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BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333 CONTACT: Lisa Thornley  
lisa.thornley@bromley.gov.uk

DIRECT LINE: 020 8461 7566  
FAX: 020 8290 0608 DATE: 2 October 2012

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

Councillor Simon Fawthrop (Chairman)  
Councillor Alexa Michael (Vice-Chairman)  
Councillors Reg Adams, Kathy Bance, Peter Dean, Russell Jackson, Kate Lymer,  
Gordon Norrie and Richard Scoates

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on  
**THURSDAY 11 OCTOBER 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

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- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 16 AUGUST 2012**  
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- 4 PLANNING APPLICATIONS**

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Report No.	Ward	Page No.	Application Number and Address
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### **SECTION 2** (Applications meriting special consideration)

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4.2	Bickley	13-22	(12/00609/FULL1) - The Widmore, 3 Bickley Road, Bickley
4.3	Biggin Hill	23-30	(12/01843/FULL1) - 20-22 Main Road, Biggin Hill
4.4	Cray Valley West	31-36	(12/02122/FULL6) - 40 Midfield Way, Orpington
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4.8	Biggin Hill	55-58	(12/02066/FULL6) - 8 Alexandra Road, Biggin Hill
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**6 TREE PRESERVATION ORDERS**

Report No.	Ward	Page No.	Application Number and Address
6.1	Petts Wood and Knoll	65-68	Objections to making of Tree Preservation Order 2477 at 5 Mebourne Close, Orpington

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

NO REPORTS

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## PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 16 August 2012

### Present:

Councillor Simon Fawthrop (Chairman)  
Councillor Alexa Michael (Vice-Chairman)  
Councillors Reg Adams, Kathy Bance, Peter Dean,  
Russell Jackson, Kate Lymer, Gordon Norrie and Richard Scoates

### Also Present:

Councillors John Ince, Catherine Rideout, Charles Rideout and  
Colin Smith

## 6 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

No apologies for absence were received.

## 7 DECLARATIONS OF INTEREST

There were no declarations of interest.

## 8 CONFIRMATION OF MINUTES OF MEETING HELD ON 21 JUNE 2012

**RESOLVED** that the Minutes of the meeting held on 21 June 2012 be confirmed and signed as a correct record.

## 9 PLANNING APPLICATIONS

### SECTION 2

(Applications meriting special consideration)

#### 9.1 BICKLEY

**(12/00608/LBC) - The Widmore, 3 Bickley Road,  
Bickley**

Description of application - Demolition of 19<sup>th</sup> and 20<sup>th</sup> rear section, internal alterations and new single storey rear extension. LISTED BUILDING CONSENT.

Oral representations in support of the application were received. Oral representations from Ward Member Councillor Colin Smith in support of the application were received at the meeting.

It was reported that further representation in support of the application had been received.

Members having considered the report and

representations, **RESOLVED that LISTED BUILDING CONSENT BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

**9.2  
BICKLEY**

**(12/00609/FULL1) - The Widmore, 3 Bickley Road, Bickley**

Description of application - Conversion and refurbishment of former public house into a single five bedroom family dwelling including partial demolition of single storey rear elements and addition of single storey extension and elevational alterations. 2 four bedroom detached dwellings and 1 five bedroom detached dwelling on land at 'The Widmore' with associated accesses, parking areas and landscaping.

Oral representations in support of the application were received. Oral representations from Ward Member Councillor Colin Smith in support of the application were received at the meeting.

It was reported that further representation in support of the application had been received.

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 houses to two.

**9.3  
BIGGIN HILL  
CONSERVATION AREA**

**(12/01533/FULL1) - 18 Main Road, Biggin Hill**

Description of application - Single storey side and rear extension to enlarge ballroom, demolition of detached garage block to allow creation of 9 parking spaces and formation of 14 parking spaces on existing tennis court.

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

**SECTION 3**

(Applications recommended for permission, approval or consent)

**9.4  
CRAY VALLEY EAST**

**(12/00304/FULL1) - 76 High Street, Orpington**

Description of application - Three/four storey block comprising 50 sheltered flats for the elderly including communal facilities, refuse/recycling storage and

bicycle/electric buggy parking, with 16 car parking spaces.

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 an increase in the provision of off-street parking.

**9.5  
BROMLEY COMMON AND  
KESTON**

**(12/00642/FULL1) - Bishop Justus CE School,  
Magpie Hall Lane, Bromley**

Description of application - Resurfacing of existing grass pitch with new synthetic surface to include underground heat recovery system, new perimeter fencing maximum height 5 metres with associated netting area, and 8 floodlight columns, maximum height 15 metres, to be used 08:00 to 22:00 Mondays to Saturdays and 08:00 to 18:00 Sundays and bank holidays.

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

1 The proposal, involving as it does the provision of a synthetic surface, fencing and floodlighting, would harm the openness and visual amenities of the Green Belt, thereby contrary to Policy G1 of the Unitary Development Plan.

2 The proposal would harm the residential amenities enjoyed by neighbouring properties, by reason of noise disturbance and light pollution, thereby contrary to Policy BE1 of the Unitary Development Plan.

**9.6  
KELSEY AND EDEN PARK**

**(12/01381/FULL6) - 11 Kelsey Way, Beckenham**

Description of application - Demolition of existing garage and erection of two storey side and single storey rear extensions.

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

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with the addition of a further condition to read:-

'4 Before the development hereby permitted is first occupied, the proposed first floor eastern window located nearest to No 9 and serving Bedroom 2 (as listed in Plan No. 1210/P/102 RevB) shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

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

**9.7  
PENGE AND CATOR**

**(12/01521/FULL1) - 150 Maple Road, Penge**

Description of application - Single storey front and rear extensions, loft conversion with rear dormer and rooflights to front and change of use of premises from drop in counselling service (class A2) to 1 one bedroom flat to rear and shop unit (class A1) to front.

Members having considered the report and objections, **RESOLVED that PERMISSION BE REFUSED** for the reason set out in the report of the Chief Planner with the addition of a further reason to read:-

2 The proposal would result in an overdevelopment of the site, detrimental to the visual amenities of the area and contrary to policy BE1 of the Unitary Development Plan.

**9.8  
WEST WICKHAM**

**(12/01776/FULL1) - 131-133 High Street, West Wickham**

Description of application - Roof alterations to include velux windows, elevation alterations, part one/part two storey rear extensions, conversion of first floor, second floor and roof space to provide 1 one bedroom and 5 two bedroom self-contained units with amenity space, 6 car parking spaces and cycle and refuse store.

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

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



**SECTION 4**

(Applications recommended for refusal or disapproval of details)

**9.9  
PLAISTOW AND  
SUNDRIDGE**

**(12/00905/FULL6) - 43 Palace Road, Bromley**

**AMENDMENT - This application was mistakenly submitted under Section 4 of the agenda. The Chairman reported that the application had been deferred from a previous meeting to be considered under Section 2. Members therefore considered this as a Section 2 item.**

Description of application - Single storey rear extension.

Oral representations in support of the application were received. Oral representations from Ward Member Councillor Peter Morgan in support of the application were received at the meeting.

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

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

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

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

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

**9.10  
MOTTINGHAM AND  
CHISLEHURST NORTH**

**(12/01526/FULL1) - 52 Grove Park Road, Mottingham**

Description of application - Erection of two 2 storey 3 bedroom detached dwellings and associated landscaping and boundary enclosures on land to rear of No. 52 Grove Park Road.

It was reported that the applicants had recently submitted an appeal against non-determination to the Planning Inspectorate. Members could not, therefore,

determine the application before them but were requested to agree that the appeal be contested on the grounds set out on page 94 of the report.

Oral representations from Ward Member Councillor Charles Rideout in objection to the application were received at the meeting.

Members **RESOLVED** that **THE APPEAL RELATING TO NON-DETERMINATION BE CHALLENGED ON THE GROUNDS OF REFUSAL SET OUT IN THE REPORT.**

**9.11  
MOTTINGHAM AND  
CHISLEHURST NORTH**

**(12/01528/OUT) - 52 Grove Park Road, Mottingham**

Description of application - Erection of 2 dwellings on land to rear of No. 52 Grove Park Road. (OUTLINE APPLICATION.)

It was reported that the applicants had recently submitted an appeal against non-determination to the Planning Inspectorate. Members could not, therefore, determine the application before them but were requested to agree that the appeal be contested on the grounds set out on page 94 of the report.

Oral representations from Ward Member Councillor Charles Rideout in objection to the application were received at the meeting.

Members **RESOLVED** that **THE APPEAL RELATING TO NON-DETERMINATION BE CHALLENGED ON THE GROUNDS OF REFUSAL SET OUT IN THE REPORT.**

**9.12  
BROMLEY TOWN**

**(12/01705/RECON) - Land Adjacent to  
27 Gwydyr Road, Bromley**

Description of application - Removal of condition 5 of permission 11/00407, for detached house, which requires that no resident of the development shall obtain a residents parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

Members having considered the report and objections, **RESOLVED** that **the application BE DEFERRED** without prejudice to future consideration to be reconsidered under Section 2 when the Committee reconvenes.

It was suggested and Members agreed, that in light of the concerns raised by applications of this type, that a report be submitted to a future meeting of the Development Control Committee for Members to discuss the wider issues relating to the non-allocation of parking permits.

## 10 CONTRAVENTIONS AND OTHER ISSUES

### 10.1 CRAY VALLEY WEST

#### 138 Lockesley Drive, Orpington

Oral representations from Ward Member Councillor John Ince in favour of the recommendation were received at the meeting.

Members having considered the report and representations, **RESOLVED that NO FURTHER ACTION BE TAKEN FOR 3 MONTHS to allow further time for the boundary scheme, of a height, position and materials to be approved by the LPA, to be implemented.**

## 11 **MATTERS FOR INFORMATION - ENFORCEMENT ACTION AUTHORISED BY CHIEF PLANNER UNDER DELEGATED AUTHORITY**

**RESOLVED** that the report be noted.

### 12 PENGE AND CATOR

#### 14 Morland Road, Penge

PART 2 (EXEMPT) REPORT

**THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER TO BE CONSIDERED AS A PART 1 (PUBLIC ITEM) AT THE MEETING OF PLANS SUB-COMMITTEE 1 ON 30 AUGUST 2012.**

The meeting ended at 8.20 pm

Chairman

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## SECTION '2' – Applications meriting special consideration

**Application No :** 11/02336/FULL6

**Ward:**  
**Plaistow And Sundridge**

**Address :** 159 Ridgeway Drive Bromley BR1 5DB

**OS Grid Ref:** E: 540822 N: 171349

**Applicant :** Mrs Frances McAlaney

**Objections :** YES

### **Description of Development:**

Single storey rear extension  
RETROSPECTIVE APPLICATION

Key designations:

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

### **Proposal**

The proposal is for the retention of a single storey rear extension projecting 3 metres from the rear of the dwelling and a pitched roof with maximum height of 4 metres.

### **Location**

The application site is situated on the eastern side of Ridgeway Drive and comprises of a semi-detached dwelling.

The agent advised that the applicants intend to provide smooth render to the rear of the main house. The extension, which has been finished in smooth render will therefore match the main house at some point in the future.

### **Comments from Local Residents**

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

- the extension should be pebble dashed.
- on completion of the flank wall the owners have agreed to replace the fencing and trellis.

## **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

SPG

No1 General Design Principles

No2 Residential Design Guidance

London Plan

The National Policy Framework 2012 is also a consideration.

All other material consideration shall also be taken into account.

## **Planning History**

87/03559/FUL Single storey side and rear extensions Permission

89/01051/OTH Revision procedure to 87/3559 granted for single storey side and rear extension - increased height of garage/New roof detail as per documents received 08/0389 Permission

11/01442/PLUD Single storey rear extension Certificate of Lawfulness for a proposed development Refused

## **Conclusions**

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

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

A previous application for a Certificate of Lawfulness was refused as the proposed single storey rear extension did not comply with criteria (h) (iii) of Class A. (the extension has a width greater than half the width of the existing house).

Ridgeway Drive is on an incline rising towards the north, the application site is therefore at a higher level than the adjacent house to the south. The proposed extension is to replace an existing conservatory sited on a raised patio at a proximally a metre in height. The proposed extension is relatively modest in size at 3 metres from the rear of the house with a pitched roof and taking into account the orientation of the property is considered unlikely to have a detrimental impact on the amenities of the adjacent neighbours.

Members will need to consider whether the rendered extension is acceptable in this location bearing in mind the adjacent pebbled dashed house.

