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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 6 DECEMBER 2012 AT 7.00 PM**

MARK BOWEN  
Director of Resources

Members of the public can speak at Plans Sub-Committee meetings on planning reports, contravention reports or tree preservation orders. To do so, you must have

- already written to the Council expressing your view on the particular matter, and
- indicated your wish to speak by contacting the Democratic Services team by no later than 10.00am on the working day before the date of the meeting.

These public contributions will be at the discretion of the Chairman. They will normally be limited to two speakers per proposal (one for and one against), each with three minutes to put their view across.

**To register to speak please telephone Democratic Services on 020 8313 4745**

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**If you have further enquiries or need further information on the content of any of the applications being considered at this meeting, please contact our Planning Division on 020 8313 4956**

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**Information on the outline decisions taken will usually be available on our website (see below) within a day of the meeting.**

*Copies of the documents referred to below can be obtained from*  
[www.bromley.gov.uk/meetings](http://www.bromley.gov.uk/meetings)

## A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 11 OCTOBER 2012**  
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- 4 PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
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4.2	Bromley Common and Keston	11 - 14	(12/02007/FULL6) - 4 Cedar Crescent, Bromley.
4.3	Bickley	15 - 20	(12/02650/FULL6) - 107 Plaistow Lane, Bromley.
4.4	Penge and Cator	21 - 26	(12/02914/FULL3) - 2 Torr Road, Penge.
4.5	Kelsey and Eden Park	27 - 32	(12/03013/FULL6) - 13 Bramerton Road, Beckenham.
4.6	Bickley	33 - 40	(12/03092/FULL1) - 11 Chislehurst Road, Bromley.
4.7	Biggin Hill	41 - 46	(12/03229/FULL1) - 30 Aperfield Road, Biggin Hill.

4.8	Chelsfield and Pratts Bottom	47 - 52	(12/03254/FULL1) - 145 Warren Road, Orpington.
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**SECTION 3** (Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.9	Plaistow and Sundridge	53 - 56	(12/02746/FULL6) - 34 Kings Avenue, Bromley.
4.10	Plaistow and Sundridge	57 - 60	(12/03052/FULL6) - 68 Howard Road, Bromley.
4.11	Penge and Cator	61 - 64	(12/03275/PLUD) - 2 Cottingham Road, Penge.

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

Report No.	Ward	Page No.	Application Number and Address
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**5 CONTRAVENTIONS AND OTHER ISSUES**

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**6 TREE PRESERVATION ORDERS**

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

NO REPORT

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## PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 11 October 2012

### Present:

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

### Also Present:

Councillors Ellie Harmer, Peter Morgan and Catherine Rideout

### 13 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Russell Jackson.

### 14 DECLARATIONS OF INTEREST

There were no declarations of interest.

### 15 CONFIRMATION OF MINUTES OF MEETING HELD ON 16 AUGUST 2012

**RESOLVED** that the Minutes of the meeting held on 16 August 2012 be confirmed and signed as a correct record.

### 16 PLANNING APPLICATIONS

#### SECTION 2

(Applications meriting special consideration)

#### 16.1 PLAISTOW AND SUNDRIDGE

**(11/02336/FULL6) - 159 Ridgeway Drive, Bromley**

Description of application - Single storey rear extension. RETROSPECTIVE APPLICATION.

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

#### 16.2 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.

It was reported that the area site plan on page 22 of the report, should have included the site marked as 'Bird in Hand (PH)'.

Oral representations in support of the application were received.

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

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

### 16.3 BIGGIN HILL

#### **(12/01843/FULL1) - 20-22 Main Road, Biggin Hill**

Details of application - Residential scheme consisting of 9 dwellings (8 x 4 bed houses and 1 x 3 bed house), together with associated car parking, landscaping and ancillary development.

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

Comments from Ward Member Councillor Julian Benington in support of the application were received at the meeting.

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

4 The proposed development would be out of character with the surrounding area thereby contrary to Policy H7 of the Unitary Development Plan.

### 16.4 CRAY VALLEY WEST

#### **(12/02122/FULL6) - 40 Midfield Way, Orpington**

Details of application - Part one/two storey and first floor front/side/rear extension. RETROSPECTIVE APPLICATION.

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

Comments from Ward Member Councillor John Ince were reported.

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

**16.5  
PLAISTOW AND  
SUNDRIDGE**

**(12/02459/FULL1) - 25 College Road, Bromley**

Description of application - 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.

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

Comments from Ward Member Councillor Peter Morgan in support of the application were reported.

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

**SECTION 3**

(Applications recommended for permission, approval or consent)

**16.6  
CHISLEHURST  
CONSERVATION AREA**

**(12/01289/FULL6) - Priestfield, Watts Lane, Chislehurst**

Description of application - Part one/two storey side and rear extension to enclose existing swimming pool and alterations to front and rear elevations.

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

Comments from the Council's Tree Officer were reported.

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.

**16.7  
HAYES AND CONEY HALL**

**(12/01955/FULL6) - 9 Cecil Way, Hayes**

Description of application - Two storey side extension.

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

**16.8  
BIGGIN HILL**

**(12/02066/FULL6) - 8 Alexandra Road, Biggin Hill**

Description of application - Addition of first floor and roof alterations to form 2 storey dwelling and elevational alterations.

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

**16.9  
CRAY VALLEY EAST**

**(12/02583/FULL1) - Land rear of 28 Kent Road, Orpington**

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

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

Comments from Ward Member Councillor David McBride in support of the application were reported.

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

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

**18 TREE PRESERVATION ORDERS**

**18.1  
PETTS WOOD AND KNOLL**

**Objections to making of Tree Preservation Order 2477 at 5 Mebourne Close, Orpington**

Legal advice was given concerning possible consequences to the Council should Members be minded to confirm the TPO or not.

Members having considered the report and objections, **RESOLVED that TPO 2477 relating to one oak tree NOT BE CONFIRMED** as recommended in the report of the Chief Planner.

The Meeting ended at 8.15 pm

Chairman



## SECTION '2' – Applications meriting special consideration

**Application No :** 12/00806/FULL1

**Ward:**  
Cray Valley West

**Address :** Peter Norris Haulage Ltd Station  
Approach St Mary Cray Orpington BR5  
2NB

**OS Grid Ref:** E: 546824 N: 168324

**Applicant :** Mr Peter Norris

**Objections :** YES

### **Description of Development:**

Provision of additional waste transfer area within existing site and erection of an elevated picking station with associated mechanical conveyor belt.

Key designations:

Areas of Archaeological Significance

### **Proposal**

This application seeks permission for the provision of additional waste transfer area within the existing site and erection of an elevated picking station with associated mechanical conveyor belt.

The development involves extending the existing raised area towards Station Approach to accommodate the new plant. The supporting information confirms that the site currently recycles 93% of the waste it processes and the proposed development will assist this process by allowing improved sorting, improved health and safety for picking staff within a metal covered picking station and the provision of a new mechanical sorting conveyor belt. The existing acoustic fence / screen will be moved to accommodate the new area and equipment in an additional 230sqm (15% of the site).

The supporting information confirms that there will be no additional staff and no additional deliveries to the site as the effect of the proposal will be to increase the number of grades of recyclable material the site can sort.

The area for skip storage will be reduced as a result of the proposal, however the agent has confirmed that the company has another location where skips are stored.

### **Location**

Peter Norris (Haulage) is a waste transfer site comprising a waste sorting and recycling area with storage and sorting bays and screening plant. The yard also includes a skip storage area and a depot building. The site is located on Station Road between the road and the railway, adjacent to St Mary Cray Station. It is a long site with two vehicular access points from Station Road. The primary sorting and recycling area is located to the eastern end of the site behind a screening enclosure at a higher level than the road. There are residential properties located at a lower level to the north and beyond the railway to the south west and commercial premises to the other side of the railway to the south.

### **Comments from Local Residents**

A number of local objections have been received. These raise the following concerns:

- noise and dust are unbearable
- windows have to be kept closed due to dust
- lorries cause hold ups and dangerous traffic conditions in the road
- noise pollution from existing machinery and vehicles
- traffic problems in Station Road as a result of lorries queuing to enter the site
- dust arising from materials sorting which settles in homes and gardens
- rubbish is spread from the site into nearby gardens
- odours from rubbish and diesel fumes from vehicles and machinery
- site has already expanded too much and site is not big enough
- proposal will result in increase in noise, pollution etc
- yard is not operated in the same controlled way as similar sites
- overintensification of the use
- noise problems from moving and banging of skips

### **Comments from Consultees**

Thames Water has no objection

Highways Drainage comment that surface water will need to drain to soakaways contrary to the information given on the application form. It is further advised that the EA are consulted and standard condition regarding drainage details is requested if permission is to be granted.

The Environment Agency have no objection to the proposal as any concerns would be addressed via the site's Environmental Permit, and as there are no changes proposed to the quantity or types of waste handled, no variation to the Permit will be required.

The Environmental Health Officer has carefully examined the application and submitted noise assessment in light of concerns raised regarding noise. He is concerned about the accuracy of the noise report as it is difficult to be certain that the data on noise output provided by the manufacturer of the proposed plant would reflect the output in this specific situation, however he considers the most effective

way to address this concern is the imposition of condition requiring adherence with the noise report should permission be granted. A condition requiring a dust management plan is also suggested.

English Heritage has no requirement in respect of archaeology.

Network Rail has no comments on the proposal.

The Council's Highway Engineer notes that it is stated that there will be no additional lorry movements to or from the site and requested more information regarding the skip storage area that would be displaced. The applicant's agent confirmed that skip storage would be catered for within the existing yard and at another storage location. On this basis no objection is raised.

### **Planning Considerations**

The application falls to be considered with regard to:

Unitary Development Plan 2006 Policies:

- BE1 General Design of Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- T18 Road Safety
- EMP6 Development Outside Business Areas
- ER2 Waste Management Facilities

London Plan 2011 Policies:

- 5.16 Waste Self-Sufficiency
- 5.17 Waste Capacity
- 5.18 Construction, Excavation and Demolition Waste
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes

National policy of relevance includes:

National Planning Policy Framework 2012  
Planning Policy Statement 10 - Planning for Sustainable Waste Management

### **Planning History**

Permission was granted under ref. 98/02678 for 'Erection of waste transfer building and provision of new internal access road boundary walls fencing and acoustic screening' subject to conditions.

