being well-run and progressive, being run by members for members
- subscription levels have waned in recent years, due to competition in the vicinity, the economic downturn and dated course and practice facilities
- due to declining membership and reduced day ticket sales, losses have been recorded of -£5616 and -£17,791 in 2008 and 2009
- due to a drop in membership, a profit of £806 was made in 2010
- this has forced the club to make drastic budget cuts, such as the maintenance budget which has in turn compromised the quality of the course, leading to dissatisfied members and poor feedback from day ticket visitors
- the decision has therefore been taken to undertake a scheme of modernisation across the whole course, required to increase revenue

streams from day tickets, driving range ball fees and on a wider scale increased membership subscriptions

- additionally the scheme has been designed to enhance biodiversity and the Green Belt
- after construction operations the haul road will be removed and the original topsoil restored, with appropriate re-planting/seeding undertaken
- happy to accept conditions to this effect
- the club is simply doing what it can to avoid going under in these trying economic times, and is passionate about providing facilities that encourage juniors and less experienced players to take up golf
- the club asks for a fair hearing at Committee, and whilst understanding local residents' feelings about the construction phase, it is self evident that the community benefits of the scheme will last for many years beyond this initial period.

### **Comments from Consultees**

Environmental Health (pollution) raise no objection to the proposal.

The Council's in-house drainage consultant raises no objection but advise that strict controls should be maintained to ensure that the imported materials are as permeable as the existing soil.

The Metropolitan Police Crime Prevention Design Advisor raised no objection to the proposal but requests that the standard 'Secured by Design' condition be imposed, and requires the car parking area to be well lit and covered by CCTV.

Thames Water raised no objection to the proposal, but recommend that petrol/oil interceptors be fitted.

English Heritage recommend the approval of the Archaeological Report submitted to accompany the application and recommend the imposition of a condition requiring further archaeological field work before work commences.

London Biggin Hill Airport required further details to be submitted with regard to safeguarding and asked that a Transport Assessment be undertaken to ascertain the effects of the additional traffic on the highway network and the implications for the Airport and passengers.

The British Horse Society raise no objection to the redesign of the course itself, but raise concerns that the bringing of the waste materials to the site will expose riders and horses to danger.

Environment Bromley (EnBro) raise concerns with regard to the diversion of footpath 273c and the Health and Safety issues for users of footpath 275c which traverses the proposed driving range.

Highways raised no objection to the proposal, but requested clarification on a number of issues and the submission of a road safety audit/PICADY assessment of the new access onto Main Road, and recommended that the application be the



subject of a legal agreement to indemnify the Council against any claims for injury or damage that may arise as a result of the impact of the proposed vehicular use of the rights of way. Members will be updated on this matter at the meeting.

Any further comments in response to the updated Transport Assessment, updated Construction Traffic Management Statement and Haul Road and Footpath Mitigation Strategy will be reported verbally at the meeting.

### **Planning Considerations**

The application should be considered against the following policies:

#### Unitary Development Plan

- BE1 Design of New Development
- BE16 Ancient Monuments and Archaeology
- NE3 Nature Conservation and Development
- NE5 Protected Species
- NE7 Development and Trees
- G1 The Green Belt
- L1 Outdoor Recreation and Leisure
- L2 Public Rights of Way and Other Recreational Routes
- T3 Parking
- T18 Road Safety

#### The London Plan

- 2.18 Green Infrastructure: the network of open and green spaces
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 7.15 Reducing noise and enhancing soundscapes
- 7.16 Green Belt
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodlands

#### National Planning Guidance

- PPG2 Green Belts
- PPS25 Development and Flood Risk

As part of the application process, it was necessary for the Council to give a Screening Opinion as to whether an Environmental Impact Assessment was required. The proposal constitutes Schedule 2 development within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. After taking into account the selection criteria in Schedule 3 of the Regulations and the terms of the European Directive, it was considered that the proposed development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size and location. This opinion was expressed taking into account all relevant factors including the information submitted with the application, advice from technical consultees, the

scale/characteristics of the existing and proposed development on the site. The applicants have been advised accordingly.

With regard to biodiversity, no objections are raised. It is requested that the Biodiversity Management and Mitigation Plan be conditioned.

With regard to trees, it is observed that the trees within the course have mainly been planted within the last 30-40 years, and with inappropriate species for the rural location. It is noted that the application has been accompanied by an arboricultural report, but that the trees have not been assessed individually but have been covered as groups, while some groups on the course are not covered. The proposed regrading works would involve the loss of some trees, however the number cannot be quantified as the data is not available. It is indicated that regrading would take place outside of the root protection areas of trees to be retained. The grading to the centre of the site would not have a detrimental impact on the main group of deciduous trees, and the main trees to be removed are of limited public amenity value. However, some of the grading to the south of the site appears to be relatively close to boundary trees and some may be directly affected. It is however difficult to be precise about this as the trees are not covered by the survey. The plans would involve the removal of part of an area of woodland (marked G11 in the survey) which is an attractive young woodland planted in the last 40 years and becoming well established. Although this would affect the integrity of this area, the area to be removed is not visible from any public vantage point and may therefore be difficult to resist. The plans indicate a high level of new landscaping which would be appropriate for the location. As the plans do not include much detail it is suggested that standard conditions B02, B03 and B19 be included if permission is to be recommended, along with a landscaping condition.

### **Planning History**

There is extensive planning history at the site. Most recently, planning permission was refused under ref. 02/02331 for a 20m high telecommunications pole and equipment cabinet.

### **Conclusions**

The main issues for Members to consider in this case will be the impact of the proposed golf course improvements, driving range building and additional hard surfacing for the car park on the openness and visual amenities of the Green Belt and the amenities of nearby residential properties, and the impact of the proposed works on trees and biodiversity.

The golf course improvements are proposed in connection with the continued use of the site for outdoor sport and recreation, which is an appropriate use of Green Belt land. The works would result in additional planting and changes to the landscape features including mounding and contouring, however the change in land levels is considered to be relatively modest at around 2-3m on average and would not fundamentally alter the openness of the site. While some trees would be removed from the site, the scheme includes additional planting which would

comprise native species and should improve the appearance of the landscape within the site and the visual amenities of the Green Belt.

With regard to the impact of the proposed course improvements upon residential amenities, the mounding and contouring would be likely to alter views into the course somewhat, although the scale of the mounding and the separation to neighbouring residential properties would be such that any visual impact would be limited and the enjoyment of these properties would not be unduly affected. Part of the proposed course improvement works would involve mounding alongside the 14th hole and a revised tee position to seek to improve ball containment and reduce the likelihood of stray balls entering the neighbouring property at Hillside, Berrys Green Road.

The proposed driving range building would result in additional built development on the site, however the applicant submits that this would be an essential facility for the driving range (itself an appropriate Green Belt use), while the scale of the building is such that it would not compromise the openness of the site. The proposed building would be sited broadly towards the middle of the site and would not result in an undue impact on the amenities of nearby residential properties.

The proposed car park alterations would involve the 'formalisation' of the existing area, which currently comprises a mix of gravel and concrete surfacing with a small number of car parking bays marked out. Although the capacity of the car park is indicated to be increased (from 33 to 126), the total area of hard surfacing on this part of the site is unlikely to increase significantly. Bearing this in mind, and the proposed use of gravel or pea shingle, it is not considered that the openness or visual amenities of the Green Belt would be unduly affected by this element of the proposal.

With regard to the construction phase of the development and the importation of the inert materials to the site required to facilitate the land works, it is highly likely that a degree of inconvenience would be caused to users of Main Road and the public rights of way in the vicinity of the site. The applicant has responded to concerns raised locally regarding this element of the works by way of the 'Haul Road and Footpath Mitigation Strategy' and has proposed amendments to the haul road to result in fewer crossings with rights of way. The application is also accompanied by a 'Construction Traffic Management Statement' (updated 20th October) which seeks to demonstrate that the construction phase can be managed to ensure that any impacts on conditions of road safety or users of the public rights of way are mitigated. It is recommended that a construction management plan be secured by way of an appropriately worded condition.

While it is likely that the construction phase would result in a degree of noise and disturbance to local residents, particularly around the point of access onto Main Road, this has been considered in the form of a Construction Noise Assessment which concludes that the noise levels arising from the works would fall within acceptable levels for temporary construction activities. No technical objections have been raised from the Environmental Health perspective.

Members will be aware that the construction phase of the development will require a temporary haul road leading from Main Road, and a site works compound inside the site. It is proposed that the details and timescale for the removal of these elements and the reinstatement of the land to its former condition following completion of the works be secured by way of an appropriately worded condition. As a consequence it is not considered that this aspect of the proposal would result in any long-term harm to the openness or visual amenities of the Green Belt.

Background papers referred to during production of this report comprise all correspondence on files refs. 02/02331 and 11/02499, excluding exempt information.

as amended by documents received on 20.10.2011

**RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT indemnifying the Council against any claims arising from the proposed vehicular use of the rights of way**

and the following conditions:

- |    |        |  |
|----|--------|--|
| 1  | ACA01  | Commencement of development within 3 yrs |
|    | ACA01R | A01 Reason 3 years                       |
| 2  | ACA04  | Landscaping Scheme - full app no details |
|    | ACA04R | Reason A04                               |
| 3  | ACB02  | Trees - protective fencing               |
|    | ACB02R | Reason B02                               |
| 4  | ACB03  | Trees - no bonfires                      |
|    | ACB03R | Reason B03                               |
| 5  | ACB19  | Trees - App'ment of Arboricultural Super |
|    | ACB19R | Reason B19                               |
| 6  | ACI21  | Secured By Design                        |
|    | ACI21R | I21 reason                               |
| 7  | ACH16  | Hardstanding for wash-down facilities    |
|    | ACH16R | Reason H16                               |
| 8  | ACH26  | Repair to damaged roads                  |
|    | ACH26R | Reason H26                               |
| 9  | ACH29  | Construction Management Plan             |
|    | ACH29R | Reason H29                               |
| 10 | ACH32  | Highway Drainage                         |
|    | ADH32R | Reason H32                               |
| 11 | ACK01  | Compliance with submitted plan           |

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan.

- 12 Details of a surface water drainage system (including storage facilities where necessary) for the site works compound (Including petrol/oil interceptor) 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 retained until the compound is removed.

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

13 The Biodiversity Management and Mitigation Plan shall be implemented in accordance with the agreed timescale and details, or in accordance with details submitted to and approved by the Local Planning Authority.

**Reason:** To ensure that the development will not have any adverse effect on biodiversity to comply with Policy NE3 of the Unitary Development Plan.

14 Before the development commences, details of the timescale and method for the removal of the temporary access, haul roads and site works compound shall be submitted to and agreed in writing by the Local Planning Authority. On the completion of works the temporary access, haul roads and site works compound shall be removed in accordance with the approved details and timescale and the land re-instated to its former condition, and permanently maintained thereafter.

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

15 No deliveries of inert materials shall be made to the site on any Saturday or Sunday, nor before 09.30 or after 16.30 Monday to Friday.

**Reason:** In the interests of the amenities of neighbouring residential properties.

16 Details of the layout of the proposed haul road junction with Main Road and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these arrangements shall be implemented prior to first use by vehicles. There shall be no obstruction to visibility in excess of 1.0m within the approved splays.

ACH11R Reason H11

17 Details of the layout of the proposed vehicular crossing points over existing public rights of way and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these arrangements shall be implemented prior to first vehicular use of the haul road. There shall be no obstruction to visibility in excess of 1.0m within the approved splays.

ACH11R Reason H11

18 Details of the proposed temporary surface treatment for the vehicular crossing points over the existing public rights of way, together with details of their reinstatement at the end of the works, shall be submitted to and approved in writing by the Local Planning Authority and the temporary surface treatment shall be implemented prior to first vehicular use of the haul road.

ACH09R Reason H09

19 Details of proposed safety measures to address both temporary and permanent implications of the layout of the golf course on users of public rights of way adjacent to and crossing the course should be submitted to and approved in writing by the Local Planning Authority and the temporary arrangements shall be implemented prior to commencement of the works and the permanent arrangements prior to completion of the works.

**Reason:** In the interests of the continued safety of the users of public rights of way.

20 Details of the signage/markings for the temporary route of FP 275C during the works should be submitted to and approved in writing by the Local Planning Authority and these arrangements shall be implemented prior to

the opening of the temporary route and maintained throughout the duration of the works.

**Reason:** In the interests of the continued safety of the users of public rights of way.

21 No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme for investigation which has been submitted by the applicant and approved by the Local Planning Authority. The development shall only take place in accordance with the detailed scheme pursuant to this condition. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority.

ACK08R K08 reason

22 The material imported onto the site for landfill shall comprise only inert material of a predominantly permeable nature and shall not include any putrescible material.

**Reason:** In the environmental interests of the site and surrounding area and in the interest of the residential amenities of nearby properties.

23 All plant and machinery on the site shall be operated and maintained in accordance with the manufacturers instructions at all times and any attenuation measures necessary to achieve the predicted noise levels in the Construction Noise Assessment shall be carried out prior to the first use of the plant and/or machinery and retained permanently for the duration of the works.

**Reason:** In order to protect the amenities of nearby sensitive receptors and to comply with Policy 7.15 of the London Plan 2011.

24 The surface water drainage system proposed in the approved drawings, the Flood Risk Assessment and Surface Water Drainage Assessment shall be completed in accordance with these details and permanently retained thereafter.

**Reason:** To ensure a satisfactory means of surface water drainage and to accord with Policy 5.12 of the London Plan 2011 and PPS 25.

### **Reasons for granting permission:**

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

#### Unitary Development Plan

- BE1 Design of New Development
- BE16 Ancient Monuments and Archaeology
- NE3 Nature Conservation and Development
- NE5 Protected Species
- NE7 Development and Trees
- G1 The Green Belt
- L1 Outdoor Recreation and Leisure
- L2 Public Rights of Way and Other Recreational Routes
- T3 Parking
- T18 Road Safety

#### The London Plan

- 2.18 Green Infrastructure: the network of open and green spaces
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 7.15 Reducing noise and enhancing soundscapes
- 7.16 Green Belt
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodlands

#### National Planning Guidance

#### PPG2 Green Belts

#### PPS25 Development and Flood Risk

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

- (a) the relationship of the development to adjacent property
- (b) the character of the development in the surrounding area
- (c) the impact of the proposal on the openness and visual amenities of the Green Belt
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the design policies of the development plan
- (f) the transport policies of the development plan

and having regard to all other matters raised.

#### INFORMATIVE(S)

- 1 The grant of planning permission does not entitle developers to obstruct public rights of way. Enforcement action may be taken against any person who obstructs or damages a right of way. Development, in so far as it affects rights of way, should not be started and the rights of way should be kept open and safe for public use until the necessary temporary Traffic Regulation Order for the temporary diversion/closure of the rights of way has come into effect. Nor should it be assumed that because a planning permission has been granted an order will invariably be made.

