



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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THE LONDON BOROUGH  
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**To: ALL MEMBERS OF THE COUNCIL**

Subject to the Plans Sub-Committee being reconstituted and Members of the Sub-Committee being appointed, there will be a meeting of the Plans Sub-Committee No. 2 at Bromley Civic Centre on **THURSDAY 24 MAY 2012 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 SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 29 MARCH 2012**  
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- 4 PLANNING APPLICATIONS**

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

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	NO REPORTS		

### SECTION 2 (Applications meriting special consideration)

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4.2	West Wickham	17 - 28	(12/00469/FULL1) - 131-133 High Street, West Wickham.
4.3	Bickley	29 - 38	(12/00663/OUT) - 258 Southlands Road, Bromley.
4.4	Bromley Town	39 - 44	(12/00677/FULL6) - 9 Bromley Avenue, Bromley.
4.5	Kelsey and Eden Park	45 - 48	(12/00805/FULL6) - 81 Eden Park Avenue, Beckenham.
4.6	Darwin	49 - 54	(12/00849/RECON) - Land East of Milking Lane Farm, Milking Lane, Keston.
4.7	Darwin	55 - 56	(12/00850/RECON) - HPS Gas Station, Leaves Green Road, Keston.

4.8	Bromley Town	57 - 62	(12/00951/RECON) - The Ravensbourne School, Hayes Lane, Bromley.
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### SECTION 3 (Applications recommended for permission, approval or consent)

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4.10	Kelsey and Eden Park Conservation Area	67 - 74	(12/00547/FULL1) - 76A Manor Way, Beckenham.
4.11	Kelsey and Eden Park Conservation Area	75 - 78	(12/00548/CAC) - 76A Manor Way, Beckenham.
4.12	Bromley Town	79 - 82	(12/00894/FULL6) - 59 Madeira Avenue, Bromley.
4.13	Crystal Palace	83 - 88	(12/00940/FULL1) - 117 Anerley Road, Penge.

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

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## 5 CONTRAVENTIONS AND OTHER ISSUES

Report No.	Ward	Page No.	Application Number and Address
5.1	Bromley Town	95 - 96	(DRR/12/052) - The Ravensbourne School, Hayes Lane, Bromley.
5.2	Bickley	97 - 98	(DRR/12/054) - 15 Lewes Road, Bromley.

5.3	Cray Valley East	99 - 100	(DRR/12/055) - Invicta Works, Chalk Pit Avenue, Orpington.
5.4	West Wickham	101 - 102	(DRR/12/053) - 49 Hayes Chase, West Wickham.

**6 TREE PRESERVATION ORDERS**

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

NO REPORT

# Agenda Item 3

## PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 29 March 2012

### Present:

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

### Also Present:

Councillors Peter Fortune, Nick Milner, Sarah Phillips and  
Catherine Rideout

## 29 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Reg Adams and there was no substitute Member present.

## 30 DECLARATIONS OF INTEREST

There were no declarations of interest.

## 31 CONFIRMATION OF MINUTES OF MEETING HELD ON 2 FEBRUARY 2012

**RESOLVED** that the Minutes of the meeting held on 2 February 2012 be confirmed and signed as a correct record.

## 32 PLANNING APPLICATIONS

### SECTION 1

(Applications submitted by the London Borough of Bromley)

NO REPORTS

### SECTION 2

(Applications meriting special consideration)

#### 32.1 MOTTINGHAM AND CHISLEHURST NORTH

**(11/03476/FULL1) - Eltham College, Grove Park Road, Mottingham**

Description of application - Single and two storey temporary buildings for classroom accommodation and sixth form common room during redevelopment of

part of school.

Oral representations in objection to and in support of the application were received at the meeting. Members having considered the report and representations, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, for the reasons and subject to the conditions and informatives set out in the report of the Chief Planner with an amendment to condition 6 to read:-

“6. No later than three years from the grant of permission the development hereby permitted and other associated structures shall be removed from the site. Within 3 months of removal the playing field land shall be reinstated to a playing field to a quality at least equivalent to that existing or a condition fit for use as a playing field or in accordance with ‘Natural Turf for Sport’ Sport England 2000.

REASON: In the interests of the openness and visual amenities of Metropolitan Open Land and to ensure adequate provision of playing fields and to comply with Policies G2 of the Unitary Development Plan.”

**32.2  
MOTTINGHAM AND  
CHISLEHURST NORTH**

**(11/03482/FULL1) - Eltham College, Grove Park Road, Mottingham**

Description of application – Three storey block comprising classrooms and sixth form accommodation.

Oral representations in objection to and in support of the application were received at the meeting. Members having considered the report, objections and representations, **RESOLVED** that the application **BE DEFERRED** without prejudice to any future consideration to seek clarification of the location of the application site in relation to the Metropolitan Open Land boundary as enabling works appear to encroach on the Metropolitan Open Land.

**32.3  
CRAY VALLEY EAST**

**(11/03762/OUT) - North Orpington Pumping Station, East Drive, Orpington**

Description of application - 9 terraced houses with garages and access road from East Drive. OUTLINE APPLICATION.

Oral representations in support of the application were received at the meeting. Members having considered the report, objections and representations, **RESOLVED** that the application **BE DEFERRED** without prejudice to any future

consideration to seek a reduction in the number of units and an increase in parking spaces.

**32.4  
BROMLEY COMMON AND  
KESTON**

**(11/03856/FULL1) - 5 Narrow Way, Bromley**

Description of application - Conversion of dwelling into 2 one bedroom self-contained flats PART RETROSPECTIVE APPLICATION.

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

**32.5  
BICKLEY**

**(11/03858/FULL1) - Shadycombe, Chislehurst Road, Chislehurst**

Description of application - Detached two storey 5 bedroom dwelling with integral double garage on land adjacent to Shadycombe.

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

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

1. The erection of a dwelling on this open garden land constitutes an unsatisfactory sub-division of the existing plot and would be harmful to the character and visual amenities of the Bickley Area of Special Residential Character, thereby contrary to Policies H7, H10 and BE1 of the Unitary Development Plan and London Plan Policy 3.5.

**32.6  
CLOCK HOUSE  
CONSERVATION AREA**

**(11/03864/FULL1) - 25-27 Beckenham Road, Beckenham**

Description of application – Demolition of existing single storey extensions/outbuildings and erection of single storey link extension between 25 and 27 Beckenham Road to provide entrance lobby, reception suite, kitchen, cafeteria and external seating area.

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Sarah Phillips, in support of the application at the meeting. Comments from Ward Member, Councillor Reg Adams, in support of the application were reported.

Members having considered the report, objections and representations, **RESOLVED THAT**

**PERMISSION BE GRANTED** as recommended, for the reasons and subject to the conditions and informative set out in the report of the Chief Planner with a further condition to read:-

“7. Prior to the commencement of the development hereby permitted, a Premises Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how noise from the site shall be minimised and shall also detail hours of operation. The Premises Management Plan shall be implemented in accordance with the agreed details.

REASON: In order to protect the amenities of nearby residential properties and to comply with Policies BE1 and C7 of the Unitary Development Plan.”

**32.7  
COPERS COPE  
CONSERVATION AREA**

**(12/00013/FULL3) - 4 Limes Road, Beckenham**

Description of application – Change of use from B1 to residential. Demolition of existing covered area to facilitate single storey front extension, provision of parking area, new boundary wall and front gates. New slate roof to existing first floor with provision of velux windows.

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

Members having considered the report, objections and representations, **RESOLVED** that the application **BE DEFERRED** without prejudice to any future consideration to reconsider the design of the scheme.

**32.8  
BROMLEY TOWN**

**(12/00022/FULL1) - 2 Bromley Common, Bromley**

Description of application – Demolition of existing dwelling and erection of three storey building comprising of 6 three bedroom flats and 3 two bedroom flats with 9 car parking spaces, bin and bicycle store.

**THIS REPORT WAS WITHDRAWN BY THE APPLICANT.**

**32.9  
HAYES AND CONEY HALL**

**(12/00116/FULL1) - South Gate, Layhams Road, West Wickham**

Description of application - Demolition of Nos 1 and 2 South Gate and erection of two storey building comprising 5 two bedroom maisonettes with 5 car parking spaces to front, single storey grounds maintenance building and removal of existing car



parking area.

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

1. The proposal would be inappropriate development within the Green Belt, harmful to its character and openness and out of character with the locality, and contrary to Policy G1 of the Unitary Development Plan, and there are no very special circumstances to make an exception to established policy.
2. The proposal would be an overdevelopment of the site, harmful to the character and appearance of the area, thereby contrary to Policy BE1 of the Unitary Development Plan.

**32.10  
PETTS WOOD AND KNOLL**

**(12/00162/FULL1) - Johnson Court, 143B  
Chislehurst Road, Orpington**

Description of application – Two storey four bedroom detached house (including basement accommodation) with 2 car parking spaces and associated landscaping.

Members having considered the report and objections, **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.

**32.11  
BICKLEY**

**(12/00276/FULL1) - Little Moor, Chislehurst Road,  
Chislehurst**

Description of application - Demolition of existing buildings and erection of a two/three storey building comprising 8 three bedroom flats and 16 basement car parking spaces.

Oral representations in objection to and in support of the application were received at the meeting. Oral representations from Ward Member, Councillor Catherine Rideout, in objection to the application at the meeting. It was reported that further objections to the application had been received from the Chislehurst Society together with comments from Highways Engineers with regard to the transport statement.

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

1. The proposal would lack suitable provision of amenity space for future occupiers and would

constitute an overdevelopment of the site, resulting in a detrimental impact upon the spatial standards of the area and an adverse impact upon the street scene, contrary to Policies BE1 and H7 of the Unitary Development Plan.

2. The proposed development would have insufficient parking provision and lack vehicle turning space, contrary to Policies BE1 and T3 of the Unitary Development Plan.

**32.12  
CLOCK HOUSE**

**(12/00330/FULL1) - 3 Beckenham Road,  
Beckenham**

Description amended to read, "Part change of use to residential including part one/two storey extension to form 4 storey building, providing 8 two bedroom apartments with balcony/roof terrace areas and parking".

Oral representations in objection to and in support of the application were received at the meeting. Oral representations from Ward Member, Councillor Nick Milner, in objection to the application at the meeting. It was reported that the application had been amended by documents received on 19 March 2012. Members having considered the report, objections and representations, **RESOLVED** that **PERMISSION BE REFUSED** for the reasons set out in the report of the Chief Planner.

**32.13  
COPERS COPE  
CONSERVATION AREA**

**(12/00449/CAC) - 4 Limes Road, Beckenham**

Description of application – This application seeks Conservation Area consent for the removal of the front entrance gates and covered roof area along with the removal of a corrugated plastic type roof to existing enclosed yard area. It accompanies planning application reference 12/00013 which seeks to replace with development suited to residential accommodation.

Members having considered the report and objections and representations, **RESOLVED** that the application **BE DEFERRED** without prejudice to any future consideration to reconsider the design of the scheme.

**SECTION 3**

(Applications recommended for permission, approval or consent)

**32.14  
SHORTLANDS**

**(12/00034/FULL1) - 143 Westmoreland Road, Bromley**

Description of application – Part one/two storey side/rear extension to accommodate 1 three bedroom flat.

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

**32.15  
FARNBOROUGH AND  
CROFTON  
CONSERVATION AREA**

**(12/00165/MATAMD) - 3 Meadow Way, Orpington**

Description of application - Minor Material Amendment - Elevational alterations to include raising threshold of garage door, lowering of ground floor windows, timber front door and single storey chimney stack. Increase in internal size of loft room to provide bedroom, bathroom and store room, and additional side roof light.

Oral representations in objection to the application were received at the meeting. Comments from Ward Member, Charles Joel, were reported.

Members having considered the report, objections and representations **RESOLVED THAT THE MINOR AMENDMENT BE REFUSED**, for the following reasons:-

1. The application would represent a substantial departure from the original application and the changes therefore require full planning permission.
2. The changes represent an overdevelopment of the site harmful to the character of the area, thereby contrary to Policy BE1 of the Unitary Development Plan.

(Councillor Peter Dean wished his vote for 'Approval' to be recorded.)

**34 TREE PRESERVATION ORDERS**

**34.1**  
**BICKLEY**

**Objections to Tree Preservation Order 2444 at 43  
Logs Hill, Chislehurst.**

Members having considered the report, **RESOLVED** that **Tree Preservation Order No 2444 BE CONFIRMED**, as recommended, in the report of the Chief Planner.

The Meeting ended at 8.55 pm

Chairman

## SECTION '2' – Applications meriting special consideration

**Application No :** 12/00316/FULL1

**Ward:**  
**Farnborough And Crofton**

**Address :** Darrick Wood Secondary School  
Lovibonds Avenue Orpington BR6 8ER

**OS Grid Ref:** E: 543971 N: 165093

**Applicant :** The Governing Body Of Darrick Wood School  
**Objections :** YES

### **Description of Development:**

Elevational alterations and first floor and one/ three storey extension to provide classrooms, music practice rooms and entrance to sport facilities

Key designations:

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

### **Proposal**

The proposal seeks permission for a first floor and one/three storey extension and elevation alterations to provide classrooms, music practice rooms and entrance to sport facilities.

The applicant has provided the following information in support of the application, in relation to the site being located within Urban Open Space:

- the proposed development is directly related to the existing use of the site, extending the existing school facilities and being used for educational purposes;
- the proposal will complement the use of the outside space, incorporating a refurbishment of the changing room facilities, providing a new reception area;
- the new reception area will enhance the experience for both school and community users of the site;
- the development is not residential nor in itself indoor sports;
- although the proposal is for three storeys, and is therefore higher than any of the adjacent buildings, in comparison with the area of the site currently developed it represents only a fraction of the overall school area;

- every effort has been made to reduce the additional footprint of the proposals;
- the siting of the building has been specifically chosen so as not to have a detrimental impact on the public open space, being located on what is currently an access drive with a turning head;
- the site in question is a school, therefore there is naturally a limit to the hours of access that can be provided to the local community due to necessary security measures that must be taken to protect the students;
- notwithstanding site security, a local community group (Bromley MyTime) makes use of the school facilities outside of core school hours, and they will continue to use the site after the completion of the project;
- the enhancement of the Bromley MyTime facilities demonstrates that the issue of community use has been carefully considered;
- the replacement changing facilities will be in exactly the same location as the existing changing rooms and will have the same footprint;
- the extension area is not intended to incorporate any changing facilities, only teaching areas, offices and a reception space.

### **Location**

The application site for the extension is located adjacent to the existing school sports hall, on the south-eastern corner of the existing building complex.

The site lies within Urban Open Space as designated by the London Borough of Bromley Unitary Development Plan (2006).

### **Comments from Local Residents**

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

- after last lot of building, neighbours were promised no more building works, only internal alterations;
- very disappointed that neighbours get no sympathy or communication from the school.

### **Comments from Consultees**

Environmental Health (Pollution) raised no objection to the proposal.

Thames Water raised no objection with regard to sewerage or water infrastructure.

Crime Prevention Officer stated in effect that the plans should be able to achieve Secured by Design accreditation.

Highways Drainage stated that the surface water strategy including the provision of 14m<sup>3</sup> storage Aquacell to reduce surface water run-off is acceptable.

Highways Engineers stated that the application indicates there will be no increase in staff or pupil numbers as a result of the proposal. The existing turning head on

the site will be amended to fit the new layout, however the movement and parking of site and delivery vehicles is an issue given the location, so a construction management plan should be provided.

No comments have been received from Countryside Management to date. Any comments received will be reported verbally at the meeting.

### **Planning Considerations**

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

- BE1 Design of New Development
- G8 Urban Open Space
- C7 Education and Pre-School Facilities

In strategic terms the most relevant London Plan policies are:

- London Plan Policy 3.18 Education Facilities
- London Plan Policy 7.18 Protecting Local Open Space and Addressing Local Deficiency

The relevant national policy document for consideration of this application is the National Planning Policy Framework (NPPF).

### **Planning History**

The site has been the subject of numerous previous applications the most relevant and recent of which can be summarised as follows:

07/04650/FULL1 permitted for single storey side extension to sports hall.

07/04662/FULL1 permitted for two storey extension/ additional car parking and alterations to access road/ regrading of land and laying out of hard play area/ extension of hard play court at rear of Nos 40-46 Lovibonds Avenue.

08/02055/FULL1 permitted for first floor extension to performing arts building to provide classrooms.

09/01084/FULL1 permitted for extension to informal play area permitted under ref.07/04662 adjacent to sports hall to provide netball court and hard play area.

### **Conclusions**

The main issues to be considered are the impact that the proposed pitch would have on the Urban Open Space and the nearby residential properties.

The proposal is considered to constitute appropriate development within the Urban Open Space designation as the proposed development is related to the existing use of the site for the school, and will provide community use for the resulting

development. As previously mentioned the school have submitted information to support the application and, on this basis, it is considered that the proposal is acceptable, in principle, on Urban Open Space grounds.

With regard to the impact on the existing site, the development is to be located to cover the blank façade of the existing sports hall and in its form will have a far more vibrant elevation. The new building can be considered as a series of separate elements, which will provide a façade of differing height elements, using some areas of matching brickwork at ground floor level and above this level contrasting materials will be introduced which will enable differentiating the separate areas for school use and community use.

The proposed development will not be visible from the roadside, being set far back from Lovibonds Avenue, with a number of other larger buildings on the site which are closer to Lovibonds Avenue than the proposed development.

There will be limited scope for landscaping around the entrance area, which at present functions as a delivery and refuse collection site and a transitional space for the users of the multiple use games area (MUGA). The introduction of the new entrance and reception area, along with re-landscaping of the main access, is likely to enhance this area in general.

Teaching spaces will all be located so that they all have external walls and will therefore benefit from fenestration, allowing for natural lighting and ventilation.

Whilst a local resident has raised objection to the scheme on the basis that they have not previously been consulted by the school body prior to the submission of the application, it is considered that the location of the proposed development will not have any impact upon the surrounding residential properties. Whilst it is acknowledged that the building works itself may lead to some disruption on Lovibonds Avenue, Members may consider that disruption during construction is unfortunately unavoidable in any situation. Measures can be taken however in order to manage the situation, and can be covered by condition if permission is considered appropriate.

Although the overall development will be visible at a distance from a few neighbouring properties, Members may consider that the separation is sufficient to outweigh any harm to these properties, and due to the location of the proposed development being surrounded by existing development, Members may consider that the proposal will not significantly harm the Urban Open Space designation of the site and is outweighed by the benefits that the development will bring to the school and the local community.

In conclusion whilst the proposed development will be located on Urban Open Space, Members may agree that the benefits to the school and the wider community, through improved provision for their existing relationship with a community group and the school facilities themselves, outweigh the impact on the openness of the countryside and render the application acceptable.



Background papers referred to during the production of this report comprise all correspondence on files refs. 07/04650, 07/04662, 08/02055, 09/01084 and 12/00316, 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     ACC01        Satisfactory materials (ext'nl surfaces)  
      ACC01R      Reason C01
- 4     ACC03        Details of windows  
      ACC03R      Reason C03
- 5     ACH29        Construction Management Plan  
      ACH29R      Reason H29
- 6     ACI21        Secured By Design  
      ACI21R      I21 reason
- 7     ACK01        Compliance with submitted plan

**Reason:** In order to protect the openness of the Urban Open Space, the amenities of the occupiers of nearby residential properties, and to comply with Policies BE1, G8 and C7 of the Unitary Development Plan.