Under ref. 03/01293, approval was given for 'Erection of screen fencing and double mesh to railway side of screening and sorting plant (variation of condition 10 of permission granted under ref. 98/2678)'

### **Conclusions**

The primary issues for this application are the design and appearance of the development, the environmental impact including noise and dust, the contribution of this site to waste management, and the impact of the proposal on the amenities of local residents.

With reference to waste management and environmental policies, these support the proposal insofar as it will result in improved levels of recycling.

Local residents have raised concerns about noise and dust from the site and it is appreciated that the existing site causes issues for local residents. However, it should be noted that the considerations for this application are only those relating to any additional impact that the proposal itself might bring about. There are some concerns from the Environmental Health Officer about the potential noise output, however on balance these are not sufficient to warrant refusal provided the noise levels do not exceed those set out in the noise report submitted with the application. A condition requiring a dust management plan would be suitable to address the issue of dust and there is no evidence that dust output will increase as a result of this proposal. Environmental matters including dust are also dealt with by the Environment Agency via the Environmental Permit for this site, and they have no objection. It should be noted that concerns have been raised separately from this application process with the Environment Agency in respect of the objections received about dust emissions from the existing operation.

There is no objection raised from a highways aspect as the applicant states that there will be no increase in vehicles trips or movements as a result of this proposal. The proposal is not considered to be contrary to highways policies.

The primary concern in respect of the proposal is that it will result in the retaining wall facing Station Approach being moved further towards the road to accommodate the additional working area. This wall and the protective enclosures on top of it are already very prominent and the proposal will result in increased prominence, making the structure highly visible from a wide area, particularly given the slope of the land away from the site beyond the road. Given the overall size and scale of this imposing structure, it is considered that it will result in a harmful and prominent form of development that will have a negative impact on the visual amenities of the area.

On balance, whilst the merits of the proposed increased and improved recycling facilities are appreciated, the development to facilitate this will result in harm to the visual amenities and character of the area, contrary to Policies BE1 and BE7 of the Unitary Development Plan.

Background papers referred to during production of this report comprise all correspondence on files refs. 98/02678, 03/01293 and 12/00806, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

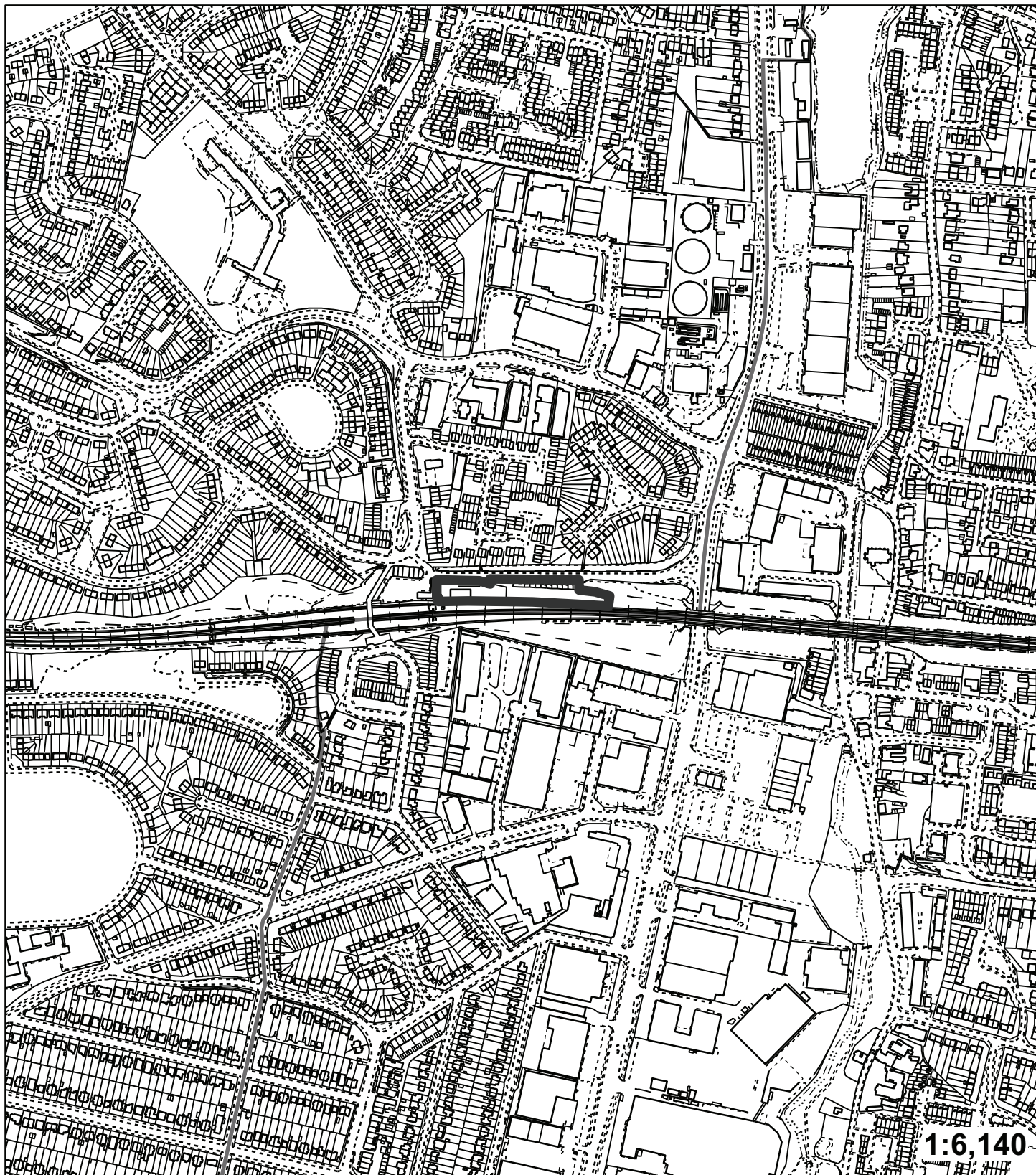
The reasons for refusal are:

- 1 The proposed extension to the retaining wall structure and associated enclosures would, by reason of the overall size, design and location of the development, form an unattractive, overbearing and overdominant feature in the streetscene, visible from a wide area and harmful to the character and appearance of the locality, contrary to Policies BE1 and BE7 of the Unitary Development Plan.

**Application:**12/00806/FULL1

**Address:** Peter Norris Haulage Ltd Station Approach St Mary Cray  
Orpington BR5 2NB

**Proposal:** Provision of additional waste transfer area within existing site and erection of an elevated picking station with associated mechanical conveyor belt.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/02007/FULL6

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

**Address :** 4 Cedar Crescent Bromley BR2 8PX

**OS Grid Ref:** E: 542224 N: 165224

**Applicant :** Mr John Simpson

**Objections :** NO

### **Description of Development:**

Side extension to include provision of habitable accommodation in roofspace; insertion of rooflights in front and rear elevation

Key designations:

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

### **Proposal**

This proposal is for a side extension to include the provision of habitable accommodation in roofspace. The property is proposed to be extended by 3.6m to the side which would be 8.56m in width with an overall height of 5.8m which would be level with the ridge line of the existing property. As previously mentioned habitable accommodation is proposed in the roofspace and as a result three rooflights are proposed to be inserted in both the front and rear elevations.

### **Location**

The application site is located to the north of Cedar Crescent and is a detached bungalow with detached garage. Properties in the area are primarily detached bungalows of a similar scale and architectural style.

### **Comments from Local Residents**

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

### **Comments from Consultees**

No statutory consultations were undertaken as part of this application.

## **Planning Considerations**

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

BE1 Design of New Development

H8 Residential Extensions

Supplementary Planning Guidance 1 General Design Principles

Supplementary Planning Guidance 2 Residential Design Guidance

The London Plan and National Planning Policy Framework are also a key consideration in the determination of this application.

## **Planning History**

There is no recent planning history pertaining to this property.

## **Conclusions**

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

A number of other properties in the area have previously constructed single storey side extensions, however, these generally do not include the provision of accommodation in the roofspace with the result that these extensions have a subservient appearance to the host dwelling. In this instance, however, the proposed extension would be of a significant height and would have a ridge line level with that of the original property. The proposal would provide a side space of 180mm and as such given the significant increase in bulk in close proximity to the flank boundary may be considered to result in a retrograde lowering of spatial standards within the area.

This extension would have a ridge height which would not be set below that of the host dwelling, as advocated by SPG2, and would project to the same position as the front gable feature rather than being level with the front door which further adds to its bulk and over-dominance. Therefore the proposed side extension with considerable height in close proximity to the flank boundary is not considered to respect or complement the host dwelling. As such the proposal may be considered to be detrimental to the established character of the area and visual amenities of the host dwelling.

The proposal would not project beyond the existing front or rear elevation of the host dwelling and would thereby largely be screened from the view of No. 5 by the existing property and as such the impact on the residential amenities of No. 5 are anticipated to be minimal. The adjoining property at No. 3 has previously constructed a single storey side/rear extension with a greater depth than that proposed and as such given the relationship between the application site and No. 3 and the orientation of the plot the proposal is not anticipated to result in significant detrimental impact on the residential amenities of No. 3.



On balance, having had regard to the above it was considered that the development in the manner proposed is unacceptable in that its significant height in close proximity to the flank boundary would not respect or complement the host dwelling and would impact detrimentally on the spatial standards of the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02007, excluding exempt information.