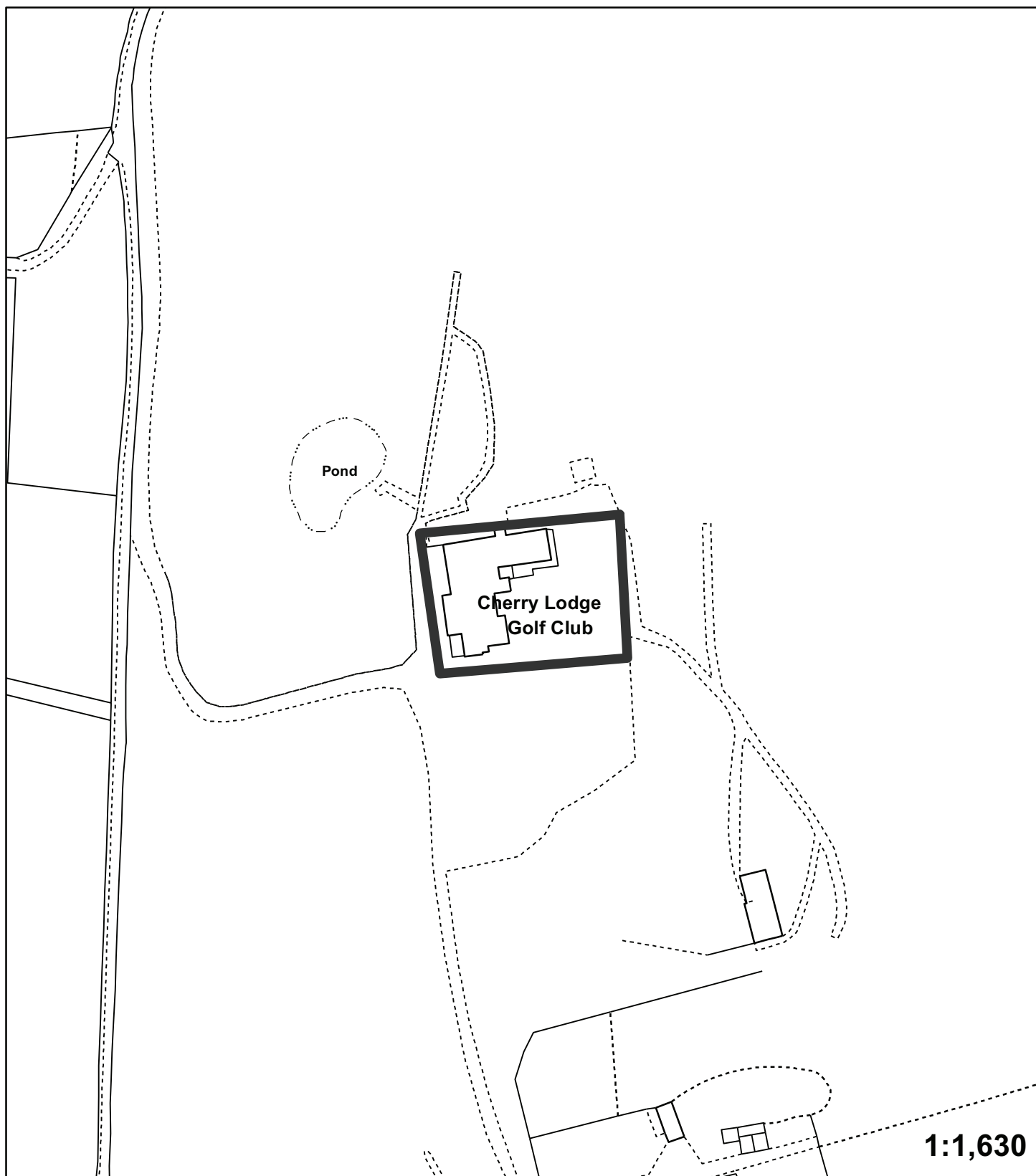
Generally a number of public rights of way run adjacent to/across the golf course and the haul road and due to their close proximity to the works/vehicular activity the applicant should be made aware of the need to safeguard pedestrians, equestrians, cyclists and drivers using these routes and that the routes must not be damaged or obstructed either during or as a result of the works.

- 2 You should seek engineering advice from the Environmental Services Department at the Civic Centre regarding the construction and reinstatement of the proposed haul road junction at the immediate point where it joins the carriageway of Main Road (Rose McMullen 020 8313 4784).

**Application:**11/02499/FULL1

**Address:** Cherry Lodge Golf Club Jail Lane Biggin Hill TN16 3AX

**Proposal:** Improvement of golf club course including deposit of inert materials to remodel 2nd, 3rd, 4th, 5th, 7th, 8th, 10th, 11th, 12th, 13th and 14th holes and provide multi-shot driving range (on existing practice ground outfield), chipping academy and putting green. Replacement single





## SECTION '2' – Applications meriting special consideration

**Application No :** 11/02519/OUT

**Ward:**  
Bromley Common And  
Keston

**Address :** Keston Methodist Church Croydon  
Road Keston

**OS Grid Ref:** E: 541965 N: 165134

**Applicant :** Bromley Circuit Of The Methodist Church  
**Objections :** YES

### **Description of Development:**

Conversion of church building to residential use to provide 2 four bedroom units and 1 three bedroom unit, to include introduction of mezzanine level, new dormer windows, elevation alterations and new porch and associated car parking and bin store at rear.

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
Stat Routes

### **Proposal**

- The proposal seeks outline permission for the conversion of the existing church building to residential use in order to provide 2 four bedroom units and 1 three bedroom unit, including the introduction of a mezzanine level within the existing building, new dormer window extensions, elevation alterations and a new porch.
- The proposal will include the creation of a residential curtilage for each property which will include amenity space, associated car parking and a new bin store at rear.

### **Location**

The application site is located on the northern side of Croydon Road and hosts a detached church building. The site is located on Green Belt land.

### **Comments from Local Residents**

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

- there should be adequate parking provision on site as roadside parking in the area is extremely limited;
- residents already suffer from cars obstructing their driveways;
- the junction with Oakley Road, Croydon Road and Westerham Road gets very congested and is very dangerous;
- there have been many accidents on this road – speeding is a great problem;
- Croydon Road is very heavily used and tailbacks often occur in both directions, any further access roads should not be allowed;
- have been informed by a neighbour that bats are resident in the roofspace of the church.

### **Comments from Consultees**

The Crime Prevention Officer stated that should permission be recommended, the 'Secure by Design' condition be imposed.

No objection was raised from Thames Water, Highways Drainage or the Highways Engineer.

Transport for London (TfL) stated that no objection was raised with regard to the scheme, subject to a condition being imposed relating to car and cycle parking in line with LBB and London Plan standards, in addition that a Construction Management Plan is provided and secured by condition.

The Environmental Health Officer stated that there might be an issue with the provision of adequate natural light and ventilation, in addition there is no provision of internal facilities for drying clothes (i.e. tumble drier or drying cabinet).

Countryside Management were consulted with regard to the local resident mentioning that they understood bats may live on the site. It was found that the interior of the building has a suspended wooden ceiling, therefore it was difficult to assess the roof space. However whilst there are a few places where bats could potentially enter the roof space, as such it is possible that bats use the church, no evidence was found to suggest that they do.

It was noted that the current application is in Outline and that the proposal is to leave the roof intact apart from two sets of three dormer windows. It was therefore suggested that when detailed permission is applied for some incorporation of roof space so that bats can use it is proposed, and that a precautionary approach should be taken - a suitable time of the year to avoid bat winter or maternity roosting for the works to occur, however it was considered that this can be dealt with at the detailed stage should outline permission be granted.

### **Planning Considerations**

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

BE1 (Design of New Development), H1 (Housing Supply), H7 (Housing Density and Design), H12 (Conversion of Non-Residential Buildings to Residential Use), T3 (Parking), T6 (Pedestrians), T7 (Cyclists), T17 (Servicing of Premises), T18 (Road Safety) and G1 (Green Belt).

## **Planning History**

The only recent planning history relates to a single storey canopy to the side of the building which was permitted under ref. 10/01683.

## **Conclusions**

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

The existing building has not been used as a church since the final service on 19th September 2010. During school term times, parts of the church hall and ancillary rooms were used under a yearly license by a private company, Keston Pre-School Playgroup Ltd. This pre-school however closed on 15th July 2011. As such, the building has not been in regular use since September 2010 and has not been used at all for any activity since the summer of 2011.

Policy H12 of the UDP refers to the conversion of non-residential buildings to residential use, which in effect states that the Council will permit the conversion of genuinely redundant non-residential buildings to residential use, provided that the resulting accommodation and amenity space is of a satisfactory quality.

The application is supported by a statement indicating that the number of people attending the church services had been reducing over several years, when the decision was made in early 2010 that the continuing function of the church was no longer viable. The remaining members of the church have since re-located to other nearby churches.

In relation to the pre-school at the site, the statement has provided details of two other pre-schools in close proximity, which indicates that the loss of the pre-school on this site would not be detrimental to the area.

Policy G1 refers to conversions of buildings within the Green Belt, such as the church building, and states in effect that the material change of use of land will be considered inappropriate unless they maintain the openness and do not conflict with the purposes of including land in the Green Belt.

Whilst the current application is in outline format only, the plans are indicative and suggest that the scheme would not increase the amount of site coverage of buildings, and the only form of floor area increase will be through incorporating a mezzanine floor within the footprint of the existing building and including dormer extensions. Despite these additions to the existing building, it is considered that

this will not harm the openness or rural nature of the Green Belt site and surrounding land.

The scheme will create residential curtilages within the existing site. This can be controlled by way of condition if considered necessary by removing 'permitted development' rights to prevent overdevelopment of the site and each plot being created.

The scheme will also provide amenity space in the form of garden areas for each unit, along with additional amenity space in the form of a balcony or roof terrace for each unit. This particular site is adjoined to the east by a garden centre, and to the west by allotment gardens, therefore the proposed roof terraces and balconies are not considered to have any detrimental impact upon the amenities of the area as they will not lead to any direct overlooking of other residential properties, nor will the occupiers of the future units be overlooked when using the terraced areas.

In terms of the comments received by a local resident relating to the possibility of bats using the building, this issue has been investigated by the Local Planning Authority. The view has been taken that whilst no particular evidence was found when the site was investigated, the time of year means that it is likely that if bats are present on site, they will be in hibernation and the amount of evidence available would be limited. In any case, the current proposal does not seek to carry out major works to the roofspace, where any bats would be likely to use if they are present at the site, as such should permission be granted it is suggested that the detailed application provide further information and a method statement outlining exactly what precautions will be taken in order to prevent any disruption to the bats.

On balance, Members may therefore take the view that the proposal would not be materially harmful to the character of the building, it would not harm the openness of the Green Belt location, and that sufficient information has been provided at this outline stage to demonstrate that the functionality of the church was no longer a viable option. Suitable conditions can be imposed in order to control any future development on the site which would further reduce any impact upon the Green Belt location, any possible protected species on the site, and ensure that the residential curtilage as set out in the indicative plans is adhered to.

Members are therefore requested to determine that on balance the proposal is acceptable and worthy of permission being granted based upon the outline details provided, prior to an application for details being submitted in the future.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/01683 and 11/02519, excluding exempt information.

as amended by documents received on 05.09.2011

**RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |    |        |   |         |
|----|--------|---|---------|
| 1  | ACA02  | Details req. pursuant outline permission  | access, |
|    |        | appearance, landscaping, layout and scale |         |
|    | ACA02R | Reason A02                                |         |
| 2  | ACA03  | Compliance with landscaping details       | 1       |
|    | ACA03R | Reason A03                                |         |
| 3  | ACA07  | Boundary enclosure - no detail submitted  |         |
|    | ACA07R | Reason A07                                |         |
| 4  | ACC01  | Satisfactory materials (ext'nl surfaces)  |         |
|    | ACC01R | Reason C01                                |         |
| 5  | ACC03  | Details of windows                        |         |
|    | ACC03R | Reason C03                                |         |
| 6  | ACD04  | Foul water drainage - no details submit   |         |
|    | ADD04R | Reason D04                                |         |
| 7  | ACD06  | Sustainable drainage system (SuDS)        |         |
|    | ADD06R | Reason D06                                |         |
| 8  | ACH02  | Satisfactory parking - no details submit  |         |
|    | ACH02R | Reason H02                                |         |
| 9  | ACH04  | Size of parking bays/garages              |         |
|    | ACH04R | Reason H04                                |         |
| 10 | ACH08  | Details of turning area                   |         |
|    | ACH08R | Reason H08                                |         |
| 11 | ACH18  | Refuse storage - no details submitted     |         |
|    | ACH18R | Reason H18                                |         |
| 12 | ACH22  | Bicycle Parking                           |         |
|    | ACH22R | Reason H22                                |         |
| 13 | ACH29  | Construction Management Plan              |         |
|    | ACH29R | Reason H29                                |         |
| 14 | ACH32  | Highway Drainage                          |         |
|    | ADH32R | Reason H32                                |         |
| 15 | ACI02  | Rest of "pd" Rights - Class A, B,C and E  |         |

**Reason:** In order to protect the openness of the Green Belt land, the character of Nash Conservation Area and to comply with Policies BE1, BE11 and G1 of the Unitary Development Plan.

- |    |        |   |  |
|----|--------|---|--|
| 16 | ACI21  | Secured By Design                       |  |
|    | ACI21R | I21 reason                              |  |
| 17 | ACI24  | Details of means of screening-balconies |  |
|    | ACI24R | Reason I24R                             |  |
| 18 | ACK01  | Compliance with submitted plan          |  |

**Reason:** In order to protect the openness of the Green Belt land, the character of Nash Conservation Area and to comply with Policies BE1, BE11 and G1 of the Unitary Development Plan.

- 19 The residential curtilage of the development hereby permitted shall be as shown on the permitted drawing Number 9911/02 and shall be permanently retained as such thereafter.

**Reason:** In order to protect the openness of the Green Belt location and to comply with Policies BE1 and G1 of the Unitary Development Plan.

**Reasons for granting permission:**

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H12 Conversion of Non-Residential Buildings to Residential Use
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T17 Servicing of Premises
- T18 Road Safety
- G1 Green Belt

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

- (a) the character of development in the surrounding area;
- (b) the appearance of the development in the street scene;
- (c) the character of the development in the surrounding areas;
- (d) the safety of pedestrians and motorists on the adjacent highway;
- (e) the safety and security of buildings and spaces around them;
- (f) accessibility to buildings;
- (g) sustainability issues;
- (h) the provision of satisfactory living accommodation for future residents of the flats/houses;
- (i) the relationship of the proposed conversion to the adjacent properties;
- (j) the housing policies of the development plan;
- (k) the preservation or enhancement of the Green Belt;
- (l) the preservation or enhancement of the adjacent Conservation Area;

and having regard to all other matters raised.

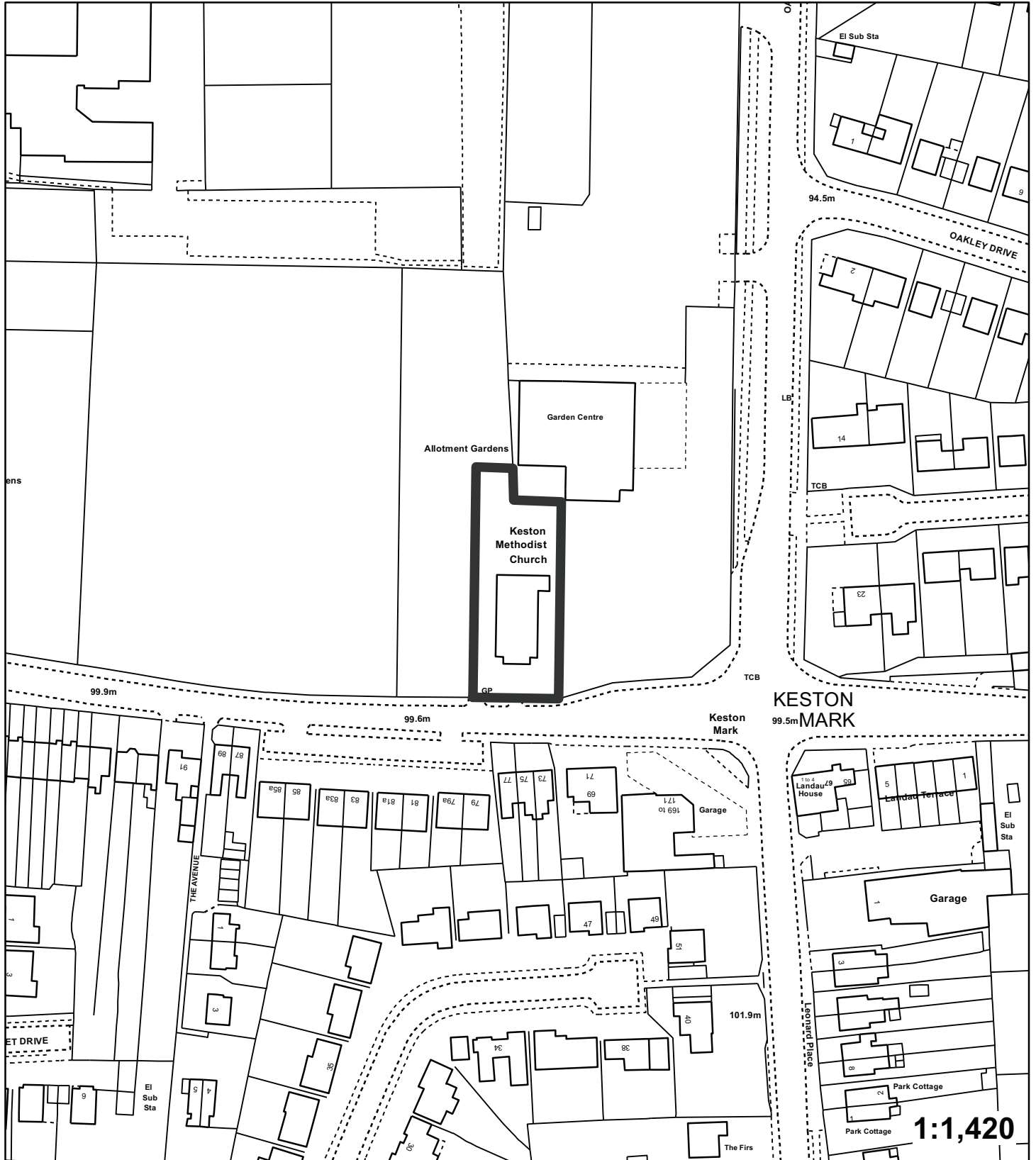
#### INFORMATIVE(S)

- 1 RDI10 Consult Land Charges/Street Numbering
- 2 RDI15 Highways Act – overhanging vehicles
- 3 The applicant is advised that Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 4 The applicant is advised that additional surveys in relation to the presence of bats and reptiles at the site will be required in line with their statutory obligations under the Protected Species and Wildlife and Countryside Act 1981 (as amended).