- 8     The buildings shall be used for classrooms, music practice rooms and entrance to existing sporting facilities in association with the use of the school and local community only and for no other purposes without prior approval in writing from the Local Planning Authority. The buildings hereby permitted do not allow for an increase in the number of teaching staff at the site or pupils in attendance at the school.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and to ensure that the use does not generate additional activity that could adversely affect the amenities of the residents of nearby residential properties or the parking provision on the site.

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

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

- G8    Urban Open Space
- BE1   Design of New Development
- C7    Education and Pre-School Facilities

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

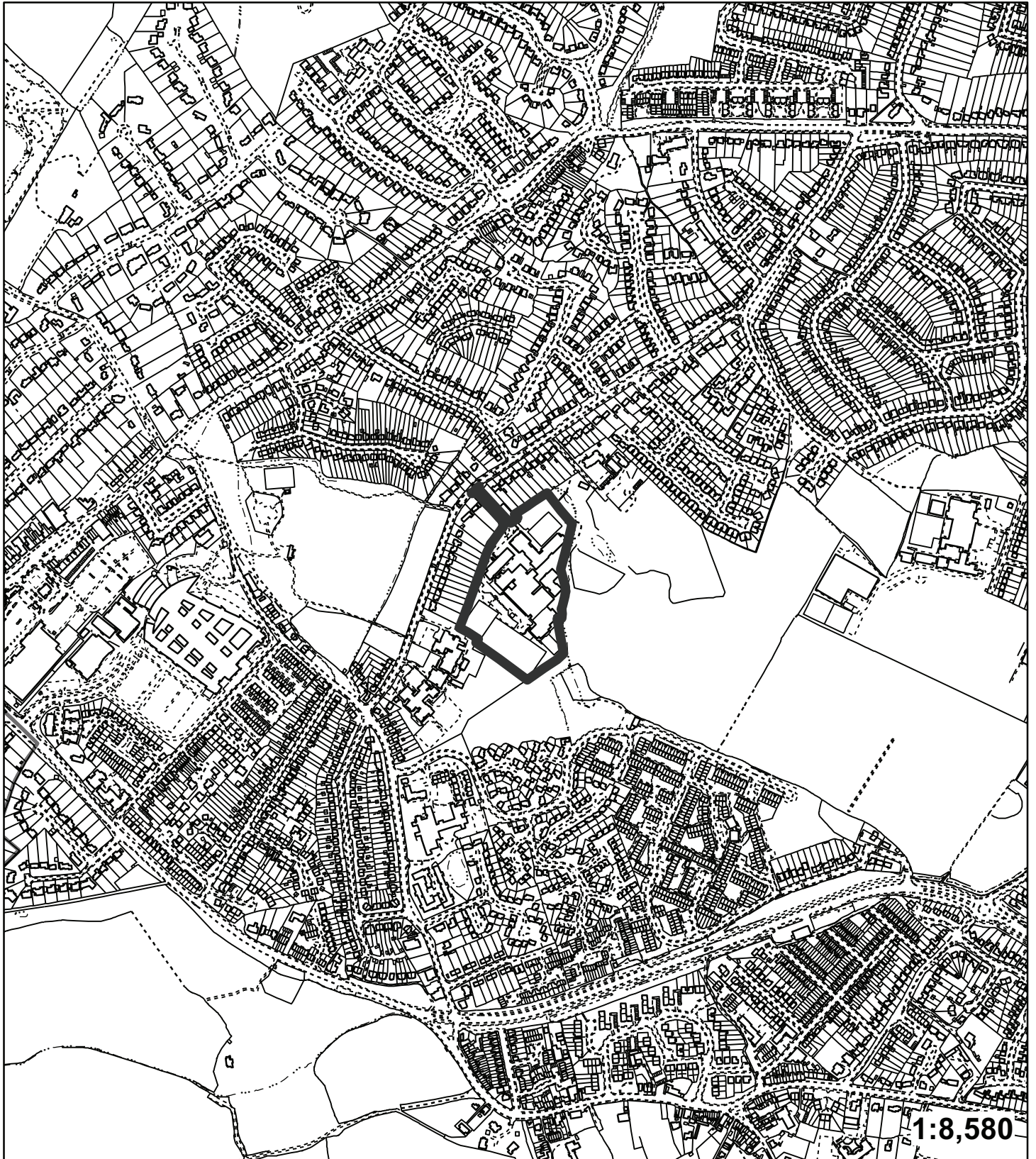
- (a)   the appearance of the development in the street scene;
- (b)   the relationship of the development to adjacent property;
- (c)   the Urban Open Space policies of the development plan;
- (d)   the character of the development in the surrounding areas;

- (e) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (f) and having regard to all other matters raised.

**Application:**12/00316/FULL1

**Address:** Darrick Wood Secondary School Lovibonds Avenue Orpington  
BR6 8ER

**Proposal:** Elevational alterations and first floor and one/ three storey extension to provide classrooms, music practice rooms and entrance to sport facilities



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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/00469/FULL1

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

**Address :** 131 - 133 High Street West Wickham  
BR4 0LU

**OS Grid Ref:** E: 537848 N: 166070

**Applicant :** Mrs M Andreade

**Objections :** YES

### **Description of Development:**

Roof alterations to include side dormer extensions, elevation alterations, part one/three storey rear extensions, conversion of first floor, second floor and roof space to provide 8 two bedroom self-contained units with roof terrace/garden areas, 6 car parking spaces and cycle and refuse store.

Key designations:

Secondary Shopping Frontage  
Stat Routes

### **Proposal**

Amended plans were received on 24th April 2012 which reduced the roof height to 10.7 metres, reduced the size and profile of the dormer extensions, added a parapet wall to provide privacy from proposed rear balcony, and revised the internal layouts so that the proposal now provides 5 one bedroom units and 3 two bedroom units.

The proposal comprises the sub-division and extension of the existing building to provide 5 one bedroom units and 3 two bedroom residential units, 6 car parking spaces and associated amenity space.

There are two existing residential units which will be retained, with an additional 6 units. The two existing residential units do not have access to on-site parking spaces, and this will remain the case. The additional 6 residential units will each be afforded 1 on-site car parking space.

The residential accommodation will be split over the first floor, the second floor and the loft space. The commercial unit at ground floor is not part of the current application being considered, but is part of a separate application ref. 12/00422 (Change of use of ground floor from Class A1 (retail) to class A2 (financial and professional services) and sub-division into 2 separate units).

Access, parking, refuse and bicycle storage is all provided at ground floor to the rear of the retail unit.

## **Location**

The application site is located on the southern side of the High Street in West Wickham, on the corner with Grosvenor Road. The site has a frontage to the High Street of about 10 metres and a frontage to Grosvenor Road of about 33 metres.

The site at present comprises a three storey commercial and residential building, with the ground floor being in commercial use and the upper floors being in residential use. The ground floor unit does not form part of the application, but has been the subject of a separate application which sought to sub-divide and convert it into two Class A2 units.

## **Comments from Local Residents**

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

- excessive proposal to say the least;
- 8, 2 bedroom flats and 2 shops with only 6 parking spaces in an already congested area must be classed as an overdevelopment;
- parking in this area is already very difficult;
- a four storey building is just too big and would be out of keeping with other properties in the High Street;
- proposal to provide 6 parking spaces for 8 two bedroom flats and the ground floor commercial units is insufficient;
- Grosvenor Road is one of the narrowest roads in old West Wickham and is often congested particularly with the busy KwikFit tyre shop situated at the junction with the High Street;
- proposed building is very large and not in keeping with other residential houses;
- suggested amenity / garden is located on top of the parking area and is therefore on a level with, and directly opposite, bathroom and front bedroom of neighbouring property;
- intolerable intrusion of privacy;
- Grosvenor Road is a narrow road with a narrow pavement – the extended height and depth of proposed building will appear oppressive;
- restriction of light to neighbouring properties;
- previous applications for 5 and 6 flats were rejected, yet this is a larger scheme of 8 flats;
- current proposal is also higher and does not include parking for all flats;
- parking exit will also have limited sight of the narrow pavement and without a driveway would appear dangerous;
- inadequate parking – could easily be 16 cars looking for spaces.

Following on from receipt of revised plans and additional information being submitted on 24th April, the following comments were received:



- application appears to be for 8 units with only 6 parking spaces, whereas previous rejected applications were for 6 units with 6 parking spaces;
- parking is at a premium in adjacent Grosvenor Road and there is barely sufficient parking for residents vying with shoppers and local businesses alike;
- to increase the number of units with less parking spaces is unacceptable;
- nothing has changed;
- will continue to put applications in until everyone is sick of the site and lets it through;
- not enough parking spaces;
- thrown the application out, tell the developer to come back with something more reasonable.

### **Comments from Consultees**

Highways Drainage – no objection, however the site is within the area in which there is a restriction on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries. Discharge of surface water would therefore need to be controlled should permission be granted.

Transport for London (TfL) requested that the development should seek to maximise the use of public transport, walking and cycling. TfL would expect appropriate cycle parking to be provided in line with London Plan and local standards. Also in line with London Plan standards, 20% of the parking spaces must be for electric vehicles and a further 20% of spaces having passive provision for use by such vehicles. Adequate parking for disabled people should be provided, the proposals currently have no designated parking spaces for use as disabled parking.

Servicing and deliveries should take place off the TLRN both during construction and subsequently, via the rear access of Grosvenor Road, and this should be secured by appropriate condition.

Temporary obstructions to the public highway must be kept to a minimum. In addition, should this development be granted planning permission this does not discharge the requirements under the Traffic Management Act 2004.

Traffic – provision for bicycle storage consists of a cycle store with 12 racks, which meets the minimum requirement of one cycle parking space per unit. Further details should be provided as to the type of racks being provided.

Waste Services – refuse store should allow for 2 euro containers (1 x 1100 and 1 x 660), 2 paper wheelie bins (240 litre), 2 glass / plastic / cans wheelie bins (240 litres) and 1 x 140 litre wheelie bin for food.

No objection raised by Environmental Health Pollution. Should permission be granted, steps should be taken to control pollution.

Thames Water – no objection raised with regard to sewerage or water infrastructure.

Highways Engineers – In regards to the layout of the parking area drawing No.SK01 indicates a typical car utilising parking space for number three. The manoeuvrability remains tight but it is considered to be practical.

A parking beat survey was undertaken to review any potential parking stress during the evening. The surveys occurred on 21 and 22 March 2012 between the hours of 19:00 and 7:00, the parking survey within the area showed that there is available parking in the surrounding roads. However the applicant is aware that parking during the day is at premium; as High Street, West Wickham is part of the Transport for London Road Network, and parking is prohibited between 7:00 and 19:00; this adds to the parking pressure on the other surrounding roads.

Due to this, a further parking survey was carried out during the daytime (between 10:00 and 18:00) which captured the daytime parking availability within the local road network. It seems that the development would have relatively small impact on the parking demand in the area.

As such no objection is raised to the proposal by the Highways Engineers

### **Planning Considerations**

BE1 Design of New Development  
H7 Housing Density & Design  
T3 Parking  
T7 Cyclists  
T11 New Accesses  
T17 Servicing of Premises  
T18 Road Safety  
S2 Secondary frontages

Recently, Planning Policy Statements and Planning Policy Guidance notes were replaced by the adopted National Planning Policy Framework (NPPF). This is also a material consideration for the determination of the application.

### **Planning History**

In terms of relevant planning history, permission was granted under ref. 02/01240 for elevational alterations and conversion of first and second floors into 2 one bedroom flats.

A previous application was refused under ref. 06/04553 for a block of 6 flats with a ground floor retail unit and 6 parking spaces. This was refused on the following grounds:

1. The proposed development, by virtue of its height, depth, bulk, external detailing and design, would result in a cramped overdevelopment of the site, harmful to the appearance of the streetscene and the setting of the neighbouring locally listed building. The application is therefore contrary to Policy BE1 of the Unitary Development Plan; and



2. The proposed development fails to provide a good level and quality of external amenity space and adequate cycle storage facilities. The application is therefore contrary to Policies H7 and T7 of the Unitary Development Plan.

Application ref. 07/02157 was for demolition of existing buildings and erection of a three storey building comprising retail unit (Class A1) on ground floor and 6 two bedroom flats on upper floors with roof terrace/garden, 6 car parking spaces, cycle and refuse store which was refused on similar grounds:

1. The proposed development, by virtue of its height, depth, bulk, external detailing and design, would result in a cramped overdevelopment of the site, harmful to the appearance of the street scene and the setting of the neighbouring locally listed building. The application is therefore contrary to Policy BE1 of the Unitary Development Plan; and
2. The proposed development fails to provide a good level and quality of external amenity space. The application is therefore contrary to Policy H7 of the Unitary Development Plan.

A further application was submitted under ref. 07/04049 for the demolition of existing building and erection of a three storey building comprising retail unit (Class A1) on ground floor and 1 one bedroom and 5 two bedroom flats on upper floors with roof terrace/garden 6 car parking spaces/cycle and refuse store. This application was refused by the Council but allowed at Appeal.

The most recent application, ref. 11/01869, sought to extend the time limit that this application could be implemented. This application was granted permission.

## **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, the impact on the nearby locally listed building and the impact on highway safety.

Members will be aware that the principle of some form of residential development on this site has already been accepted at Appeal by The Planning Inspectorate, and there is an extant permission on this site from the Appeal being extended through application ref. 11/01869. As such, it may be considered by Members that the current application should therefore be assessed in relation to the main differences in terms of the extant permission.

The supporting Design and Access Statement, on page 10, effectively states that the proposed development mirrors the profile of the redevelopment scheme that was granted permission in 2008 and renewed in 2011. In addition, access and amenity provision mirrors that previously approved, and parking provision is also identical.

The main difference however is that the number of residential units has been increased by two, to provide 5 one bedroom units and 3 two bedroom units, whereas the extant permission would provide 1 one bedroom unit and 5 two bedroom units. Members may therefore consider that whilst the site coverage of building would not be increased, the increase in the number of units may result in an intensification of the site. Members are therefore requested to consider whether the intensification is likely to have a detrimental impact upon the character of the site and the wider area, or whether on balance this is likely to be acceptable.

The supporting statement states that parking provision would be identical to that already approved, in terms of 6 parking spaces being provided. Members are requested to consider whether the provision of 6 car parking spaces for 8 two bedroom units is sufficient in this location, however it should be noted that following a night time and day time parking survey carried out by the applicant, the Council Highways Engineers stated in effect that the scheme is likely to have a relatively small impact on the parking demand in the area and no objection was raised with regard to the scheme.

Nearby residents have raised a number of issues in terms of the proposed development, the main and recurring issues being overdevelopment of the site, insufficient parking for the proposed development, and loss of privacy due to the second floor balcony area. When comparing the extant permission with the current scheme, the height of the building has been amended (by plans received 24th April 2012) to match the overall height of the previously approved scheme at 10.7 metres. Whilst the overall height of the building has mirrored the extant permission, the roof design of the current scheme has been altered, now providing additional residential units within the roofspace and the addition of dormer window extensions to the flank elevations.

The supporting documentation states in effect that the overall bulk, height and scale of the current proposal does not differ from the extant permission, however Members may determine that the provision of dormer window extensions and the resulting design of the roof is in fact bulkier than the scheme previously allowed at Appeal and subsequently extended in time, so much so that direct comparisons between the schemes cannot be drawn. Members are therefore requested to carefully consider whether the design of the roof would appear incongruous in terms of the host building, resulting in a building that would be out of character with other buildings in the area. Members are asked to pay close attention to whether the additional bulk would therefore be excessively bulky, with a top-heavy and cramped appearance that would detract from the streetscene in general, or whether on balance the difference with the previously allowed scheme is minimal and unlikely to cause a detrimental impact upon the streetscene.

The current scheme has provided an amenity area for units 7 and 8 which would be located to the rear of the building above the second floor extension. The amended plans received on 24th April 2012 show that a rear parapet wall has been incorporated which will measure 1.7 metres from finished floor level in an attempt to reduce any possibility of overlooking and loss of privacy for neighbouring properties and indeed the future occupiers of the proposed units. However Members may consider that whilst the principle of some form of balcony area has

previously been agreed above ground floor level to the rear of the site, providing amenity space at second floor level in the form of a balcony / terrace area may be detrimental to the residential amenities of neighbouring properties by reason of noise and disturbance from use of this terrace area.

In terms of the layout of the parking area, drawing No.SK01 indicates a typical car utilising parking space for number three and whilst the Highways Engineer stated that the manoeuvrability remains tight, it was considered to be practical.

A parking stress survey was carried out, this was done so during the evenings of 21 and 22 March 2012 between the hours of 19:00 and 7:00, and showed that there is available parking in the surrounding roads. In addition to this, a further parking stress survey was carried out between 10:00 and 18:00 on 19th April 2012. Whilst local residents have indicated that parking during the day in this area is at premium, following the daytime parking survey, the Council Highways Engineer considered that the proposed development would have a relatively small impact upon the parking demand in the area.

In conclusion, Members views are requested in order to determine this application.

Members are asked to consider whether the proposal as a whole is unacceptable in that it would result in an over-intensive redevelopment of the site by reason of the increase in the number of units, whether the roof design would be excessive in terms of its bulk and scale by reason of the introduction of the roof dormer extensions, and whether the proposed second floor roof terrace, which is to provide amenity space for future occupiers of the building, would be detrimental to the residential amenity that occupiers of neighbouring properties should be able to continue to enjoy by reason of noise and disturbance.

Alternatively, Members are asked to consider whether on balance the main differences between the previously allowed scheme and the current proposal are unsubstantial and as a result are unlikely to lead to a detrimental impact upon the character of the streetscene, a negative impact upon the amenities of nearby residents or upon the safety and parking issues in nearby roads.

Background papers referred to during production of this report comprise all correspondence on files refs. 02/01240, 06/04553, 07/02157, 07/04049, 11/01869, 12/00422 and 12/00469, excluding exempt information.

as amended by documents received on 27.02.2012 29.02.2012 07.03.2012  
13.03.2012 27.03.2012 24.04.2012

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

- |   |                 |  |
|---|-----------------|--|
| 0 | D00002          | If Members are minded to grant planning permission the following conditions are suggested: |
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years                             |

2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted, including full details of the windows, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

3 No development shall take place until details of the layout and means of enclosing the proposed amenity garden have been submitted to and approved in writing by or on behalf of the Local Planning Authority. Development shall be carried out in accordance with the approved details before the residential units hereby permitted are first occupied and shall be retained thereafter.

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

4 Before any part of the development hereby permitted is first occupied, bicycle parking and waste storage and recycling facilities shall be provided at the site in accordance with details to be submitted to and approved in writing by or on behalf of the Local Planning Authority. These facilities shall be retained thereafter.

**Reason:** In order to comply with Policy BE1 and Policy T7 and Appendix II.7 of the Unitary Development Plan in the interests of encouraging the use of sustainable methods of travel and visual amenity.

5 Before commencement of the development hereby permitted a scheme for the parking, manoeuvring and access/egress of cars on and to/from the site shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented before commencement of the residential use of the building and retained thereafter.