**RECOMMENDATION: PERMISSION BE REFUSED**

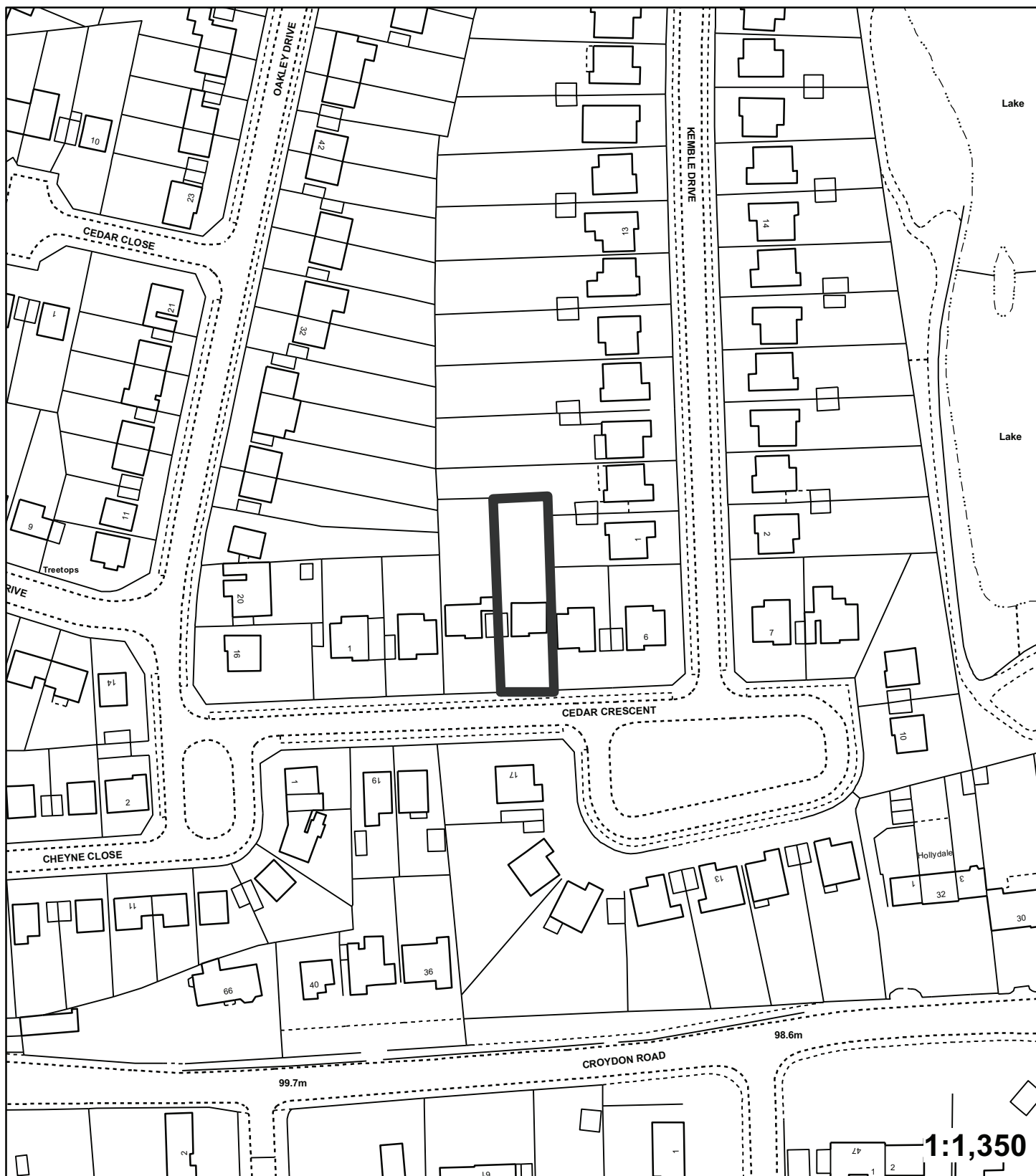
The reasons for refusal are:

- 1 The proposed side extension would, by reason of its height and proximity to the flank boundary, not respect or complement the host dwelling and would impact detrimentally upon the visual and spatial amenities of the area, contrary to Policies BE1, H8 and H9 of the Unitary Development Plan and Supplementary Planning Guidance 1 and 2.

**Application:**12/02007/FULL6

**Address:** 4 Cedar Crescent Bromley BR2 8PX

**Proposal:** Side extension to include provision of habitable accommodation in roofspace; insertion of rooflights in front and rear elevation



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

## SECTION '2' – Applications meriting special consideration

**Application No :** 12/02650/FULL6

**Ward:**  
**Bickley**

**Address :** 107 Plaistow Lane Bromley BR1 3AR

**OS Grid Ref:** E: 541498 N: 169535

**Applicant :** Mr Andrew Xenii

**Objections :** YES

### **Description of Development:**

Increase in roof height, part one/two storey side/rear extension with accommodation in roofspace and balcony to rear, creation of lower ground floor level, single storey front/side extensions, single storey side extensions; raised terrace, landscaping and steps to rear, replacement chimney and elevational alterations

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Local Distributor Roads  
Locally Listed Building

### **Proposal**

The application property is a vacant Arts and Crafts style two storey detached Local Listed Building built in 1902 to designs by Ernest Newton.

The area is primarily residential in nature characterised by detached dwellings of varying sizes and architectural styles. Part of the application site to the rear is located within the Sundridge Avenue Conservation Area, which is an Arts and Crafts era suburban development.

English Heritage had recently considered whether to add No. 107 Plaistow Lane to the List of Buildings of Special Architectural or Historic Interest. Having undertaken an assessment of the building and having made a recommendation to the Minister for Tourism and Heritage, it was decided not to add 107 Plaistow Lane to the List of Buildings of Special Architectural or Historic Interest.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and the following representations were received:

- concerns as contrary to comments within supporting letter that (the applicant) “has spoken to No. 5 Sundridge Avenue and has their full support” this is not the case.
- although supporting statement states “No. 5 Sundridge Avenue is not affected being 47m away” the large development is on a higher ground level than No. 5 and will dominate garden of this property given close proximity to boundary.
- concerns relating to noise from bowling alley which runs along boundary with No. 5.
- proposal overly ambitious and resembles ‘a hotel’.
- current owners demolished interior of house and removed chimneys prior to English Heritage viewing the property.
- following the clearing of the garden including removal of every tree due to elevated position of property appeared to dominate surrounding properties.

The Sundridge Residents’ Association have discussed the development with the applicant over a period of time and are generally in support of the proposal which would ensure the preservation of this unusual Ernest Newton property together with its remaining curtilage. Various design concerns have been addressed however, minor reservation remains as to enclosed glazed former veranda to front right side of building which is proposed to be enlarged and incorporated into the living room. This is likely to be visible from road and seems excessive in scale and out of keeping with the character of the original host building. Pleased to note that original character chimneys will be replaced/introduced as these are an important element of Newton’s designs. Therefore, overall effect of extensions predominately away from the frontage should not adversely affect streetscene or visual amenity within the Conservation Area.

### **Comments from Consultees**

Any comment received from the Advisory Panel for Conservation Areas shall be reported verbally.

From a heritage perspective the existing house was designed by Ernest Newton in 1902. It is a good example of the Arts and Crafts style but when considered for statutory listing it was not judged by English Heritage to be of the same standard as some other of his work. The proposals to extend are very deep although the projection into the garden has been partially submerged. The design and materials proposed for the extension echo that of the existing building but it is nonetheless very large and could not be said to be subservient to the host dwelling.

### **Planning Considerations**

The proposal falls to be considered primarily with regard to the following Unitary Development Plan (UDP) policies:

BE1 Design of New Development

BE10 Locally Listed Buildings  
BE11 Conservation Areas  
H8 Residential Extensions  
H9 Sidespace  
T3 Parking

Supplementary Planning Guidance (SPG) 1 General Design Principles  
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance  
Supplementary Planning Guidance (SPG) Locally Listed Buildings in Bromley  
Supplementary Planning Guidance (SPG) Sundridge Park Conservation Area

London Plan and National Planning Policy Framework are also key considerations in the determination of this application.

### **Planning History**

There is no recent planning history pertaining to this site.

### **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.

Given the application site is a locally listed building, Policy BE10 is a key consideration in the determination of this application, it states:

“A proposal to alter, extend or for the change of use of a locally listed building will be permitted provided that:

- (i) it will be sympathetic to the character, appearance and special local interest of the building, and;
- (ii) will respect its setting”.

The proposed extensions would be of traditional design replicating the existing gable features and historic elements of the host dwelling. The proposed two storey rear extension with accommodation in the roofspace is of a considerable scale and would project 10.2m beyond the existing dwelling. While this would be partially screened from view by the existing dwelling and set back a considerable distance from the highway and as such would not be highly visible in the streetscene this would result in a substantial increase in scale which would not be subservient to the host dwelling.

Given the substantial scale of the proposed extension concerns are raised that the proposal would not be sympathetic to the character of the Locally Listed Building. Although existing elements such as the gable features and bays would be replicated within the eastern elevation (annotated on the plans as southern elevation) of the proposed extension this would still result in a significant increase of approximately 64% in terms of the depth of the existing building (the extension being 10.2m in depth compared to the existing main dwellinghouse of 16.7m in

depth). This is not considered to respect the scale of the host dwelling and is thereby considered to be contrary to Policy BE10.

The boundary with No. 5 is considered to be open in nature at present and it is considered that due to the excessive depth of the proposal which would be sited within 1.5m distance of the boundary with this property it would appear overly dominant and imposing when viewed from No. 5 and may result in a loss of prospect for this property. Although this property is located approximately 40m distance from the rear elevation of No. 5, the application site is located on a higher ground level than this property which exacerbates the visual impact for No. 5.

The proposal would also include the creation of a lower ground floor level would be partially sunken within the garden with terrace above. This would project a maximum of 8m beyond the flank elevation of the host dwelling and given that this would be largely screened from view is not considered to significantly impact upon the visual amenities of the host dwelling.

In terms of the impact on the residential amenity of neighbouring properties although a balcony is proposed to be constructed on the rear elevation, the plans submitted indicate that this would be enclosed with a solid wall to a height of approximately 1.7m, which is considered to overcome concerns in relation to loss of privacy and sense of overlooking for neighbouring properties. A window is proposed to be located in the first floor rear elevation which would be the sole form of fenestration for a bedroom and which would face towards the rear garden of No. 5. This is not indicated to be obscure glazed and as such may result in a degree of overlooking for the rear garden of No. 5.

The proposed raised terrace would project a maximum of 7m beyond the flank elevation of the proposed extension and would be located a minimum of approximately 1.6m above ground level within 1.2m of the boundary with No. 5. As previously stated the boundary with this property is relatively open at present and as such it is considered that the raised terrace would result in a loss of privacy and sense of overlooking for the rear garden of No. 5.

As previously stated the substantial two storey rear extension would be approximately 10.2m in depth and would be set back approximately 4.1m from the boundary with No. 105. This property is located on a higher ground level than the application site and the proposed two storey rear extension would project approximately 3.8m beyond the rear elevation of No. 105. Given the relationship between these properties the proposal is not anticipated to result in a significant impact in terms of loss of light for No. 105 to such an extent as to warrant refusal.