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

**RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1 AJ01B Justification GENERIC reason FULL6 apps

**Application:**11/02336/FULL6

**Address:** 159 Ridgeway Drive Bromley BR1 5DB

**Proposal:** Single storey rear extension  
**RETROSPECTIVE APPLICATION**





## SECTION '2' – Applications meriting special consideration

**Application No :** 12/00609/FULL1

**Ward:**  
**Bickley**

**Address :** The Widmore 3 Bickley Road Bickley  
Bromley BR1 2NF

**OS Grid Ref:** E: 541858 N: 169191

**Applicant :** McCullochs

**Objections :** YES

### **Description of Development:**

Conversion and refurbishment of former public house into a single five bedroom family dwelling including partial demolition of single storey rear elements and addition of single storey extension and elevational alterations. 2 four bedroom detached dwellings and 1 five bedroom detached dwelling on land at 'The Widmore' with associated accesses, parking areas and landscaping

Key designations:

Local Distributor Roads  
Locally Listed Building

### **Proposal**

This application was deferred from Plans Sub Committee on 16th August 2012 without prejudice to any future consideration to seek a reduction in the number of houses to two. The applicant has reduced the size of plot 2 by removing the single storey projection closest to Bickley Road. They consider that this is a significant reduction in appearance, footprint and bulk, opens up the space around the Listed Building and creates a larger garden area for that plot. They consider that the houses and plots 2 and 3 are almost equivalent on terms of presence and size to that which a large single house would occupy. Additionally a confidential Development Viability Assessment has been submitted which substantiates the applicant's claims that a reduction in the number of dwellings would mean that the scheme would not be commercially viable. The previous report is repeated for information:

- The proposal is to convert the existing listed building from a public house to one residential dwelling and to construct three additional family dwellings within the site.
- Works to the existing structure include the demolition of part of the listed building and the construction of a new single storey rear extension attached to the main building by a glazed link.

- The converted dwelling will have 5 bedrooms spread over the first and second floors as well as a dressing room and en suite bathroom to the second floor. The ground floor will accommodate living accommodation and the basement will accommodate a bar, cinema room and wine cellar. Access to the converted public house is proposed to be from the existing access from Bird in Hand Lane.
- The proposal also includes the construction of 3 new dwellings, one 5 bedroom and two four bedroom properties, all of which are part one/two storeys with accommodation in the roofspace.
- Plot 1 is accessed via the existing vehicular access from Bickley Road and includes a detached single storey double garage to the front. This plot is to the north west of the public house and is proposed to occupy the area currently used as a car park.
- Plots 2 and 3 are accessed via a new vehicular access from Bird in Hand Lane and both of these properties have integral single garages. These plots are located to the south east of the site and occupy what is currently the pub garden.
- Plot 2 is located on the corner of Bird in Hand Lane and Bickley Road and fronts Bird in Hand Lane. This plot has three bedrooms at first floor and a fourth bedroom with en suite and dressing room at second floor level.
- Plot 3 is located on Bird in Hand Lane adjacent to No. 49 Bird in Hand Lane. This plot has three bedrooms and bathrooms at first floor and a fourth bedroom and bathroom at second floor level.

## **Location**

- The site is located to the south of Bickley Road on the corner of Bickley Road and Bird in Hand Lane.
- The site currently accommodates 'The Widmore' public house which is a grade II listed building and has been unoccupied for approximately 10 months. The property is an eighteenth century painted brick building consisting of two storeys and an attic with two front dormers. The property has been extended over time with nineteenth and twentieth century additions to the rear. The eighteenth century section of the building is made up of two ranges with a tiled mansard style roof and timber sash windows.
- The surrounding area is mainly comprised of residential dwellings, although to the north of the site on the opposite side of Bickley Road there is a car showroom and garage and to the north east of the site are playing fields.
- The residential dwellings in the surrounding area are mixed in terms of size and design. Bickley Road and Widmore Road are largely a mixture of substantial detached and semi-detached family homes set back from the main roads as well as some larger flatted development. Bird in Hand Lane is a narrower road and contains large, mainly detached family houses. There are flats known as Sharon Court to the south west.

## **Comments from Local Residents**

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

- development will be high quality and appropriate addition
- gates not in keeping with the neighbourhood and noise from motor
- overall support for the development
- loss of light
- loss of outlook
- loss of privacy
- Plot 1 will overlook properties in the vicinity
- where will cars from BMW garage park?

A petition in support of the application from 16 nearby properties has been submitted to the Council. The reasons for support are summarised as follows:

- density and type of housing is agreeable and in keeping
- visibility and density of 2 houses on former beer garden area would not warrant rejection
- land may be offered for sale to McDonalds should the application be rejected.

### **Comments from Consultees**

English Heritage have commented that the existing building is an important local landmark, although given there is no longer a sound business case for retaining the building in its current use, residential use would seem to be appropriate. In relation to the demolition and re-building of the single storey rear element, this should be determined in accordance with national and local policy and guidance. However, there is concern that providing three additional units will neither enhance or better reveal the significance of the designated asset of the listed building. This as well as the proposed gates will cause permanent harm to the openness of the site, which is an important historic feature.

With regard to the revised plans, English Heritage have commented that the re-orientation of the proposed building on Plot 1 is welcome and it is considered that this would enjoy a more comfortable relationship with the listed building - its principal facade now engages with the listed building which is considered to be a real improvement - and would allow for a greater sense of openness between the listed building and the proposed building. A more contemporary approach to the architectural treatment of the principal facades of this proposed building might bring forward a more reticent building (although it is appreciated that this may be at odds with the wider townscape of this area). Regarding Plots 2 and 3, it has always been a concern that any development on what has historically has been an open area that has made a positive contribution to the setting of the listed building risks compromising that sense of openness.

Some encouragement is taken from the fact that the proposed houses on these two plots have been pulled away from the listed building such that the northern facade of the proposed building on Plot 2 allows for a greater sense of openness on the corner of the site. Having said this however, there is no doubt that one detached house (or even a pair of semi-detached houses) rather than two on the land to the east of the listed building would reduce the impact upon the listed

building's setting even further. If there are compelling reasons why a pair of semi-detached houses on Plots 2 and 3 is not achievable then the revised proposal shown on Drawing 553/03 D is only just acceptable in respect of the proposed development's impact upon the setting of the listed building.

From a housing point of view, there have been concerns raised in terms of lighting and views to some of the rooms in the converted public house and plot 1.

From an Environmental Health point of view, there are no objections raised.

From a highways point of view, the proposed gates should be set back 5 metres from the highway or omitted. They also comment that the access to the converted public house, now being the only entrance and exit from this site would lead to unusual turning movement at this junction.

From a drainage point of view there are no objections subject to conditions.

Thames Water has raised no objections to the proposal.

There are no objections from a trees aspect.

### **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
- BE8 Statutory Listed Buildings
- C1 Community Facilities
- H1 Housing Supply
- H7 Housing Design and Density
- H9 Side Space
- H12 Conversions of Non-Residential Buildings to Residential Use
- NE7 Development and Trees
- T11 New Accesses
- T18 Road Safety

The National Planning Policy Framework 2012 is also a consideration.

From a Heritage point of view, there are concerns that three additional dwellings on the site would result in harm to the setting of the statutory listed building. Additional comments on the revised scheme are as follows: "This 18th Century structure has historically enjoyed a relatively spacious curtilage which has become part of its character and added to the special interest which lead to it being listed. I note the revised proposals and feel the the moving of one of the units to the far NW corner has improved matters but the pair of houses along Bird in Hand Lane still appear cramped and too close to the Listed Building and a single house in this SW corner location would be preferable."

No significant trees would be affected by the proposal.

## **Planning History**

Planning permission was granted for single storey side and rear extensions, rear boundary wall and additional parking spaces in 1994 under reference DC/94/00448/FUL. Details pursuant to a landscaping condition were also granted under reference DC/94/01896/DET.

Listed Building Consent was granted in 1994 for single storey side and rear extensions, internal and external alterations and partial demolition under reference DC/94/00449/LBCALT.

Advertisement Consent was granted in 1994 for externally illuminated post signs, internally illuminated menu signs and non-illuminated wall sign under reference DC94/02217/ADVILL.

Listed Building Consent was granted in 1994 for externally illuminated post signs, internally illuminated menu signs and non-illuminated wall sign under reference DC94/02345/LBCALT.

Listed Building Consent was granted in 1999 for new advertisement signs to the building and forecourt under reference DC/99/00187/LBC.

Advertisement Consent was granted for non illuminated and externally illuminated advertisement signs in 1999 under reference DC99/00202/ADV.

Planning permission was granted for a 1 metre high fence to the rear garden area in 2003 under reference DC/02/03500/FULL1.

Listed Building Consent was granted for a replacement chimney piece in 2003 under reference DC/02/03579/LBC.

Planning permission was granted for the siting of a flower stall at weekends in 2004 under reference DC/04/01213/FULL1.

Planning permission was granted for a detached canopy over patio area to the side elevation in 2007 under reference DC/07/03166/FULL1.

Listed Building Consent was granted for a replacement non-illuminated wall mounted sign in 2009 under reference DC/08/04008/LBC.

Advertisement Consent was granted for an externally illuminated free standing totem sign and non illuminated wall mounted and free standing signs in 2009 under reference DC/08/04010/ADV.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the special interest of the statutory listed building, the character of the surrounding area, the impact that it would have on the amenities of the occupants of surrounding residential properties and the impact on highway safety.

The conversion of the public house itself into one large family dwelling with basement area and accommodation in the roof space is, in principle considered to be acceptable. Evidence that the existing use of the premises is no longer viable has been submitted and the Council are satisfied that this use has been explored without success, with regard to Policy C1. Given the mainly residential character of the area, the conversion of the public house into one residential unit is considered to be appropriate and in keeping with the other forms of development in the area, and will assist in the long term retention of and improvement to the Listed Building.

No significant changes are proposed to the front of the existing listed building and the appearance of the building itself in the streetscene is therefore unlikely to be significantly altered. The demolition of the later rear additions is not considered to be harmful to the fabric of the statutory listed building. The proposed replacement single storey extension is considered to be well designed, with minimum impact on the listed structure itself. Whilst this element is large, it is attached via a small glazed corridor and given its distance from both 49 Bird in Hand Lane and the properties at Sharon Court, this element is unlikely to affect the visual amenities, light or privacy currently enjoyed by these neighbouring properties, nor will it appear dominant and is therefore considered to be acceptable. The access to this property is from an existing access from Bird in Hand Lane and whilst this is an unusual access given the road layout immediately adjacent to the access, it is not considered unduly harmful to road safety. The rear garden area to the listed building is limited and would benefit from being larger to reflect the size of the dwelling it will serve. Although there may be some conflict with Policy BE1 in terms of the amenity space for the converted house, overall the changes to the listed building comply with Policy BE8.

The proposal also includes three new detached dwellings, one of which is to be located to the north west of the site with the other two to be located to the south east. Plot 1 (north east of the site) retains the existing vehicular access from Bickley Road and has a detached double garage. The garage is sited to the front/side of the property and is of a considerable size. It is considered that this plot is suitable for housing one detached dwelling of an appropriate size, siting and design. Despite its overall size, the design of the dwelling may be in keeping with some other residential dwellings in the wider area, and the revised scheme pays appropriate respect to the statutory listed building in terms of the increased separation, complying with H7, BE1 and BE8.

The dwelling at plot 1 is close to Sharon Court to the rear, and due to its proximity to these flats, the occupants may experience some impact on visual amenity and prospect, and the new dwelling will be the dominant view from the front windows of the closest flats. There may also be issues with overlooking both to and from Sharon Court and the listed building. This requires careful consideration with regard to Policy BE1.

Plots 2 and 3 are considered to be cramped, particularly given their size and number of bedrooms. It is considered that neither of these plots, particularly plot 3 benefit from sufficient amenity space to the rear of the property. Given the central position of the listed building and the restrictive shape of the site, it is not considered that these two properties fit well within the site or relate well to the

listed building. The dwellings would appear cramped in the streetscene and result in an overdevelopment of the site. There may also be a harmful relationship with the neighbouring property No. 49 Bird in Hand Lane due to the side dormer window which currently overlooks the pub garden. These considerations must however be balanced against the benefits of bringing the listed building back into use and improving the overall appearance of the site. The amendment to Plot 2 has improved the space around that building and increased the amenity space to be provided. These factors must be considered with regard to Policies H7, BE1 and BE8.

The overall layout of the site has been improved since first submission and the proposed layout does allow for a suitable amount of space around the listed building, particularly to the front. The scheme does however include unconventional designs for plots 2 and 3 in order to achieve houses of the size required within a very limited space, and these do appear slightly awkward, and both would have limited amenity space, as would the listed building. Members are asked to carefully consider whether the three new dwellings can be satisfactorily accommodated on this site and to balance the benefits of redeveloping the site and restoring the listed building to use with whether the development as a whole would be likely to detract from the importance of this local landmark, with regard to the UDP policies mentioned above.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00608 and 12/00609, excluding exempt information.

as amended by documents received on 27.07.2012 20.09.2012

### **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 | ACA04<br>ACA04R | Landscaping Scheme - full app no details<br>Reason A04                                     |
| 3 | ACA07<br>ACA07R | Boundary enclosure - no detail submitted<br>Reason A07                                     |
| 4 | ACC01<br>ACC01R | Satisfactory materials (ext'nl surfaces)<br>Reason C01                                     |
| 5 | ACC03<br>ACC03R | Details of windows<br>Reason C03   |
| 6 | ACD06<br>ADD06R | Sustainable drainage system (SuDS)<br>Reason D06   |
| 7 | ACH03<br>CH03R  | Satisfactory parking - full application<br>Reason H03                                      |
| 8 | ACI01           | Restriction of all "pd" rights   |

**Reason:** In the interests of protecting the setting of the statutory listed building with regard to Policy BE8 of the Unitary Development Plan.