**Application:**11/02519/OUT

**Address:** Keston Methodist Church Croydon Road Keston

**Proposal:** Conversion of church building to residential use to provide 2 four bedroom units and 1 three bedroom unit, to include introduction of mezzanine level, new dormer windows, elevation alterations and new porch and associated car parking and bin store at rear.



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## SECTION '2' – Applications meriting special consideration

**Application No :** 11/02557/FULL6

**Ward:**  
**Bromley Common And  
Keston**

**Address :** 52 Oxhawth Crescent Bromley BR2 8BL

**OS Grid Ref:** E: 543449 N: 167365

**Applicant :** Mr And Mrs Dearnley

**Objections :** NO

### **Description of Development:**

Single storey rear extension, rear dormer and front porch

Key designations:

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

### **Proposal**

- Planning permission is sought for a single storey rear extension, rear dormer extension and a front porch extension.
- The application has been submitted in conjunction with an application for a single storey rear extension at No. 54 Oxhawth Crescent under ref. 11/02558.
- The proposed single storey rear extension will project in depth by 2.7 metres, beyond an existing extension at the site, resulting in a total length of 5.7 metres along the boundary.
- The rear dormer extension will be located entirely within the existing roof area of the host dwellinghouse, measuring 4 metres in width, 1.95 metres in height and 2.55 metres in depth.
- The proposed front porch will square off the existing front elevation, measuring 0.7 metres in depth, 2.65 in width at the widest point, 2.25 metres up to the eaves and 2.9 metres in height to the ridge of the roof.

### **Location**

The application site is located on the south-western side of Oxhawth Crescent, and hosts a two storey mid-terrace property.

### **Comments from Local Residents**

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

### **Comments from Consultees**

No internal consultations were considered necessary for the current application.

### **Planning Considerations**

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

BE1 Design of New Development  
H8 Residential Extensions

### **Planning History**

In terms of relevant planning history, permission was recently refused under ref. 11/01489 for a single storey rear extension, rear dormer and front porch for the following reason:

The proposed single storey rear extension, would by reason of its depth, proximity to the boundary with No.54, and given that the property has already been extended at the rear, be over-dominant and would be seriously detrimental to the amenities enjoyed by the occupants of that property, by reason of loss of prospect and visual impact, contrary to Policies BE1 of the Unitary Development Plan.

The current application has been submitted in order to overcome the refusal ground.

### **Conclusions**

Members may consider that the main issues relating to the application are the effect that the proposal 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 previous application was refused on the basis of the impact that the depth of the rear extension would have upon the outlook from, and lighting to, the ground floor rear window of the adjoining property No. 54. However, No. 54 has submitted an application for a single storey rear extension alongside the current application at No. 52, therefore it can be seen that provided these extensions are built together, this may remove the possible impact of the extension upon No. 54 as they will both be built out to the same depth as a joint extension.

The proposed rear dormer extension will be located entirely within the existing rear roof slope of the host dwellinghouse, will not be visible from the front of the property and as such will not impact upon the character of the streetscene or the host dwellinghouse.

The front porch will square-off the front elevation of the host dwelling, which is not considered to affect the overall appearance of the building, nor impact on the character of the row of terraced properties that the dwelling is located within.

The main issue therefore is the impact that the proposed single storey rear extension will have. As previously discussed, the proposal is to be built in conjunction with the single storey rear extension proposed at No. 54 Oxhath Crescent under ref. 11/02558, as stated on the plans associated with the planning application. On this basis, Members may consider that the issue raised previously with regard to the excessive rearward projection and the subsequent impact upon No. 54 has been addressed. The rearward projection of the proposed extension has been reduced by approximately 1.1 metres, and will be linked with the extension at No. 54.

The rearward projection in relation to the rear elevation of the other adjoining property, No. 50, will be 2.7 metres from the rear elevation of the existing dwellinghouse. This does not however take into account the existing rear extension on site so Members may wish to consider the overall rearward projection of the proposed rear extension and the existing rear appendage.

Members should note that if permission is granted, a condition can be imposed which states that the single storey rear extension at Nos. 52 and 54 should be built as one building operation. However, the impact of the single storey rear extensions must also be considered on a separate basis to ensure whether the impact, if only one is built, is unduly harmful or not.

Having had regard to the above Members may wish to carefully consider the overall impact of the development in the manner proposed in terms of the impact upon the amenities of the residents of neighbouring properties, the resulting depth of the proposed extension when combined with the existing appendage on site, and the overall amount of site coverage.

Members Views are therefore requested in order to ascertain whether the proposed development is acceptable or whether it would result in an overdevelopment of the site by reason of excessive rearward projection.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01489, 11/02557 and 11/02558, excluding exempt information.

#### **RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

The proposed single storey rear extension, would by reason of its depth and given that the property has already been extended at the rear, be over-dominant and would be seriously detrimental to the amenities enjoyed by the occupants of neighbouring properties, by reason of loss of prospect and visual impact, contrary to Policies BE1 and H8 of the Unitary Development Plan.

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 ACC04 Matching materials
- ACC04R Reason C04
- 3 ACI13 No windows (2 inserts) flank extensions
- ACI13R I13 reason (1 insert) BE1 and H8
- 4 ACK01 Compliance with submitted plan

**Reason:** In order to protect the visual and residential amenities of the adjoining properties and to comply with Policies BE1 and H8 of the Unitary Development Plan.

5 The single storey rear extensions hereby permitted at Nos. 52 and 54 Oxhathw Crescent shall be fully completed within 6 months of each other unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to protect the visual amenity and prospect of the residents of each property and to comply with Policies BE1 and H8 of the Unitary Development Plan.

#### **Reasons for granting permission:**

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

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

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

- (a) the appearance of the development in the street scene;
- (b) the appearance of the development in relation to the character of the area;
- (c) the relationship of the development to the adjacent properties;
- (d) the character of development in the surrounding area;
- (e) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (f) the light and outlook of occupiers of adjacent and nearby properties;
- (g) the privacy of occupiers of adjacent and nearby properties;
- (h) the housing policies of the development plan;
- (i) and having regard to all other matters raised including concerns from neighbours.

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

- 1 The proposed single storey rear extension, would by reason of its depth and given that the property has already been extended at the rear, be over-dominant and would be seriously detrimental to the amenities enjoyed by the occupants of neighbouring properties, by reason of loss of prospect and

visual impact, contrary to Policies BE1 and H8 of the Unitary Development Plan.

**Application:**11/02557/FULL6

**Address:** 52 Oxhath Crescent Bromley BR2 8BL

**Proposal:** Single storey rear extension, rear dormer and front porch



## SECTION '2' – Applications meriting special consideration

**Application No :** 11/02558/FULL6

**Ward:**  
**Bromley Common And  
Keston**

**Address :** 54 Oxhawth Crescent Bromley BR2 8BL

**OS Grid Ref:** E: 543451 N: 167360

**Applicant :** Mr Tom Hartnoll

**Objections :** NO

### **Description of Development:**

Single storey rear extension and front porch

Key designations:

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

### **Proposal**

- Planning permission is sought for a single storey rear extension and front porch.
- The application has been submitted in conjunction with an application for a single storey rear extension, rear dormer and front porch at No. 52 Oxhawth Crescent under ref. 11/02557.
- The proposed single storey rear extension will project in depth by 2.7 metres along the south-eastern flank elevation adjacent to No. 56, and 5.7 metres along the north-western flank elevation adjacent with No. 52, beyond an existing extension at the site, resulting in a total length of 5.7 metres along the boundary.
- The proposed front porch will square off the existing front elevation, measuring 0.7 metres in depth, 2.65 in width at the widest point, 2.25 metres up to the eaves and 2.9 metres in height to the ridge of the roof.

### **Location**

The application site is located on the south-western side of Oxhawth Crescent, and hosts a two storey mid-terrace property.

### **Comments from Local Residents**

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

## **Comments from Consultees**

No internal consultations were considered necessary for the current application.

## **Planning Considerations**

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

BE1 Design of New Development  
H8 Residential Extensions

## **Planning History**

There is no relevant planning history at the site, however at the adjoining property, permission was recently refused under ref. 11/01489 for a single storey rear extension, rear dormer and front porch for the following reason:

The proposed single storey rear extension, would by reason of its depth, proximity to the boundary with No. 54, and given that the property has already been extended at the rear, be over-dominant and would be seriously detrimental to the amenities enjoyed by the occupants of that property, by reason of loss of prospect and visual impact, contrary to Policies BE1 of the Unitary Development Plan.

The current application has been submitted in conjunction with an application at No. 52 in order to overcome the refusal ground.

## **Conclusions**

Members may consider that the main issues relating to the application are the effect that the proposal 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 porch will square-off the front elevation of the host dwelling, which Members may consider is unlikely to affect the overall appearance of the building, nor impact on the character of the row of terraced properties that the dwelling is located within.

The main issue therefore is the impact that the proposed single storey rear extension will have. The proposal is to be built in conjunction with the single storey rear extension proposed at No. 52 Oxhawth Crescent under ref. 11/02557. The rearward projection in relation to the rear elevation of the other adjoining property, No. 56, will be 2.7 metres however the overall rearward projection of the extension when combined with the existing extension on the site will be 5.7 metres.

The main issue therefore is the impact that the proposed single storey rear extension will have. As previously discussed and as outlined within the report linked with ref. 11/02557, the proposal is to be built in conjunction with the single



storey rear extension proposed at No. 52 Oxhawth Crescent, as stated on the plans associated with the planning application. On this basis, Members may consider that the issue raised previously with regard to the excessive rearward projection at No. 52 and the subsequent impact upon the application site (No. 54) has been addressed through the submission of a joint application.

The rearward projection in relation to the rear elevation of the other adjoining property, No. 56, will be 2.7 metres from the rear elevation of the existing dwellinghouse and the rear elevation of No. 56. This does not however take into account the existing rear extension on site so Members may wish to consider the overall rearward projection of the proposed rear extension and the existing rear appendage when combined.

Members should note that if permission is granted, a condition can be imposed which states that the single storey rear extension at Nos. 52 and 54 should be built as one building operation, however the impact of the single storey rear extensions must also be considered on a separate basis to ensure whether the impact, if only one is built, is unduly harmful or not.

Having had regard to the above Members may wish to carefully consider the overall impact of the development in the manner proposed in terms of the impact upon the amenities of the residents of neighbouring properties, the resulting depth of the proposed extension when combined with the existing appendage on site, and the overall amount of site coverage.

Members Views are therefore requested in order to ascertain whether the proposed development is acceptable or whether it would result in an overdevelopment of the site by reason of excessive rearward projection.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01489, 11/02557 and 11/02558, 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 ACC04 Matching materials  
ACC04R Reason C04
- 3 ACI13 No windows (2 inserts) flank extensions  
ACI13R I13 reason (1 insert) BE1 and H8
- 4 ACK01 Compliance with submitted plan

**Reason:** In order to protect the visual and residential amenities of the adjoining properties and to comply with Policies BE1 and H8 of the Unitary Development Plan.

5 The single storey rear extensions hereby permitted at Nos. 52 and 54 Oxhath Crescent shall be fully completed within 6 months of each other unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** In order to protect the visual amenity and prospect of the residents of each property and to comply with Policies BE1 and H8 of the Unitary Development Plan.

**Reasons for granting permission:**

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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

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

- (a) the appearance of the development in the street scene;
- (b) the appearance of the development in relation to the character of the area;
- (c) the relationship of the development to the adjacent properties;
- (d) the character of development in the surrounding area;
- (e) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (f) the light and outlook of occupiers of adjacent and nearby properties;
- (g) the privacy of occupiers of adjacent and nearby properties;
- (h) the housing policies of the development plan;
- (i) and having regard to all other matters raised including concerns from neighbours.

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

- 1 The proposed single storey rear extension, would by reason of its depth and given that the property has already been extended at the rear, be over-dominant and would be seriously detrimental to the amenities enjoyed by the occupants of neighbouring properties, by reason of loss of prospect and visual impact, contrary to Policies BE1 and H8 of the Unitary Development Plan.

**Application:**11/02558/FULL6

**Address:** 54 Oxhath Crescent Bromley BR2 8BL

**Proposal:** Single storey rear extension and front porch



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## SECTION '2' – Applications meriting special consideration

**Application No :** 11/02580/FULL6

**Ward:**  
Kelsey And Eden Park

**Address :** 30 Abbots Way Beckenham BR3 3RL

**OS Grid Ref:** E: 536228 N: 167830

**Applicant :** Mr J Simpson

**Objections :** YES

### **Description of Development:**

Demolition of existing garage and shed and erection of single storey garage to rear.

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Ravensbourne FZ2 and FZ3

### **Proposal**

- Demolition of existing garage and shed
- Detached garage at rear measuring 5.5m in width x 9m in length x 2.5m in height with a flat roof
- Garage would fill the full width of the application site

### **Location**

The application site comprises a two storey mid-terrace dwellinghouse with shared private access road to the rear.

### **Comments from Local Residents**

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

- adverse visual impact on all adjoining properties
- possible garage could be used commercially for car repair
- could cause excessive noise and adverse environmental impact
- cars awaiting repairs could block right of way preventing access by neighbouring houses
- eyesore and highly visible from neighbouring gardens
- larger garage would be impossible to shield from view

- spoil enjoyment of garden
- increase in noise levels
- residential are not suitable for this business venture

The Council's Highways Development Engineers were consulted. Any comments received will be reported verbally at the meeting.

Network Rail was consulted and had no observations in respect of the proposal.

### **Planning Considerations**

The application site is within Flood Zone 2.

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

BE1 Design of New Development  
H8 Residential Extensions

London Plan

#### 5.12 Flood Risk Management

PPS1 Delivering Sustainable Development  
PPS: Planning and Climate Change - Supplement to PPS1  
PPS25 Development and Flood Risk

### **Planning History**

Planning permission was refused under ref. 11/01202 for the demolition of existing garage and shed and erection of single storey garage to rear. The reason for refusal was:

The proposed garage building by reason of its size and height would result in a excessively large outbuilding out of proportion and scale with the host property and neighbouring development, detrimental to visual amenity and the character of the area in general, contrary to Policy BE1 of the Unitary Development Plan.

The current proposal has been amended since the ref. 11/01202 application was refused by the replacement of the proposed pitched roof with a flat roof. Otherwise, the dimensions of the proposed garage remain the same.