**Reason:** In order to comply with Appendix II of the Unitary Development Plan and to the interest of pedestrian and vehicular safety.

6 Before commencement of the development hereby permitted details of foul and surface water drainage systems shall be submitted to and approved in writing by or on behalf of the Local Planning Authority. The approved schemes shall be completed before any part of the development hereby permitted is first occupied, and shall be maintained thereafter.

ADD02R Reason D02

7 While the development hereby permitted is being carried out a suitable area of hardstanding on site shall be provided with wash-down facilities for cleaning the wheels of vehicles. Any accidental accumulation of mud on the highway shall be removed without undue delay and in any event shall not be left behind at the end of the working day.

**Reason:** In order to comply with Appendix II of the Unitary Development Plan and to the interest of highway safety.

8 Before the residential development hereby permitted is first occupied, the proposed windows on the first floor, second floor and roof level western flank elevation shall be obscure glazed and shall subsequently be permanently maintained as such.

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

9 ACK01 Compliance with submitted plan

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

10 ACH32 Highway Drainage  
ADH32R Reason H32

11 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

**Reason:** In order to comply with Appendix II of the Unitary Development Plan and to the interest of pedestrian and vehicular safety.

**Reasons for granting permission:**

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

BE1 Design of New Development  
H7 Housing Density & Design  
T3 Parking  
T7 Cyclists  
T11 New Accesses  
T17 Servicing of Premises  
T18 Road Safety  
S2 Secondary frontages

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 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.

**INFORMATIVE(S)**

- 1 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

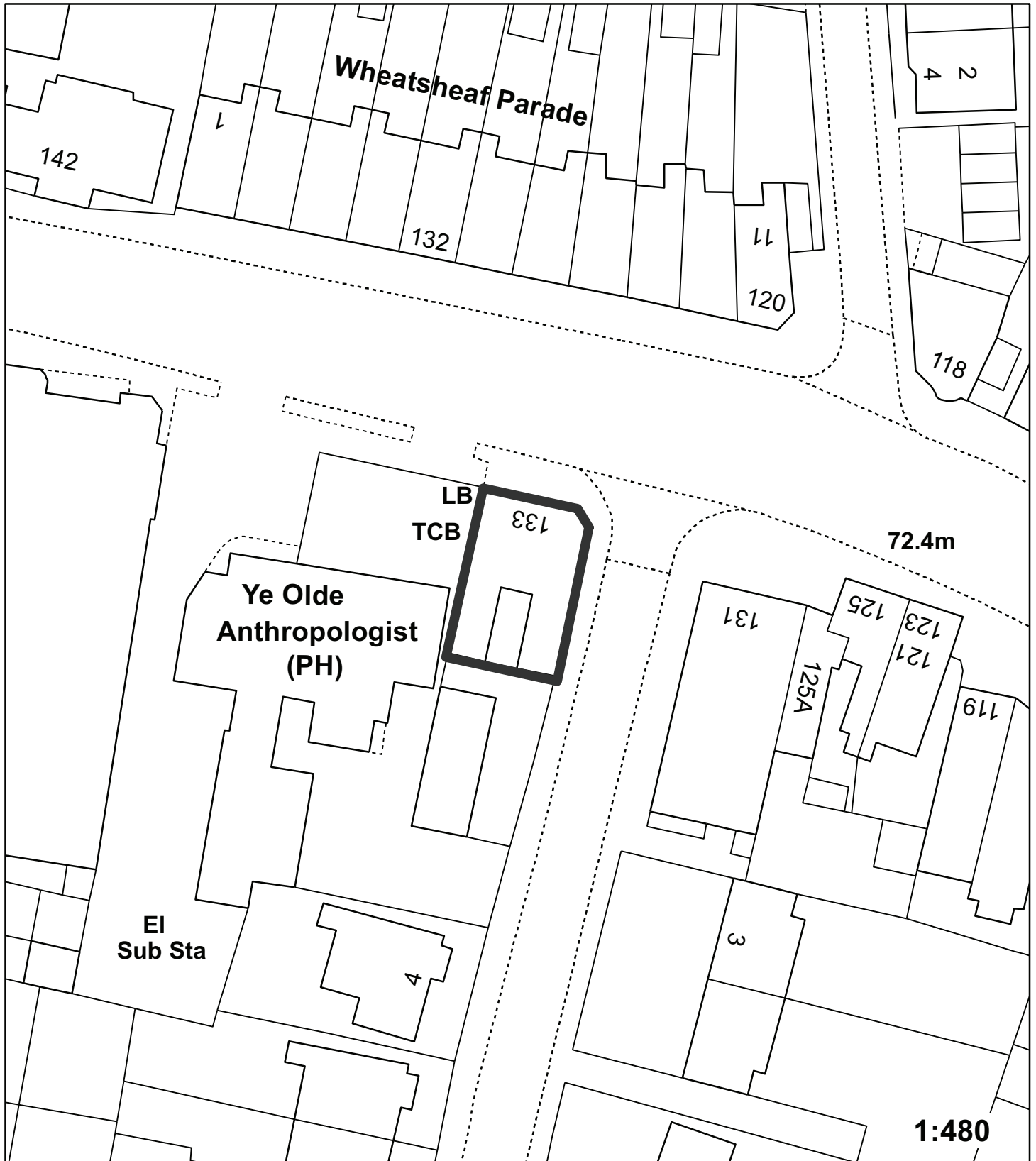
D00003      If Members are minded to refuse planning permission the following grounds are suggested:

- 1      The proposed development, by reason of the number of units and additional bulk and design of the roof, would result in a cramped over-intensive redevelopment of the site, harmful to the appearance of the street scene and contrary to Policies BE1 and H7 of the Unitary Development Plan.
  
- 2      The proposed second floor roof terrace would be detrimental to the residential amenity and privacy that occupiers of neighbouring properties should be able to continue to enjoy by reason of noise and disturbance, contrary to Policies BE1 and H7 of the Unitary Development Plan.

**Application:**12/00469/FULL1

**Address:** 131 - 133 High Street West Wickham BR4 0LU

**Proposal:** Roof alterations to include side dormer extensions, elevation alterations, part one/three storey rear extensions, conversion of first floor, second floor and roof space to provide 8 two bedroom self-contained units with roof terrace/garden areas, 6 car parking spaces and cycle and refuse



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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/00663/OUT

**Ward:**  
**Bickley**

**Address :** 258 Southlands Road Bromley BR1 2EQ

**OS Grid Ref:** E: 542336 N: 168383

**Applicant :** South East Living Group

**Objections :** YES

### **Description of Development:**

Demolition of 258 Southlands Road and erection of 2 dwellings with detached garages (at rear of Nos. 254 - 260 Southlands Road) and associated access road.  
OUTLINE APPLICATION

Key designations:

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

### **Proposal**

Outline planning permission is sought for the demolition of 258 Southlands Road and erection of 2 dwellings with detached garages (at rear of Nos. 254 - 260 Southlands Road) and associated access road. At present, permission is sought for means of access and layout, with appearance, landscaping and scale forming the reserved matters.

Indicative plans provided show the proposal to comprise two detached two storey dwellings with accommodation in the roofspace (with maximum height of 8.4m). Two detached garages also proposed. In terms of the layout, the dwellings would be orientated to face towards the rear of properties on Southlands Road, with a separation of approx. 42m to be provided and a rear garden depth of around 10m. Regarding access, a private road would be provided between Nos. 256 and 260 in place of the existing dwelling.

### **Location**

The application site is located on the southern side of Southlands Road, and comprises a semi-detached dwelling set within a deep plot, together with a parcel of land situated behind Nos. 254 – 260 Southlands Road and adjacent to 48 Southborough Road.

Amended plans have been received showing an alteration to the parking layout in response to comments received from the Highways Division.

### **Comments from Local Residents**

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

- support of application as plot of land is a waste with no access to it and not being properly maintained, proposal will create homes for families.
- number of houses proposed more sensible than the previous application.
- increased traffic and congestion in already congested area.
- Impact on the security of No. 256 as result of proposal can access rear garden and property of No. 256.
- area already overcrowded and populated.
- overdevelopment of suburban area.
- concerns trees indicated on plans will not remain. One tree will overshadow proposed garden area.
- design would impact detrimentally on surrounding area and would not integrate with existing urban form and built environments.
- would reduce openness at rear of site and erode character of the area.
- unacceptable form of backland development by reason of overall scale, bulk and location on rear garden area unsympathetic development in an area characterised by family houses fronting roads in deep plots.
- contrary to policies adopted in UDP 2006 and Government's Planning Policy Statement.
- would result in overlooking and loss of privacy for rear gardens of Nos. 50 and 46 Southborough Lane and No. 8 Draper Court.
- increase noise and general disturbance.
- access road may not be suitable for emergency vehicles.

### **Comments from Consultees**

The Council's Waste Advisors were consulted who stated the refuse collection area must be within 1m of Southlands Road.

The Highways Drainage Division was consulted who stated the proposed works appear very close to or over existing public sewer(s); the applicant should be advised to consult Thames Water as soon as possible to ascertain the exact sewer locations and to establish what protection measures may be required. The site is located within the area in which the Environment Agency – Thames Region require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries. The site appears to be suitable for an assessment to be made of its potential for a SUDS to be developed for the disposal of surface water. No objections were raised subject to conditions.

The Highways Division were consulted who stated this is an outline application for access and layout. The site is within a low (2) PTAL area. The sightline improvement as agreed for the previous application is included. The access road

serves 2 units and would be seen a private drive. The design of the crossover will need to be agreed with Area Management as it will need to tie in with the crossover for no.256.

The proposed refuse storage is located in the access road and the location needs to be agreed with Waste Services. Initially concerns were raised as while there is a detached double garage provided for each unit the garages are smaller than the Council's normal requirement of 6m x 5.2m. The access road is in front of plot 1 and the layout means that vehicles parking in front of the garage for plot 1 will find it difficult to turn and will also impede vehicles turning from plot 2. The parking arrangements for plot 1 will need to be redesigned to allow turning movements. In order to address these concerns revised parking plans were supplied on 04.04.12 and 12.04.12, which is considered to be satisfactory subject to conditions.

From a trees perspective no significant trees would be affected by the proposal.

### **Planning Considerations**

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

BE1 Design of New Development  
H1 Housing Supply  
H7 Housing Density and Design  
H9 Sidespace  
T3 Parking  
T18 Road Safety  
NE7 Development and Trees

Supplementary Planning Guidance (SPG) 1 General Design Principles  
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance  
London Plan Policy 3.4 Optimising Housing Potential  
London Plan Policy 3.5 Quality and Design of Housing Developments

The National Planning Policy Framework 2012 is also a key consideration in the determination of such an application.

### **Planning History**

In 2011 under planning ref. 11/00443/OUT permission was refused for an Outline application for the demolition of No. 258 Southlands Road and erection of 5 dwellings (at rear of Nos. 254 - 260 Southlands Road) with associated access road and detached double garage which was refused on the following grounds:

The proposal would, by reason of the number of dwellings proposed and amount of site coverage by buildings and hard surfaces result in the cramped overdevelopment of the site, and would constitute an unacceptable form of backland development which would be out of character with surrounding development and result in a retrograde lowering of the spatial

standards to which the area is at present developed, contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposed access road between Nos. 258 and 260 Southlands Road would give rise to an unacceptable loss of amenity to neighbouring properties, with particular regard to noise and disturbance arising from its use, contrary to Policies BE1 and H7 of the Unitary Development Plan”.

This was subsequently dismissed at appeal.

## **Conclusions**

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

In paragraph 6 of Appeal Decision relating to the previously refused application ref. 11/03555 the Planning Inspector states “the appeal site sits near to other backland development and I see no reason why some development here should not be acceptable, so long as it meets these criteria (Policy H7)”. In light of these comments it is considered the principle of development on the site has now been established provided that the development meets the requirements of UDP Policy H7 which advises that while backland development will generally be resisted, it may be acceptable provided it would be small scale and sensitive to the surrounding area and it would have adequate access.

While Policy H7 (i) requires new developments to comply with the density/location matrix, in this instance the suburban location of the proposed site with a low accessibility index would advise a maximum of 30 – 60 units per hectare, the application site is 0.14 ha resulting in a maximum of 9.1 units and as such the two proposed units are considered to comply with Policy H7 (i). In addition, the London Plan Sustainable Residential Quality density matrix would advise between approximately 3.5 to 9.1 on a suburban plot. The density of the development proposed at the site is therefore considered to be acceptable and the proposal is not considered to result in an overdevelopment of the plot.

Policy H7 (iii) states “the site layout, buildings and space around buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding area”. In dismissing the previous appeal for the erection of 5 dwellings to the rear of No. 258 the Planning Inspector stated “the proposed buildings would stretch across almost the full width of the site, with a very narrow gap between blocks and insufficient space to the sides for boundary landscaping. The site frontage would be almost wholly taken up by car parking and manoeuvring areas, again allowing little room for planting. As a result, a high proportion of the site would be covered by buildings and hard surfacing, in stark contrast to its surroundings. The result would be a development which would fail to blend with or complement the character of the area”.

In terms of the current application 2 detached dwellings are now proposed with both properties proposing a minimum of 3m to the flank boundaries as opposed to

the previous proposal which would have a minimum of 1.2m distance to the flank boundaries. A distance of approximately 3m would be provided between the flank elevations of the properties as opposed to the previously proposed 1.2m. This is considered to provide sufficient distance to flank boundaries and the two detached dwellings are considered to be more in keeping with the established character of the area and as such the proposal is not considered to result in a cramped form of development. A distance of approximately 10.5m would be provided to the front boundary with 10m provided to the rear boundary (6.8m from the rear elevation of the single storey rear elements of both properties). In addition, the access road has been reduced in width (4.1m wide for the first 10m, to allow service vehicles to access the refuse collection area, with the remainder restricted to 3.1m wide) with the result that a greater proportion of grassed area and landscaping would be provided on the flank boundaries entering the site. Therefore given the reduction in units and width of the access road a greater proportion of the plot is proposed to be landscaped and undeveloped which is considered to blend in with the character of the area, thus overcoming the Planning Inspectors previous concerns and the layout of the proposed dwellings are considered to be acceptable.

In terms of the access arrangements the appeal decision also stated that the vehicular activity created by a scheme of 5 dwellings would be 'significant'. The proposed scheme has reduced the number of dwellings to 2, thus reducing the vehicular activity. The accompanying Design and Access Statement states "in addition to a reduction in the width of the access drive and the removal of the parking space midway along the drive, acoustic fences could be provided along its length if necessary". Members may consider whether such a condition would be sufficient to ameliorate the impact on the residential amenities of the adjoining properties. No objections have been raised by the Council's Highways Division in terms of access and the Highways Engineer stated as the access road would serve 2 units it would be seen a private drive.

Given the significant distance of approximately 10m retained from the proposed dwellings to boundary front and rear boundaries the proposal is not anticipated to impact on the residential amenities of neighbouring properties in terms of loss of privacy, light or overlooking. In addition, this was not raised as a ground of refusal in the case of the previous application nor were concerns raised by the Planning Inspector.

In terms of the impact of the proposal on the character and appearance of the area the Planning Inspector raised concerns in terms of the detrimental impact on the streetscene through the demolition of No. 258. While not a key consideration in the determination of this application in dismissing the appeal the Inspector stated "the house at No. 258 is of ordinary design and appearance. I see no reason why it should not be demolished to provide a landscaped access drive as proposed. However, No. 258 is one of a pair of semi-detached houses with hipped roofs, so the adjoining house, No. 260 would be left looking seriously imbalanced without works to its roof. Even with the alterations proposed on illustrative plan 1068/P104D, the resulting roof would not be symmetrical and I have seen no formal confirmation that the appellant has control of No. 260. I am therefore left in some doubt as to whether the proposal would create an acceptable new street scene to Southlands Road. While this matter is not decisive, it does add a degree

of weight to my other findings". To this end Notice has been served on the occupants of No. 260 and it is understood that an agreement has been reached with the owners of No. 260 to alter the roof to create a symmetrical hipped roof profile should the proposal progress, and as such this property would give the appearance of a detached dwelling and would not appear incongruous in the streetscene, a condition is suggested to ensure this.

As previously stated issues pertaining to the appearance, scale or landscaping are reserved matters for future determination and shall not be considered as part of this outline application.

In summation, having had regard to the above it was considered that the details submitted pertaining to access and layout are acceptable in that it would not impact detrimentally on the character of the area. The reduction in the number of units from 5 to 2 units is considered to be more appropriate given the context of the site. The proposed dwellings are not considered to impact detrimentally on the residential amenities of neighbouring properties in terms of loss of light, privacy and overlooking. While the Planning Inspector previously raised concerns in relation to the impacts of the vehicular activity associated with 5 houses concentrated on a relatively small space close to neighbour's rear gardens, as the current proposal would involve a reduction in the number of units with associated reduction in terms of vehicular activity, it is considered that on balance the impact on the residential amenities of neighbouring properties is considered to be acceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00663 and 11/00443, excluding exempt information.

As amended by docs received 02.04.12 and 12.04.12

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |             |
|---|--------|--|-------------|
| 1 | ACA02  | Details req. pursuant outline permission | appearance, |
|   |        | landscaping 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 | ACD02  | Surface water drainage - no det. submitt |             |
|   | ADD02R | Reason D02                               |             |
| 6 | ACD04  | Foul water drainage - no details submitt |             |
|   | ADD04R | Reason D04                               |             |
| 7 | ACD06  | Sustainable drainage system (SuDS)       |             |
|   | ADD06R | Reason D06                               |             |



- 8 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 9 ACH10 Provision of sight line (3 inserts) 2.4m x 56.5m the east  
of the new access 1m  
ACH10R Reason H10
- 10 ACH16 Hardstanding for wash down facilities  
ACH16R Reason H16
- 11 ACH23 Lighting scheme for access/parking  
ACH23R Reason H23
- 12 ACH32 Highway Drainage  
ADH32R Reason H32
- 13 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.
- 14 ACI21 Secured By Design  
ACI21R I21 reason
- 15 ACK05 Slab levels - no details submitted  
ACK05R K05 reason
- 16 Before the development hereby permitted commences details relating to the roof alterations for No. 260 shall be submitted to and approved in writing by the Local Planning Authority. Before the dwellings hereby permitted are first occupied works shall be undertaken to No. 260 in accordance with the approved details.  
**Reason:** In the interests of the visual amenities of the area, in accordance with Policy BE1 of the Unitary Development Plan.
- 17 AJ02B Justification UNIQUE reason OTHER apps

#### Policies (UDP)

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Sidespace
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

Supplementary Planning Guidance (SPG) 1 General Design Principles  
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance  
London Plan Policy 3.4 Optimising Housing Potential  
London Plan Policy 3.5 Quality and Design of Housing Developments

The National Planning Policy Framework 2012 is also a key consideration in the determination of such an application.