- 9 ACI17 No additional windows (2 inserts) first floor dwellings  
 ACI17R I17 reason (1 insert) BE1
- 10 ACI18 No additional hardstanding

**Reason:** In the interests of protecting the setting of the statutory listed building with regard to Policy BE8 of the Unitary Development Plan.

- 11 ACK01 Compliance with submitted plan

**Reason:** In the interests of protecting the setting of the statutory listed building and the amenities of the area with regard to Policies BE1 and BE8 of the Unitary Development Plan.

- 12 ACK05 Slab levels - no details submitted  
 ACK05R K05 reason
- 13 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

- BE1 Design of New Development
- BE8 Statutory Listed Buildings
- C1 Community Facilities
- H1 Housing Supply
- H7 Housing Design and Density
- H9 Side Space
- H12 Conversions of Non-Residential Buildings to Residential Use
- NE7 Development and Trees
- T11 New Accesses
- T18 Road Safety

The National Planning Policy Framework 2012 is also a consideration.

INFORMATIVE(S)

- 1 You are advised that this application may 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)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

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

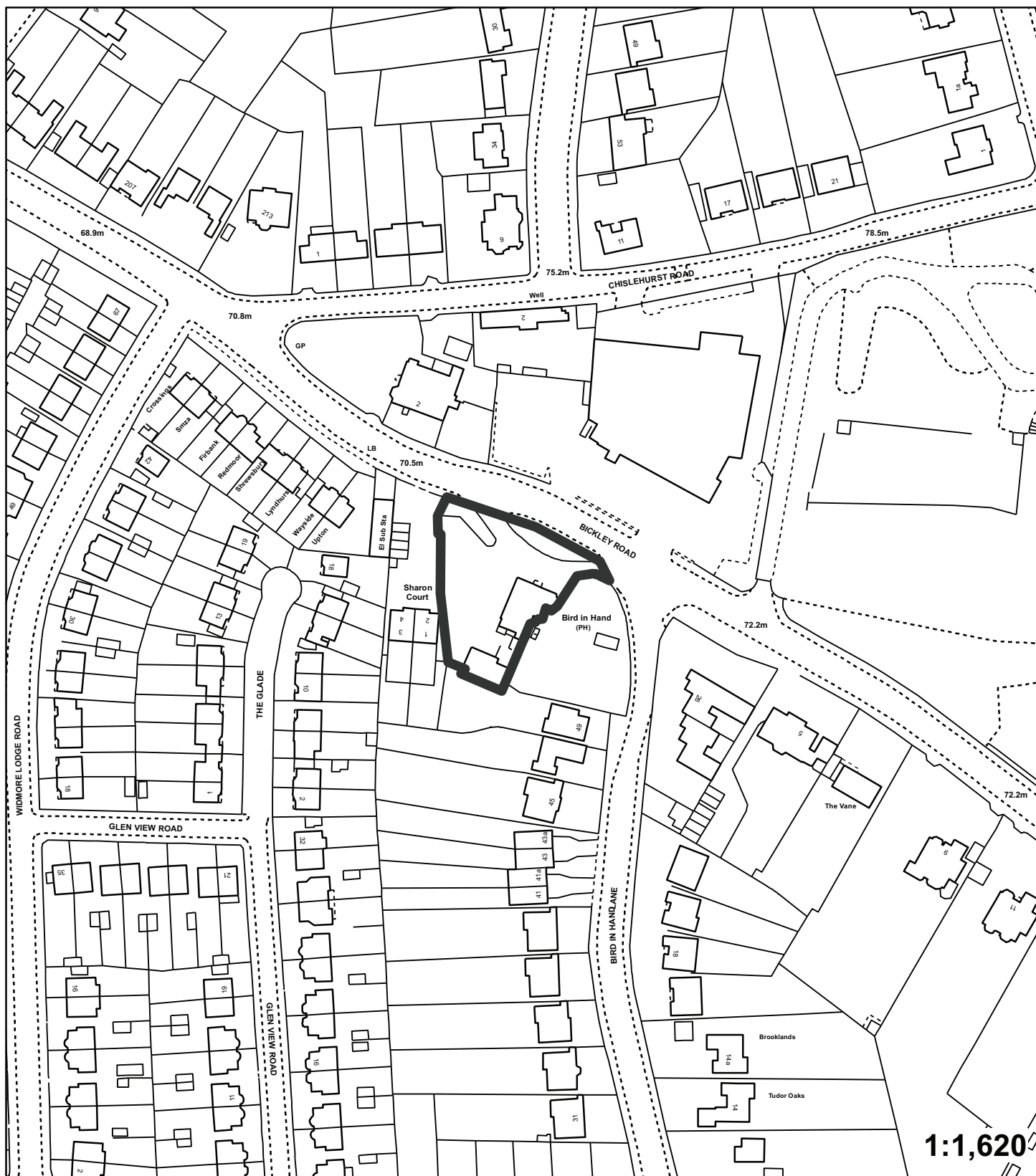


- 1 The proposal will result in an overdevelopment of the site, detrimental to the character and appearance of the area and the setting of the statutory listed building situated to the centre of the site, contrary to Policies BE1, BE8, H7 and H9 of the Unitary Development Plan.
  
- 2 The three additional dwellings proposed would result in significant harm to the open setting of the statutory listed building by reason of their siting, scale and design, contrary to Policies BE1 and BE8 of the Unitary Development Plan.

**Application:**12/00609/FULL1

**Address:** The Widmore 3 Bickley Road Bickley Bromley BR1 2NF

**Proposal:** Conversion and refurbishment of former public house into a single five bedroom family dwelling including partial demolition of single storey rear elements and addition of single storey extension and elevational alterations. 2 four bedroom detached dwellings and 1 five



## SECTION '2' – Applications meriting special consideration

**Application No :** 12/01843/FULL1

**Ward:**  
**Biggin Hill**

**Address :** 20 - 22 Main Road Biggin Hill TN16 3EB

**OS Grid Ref:** E: 541071 N: 160399

**Applicant :** Mr Mark Watts

**Objections :** YES

### **Description of Development:**

Residential scheme consisting of 9 dwellings (8x4 bed houses and 1x3 bed house), together with associated car parking, landscaping and ancillary development.

Key designations:

Biggin Hill Noise Contours  
Green Belt  
Local Distributor Roads

### **Proposal**

Planning permission is sought for 9 new residential dwellings all of which will be linked and set into a valley slope, incorporating an angled southern elevation facing out across the valley to the south. The dwellings will comprise a total of 8 x two-storey four bedroom houses and 1 x single-storey three bedroom house which will be situated in the centre of this row (the latter designed as such to provide a visual break).

Access to the development will be provided via Main Road and a total of 19 off-street parking spaces will be provided. Extensive landscaping is also proposed.

The application is supported by a Design & Access Statement, Planning Statement, Acoustic Assessment, Arboricultural Assessment, Ecology Studies, Geotechnical Site Investigation and a Financial Viability Assessment.

### **Location**

The application site was formerly occupied by a public house/restaurant ("The Manor"), a detached dwelling and garage now demolished, and is approximately 0.5 hectares in area. It is situated at junction of Main Road and Saltbox Hill within the Green Belt and slopes steeply downhill from Main Road. The site faces Biggin Hill Airport which is located to the eastern side of Main Road.

## **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and a number of comments were received, both in support and objection to the scheme. These are summarised as follows:

- Biggin Hill & District Residents Association commend the application on the basis that it is sensitively designed and has a limited impact from the surrounding area, and views into the countryside; that the proposal will involve removal of hoardings which obscure views into the surrounding countryside; and that the volume of development is mitigated by its sensitive design
- overdevelopment of the usable land available
- proposed access is hazardous
- size of development could result in on-street parking which will pose a danger
- no more than 5 dwellings (as previously approved) should be built on the site
- proposal has been designed to avoid overlooking
- 8 dwellings would be preferable but is not financially viable
- poor design of development, cramped, and out of character with the area

## **Comments from Consultees**

The following points have been raised by the Council's Highways Development Engineer:

- proposal leaves only 1 space for visitors. There is no on-street parking available for some distance and so more visitor spaces should be provided.
- a swept path was provided for a refuse vehicle which was quite tight. Gradients of 1:10 are shown for the access. There should be a flatter (1:20) area at the back of the footway to allow larger vehicles to move off. This is also the pedestrian route and the maximum gradient for disabled users should be checked.
- the proposal site is within a low (2) PTAL area and although there are 4 bus routes which go past the site, there are almost no facilities within walking distance and so the number of car trips may have been underestimated.
- the main concern related to the location of the proposed access which is about 15m away from the junction of Main Road and Saltbox Hill, which is too close. This is a busy junction and right turners into and out of the proposed development will be in conflict with the right turners out of Saltbox Hill. The various turning movements should be separated although it is appreciated that moving the access will require changes to the bus stop and central island

No technical objections have been raised by the Council's Drainage Consultant or by Thames Water, subject to the imposition of conditions and informatives.

No technical objections have been raised by the Council's Refuse Advisors.

The Council's Tree Officer concurs with the arboricultural report's findings but advises that a landscaping condition should be imposed to ensure that provision is made for suitable replacement planting.

No technical objections have been raised by the Council's Environmental Health (Pollution) Officer, subject to the imposition of conditions. Comments raised by the Council's Environmental Health (Housing) Officer have been noted.

The Metropolitan Police Crime Prevention Design Advisor has recommended that a "Secure by Design" condition is attached to any permission.

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

### **Planning Considerations**

Unitary Development Plan Policies are BE1 (Design of New Development), BE13 (Development Adjacent to Conservation Areas), G1 (The Green Belt), H1 (Housing Supply), H7 (Housing Density and Design), NE3 & 5 (Protected Species), NE7 (Development and Trees), NE12 (Landscape Quality and Character), T3 (Parking) and T18 (Road Safety). The National Planning Framework also represents an important policy consideration.

### **Planning History**

Since 2001 there have been various applications for housing on this site, all of which have been refused apart from ref. 03/01213.

An application for 7 detached houses (ref. 01/03972) was refused permission in March 2002 and a subsequent appeal in respect of this scheme dismissed in September 2002. A revised application (ref. 02/01503) for 5 detached houses was also refused permission in August 2002, although no appeal was lodged. Both applications were essentially refused on Green Belt grounds – that the proposals represented inappropriate development, would result in a cramped form of development and in respect of the first scheme that the proposals would result in the loss of trees protected by a TPO.

Under ref. 03/01213, an application for 5 houses comprising 3 detached part two/three storey dwellings and 2 semi-detached part two/three storey dwellings with integral garages was permitted in November 2003. In granting approval the Council recognised that the demolition of the existing unattractive buildings would result in a visual improvement to the area and the removal of the existing Class A3 use would improve the living conditions of the occupiers of adjoining residential properties. It was also contended by the applicant that this scheme addressed concerns about the effect on openness of the Green Belt. The plans showed 3 detached houses and one pair of semi detached houses set into the slope, staggered rather than in a row, with gaps between them, allowing views to the countryside beyond. This contrasted with previous schemes that showed houses sited in a more uniform row with narrow gaps. According to the Supporting Statement attached to this current proposal development work commenced in connection with this approval, but the scheme was halted.

Under ref. 05/03039, a proposal similar to the 2003 scheme was submitted, the main differences between those proposals being that all the proposed dwellings were detached. In plots 3, 4 and 5 the proposed dwellings were set further back from the access road, with a detached garage block in front, whereas the 2003 permitted scheme had integral garages.

The 2005 application was considered to be similar to the refused ref. 02/01503 scheme in that the houses were proposed to be sited in a more uniform row with narrow gaps between the dwellings ranged across the entire top part of the site. Such a form of development would create more of a physical barrier to views of the countryside beyond. It was refused on the following grounds:

“The site is within the Green Belt where there is a presumption against inappropriate residential development other than limited replacement of existing dwellings and there are no very special circumstances justifying the grant of planning permission as an exception.”

“The proposed dwellings, garage block and associated works, by reason of their siting, layout and design are detrimental to the openness, appearance, amenities and landscape character of the surrounding Green Belt.”

“The proposed dwellings and associated works, by reason of their siting, layout and design are detrimental to the amenities enjoyed by the occupants of No. 24 Main Road by reason of loss of outlook and privacy.”

More recently, under ref. 08/04036, consent was granted to fell 3 beech trees on the site, although this work has not been implemented and that permission has expired.

## **Conclusions**

The principle of residential development on this site has previously been established in the form of the permission for 5 houses comprising 3 detached part two/three storey dwellings and 2 semi-detached part two/three storey dwellings with integral garages, granted under ref. 03/01213. The main issue raised by this application is therefore whether the current proposed design, and the number of and siting of the houses has a detrimental impact on the openness of the Green Belt.