### **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 area is predominantly residential in character and many properties within the vicinity of the site have detached rear sheds and garages at the rear of their gardens. The principle of a replacement garage would not therefore be out of character.

The height of the garage has been significantly reduced since the previous proposal (from 4.5m to 2.5m) but the proposed garage would still extend the full width of the garden.

With regard to the impact upon residential amenity, whilst the proposed garage would still be clearly visible from neighbouring sites, there are existing garages at the rear of most of the houses in the vicinity and, given the reduced height now proposed, it is not considered that the visual impact would be significantly detrimental to warrant refusal on this basis. Concerns have been raised over the garage being used as a car repair business and the noise and disturbance with which this would result. However, no application has been made for any change of use and the current proposal must be considered on its merits, as an ancillary building to the dwellinghouse.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 11/02580 and 11/01202, 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      ACK01      Compliance with submitted plan

**Reason:** In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the appearance of the building and the visual and residential amenities of the area.

- 4      Details of flood proofing and resilience measures for the extension hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details and retained as such thereafter.

**Reason:** The property is located in an area at risk from flooding as defined by the Environment Agency, and to accord with Policy 5.12 of the London Plan.

**Reasons for granting permission:**

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

BE1 Design of New Development

H8 Residential Extensions

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

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

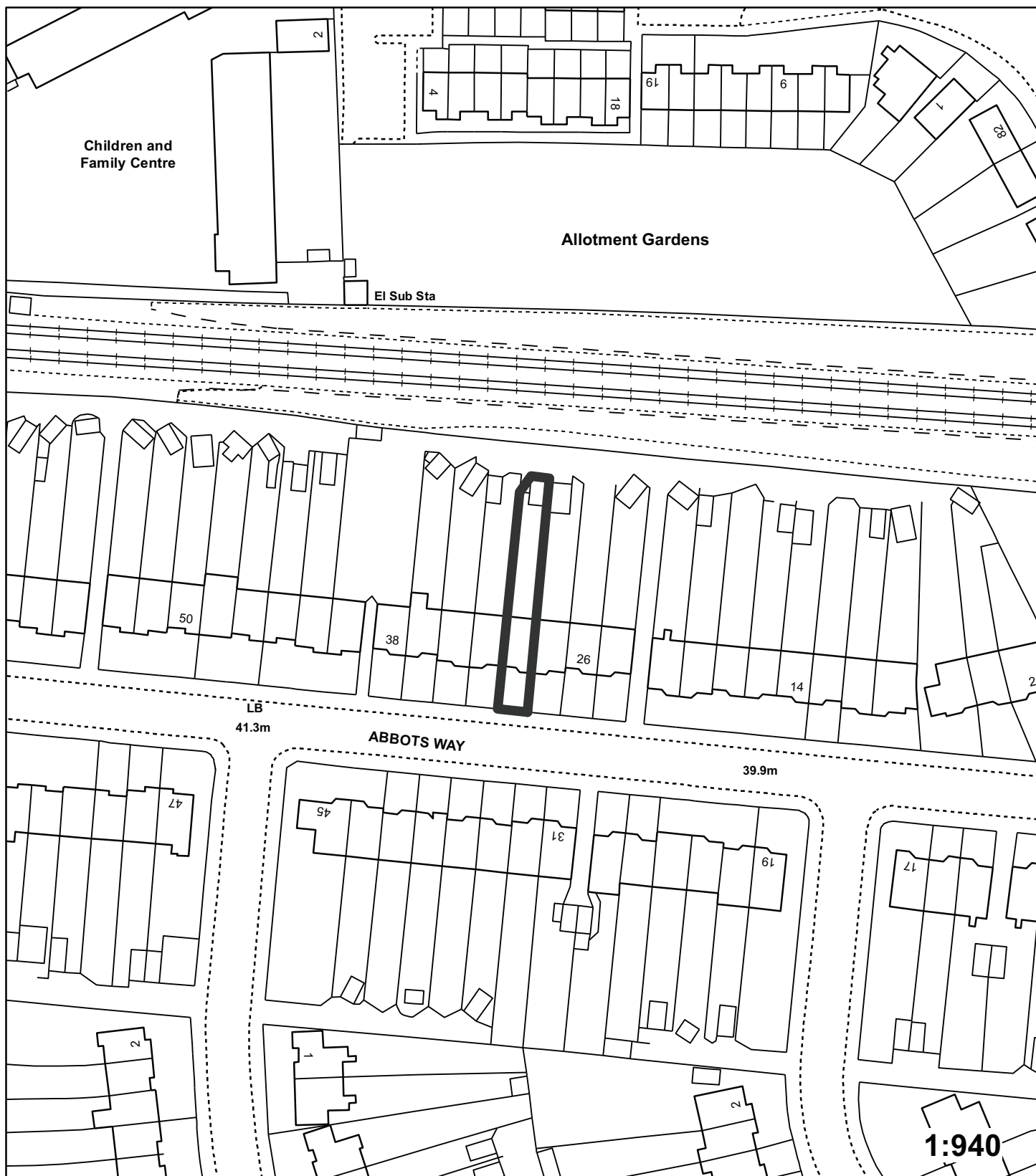
and having regard to all other matters raised including neighbours concerns.



**Application:**11/02580/FULL6

**Address:** 30 Abbots Way Beckenham BR3 3RL

**Proposal:** Demolition of existing garage and shed and erection of single storey garage to rear.



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## SECTION '2' – Applications meriting special consideration

**Application No :** 11/02713/CAC

**Ward:**  
**Bromley Common And  
Keston**

**Address :** 5 Longdon Wood Keston BR2 6EN

**OS Grid Ref:** E: 542181 N: 165039

**Applicant :** Ravensbourne Property Services Ltd. **Objections :** NO

### **Description of Development:**

Demolition of existing dwelling  
CONSERVATION AREA CONSENT

Key designations:  
Conservation Area: Keston Park

**Joint report with application ref. 11/02729**

### **Proposal**

The application seeks conservation area consent to demolish the existing chalet style detached bungalow. There is a separate planning application pending for the construction of a replacement part one / two storey five bedroom dwelling with accommodation in the roof and integral garage.

### **Location**

The application site comprises a detached dormer bungalow with single storey outbuilding at the rear which lies within the Keston Park Conservation Area. The site is located at the beginning of Longdon Wood close to the junction with Croydon Road. There are trees existing Cypress trees to the front of the site, and mature shrubs and trees to the rear of the existing dwelling.

The original dwellings within this street are situated on spacious plots set back considerably from the highway with well planted established gardens and mature trees and landscaping. Redevelopment in the form of substantial sized detached houses replacing older type properties has taken place on a number of sites throughout the estate in recent years.

### **Comments from Local Residents**

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

## **Comments from Consultees**

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

No objections

From a heritage and urban design point of view no objections are raised.

## **Planning Considerations**

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

BE12 Demolition in Conservation Areas  
BE11 Conservation Areas

The Supplementary Planning Guidance for the Keston Park Conservation Area is a further consideration.

All other material considerations shall also be taken into account.

## **Planning History**

Under planning application ref. 11/01576, planning permission was refused for the demolition of existing dwelling and erection of a part one/two storey, five bedroom dwelling with accommodation in the roof space and integral garage. The proposed replacement dwelling was considered by reason of its increased height, width and excessive depth of two storey projection to result in a bulky and cramped form of development harmful to the spatial characteristics and general character and appearance of the Keston Park Conservation Area thereby contrary to Policies BE1, BE11 and Supplementary Planning Guidance for Keston Park Conservation Area. The proposed development by reason of its two storey height and significant depth of rearward projection was also considered to be detrimental to the amenities of the occupiers of the neighbouring properties may be able to continue to enjoy with regard to loss of prospect and visual impact contrary to Policies BE1 and H7 of the Unitary Development Plan.

Under planning application ref. 11/01577, conservation area consent was refused for the demolition of the existing dwelling due to the absence of an appropriate replacement dwelling.

An appeal has been submitted on both of the above refused applications and this is still pending consideration by the Planning Inspectorate. However the applicant has intimated in correspondence that if approval is granted for the current scheme the appeal would be formally withdrawn.

Under planning application ref. 11/02729, a planning application has been submitted for the demolition of the existing dwelling and erection of a part one / two storey five bedroom dwelling with accommodation in roof space and integral garage. This is submitted in conjunction with the application for Conservation Area Consent to demolish the existing dwelling.

## **Conclusions**

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

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

The existing dwelling is of no specific architectural or historical merit. Inappropriate alterations such as UPVC windows and extensions have occurred over a number of years.

The replacement dwelling proposed in application ref. 11/02729 is considered to be of an acceptable design and scale and therefore the demolition of the existing dwelling is considered on balance to be appropriate in this case.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01576, 11/01577, 11/02713 ,1102729 and 11/02713, excluding exempt information.

## **RECOMMENDATION: GRANT CONSERVATION AREA CONSENT**

subject to the following conditions:

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

### **Reasons for permission:**

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

BE11 Demolition in Conservation Areas  
BE12 Conservation Areas

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

- (a) the impact of the development on the character and appearance of the Conservation Area
- (b) the relationship of the development to adjacent property and the street scene;

- (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.

**Application:11/02713/CAC**

**Address: 5 Longdon Wood Keston BR2 6EN**

**Proposal: Demolition of existing dwelling  
CONSERVATION AREA CONSENT**



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## SECTION '2' – Applications meriting special consideration

**Application No :** 11/02729/FULL1

**Ward:**  
**Bromley Common And  
Keston**

**Address :** 5 Longdon Wood Keston BR2 6EN

**OS Grid Ref:** E: 542181 N: 165039

**Applicant :** Ravensbourne Property Services Ltd. **Objections :** YES

### **Description of Development:**

Demolition of existing dwelling and erection of part one / two storey 5 bedroom dwelling with accommodation in roof space and integral garage

Key designations:

Conservation Area: Keston Park

**Joint report with application ref. 11/02713**

### **Proposal**

The application proposes to demolish the existing chalet style bungalow and replace it with a part one / two storey five bedroom dwelling with accommodation in the roof and integral garage.

The new dwelling would be centrally located within the plot increasing the distance towards the flank boundaries of the site when compared to the existing dwelling.

### **Location**

The application site comprises a detached dormer bungalow with single storey outbuilding at the rear which lies within the Keston Park Conservation Area. The site is located at the beginning of Longdon Wood close to the junction with Croydon Road. There are trees existing Cypress trees to the front of the site, and mature shrubs and trees to the rear of the existing dwelling.

The original dwellings within this street are situated on spacious plots set back considerably from the highway with well planted established gardens and mature trees and landscaping. Redevelopment in the form of substantial sized detached houses replacing older type properties has taken place on a number of sites throughout the estate in recent years.

### **Comments from Local Residents**

- the houses along this road are all white rendered and not brick and they provide a sense of unity, with separate garages and spacious gardens.
- the proposed development is a solid block built brick wall almost the full width of the site. The design would destroy the harmony of the road and the character of the area.

### **Comments from Consultees**

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

No objections

From a heritage and urban design perspective no objections are raised.

With regards to trees and landscaping issues no objections are raised.

### **Planning Considerations**

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

- BE1 Design of New Development
- BE11 Conservation Areas
- H7 Housing Density and Design
- H9 Side Space

The Supplementary Planning Guidance for the Keston Park Conservation Area is a further consideration.

London Plan

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable drainage
- 7.3 Designing Out Crime
- 7.4 Local Character

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

### **Planning History**

Under planning application ref. 11/01576, planning permission was refused for the demolition of existing dwelling and erection of a part one/two storey, five bedroom dwelling with accommodation in the roof space and integral garage. The proposed replacement dwelling was considered by reason of its increased height, width and excessive depth of two storey projection to result in a bulky and cramped form of development harmful to the spatial characteristics and general character and appearance of the Keston Park Conservation Area thereby contrary to Policies BE1, BE11 and Supplementary Planning Guidance for Keston Park Conservation Area. The proposed development by reason of its two storey height and significant depth of rearward projection was also considered to be detrimental to the amenities of the occupiers of the neighbouring properties may be able to continue to enjoy with regard to loss of prospect and visual impact contrary to Policies BE1 and H7 of the Unitary Development Plan.

Under planning application ref. 11/01577, conservation area consent was refused for the demolition of the existing dwelling due to the absence of an appropriate replacement dwelling.

An appeal has been submitted on both of the above refused applications and this is still pending consideration by the Planning Inspectorate. However the applicant has intimated in correspondence that if approval is granted for the current scheme the appeal would be formally withdrawn.

## **Conclusions**

The main issues in this case are whether the current proposals would adequately protect the character, spatial standards and residential amenities of the surrounding area, and whether the proposed mass, height and site coverage of the building is now acceptable.

The overall width of the proposed dwelling has been reduced resulting in an increased distance towards the northern boundary of the site adjacent to the boundary with number 3 and an increased distance towards the southern boundary adjacent to number 7. The design of the roof of the property has been amended to incorporate a slight reduction in height with a dropped ridge towards number 3.

The area around the site is predominantly residential and the buildings in the area are of a variety of styles and scale. The proposed replacement house is of an acceptable design, on a site that is capable of accommodating a more intensive form of development. The revised proposals have reduced the footprint of the dwelling and increased the distance towards the side boundaries, resulting in greater separation between dwellings which improves spatial standards and results in a development more appropriate to the existing character of the area, street scene and spatial standards in general.

In terms of the impact on residential amenities the depth of rearward projection at first floor level has been reduced to ensure it does not result in any significant harm to adjacent residential amenities. It is considered that due to the orientation of the site, the location of existing buildings and boundary screening it would not on balance result in any significant harm to residential amenities.

The replacement dwelling proposed would be of an individual design, however given the variety in the built form within this area and the consideration that the existing property is not of any specific architectural merit, the proposal is not considered to be out of character with the area.

In conclusion, the proposals are considered to provide an appropriate form of development on the site which would neither harm the character and appearance of the Conservation Area, nor unacceptably affect the amenities of adjoining residents

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01576, 11/01577, 11/02713 and 11/02729, excluding exempt information.

**RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1     ACA01        Commencement of development within 3 yrs  
ACA01R        A01 Reason 3 years
- 2     ACA04        Landscaping Scheme - full app no details  
ACA04R        Reason A04
- 3     ACA07        Boundary enclosure - no detail submitted  
ACA07R        Reason A07
- 4     ACB05        Replacement tree(s) elsewhere on site  
ACB05R        Reason B05
- 5     ACC01        Satisfactory materials (ext'nl surfaces)  
ACC01R        Reason C01
- 6     ACC03        Details of windows  
ACC03R        Reason C03
- 7     ACD02        Surface water drainage - no det. submitt  
ADD02R        Reason D02
- 8     ACI02        Rest of "pd" Rights - Class A, B,C and E

**Reason:** In order to comply with Policy BE11 of the Unitary Development Plan to preserve the character of conservation area and to respect the layout, scale, form and materials of existing buildings in the area.

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

ACI12R        I12 reason (1 insert)   BE1

- 10    No windows or doors additional to those shown on the permitted drawings shall at any time be inserted in the either side elevation of the property are hereby permitted, without the prior approval in writing of the Local Planning Authority.

ACI17R        I17 reason (1 insert)   BE1

- 11    ACK01        Compliance with submitted plan

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

12     ACK04     Demolition of existing building (see D10  
       ACK04R     K04 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  
BE11   Conservation Areas  
H7     Housing Density and Design  
H9     Side Space

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

- (a)    the impact of the development on the character and appearance of the Conservation Area
- (b)    the relationship of the development to adjacent property and the street scene;
- (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.

**Application:**11/02729/FULL1

**Address:** 5 Longdon Wood Keston BR2 6EN

**Proposal:** Demolition of existing dwelling and erection of part one / two storey 5 bedroom dwelling with accommodation in roof space and integral garage



SECTION '2' – Applications meriting special consideration

**Application No :** 11/02850/PLUD

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

**Address :** 98 Worlds End Lane Orpington BR6  
6AR

**OS Grid Ref:** E: 546240 N: 163371

**Applicant :** Mr Graham Smith

**Objections :** NO

### **Description of Development:**

Roof alterations and alterations to existing rear dormer  
CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT

### **Proposal**

- A Certificate of Lawfulness is sought for proposed roof extensions to this property
- A gable end extension is proposed, along with an extension to the existing rear dormer, and the addition of 2 front rooflights.