Having had regard to the above it is considered that due to the excessive depth of the proposed two storey rear extension with accommodation in the roofspace this would fail to be subservient to the host dwelling and would detrimentally affect the character and appearance of this Locally Listed Building. Due to its scale and proximity to the boundary with No. 5 Sundridge Avenue the proposed two storey rear extension would appear overly dominant when viewed from No. 5 which would result in a loss of prospect for this property. In addition, the proposed raised terrace

which would be constructed significantly above the garden of No. 5 is considered to result in overlooking and loss of privacy for this property.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02650, excluding exempt information.

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

The reasons for refusal are:

- 1 The proposed extension by reason of its excessive rearwards projection would be detrimental to the character and scale of the host dwelling, a Locally Listed Building, and would appear overly dominant when viewed from No. 5 Sundridge Avenue, and is thereby contrary to Policies BE1, H8 and BE10 of the Unitary Development Plan
- 2 The proposed raised terrace would by reason of its depth, projection above ground level, and close proximity to the boundary with No. 5 Sundridge Avenue, result in a detrimental impact on the residential amenities of this property by reason of loss of privacy and sense of overlooking, contrary to Policy BE1 of the Unitary Development Plan.

### **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)).

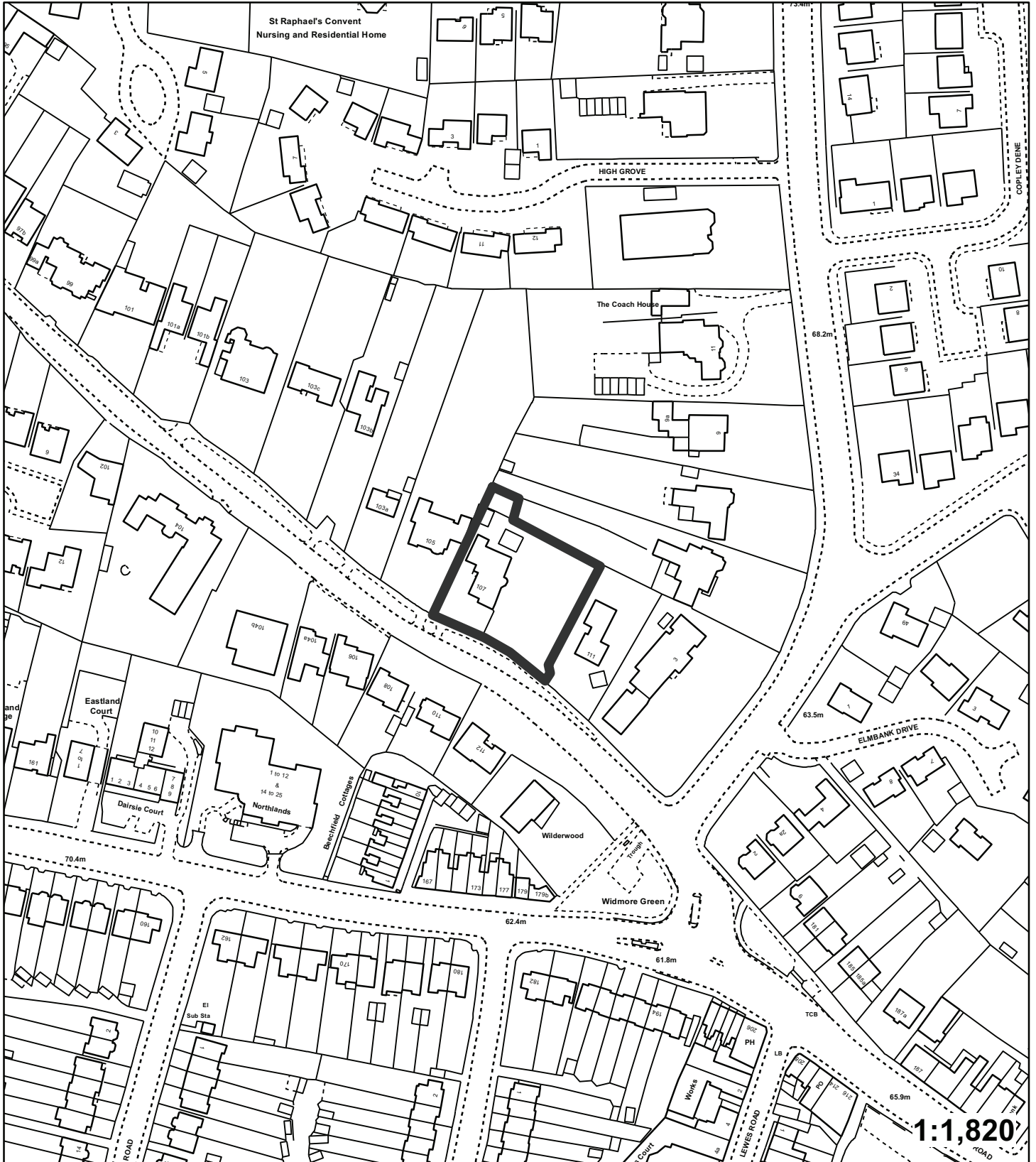
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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)

**Application:**12/02650/FULL6

**Address:** 107 Plaistow Lane Bromley BR1 3AR

**Proposal:** Increase in roof height, part one/two storey side/rear extension with accommodation in roofspace and balcony to rear, creation of lower ground floor level, single storey front/side extensions, single storey side extensions; raised terrace, landscaping and steps to rear, replacement



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"



## SECTION '2' – Applications meriting special consideration

**Application No :** 12/02914/FULL3

**Ward:**  
**Penge And Cator**

**Address :** 2 Torr Road Penge London SE20 7PS

**OS Grid Ref:** E: 535723 N: 170180

**Applicant :** Mr M Barraclough

**Objections :** YES

### **Description of Development:**

Conversion of existing commercial unit to single 2 bedroom residential dwelling

Key designations:

London Distributor Roads

### **Proposal**

Permission is sought for the conversion of the existing commercial unit into a single 2 bedroom residential dwelling.

### **Location**

The application site comprises a two storey vacant commercial building, set on the western edge of Torr Road. The surrounding locality is predominantly residential in nature, although there are some commercial units which front Green Lane to the north.

### **Comments from Local Residents**

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

- pleased to see that the conversion would not result in overlooking
- would like assurance that nothing would be attached to the adjacent garage
- side gate is recessed and could result in fly tipping

### **Comments from Consultees**

Waste advises that refuse and recycling should be left on the edge of curb prior to collection.

Thames Water raises no objection.

There are no Highway Drainage comments.

There are no technical Highway objections, as the site has a high PTAL of 5 and is easily accessible by public transport.

Environmental Health state that the internal layout is unsatisfactory where the bedrooms at first floor are accessed by the open plan kitchen living room and the living/ dining room suffers from insufficient outlook.

### **Planning Considerations**

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

BE1 Design of New Development  
H2 Housing Supply  
H7 Housing Density and Design  
H12 Conversions of Non-Residential Buildings to Residential Use  
EMP3 Conversion or Redevelopment of Offices  
EMP5 Development Outside Business Areas  
T3 Parking

There is no planning history

### **Conclusions**

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

Policy H12 states that the 'Council will permit the conversion of genuinely redundant office and other non-residential buildings to residential use, particularly above shops, subject to achieving a satisfactory quality of accommodation and amenity'. The text to this policy states that where such conversions are proposed (para 4.56) the applicant must be able to demonstrate that the premises are genuinely redundant.

Although there is no formal clarification as to the usage of the property, it has been used as a business premises. Policy EMP5 states that redevelopment of business premises outside designated areas will be permitted provided that 'the size, configuration, access arrangement or other characteristics make it unsuitable for uses B1, B2 or B8 use and full and proper marketing of the site confirms its unsuitability and financial non-viability'.

In this instance, the applicant has submitted estate agent adverts which show the unit being marketed for rent from August 2012 without any prospective occupiers being found. Further correspondence from the applicant has stated that there has been no interest, even following a reduction in the rental value given the size and condition of the unit and local competition.

The unit is vacant (since March 2012) and in obvious need of repair, where it currently detracts from the streetscene. An internal inspection of the unit was carried out, and this is too in a very poor condition, which would not be suitable as a contemporary working environment. A conversion to residential would not result in a loss of employment in this instance, and accords with EMP3 and EMP5.

It is also noted that para 51 of the NPPF states that 'Local Authorities...should normally approve planning applications for change to residential use and any associated development from commercial buildings (currently in the B classes) where there is an identified need for additional housing in that area, provided that there are not strong economic reasons why such development would be inappropriate'.

Torr Road is residential in character and the unit here is separated from the commercial uses which front Green Lane and Penge High Street, where the conversion of the property to create a dwelling would not unduly harm the character of the area and is considered to be acceptable in principle.

With regard to amenity, it is proposed to convert the unit into a 2 bedroom, 3 person dwelling with a GIA of 70.4 square metres. Policy 3.5 of the London Plan does not provide space standards for this type of dwelling but states that 2 bed, 3 person flats should have a GIA of 61 square metres and 2 bed, 4 person houses a GIA of 83 square metres. The proposal here falls between these two standards which is considered acceptable.

Internally, the dwelling is arranged with an open plan kitchen/ living and dining room with two bedrooms at first floor. The property has an orientation towards the garden with a flank window facing the access. The ground floor front elevation is blank, incorporating faux door and garage door to replicate the existing building. Although concern is raised from Environmental Health, as this is a conversion and incorporates acceptable space standards the layout is considered acceptable for a small scale dwelling. In terms of access, it is proposed to remove the existing front door, and relocate the access from the property via the rear into the kitchen by the existing side passage way. This would be secured by an entry gate fronting Torr Road. The access is considered acceptable, although unusual, where the flank window of the living room overlooks the passage way and as such raises no objection.

There is an enclosed garden to the rear which is of an acceptable size and practical layout for everyday use.

No extension to the building is proposed, existing windows are to be replaced for new units, and doors replaced at ground floor. The only addition to the building is a roof light over the stairs, which raises no objections. Given that no additional first floor windows are proposed, there would be no increase or change in overlooking of neighbouring properties than currently exists. In any event, the first floor window to the rear has views over the garden and neighbouring gardens, which is typical, view from a bedroom in this location.