In comparison to the 2003 scheme the number of units has been increased to nine and the overall design and layout of the proposal has been accordingly revised. It is acknowledged the proposal has been imaginatively designed with the dwellings set into the valley slope with the majority of the buildings obscured from the Main Road frontage. Consequently, much of the open prospect associated with this elevated corner site will be maintained. The applicant justifies the scheme on the basis that the volume of this proposal remains similar to that approved in 2003 and that this scheme is the most economically viable for the site. The scheme is also promoted on the basis of its environmental credentials set out in numerous supporting documents.

The applicant does, however, acknowledge that this proposal will lead to an intensification of the use of the site but appears to justify this, at Paragraph 7.17 of the Supporting Statement, on the basis that the collective accommodation will be contained within buildings of equivalent volumes to those already permitted. In considering this application Members should pay particular regard to the scheme approved in 2003. As noted above, special circumstances were identified, particularly the loss of the former use of the site and associated buildings, its sensitive design, and the reduction in the number of units sought from earlier applications.

The National Planning Policy Framework acknowledges and reaffirms the importance of Green Belt policy in safeguarding open areas. Although it encourages some development of previously developed sites, the provision of new housing remains inappropriate. Policy G1 of the Unitary Development Plan similarly discourages such development and seeks to prevent development which would harm its openness and visual amenity, by reasons of scale, siting, materials or design. The essential characteristics of Green Belts are their openness and their permanence. Openness represents a fundamental consideration in assessing Green Belt development and it can be taken to mean the absence of development, regardless of whether or not this is readily visible. Openness may be associated with the intensity of a use given that this will inevitably affect the nature and character of an area. Hence the scale of development as a defining characteristics (distinct to form, bulk and site coverage) may represent an important assessment. In this case, the provision of four additional units will inevitably increase the intensity of use of the site with all the additional movements and activity associated with this number of dwellings. The houses will be most visible from views from the south and west of the site, including from Salt Box Hill. Whilst the arguments in support of this development are recognised it is considered that this proposal will fail to adequately overcome all of the key Green Belt policy objectives.

As noted above concerns have been expressed by the Council's Highways Development Engineers. These relate, in particular, to the lack of off-street parking and the proposed access off Main Road which could adversely affect road safety, particularly in view of its close proximity to the junction with Saltbox Hill.

In comparison to the 2005 application, no objections are raised on the basis of the impact of the development on neighbouring amenity given the siting and layout of the proposed houses and their relationship to surrounding houses.

Background papers referred to during production of this report comprise all correspondence on files refs. 01/03971, 02/01503, 03/01213, 05/03039, 08/04036 and 12/01843, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

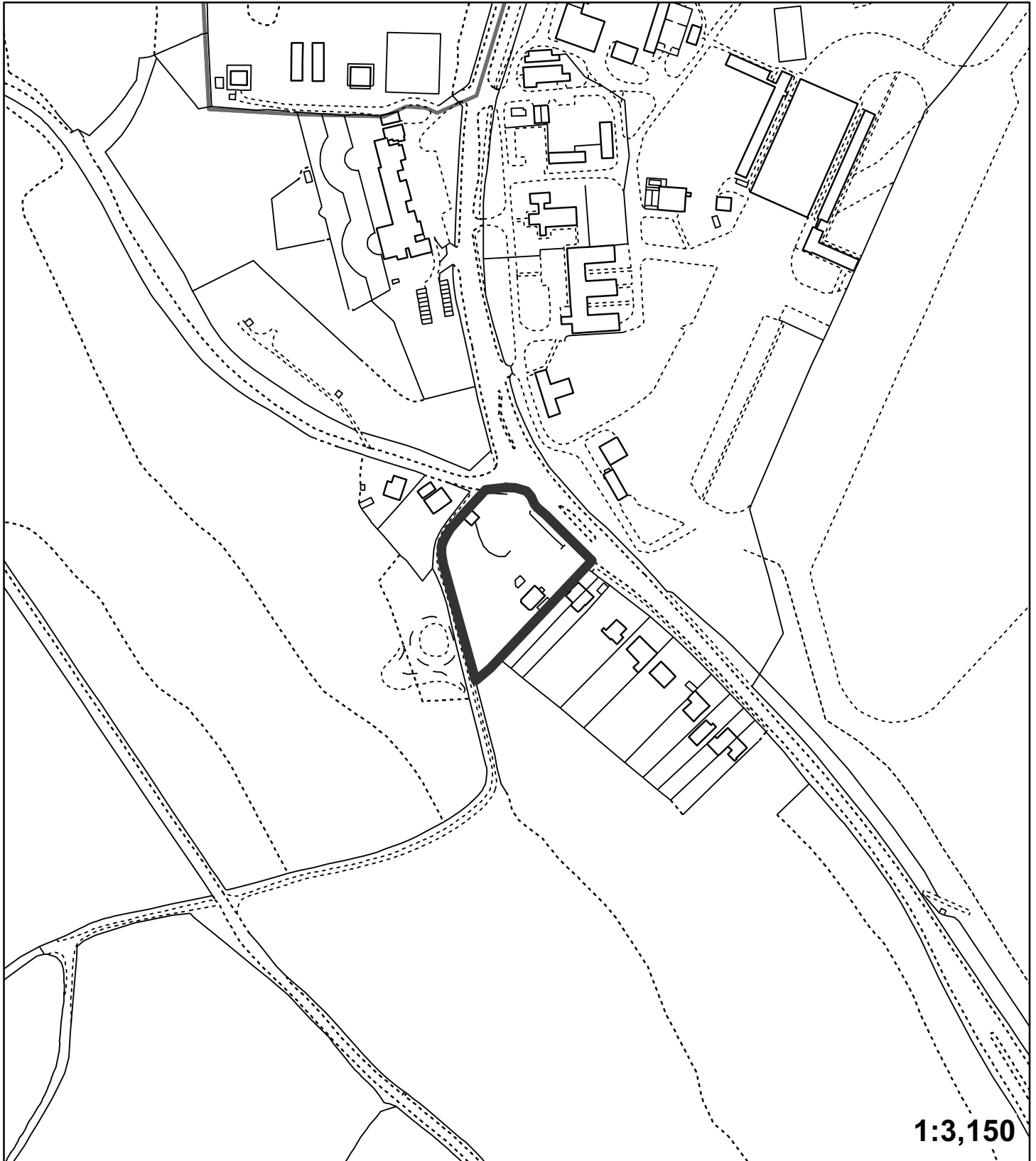
- 1 The proposal will, by reason of its excessive scale and number of units, constitute inappropriate development in the Green Belt resulting in an over-intensive use of the site harmful to openness, and in the absence of very special circumstances supporting the grant of planning permission, no justification is identified to permit this development as an exception to Policy G1 of the Unitary Development Plan and the National Planning Policy Framework.
- 2 The proposal lacks adequate on-site car parking and will be likely to lead to increased demand for on-street car parking in surrounding roads detrimental to the amenities of nearby residents and prejudicial to the free flow of traffic and conditions of general safety along the highway, thereby contrary to Policies T3 and T18 of the Unitary Development Plan.
- 3 The proposal would not be in the interests of good highway planning by reason of the proximity of the proposed access to the junction of Main Road and Saltbox Hill, which would have an adverse effect on highway safety, contrary to Policy T18 of Unitary Development Plan.



**Application:**12/01843/FULL1

**Address:** 20 - 22 Main Road Biggin Hill TN16 3EB

**Proposal:** Residential scheme consisting of 9 dwellings (8x4 bed houses and 1x3 bed house), together with associated car parking, landscaping and ancillary development.



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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/02122/FULL6

**Ward:**  
Cray Valley West

**Address :** 40 Midfield Way Orpington BR5 2QJ

**OS Grid Ref:** E: 546774 N: 169913

**Applicant :** Mrs D Young

**Objections :** YES

### **Description of Development:**

Part one/two storey and first floor front/side/rear extension  
RETROSPECTIVE APPLICATION

Key designations:

Areas of Archeological Significance  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Local Distributor Roads

### **Proposal**

Retrospective permission is sought in relation to a first floor extension which has been built to a larger size than approved. Planning permission was granted in 2007 for a part one/two storey side/rear extension, but the extension was subsequently enlarged so that its rearward projection extended further to the rear – in line with the enlarged ground floor – and a first floor recess / inset feature to the south-western corner of the dwelling has been infilled.

### **Location**

The application property is situated within a corner plot fronting The Avenue and Midfield Way – a local distributor road predominantly residential in character.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and a number of representations, including from the Chislehurst Society, were received which can be summarised as follows:

- extension has led to loss of adjoining downpipe meaning that adjoining dwelling is subject to flooding

- concern that enlarged dwelling has increased use of sewage pipes which also serve neighbouring houses
- loss of light to adjoining dwelling, including kitchen and dining room, due to increased depth of first floor extension

### **Comments from Consultees**

Comments were received from Thames Water in relation to surface water drainage which have been forwarded to the Agent.

### **Planning Considerations**

Policies BE1, H8 and H9 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design, to safeguard the amenities of neighbouring properties and ensure that a satisfactory degree of separation is maintained between two storey development and flank boundaries.

### **Planning History**

Two applications have previously been submitted in relation to the application dwelling:

06/01318 – permission was refused for a first floor front/part one/two storey side/rear extension on the following ground:

“The proposed extension by reason of its size and siting on this exposed corner site would result in an incongruous form of development, detrimental to the symmetrical appearance of this pair of semi-detached houses and the visual amenities of the street scene in general, contrary to Policies H.3 and E.1 of the adopted Unitary Development Plan and Policies H8 and BE1 of the second deposit draft Unitary Development Plan (September 2002).”

07/02705 – permission was subsequently granted for a part one/two storey side/rear extension in September 2007. However, a breach of planning control concerning the size of the first floor extension was reported in March 2009.

Enforcement action has been authorised requiring the applicant to rectify the first floor extension so that it accords with the scheme approved in 2006. However, any enforcement action remains in abeyance pending the outcome of this planning application.

### **Conclusions**

The main issues relating to the application are the effect that it has on residential amenity, and on the character and appearance of the existing dwelling and surrounding streetscene.

The application dwelling forms one half of a pair of 1950s semis which are characterised by their red brick facades. The application dwelling is situated within

a corner plot fronting Midfield Way and The Avenue with most of the external elevations of the dwelling fully visible from the surrounding roads.

As noted above, planning permission was granted for ground and first floor extensions under ref. 07/02705. In considering this application, it is necessary to consider the changes made in respect of that application, and assess their impact in respect of local character and neighbouring amenity.

The completed extension now projects an additional 1.1m further rearward than the plan approved in 2007 (as scaled from the submitted plan), which results in a total 4.0m extension depth beyond the rear elevation of the original dwelling. This aligns with the ground floor extension meaning that the first floor inset shown in the approved plans has been lost. The first floor extension remains inset in relation to the western flank wall of the ground floor element (fronting The Avenue) by approximately 1.8m, but the recess to the south-western corner and front inset is occupied by the enlarged first floor. As a result the first floor elevation is unrelieved along its western side.

The enlarged dwelling appears particularly prominent from The Avenue, especially given its more square-shaped appearance and resultant bulk. It is considered that its overall size and bulk well exceeds that of surrounding houses, meaning that the house appears cramped and out of scale in relation to its plot and wider surroundings. The 2007 application was approved on the basis that the first floor was inset in relation to the ground floor flank and rear elevations, but the changes here are so significant as to alter the overall form and appearance of the dwelling. It is not considered that the part-rendering of the dwelling mitigates from the overall impact of the development. It is also considered that the first floor extension undermines the symmetrical appearance and balance characterising this pair of semi detached houses.

Furthermore, it is considered that the increased depth of the first floor extension is excessive so as to seriously prejudice the amenities of the occupiers of the adjoining dwelling at No. 38 by reason of its visual dominance and loss of prospect.

Taking the above considerations into consideration, it is recommended that permission is refused and that authorisation be granted to expedite enforcement action to alter the unauthorised first floor extension, in line with the 2007 approval.

Consideration has been given to the Human Rights Act 1998 and the appropriate Convention Rights. Officers are satisfied that these rights will not be breached or alternatively any breach is justified under the doctrine of proportionality.

Background papers referred to during production of this report comprise all correspondence on files refs. 06/01318, 07/02705 and 12/02122, excluding exempt information.

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

The reasons for refusal are:

- 1 The first floor extension constitutes a cramped overdevelopment of the site, over-dominant and out of character with the surrounding area, particularly so on this exposed corner site fronting The Avenue and Midfield Way, thereby contrary to Policies BE1, H8 and H9 of the Unitary Development Plan.
- 2 The first floor extension, by reason of its size and form, undermines the symmetrical appearance and balance characterising this pair of semi detached houses, as such contrary to Policies H8, H9 and BE1 of the Unitary Development Plan.
- 3 The depth of the first floor extension is excessive and the development therefore seriously prejudices the amenities of the occupiers of the adjoining dwelling by reason of its visual dominance and loss of prospect, thereby contrary to Policy BE1 of the Unitary Development Plan.