#### INFORMATIVE(S)

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

Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

2 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

3 RD110 Consult Land Charges/Street Numbering

4 RD116 Contact highways re. crossover

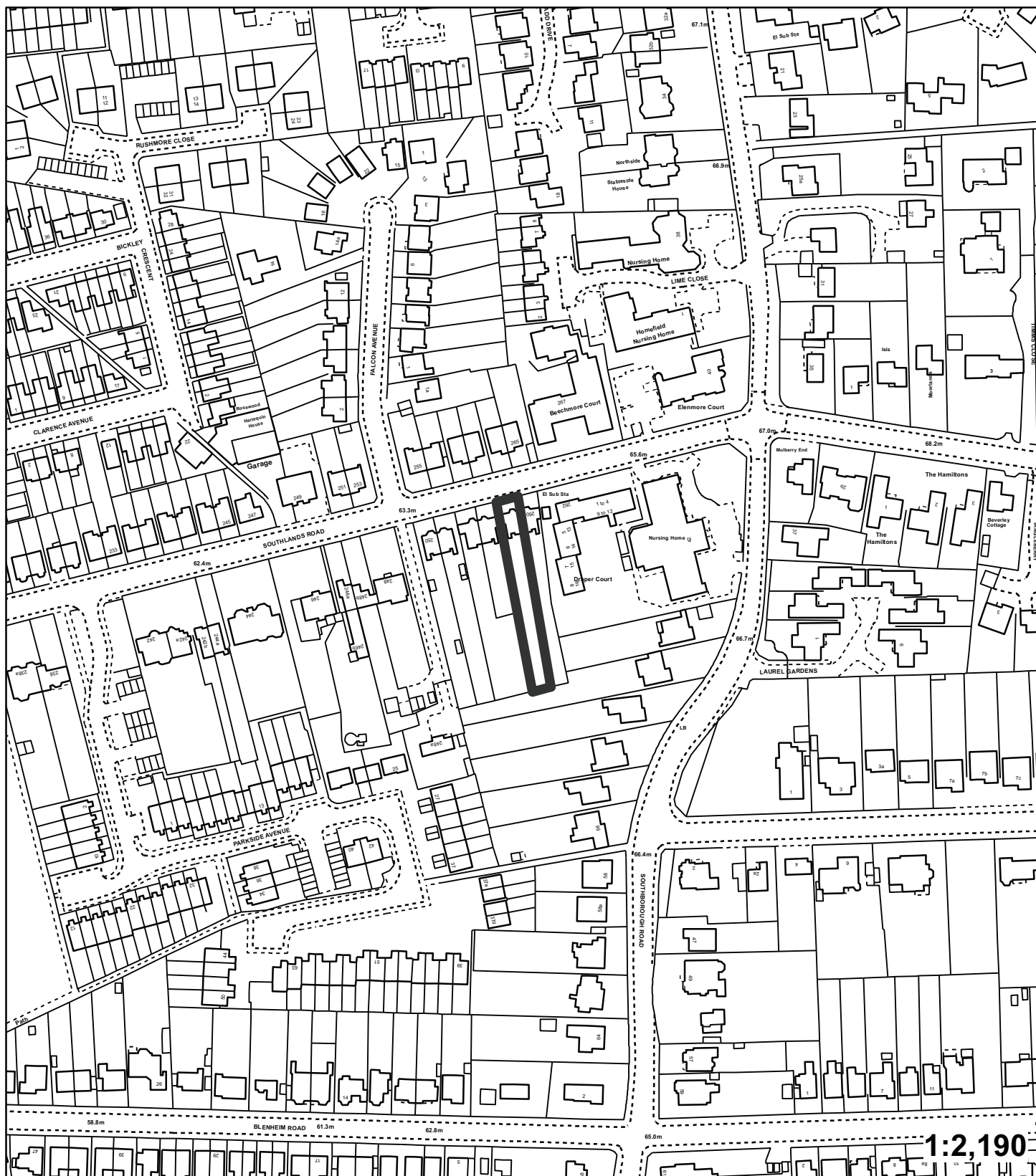
5 RD125 Stopping up of Right of Way



**Application:**12/00663/OUT

**Address:** 258 Southlands Road Bromley BR1 2EQ

**Proposal:** Demolition of 258 Southlands Road and erection of 2 dwellings with detached garages (at rear of Nos. 254 - 260 Southlands Road) and associated access road. OUTLINE APPLICATION



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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/00677/FULL6

**Ward:**  
**Bromley Town**

**Address :** 9 Bromley Avenue Bromley BR1 4BG

**OS Grid Ref:** E: 539517 N: 170020

**Applicant :** Edna Rouhan

**Objections :** YES

### **Description of Development:**

Two storey side extension (Amendment to permission 08/03802 alteration to glazing of windows)

RETROSPECTIVE APPLICATION

Key designations:

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

### **Proposal**

- The proposal seeks retrospective permission for alteration to glazing of windows in an extension granted planning permission under ref. 08/03802.
- Planning permission was previously granted for a two storey side extension, which had a single door in the southern (rear) flank elevation, and a double-pane window measuring approximately 1.25 metres in width and approximately 1.3 metres in height. This application was approved by members, with the addition of Condition 4 stating in effect that the window in the eastern elevation serving the utility room shall be obscure glazed and permanently retained as such.
- Following this planning approval, the window in the eastern flank elevation which serves the utility room was altered in size and an additional window was inserted into the southern (rear) flank elevation adjacent to the single door (under a non-material amendment). The window in the eastern flank elevation now measures 1 metre in height and approximately 1.25 metres in width, and the window in the southern flank elevation measures approximately .
- With a non-material amendment application, if they are granted, the conditions attached to the original application are carried across and must still be complied with. This appears to have caused confusion with the applicant, who proceeded to install a clear-glazed window in the eastern

flank elevation which did not comply with Condition 4 of the original planning approval.

- The current application therefore seeks to regularise the development on site, by seeking planning approval for a clear-glazed window in the eastern flank elevation.

## **Location**

The application site hosts a part one/two storey detached dwellinghouse, located on the southern side of Bromley Avenue.

## **Comments from Local Residents**

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

- disappointed that the matter has arisen again;
- original permission was granted with specific condition that the window in the eastern flank elevation was obscure glazed;
- no attempts have been made to comply with this condition;
- the window in question overlooks home and garden of Number 7, and would create a confrontational situation where none existing before;
- now seriously overlooked from this window;
- can now see directly into new extension and all activities within the utility area, so much so that can see through this window into the north facing elevation onto the street below;
- being on patio in front garden is like being in a goldfish bowl;
- drawings 004A (drawing No. 2) and 102 (drawing No. 3) show a reduction in size of the Eastern window by 300mm. However it is suggested that the newly installed window is the same size as in the original drawing, thus there seems to have been no reduction in size;
- request that the original Planning Consent be adhered to and that obscured glazing be installed immediately;
- have provided photographs to illustrate the issues highlighted.

## **Comments from Consultees**

No internal consultations were made.

## **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**

Permission was granted for a two storey side extension under ref. 08/03802. As previously mentioned, this was granted subject to conditions including that the window in the eastern flank elevation be obscure glazed and permanently retained as such, unless previously agreed in writing by the Local Planning Authority.

## **Conclusions**

Members may consider that the main issues relating to the application are the effect that the clear-glazed window has on the privacy and residential amenity of the occupiers of the host dwelling and in particular of the residents of the neighbouring property, No. 7 Bromley Avenue.

When planning permission was previously granted under ref. 08/03802 for a two storey side extension, this was done so on the basis of a number of conditions that were attached to the approval. These related to commencement of development, matching materials, trees, and obscure glazing. It can be seen that the only outstanding issue at present is the obscure glazing condition, and the current application seeks to address this matter.

A site visit was carried out to the neighbouring property, No. 7 Bromley Avenue, and photographs are available on the planning file for Members to view. These show the relationship between the neighbouring property, No. 7, and the window in question in the eastern flank of No. 9. The neighbour at No. 7 has raised concerns relating to direct overlooking into existing windows at No. 7, loss of privacy for the existing patio area at No. 7 due to the clear-glazing, and overlooking of the garden area.

The conclusion that appears to have been reached in the determination of the original 2008 application was that the window in the eastern flank elevation, provided it is obscure glazed, was acceptable and unlikely to lead to a detrimental impact upon the amenities of the neighbouring residents. However as this window has now been altered to clear glazing, Members Views are requested to determine whether the clear glazing in the eastern flank elevation is acceptable and does not lead to a detrimental impact upon the privacy and amenities of the residents of No. 7 Bromley Avenue, or alternatively whether the alteration from obscure glazing to a clear-glazed window in this location gives rise to an unacceptable degree of overlooking and loss of privacy to the residents of the host dwellinghouse and No. 7 Bromley Avenue, by reason of direct overlooking.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/03802 and 12/00677, excluding exempt information.

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

- |   |        |  |
|---|--------|--|
| 0 | D00002 | If Members are minded to grant planning permission the following conditions are suggested: |
| 1 | ACK01  | Compliance with submitted plan   |

**Reason:** In order to protect the amenities of the residents of Number 7 Bromley Avenue 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

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 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.

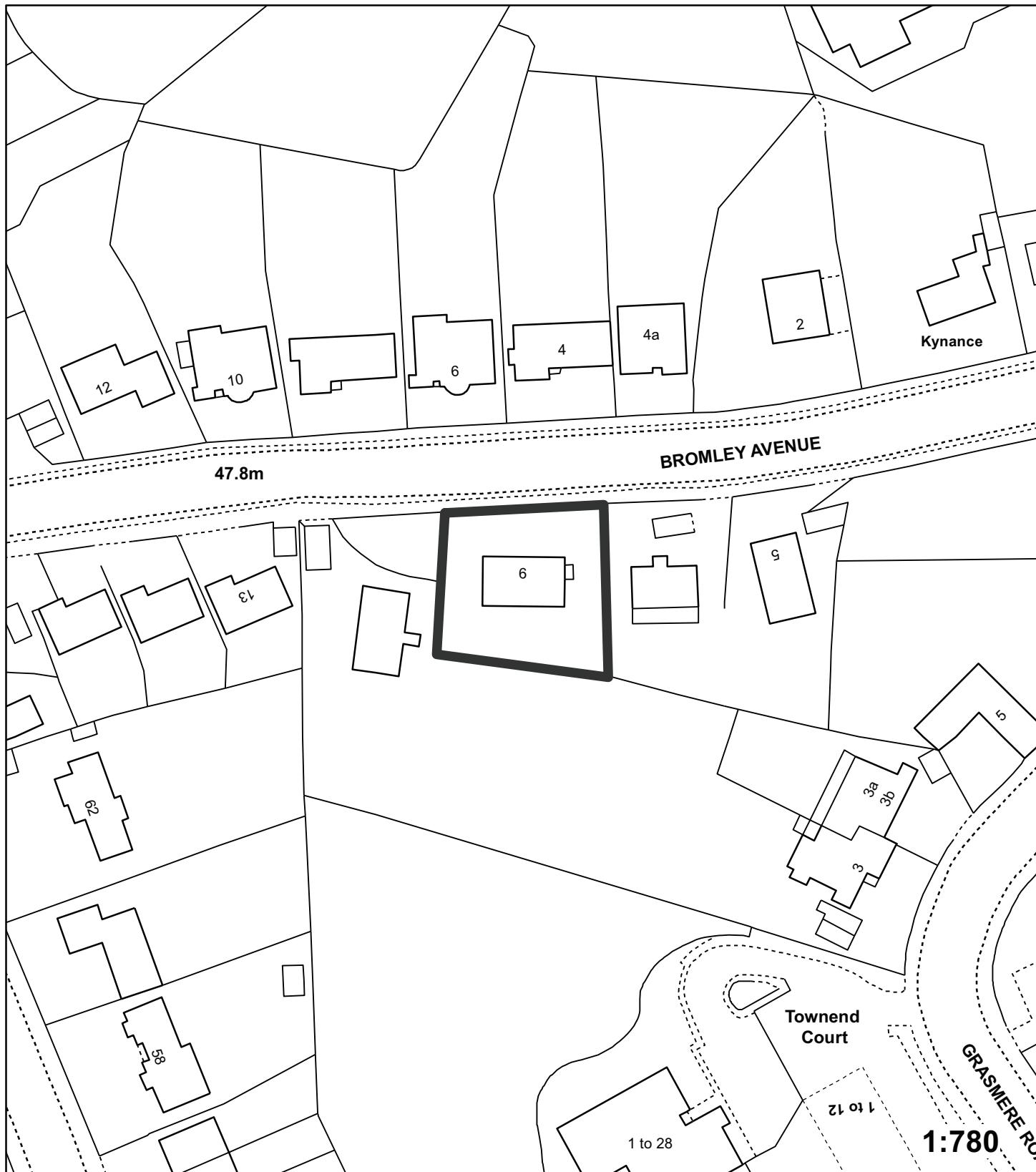
D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The clear-glazed window in the eastern flank elevation of the two storey side extension granted permission under 08/03802 gives rise to undesirable overlooking of the neighbouring property, resulting in lack of privacy and amenities for the residents of Number 7 Bromley Avenue, contrary to Policies BE1 and H8 of the Unitary Development Plan.

**Application:**12/00677/FULL6

**Address:** 9 Bromley Avenue Bromley BR1 4BG

**Proposal:** Two storey side extension (Amendment to permission 08/03802 alteration to glazing of windows)  
RETROSPECTIVE APPLICATION



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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/00805/FULL6

**Ward:**  
**Kelsey And Eden Park**

**Address :** 81 Eden Park Avenue Beckenham BR3  
3HJ

**OS Grid Ref:** E: 536702 N: 168360

**Applicant :** Mr Paul Harris

**Objections :** YES

### **Description of Development:**

Part one/two storey rear extension

Key designations:

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

### **Proposal**

Planning permission is sought for a part one/two storey extension to the rear of the property. The extension would have a flat roof and have a maximum height of 5.5m. The extension would project a maximum 3m to the rear, with the corner of the extension nearest to No.83 set back by 0.9m. The first floor element is also set in by 2m from the boundary with No.79.

### **Location**

The application site comprises a two storey semi-detached property with accommodation within the roof (property has rear dormer extension). The house is situated in the northern side of the road.

### **Comments from Local Residents**

Nearby neighbours were notified of the proposal and the responses received are summarised as follows:

- not objecting but keen to look at how extension may affect light into rear garden
- not in-keeping with surrounding area
- will not enhance area
- already have loft room and outbuilding

- concerned that flat roof would be turned into terrace/garden

### **Comments from Consultees**

No internal or external consultations were made regarding the application.

### **Planning Considerations**

The main policies relevant to this case are Policies H8 (Residential Extensions) and BE1 (Design of new development) of the Unitary Development Plan, which relate to the design of residential extensions and development in general.

### **Planning History**

Planning permission was refused under ref. 03/01363 for a gable end/rear dormer extension and single storey rear extension on the basis that the roof alterations would unbalance the pair of semi-detached properties. The works that have been constructed on site (loft conversion) appear to have been done so under 'permitted development' although no lawful development certificate was given at the time.

### **Conclusions**

The main issues to be considered in this case is the impact of the proposal on the amenities of adjoining neighbours, the impact of the extensions on the host building and wider street scene.

In respect of amenities, the proposed extension would project a maximum of 3m from the rear of the dwelling over the two storeys. However, Members will note that the extension is set in at first floor from the boundary with No. 79 by 2m, and there is a separation of 3.2m (width of shared access road) to the property at No. 83. It is noted that there have been concerns raised from adjoining residents and careful consideration must be given to the impact upon residential amenities. Members may consider that given the scale of the proposal, their siting and orientation, it is not considered that there will be any significant harm to neighbouring residents to warrant refusal of planning permission in this case

In terms of design, the two storey element of the extension would have a flat roof. The proposed extension would be sited to the rear of the house and would not be highly visible from the streetscene although may be viewed from several of the surrounding neighbours. Concerns have been raised stating that the flat roof could be used as a roof terrace although the existing dormer does not have doors at present a condition may be included in order to ensure this area is not used as such

Background papers referred to during production of this report comprise all correspondence on file ref. 12/00805, 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 extension |
|   | ACI13R | I13 reason (1 insert) BE1                          |
| 4 | ACK01  | Compliance with submitted plan                     |

**Reason:** In order that the Local Planning Authority can reconsider any further amendments to the application thereby approved and to accord with policies BE1, H8 and H9 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

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

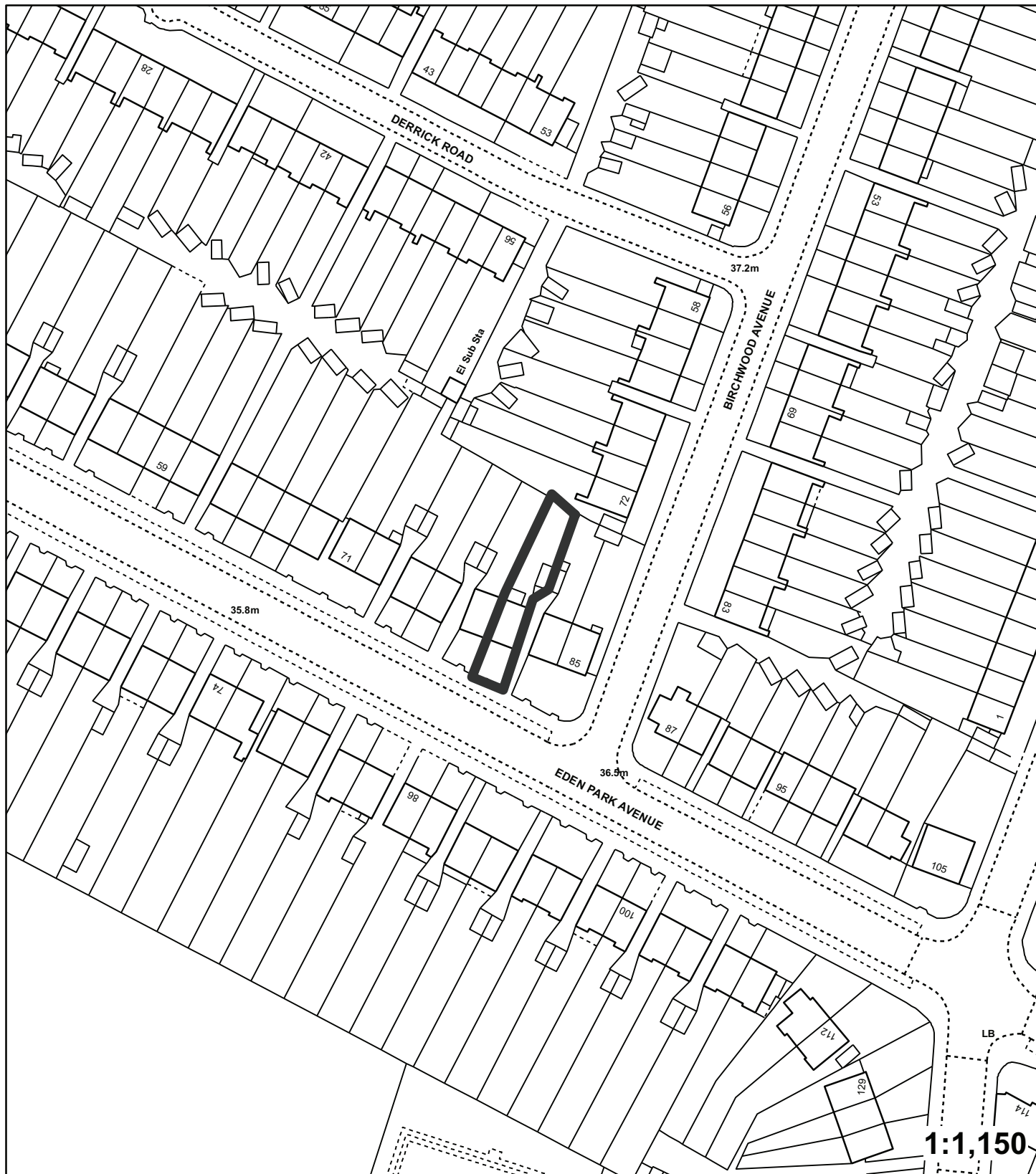
- (a) the appearance of the development in the street scene
- (b) the relationship of the development to the adjacent properties
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the light and outlook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

and having regard to all other matters raised.