### **Location**

This semi-detached chalet bungalow is located on the northern side of Worlds End Lane, which rises up in an easterly direction at this point. It is bounded to the east by a large detached dwelling at No.100, and backs onto its L-shaped rear garden.

### **Comments from Local Residents**

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

### **Planning Considerations**

The main considerations are whether the proposed roof extensions would fall within "permitted development" under Classes B and C, part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

### **Planning History**

Planning permission was granted in 2006 (ref. 06/02738) for a single storey rear extension.

A current application, which is under consideration elsewhere on this agenda (ref.11/01612), seeks planning permission for larger roof extensions which include a front dormer extension.

## **Conclusions**

With regard to Class B the following criteria are satisfied:

- (a) the roof extensions would not exceed the highest part of the existing roof
- (b) the dormer is at the rear and the roof extensions would not, therefore, project forward of the front roof slope
- (c) the volume of the roof extensions (39.1cu.m. which includes the existing front and rear dormers) would be below the permitted 50cu.m. for semi-detached properties
- (d) the proposals do not include a veranda, balcony or raised platform, nor the installation, alteration or replacement of a chimney, flue or soil and vent pipe
- (e) the property does not fall within a conservation area.

Furthermore, the rear dormer would be more than 20cm from the eaves of the main roof, and the window in the first floor side elevation would be obscure glazed and non-openable below 1.7m. Materials would match the existing dwelling.

With regard to Class C the following criteria have been satisfied:

- (a) the rooflights in the front roof slope would not protrude more than 150mm beyond the plane of the original roof slope
- (b) the rooflights would not project above the apex of the roof
- (c) the proposals do not include the installation, alteration or replacement of a chimney, flue or soil and vent pipe, nor solar photovoltaics or solar thermal equipment.

In conclusion, the Certificate of Lawfulness should be granted as the proposals comply with Classes B and C of the 2008 amendments to the Town and Country Planning (General Permitted Development) Order 1995.

Background papers referred to during production of this report comprise all correspondence on files refs. 06/02738, 11/01612 and 11/02850, excluding exempt information.

## **RECOMMENDATION: CERTIFICATE BE GRANTED**

- 1 The proposed roof alterations would fall within “permitted development” by virtue of Classes B and C, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).



**Application:** 11/02850/PLUD

**Address:** 98 Worlds End Lane Orpington BR6 6AR

**Proposal:** Roof alterations and alterations to existing rear dormer  
**CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT**



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Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

**Application No :** 11/02108/FULL6

**Ward:**  
**Shortlands**

**Address :** 30 Hayes Way Beckenham BR3 6RL

**OS Grid Ref:** E: 538457 N: 168455

**Applicant :** Mr V Hope

**Objections :** NO

**Description of Development:**

Two storey rear extension

Key designations:

Conservation Area: Park Langley

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

**Proposal**

The proposal is to construct a two storey rear extension which projects 4.15m at ground floor level in the form of a bell-shaped conservatory and approx. 3.04m at first floor level in line with the main rear wall. Ground floor windows are proposed within both the eastern and western elevations of the conservatory. At first floor level no windows are proposed in the eastern flank elevation facing towards No.32.

The extension would infill the eastern corner of the dwelling closest to the boundary with No. 32. A distance of 2.15m would be maintained to the boundary with this property at first floor level and 1.3m at ground level.

**Location**

The application site comprises a detached two storey dwelling located within the Park Langley Conservation Area. The property is of a traditional Arts and Crafts character and design and has been extended to the front and rear in the past.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and one representation was received from a neighbouring property noting an error in the labelling of the

plans. With reference to the proposed side elevation drawings that labelled “towards No.28” should be “towards No.32” and vice versa.

### **Comments from Consultees**

From a Heritage and Urban Design perspective, no objections are raised subject to matching materials being used.

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

### **Planning Considerations**

The application falls to be determined in accordance with S.72 of the Planning (listed Building and Conservation Areas) Act 1990 which states that special attention should be paid to the desirability of preserving and enhancing the character and appearance of that conservation area. The following policies of the Unitary Development Plan are also relevant:

The main policies of relevance within the Unitary Development Plan are Policies H8, BE1 and BE11.

Policy H8 requires the design of residential extensions to be in keeping with the local area in terms of scale form and materials used. Any development should protect the privacy and amenities of adjoining properties, including daylight and sunlight.

Policy BE1 sets out the design principles that would be applied when considering proposals for new development – development should respect the scale, form and materials of adjacent buildings and should not detract from townscape.

Policy BE11 states that proposals for new development within conservation areas are expected to respect or complement the layout and scale of the existing building and should not detract from the character or appearance of the area.

### **Planning History**

The application property has previously been extended most recently under planning ref. 99/02169 for a single storey front and first floor rear extensions. It has also benefitted from a single storey rear extension in the form of conservatory. This structure would be demolished to make way for the proposed.

Neighbouring properties at Nos. 26 and 34 have also recently been extended the recent development history of neighbouring properties is of particular relevance in this case.

Earlier this year under planning ref. 10/02821, planning permission was granted for a two storey rear extension at No. 26 which projected some 4 metres in depth

across the full width of the property maintaining between 1.5m and 1.9m to the neighbouring flank boundaries.

Under planning ref. 11/00371, planning permission was granted for a part one/two storey side / rear and first floor rear extensions at No.34 Hayes Way. The first floor side / rear extensions would not project beyond the main rear wall but would infill an area to the side maintaining 1m to the boundary with the neighbouring property at No.36. The two storey rear extension would project 2m in depth again maintaining 1m to the side boundary with No.32.

## **Conclusions**

The main issues in this case are whether the current proposals would adequately protect the amenities of the adjacent property at No.32 in terms of light, privacy and outlook and whether the proposal would significantly harm the spatial standards of the locality and be in keeping with the character and appearance of the conservation area and the existing building.

A distance of 2.15m would be maintained between the side elevation of the proposed first floor extension and the shared boundary with No.32. There are no first floor flank windows in this property however there is a ground floor flank bay window which provides an outlook from an office / study. There are no first floor flank windows proposed so the privacy of No.32 property would not be compromised. The positioning of this room and relationship to the application property means that it is already overshadowed, the limited outlook would not be improved.

The side space proposed at 2.15m is greater than that maintained with the larger recently constructed extensions at both Nos.34 and 26. Furthermore the extension does not project beyond the main rear wall and the main impact of the proposal at No.32 would not be on a habitable room.

The extensions implemented at No.34 are particularly visible and it is noted that the property at No.32 would be effected by the current scheme however this impact is not considered to amount to the degree of change that would unduly impact on residential amenity to the extent that it would warrant refusal of this application on this basis.

No objections are raised to the extension from a heritage and urban Design pointof view therefore the extension could on balance be considered to relate adequately to the host dwelling and to the character and appearance of the Park Langley Conservation Area in general.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/02108, 11/00371 and 10/02821, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |                   |           |
|---|--------|--|-------------------|-----------|
| 1 | ACA01  | Commencement of development within 3 yrs |                   |           |
|   | ACA01R | A01 Reason 3 years                       |                   |           |
| 2 | ACC01  | Satisfactory materials (ext'nl surfaces) |                   |           |
|   | ACC01R | Reason C01                               |                   |           |
| 3 | ACI13  | No windows (2 inserts)                   | first floor flank | extension |
|   | ACI13R | I13 reason (1 insert)                    | H8                |           |
| 4 | AJ02B  | Justification UNIQUE reason OTHER apps   |                   |           |

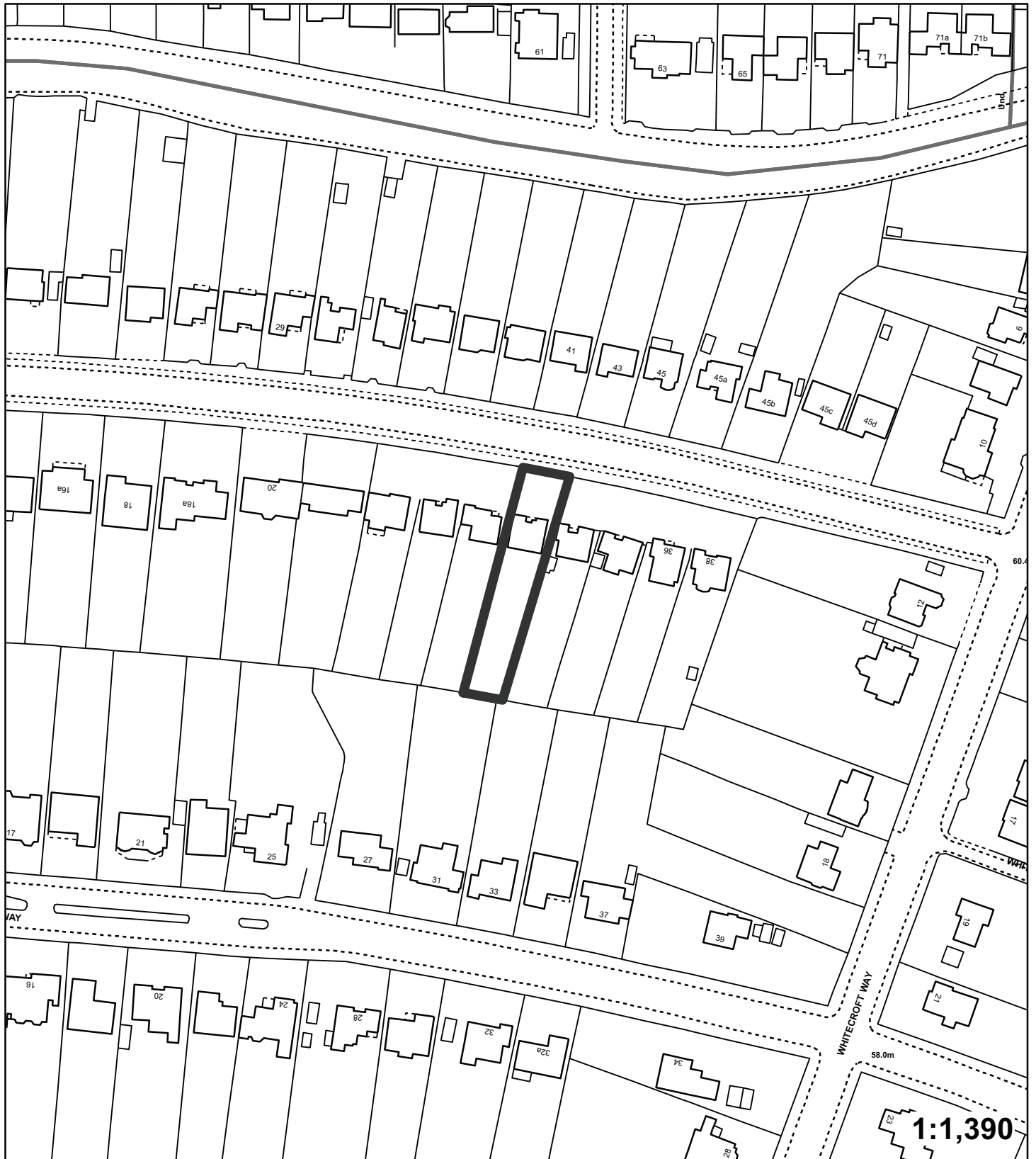
Policies (UDP)

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

**Application:**11/02108/FULL6

**Address:** 30 Hayes Way Beckenham BR3 6RL

**Proposal:** Two storey rear extension



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Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

**Application No :** 11/02249/FULL6

**Ward:**  
Hayes And Coney Hall

**Address :** 127 Gates Green Road West Wickham  
BR4 9DF

**OS Grid Ref:** E: 540344 N: 164804

**Applicant :** Mr C Smith

**Objections :** YES

### **Description of Development:**

Two storey rear extension and elevational alterations

Key designations:

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

### **Proposal**

- Two storey rear extension measuring approximately 3.8m in depth, as scaled from the rear of the original building, and approximately 6.85m in width
- It would have a hipped roof of equal height to the main roof
- Elevational alterations including 2 flank windows at first floor on the western elevation and 1 flank window at first floor on the eastern elevation of the original building

### **Location**

- The application site comprises a two storey detached dwellinghouse with a single storey rear extension.
- The site is located on the north-eastern side of Gates Green Road.
- The surrounding area is residential.
- On the opposite side of Gates Green Road is undeveloped Green Belt land.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations were received from No.129 Gates Green road which can be summarised as follows:

- very large extension
- would encroach on sunlight and privacy
- overlooking from new window in side of house in the cot room
- size and height of roof will reduce light and sunlight into garden.

## **Planning Considerations**

There is a tree preservation order in place at the site.

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

BE1 Design of New Development  
 H8 Residential Extensions  
 NE7 Development and Trees

## **History**

Planning permission was granted under ref. 91/01970 for a single storey side extension.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area, the impact that it would have on the amenities of the occupants of surrounding residential properties and the effects it would have on protected and significant trees at the site.

The proposed two storey extension would replace an existing single storey extension of similar rearward projection. Although the proposal would add significant bulk to the rear of the existing house, the extension incorporates a hipped roof, sympathetic to the design of the main roof and would not project beyond the side elevations of the main house. Overall, Members may therefore consider that the extension would appear in keeping with the scale and form of the host building.

With regard to the impact on the amenities of the occupiers of No.125 Gates Green Road, to the north-west of the site, there would be substantial separation retained between the extension and the habitable part of No.125 (around 5m). Given the north-eastern orientation of the rear of these properties there is likely to be some overshadowing of No.125 as a result of the extension. However, the effect is only likely to be for a relatively short period of time in the day. Furthermore, the 3.8m rearward projection proposed is unlikely to have a significantly detrimental impact on the prospect and visual amenities of the occupiers of this dwelling.

Two flank windows are proposed in the original house which would directly face the side of No.125. However, it appears that there are no flank windows on No.125 at first floor and, provided the proposed windows were conditioned to be obscure glazed, no significant loss of privacy would occur.

In terms of the impact of the extension on the amenities of the occupiers of No.129, around 2.8m separation would be retained between the two properties. The windows on the rear of No.129 at first floor level, which would be closest to the proposed extension, serve a bathroom and a WC and are both obscure glazed. As such, no significant loss of outlook from the first floor at No.129 would result.

While there is an existing ground floor rear extension at the application site which would lessen the impact of the proposed two storey extension somewhat, the two storey extension proposed would undoubtedly result in a more overbearing effect on the occupants of No.129 than at present. However, given the separation between the two houses and the orientation of the properties which would lead to minimal overshadowing, Members may consider that the resulting impact of the extension would not be significantly detrimental so as to warrant refusal of the scheme.

A flank window is also proposed on the eastern elevation of the existing house facing No.129. However, as there are no first floor flank windows at No.129 facing the application site, provided the window was obscure glazed, no significant loss of privacy at No.129 would occur.

With regard to protected and significant trees at the site, no significant trees would be affected by the proposal.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 11/02249, excluding exempt information.

as amended by documents received on 18.08.2011

## **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 flank elevations  
      ACI12R      I12 reason (1 insert)    BE1
- 4     ACK01        Compliance with submitted plan

**Reason:** In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the appearance of the building and the residential amenities of the area.

## **Reasons for granting permission:**

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

policies of the Unitary Development Plan:

BE1 Design of New Development

H8 Residential Extensions

NE7 Development and Trees

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

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

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

**Application:**11/02249/FULL6

**Address:** 127 Gates Green Road West Wickham BR4 9DF

**Proposal:** Two storey rear extension and elevational alterations



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## Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

**Application No :** 11/02375/FULL6

**Ward:**  
Farnborough And Crofton

**Address :** 38 Mada Road Orpington BR6 8HQ

**OS Grid Ref:** E: 543879 N: 165384

**Applicant :** Mr Simon Walker

**Objections :** YES

### **Description of Development:**

First floor rear extension

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
Historic Flooding  
London City Airport Safeguarding  
Ravensbourne FZ2 and FZ3  
River Centre Line

### **Proposal**

- The application property has an existing single storey rear extension across the full width of the property which projects 4.5m to the rear, and it is proposed to add a first floor extension over it
- The extension would have a full pitched roof, and would be set back 2.4m from the south-eastern flank boundary with No.40, and 0.5m from the north-western flank boundary with No.36.
- No windows are proposed in the side elevations of the extension, but new first floor windows to bathrooms are proposed in the existing flank walls of the dwelling.