No parking is provided, although the site has a high PTAL of 5 and is within close proximity to Penge East and Kent House railway stations; while Green Lane to the north is also has bus stops. Given the accessibility of the site, no highway objections are raised, subject to a condition which requires details of cycle parking.

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.

Having had regard to the above it was considered that the siting, size and design of the proposed extension is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02914/FULL1, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACC04  | Matching materials                       |
|   | ACC04R | Reason C04                               |
| 3 | ACK01  | Compliance with submitted plan           |
|   | ACC01R | Reason C01                               |
| 4 | ACH22  | Bicycle Parking                          |
|   | ACH22R | Reason H22                               |
| 5 | ACI02  | Rest of "pd" Rights - Class A, B,C and E |
- Reason:** In order to accord with Policy BE1 of the Unitary Development Plan.
- |   |       |  |
|---|-------|--|
| 6 | AJ02B | Justification UNIQUE reason OTHER apps |
|---|-------|--|

#### Policies (UDP)

- BE1 Design of New Development
- H2 Housing Supply
- H7 Housing Density and Design
- H12 Conversions of Non-Residential Buildings to Residential Use
- EMP3 Conversion or Redevelopment of Offices
- EMP5 Development Outside Business Areas
- T3 Parking

#### 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)).

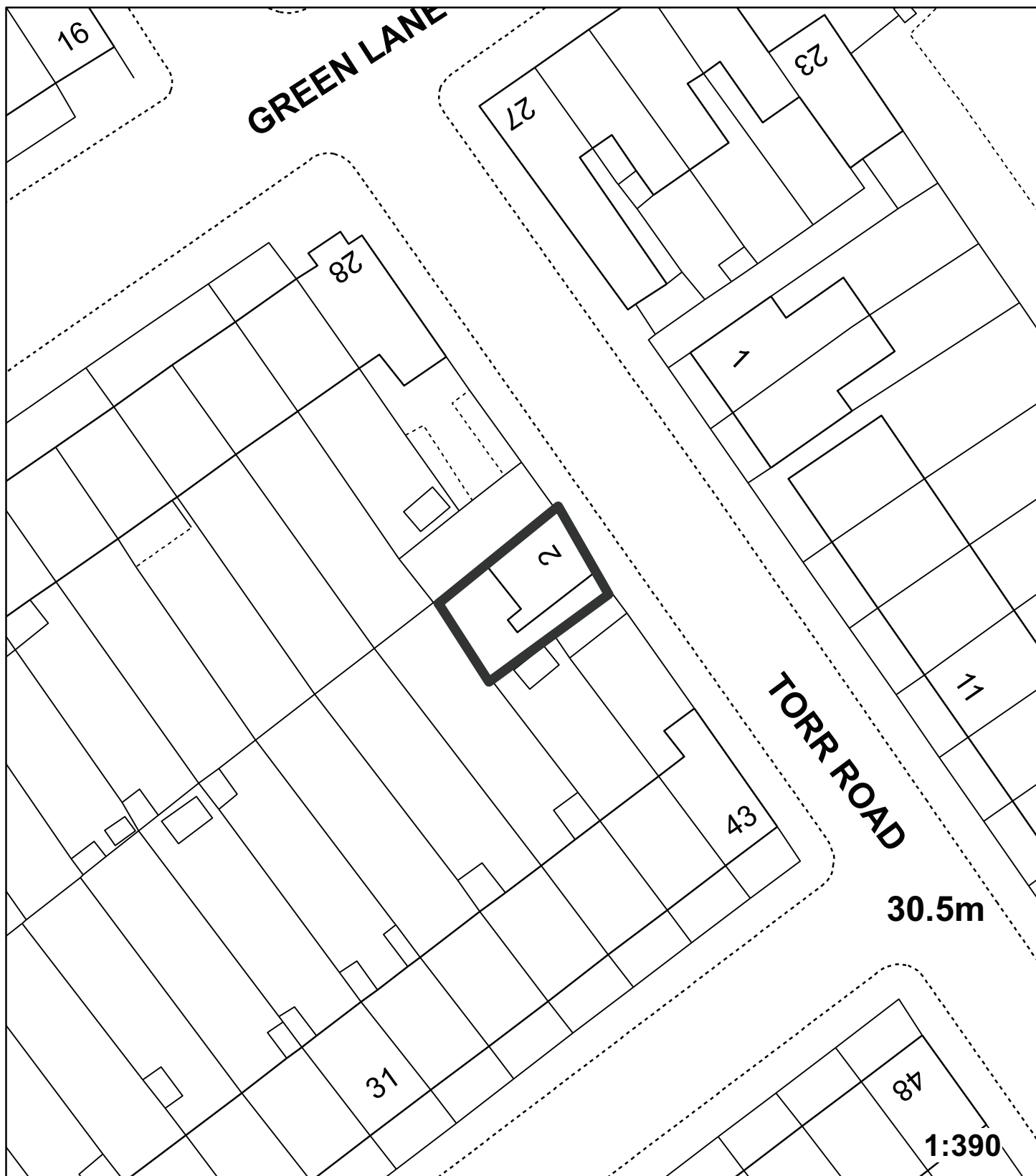
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Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

**Application:**12/02914/FULL3

**Address:** 2 Torr Road Penge London SE20 7PS

**Proposal:** Conversion of existing commercial unit to single 2 bedroom residential dwelling



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03013/FULL6

**Ward:**  
Kelsey And Eden Park

**Address :** 13 Bramerton Road Beckenham BR3  
3NZ

**OS Grid Ref:** E: 536709 N: 168822

**Applicant :** Mrs Lucy Clark

**Objections :** YES

### **Description of Development:**

Part one/two storey front/side extension and elevational alterations

Key designations:

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

### **Proposal**

This proposal is for a part one/two storey front/side extension. The proposal would involve the construction of a first floor side extension with a maximum width of approximately 2.75m (minimum 2.2m) and depth of 8.4m at a first floor level. The proposal would have a hipped roof profile and would have a side space of 0.9m. The proposal would also project 0.75m to the front at a single storey level.

### **Location**

The application is located to the north of Bramerton Road and is a semi-detached two storey single family dwellinghouse with attached single storey garage. Properties in the area are of a similar scale and architectural style.

### **Comments from Local Residents**

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

- the tree shown within the boundary of No. 11 is actually 1m inside applicant's boundary.
- there is a rear extension at No. 11 which has a side window although this is not indicated on plans submitted. Concerns relating to loss of morning light to kitchen of No. 11 as a result of development.

## **Comments from Consultees**

The Council's Highways Division were consulted who state the proposal will result in loss of one parking space by conversion of the garage to a habitable accommodation. However, there are parking spaces within the site's curtilage which would be utilised. Therefore on balance as it is a small development no objections are raised to this proposal, subject to conditions.

## **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

T3 Parking

Supplementary Planning Guidance (SPG) 1 General Design Principles

Supplementary Planning Guidance (SPG) 2 Residential Design Guidance

London Plan and National Planning Policy Framework are also key considerations in the determination of this application.

## **Planning History**

There is no recent planning history relating to this site.

## **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 Council's side space policy (Policy H9) requires a minimum distance of 1m be provided from the flank elevation to the flank boundary where first floor side extensions are proposed, in this instance a side space of 0.9m would be provided.

A number of neighbouring properties have previously constructed two storey and first floor side extensions, including No. 3 (91/01210) No. 9 (planning ref: 03/00154), No. 12 (planning ref. 89/00300), No. 16 (planning ref. 85/00325), No. 18 (planning ref. 87/01911), No. 24 (planning ref. 92/00459), and No. 26 (planning ref. 85/00325). The distance provided to the boundary is not annotated on the plans for many of these older applications, however, in relation to the most recent of these applications, No. 9 in 2003 (planning ref. 03/00154), this was granted planning permission on the basis that 915mm would be provided from the flank elevation to the flank boundary.

While the current Unitary Development Plan 2006 has now superseded the previous Unitary Development Plan 1994 which was in place during application ref. 03/00154, it is not considered that the side space policy has changed significantly



in the interim period. While the proposal would not meet the requirements that Policy H9 normally requires, the proposal is of a modest scale and would not result in unrelated terracing, with Policy H9 intends to prevent and as such many be considered acceptable in this instance.

Due to the modest scale of the proposal which would not project beyond the front or rear elevation of the existing dwellinghouse at a first floor level, it is not anticipated to result in a significant loss of light or prospect for neighbouring properties. One window is proposed to be located in the first floor flank elevation, however, this would service a bathroom as opposed to a habitable room and were permission to be granted a condition could be attached requiring this window to be obscure glazed to ameliorate against loss of privacy for No. 11.

As stated above a number of neighbouring properties have previously constructed similar first floor side extensions, and as such the proposal is not anticipated to be detrimental to the character of the area or appear incongruous in the streetscene.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03013, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1     ACA01        Commencement of development within 3 yrs  
      ACA01R      A01 Reason 3 years
- 2     ACC04        Matching materials  
      ACC04R      Reason C04
- 3     ACH03        Satisfactory parking - full application  
      ACH03R      Reason H03
- 4     ACI11        Obscure glaz'g/details of opening (1 in)     in the first floor  
      flank elevation  
      ACI11R      Reason I11 (1 insert)            BE1
- 5     ACI17        No additional windows (2 inserts)     first floor flank extension  
      ACI17R      I17 reason (1 insert)     BE1
- 6     ACI10        Side space (1 insert)            0.9m ground and first floor  
      ACI10R      Reason I10
- 7     ACK01        Compliance with submitted plan

**Reason:** In the interests of the visual amenities of the area and the residential amenities of the adjoining properties, in line with Policies BE1 and H8 of the Unitary Development Plan.