**Application:**12/00805/FULL6

**Address:** 81 Eden Park Avenue Beckenham BR3 3HJ

**Proposal:** Part one/two storey rear extension



## SECTION '2' – Applications meriting special consideration

**Application No :** 12/00849/RECON

**Ward:**  
Darwin

**Address :** Land East Of Milking Lane Farm Milking  
Lane Keston

**OS Grid Ref:** E: 541735 N: 161535

**Applicant :** Biggin Hill Airport Ltd

**Objections :** YES

### **Description of Development:**

Removal of Condition 2 removing permitted development rights under Part 18 of Schedule 2 of the Town and Country (General Permitted Development) Order 1995 of permission DC/11/01304/FULL1 granted for the removal of existing security fence and hedgerow and erection of replacement repositioned security fence up to 67m west of the existing fence line and change of use from agriculture to airport

Key designations:

Special Advertisement Control Area  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt

**Joint report with application ref. 12/00850**

### **Proposal**

Members will recall two planning applications (11/01303 & 11/01304) were received by the Council to erect new sections of security fence at Biggin Hill Airport. Both these applications were granted by Plan Sub Committee by decision dated 25th August 2011, but with a planning condition imposed, removing Part 18 aviation permitted development rights. This reads as follows:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order amending, revoking and re-enacting this Order, no building, structure or alteration permitted under Part 18 of Schedule 2 of the 1995 Order (as amended), shall be erected or made within the curtilage(s) of the application site hereby permitted without the prior approval in writing of the Local Planning Authority”

The reason for imposing the condition was to prevent any aviation permitted development taking place so as to protect the openness of the Green Belt. New applications have now been received from Biggin Hill Airport Ltd (BHAL) seeking to

remove these conditions on the grounds that they are unreasonable, unnecessary, and irrelevant having regard to the advice set out in Circular 11/95: 'The Use of Conditions in Planning Permissions'.

The approved applications (11/01303 and 11/01304) involved removing sections of existing hedgerow and erecting a new perimeter fence. The fences would be a 2.4m galvanised chain link fence. The fence would be sited to the west of the existing boundary of the airport, which is currently defined by a hedgerow. The existing hedgerow would be removed and a new fence installed. BHAL stated the security fences have to be a certain minimum distance from the runway and there must be no obstructions within the safeguarded area between the runway and the boundary fence.

The earlier planning applications were made because BHAL had undertaken a comprehensive review of its perimeter fencing around the airport boundary, and had to upgrade sections to comply with regulations as required by the Civil Aviation Authority (CAA). It is understood these requirements are mandatory in order to hold an Aerodrome Licence.

### **Location**

The application site comprises an area of open countryside immediately adjacent to the airport. The site falls within the Green Belt.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and comments have been received that raise the following issues, including:

- conditions should not be removed

### **Comments from Consultees**

None received.

### **Planning Considerations**

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

BE1 New Development  
BH1 Local Environment  
BH2 New Development at Airport  
G1 Green Belt

National Planning Policy Framework (NPPF): especially "Protecting Green Belt Land"

Circular 11/95: 'The Use of Conditions in Planning Permissions'.

## Conclusions

The site falls within the Green Belt where there is a presumption against inappropriate development. The effect of constructing the fences in the position proposed is to enlarge the operational boundary of the airport. As noted when the earlier applications were submitted, this could potentially have further implications, specifically in terms of the area enjoying 'Part 18' aviation permitted development rights, since this extra land would fall within the 'operational boundary'. It was for this reason that the restrictive permitted development conditions were added on the earlier permissions, to stop further development taking place on Green Belt land.

It is BHAL's case that the conditions fail to meet the tests in Circular 11/95. This circular requires that conditions should be necessary, relevant to planning, relevant to the development granted, enforceable and reasonable in all other respects.

The nub of BHAL's case is that no development will be undertaken in future in this area, since it has to be kept free of obstacles because of its proximity to the runway. For this reason BHAL contends the conditions are unnecessary and not relevant. BHAL has also stated that the enlargement of the operational area is needed to satisfy mandatory Civil Aviation Authority (CAA) requirements. A certain minimum unobstructed area from the runway is required under CAA rules, and this is why the fence is to be located west of the existing boundary. The applicant also states that a security fence is required around the perimeter of the airport in accordance with the UK National Security Programme E 300 2010 together with the single Consolidation Direction 1/2010. Thus it is argued by BHAL, that given that no development can take place within these areas in any event, the restrictive conditions serve no purpose and are unnecessary or irrelevant and do not comply with the Circular.

It is further contended by BHAL that the conditions restrict its ability to undertake its statutory role as an airport authority which requires that it maintains the security fence at all times including when improving security arrangements. BHAL says that if works are required at short notice, the procedure of writing to the Council to secure approval may cause delays, and put it into conflict with the airport regulatory bodies. Thus it is contended that the condition is unreasonable.

Members will recall that the original proposals amounted to a change of use from agricultural land to operational land within the Green Belt. This is inappropriate development in terms of the NPPF. Very special circumstances were therefore required to justify inappropriate development. Members, having considered the earlier applications considered that, given the security fence was required under CAA regulations that are mandatory, very special circumstances existed to allow proposals within this Green Belt location. It was also considered that the erection of the fences would have no discernable effect on the openness of the Green Belt. Nonetheless, given the site's Green Belt location, it was considered appropriate to impose the conditions restricting permitted development, given that permitted development can, and has had, very significant effects on the Green Belt.



BHAL's case here does seem rather contradictory: on the one hand it is stated that it cannot undertake any development within these areas because of various airport regulations requiring they be kept entirely free of obstacles. On the other hand, it says that the restrictive conditions will restrict its ability to undertake its statutory role as an airport authority.

When the earlier applications were granted, there were concerns about enlarging the operational area of the Green Belt and that resulting inappropriate development could occur. Inappropriate development is by definition harmful. In order to make the applications acceptable, the restrictive conditions were therefore imposed. Had the condition not been imposed, it is highly likely that the applications would have been refused permission by the Plans Sub-Committee. Paragraph 86 of Circular 11/95 does allow conditions to restrict permitted development in certain circumstances, where this is justified. In this instance, given the sensitive location within the Green Belt, it is considered that the conditions are justified and meet the tests in the Circular. They are necessary, relevant to planning, relevant to the development granted, enforceable and reasonable in all other respects.

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.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01303, 11/01304, 12/00849 and 12/00850, excluding exempt information.

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

The reasons for refusal are:

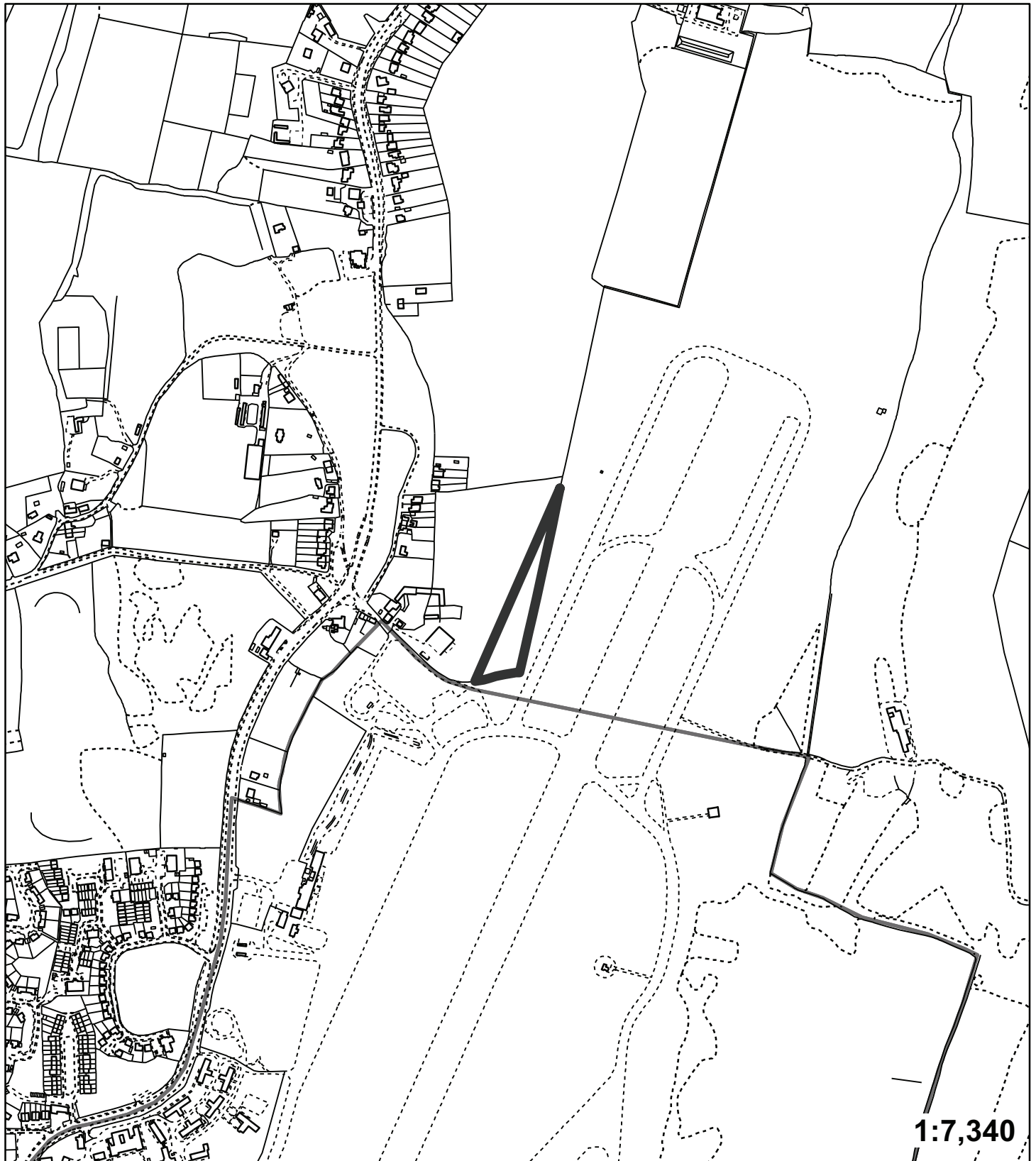
- 1 The site falls within the Green Belt wherein there is a presumption against inappropriate development. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Condition 2 restricting Part 18 Aviation Permitted Development is required to protect the Green Belt and meets the requirements of Circular 11/95: 'The Use of Conditions in Planning Permissions'.



**Application:**12/00849/RECON

**Address:** Land East Of Milking Lane Farm Milking Lane Keston

**Proposal:** Removal of Condition 2 removing permitted development rights under Part 18 of Schedule 2 of the Town and Country (General Permitted Development) Order 1995 of permission DC/11/01304/FULL1 granted for the removal of existing security fence and hedgerow and erection of



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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/00850/RECON

**Ward:**  
Darwin

**Address :** HPS Gas Station Leaves Green Road  
Keston

**OS Grid Ref:** E: 541997 N: 162357

**Applicant :** Biggin Hill Airport Ltd

**Objections :** YES

### **Description of Development:**

Removal of Condition 2 removing permitted development rights under Part 18 of Schedule 2 of the Town and Country (General Permitted Development) Order 1995 of permission dc/11/01303/FULL1 granted for the removal of existing security fence and hedgerow and erection of replacement repositioned security fence between 100m and 125m to the west of the existing fence line and change of use of land from agriculture to airport

Key designations:

Special Advertisement Control Area  
Biggin Hill Public Safety Zone  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt

**Joint report with application ref. 12/00849**

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

The reasons for refusal are:

- 1 The site falls within the Green Belt wherein there is a presumption against inappropriate development. Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Condition 2 restricting Part 18 Aviation Permitted Development is required to protect the Green Belt and meets the requirements of Circular 11/95: 'The Use of Conditions in Planning Permissions'.

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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/00951/RECON

**Ward:**  
**Bromley Town**

**Address :** The Ravensbourne School Hayes Lane  
Hayes Bromley BR2 9EH

**OS Grid Ref:** E: 540682 N: 168046

**Applicant :** The Ravensbourne School

**Objections :** NO

### **Description of Development:**

Removal of condition 1 of permission granted under ref. 07/02691 which requires the permitted mobile classroom to be removed by 30.09.2012

Key designations:

Local Distributor Roads  
Locally Listed Building

### **Proposal**

Planning permission is sought for the removal of condition 1 which was attached to the original permission granted under ref. 07/02691. The condition required the temporary building to be removed by 30th September 2012.

In the design and access statement, the Agent states that the modular building continues to provide an essential classroom facility for the school.

### **Location**

The application site is located to the northern side of Hayes Lane. The site comprises a complex of buildings to the south western end and playing fields to the north. The main school building (which fronts onto Hayes Lane) is Grade II Listed. The school is accessed via Hayes Lane. The school site is designated as Urban Open Space.

### **Comments from Local Residents**

At the time of writing this report no local objections have been received.

### **Comments from Consultees**

No external consultations have been made with regard to this application.

## **Planning Considerations**

The application site is defined as Urban Open Space. In determining the application the main policies are C7, BE1, BE8 and G8 of the Unitary Development Plan, which relate to educational and pre-school facilities, design of new development, statutory listed buildings and Urban Open Space.

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 the attractive townscape that the Council wishes to secure. BE8 states that development should not harm the setting of a listed building.

In respect to education issues the Council will support applications for new or extensions of existing educational establishments provided that they are located so as to maximise access by means of transport other than by car.

Therefore the main issue in the determination of this application is the impact on the Urban Open Space. Policy G8 of the Unitary Development Plan states that permission will only be permitted under the following circumstances:

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

Circular 11/95 'The Use of Conditions on Planning permissions is also relevant in this case.

## **Planning History**

There is a large amount of planning permission on the site. Since the grant of planning permission for the temporary siting of the modular classroom (which this application seeks to extend) the following applications have been submitted by the school:

- 12/00323- Retention of detached single storey storage building (due to be heard by Plans-Sub Committee on 10th May 2012)
- 11/03827- planning permission refused for the retention of gates and fencing with roller spike wire above on Cromwell Close frontage
- 10/01328/ELUD- Lawful development certificate granted for the continued use of floodlights with compliance with condition 8 of ref. 91/01549 (granted for all weather pitch) which restricts lux intensity levels
- 10/00694- planning permission and listed building consent granted for single storey extension to provide food technology room
- 10/00672- planning permission granted for single storey extension to existing gym

- 09/01193- planning permission refused and later allowed on appeal for variation of condition 7 of 91/01549 to allow floodlights to until 21.30hrs 5 evenings a week
- 09/01193 and 08/02934- planning permission and listed building consent granted for repairs to roof
- 07/03517- planning permission granted for replacement bicycle shelter.

## Conclusions

The previous application stated that temporary permission was sought for the modular building. The previous officer report to Members stated that given the type of building proposed, it was recommended that permission be only for 5 years in order to reassess the situation at that time. Now that the 5 year period has expired that Local Planning Authority must decide whether the modular building in the manner installed is acceptable to warrant the grant of permanent permission.

Circular 11/95 states that the use of temporary conditions are suitable “where a proposal relates to a building or use which the applicant is expected to retain or continue for a limited period, or because it is expected that the planning circumstances will change in a particular way at the end of that period, then temporary permission may be justified”. The basis for justifying the grant of permission for the modular building was that the building was only required for a limited period of time and given the temporary design of the building, Members may consider that the container would be an unacceptable long term solution to the classroom requirements of the school. Members may consider that the temporary style and design of the building makes it inappropriate to be sited at the school indefinitely.

In terms of the impact on the open character of the Urban Open Space, the development accords with Policy G8 in that it relates to the existing use (the school). It is considered that the openness of the Urban Open Space would not be compromised given its location within the existing complex of building and away from the playing fields. On balance, the size of the development is considered acceptable in principle. The proposal is unlikely to have a detrimental impact on the amenities of nearby neighbours on Hayes Lane given the substantial distance from the building. These considerations remain unaltered since the temporary grant of planning permission in 2007, but the impact of the temporary style and design of the building in close proximity to the road and Grade II listed building must be taken into account.

There are three options presented to Members:

- to refuse the removal of Condition 1 which would result in the modular building having to be removed by 30th September 2012
- to impose another temporary condition which would allow the school additional time to seek alternative classroom accommodation within the site or in order to look at revising the building to allow for a more attractive design (an additional 24 months is suggested)
- grant the removal of Condition 1 which would enable the modular building to be sited in its present location permanently

Background papers referred to during production of this report comprise all correspondence on file ref. 12/00951, excluding exempt information.

**RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

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

1 The mobile classroom hereby permitted shall be removed and the land reinstated to its former condition on or before 30.09.2014.

**Reason:** In order that the situation can be reconsidered in the light of the circumstance at that time in the interests of the amenities of the area.