INFORMATIVE(S)

- 1 You are advised that enforcement action has been authorised in respect of some or all of the development subject of this planning decision and you should contact the Planning Investigation Team on 020 8461 7730 or by email to [planningappeals@bromley.gov.uk](mailto:planningappeals@bromley.gov.uk) to discuss what you need to do to avoid formal action by the Council.

**Application:**12/02122/FULL6

**Address:** 40 Midfield Way Orpington BR5 2QJ

**Proposal:** Part one/two storey and first floor front/side/rear extension  
**RETROSPECTIVE APPLICATION**



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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/02459/FULL1

**Ward:**  
**Plaistow And Sundridge**

**Address :** 25 College Road Bromley BR1 3PU

**OS Grid Ref:** E: 540170 N: 169923

**Applicant :** Mr Simon Addison

**Objections :** NO

### **Description of Development:**

Demolition of car showroom and ancillary building. Change of use of industrial building (including car sales/showroom/repairs) to warehouse/storage and distribution with elevational alterations and perimeter fencing.

Key designations:

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

### **Proposal**

- Demolition of car showroom and ancillary building;
- change of use of industrial building (including car sales/showroom/repairs) to warehouse/storage and distribution;
- elevational alterations including infilling of windows and doors;
- erection of a Calke Green metal perimeter security fencing and gates, measuring 3 metres in height along Farwig Lane and 2.95 metres along College Road; and
- landscaping around perimeter.

### **Location**

The application site is a corner site extending along Farwig Lane and College Road. The site was previously used as a car showroom with a warehouse for parts sales and workshop for vehicle repairs. The premises have been vacant for a number of years.

The application site falls within a designated Business Area. College Road is a classified road (designated Local Distributor Road in the UDP). The development is within Bromley Town's Controlled Parking Zone (CPZ) and in an area with high Public Transport Accessibility Level (PTAL) rating of 5.

The surrounding area comprises business and industrial use to the north and west of the site. To the east and south is predominantly residential development.

### **Comments from Local Residents**

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

### **Comments from Consultees**

The Council's Highways Development Engineer has confirmed that the application is satisfactory in principle however; the applicant should provide a staff travel plan to encourage staff members to use sustainable modes of transport.

The Council's Waste Advisors have stated that the refuse storage is as existing.

The Council's Planning Policy section has confirmed that the proposed change of use is supported by Policy EMP4 therefore there are no policy objections to the proposal.

The Metropolitan Police Crime Advisor has stated that the changes to the existing building and perimeter fencing should be able to meet Secured by Design standards and would welcome improvements in security at storage/warehouse locations as such premises have recently been targeted by criminals. A 'Secured by Design' condition is therefore recommended to ensure the development would achieve certification.

Transport for London has no comments to make on this particular application.

### **Planning Considerations**

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and other means of Enclosure
- EMP4 Business Areas
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T8 Other Road users
- T17 Servicing of Premises
- T18 Road Safety

SPG1 General Design Principles

London Plan:

- 4.1 Developing London's Economy
- 4.4 Managing industrial Land and Premises
- 6.3 Assessing effects of development on transport capacity
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.14 Improving air quality
- 7.15 Reducing noise and enhancing soundscapes

The National Planning Policy Framework 2012.

## **Planning History**

25 College Road

99/02144 – Demolition of two storey building and erection of single storey building with access to College Road; single storey building adjacent to former valet bay, elevational alterations, including ground floor extension facing Farwig Lane, additional car parking bays – PERMITTED

12/01003/FULL1 – Demolition of car showroom and ancillary building corner of College Road and Farwig Lane. Change of use of industrial building (including car sales/showroom/repairs) to warehouse/storage and distribution with elevational alterations and 3m high perimeter fencing – REFUSED on 20.06.2012 for the following reasons:

- 1 The proposed perimeter fence, by reason of its height and location on a prominent corner site, would have a detrimental impact on the character and appearance of the area, contrary to Policies BE1 and BE7 of the Unitary Development Plan.
- 2 In the absence of sufficient information regarding the use of the forecourt area adjoining College Road, the development is likely to have a detrimental impact on the visual amenities of the area, contrary to Policy BE1 of the Unitary Development Plan.

## **Conclusions**

The current proposal is a revised version of the previously refused scheme. It is now proposed to reduce the height of the fence running along College Road to 2.95 metres. Additionally, a colour of the fencing has been changed to green and a set back of 0.3 metres from the existing pavement line has been introduced to form a bed suitable for planting 'climbers', i.e. a suitable balanced mix of wisteria, variegated ivy, honeysuckle, Virginia creeper, and clematis montana.

A 3 metre deep landscaped bund would be planted within the curtilage of the application site behind the perimeter fencing.

In relation to the information regarding the use of the forecourt area adjoining College Road the applicant has provided description of five phases of development, which can be summarised as follows:

- Phase I: external alterations to the existing building, erection of the improved perimeter fencing and a new vehicular gated entrance, adjustment of the ramps and steps;
- Phase II: internal alterations to the warehouse, including thermal insulation, new heating system, disabled toilet as well as racking and packing facilities;
- Phase III: demolition of the car showroom; making good of the elevation of the retained warehouse building;
- Phase IV: excavation and planting of the perimeter landscaping;
- Phase V: construction of a new building with the footprint and height at least as extensive as the existing car showroom.

The Design and Access stresses that Phase V does not form part of the current application, however it is anticipated that the building lines established by the current showrooms and ancillary buildings will be maintained.

No issues were previously raised in terms of the proposed land use, safety and security or transport impact, therefore the proposal is considered acceptable in these respects. Similarly, it is considered that by virtue of its proposed use, the scheme would not generate any additional undue noise disturbance for other existing residential units in the area.

Members will therefore need to consider in light of the above and taking into account the previous decisions, whether the proposed modifications to the proposed perimeter fence and additional landscaping, as well as the information submitted regarding the use of the forecourt area adjoining College Road is sufficient to ensure the proposed development would have an acceptable impact on the visual amenities of the surrounding area.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02459, excluding exempt information.

**RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED**

- |   |                 |  |
|---|-----------------|--|
| 0 | D00002          | If Members are minded to grant planning permission the following conditions are suggested: |
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years                             |
| 2 | ACA04<br>ACA04R | Landscaping Scheme - full app no details<br>Reason A04                                     |

- 3 ACC07 Materials as set out in application  
ACC07R Reason C07
- 4 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 5 ACH22 Bicycle Parking  
ACH22R Reason H22
- 6 ACH24 Stopping up of access  
ACH24R Reason H24
- 7 ACH28 Car park management  
ACH28R Reason H28
- 8 ACH30 Travel Plan  
ACH30R Reason H30
- 9 ACI21 Secured By Design  
ACI21R I21 reason
- 10 ACK01 Compliance with submitted plan  
ACC01R Reason C01
- 11 Within three months of their installation the proposed railings and gates shall be finished in powder coated black and be permanently maintained as such thereafter.

**Reason:** In order to preserve the character and appearance of the area, in line with Policies BE1 and BE7 of the Unitary Development Plan.

- 12 The commercial uses hereby permitted shall not operate outside the following times: Mondays to Fridays: 07:00 and 18:30 hours; Saturdays: 07:00 and 16:00 hours; and at no time on Sundays, Bank Holidays or Public Holidays.

**Reason:** In order to ensure a satisfactory standard of amenity for adjacent properties and to comply with Policy BE1 of the Unitary Development Plan.

- 13 No deliveries to any part of the development shall be taken to or dispatched from, the site other than between the hours of 07:00 and 18:30 Mondays to Fridays; Saturdays: 07:00 and 16:00 hours; and at no time on Sundays, Bank Holidays or Public Holidays.

**Reason:** To protect the amenity of neighbouring occupiers and the surrounding area, and to comply with Policy BE1 of the Unitary Development Plan.

- 14 Notwithstanding the provisions of Part 42 of The Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2010 (or any Order revoking and re-enacting that Order), no extension or alteration to a commercial unit the subject of this permission shall be carried out without planning permission having first been obtained via the submission of a planning application to the Local Planning Authority.

**Reason:** In order to protect the residential amenities, vitality and viability of the area, and to comply with Policies BE1 and S2 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
- BE7 Railings, Boundary Walls and other means of Enclosure

- EMP4 Business Areas
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T8 Other Road users
- T17 Servicing of Premises
- T18 Road Safety

SPG1 General Design Principles

and the London Plan:

- 4.1 Developing London's Economy
- 4.4 Managing industrial Land and Premises
- 6.3 Assessing effects of development on transport capacity
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.14 Improving air quality
- 7.15 Reducing noise and enhancing soundscapes

The National Planning Policy Framework 2012.

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

- (a) the appearance of the development in the street scene
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties
- (c) the employment policies of the development plan
- (d) the safety of pedestrians and motorists on the adjacent highway
- (e) the safety and security of buildings and spaces around them
- (f) the transport policies of the development plan

and having regard to all other matters raised.

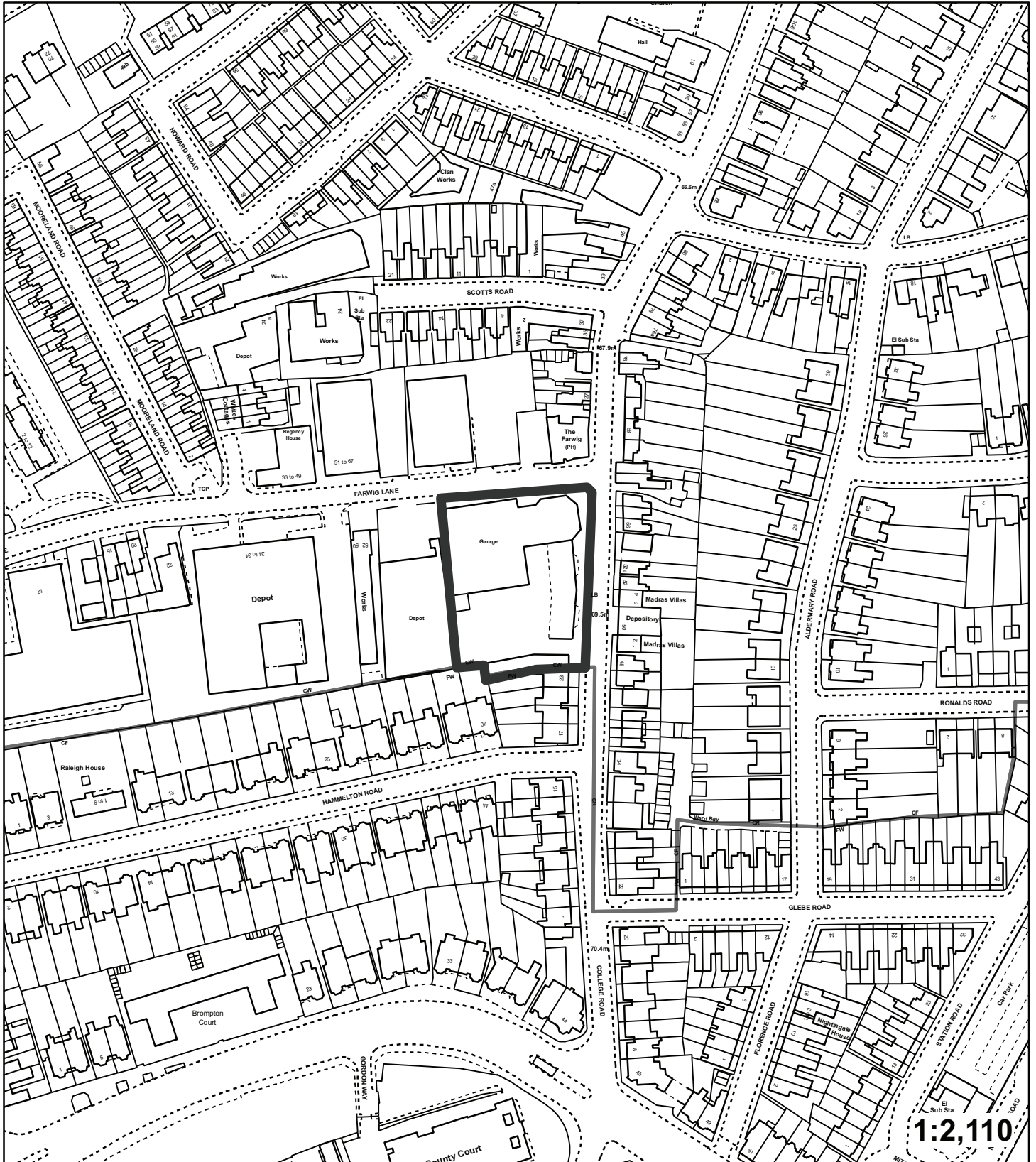
D00003 If Members are minded to refuse planning permission the following grounds are suggested:

- 1 The proposed perimeter fence, by reason of its height and location on a prominent corner site, would have a detrimental impact on the character and appearance of the area, contrary to Policies BE1 and BE7 of the Unitary Development Plan.
- 2 In the absence of sufficient information regarding the use of the forecourt area adjoining College Road, the development is likely to have a detrimental impact on the visual amenities of the area, contrary to Policy BE1 of the Unitary Development Plan.