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

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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space  
T3 Parking

Supplementary Planning Guidance (SPG) 1 General Design Principles  
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance

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

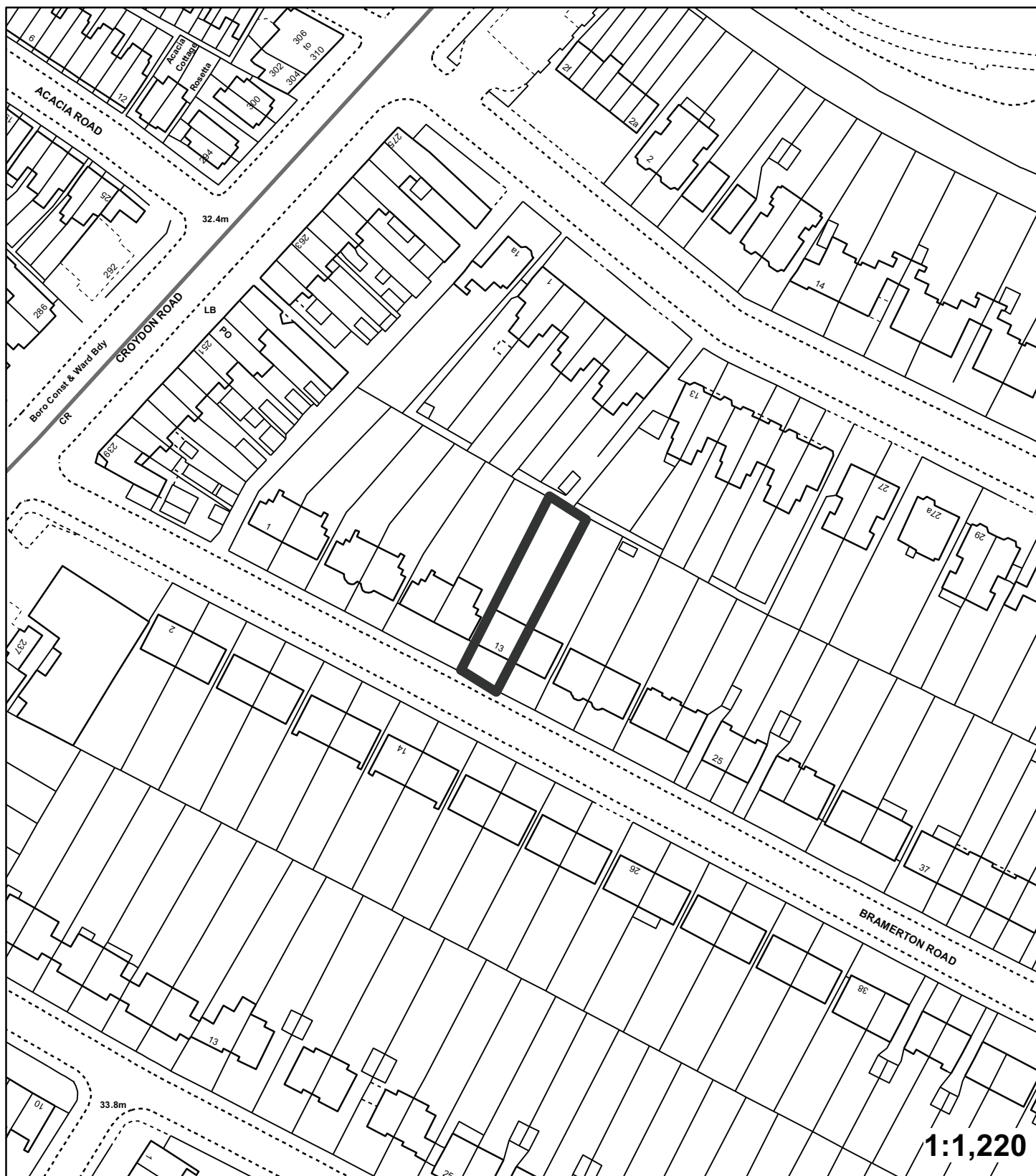
- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent properties;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

**Application:**12/03013/FULL6

**Address:** 13 Bramerton Road Beckenham BR3 3NZ

**Proposal:** Part one/two storey front/side extension and elevational alterations



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03092/FULL1

**Ward:**  
**Bickley**

**Address :** 11 Chislehurst Road Bromley BR1 2NN

**OS Grid Ref:** E: 541889 N: 169304

**Applicant :** P.J Construction

**Objections :** YES

### **Description of Development:**

Two storey five bedroom detached house with accommodation in roof space and detached double garage at rear with access from Shawfield Park (Amendment to permission ref. 11/01719)

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Local Distributor Roads  
Locally Listed Building

### **Proposal**

- The application is for an infill development sited adjacent to 'Old Timbers', 11 Chislehurst Road.
- This application seeks to amend a previously permitted two storey five bedroom detached house to facilitate accommodation in the roof space.
- The differences are as follows:
  - A 30cm increase in roof height indicated on the proposed elevational drawings
  - A 1m increase in overall height when comparing the street scene elevational drawings
  - Rooflights and solar panels to the rear roof slope
  - A single storey rear extension
- The proposed dwelling will be sited as a continuance of the building line on Chislehurst Road, with the dwelling set back 5m from the highway on an L-shaped plot.
- On the basis of the scaled drawings, the dwelling will have a width of 12.6m and will have a height of 8.8m. The depth of the dwelling will be 11.8m and

will incorporate a single storey rear section to the house and a gable roof feature.

- The submitted elevational street scene drawing indicates the dwelling to be 1m taller than the previously approved street scene drawing. The eaves height of the house will be 5.0m.
- The dwelling will be served by a new garage at the rear of the site. The garage will have a height of 5.3m and a length of 7m. The width will be 6m and the garage will house two vehicles with space for two more at the front.
- The existing access onto Shawfield Park will be widened and retained.
- At the time of writing the report, the development had been substantially constructed and nears completion.

## **Location**

'Old Timbers', 11 Chislehurst Road is a two storey detached two storey dwelling. The building dates from the 17th century and is constructed from red brick with a steeply pitched Kent peg tile roof and timber casement windows. The building is Grade II Statutory Listed. The surrounding area is characterised by large detached and semi-detached residential dwellings sited within generously sized plots. On the southern side of Chislehurst Road there is a commercial building. There are two other Statutory Listed Buildings opposite the site at No. 2 Bickley Road and No. 2 Chislehurst Road. The proposal is to retain the detached house 'as built' in part of the side and rear garden of No. 11.

## **Comments from Local Residents**

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

- overlooking and loss of privacy
- excessive height with respect to neighbouring listed building
- first floor windows higher than previous permission resulting in further overlooking due to slab levels higher than previous permission

## **Comments from Consultees**

Technical highways comments have been received stating that the highway aspects of the proposal are the same as the previous one and so the comments are the same. The proposal includes a new double garage with parking spaces in front to serve the new dwelling and the existing one with an access from Shawfield Park. There should be no parking associated with the construction of the development in Chislehurst Road and this may be best achieved with a construction management plan. It would be preferable to have a door from the garage to the new property to stop people having to walk around from Shawfield Park which could lead to residents preferring to stop in Chislehurst Road to unload shopping etc.

English Heritage comments have been received stating that the proposal should be determined in accordance with national and local policy guidance, and on the basis of the Council's conservation advice.

Technical drainage comments have been received stating that standard conditions should be attached to any permission.

No Thames Water or Environmental Health objections are raised, subject to informatives.

### **Planning Considerations**

Policies relevant to the consideration of this application are BE1 (Design of New Development), BE8 (Statutory Listed Buildings), H7 (Housing Density And Design), T3 (Parking) and T18 (Road Safety) of the adopted Unitary Development Plan.

The National Planning Policy Framework and the Council's adopted SPG guidance are considerations, as is enforcement guidance in Circular 10/97 (Enforcing Planning Control: Legislative Provisions And Procedural Requirements).

From a heritage aspect, concerns are raised at the overall increase in height, which results in an inappropriate dominance over the adjacent listed building.

### **Planning History**

Planning permission was refused under ref. 11/01719 for a two storey four bedroom detached house and detached double garage at rear with access from Shawfield Park. The refusal grounds were as follows:

'The proposed dwelling would constitute an undesirable sub-division of the plot and reduction in the size of the garden and curtilage of No. 11 Chislehurst Road, detrimental to the special character and setting of the Statutory Listed Building and detrimental to the spatial standards of area, contrary to Policies BE1, BE8 and H7 of the Unitary Development Plan and PPS5 " Planning and the Historic Environment".'

The application was subsequently allowed on appeal in January 2012. The Inspector took the view that there was sufficient space to accommodate the new dwelling without prejudicing views of the listed building and its external constructional features and setting. In respect of the impact of the new house on adjacent development, he stated as follows:

'The subdivision of the present curtilage of Old Timbers would result in two plots somewhat smaller than many in the area but not unprecedentedly so. They would bear comparison with number 34 Shawfield Park or with number 9 Chislehurst Road, a far more substantial building than either Old Timbers or the house proposed in this appeal.

Other than the generous space provided to the side of Old Timbers, the proximity of the new house to the flank of No. 17 Chislehurst Road would be typical of the spacing of houses along Chislehurst Road and Shawfield Park in the immediate vicinity. There is no information to suggest that the design and appearance of the new house proposed would be anything other than complementary to the character and appearance of the area. A condition

can require compliance with the approved drawings to ensure that this would be so.

I conclude that the proposal would not harm the character and appearance of the area. It would comply with UDP policies BE1 and H7. Amongst other matters, these require new housing development to complement its surroundings in terms of layout, space, scale, form and materials.'

The appeal permission was subject to numerous conditions, including one requiring the development to be carried out in accordance with the approved plans, including a street scene drawing, which indicated the ridge height of the new dwelling to reflect that of the listed building.

## **Conclusions**

The main issues relating to the application are the effect that it has on the character of the area, the impact on the setting of the Statutory Listed Building, the impact on the amenities of the occupants of surrounding residential properties and the impact on highway safety.

The principle of the development has been established under the appeal permission ref. 11/01719. The dwelling is now substantially complete and is not in accordance with the permitted plans. The plans submitted with the current application now incorporate roof accommodation with rooflights and show an increase in the building height of 0.3m rising from 8.5m to 8.8m. However, the proposed change in height and elevation indicated in the current street scene drawing when compared to the previous street scene drawing is actually in the order of a metre and this is considered to result in a dwelling that appears excessively elevated and conspicuous. The building rises significantly above No. 11 (the Listed Building) and dominates it within the street scene. It is therefore considered that the impact on the setting of the listed building is unacceptable.

The variation in land levels within the area is important as it results in development inevitably rising along the street. However, as previously stated, the appeal Inspector imposed a condition that the development should be completed in accordance with the approved plans, including the original street scene elevation, and this has clearly not been done.