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

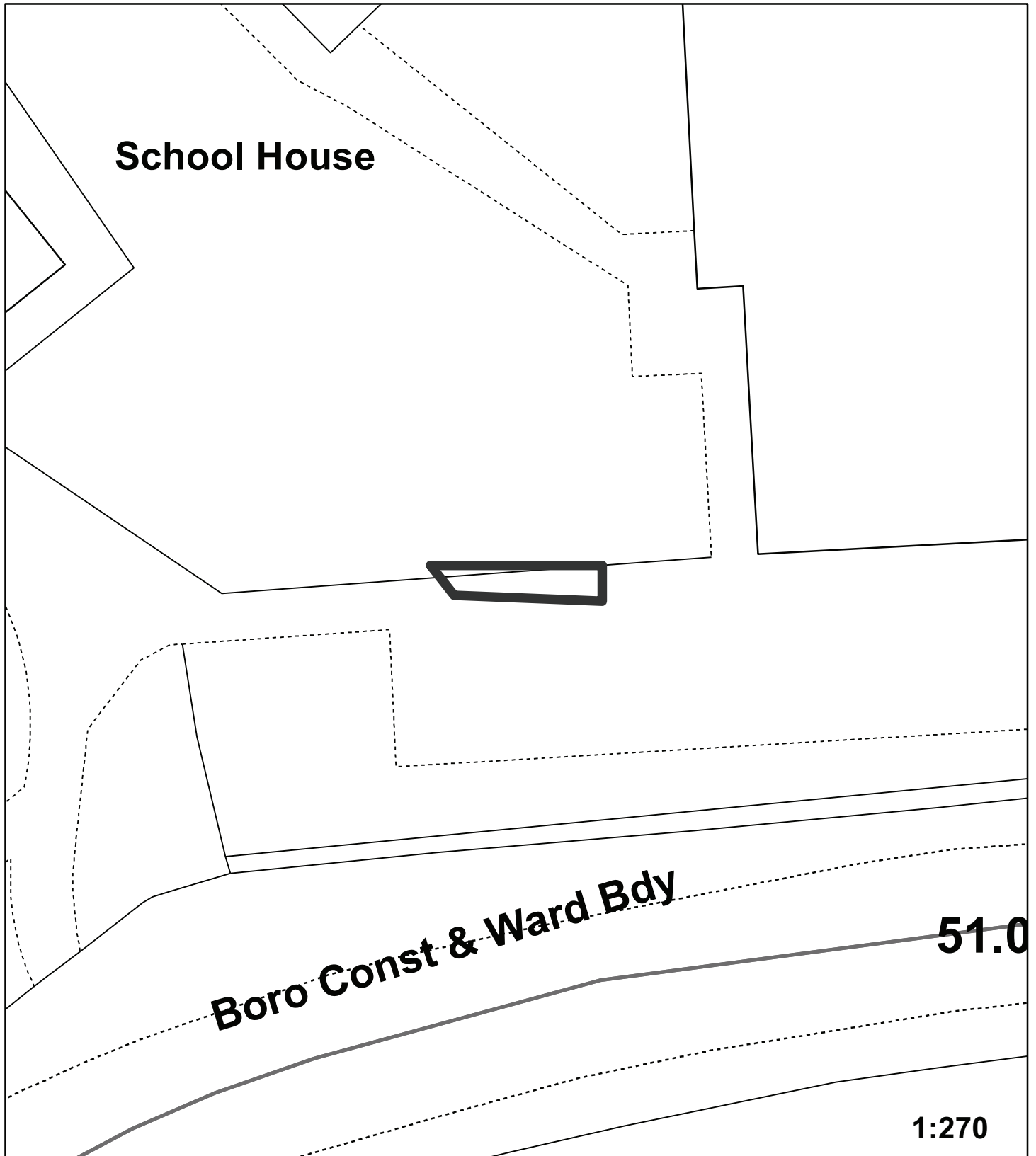
1 The permanent retention of the existing modular building, by reason of its design and prominent siting would impact detrimentally on the setting of the visual character of the street scene and setting of the Grade II Listed Building, thereby contrary to Policies BE1 and BE8 of the Unitary Development Plan.



**Application:**12/00951/RECON

**Address:** The Ravensbourne School Hayes Lane Hayes Bromley BR2 9EH

**Proposal:** Removal of condition 1 of permission granted under ref. 07/02691 which requires the permitted mobile classroom to be removed by 30.09.2012



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

**Application No :** 12/00380/FULL6

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

**Address :** 21 Wood Lodge Lane West Wickham  
BR4 9LY

**OS Grid Ref:** E: 538391 N: 165340

**Applicant :** Mr Alan Neenan

**Objections :** NO

### **Description of Development:**

Single storey front and first floor side extensions, and conversion of garage to habitable accommodation.

Key designations:

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

### **Proposal**

Planning permission is sought for the following extensions:

- single storey front extension
- first floor side extension
- conversion of garage to habitable accommodation

The property at present has a single storey garage at the front which retains a 0.92m side space to the boundary with No. 19 Wood Lodge Lane. The conversion of the garage would result in the loss of one parking space to provide a study. There is parking available at the front of the house.

### **Location**

The application property is a two storey detached house with front garden providing off street parking and a large garden at the rear. The property is located to the north-eastern side of the road.

### **Comments from Local Residents**

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

## Comments from Consultees

No objections have been raised by the Council's Highways Officer.

## 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 under ref. 01/00594 for a single storey rear extension for conservatory.

## Conclusions

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

The proposed first floor extension would be constructed above an existing single storey garage at the front of the property. The side space would remain unchanged, with the existing and proposed two storey element retaining a 0.92m separation to the boundary to No. 19. Although this is slightly less than the minimum 1m side space normally required for two storey developments, given that the proposed extension is not projecting beyond the existing side wall of the host dwelling the extension and as such Members may consider the proposal to be acceptable to comply with Policy H9.

The design of the extension is in-keeping with the host dwelling and there are other similar examples of first floor extensions in the immediate area. The single storey front extension will not project beyond the existing bay window and the conversion of the garage is considered acceptable given that parking is provided to the front of the site.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/00380, excluding exempt information.

## 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     ACH03     Satisfactory parking - full application  
      ACH03R    Reason H03
- 4     ACK01     Compliance with submitted plan
- Reason:** In the interest of the visual and residential amenities of the area.
- 5     ACI13     No windows (2 inserts)     north-western     first floor side  
      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:

- 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 relationship of the development to the adjacent properties
- (c)   the character of the development in the surrounding area
- (d)   the impact on the amenities of the occupiers of adjacent and nearby properties
- (e)   the light and outlook of occupiers of adjacent and nearby properties
- (f)   the privacy of occupiers of adjacent and nearby properties

and having regard to all other matters raised.

**Application:**12/00380/FULL6

**Address:** 21 Wood Lodge Lane West Wickham BR4 9LY

**Proposal:** Single storey front and first floor side extensions, and conversion of garage to habitable accommodation.



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

**Application No :** 12/00547/FULL1

**Ward:**  
Kelsey And Eden Park

**Address :** 76A Manor Way Beckenham BR3 3LR

**OS Grid Ref:** E: 537522 N: 168608

**Applicant :** Mrs Yves Ferguson

**Objections :** YES

### **Description of Development:**

Demolition of existing dwelling and erection of two storey five bedroom dwelling house with integral garage

Key designations:

Conservation Area: Manor Way Beckenham

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

### **Proposal**

The proposal seeks permission for a replacement detached two storey five bedroom dwellinghouse with integral garage and accommodation within the roof space, incorporating a front dormer extension.

At ground floor, the accommodation will comprise of an entrance hallway, kitchen, dining room, two living rooms, utility room, office, wc, store and integral garage. At first floor, there will be four bedrooms, two en-suites, a dressing room and a family bathroom. The roof space will provide a box room, bathroom and playroom.

The details of the proposal are as follows:

- the proposed replacement dwelling house will be sited in similar position on site as existing dwelling;
- approx. 10.9 metres in width along the front, 9.65 metres in width at the rear, 14 metres in depth along the southern flank elevation (excluding the projection of the bay window), 15.4 metres in depth along the northern flank elevation (including the garage projection) and with a maximum height of approx. 9 metres;
- there will be a minimum separation of 1 metre between the northern and southern flank elevations and property boundaries;

- to feature hipped roof design, with two forward facing gabled sections and central front dormer extension, two chimneys with one on either side of the roof,
- an integral garage which projects forward of the front elevation of the main dwelling house by approx. 1.4 metres and a bay window at ground floor;
- to be brick-built with red brickwork, with corner detailing and white render to the side and rear elevations, with the red brick band continuing from the front elevation round to the rear. The roof pitch will be continued around the side elevations;
- traditional white painted timber windows and timber doors.

The proposal will also involve new landscaping to the site.

### **Location**

The application site is located on the western side of Manor Way, close to the junction with Little Acre and within the Manor Way Beckenham Conservation Area.

At present, the site is host to a two storey dwelling of little architectural merit which features white weatherboarding at first floor level. The immediate surrounding area is mixed in character, with dwelling houses along Manor Way being detached and typically of two storey height, varying in form and character, set back from the roadside on spacious plots

### **Comments from Local Residents**

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

- objected to previous application on behalf of clients;
- current application omits the previously proposed balcony, which is a welcome amendment;
- however the plans retain the bay window at first floor level on the front (eastern) elevation;
- as the south-eastern corner of the proposed house would be forward of the existing house and approx. 2.5 metres forward of the front elevation of the nearest part of No. 78 Manor Way, the south-facing window in the first floor bay would result in overlooking;
- resulting loss of privacy;
- if permitted, the property would benefit from permitted development rights once built, therefore conditions are suggested;
- application for CAC should only be approved once replacement dwelling of suitable design has been approved.

### **Comments from Consultees**

Highways Drainage – no objection to scheme however the ground is likely to be clay, therefore soakaways won't work.



Waste Services – refuse and recycling to be left edge of curtilage.

Highways Engineer – the site is utilising the existing vehicular access which leads to the integral garage. This is satisfactory, and no objection is raised.

Environmental Health (Pollution) – no objection raised.

Environmental Health (Housing) – no adverse comments, provided scheme meets or exceeds full Building Regulations standards for Means of Escape in case of fire, sound insulation and thermal efficiency. Given the increase in water using appliances within the new development, the developer should consider harvesting, storage and reuse of greywater and rainwater for WC flushing purposes and on-site irrigation.

Thames Water – no objection to sewerage or water infrastructure. With regard to surface water drainage, it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. Connections are not permitted for the removal of Ground Water. Where the developer proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Advisory Panel for Conservation Areas (APCA) raised objection to the proposal on the basis of poor roof design. The gables and dormer need to be redesigned and shown consistently on all drawings. A treatment more closely resembling that at No. 47 would be more appropriate.

### **Planning Considerations**

No objection raised to the principle of this proposal in terms of the impact upon the conservation area, however concerns that gables may look awkward.

There is beech tree in the front garden which is protected by a TPO – it is not shown on the plans but would be unaffected by this proposal.

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

- BE1 Design of New Development
- BE11 Development in Conservation Areas
- H7 Housing Design
- H9 Side Space
- T3 Parking
- T18 Highway Safety

London Plan Policy 3.5

### **Planning History**

In terms of relevant planning history, a full planning application was submitted under ref. 11/01747 with an associated Conservation Area Consent application

under ref. 11/01748. Both of these applications were withdrawn by the applicant prior to determination.

The current application should also be considered in conjunction with a conservation area consent application for the demolition of the existing dwelling, under ref. 12/00548.

## **Conclusions**

Members may consider that the main issues relating to the application are the effect that it would have on the character of the Manor Way Conservation Area that the site is located within and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The proposed replacement dwelling would be located largely on the same footprint of the existing dwelling house, with the exception of the south-eastern corner of the building (serving the living room) which will project forwards of the existing building by approximately 3.3 metres with an additional forward projection of 0.9 metres for the bay window feature, and the garage will now be integral and pulled away from the property boundary compared to the current garage.

It is considered that the overall footprint of the proposed replacement dwellinghouse will not result in an excessive level of site coverage when compared to the site coverage of the existing dwellinghouse, with an increase in floor area above the floor space of the existing dwellinghouse by approximately 122.16m<sup>2</sup>. For this reason the application is liable for payment to the Mayoral Community Infrastructure Levy (CIL), however this slight increase in floor area is not considered excessive or likely to lead to a detrimental impact upon the character of the area or amenities of occupiers of neighbouring properties.

The proposed replacement dwelling would be sited in a similar position to the existing dwelling, and would be of a similar width overall, although would have a greater maximum height, increasing from 7.7 metres to approximately 9 metres, including accommodation within the roofspace. The additional height of the proposed dwelling would not be out of keeping with the character of the area and Members may consider that the design of the replacement dwelling house may in fact enhance the character of the Manor Way Conservation Area. The proposed height of the resulting building is considered to be in keeping with other properties along the road, therefore Members may find that it would not detract from the streetscene nor be detrimental to the character of the conservation area.

In terms of the height and scale of the proposed replacement dwellinghouse, the scheme incorporates a number of features such as the forward facing gable features and hipped roof design which may be considered to be in keeping with the general design character of the majority of properties within the streetscene and will help to break up the bulk of the built form. In addition, the palette of materials to be used would be similar to those of the surrounding dwellings, which may be considered to soften the visual impact of the built form in this case.

Members may therefore consider that the overall design and architectural merit of the proposed replacement dwelling house would preserve the character and appearance of the Manor Way Beckenham Conservation Area, and by introducing a design which is more in keeping with other properties in the area is likely to enhance the conservation area. Whilst concerns have been raised on behalf of the occupiers of the adjacent dwellinghouse, Number 78, with regard to loss of privacy through the introduction of bay windows to the front of the property, Members may consider that these windows would be a sufficient distance away from the neighbouring properties to prevent any undue loss of privacy, or the ability to directly overlook the neighbouring properties.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01747, 11/01748, 12/00548 and 12/00547, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACC01<br>ACC01R | Satisfactory materials (ext'n'l surfaces)<br>Reason C01        |
| 3 | ACC03<br>ACC03R | Details of windows<br>Reason C03                               |
| 4 | ACD02<br>ADD02R | Surface water drainage - no det. submitt<br>Reason D02         |
| 5 | ACH05<br>ACH05R | Size of garage<br>Reason H05                                   |
| 6 | ACH32<br>ADH32R | Highway Drainage<br>Reason H32                                 |
| 7 | ACI02           | Rest of "pd" Rights - Class A, B,C and E                       |

**Reason:** In order to comply with Policies BE1 and BE11 and to preserve and protect the character and appearance of the Manor Way Beckenham Conservation Area.

- |   |       |  |
|---|-------|--|
| 8 | ACI11 | Obscure glaz'g/details of opening (1 in) in the first floor flank elevations |
|---|-------|--|

**Reason:** In order to comply with Policy BE1 and to protect the amenities of the occupiers of neighbouring properties.

- |   |                 |   |
|---|-----------------|---|
| 9 | ACI17<br>ACI17R | No additional windows (2 inserts) flank dwellinghouse<br>I17 reason (1 insert) BE1, BE11 and H7 |
|---|-----------------|---|

- |    |       |                                |
|----|-------|--------------------------------|
| 10 | ACK01 | Compliance with submitted plan |
|----|-------|--------------------------------|

**Reason:** In order to comply with Policies BE1, BE11 and H9 and to preserve and protect the character and appearance of the Manor Way Beckenham Conservation Area.

- |    |  |  |
|----|--|--|
| 11 | Where the developer proposed to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. |  |
|----|--|--|

**Reason:** To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

### **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 Development in Conservation Areas
- H7 Housing Design
- H9 Side Space
- T3 Parking
- T18 Highway Safety

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

- (a) the appearance of the development in the street scene;
- (b) the appearance of the development in relation to the character of the area;
- (c) the appearance of the development in relation to the character of the Manor Way Beckenham Conservation Area;
- (d) the relationship of the development to the adjacent properties;
- (e) the character of development in the surrounding area;
- (f) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (g) the light and outlook of occupiers of adjacent and nearby properties;
- (h) the privacy of occupiers of adjacent and nearby properties;
- (i) the housing policies of the development plan; and
- (j) the conservation policies of the development plan.

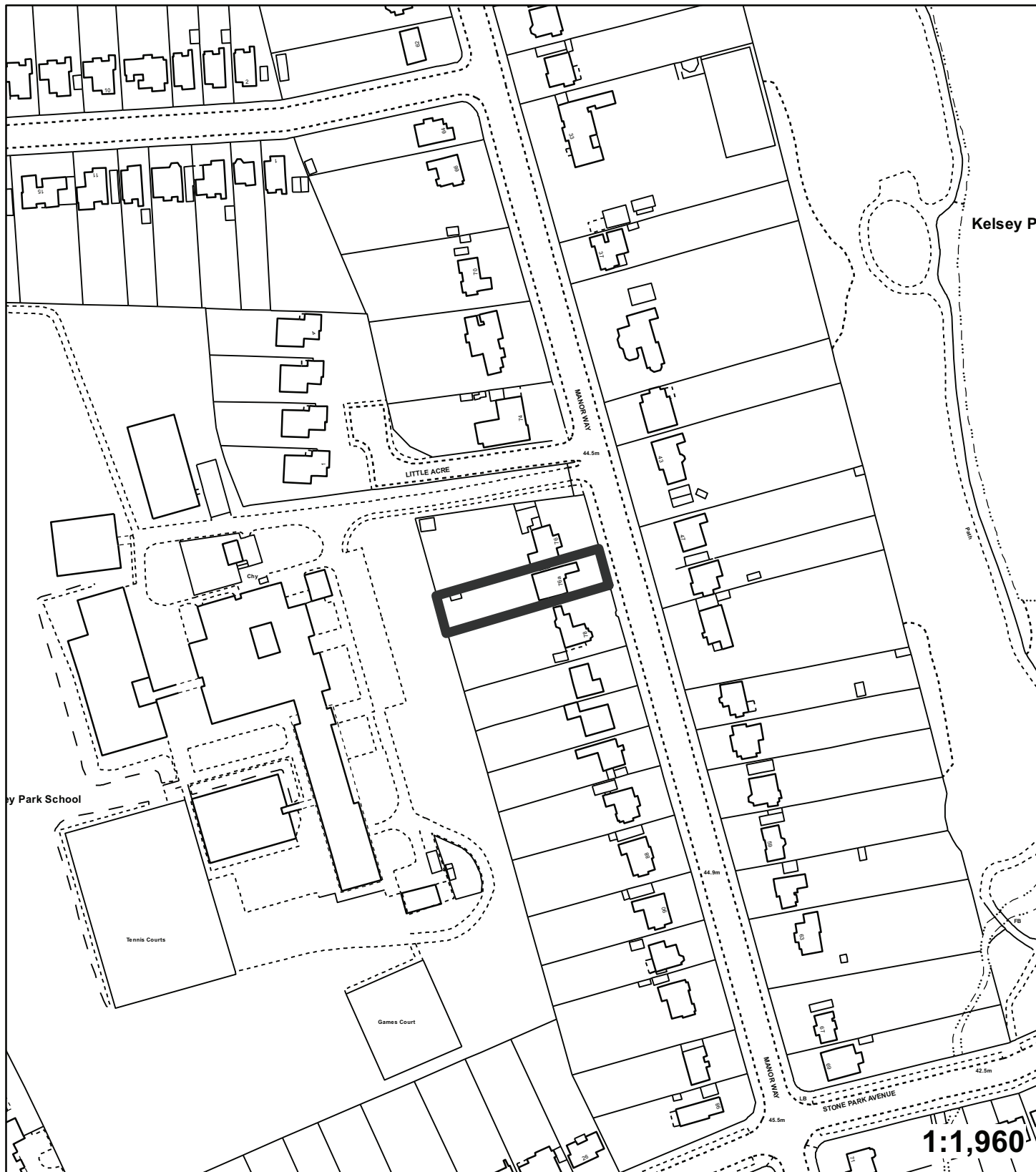
### INFORMATIVE(S)

- 1 RD125 Stopping up of Right of Way

**Application:**12/00547/FULL1

**Address:** 76A Manor Way Beckenham BR3 3LR

**Proposal:** Demolition of existing dwelling and erection of two storey five bedroom dwelling house with integral garage



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

**Application No :** 12/00548/CAC

**Ward:**  
Kelsey And Eden Park

**Address :** 76A Manor Way Beckenham BR3 3LR

**OS Grid Ref:** E: 537522 N: 168608

**Applicant :** Mrs Yves Ferguson

**Objections :** YES

### **Description of Development:**

Demolition of the existing dwelling house CONSERVATION AREA CONSENT

Key designations:

Conservation Area: Manor Way Beckenham  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

### **Proposal**

Conservation Area Consent is sought for the demolition of the existing dwelling. This application is connected with application ref. 12/00547 for the re-development of this site with a replacement detached dwelling.

### **Location**

The application site is located on the western side of Manor Way, close to the junction with Little Acre and within the Manor Way Beckenham Conservation Area.