**Application:**12/02459/FULL1

**Address:** 25 College Road Bromley BR1 3PU

**Proposal:** Demolition of car showroom and ancillary building. Change of use of industrial building (including car sales/showroom/repairs) to warehouse/storage and distribution with elevational alterations and perimeter fencing.



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# Agenda Item 4.6

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

**Application No :** 12/01289/FULL6

**Ward:**  
Chislehurst

**Address :** Priestfield Watts Lane Chislehurst BR7  
5PJ

**OS Grid Ref:** E: 543926 N: 169823

**Applicant :** Mr & Mrs Monks

**Objections :** YES

## **Description of Development:**

Part one/two storey side and rear extension to enclose existing swimming pool and alterations to front and rear elevations

Key designations:

Conservation Area: Chislehurst  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

## **Proposal**

It is proposed to add a part one/two storey side/rear extension to this property which would enclose an existing outdoor swimming pool adjacent to the western boundary, and add first floor accommodation to the western side of the main house.

The extension would project approximately 13m beyond the rear elevation of the dwelling, and would be 9.455m in width. It would also project to the side to come within 1m of the western flank boundary.

## **Location**

This detached property is located within Chislehurst Conservation Area, and is set back from Watts Lane, sharing an access road with the adjacent property known as Wellwood.

To the west of the site lies a plot of land which is currently being developed for a new dwelling, permission for which was granted in April 2011 (ref.11/00506). A line of trees currently provides a screen between the two sites, and a Tree Preservation Order was recently issued to protect them.

## **Comments from Local Residents**

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

- proposed extension would result in the loss of the tree screen (protected by a TPO) which would be detrimental to residential amenity and the character and appearance of Chislehurst Conservation Area
- previous grounds for refusing the appeal have not been overcome with regard to the loss of the tree screen.

## **Comments from Consultees**

The Advisory Panel for Conservation Areas comments that if the proposals are not now considered to be detrimental to the screening trees, then the recent appeal decision indicates that the proposals should be accepted.

## **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  
BE11 Conservation Areas  
NE7 Development and Trees

## **Planning History**

Permission was refused in September 2010 (ref.10/01615) for larger part one/two storey side/rear and first floor rear extensions to this property on the following grounds:

- 1 The proposals, by reason of their overall size, site coverage and close proximity to the side boundaries, constitute a cramped overdevelopment of the site, detrimental to the character and spatial standards of this part of Chislehurst Conservation Area, and thereby contrary to Policies H8, H9, BE1 and BE11 of the Unitary Development Plan.
- 2 The proposed first floor rear extension would, by reason of its excessive rearward projection, have a seriously detrimental impact on the amenities of the occupiers of the adjacent property at Wellwood, through loss of light and outlook, thereby contrary to Policies H8 and BE1 of the Unitary Development Plan.

Permission was refused in June 2011 (ref.11/00775) for a reduced scheme (which is identical to the current proposals) on the following grounds:

- 1 The proposals, by reason of their overall size, site coverage and close proximity to the side boundaries, constitute a cramped overdevelopment of

the site, detrimental to the character and spatial standards of this part of Chislehurst Conservation Area, and thereby contrary to Policies H8, H9, BE1 and BE11 of the Unitary Development Plan.

The subsequent appeal was dismissed in October 2011 on grounds relating to the likely loss of the tree screen adjacent to the new house plot, and the subsequent overbearing impact that the exposed extension would have on the living conditions of future occupiers of a new dwelling by reason of loss of outlook.

## **Conclusions**

The main issues in this case are the impact of the proposals on the line of trees adjacent to the western boundary of the site, on the amenities of the occupants of surrounding residential properties and on the character and appearance of Chislehurst Conservation Area.

The current proposals are the same as the recently dismissed scheme, but have been submitted with a full tree report in order to address the concerns of the previous Inspector with regard to the loss of the tree screen.

In dismissing the previous appeal, the Inspector considered that without evidence to the contrary, the proposals were likely to harm the health and vitality of the line of western red cedar trees resulting in their loss, and that the proposed extension would then appear unduly overbearing and would significantly harm the outlook from the rear habitable room windows and shallow rear garden of the proposed new dwelling on the adjacent plot.

She did however consider that the proposals would not result in any significant loss of amenity to the occupiers of the neighbouring properties at The Orchard and Shalimar, and that the spacious character and appearance of Chislehurst Conservation Area would be adequately protected.

With regard to the tree screen, the Inspector was of the view that although not of significant value to the Conservation Area, the line of trees provided a valuable screen between the two properties. She expressed concern that the foundations of the proposed extension would affect a significant proportion of the tree roots, that the trees could not be adequately protected during construction, and that they would consequently suffer long-term harm.

The tree screen comprises a line of 8 western red cedars and one leyland cypress growing on the adjoining house plot, which have all been graded C and the canopies are merging giving the appearance of a hedge. The Root Protection Areas of the trees would be affected by the digging of foundations, but it is proposed to minimise the impact by carrying out excavation work under arboricultural supervision. As the line of trees is now protected, there would not be any irresistible post-development pressure for works to the trees. It is therefore considered that the applicants have provided sufficient information to ensure protection of the trees, subject to conditions requiring the submission of an Arboricultural Method Statement, and for works to be carried out under arboricultural supervision.

As it has now been shown that the trees would be retained, the proposed extension would be adequately screened from the adjoining house plot and would not appear overbearing nor adversely affect the outlook from the new property and its rear garden, thus protecting the amenities of future occupiers.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/01615, 11/00775 and 12/01289, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs                                       |
|   | ACA01R | A01 Reason 3 years   |
| 2 | ACB18  | Trees-Arbicultural Method Statement  |
|   | ACB18R | Reason B18   |
| 3 | ACB19  | Trees - App'ment of Arbicultural Super   |
|   | ACB19R | Reason B19   |
| 4 | ACC01  | Satisfactory materials (ext'nl surfaces)                                       |
|   | ACC01R | Reason C01   |
| 5 | ACC03  | Details of windows   |
|   | ACC03R | Reason C03   |
| 6 | ACI12  | Obscure glazing (1 insert) at first floor level in the western flank elevation |
|   | ACI12R | I12 reason (1 insert) BE1  |
| 7 | ACI17  | No additional windows (2 inserts) western first floor flank extension          |
|   | ACI17R | I17 reason (1 insert) BE1  |
| 8 | ACK01  | Compliance with submitted plan   |
|   | ACC01R | Reason C01   |

### **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
- BE11 Conservation Areas
- NE7 Development and Trees

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

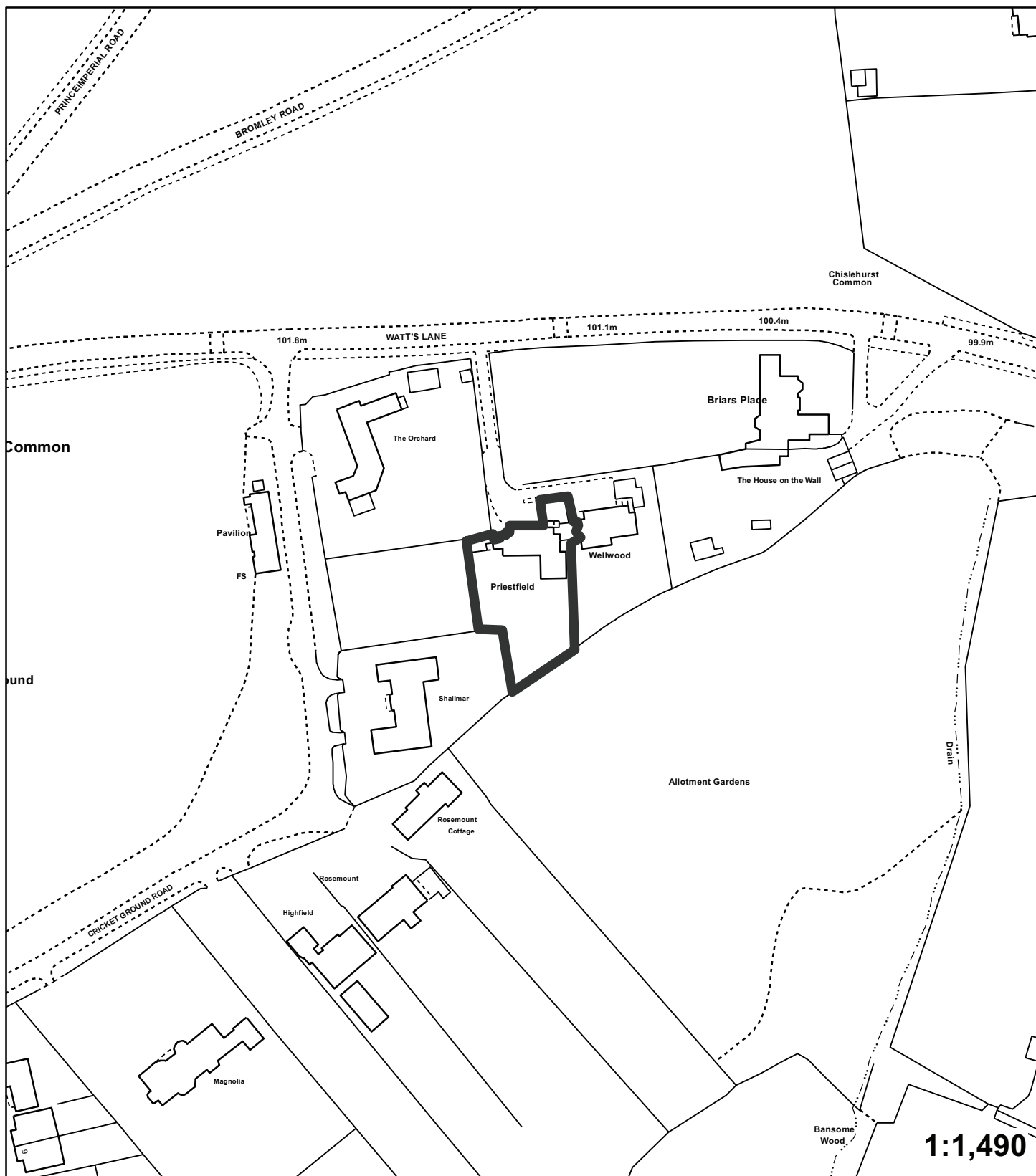
- (a) the impact on the character and appearance of Chislehurst Conservation Area
- (b) the impact of the development on the amenities of nearby residential properties
- (c) the impact of the development on important trees on the site and the adjacent site

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

**Application:**12/01289/FULL6

**Address:** Priestfield Watts Lane Chislehurst BR7 5PJ

**Proposal:** Part one/two storey side and rear extension to enclose existing swimming pool and alterations to front and rear elevations



# Agenda Item 4.7

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

**Application No :** 12/01955/FULL6

**Ward:**  
Hayes And Coney Hall

**Address :** 9 Cecil Way Hayes Bromley BR2 7JU

**OS Grid Ref:** E: 540150 N: 166394

**Applicant :** Mr Antony Friend

**Objections :** NO

## **Description of Development:**

Two storey side extension

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Local Distributor Roads

## **Proposal**

It is proposed to replace and build up over the existing single storey side garage, flushed with the existing two storey side addition. The proposed extension would feature a hipped roof design and would provide an additional bedroom on the first floor and a study, utility room and toilet on the ground floor.

The existing distance to the boundary varies from 1.05 metres at the front to 0.94 metres at the rear.

## **Location**

The application site lies on the northern side of Cecil Way and comprises a two storey semi detached property. The surrounding area does not fall within the boundaries of any designated conservation area.

## **Comments from Local Residents**

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

## **Comments from Consultees**

Highways – no objection.

## **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

Supplementary Planning Guidance 1 General Design Guidance  
Supplementary Planning Guidance 2 Residential Design Principles

## **Planning History**

84/01084/FUL – Part one/two storey side extension. Permission granted on 28.06.1984.

## **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 extension would replace the existing ground floor garage that is currently sited approximately 1.05 – 1.0 metres to the boundary. It is noted that the width of the side passage reduces to 0.94 metres to the rear. Accordingly, the existing two storey side extension does not provide a 1m side space as is required by Policy H9 of the Unitary Development Plan. The proposed extension would continue the existing building lines and it would not project beyond the extent of the existing garage. Therefore, whilst the minimum 1m side space would not be achieved for the full length of the flank, this is a consequence of the existing arrangement and the proposal would clearly not result in a terracing effect which is the purpose of Policy H9. A number of properties in the area have constructed similar side extensions and as such an application of this type may be considered to be in keeping with the character of the area. In this case, members may consider that the proposal is still compliant with Policy H9 of the Unitary Development Plan.