The proposed rooflights would result overlooking to the neighbouring property at No. 53 Shawfield Park and this would be significant over that of the permitted scheme. It is noted that the structure, and rear windows, is more elevated than the appeal permission and this results in the first floor windows being higher than the permitted scheme, resulting in further overlooking to this neighbouring house which is significantly greater than that of the permitted scheme. Views exist from the first floor and rooflights into this neighbouring garden and on balance it is considered that the proposal results in a further harmful loss of privacy. Members will need to consider the visual impact on No.53 Shawfield Park resulting from the elevated position of the new house and its discordant relationship with the listed building.



The applicant has not provided slab levels for the dwelling which would indicate the floor levels of the dwelling however the Inspector requested slab level information for the garage only.

The alterations also include a single storey rear extension. The Inspector did not remove permitted development rights when allowing the appeal and therefore limited extension could be added without permission upon completion of the development. It is considered that a single storey extension to the permitted building would not impact on the character of the area or overdevelop the site, given the Inspector's view. The extension will be well separated from No. 11 by 5m and will only project beyond the rear wall of No. 11 by 4m. This relationship is considered to be acceptable and not oppressive and harmful to the amenities of No. 11, as the rear gardens face north.

The proposed detached garage will match the garage that was previously permitted. From a highway safety point of view, it is considered that the proposed replacement garage and parking area with access from Shawfield Park would not be detrimental to highway safety, with adequate car parking provision and manoeuvring space. Planning conditions are suggested to prevent parking on Chislehurst Road.

Having had regard to the above it is considered that the proposal is unacceptable in that it results in a significantly detrimental impact on the character of the area and the setting of the Grade II Statutory Listed Building. The proposal also impacts harmfully on the amenities of the nearby residential property at No. 53 Shawfield Park. It is therefore recommended that Members refuse planning permission.

#### Enforcement Action

If Members accept the recommendation to refuse planning permission, as the construction of the new dwelling is substantially complete it will be necessary to consider whether any further action is appropriate, including the expediency of enforcement action and this is addressed below.

The main issue in this case concerns the impact of the increase in the height of the building on the character and setting of the adjacent listed building. The effect of the increase in height on the appearance and character of the surrounding area is also relevant, together with the impact on the residential amenities of the occupiers of adjoining properties.

When the appeal was allowed, the Inspector referred to Policy BE8 of the UDP which relates to development affecting the setting of a Listed Building. The Inspector was satisfied that on the basis of the submitted proposals there would be no significant impact on the setting of Old Timbers and the design and appearance would have no material effect on the character and appearance of the area. He also concluded that the design would have no material impact on the amenities of 53 Shawfield Park, subject to appropriate safeguarding conditions.

However the same conclusions do not apply to the dwelling currently under construction. For the reasons stated above, the increase in height of the buildings

has a material impact on the setting of the Old Timbers. In such a sensitive location an increase of height of 300mm has significant implications for the relationship with the listed building. The permission granted on appeal was for a lower building which, notwithstanding the Council's objections, the Inspector concluded was acceptable. It is questionable whether the scheme currently under construction would have been permitted on appeal, but this was not a matter which was before the Inspector.

If Members agree that enforcement action is expedient in this case, careful consideration needs to be given to the steps required to rectify the breach of planning control. The applicant may lawfully implement the development which was permitted on appeal and any enforcement action should therefore only address the material variations to the approved scheme which are considered to be unacceptable. The most significant breach relates to the increase in height of the roof and the main objective of any remedial action should be to minimise the impact on the setting and character of the Listed Building.

From a Heritage perspective, the setting of the neighbouring listed building was significantly altered when the new dwelling was allowed on appeal. The building under construction is a substantial building and the impact of the new structure is exacerbated by local topography, which rises gradually from west to east.

The proposed alterations to the permitted elevational treatment and the addition of a single storey extension to the rear make little material difference to the impact the new building has on the neighbouring heritage asset. However, raising the permitted ridge height results in the roofspace of the new dwelling assuming an inappropriate dominance over Old Timbers and this element of the proposed work is considered to be contrary to Policy BE8.

In the absence of any plans showing an acceptable resolution, it is recommended that enforcement action be taken to secure the removal of the building.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01719 and 12/03092, excluding exempt information.

as amended by documents received on 08.11.2012

## **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposed dwelling, by reason of its excessive scale and height, results in a detrimental impact on the street scene and harms the special character and setting of the Statutory Listed Building, contrary to Policies BE1, BE8 and H7 of the Unitary Development Plan.

**FURTHER RECOMMENDATION:** Enforcement action be authorised including the lowering of the roof and structure to conform to the height and design of the development permitted on appeal (ref. 11/01719).

## INFORMATIVE(S)

- 1 RDI25 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)).

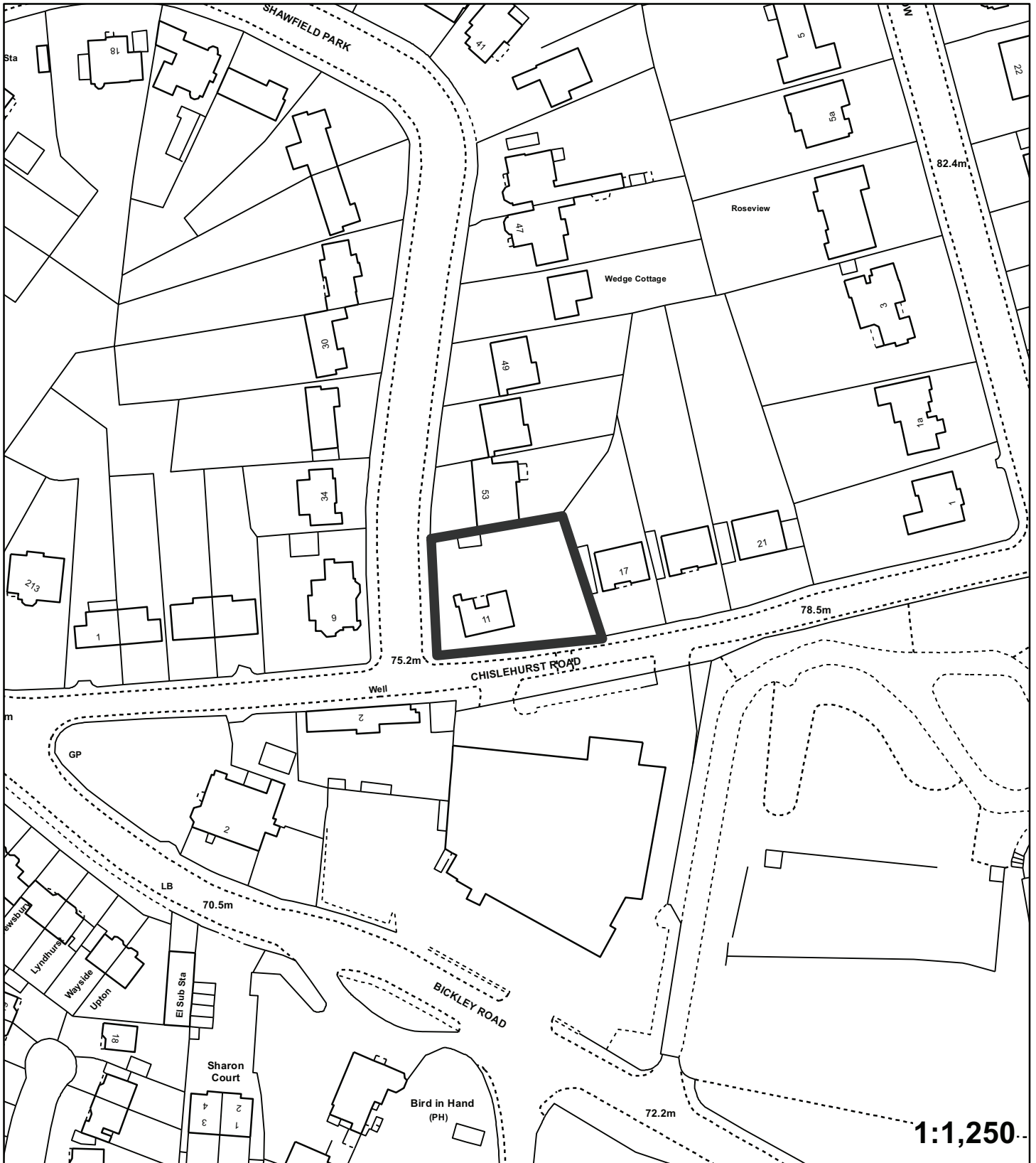
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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)

**Application:**12/03092/FULL1

**Address:** 11 Chislehurst Road Bromley BR1 2NN

**Proposal:** Two storey five bedroom detached house with accommodation in roof space and detached double garage at rear with access from Shawfield Park (Amendment to permission ref. 11/01719)



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03229/FULL1

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

**Address :** 30 Aperfield Road Biggin Hill TN16 3LU

**OS Grid Ref:** E: 542450 N: 158768

**Applicant :** Dean Doughty

**Objections : NO**

### **Description of Development:**

Demolition of existing dwelling and erection of 2 two storey three bedroom semi detached houses

### **Proposal**

- Planning permission is sought for the demolition of the existing dwelling and the erection of 2 semi-detached two storey dwellings.
- The proposed dwellings would have a maximum height of 7.8m (8.1m previously refused), a depth of approx. 14.5m and a width of approx. 6.7m each with a minimum side space of approx. 1m maintained to the flank boundaries.
- A lowered eaves level with first floor dormers is proposed to minimise height and bulk and a hardstanding is proposed at the front to provide car parking with an enlarged access onto Aperfield Road.

### **Location**

The application property is a bungalow sited on the western side of Aperfield Road. The area is characterised by a mix of detached and semi-detached single storey and two storey family dwellings sited within generously sized plots.

### **Comments from Local Residents**

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

### **Comments from Consultees**

No technical highways objections are raised. The layout of crossovers will need to be agreed with Area Management and standard conditions are suggested.

No Thames Water objections are raised subject to informatives.

No Environmental Health or technical drainage comments have been received. Any late comments will be reported verbally at the meeting.

### **Planning Considerations**

Policies relevant to the consideration of this application are BE1 (Design of New Development), BE8 (Statutory Listed Buildings), H7 (Housing Density And Design), H9 (Side Space), T3 (Parking) and T18 (Road Safety) and NE7 (Development And Trees) of the adopted Unitary Development Plan.