At present, the site is host to a two storey dwelling of little architectural merit which features white weatherboarding at first floor level. The immediate surrounding area is mixed in character, with dwelling houses along Manor Way being detached and typically of two storey height, varying in form and character, set back from the roadside on spacious plots.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations were received which related more to the full application (ref. 12/00547) can be summarised as follows:

- objected to previous application on behalf of clients;

- current application omits the previously proposed balcony, which is a welcome amendment;
- however the plans retain the bay window at first floor level on the front (eastern) elevation;
- as the south-eastern corner of the proposed house would be forward of the existing house and approx. 2.5 metres forward of the front elevation of the nearest part of No. 78 Manor Way, the south-facing window in the first floor bay would result in overlooking;
- resulting loss of privacy;
- if permitted, the property would benefit from permitted development rights once built, therefore conditions are suggested;
- application for CAC should only be approved once replacement dwelling of suitable design has been approved.

### **Comments from Consultees**

The Advisory Panel for Conservation Areas (APCA) were consulted on the application and they stated in effect that the application is premature, pending improved design of proposed replacement dwellinghouse.

English Heritage stated in effect that the application should be determined in accordance with national and local policy guidance, and on the basis of specialist conservation advice.

Environmental Health (Pollution) raised no objection to the demolition of the dwellinghouse.

### **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:

BE11 Conservation Areas

BE12 Demolition in Conservation Areas

Supplementary Planning Guidance for Manor Way Beckenham Conservation Area

### **Planning History**

In terms of relevant planning history, a full planning application was submitted under ref. 11/01747 alongside an associated Conservation Area Consent application under ref. 11/01748. Both of these applications were withdrawn by the applicant prior to determination.

There is a full application for a replacement dwelling house to be considered under ref. 12/00547, which is to be assessed in relation to the current Conservation Area Consent application.



## Conclusions

Members may consider that the main issue relating to this application is the effect that the demolition of the building and the loss of the existing building would have on the character and appearance of the conservation area.

Members may consider that the existing building has no particular architectural merit within the streetscene and Manor Way Beckenham Conservation Area, and no technical objections are raised to the principle of it being replaced. As such, provided planning permission is granted for the replacement dwellinghouse, considered under reference DC/12/00547, Members may consider that the proposal to demolish the existing building is acceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01747, 11/01748, 12/00548 and 12/00547, excluding exempt information.

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

subject to the following conditions:

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

### **Reasons for granting consent:**

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

- BE1 Design of New Development
- BE11 Development in Conservation Areas
- H7 Housing Design
- H9 Side Space
- T3 Parking
- T18 Highway Safety

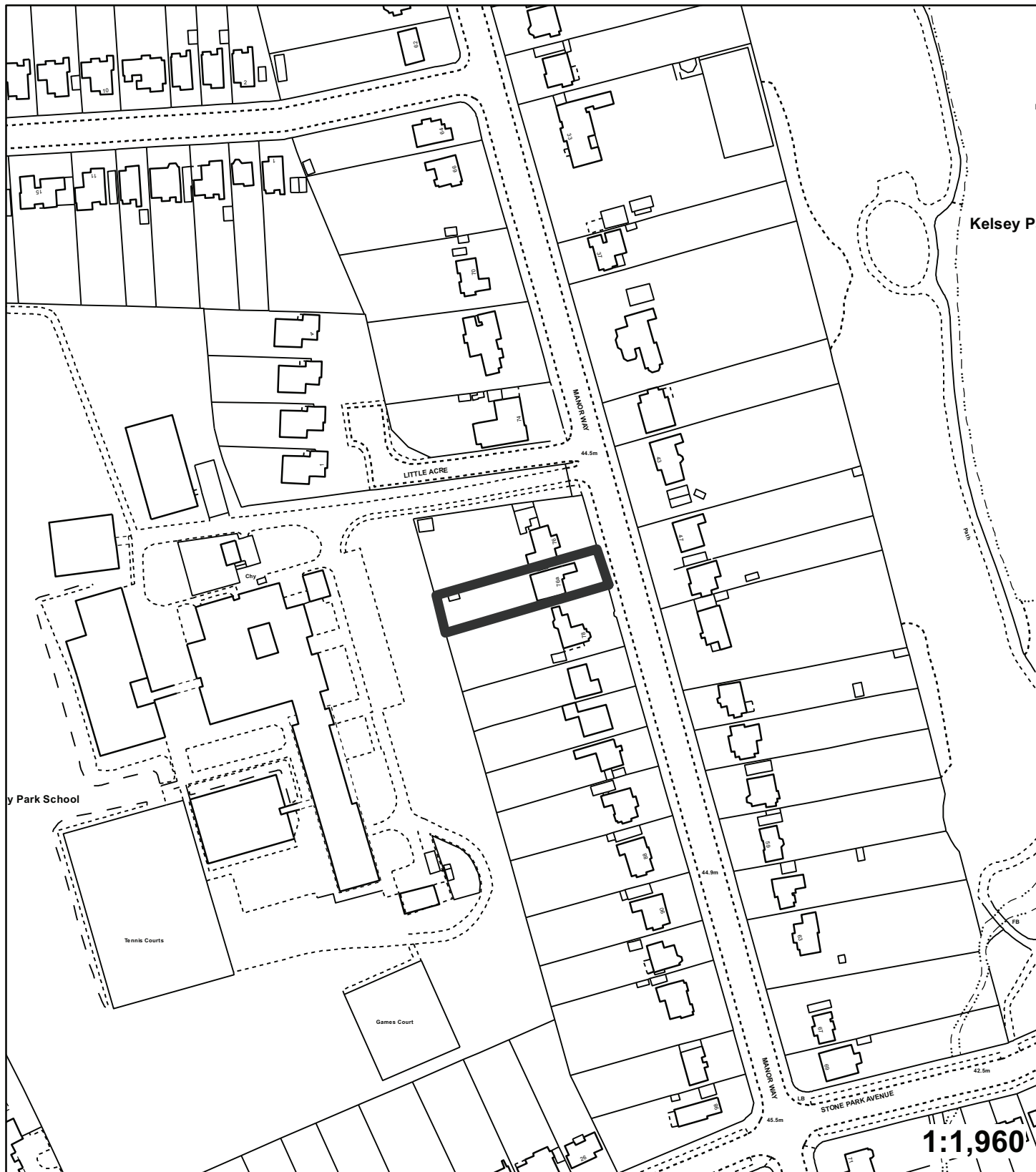
The development is considered to be satisfactory in relation to the following:

- (a) the appearance of the development in the street scene;
- (b) the appearance of the development in relation to the character of the area;
- (c) the appearance of the development in relation to the character of the Manor Way Beckenham Conservation Area;
- (d) the relationship of the development to the adjacent properties;
- (e) the character of development in the surrounding area;
- (f) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (g) the light and outlook of occupiers of adjacent and nearby properties;
- (h) the privacy of occupiers of adjacent and nearby properties;
- (i) the housing policies of the development plan; and
- (j) the conservation policies of the development plan.

**Application:**12/00548/CAC

**Address:** 76A Manor Way Beckenham BR3 3LR

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



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

**Application No :** 12/00894/FULL6

**Ward:**  
Bromley Town

**Address :** 59 Madeira Avenue Bromley BR1 4AR

**OS Grid Ref:** E: 539262 N: 170290

**Applicant :** Mr Colin Barley

**Objections :** NO

**Description of Development:**

First floor side extension and elevational alterations to rear

Key designations:

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

**Proposal**

This application proposes a first floor side extension over an existing single storey garage, set to the boundary.

**Location**

The site is an end of terrace, two storey dwelling located on the west side of Madeira Avenue; the land falls away significantly to the rear (west) of the site. To the north of the site is an access road serving the rear gardens of the associated terrace of dwellings and beyond that a plot hosting a detached dwelling. The surrounding area is residential with a mix of detached, semi-detached and terraced plots.

**Comments from Local Residents**

Nearby owners/occupiers were notified of the application and no representations have been received at the time of writing the report.

**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

## Conclusions

The proposed first floor side extension, with a hipped roof design, will sit over an existing flat roof garage to an end of terrace dwelling. The proposed development will sit tightly on the northern boundary and therefore does not comply with Policy H9 regarding side space. There is an access drive along the boundary to which the proposed extension will be built.

The application site is at a higher ground level than the dwellings to the rear of the site in Warren Avenue. There is good separation and established natural screening. The design includes a juliet balcony to the proposed rear elevation and the removal of one bedroom window to the existing first floor rear elevation and replacement with an obscure glazed window to serve a bathroom.

The proposed design sits well with the host property and may be considered not to have an undue impact on the street scene nor on neighbouring amenity. Given the access road to the side of the site, the mix of house design, plot size and side space in the vicinity the potential impact of the proposed development may not be considered sufficient to warrant a planning refusal.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/00894, 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 | AJ02B  | Justification UNIQUE reason OTHER apps   |

Policies (UDP)

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

**Application:**12/00894/FULL6

**Address:** 59 Madeira Avenue Bromley BR1 4AR

**Proposal:** First floor side extension and elevational alterations to rear



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

**Application No :** 12/00940/FULL1

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

**Address :** 117 Anerley Road Penge London SE20  
8AJ

**OS Grid Ref:** E: 534509 N: 169938

**Applicant :** Mr And Mrs V Patel

**Objections :** NO

**Description of Development:**

Second/third floor extension with roof alterations to provide 3 two bedroom flats and additional bedroom to existing second floor flat. Conversion of first and second floor office to provide 1 two bedroom flat and 2 studio flats. Change of use of rear part of lower ground floor from storage to office (Class B1). Associated car parking, cycle parking and bin store at rear.

**Proposal**

Planning permission is sought for a second/third floor extension to the existing building, together with alterations to the existing roof, to provide 3 two bedroom flats and an additional bedroom to the existing second floor flat. The existing offices on part of the first and second floors would be converted to provide 1 two bedroom flat and 2 studio flats. At lower ground floor level, the rear part of the existing storage areas (linked to the ground floor retail units) and a small section of the ground floor would be converted to form an office (Class B1).

Following the development, the upper floors of the building would comprise a total of 8 flats (including 2 existing flats). The residential density of the resultant development would be around 100 units/ha.

To the rear of the building at lower ground floor level, 2 car parking spaces would be provided, along with cycle parking and bin storage.

The application is accompanied by a Planning, Design and Access Statement. Additional information was submitted in response to the Highways comments, dated 2nd May 2012.

**Location**

The application site is located on the north-eastern side of Anerley Road, and comprises a 2/3 storey mixed use building with a hot food takeaway and stationery shop at ground floor level, and offices and residential accommodation on the upper

floors. The site is close to local transport links and has a Public Transport Accessibility Level (PTAL) rating of 5 (on a scale of 1-6 where 6 is the highest).

The immediate surrounding area is predominantly urban in character, with medium to high density residential and mixed use development in the vicinity.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application, and at the time of writing the report no representations had been received.

### **Comments from Consultees**

The Council's in-house drainage advisor made no comment on the application.

Highways considered that the parking provision is inadequate for the number of residential units to be provided, and would result in an increase in demand for on-street parking in the area which could give rise to illegal or unsuitable parking. It was suggested that the applicant be encouraged to provide more parking off-street or reduce the number of units.

In response to the additional information submitted 2nd May, Highways advised that the parking survey referred to is not appropriate in this instance, and continued to raise concerns in relation to the likely increase in pressure to on-street parking and a subsequent increase in unsafe manoeuvres through drivers trying to locate spaces in the vicinity of the site.

Environmental Health (housing) commented that partitions and doors should be half-hour fire resisting, bathrooms should be provided with adequate means of mechanical ventilation, and that the living room to flat 1 is accessed via the kitchen/dining area which is an unacceptable layout with regard to fire safety.

With regard to refuse storage and collection, it is advised that the storage area is too small and too far from the road. Refuse would need to be brought to the junction with Anerley Road on the day of collection.

### **Planning Considerations**

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

#### Unitary Development Plan

- BE1 Design of New Development
- H7 Housing Design and Density
- H9 Side Space
- H12 Conversion of Non-residential Buildings to Residential Use
- T3 Parking
- T7 Cyclists
- T18 Road Safety
- EMP3 Office Development



The London Plan

3.5 Quality and Density of Housing Developments

3.8 Housing Choice

Also of relevance is the National Planning Policy Framework (NPPF).

### **Planning History**

Under ref. 11/03218, planning permission was granted for second/third floor rear extension and roof alterations to include rear dormer extensions and conversion into three 2 bedroom units and one studio flat with associated car parking, bicycle parking and bin store.

Also of relevance in relation to the adjacent site at No. 119 Anerley Road, is the approval under ref. 10/00365/EXTEND for extension to time limit for implementing permission ref. 05/01715 granted for 3 two storey terraced houses with integral garages and 5 car parking spaces to the rear of 119 and 119A Anerley Road with new vehicular access from Ridsdale Road.

### **Conclusions**

The main issues for consideration in this case will be the impact of the proposal on the character and appearance of the area, the amenities of neighbouring residential properties, and the quality of the residential accommodation proposed. In addition, the suitability of the proposed office accommodation, the impact of the proposal on conditions of highway safety (with particular regard to parking provision), and the proposed arrangements for the storage and collection of refuse will warrant consideration.

The proposed extensions are very similar to those previously permitted under ref. 11/03218, and again would appear to accord with adjacent development and may be considered acceptable on balance. Accordingly it is not considered that the development would result in an unacceptable impact on the amenities of neighbouring properties. The proposal will result in a higher density of residential development than the previous scheme, with a total of 8 units within the upper floors (compared to the 6 resulting from the previous scheme). However as the residential units would appear to be of satisfactory quality, and in view of the number of residential units contained within adjacent buildings (including 11 flats at No. 119) it is not considered that the proposal would result in an over-intensive use of the building, nor an overdevelopment since the building will be no larger than proposed under the previously approved scheme. Whilst Environmental Health (housing) raised concerns regarding the layout of flat 1 from a fire safety point of view, this is an existing flat and these concerns would be subject to control under the Building Regulations.

With regard to the proposed conversion of the first and second floor offices, the proposal would involve re-provision within the rear part of the lower-ground floor of the building and a small part of the ground floor. Whilst there would be a reduction in office floorspace as a result (176m<sup>2</sup> existing; 108m<sup>2</sup> proposed), the proposed

office would be more accessible than the existing offices being provided with a dedicated access at the rear of the building, and would comprise a large single space which would provide more flexible accommodation than the existing multi-room and split level arrangement. Accordingly, this element of the proposal may be considered acceptable on balance.

Regarding parking provision and the impact of the development to conditions of road safety, it should be noted that Highways have expressed concerns and suggested that more off-street parking be provided or the number of dwellings reduced. However, there would be insufficient space to provide additional off-street parking within the site, and with regard to the number of dwellings, 2 more are proposed over the previously approved proposal, to which no highways concerns were raised. In this case, it is not considered that the additional parking demand created by these 2 additional dwellings would be so significant to warrant the refusal of planning permission on highway safety grounds, particularly given the high PTAL rating of the site.

With regard to refuse storage and collection arrangements, the technical concerns raised are noted. In view of the existing permission on the site, it is considered that a suitable storage area could be provided on the site, and it is suggested that the precise details of this are secured through an appropriately worded condition.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00940, 11/03218 and 10/00365, 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     ACH03       Satisfactory parking - full application  
      ACH03R     Reason H03
- 4     ACH18       Refuse storage - no details submitted  
      ACH18R     Reason H18
- 5     ACH22       Bicycle Parking  
      ACH22R     Reason H22
- 6     ACH32       Highway Drainage  
      ADH32R     Reason H32
- 7     ACK01       Compliance with submitted plan

**Reason:** n order to protect the visual and residential amenities of the neighbouring properties and to comply with Policies BE1 and H7 of the Unitary Development Plan.

## 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  
H7 Housing Design and Density  
H9 Side Space  
H12 Conversion of Non-residential Buildings to Residential Use  
T3 Parking  
T7 Cyclists  
T18 Road Safety  
EMP3 Office Development

### The London Plan

3.5 Quality and Density of Housing Developments  
3.8 Housing Choice

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

- (a) the character of the development in the surrounding area
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties
- (c) the safety and security of buildings and the spaces around them
- (d) the provision of satisfactory residential accommodation for future occupiers
  
- (e) the housing policies of the Unitary Development Plan
- (f) the transport policies of the Unitary Development Plan
- (g) the design and conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

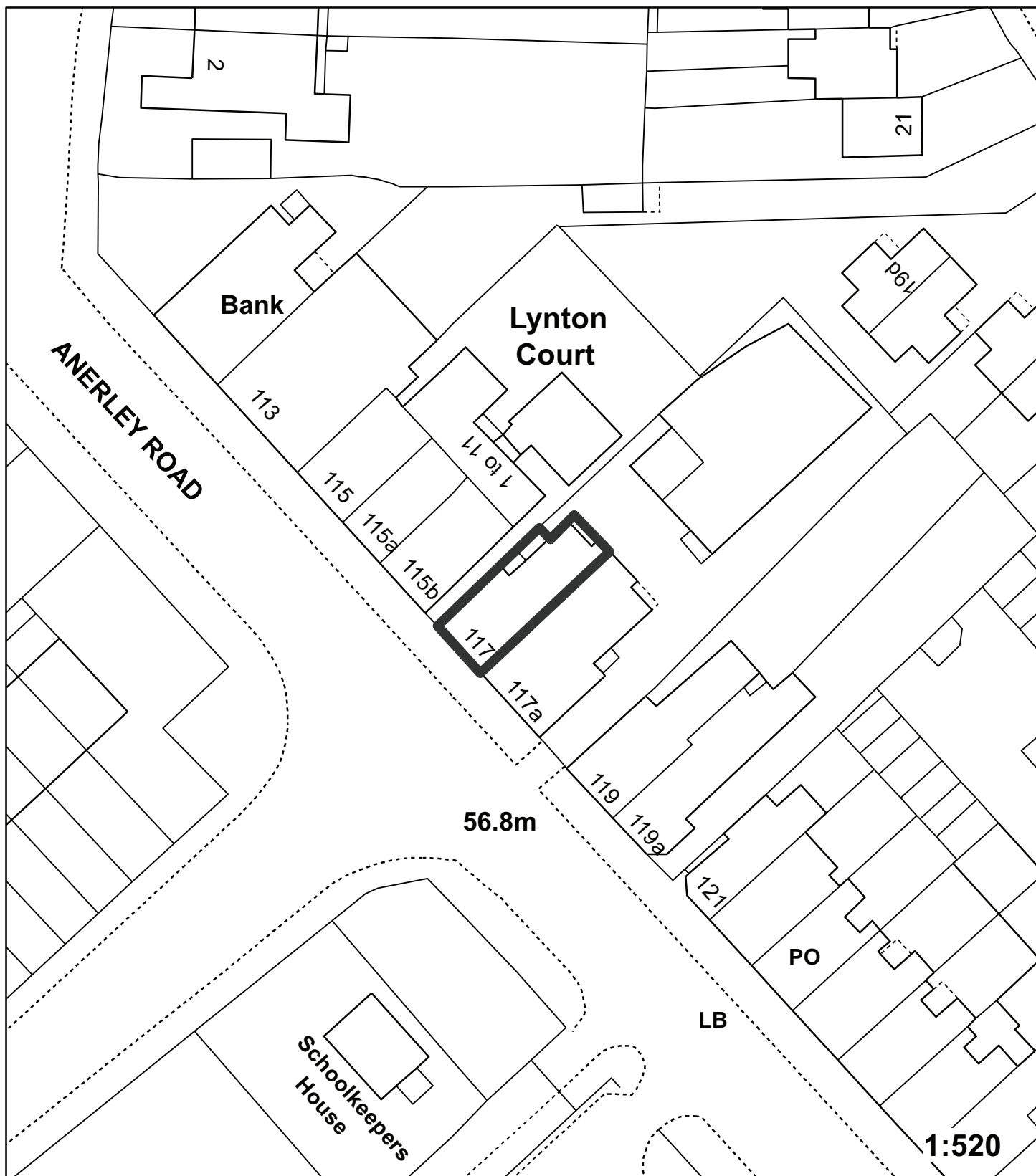
## INFORMATIVE(S)

- 1 RDI10 Consult Land Charges/Street Numbering
- 2 You are advised that this application is considered to be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). The Levy will appear as a Land Charge on the relevant land with immediate effect.