### **Location**

This detached property is situated on the south side of Mada Road, close to the junction with Pondfield Road, and is bounded to the east and west by properties which have each extended to the rear. The surrounding area is largely characterised by detached two storey dwellings set close to the boundary on one side, but open or with single storey structures to the other side.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations were received from the occupiers of No.36 which can be summarised as follows:

- loss of outlook from first floor side landing window
- overshadowing of rear patio and conservatory during the morning
- proposed first floor side bathroom window in existing north-western flank elevation would look into landing window.

### **Planning Considerations**

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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

### **Planning History**

Permission was refused in 1988 (ref. 88/01487) for a two storey rear extension to this property which projected 3.66m to the rear, on grounds relating to the lack of a 1m side space, and the detrimental impact on the amenities of adjoining residents by reason of visual impact.

Permission was granted in 2008 (ref. 08/00829) for a single storey side/rear extension which has now been built.

### **Conclusions**

The main issues in this case are the effect that it would have on the character and spatial standards of the surrounding area, and on the amenities of the occupants of neighbouring properties.

The proposed first floor extension is confined to the rear, and although it would not strictly speaking comply with the Council's side space policy on its north-western side (as it would come within 0.5m of the side boundary), the extension would be set wholly behind the existing dwelling, and therefore, the character and spatial standards of the surrounding area would not, in this instance, be affected.

With regard to the impact on neighbouring properties, the proposed first floor rear extension would be 4.5m deep, however, the dwellings on either side are set further back into their sites than No.38, thus lessening the impact. The adjacent dwellings have also extended to the rear since the two storey rear extension to No.38 was refused in the 1980s (No.36 extended in 2003 under ref. 03/03451, and No.40 in 2002 under ref. 02/00107), therefore, the impact of the current proposals would not be so great.

No.36 to the west has a single storey side/rear extension which projects some distance to the rear adjacent to the boundary with No.38 (as it joined onto an existing detached garage in the rear garden), and is set at a slightly higher level.



The closest first floor windows in the rear elevation of this property are obscure glazed, and the only window directly affected would be the side landing window facing No.38 which is clear-glazed. Although the outlook from this window would be affected to some degree, it is not a primary window to a main living area, and the impact is not, therefore, considered to be unduly harmful.

The patio and rear conservatory to No.36 are already shielded to a certain degree from No.38 by their existing single storey rear extension, and the proposals are not considered to have any significant additional impact.

With regard to the impact on No.40, the rear wall of this dwelling is set significantly further back than the existing rear of No.38, and it has a deep single storey rear extension adjacent to the boundary with No.38. The proposed first floor extension would be set back 2.4m from the side boundary with this property, and it is not, therefore, considered to have a detrimental impact on the amenities of the adjoining residents.

In conclusion, the proposed extension is not considered to have a detrimental impact on the character and spatial standards of the surrounding area, nor on the amenities of adjoining residents.

Background papers referred to during production of this report comprise all correspondence on files refs. 88/01487, 08/00829 and 11/02375, 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 | ACI12  | Obscure glazing (1 insert)               | in the existing first floor flank elevations of the dwelling |  |
|   | ACI12R | I12 reason (1 insert)                    | BE1  |  |
| 4 | ACI13  | No windows (2 inserts)                   | flank first floor rear extension                             |  |
|   | ACI13R | I13 reason (1 insert)                    | BE1  |  |

## **Reasons for granting permission:**

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

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

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

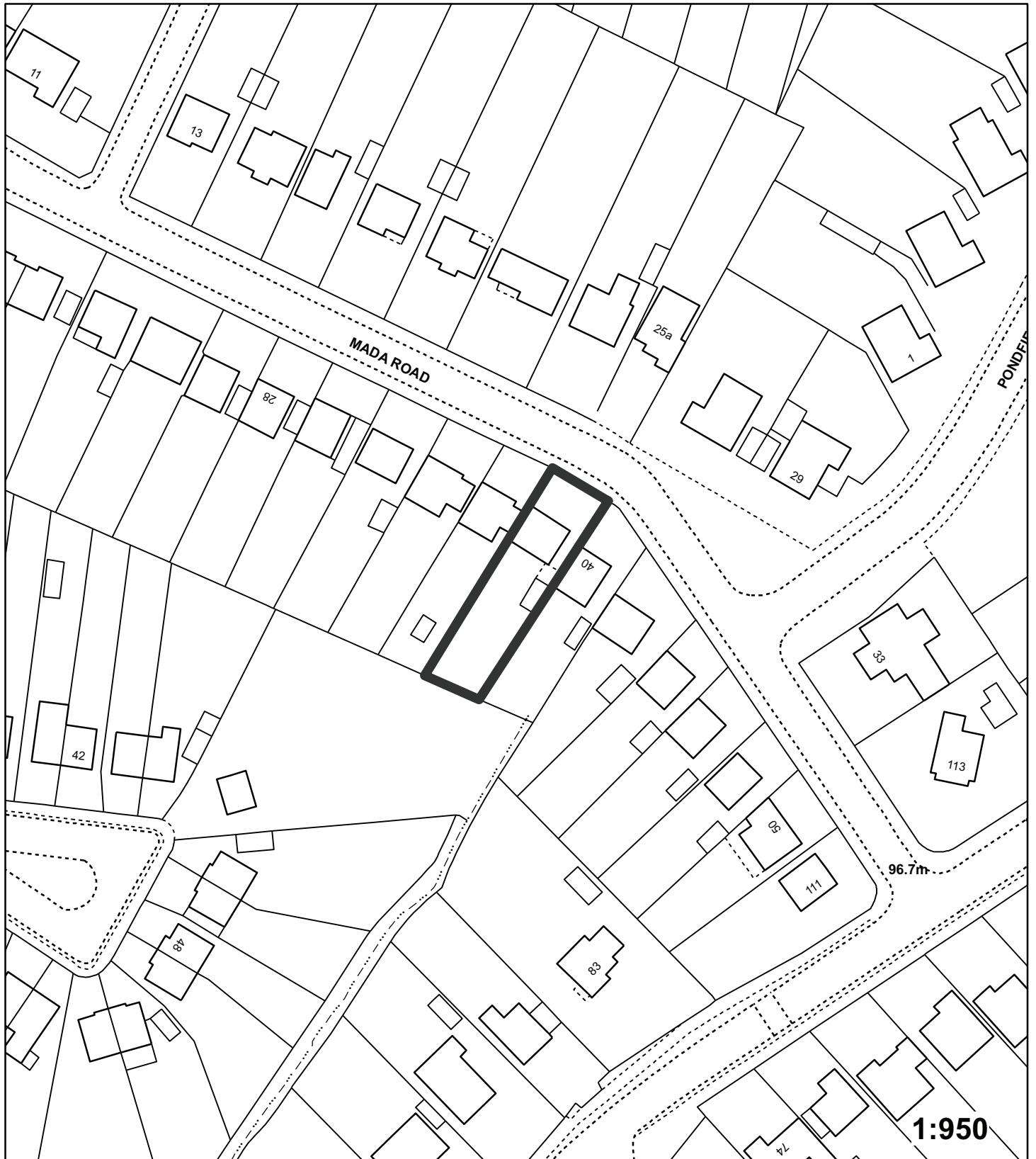
- (a) the visual impact in the street scene
- (b) the impact on the amenities of the occupiers of nearby residential properties,

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

**Application:**11/02375/FULL6

**Address:** 38 Mada Road Orpington BR6 8HQ

**Proposal:** First floor rear extension



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Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

**Application No :** 11/02820/FULL6

**Ward:**  
Petts Wood And Knoll

**Address :** 37 Lynwood Grove Orpington BR6 0BD

**OS Grid Ref:** E: 545403 N: 166410

**Applicant :** Mr And Mrs Gadkary

**Objections :** YES

### **Description of Development:**

Part one/two storey front, side and rear extensions with steps to front. Increase in roof height. Additional vehicular access and hard standing

Key designations:

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

### **Proposal**

- The proposal involves extensions to the front, side and rear of the dwelling.
- At the front, the existing garage will be brought forward by 0.6m and the first floor above will be partially extended over an existing flat roof by 2.0m. The single storey utility room along the northern side of the dwelling will be extended forward and a pitched roof will be added above.
- A part one/two storey extension will be added to the rear which will project a maximum 4.5m in depth, although its depth will be more restricted closer to the flank boundaries.
- The roof above much of the enlarged dwelling will be altered to form a hipped design with its overall ridge height increased by a maximum of 0.8m.

### **Location**

The site is located along the western side of Lynwood Grove – a wholly residential street situated to the west of Orpington Town Centre. The road is characterised by substantial detached houses, many of which have been altered and enlarged.

### **Comments from Local Residents**

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

- loss of light to neighbouring patio, dining area and bedroom
- overlooking toward neighbouring rear garden
- proximity of extension to the boundary will impair visual amenities to neighbouring dwelling
- concerns that extension could undermine neighbouring property

### **Comments from Consultees**

No technical Highways objections raised

### **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; to safeguard the amenities of neighbouring properties; and to ensure that in the case of two storey development, an adequate degree of separation is maintained to the flank boundary.

### **Planning History**

Under ref. 86/02519, planning permission was granted for a first floor side extension to be built within approximately 12” of the southern flank boundary.

More recently, under ref. 11/02224, a proposal involving part one/two storey front and rear extensions and an increase in the roof height was withdrawn by the applicant.

### **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.

In view of their location and depth it is not considered that the proposed extensions will adversely affect neighbouring amenity: it is considered that an adequate separation will be maintained to the dwellings either side with the rear addition maintaining a modest projection beyond the existing building. In comparison to the previous withdrawn application, the extent of works adjacent to the dwelling at No 39 has been reduced, particularly in relation to the depth of the utility room (which will not be extended rearward) and the first floor northern bedroom whose depth will be restricted to 2.6m. With regard to the neighbouring property at No 35, it is considered that the depth of the extension nearest to the southern boundary is modest (1.7m at ground floor level, and 1.4m at first floor level) and will not significantly impinge on its amenities, in terms of loss of light or visual impact.

Turning to the impact of the development on local character, it is noted that the first floor dressing room extension (above the garage) will maintain a separation of less than 1.0m in relation to the flank boundary – in line with the existing building. Whilst this will reduce the gap to No 35 alongside where it is built, given its overall projection and set-back from the frontage, it is not considered that its visual impact

will be so severe to significantly undermine the openness and spatial standards which characterise this part of Lynwood Grove. On the whole the design of the enlarged dwelling is considered acceptable in relation to the existing property, and this will be of similar design to a number of enlarged dwellings along the road. Whilst the ridge height will increase, the enlarged roof will maintain a similar alignment to neighbouring structures whose plots rise from south to north.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/02224 and 11/02820, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |   |
|---|--------|---|
| 1 | ACA01  | Commencement of development within 3 yrs            |
|   | ACA01R | A01 Reason 3 years                                  |
| 2 | ACC04  | Matching materials                                  |
|   | ACC04R | Reason C04  |
| 3 | ACI13  | No windows (2 inserts) first floor flank extensions |
|   | ACI13R | I13 reason (1 insert) BE1                           |
| 4 | ACH03  | Satisfactory parking - full application             |
|   | ACH03R | Reason H03  |
| 5 | ACH32  | Highway Drainage                                    |
|   | ADH32R | Reason H32  |

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.

## **INFORMATIVE(S)**

- |   |       |                                |
|---|-------|--------------------------------|
| 1 | RDI16 | Contact Highways re. Crossover |
|---|-------|--------------------------------|

**Application:**11/02820/FULL6

**Address:** 37 Lynwood Grove Orpington BR6 0BD

**Proposal:** Part one/two storey front, side and rear extensions with steps to front. Increase in roof height. Additional vehicular access and hard standing





Section '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

**Application No :** 11/02867/FULL6

**Ward:**  
Petts Wood And Knoll

**Address :** 59 Mayfield Avenue Orpington BR6 0AH

**OS Grid Ref:** E: 545603 N: 166409

**Applicant :** Mr And Mrs Gupta-Shodhan

**Objections :** YES

**Description of Development:**

Part one/two storey front, side and rear extension with Juliet balcony to rear. Front porch, creation of basement level, roof alterations and elevational alterations (Revision of planning permission of 10/02541)

Key designations:

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

**Proposal**

- The majority of this proposal has been constructed. However, changes are proposed to the single storey rear element of the proposal which has not yet been constructed.
- The changes include an increase in the depth by approximately 0.3 metres, an increase in the maximum height of the roof by approximately 0.4 metres and alterations to design of the extension.
- The conservatory style structure now includes a mono-pitched roof and a brick wall with clear glazing above the flank elevation.
- All other aspects of the proposal remain as approved.

**Location**

- The application site is located to the east of Mayfield Road and on the corner of Eastcote.
- The property is a detached family dwellinghouse and is similar in size and design to others in the surrounding area.
- The property is adjacent to Eastcote, a narrow road leading to a close of 5 properties.
- The properties in the area are set in long plots and mainly fill the width of the plot.

## **Comments from Local Residents**

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

- objections to design
- loss of privacy

## **Planning Considerations**

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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

## **Planning History**

Planning permission was granted for a two storey rear extension and single storey side and rear extensions with first floor balcony in 2002 under ref. 02/01365.

Planning permission was granted for a part one/two storey side and rear extension in 2003 under ref. 03/03266.

Planning permission was granted for a part one/two storey side and rear extension in 2010 under ref. 09/03097.

Planning permission was granted for a part one/two storey front, side and rear extension with Juliet balcony to rear. Front porch, creation of basement level, roof alterations and elevational alterations in 2010 under ref. 10/02541.

## **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.

This application is to assess the changes to the single storey extension to the rear of the property. Given that the other elements of the proposal will not be altered, these will not be reported.

It is considered that the alterations to the single storey rear element will not substantially alter the overall scheme or the amount of development at the property. The eaves height of the extension will be approximately 0.1 metres higher than the eaves height of the previously approved single storey rear extension, the doors are to be located in a similar position and the ridge height has been increased by approximately 0.4 metres. The glazing to the side is clear glazed.

The application site is considerably lower than the neighbouring property to the south and whilst the extension will be visible from this property, a large amount of it will be behind the existing boundary fence. It may be considered that the alterations to the conservatory are unlikely to result in a significant amount of overlooking or loss of privacy for the neighbour to the south and whilst the upper part of the flank wall will be glazed, given the ground level of the application site as well as the separation from the boundary (approximately 0.9 metres), Members may consider this sufficient to prevent a harmful loss of privacy.