Further, the proposal would improve the architectural composition of the application property by removing the existing gable end and odd small single pitches and flat roof areas wall which give it a cluttered and untidy appearance. As such, the proposed scheme is considered to be acceptable in design terms as it would not be harmful to the architectural integrity of the property nor would it appear incongruous in the streetscene, hence in line with the requirements of Policies H8 and BE1.

Given the scale and siting of the proposed extension the proposal is not anticipated to result in a significant loss of daylight/sunlight or outlook for No. 7 Cecil Way. No flank windows are proposed at first floor level so no loss of privacy would result to adjoining occupiers.



On balance despite the proposal not achieving the full 1m side space for the full length of the flank wall, the proposal would not result in terracing and is in keeping with the established character of the area. In addition, the proposal is not considered to be harmful to the architectural integrity of the original dwellinghouse and is not considered to be detrimental to the residential amenities of the neighbouring properties.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/01955, excluding exempt information.

as amended by documents received on 19.09.2012

### **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           |                   |           |
|   | ACC01R | Reason C01                               |                   |           |

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

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

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

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

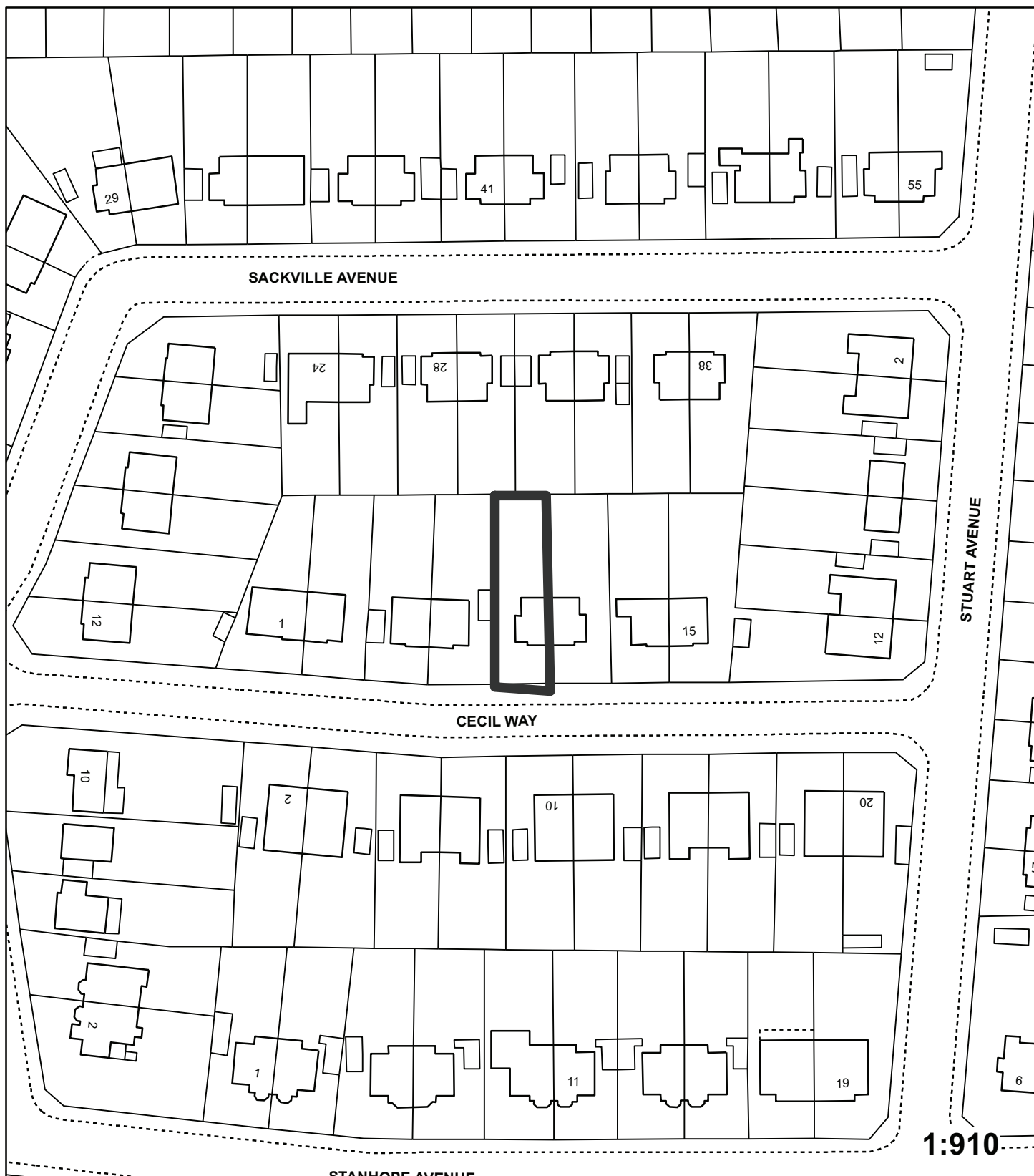
- (a) the impact on the architectural integrity of the host building;
- (b) the appearance of the development in the street scene;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

**Application:**12/01955/FULL6

**Address:** 9 Cecil Way Hayes Bromley BR2 7JU

**Proposal:** Two storey side extension



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

**Application No :** 12/02066/FULL6

**Ward:**  
Biggin Hill

**Address :** 8 Alexandra Road Biggin Hill TN16 3NY

**OS Grid Ref:** E: 540869 N: 158041

**Applicant :** Mr Ian Norton

**Objections :** NO

### **Description of Development:**

Addition of first floor and roof alterations to form 2 storey dwelling and elevational alterations

Key designations:

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

### **Proposal**

The proposal involves alterations to the existing roof to enable the formation of additional accommodation at first floor level. The ridge height would be raised from 4.7m to 5.4m (as scaled from the front elevation), and both corners of the roof would be hipped. Both sides of the roofs would incorporate dormers featuring glazed gable ends.

### **Location**

The site is situated along the western side of Alexandra Road – a residential street located in south-west Biggin Hill.

### **Comments from Local Residents**

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

### **Comments from Consultees**

Not applicable

### **Planning Considerations**

Policies BE1, H8 and H9 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design which complements the qualities of the surrounding area; to safeguard the amenities of neighbouring properties; and to ensure that an adequate degree of separation is maintained in respect of two storey development.

### **Planning History**

Under ref. 06/01900, a proposal to convert the existing dwelling to a two storey house was refused on the basis that it did not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two storey development in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed.

Subsequently, under ref. 06/04174, a proposal involving a replacement hipped roof and addition of front and rear dormers to provide additional habitable accommodation was granted permission, although that scheme has not been implemented.

A proposal involving the provision of a first floor with cat slide roofs was withdrawn (ref. 12/00120).

Most recently, under ref 12/01161, a proposal involving provision of a roof of part gable/mansard design was refused on the following ground:

“The proposed first floor extension would, by reason of its design and excessive bulk, constitute a cramped, obtrusive and “top heavy” form of development, harmful to the visual amenities and character of the area and detrimental to the established spatial standards, as such contrary to Policies H8, H9 and BE1 of the Unitary Development Plan.”

An appeal has been submitted in relation to the above refusal which is currently pending.

### **Conclusions**

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

In comparison to the previous planning application (ref. 12/01161) the overall bulk of the proposed extension has been substantially reduced with the roof hipped at either end. The 2006 approval also allowed for a hipped roof extension, although the ridge was somewhat narrower. It is noted that a separation of 0.56m exists in respect of the north-eastern side of the dwelling. However, given the nature of the proposal which will in effect involve an enlargement of the existing roof and the provision of accommodation within this space, the bungalow appearance of the

dwelling will largely be maintained so avoiding a cramped form of development. Furthermore, it is not considered that this form of development will undermine neighbouring amenity given the relationship to surrounding houses.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00120, 12/01161 and 12/02066, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACC01  | Satisfactory materials (ext'nl surfaces) |
|   | ACC01R | Reason C01                               |
| 3 | ACK01  | Compliance with submitted plan           |
|   | ACC03R | Reason C03                               |

### **Reasons for permission:**

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

- BE1 Design of New Development
- H8 Residential Extensions

The development is considered satisfactory in relation to the following:

- (a) the appearance of the development in the street scene;
- (b) the relation of the development to the adjacent 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

**Application:**12/02066/FULL6

**Address:** 8 Alexandra Road Biggin Hill TN16 3NY

**Proposal:** Addition of first floor and roof alterations to form 2 storey dwelling and elevational alterations



# Agenda Item 4.9

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

**Application No :** 12/02583/FULL1

**Ward:**  
Cray Valley East

**Address :** Land Rear Of 28 Kent Road Orpington  
BR5 4AD

**OS Grid Ref:** E: 547051 N: 167402

**Applicant :** Mr John Ralph

**Objections :** YES

## **Description of Development:**

Demolition of existing workshop/office (Class B1) building and erection of single storey office (Class B1) building.

Key designations:

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

## **Proposal**

It is proposed to demolish all the buildings on the site, and erect a replacement single storey office building in the form of an L-shape, which would contain 99sq.m. of floor space. The office would operate between 9am-5.30pm Mondays to Fridays, and would employ 5 members of staff.

## **Location**

This site is located to the rear of Nos.26-28 Kent Road, and is occupied by vacant single storey workshop/office buildings, some of which have been recently demolished. It lies within an Area of Archaeological Importance, and adjacent to St. Mary Cray Village Conservation Area to the rear. It has a pedestrian access from Kent Road between Nos. 28 and 30, but there is no vehicular access to the site, and thus no on-site parking.

## **Comments from Local Residents**

Letters of objection have been received from nearby residents whose main concerns are summarised as follows:

- the contemporary design of the building would be unsympathetic to the surrounding area
- lack of on-site parking provision would lead to pressure for parking in nearby roads
- limited access to the site for both construction and servicing of the office use
- the site lies within an Archaeological Area, and any works should be carried out under suitable monitoring procedures.

### **Comments from Consultees**

The Council's highways engineer considers that the surrounding area could adequately accommodate any parking requirements of the current proposals given the small scale of the office use proposed, and the previous workshop use of the site.

Concerns were initially raised about the use of the existing access to the site, which almost fronts the roundabout junction of Lower Road and Kent Road, for servicing and delivery purposes. However, the applicant has confirmed that there would be only monthly deliveries of standard office consumables such as stationery, while small items related to the business, such as lighting elements and electronic switchboards, may be delivered no greater than twice monthly. Most items related to the proposed business as a lift engineer company would be delivered directly to the site of each job.

The previous use of the site was as a metal window manufacturing workshop which had weekly deliveries of materials, and pick-ups of the final built products from the site. Given the small scale of the proposed office use and limited deliveries associated with it, no highways objections are raised subject to conditions limiting the hours of deliveries to outside peak times, restricting the storage to the office use, and requiring the submission of a Construction Management Plan to ensure that construction traffic can serve the site safely with minimum impact on traffic.

No objections are raised to the proposals from an Environmental Health point of view, subject to infomatives regarding compliance with the Control of Pollution and Environmental Protection Acts.

No objections are seen from a drainage or waste disposal point of view, and Thames Water have no concerns.

English Heritage consider that no archaeological fieldwork would need to be undertaken prior to the determination of the application, but a condition should be attached requiring a written scheme of investigation prior to commencement of development.

### **Planning Considerations**

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



BE1 Design of New Development  
BE13 Development Adjacent to a Conservation Area  
BE16 Ancient Monuments and Archaeology  
EMP6 Development Outside Business Areas  
T3 Parking  
T18 Road Safety

## **Planning History**

Permission was refused in March 2012 (ref.11/03241) for the demolition of the existing workshop/office building, and the erection of a part one/two storey office (Class B1) building with mezzanine floor, on grounds relating to the detrimental impact of the building on the amenities of neighbouring properties, and the lack of information to demonstrate that the proposals would not result in pressure for parking in surrounding roads.

A further application for a smaller part one/two storey office building (ref.12/00955), which included additional information regarding servicing, deliveries and parking in the surrounding roads, was refused in June 2012 on the following grounds:

“The proposal, by reason of its size and height, would be an overdevelopment of the site out of character with the locality and harmful to the amenities currently enjoyed by nearby residents due to its visual impact, contrary to Policy BE1 of the Unitary Development Plan.”

No appeal has been lodged to date.

## **Conclusions**

The main issues in this case are the impact of the revised proposals on the character of the surrounding area, on the amenities of the occupants of surrounding residential properties, and on the parking/traffic situation in the close vicinity.

The proposals would not comprise a change of use as the permitted use of the site is for Class B1 office/light industrial purposes, therefore the principle of redevelopment is considered acceptable.

The current proposals differ from the recently refused scheme in that the building would now be only single storey, thus reducing the height of the rear part of the building (which was originally two storeys) by approximately 2m, and consequently reducing the overall bulk of the building when viewed from neighbouring properties. Furthermore, the floorspace of the building would be reduced from 145sq.m. to 99sq.m.