**Application:**12/00940/FULL1

**Address:** 117 Anerley Road Penge London SE20 8AJ

**Proposal:** Second/third floor extension with roof alterations to provide 3 two bedroom flats and additional bedroom to existing second floor flat. Conversion of first and second floor office to provide 1 two bedroom flat and 2 studio flats. Change of use of rear part of lower ground floor from



## Section '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

**Application No :** 12/01046/FULL1

**Ward:**  
Mottingham And Chislehurst  
North

**Address :** 83 Broadheath Drive Chislehurst BR7  
6EU

**OS Grid Ref:** E: 542798 N: 171263

**Applicant :** Mr David Coates And Sian Cornock **Objections :** YES

### **Description of Development:**

Demolition of attached garage and erection of three storey 3 bedroom terraced dwelling with integral garage.

Key designations:

Green Chain Walk

### **Proposal**

Permission is sought for an end-of-terrace dwelling which would be situated along the southern side of the terrace numbering 73 – 83. The proposal would incorporate a footprint measuring 5.5m (w) x 10.9m (d) and this would include a single storey rear projection extending 1.8m beyond the rear of the existing house at No 83. A side space separation of approximately 1.7m would be maintained in respect of the southern boundary. Externally, the proposed house would be designed to match the existing terrace.

Two parking spaces would be provided for both the existing and proposed dwellings. Although part of the existing landscaped front garden area would be lost to accommodate this parking, the majority of this area – which surrounds existing protected lime trees – would be retained.

The application is supported by a Planning, Design & Access Statement which includes a swept path analysis, and an Arboricultural Report.

### **Location**

The site is situated along the southern tip of Broadheath Drive – a substantial cul-de-sac made up of two storey dwellings and three-storey townhouses, built around the mid-1970s, which together with the neighbouring Fenton Close form a distinct estate located off Elmstead Lane.

The site currently forms part of the residential curtilage of No 83 and is occupied by a flat-roofed garage attached to the main dwelling. The existing dwelling forms part of a line of 6 three-storey townhouses. The southern site boundary adjoins the Green Chain Walk. A detached two storey dwelling is located along the opposite side of the street (No 42), which is characterised by a cat-slide roof along its southern flank.

### **Comments from Local Residents**

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

- proposal would lead to parking congestion given the potential demand for cars and the conversion of neighbouring garages to habitable rooms
- insufficient space for satisfactory access to proposed house
- difficulties already exist for existing residents to have vehicular access to and from their properties. Drawings do not give accurate portrayal of parking and road layout arrangements
- two applications for similar development have previously been refused and little change in local character since last appeal was dismissed
- concerns relating to sewerage, water, additional vehicles vying for parking spaces, loss of current green area, i.e. outlook, on the neighbouring properties
- proposed would lead to disturbance to neighbouring residents and pose a safety hazard
- since the Broadheath Drive/Fenton Close development was built permission has never been given to build an extra dwelling. The character of the development has therefore been maintained
- if this development is approved, the green area in front of No 83 will disappear, apart from the tree which is protected, adverse visual impact
- should this application be approved the proposed development will also have no rear access for any building/maintenance works
- harm to neighbouring visual amenity
- symmetry of existing terrace would be undermined

Any further comments will be reported verbally at the meeting.

### **Comments from Consultees**

No technical objections have been raised by Thames Water.

No technical objections have been raised by the Council's Drainage Advisor, subject to a surface water drainage condition.

From a Highways perspective the proposed parking layout is considered to be very cramped with inadequate manoeuvring space for the existing and proposed dwellings. This in turn means that parking may well take place in the turning head, which is not considered acceptable.

Comments have also been received from UK Power Networks advising that any footings for the retaining wall to the front garden area will need to fall outside of this cable easement requirement.

### **Planning Considerations**

Unitary Development Plan Policies are BE1 (Design of New Development), H7 (Housing Density and Design), H9 (Side Space), NE7 (Development and Trees), and T18 (Road Safety). In addition, policies within the London Plan and National Planning Policy Framework apply.

Comments from the Tree Officer will be reported verbally at the meeting.

### **Planning History**

Of relevance, two applications were submitted to the Council in 1994 for the erection of a new dwelling within the site.

Under ref. 94/00363, a proposed three/four storey end-of-terrace house, incorporating a rear dormer, was refused by the Council on the following grounds:

“The proposed terraced dwelling would result in a cramped overdevelopment of the site contrary to Policies H.2 and H.5(ii) of the Unitary Development Plan and create an overdominance of buildings and reduction in spatial standards.”

“The introduction of a rear dormer feature would introduce an incongruous and dominating design feature resulting in architectural imbalance to the terrace as a whole.”

Under ref. 94/02363, a proposed three storey end-of-terrace dwelling omitting the previously proposed rear dormer was refused on the following ground:

“The proposed terraced dwelling would result in a cramped overdevelopment of the site contrary to Policies H.2 and H.5(ii) of the Unitary Development Plan and create an overdominance of buildings and reduction in spatial standards and visual amenity at the cul-de-sac head.”

That second application was subsequently dismissed at appeal, the Planning Inspector concluding that:

“the erection of the proposed house would increase the sense of enclosure at the end of the cul-de-sac and screen some of the planting that is now visible beyond the existing house. I consider that the loss of the existing open area and its replacement with a house and further car parking and manoeuvring space would be seriously detrimental to the appearance and character of the end of Broadheath Drive and I believe it would be wrong to allow the erosion of the character of this recently built estate in this way.”

### **Conclusions**



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

As Members will note, planning permission has previously been refused for an end-of-terrace dwelling at the site, and subsequently dismissed at appeal. Site visits reveal that little has changed in the interim and that the southern end of Broadheath Drive retains much of the character described in the appeal submissions. If anything much of the foliage has matured. As considered by the Planning Inspector “the existing open area and its replacement with a house and further car parking and manoeuvring space would be seriously detrimental to the appearance and character of the end of Broadheath Drive.” It is therefore considered that the proposed terraced dwelling would result in a cramped overdevelopment of the site and create an overdominance of buildings and reduction in spatial standards and visual amenity at the cul-de-sac head.

Further concerns have been raised in respect of the cramped nature of the proposed parking layout, which would result in inadequate manoeuvring space for the existing and proposed dwellings. Parking may well take place in the turning head. This would not be in the interest of good highway planning and would prejudice highway safety. Given that the parking area could only be enlarged as a result of a further encroachment into the garden fronting the existing and proposed dwellings – which is considered to be a key attribute within the surrounding streetscene – this issue could not be resolved by condition / revised layout.

Background papers referred to during production of this report comprise all correspondence on files refs. 94/00363, 94/02363 and 12/01046, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposed terraced dwelling would result in a cramped overdevelopment of the site and create an overdominance of buildings and reduction in spatial standards and visual amenity at the cul-de-sac head, contrary to Policies H7, H9 and BE1 of the Unitary Development Plan, and Paragraph 53 of the National Planning Policy Framework 2012.
- 2 The proposal lacks adequate manoeuvring space in respect of the existing and proposed dwellings, which would be likely to lead to excessive manoeuvring and/or parking taking place in the turning head; as such, the proposal would not be in the interest of good highway planning, and contrary to Policy T18 of the Unitary Development Plan.



**Application:**12/01046/FULL1

**Address:** 83 Broadheath Drive Chislehurst BR7 6EU

**Proposal:** Demolition of attached garage and erection of three storey 3 bedroom terraced dwelling with integral garage.



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Report No.  
DRR/12/052

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** Plans Sub Committee 2

**Date:** 24 May 2012

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** THE RAVENSBOURNE SCHOOL, HAYES LANE, BROMLEY,  
BR2 9EH

**Contact Officer:** Tim Bloomfield DC Manager  
Tel: 020 83134687 E-mail: tim.bloomfield@bromley.gov.uk

**Chief Officer:** Chief Planner

**Ward:** Bromley Town

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1. Reason for report

Three animal pens and two containers have been installed in connection with a 'school farm' area which has been established within the school grounds without planning permission.

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2. **RECOMMENDATION(S)**

No further action

### 3. COMMENTARY

- 3.1. An area of open space on the eastern side of the site between the sports pitch and the main school buildings has been set aside as a 'school farm' area.
- 3.2. Fencing has been erected around the open space which contains three animal pens for a pig, a sheep and a goat. The former are of semi-circular construction with metal roofing and plain wood front. The latter is a rectangular flat roofed metal box. A date for occupation of the pens has not yet been set. The school manager is aware that the pig pen can be seen from Hayes Lane and has indicated that screening is likely to be erected to screen it from view.
- 3.3. Adjacent to the farm area and the sports pitch is an "Expanda Store", a collapsible container 2.1m high placed on a concrete slab which is intended for storage of animal feed.
- 3.4. On the other side of the farm area and adjacent to an old garage is another "Expanda Store" placed on the ground. This is used for the storage of PE equipment and is intended to replace the garage which will be removed.
- 3.5. Details of the locations of the containers and animal pens are shown on the accompanying plan and photographs on the file.
- 3.6. It is considered that the formation of a school farm within the cartilage of the school does not involve a material change of use and is ancillary to the educational use of the land. However the sheep pen and one of the containers are placed on concrete bases, indicating a degree of permanence and involving building operations for which planning permission is required.
- 3.7. However, as the structures are incidental to the educational use of the land and are relatively small in scale and do not have a harmful effect on the appearance of the area there is considered to be no material loss of amenity. Accordingly it is recommended that no further action should be taken.

ENF/DM/12/00236

Report No.  
DRR/12/054

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** Plans Sub Committee 2

**Date:** 24 May 2012

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** 15 Lewes Road, Bromley.

**Contact Officer:** Tim Bloomfield, DC Manager  
Tel: 020 83134687 E-mail: tim.bloomfield@bromley.gov.uk

**Chief Officer:** Chief Planner

**Ward:** Bickley

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1. Reason for report

Complaint has been received alleging that a single dwelling house is being occupied as two self contained flats.

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2. **RECOMMENDATION**

Enforcement action be authorised to cease the use of the premises as 2 residential units.

### 3. COMMENTARY

- 3.1 The site comprises a two storey dwelling house. A two storey side extension was allowed on appeal in 2006. The property was purchased in 2009 for occupation by a three generation family consisting of two grandparents, their daughter and her husband and their young child and one other granddaughter.
- 3.2 In 2009, application was made to convert the property into two separate dwellings in order to provide independent accommodation on the ground floor for the infirm grandparents. This was refused on the grounds of limited parking (DC/09/02131).
- 3.3 In 2010 a loft conversion was added and was subsequently granted a Certificate of Lawful Development (DC/10/00359).
- 3.4 In October 2010, an appeal against the 2009 refusal was dismissed, solely on parking grounds. The Inspector noted that none of the houses in the road have on-site parking and concluded that if the property was sold as two units there could arise the possibility of greater competition for limited on-street parking space which the use has generated.
- 3.5 Following a recent complaint from a local resident, the site has been inspected in the presence of Mr Davis, the grandfather. The ground floor consists of a lounge, kitchen, two bedrooms and a bathroom. This is occupied by the grandparents and their 17 year old granddaughter (both of whose parents are deceased). Mr Davis has health problems and is confined to living on the ground floor. The first and second floors are occupied by Mr Davis' daughter and family.
- 3.6 Access to the first floor is via a lockable door at the top of the stairs. There is only one entrance to the house with the main staircase providing access to the first floor. The first floor accommodation consists of a lounge/dining room, kitchen and a bedroom. A second staircase was installed at the time that the loft conversion was carried out in 2010 which provides an additional bedroom, a walk-in wardrobe and a shower room/toilet.
- 3.7 There is one set of services for the whole property. Mr Davis said he pays separate council tax for the ground floor as part of the arrangement with his daughter to give him some degree of independence. He is aware that the property cannot be sold as anything other than a single dwelling house.
- 3.8 Mr Davis also said that although there are two kitchens, the extended family normally have meals together on the first floor.
- 3.9 It is concluded that the occupation of the dwelling involves a material change of use from a single dwelling to 2 units. This is clear from the fact that the 2 units pay separate Council Tax bills, have independent facilities and have changed the use from a single dwelling. Despite the similarity with the use of a single dwelling by an extended family, should the present use continue for a period of more than 4 years without action being taken it is likely that the lawful use would be contrary to the Council's intention in refusing planning permission in 2009 (ref. 09/02131), a decision supported on appeal in 2010.

ENF/DM/10/00754

Report no.  
DRR/12/055

## London Borough of Bromley

### PART ONE - PUBLIC

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**Decision Maker:** Plans Sub Committee 2

**Date:** 24 May 2012

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** INVICTA WORKS, CHALK PIT AVENUE, ORPINGTON

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

**Chief Officer:** Chief Planner

**Ward:** Cray Valley East

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1. Reason for report

A large redundant industrial site, currently vacant and awaiting redevelopment, has been subject to fly tipping and arson attacks. An Untidy Site Notice was issued in 2010 and was complied with but its condition has since deteriorated.

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2. **RECOMMENDATION(S)**

Members' views are sought as to whether a further Untidy Site Notice should be issued

### 3. COMMENTARY

- 3.1 The site is a former paper mill which went into liquidation in 2007. It was purchased by Apex Orpington Ltd with the intention of redeveloping the land for housing. The site has been partly demolished but demolition halted in 2008. The site boundary is defined by wooden hoardings and brick walls which provide some degree of screening but a steel mesh gate in Chalk Pit Avenue affords visibility of part of the derelict site. There is also a part mesh, part solid metal gate further up Chalk Pit Avenue.
- 3.2 In 2011 permission was granted for redevelopment of the site for 39 dwellings (DC/10/03086). However, a further application for a development of 53 dwellings was refused (DC/11/03381) in March 2012.
- 3.3 Since falling into disuse, the site has been subject to extensive vandalism, fire damage and deposit of waste. The waste, consisting mostly of domestic material in black plastic sacks, is concentrated in the vicinity of the mesh gate and is visible from the road. Damage to the gate has facilitated dumping of bulky items including furniture, a mattress and a shopping trolley.
- 3.4 In June 2010 an Untidy Site notice was served on the owners of the land. Some efforts were made to comply with the notice by removing the rubbish and burnt material and repairing the boundary screening and the gate.
- 3.5 In 2011 there was evidence of further dumping of rubbish and a resurgence of arson attacks including damage to the hoarding in Chalk Pit Avenue.
- 3.6 In January 2012, the gate further up Chalk Pit Avenue was flattened and a settee dumped on the site. The landowners replaced the top gate with solid hoarding and repaired the lower gate.
- 3.7 In January 2012 a letter was sent to the owner's agent requesting that steps be taken to improve security. Their solicitors requested specific requirements as to what further action was required in addition to the repairs undertaken. A reply was sent suggesting improvements to vulnerable sections of the wall elsewhere on the site and offering advice on crime prevention. However there has been no further response.
- 3.8 A recent site visit confirmed that the gate and hoarding remained intact. There were some bags of rubbish visible behind the gate. Behind the perimeter wall at the rear of shops in Main Road were some dumped plastic bags, although not visible from ground level. There do not appear to have been any recent reports of fires.
- 3.9 Providing additional security and to prevent any unauthorised access to the land would require additional resources including 24 hour security patrols. Given the relatively static level of flytipping, the reduction in the frequency of arson attacks and the level of screening provided by the existing hoardings, Members are asked to consider whether the issue of a further S215 Notice would be appropriate prior to the redevelopment of the site.

ENF/DM/09/00320



Report No.  
DRR/12/053

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** Plans Sub Committee 2

**Date:** 24 May 2012

**Decision Type:** Non-Urgent Non-Executive Non-Key

**Title:** 49 HAYES CHASE, WEST WICKHAM

**Contact Officer:** Tim Bloomfield, DC Manager  
Tel: 020 83134687 E-mail: tim.bloomfield@bromley.gov.uk

**Chief Officer:** Chief Planner

**Ward:** West Wickham

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1. Reason for report

An Untidy Site Notice was issued earlier this year but has not been complied with. It is considered that a prosecution is unlikely to secure clearance of the site.

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2. **RECOMMENDATION(S)**

Authority be given to enter the land and carry out works in default to clear the site and a charge be placed on the land.

### 3. COMMENTARY

- 3.1 The site is a detached dwelling house in a residential area. In 2011 a complaint was received via Environmental Health concerning the accumulation of rubbish at the front, side and rear of the house.
- 3.2 Site visits in December 2011 found the following:
- 3.3 *Front:* in the drive were four vehicles, two of which were in a derelict condition. All four vehicles were full of rubbish. Spread over the garden was a mass of miscellaneous rubbish including doors, cabinets, window frames, asbestos sheeting, hardcore, metals and plastics.
- Side:* derelict caravan full of rubbish, supermarket trolley, car body parts, vintage car, miscellaneous metal and plastic items, glass, light fittings, mirrors and tables.
- Rear:* garage full of stored items, too densely packed to itemise. Garden heavily overgrown and littered with rubbish. Remains of rotting conservatory frame and conservatory area full of glass and rotting timbers.
- 3.4 The house itself is in a dilapidated condition and appears to have suffered from a general lack of maintenance over a prolonged period. Soffits, bargeboards and window frames are rotten and several windows are broken. When compared with adjacent properties in the vicinity it is considered to be an eyesore.
- 3.5 The occupant is believed to be in his eighties and has lived at the property for 75 years. He is known to Social Services but has declined offers of help and has no known family who could assist.
- 3.6 On 10 February 2012 a S.215 Notice was issued requiring clearance of the site by 10 April.
- 3.7 There was no appeal against the notice. Subsequent site visits have confirmed that the two derelict cars have been removed but there is no evidence that any further works have been carried out.
- 3.8 The next stage would normally be to commence legal proceedings in the courts. However in this case, prosecution of the elderly owner may not be considered to be the most appropriate or proportionate course of action and would not secure the clearance of the site.
- 3.9 Works in default would provide a more effective means of ensuring that the S215 Notice is complied with. The estimated cost of carrying out the work would be approx. £4000 and a quote of £3,750.00 has been obtained to clear the site of waste material and overgrown vegetation, leaving the two remaining cars, the caravan and the vintage car on the site. Direct action is therefore recommended as a more appropriate course of action in this case.

ENF/DM/11/00695