The increase in depth will bring the single storey element slightly beyond the rear wall of the two storey element. Given the orientation of the property in relation to the neighbour, the ground levels and separation, the increase in depth is not considered to have a further impact in terms of light or visual amenity. The design of the conservatory is considered to be in keeping with the host dwelling and unlikely to be an obtrusive feature. Members may therefore consider that the proposed alterations are acceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 94/00618, 94/02382, 01/03773, 02/01365, 03/03266, 04/03222, 09/03097, 10/02541 and 11/02867, excluding exempt information.

as amended by documents received on 25.10.2011

**RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |                 |  |       |            |                            |
|---|-----------------|--|-------|------------|----------------------------|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |       |            |                            |
| 2 | ACC04<br>ACC04R | Matching materials<br>Reason C04                               |       |            |                            |
| 3 | ACI14<br>ACI14R | No balcony (1 insert)<br>I14 reason (1 insert)                 | the   | rear       | extension hereby permitted |
| 4 | ACI17<br>ACI17R | No additional windows (2 inserts)<br>I17 reason (1 insert)     | flank | extensions |                            |

**Reasons for granting permission:**

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

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

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

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

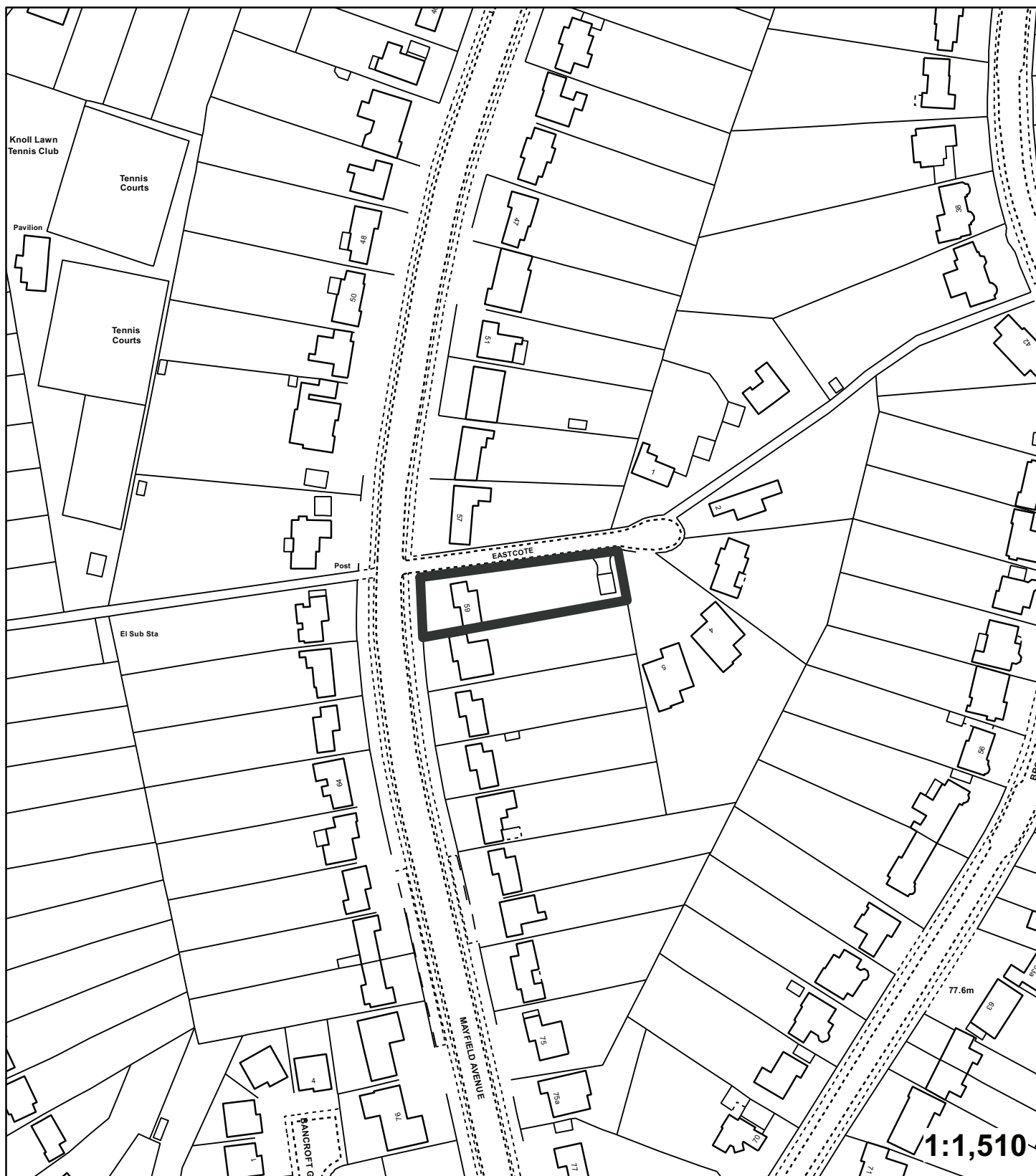
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties

and having regard to all other matters raised.

**Application:**11/02867/FULL6

**Address:** 59 Mayfield Avenue Orpington BR6 0AH

**Proposal:** Part one/two storey front, side and rear extension with Juliet balcony to rear. Front porch, creation of basement level, roof alterations and elevational alterations (Revision of planning permission of 10/02541)



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## Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

**Application No :** 11/02366/FULL1

**Ward:**  
**Bickley**

**Address :** 21 Shawfield Park Bromley BR1 2NQ

**OS Grid Ref:** E: 541759 N: 169466

**Applicant :** Mr Barry Cook

**Objections :** YES

### **Description of Development:**

Demolition, extensions and alterations to provide a three storey house with basement garage and cellar room

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Former Landfill Site  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

### **Proposal**

- This proposal involves substantial alterations and enlargements to the existing bungalow.
- The existing structure will be slightly extended at ground floor level with extensions mainly added to the front and rear. The area beneath the existing dwelling will be partially excavated to provide a garage and cellar room at basement level which will be accessible from the front of the property.
- The first floor area will be rebuilt to provide greater living space, and a further bedroom and bathroom will be provided at second floor level within the proposed roof space.
- The proposed dwelling will rise to a maximum height of approximately 9.7m as scaled from the submitted drawings. The roof will incorporate gables to the front and rear with front- and rear-facing windows.

### **Location**

The site is located along the northern side of Shawfield Park – a wholly residential street – which comprises detached and semi detached dwellings many of which were built in the late Nineteenth Century and Inter-War period and are set in relatively large plots.

## **Comments from Local Residents**

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

- the plot at No 21 was formerly part of the curtilage of No 23 and partitioned to accommodate a bungalow. Given its size it is unsuited to accommodate a large house
- a Covenant was issued for the benefit of No 23 at the time that the bungalow at No 21 was built to control enlargement
- this proposal will result in a huge enlargement and is little different from the scheme refused under ref. 11/01401
- the existing bungalow is suitable for the plot and is the type of dwelling in short supply in the Borough

## **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**

The application dwelling is of more recent construction to many of the houses in the street and was constructed in the 1960s on land which formerly comprised part of the residential curtilage of No 23. A single storey rear extension was approved under ref. 02/02352.

Under ref 11/01401 a proposal involving the demolition of the existing dwelling and the erection of three storey four bedroom house with basement garage and room was refused on the following ground:

The proposed dwelling would fail to comply with the Council's minimum requirements for side space and would, by reason of its height, bulk and scale and proximity to flank boundaries appear as a cramped form of development in the street scene, harmful to the character and spatial standards of the area, contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.

## **Conclusions**

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



In comparison to the scheme refused under ref. 11/01401 a number of modifications have been introduced: these include a lowering of the overall ridge height by 0.35m; an alteration of the chimney in the roof along the left-hand-side, involving loss and the formation of a hipped end; a reduction in the size of the basement area and loss of the associated lightwell; and an increase in the separation of the dwelling to the western flank boundary to 1.0m.

Whilst it is acknowledged that some effort has been made by the applicant to overcome the above ground of refusal, it is still considered that the scheme remains unacceptable with particular regard to its bulk and height, and that much more substantial changes to the design and bulk will need to be undertaken.

Whilst it boasts little architectural merit, the existing property is of relatively modest construction in terms of its scale and bulk and appears unobtrusive within the wider streetscene. The proposed replacement will result in a substantial increase in the scale and bulk of development on the site, being of two/three storey construction, and including a gable sided roof to the western flank and basement accommodation which will be visible from the frontage. It is considered that these features will add significantly to the bulk of the proposed dwelling and result in an incongruous and cramped form of development at odds with surrounding development. This cramped appearance will be accentuated by the plot layout which is of relatively restricted width at the front. Although the proposal will retain a similar relationship to boundaries as the existing building, the proposed dwelling is of significantly greater bulk and scale, and would adversely affect the appearance of this part of the streetscene.

With regard to its impact on the amenities of neighbouring residents, no objection was raised by the Council in the case of the previous scheme and, given the similar layout and relationship between this proposal and the previous one no objection is raised on this point. Whilst the application site appears to be subject to a restrictive Covenant this constitutes a private legal matter between the affected residents and is not, as such, a material planning consideration.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/01401 and 11/02366, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

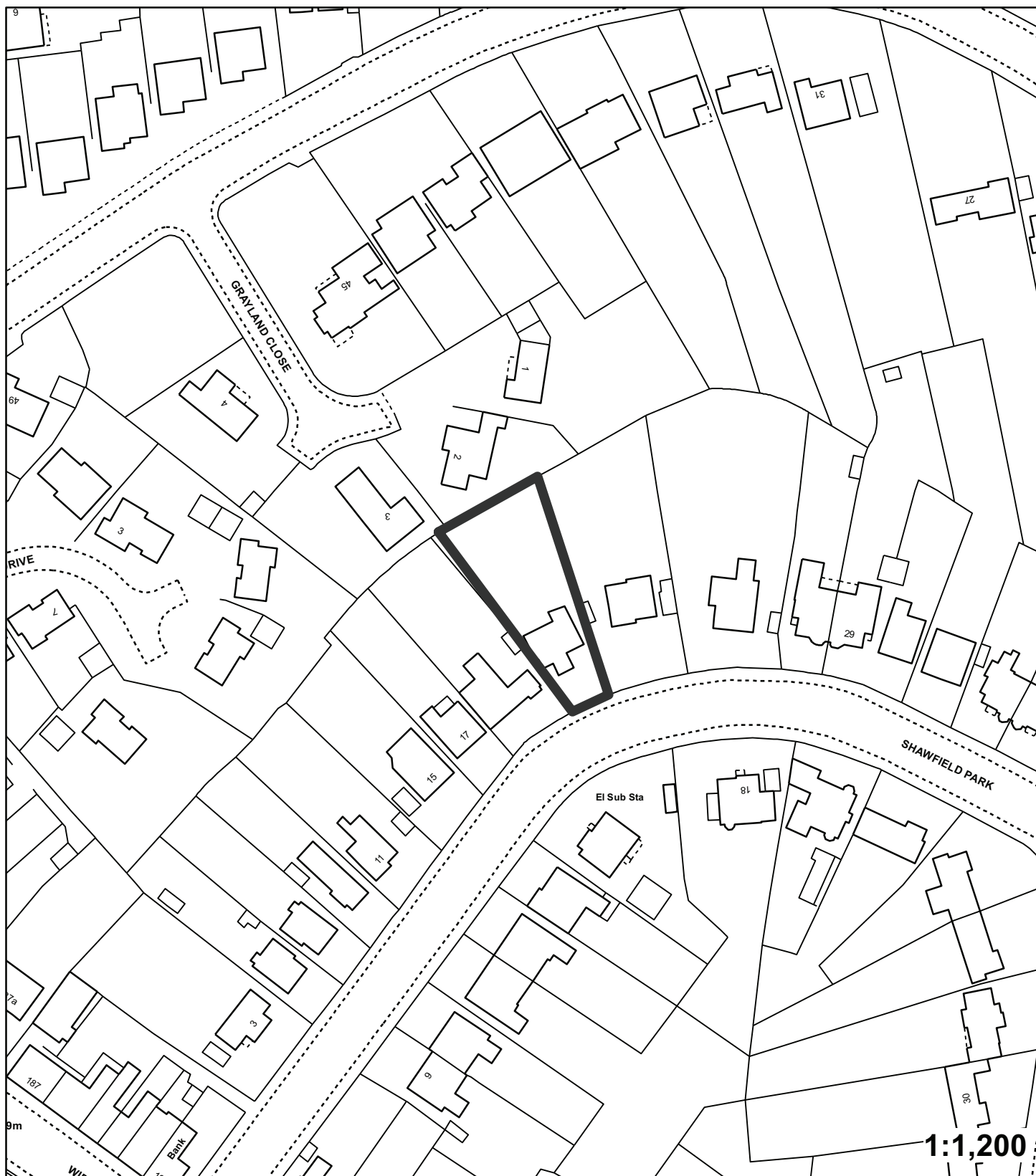
The reasons for refusal are:

- 1 The proposal would, by reason of its height, bulk and scale, constitute a cramped and incongruous form of development, harmful to the appearance of streetscene and the and the spatial standards of the area, thereby contrary to Policies BE1, H8 and H9 of the Unitary Development Plan.

**Application:**11/02366/FULL1

**Address:** 21 Shawfield Park Bromley BR1 2NQ

**Proposal:** Demolition, extensions and alterations to provide a three storey house with basement garage and cellar room



Report No.  
DRR/11/117

London Borough of Bromley

Agenda  
Item No.

PART 1 - PUBLIC

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**Decision Maker:** Plans Sub Committee 4

**Date:** 10 November 2011

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** 38 LENNARD ROAD, PENGE, SE20 7LX

**Contact Officer:** Tim Bloomfield, Development Control Manager  
Tel: 020 8 313 4687 E-mail: tim.bloomfield@bromley.gov.uk

**Chief Officer:** Chief Planner

**Ward:** Penge & Cator

---

1. Reason for report

A three storey house has been converted into four flats. An enforcement notice was served in 2006 but Members are asked to review whether it is expedient to pursue the matter given the uncertainty over the length of time that the flats have existed.

---

2. **RECOMMENDATION**

Members views are requested.

### Corporate Policy

1. Policy Status: <please select>.
  2. BBB Priority: <please select>.
- 

### Financial

1. Cost of proposal: <please select>
  2. Ongoing costs: <please select>.
  3. Budget head/performance centre:
  4. Total current budget for this head: £
  5. Source of funding:
- 

### Staff

1. Number of staff (current and additional):
  2. If from existing staff resources, number of staff hours:
- 

### Legal

1. Legal Requirement: <please select>
  2. Call-in: <please select>
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments:

## COMMENTARY

- 3.1 The property is a three storey dwelling house in a residential area. In April 2006, information was received from Environmental Health that the house had been sub-divided into five self-contained flats.
- 3.2 In May 2006 an inspection found two flats on the ground floor with shared use of a bathroom and kitchen. On the first floor were two flats, each with own bathroom and kitchen. On the top floor was one flat with its own bathroom and kitchen.
- 3.3 There was no response to a request for a planning application. In October 2006 an enforcement notice was served on the owner, Mr Erten Sisman, requiring cessation of use of the premises as self contained flats, for compliance by 26.03.2007.
- 3.4 On 28.03.2007, Environmental Health granted a Multiple Occupation Licence for five households comprising five persons.
- 3.5 On 29.10.2007, a planning application was submitted for change of use from single dwelling to HMO (DC/07/03844) which was refused on the grounds of lack of amenities for the occupants and over development of the area.
- 3.6 In May 2008, the Council's solicitors were instructed to prosecute for non compliance with the enforcement notice.
- 3.7 On 17.03.2009 an application for a Certificate of Lawful Use was refused on the grounds that, on balance, the use had not subsisted for 10 years (DC/09/00158).
- 3.8 On 23.03.2010 a further application for a Certificate of Lawful Use was refused on the same grounds (DC/10/00187).
- 3.9 On 26.09.2011, a further inspection was made to ascertain the current situation at the premises. The accommodation comprised the following:
  - Flat A on the ground floor consisting of a bed/sitting room, kitchen and bathroom. Mr Sisman stated this was changed from two flats to one about three years ago and is occupied by a married couple.
  - Flat B, on the first floor, consists of a bed/sitting room and a bathroom. The occupant has use of the kitchen in Flat A.
  - Flat C, also on the first floor, for one person, has a bed/sitting room, kitchen and bathroom.
  - Flat D, on the second floor, for one person, has a bed/sitting room, kitchen and bathroom.
- 3.10 At the site visit, Mr Sisman stated that when he purchased the property in 1999 it was already divided into four flats. He also stated that the occupants of Flats C and D had been in residence for more than 10 years.
- 3.11 Applications for Certificates of Lawful use have been unsuccessful as the owner has been unable to produce evidence of continued use as 4 flats for 10 years or more. However, there have been no complaints from local residents about the use and the Council granted an HMO licence in 2007 for up to five households within the property.
- 3.12 In the circumstances, given that there is an effective enforcement notice, Members are asked to consider whether it would be expedient to commence a prosecution.