The revised proposals are not, therefore, considered to result in an overdevelopment of the site, and would adequately overcome the previous concerns regarding loss of outlook and visual impact from neighbouring residential properties.

With regard to highways issues, the proposals were not previously considered to be unduly harmful to parking provision in the close vicinity, nor detrimental to the free flow of traffic and conditions of safety in the highway, subject to safeguarding conditions. The current proposals are for a reduced scheme, and therefore no additional impact would result.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/03241, 12/00955 and 12/02583, excluding exempt information.

**RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1     ACA01        Commencement of development within 3 yrs  
ACA01R        A01 Reason 3 years
- 2     ACA04        Landscaping Scheme - full app no details  
ACA04R        Reason A04
- 3     ACA07        Boundary enclosure - no detail submitted  
ACA07R        Reason A07
- 4     ACC01        Satisfactory materials (ext'nl surfaces)  
ACC01R        Reason C01
- 5     ACH18        Refuse storage - no details submitted  
ACH18R        Reason H18
- 6     ACH29        Construction Management Plan  
ACH29R        Reason H29
- 7     ACK01        Compliance with submitted plan  
ACC01R        Reason C01
- 8     ACK04        Demolition of existing building (see D10)  
ACK04R        K04 reason
- 9     ACK05        Slab levels - no details submitted  
ACK05R        K05 reason
- 10    ACK08        Archaeological access  
ACK08R        K08 reason
- 11    No deliveries shall be made to or from the site before 09.30 hours, nor after  
16.00 hours on any day.  
ACJ08R        J08 reason (1 insert)            BE1
- 12    The storage area shown on Drawing No.P-P-01 shall only be used for  
storage ancillary to the office use hereby permitted, and for no other  
purpose.  
ACJ08R        J08 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
- BE13   Development Adjacent to a Conservation Area
- BE16   Ancient Monuments and Archaeology

EMP6 Development Outside Business Areas

T3 Parking

T18 Road Safety

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

- (a) the visual impact in the surrounding area
- (b) the impact on the amenities of the occupiers of nearby residential properties
- (c) the impact on the adjacent Conservation Area
- (d) the impact on parking and traffic in the close vicinity

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

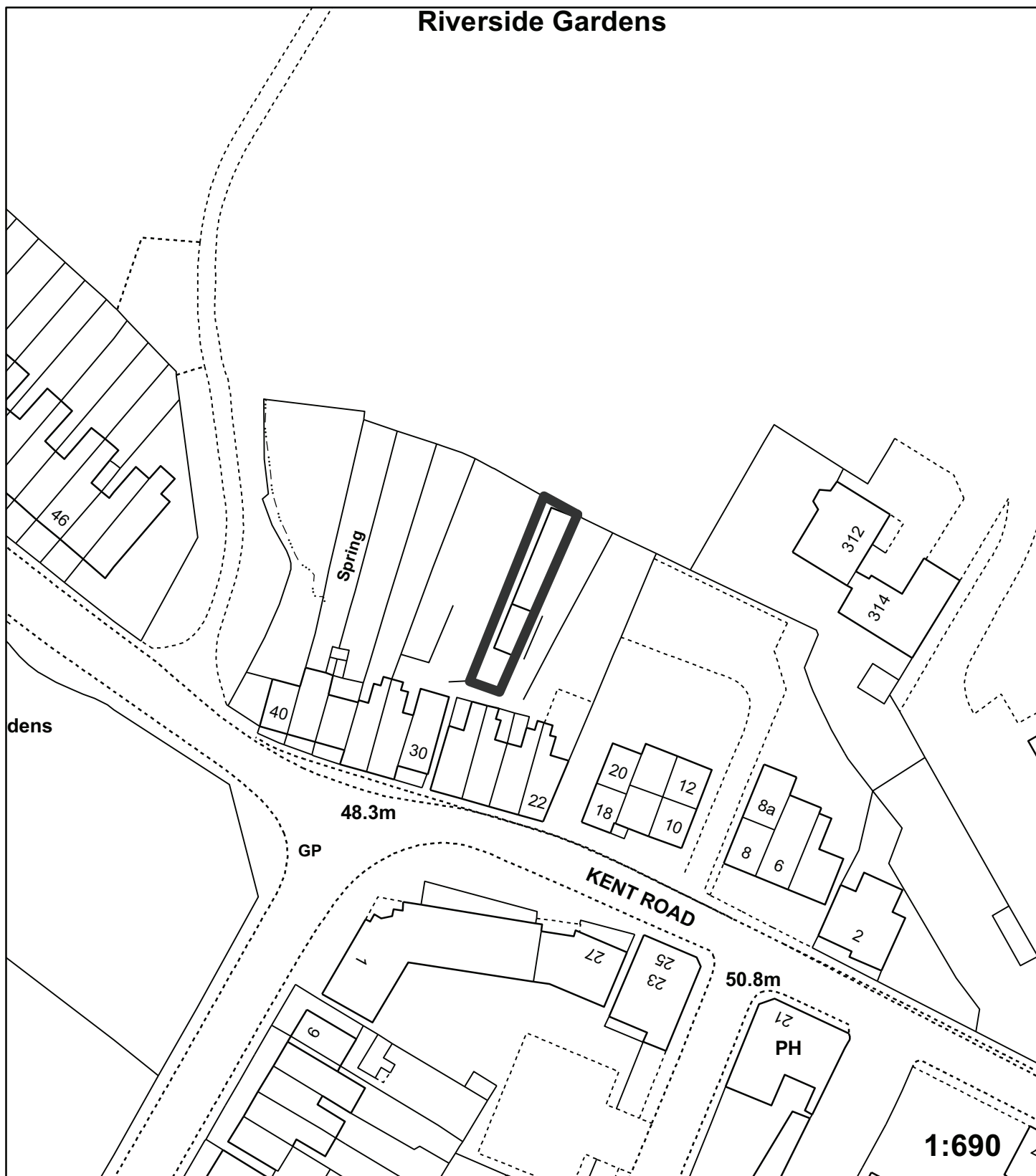
INFORMATIVE(S)

- 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.
- 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.

**Application:**12/02583/FULL1

**Address:** Land Rear Of 28 Kent Road Orpington BR5 4AD

**Proposal:** Demolition of existing workshop/office (Class B1) building and erection of single storey office (Class B1) building.



Report No.  
DRR12/116

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** PLANS SUB-COMMITTEE NO. 4

**Date:** Thursday 11 October 2012

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

**Title:** OBJECTIONS TO MAKING OF TREE PRESERVATION ORDER  
2477 AT 5 MEBOURNE CLOSE, ORPINGTON

**Contact Officer:** Coral Gibson, Principal Trees Officer  
Tel: 020 8313 4516 E-mail: Coral.Gibson@bromley.gov.uk

**Chief Officer:** Chief Planner

**Ward:** Petts Wood and Knoll;

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1. Reason for report

To consider objections that have been made in respect of the making of a tree preservation order.

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2. **RECOMMENDATION(S)**

The Chief Planner advises that the tree makes an important contribution to the visual amenity of the street scene in Melbourne Close, Brookside Close and Bicknor Road. However the tree is implicated in subsidence of a property and members may consider that the confirmation of the order is inappropriate and that it should not be confirmed.

### Corporate Policy

1. Policy Status: Not Applicable
  2. BBB Priority: Quality Environment
- 

### Financial

1. Cost of proposal: No Cost
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Planning Division Budget
  4. Total current budget for this head: £3.3m
  5. Source of funding: Existing revenue budget
- 

### Staff

1. Number of staff (current and additional): 103.89ftes
  2. If from existing staff resources, number of staff hours: Not Applicable
- 

### Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Not Applicable:
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Those affected by the tree preservation order.
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### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

3.1. This order was made on 3<sup>rd</sup> August 2012 and relates to an oak tree in the back garden of 5 Melbourne Close, Orpington . Objections have been made by the owners of several adjoining properties as listed below.

3.2. 35B Bicknor Road – The owner has expressed concern because their property has suffered subsidence and their insurers have been seeking the removal of the tree. It is understood that a claim was made to their insurers in 2009 and after investigation it was considered that a willow tree in the back garden of 5 Melbourne Close was the main “culprit”. The evidence indicated that oak roots were also found although it was considered that the two oak trees in the back garden of no.5 Melbourne Close could be retained. The willow was felled in May 2011 and there has been further movement of 35B Bicknor Road. The owners were asked to fell the oak tree in May, but it is understand that they have been in correspondence with their insurers since then.

3.3. A letter from the loss adjusters has confirmed that the site investigation report shows live oak roots under 35B Bicknor Road which are likely to come from the closest oak tree (the subject of this TPO). Movement of the property has continued after the felling of the willow. The property has not been monitored during 2012 (the loss adjusters had not anticipated the making of a TPO and the need to provide detailed evidence). Additionally there has not been any dry weather so the loss adjusters did not expect to record any property movement – however it should be pointed out the spring this year was exceptionally dry.

3.4. The owners of 35B Bicknor Road have been advised that the Tree Preservation Order does not alter responsibility for the tree, and the owner of the tree remains responsible for it. Damage to properties is a serious matter, and if it is demonstrated that damage is occurring as a result of the tree, and the only means of solving the problem is by tree surgery or even tree removal, then I think it would be unusual for the Council to prevent the felling.

3.5. They have also expressed concern about the possible impact of the tree on satellite reception and also poor television and mobile phone reception. These are not usually problems that are attributable to the presence of trees. They have also drawn attention to the shading of the garden and the problem of clearing leaves. The tree is to the south east of the garden and will cause some shading during the late morning. With regard to leaf drop, again it is appreciated that this can be an inconvenience for a short time each year. The limited nature of these problems would not normally be sufficient to preclude the confirmation of a Preservation Order. Some pruning of the tree would help to alleviate these problems, although any proposed pruning would need to be the subject of an application to the Council for consent for the proposed work. However the main issue is the impact of the tree on the structure of the property.

3.6. 23 Bicknor Road – The owner has expressed concern because the tree overhangs their garden and they have fears that that it may fall onto their house. They have advised that a tree that was in the garden of 8 Brookside Close fell onto their house 6 years ago. No details have been provided of the circumstances in which the tree fell or its condition. Concerns about the safety of this tree are appreciated and whilst it is never possible to guarantee the trees safety, provided the tree is in good health then this is normally accepted as a low risk. This oak tree is in a reasonable condition. They have been advised that It is prudent to have trees inspected periodically by a qualified arboriculturist, although as the tree is not in their ownership, this may be something which they would wish to discuss with their neighbours. The imposition of the TPO does not transfer responsibility of the tree to the Council, and this remains with the owner. Reference was made to the subsidence damage to 35B which is described above.

3.7. 25 Bicknor Road – The owner has expressed concern because the tree overhangs her garden which is very shady as a result. Concerns about the shading of the garden are appreciated – the tree is to the west of the house and will cause shading from the late afternoon onwards. However some

pruning of the tree would help to alleviate the problem although the neighbour has to date not had any pruning work carried out. The imposition of the TPO does not transfer responsibility of the tree to the Council, and this remains with the owner. The owner has sent a further letter advising that because of the extent of the canopy of the tree over her garden it is in shade for most of the day. Reference was made to the subsidence damage to 35B which is described above.

3.8. 27 Bicknor Road – The owner has expressed concern because the tree overhangs her garden and there are cracks in her patio and some internal cracking of her property, her garden is shady and she suffers the effects of falling acorns, twigs, braches and leaves. The tree is to the west of the house and will cause shading from the late afternoon onwards. However some pruning of the tree would help to alleviate the problem although the neighbour has to date not had any pruning work carried out. The imposition of the TPO does not transfer responsibility of the tree to the Council, and this remains with the owner. Matters such as acorn and leaf drop and honeydew are seasonal problems, with honeydew production being dependent on the fluctuations in aphid populations during the summer months, so in some years the effect will be more noticeable than others. Honeydew is an inconvenience, but in view of it being a problem of varying severity, for a limited period each year, it is unlikely that Councillors would consider this on its own being sufficient reason to prevent the confirmation of the Tree Preservation Order. In respect of cracking to the property she was strongly recommended to report this to her insurers. Reference was made to the subsidence damage to 35B which is described above.]

3.9. 29 Bicknor Road – The owners expressed concern because the tree blocks out light to their garden. As above the tree is to the west of the house and will cause shading from the late afternoon onwards. However some pruning of the tree would help to alleviate the problem although the neighbour has to date not had any pruning work carried out. The imposition of the TPO does not transfer responsibility of the tree to the Council, and this remains with the owner. Reference was made to the subsidence damage to 35B which is described above.

3.10 The tree owner has sent some information about the subsidence claim and this supports the contention that the tree is implicated in the movement of 35B Bicknor Road.

**4. POLICY IMPLICATIONS**

This report is in accordance with Policy NE6 of the Council’s adopted Unitary Development Plan

**5. LEGAL IMPLICATIONS**

If not confirmed the order will expire on 3<sup>rd</sup> February 2013.

<b>Non-Applicable Sections:</b>	Financial and Personnel implications
Background Documents: (Access via Contact Officer)	