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Report No.  
TPO 2414

London Borough of Bromley

PART 1 - PUBLIC

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**Decision Maker:** Plans Sub Committee 4

**Date:** 10<sup>th</sup> November 2011

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** **OBJECTIONS TO TREE PRESERVATION ORDER 2414 AT  
THE GLASSHOUSE, KEMNAL ROAD, CHISLEHURST**

**Contact Officer:** Coral Gibson, Principal Tree Officer  
Tel: 020 8313 4516 E-mail: coral.gibson@bromley.gov.uk

**Chief Officer:** Bob McQuillan - Chief Planner

**Ward:** Chislehurst

---

1. Reason for report

To consider objections that have been made in respect of the making of a tree preservation order.

---

2. **RECOMMENDATION(S)**

The Chief Planner advises that the trees make an important contribution to the visual amenity of this part of the Chislehurst conservation area and that the order should be confirmed.

### Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Quality Environment.
- 

### Financial

1. Cost of proposal: No cost
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Planning Division Budget
  4. Total current budget for this head: £3.3m
  5. Source of funding: Existing revenue budget
- 

### Staff

1. Number of staff (current and additional): 103.89ftes
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory requirement.
  2. Call-in: Call-in is not applicable.
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Those affected by the tree preservation order.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A



### 3. COMMENTARY

- 3.1 This order was made on 31<sup>st</sup> May 2011 and relates to a group of 2 alders and 1 sycamore beside the front corner of The Glasshouse, Kemnal Road, Chislehurst. The property was converted to residential use from a concrete bunker several years ago and an objection has been made by the owner of the property.
- 3.2 He has expressed concern because he has always adhered to all restrictions and constraints. All he wished to do was to remove certain trees that overhang his house and if the Council was concerned about the work then he would have been happy to have been guided by Council officers.
- 3.3 The protection of trees in Chislehurst was clarified for the property owner. All trees in this area are protected by virtue of their location within the conservation area. This means that if any work to trees is proposed, 6 weeks notice in writing should be given to the Council. The Council can either allow the proposed works or make a Tree Preservation Order. It does not have the power to revise the works, and so the only way of controlling tree works which are not considered appropriate is by making a Tree Preservation Order. In this case the owners tree surgeons gave notice of intention to fell 1 alder and 2 sycamore trees at the front corner of the property and to fell 1 alder and reduce a second alder at the rear. The Council raised no objections to the works to the trees at the rear of the house. However the group of 2 sycamores and 1 alder at the front corner are visible from Kemnal Road and were considered to be of visual amenity value. They make a positive contribution to the character of this part of the Chislehurst conservation area as well as the setting of the house and it was for this reason that the preservation order was made. Some pruning of the alder was agreed to alleviate the problems where the tree overhangs the roof of the house.
- 3.4 The Order does not mean that no work can be carried out to the trees in the future, but it requires that the Council's consent be gained prior to removing trees and prior to carrying out most forms of tree surgery. In assessing applications to remove trees or carry out tree surgery, the Council takes into account the reasons for the application, set alongside the effect of the proposed work on the health and amenity value of the trees.

### 4. POLICY IMPLICATIONS

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

### 5. LEGAL IMPLICATIONS

If not confirmed the order will expire on 30<sup>th</sup> November 2011.

<b>Non-Applicable Sections:</b>	Financial and Personnel implications.
Background Documents: (Access via Contact Officer)	

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Report No.  
DRR11/113

London Borough of Bromley

PART 1 - PUBLIC

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**Decision Maker:** Plans Sub Committee 4

**Date:** 10<sup>th</sup> November 2011

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** **OBJECTIONS TO TREE PRESERVATION ORDER 2418 AT 39  
HOMWOOD CRESCENT, CHISLEHURST**

**Contact Officer:** Coral Gibson, Principal Tree Officer  
Tel: 020 8313 4516 E-mail: coral.gibson@bromley.gov.uk

**Chief Officer:** Bob McQuillan - Chief Planner

**Ward:** Chislehurst

---

1. Reason for report

To consider objections that have been made in respect of the making of a tree preservation order.

---

2. **RECOMMENDATION(S)**

The Chief Planner advises that the trees make an important contribution to the visual amenity of this part of the Chislehurst conservation area and that the order should be confirmed.

### Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Quality Environment.
- 

### Financial

1. Cost of proposal: No cost
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Planning Division Budget
  4. Total current budget for this head: £3.3m
  5. Source of funding: Existing revenue budget
- 

### Staff

1. Number of staff (current and additional): 103.89ftes
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory requirement.
  2. Call-in: Call-in is not applicable.
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Those affected by the tree preservation order.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

### **3. COMMENTARY**

3.1. This order was made on 7<sup>th</sup> June 2011 and relates to a maple and a birch tree in the back garden of 39 Homewood Crescent. An objection has been made by the owner of the property.

3.2. She has objected to the making of the order because she has been approached by the owners of the adjoining property (Affinity Sutton) about the maple tree which overhangs the gardens of their properties and blocks light and the leaves are blocking drains. She is also concerned that the branches of the tree may fall and children play in the gardens. Additionally sticky sap covers the whole of her back garden and front garden as well as the neighbours gardens. It covers cars parked at her property and she cannot hang washing out. Children do like to play in the mess and it causes additional work for her neighbours in clearing their gardens. Removing the sticky mess from clothes and shoes is extremely difficult. In respect of the birch she states that it leans over the middle of her garden and several branches have fallen from the tree.

3.3. The protection of trees in Chislehurst was clarified. All trees in this area are protected by virtue of their location within the conservation area. This means that if any work to trees is proposed, 6 weeks notice in writing should be given to the Council. The Council can either allow the proposed works or make a Tree Preservation Order. It does not have the power to revise the works, and so the only way of controlling tree works which are not considered appropriate is by making a Tree Preservation Order. In this case the objectors tree surgeons gave notice of intention to crown reduce both trees. Crown reduction is a major operation, which can harm the health of the trees 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. After reduction the trees would make rapid new growth but there would be potential points of failure of limbs at the cut points. In addition crown reduction would harm the amenity value of the trees. However as an alternative crown thinning, which a technique whereby selected branches are removed from within the canopy retaining its overall height and spread but leaving a more open canopy, would allow more light into the neighbours gardens. Crown thinning of both trees has been agreed with the tree surgeon.

3.4. In respect of the concerns about the safety of the trees, whilst it is never possible to guarantee the trees' safety, provided the trees are in good health then this is normally accepted as a low risk. It has been pointed out that the formal consent of the Council is not required for the removal of dead wood from the trees. However, it is prudent to have them inspected periodically by a qualified arboriculturist.

3.5. Matters such as leaf drop and honeydew (the sticky substance which is of concern) are seasonal problems, with honeydew production being dependent on the fluctuations in aphid populations during the summer months, so in some years the effect will be more noticeable than others. It is appreciated that the honeydew is an inconvenience, but in view of it being a problem of varying severity, for a limited period each year, it is unlikely that this would be sufficient reason to prevent the confirmation of the Tree Preservation Order.

### **4. POLICY IMPLICATIONS**

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

### **5. FINANCIAL IMPLICATIONS**

None

### **6. LEGAL IMPLICATIONS**

If not confirmed the order will expire on 7<sup>th</sup> December 2011.

**7. PERSONNEL IMPLICATIONS**

None

<b>Non-Applicable Sections:</b>	Financial and Personnel implications.
Background Documents: (Access via Contact Officer)	

Report No.  
TPO2439

## London Borough of Bromley

### PART 1 - PUBLIC

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**Decision Maker:** Plans Sub Committee 4

**Date:** 10 November 2011

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** **OBJECTIONS TO TREE PRESERVATION ORDER 2439 at  
24 CROYDON ROAD, KESTON**

**Contact Officer:** Coral Gibson, Principal Tree Officer  
Tel: 020 8313 4516 E-mail: coral.gibson@bromley.gov.uk

**Chief Officer:** Bob McQuillan - Chief Planner

**Ward:** Bromley Common and Keston

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1. Reason for report

To consider objections that have been made in respect of the making of a tree preservation order.

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2. **RECOMMENDATION(S)**

The Chief Planner advises that the tree makes an important contribution to the visual amenity of this part of Croydon Road and that the order should be confirmed.

### Corporate Policy

1. Policy Status: Existing policy.
  2. BBB Priority: Quality Environment.
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### Financial

1. Cost of proposal: No cost
  2. Ongoing costs: N/A.
  3. Budget head/performance centre: Planning Division Budget
  4. Total current budget for this head: £3.3m
  5. Source of funding: Existing revenue budget
- 

### Staff

1. Number of staff (current and additional): 103.89ftes
  2. If from existing staff resources, number of staff hours: N/A
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### Legal

1. Legal Requirement: Statutory requirement.
  2. Call-in: Call-in is not applicable.
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### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Those affected by the tree preservation order.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A



### 3. COMMENTARY

- 3.1. This order was made on 16<sup>th</sup> September 2011 and relates to an oak tree in the front garden. Objections have been received from the owners of the property and owners of both the adjoining properties.
- 3.2. The owners have stated that their prime reason for the removal of the tree is safety in respect of vehicular access and egress to the property. Croydon Road is part of the A232, is part of a red route and very busy and they explain that the frontage of the property is large, 50 feet deep and 60 feet wide with two straight drives to either side of the frontage. These two drives are separated by a raised lawn where the oak tree is growing and this location and difference in levels does not currently allow for the construction of an in and out drive which would be safer because they would not have to risk reversing onto Croydon Road. In response it is noted that the tree is growing towards one corner of the front lawn and is only about one metre from the eastern drive and 6 metres from the front of the house. The base of the tree is about half metre above the level of the eastern drive and about one and a half metres above the level of the western drive, although the land slopes down towards this drive. They have confirmed that they do not use the western drive and whilst it is possible to turn a vehicle on the eastern drive this is difficult because they currently have two vehicles and turning on the drive is difficult. They also state that their family are currently travelling but will be returning to the UK in December and then there will be a need to accommodate 4 or 5 vehicles. It is accepted that because of the difference in level between the two drives and the raised location of the tree construction of an in and out drive using the existing access points could not be carried out without causing serious damage to the roots of the tree and compromising its future. The owners desire to improve safety for vehicles entering and leaving the property will need to be weighed against the amenity value of the tree.
- 3.3. The owners are concerned at the possibility of the tree being infected by a decay fungus – *Inonotus dryadeus*, as well as the overall condition of the tree, recommendations for pruning works and the implication of the need for regular maintenance. They have sought advice from a competent tree surgeon who has inspected the tree and found a small area of decay at the base of the tree which he considers is a result of the tree being infected with *Inonotus dryadeus*, although no fruiting bodies have been seen which would confirm the diagnosis. However it should be pointed out that several years may elapse between the production of the fruiting body on an infected tree. The fungus causes the timber at the base of the tree to decay and this results in an increased risk of wind throw. The decay has little influence on the general vitality of the tree until the infection reaches an advanced stage when it affects root uptake of water and nutrients. However it may not be necessary to completely remove the tree and crown reduction may be an alternative. However the owners are concerned that such work would affect the amenity value of the tree and the fact that it would be necessary to have the work carried out on a regular basis for safety reasons and this would be expensive, possibly £900 each time.
- 3.4. The owners have stated that the tree causes loss of light to the front of their property. As regards this problem the tree is a reasonable distance from the house and has a relatively high canopy but some limited pruning of the tree would help to alleviate the problem. It is noted that the main living room is at the back of the house.
- 3.5. Concerns have been raised about the problems resulting from insects living on the tree and debris falling from it. The main problem from insects appears to be from the aphids that are attracted to the tree. The aphids produce honeydew which causes the sticky residue on the vehicles and drive. However leaf drop and honeydew are seasonal problems, with honeydew production being dependent on the fluctuations in aphid populations during the summer months, so in some years the effect will be more noticeable than others. It is appreciated that the honeydew is an inconvenience, but in view of it being a problem of varying severity, for a

limited period each year, it is unlikely that this would be considered sufficient reason on its own for the order not to be confirmed. Similarly with leaf drop, again it is appreciated that this can be an inconvenience for a short time each year. This problem would not normally be sufficient on its own to preclude the confirmation of a Preservation Order.

- 3.6. A particular concern of the owners was that they had been advised by the Council that the tree was not protected prior to completing the purchase of the property. The Council receives thousands of queries about the status of trees each year and it is not possible to inspect each tree prior to letting people know the status of their trees. The owners were sent an e-mail on 19 August which confirmed the status of the oak tree at that time, that it was not covered by a tree preservation order and was not within a conservation area. It is open to the Council to make Orders at any time. Whilst thousands of trees in the borough are protected by TPOs, there are many thousands more that have amenity value but are unprotected. It is not practical for the Council to make Orders on all trees of merit, but the power is available in the TPO legislation to make Orders when it is considered expedient to do so. The Tree Preservation Order was made because the tree was considered to make an important contribution to the amenities of the area. The Order does not mean that no work can be carried out to the tree in the future but it requires that the Council's consent be gained prior to removing trees and prior to carrying out most forms of tree surgery. In assessing applications to remove a tree or carry out tree surgery, the Council takes into account the reasons for the application, set alongside the effect of the proposed work on the health and amenity value of the trees.
- 3.7. The owners wish to relandscape their front garden so that it is in keeping with the local area. They consider that the location of the tree is inappropriate and whilst they wish to have a lawn, they want to construct a new drive and carry out appropriate new planting. The location of the tree in respect of the drive has been dealt with above. The location of the tree would not prevent appropriate planting but it is appreciated that your proposals are linked to their wishes to have a safe drive.
- 3.8. The previous owner of the property has made the current owners aware that severe damage occurred to the main water and sewage supplies because of the tree roots. Damage to properties is a serious matter and if it is demonstrated that damage is occurring as a result of the tree and the only means of solving the problem is by tree surgery or even tree removal, then I think it would be unusual for the Council to withhold consent. However the majority of the root system of a tree is made up of small fibrous roots which grow through moist soil but cannot actively search out water in a drain. However if a drain is leaking, it is likely that root growth will proliferate in the damp soil around the leak and into the cracked drain itself. In these circumstances, it is advisable to have the drain repaired and it is not usually necessary to have the tree removed. Any available further evidence of the location and nature of the damage or reports were requested.
- 3.9. The owners have asked who had requested that the tree be protected. Under the Access to Information Act the Council is unable to provide this information.
- 3.10. The neighbours at number 22 have expressed concern that the tree has caused them countless problems since they moved into their property 22 years ago – sap covers the paintwork of the house and cars throughout the summer which is very difficult to remove and also attracts a high volume of wasps, large branches fall from the tree during high winds, there are a significant number of leaves in the autumn which are onerous to clear and when wet make the drive slippery and they also block their gutters. The neighbour is registered disabled and it has become increasingly difficult for him to clean the property and clear fallen leaves. The sap referred to is probably honeydew which is produced by aphids living on the tree. This concern has been addressed above. In respect of falling branches and damage during high

winds, concerns about the safety of the tree are appreciated. Whilst it is never possible to guarantee the tree safety, provided the tree is in good health then this is normally accepted as a low risk. It is prudent to have trees inspected periodically by a qualified arboriculturist, although as the tree is owned by the neighbours, it was suggested that this may be something which could be discussed by you with the tree owners. In considering the confirmation of the Order, the severity of the inconvenience will need to be weighed against the public amenity value of the tree.

3.11. The neighbours at number 26 have expressed concern about the amount of debris from the tree and the impact that this has on their cars and drive. They have also expressed concern that the tree leans and that this could be a hazard. The issues relating to debris have been dealt with above. In respect of the concerns about the tree leaning, it is agreed that the tree does lean but it is considered that the angle of lean is not severe and the fact that it leans slightly is not a sign that the tree is immediately hazardous.

**4. POLICY IMPLICATIONS**

4.1 This report is in accordance with Policy NE6 of the Council’s adopted Unitary Development Plan

**5. LEGAL IMPLICATIONS**

5.1 If not confirmed the order will expire on 24 September 2011.

<b>Non-Applicable Sections:</b>	Financial and Personnel implications.
Background Documents: (Access via Contact Officer)	

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