The National Planning Policy Framework and the following London Plan policies are also considerations.

3.4 Optimising Housing Potential

3.5 Quality and Design of Housing Developments

### **Planning History**

Planning permission was granted under ref. 03/04243 for 2 semi-detached three bedroom houses with integral garages at No. 45.

Planning permission was granted under ref. 06/02650 for demolition of existing dwelling and erection of 2 two storey three bedroom semi detached houses at No. 49

Planning permission was granted under ref. 03/04319 for demolition of existing dwelling and erection of 2 four bedroom detached dwellings with integral garage and associated parking at No. 67.

Planning permission was refused under ref. 12/01613 for demolition of existing dwelling and erection of 2 two storey three bedroom semi detached houses. The refusal grounds were as follows:

‘The proposal would result in the unsatisfactory sub-division of the existing plot, out of character and appearance with the locality and constituting a retrograde lowering of the spatial standards to which the area is at present developed, contrary to Policies H7, H9 and BE1 of the Unitary Development Plan.

The proposal, by reason of its design and excessive height and bulk, would result in an overdevelopment of the site, detrimental to the character and appearance of the street scene and wider area, contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposal, by reason of its bulk and proximity to the flank boundary, would result in a detrimental impact on the amenities currently enjoyed by the occupants of No. 32 Aperfield Road by way of loss of daylight and prospect, contrary to Policies BE1 and H7 of the Unitary Development Plan.’

### **Conclusions**

The main issues relating to the application are whether a satisfactory quality of accommodation and amenity for future occupiers would be provided; the effect that the development 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. Further considerations are the impact of the proposed development on conditions of highway safety and the impact on trees.

The predominant character of the area is relatively spacious detached dwellings. Although the principle of a pair of detached dwellings may not be objected to, the prevailing character of the immediate area would mean that the sub-division of this plot would be considered to result in a retrograde lowering of spatial standards and a development that is out of character in terms of the resulting plot widths. The subdivision in the manner proposed would result in two plots that are less spacious than the prevalent character of the area, each approximately 7m in width at the front of the site. This aspect of the proposal has not altered from the previously refused scheme and is therefore remains unacceptable as it formed the first ground of refusal.

On balance, the proposal is considered harmful in that it would set a precedent for possible further developments within the locality, particularly on similar sites which are characteristically spacious and this would be detrimental to the existing spacious character of the area.

A similar proposal was refused at No. 30 Village Green Avenue under ref. 11/00965 and permission was subsequently granted for 3 detached dwellings replacing both Nos. 28 and 30, which provided 3 larger plots in respect to the wider area, and these plots are wider than the ones currently proposed.

It is noted that several examples of sub-divisions exist to the south on Aperfield Road, however the character and spatial standards of the immediate locality of the site is considered to be of a higher level of spaciousness.

When considering the application in respect to the NPPF, underutilised land is potentially capable of being developed at a higher density, even if this land is currently a residential garden. This can enhance the character and quality of an area when well designed and, crucially, when built in the right locations. It is considered that building in this location would not respect or enhance the character of the area and would lower the established spatial standards and this site is not one where an increase in density could be suitably achieved as proposed.

Concerning design, the proposal seeks to maximise the plot in terms of height, width and number of bedrooms, however compared to the previous proposal the roof height has been reduced from 8.1m to 7.8m and this is considered to be similar in height to No. 26. The dwellings would not be significantly taller than those around them and the height of the proposed development would not be excessively bulky in relation to the character of the area.

In respect to the amenities of neighbouring properties, the proposal includes an increase in roof height compared to the existing building which will impact on the outlook and light to neighbouring properties, and both immediate neighbours

possess flank facing windows to the site. These obscure windows appear to serve a staircase at No. 26 (with an obscure flank garage window) and a large clear bedroom window and smaller one at No. 32. At present, there is a 7m separation between this window and the side wall of the house. The introduction of a flank wall in closer proximity to the flank boundary will result in an impact on the daylight and prospect to the large flank window of the bungalow at No. 32, with a two storey wall sited only 3.3m from this window. The siting of the pair of semi-detached dwellings has been altered from the previously refused scheme, with a set back of 1.2m from the previous siting. This set back provides a better outlook from this window and although there is no right to a view, the impact on this neighbour must be carefully considered. The proposal will be sited to the north and therefore no loss of sunlight would result, however there will be a visual impact and a loss of outlook. Having said this, the separation and set back is considered to be less severe and on balance the relationship is considered to be acceptable, with the flank wall extending approx. 3m forward of the side garage at No. 30 therefore retaining a reasonable outlook to the side from this window.

The front windows at No. 26 will be separated from the site and although the building will be in advance of the first floor windows at No. 26, the siting of these front windows away from the flank boundary is considered to result in an acceptable relationship.

To the rear of the site it is considered on balance that the separation to the properties on Village Green Avenue is ample to prevent serious overlooking from the proposed rear dormers (separation of over 50m).

Having regard to the above, it was considered that the development would result in an unsatisfactory development of the site resulting in a lowering of spatial standards and a harmful impact on the character of the area. The revised scheme has not addressed the first refusal ground of the previous decision. It is therefore recommended that Members refuse planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/01613 and 12/03229, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposal would result in the unsatisfactory sub-division of the existing plot, out of character with the locality and constituting a retrograde lowering of the spatial standards to which the area is at present developed, contrary to Policies H7 and BE1 of the Unitary Development Plan.

## **INFORMATIVE(S)**

- 1 You are advised that this application is considered to be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act



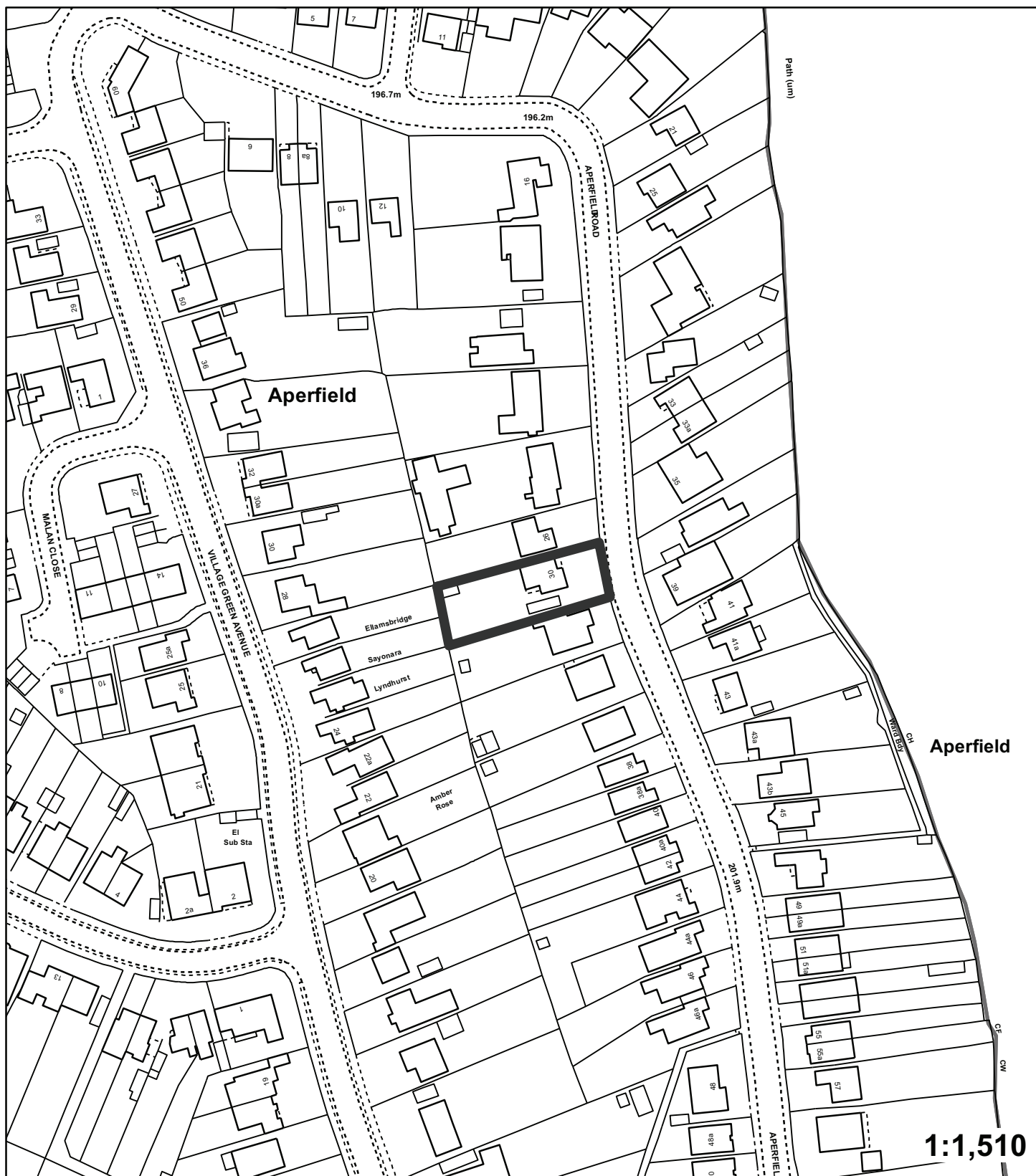
2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)). The Levy will appear as a Land Charge on the relevant land with immediate effect.

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.

**Application:**12/03229/FULL1

**Address:** 30 Aperfield Road Biggin Hill TN16 3LU

**Proposal:** Demolition of existing dwelling and erection of 2 two storey three bedroom semi detached houses



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03254/FULL1

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

**Address :** 145 Warren Road Orpington BR6 6JE

**OS Grid Ref:** E: 546237 N: 164383

**Applicant :** Mr W Alimo

**Objections :** YES

### **Description of Development:**

Detached two storey two bedroom dwelling and associated vehicular access at land adjacent to 145 Warren Road.

Key designations:

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

### **Proposal**

The proposed dwelling will occupy land forming part of the rear garden at 145 Warren Road which fronts the highway at Warren Road. The proposed dwelling will incorporate a footprint measuring 6.8m (w) x 7.7m (d) and will be set 1.0m in from the boundaries either side. The dwelling will rise to a maximum height of approximately 7.8m and incorporate a pitched roof without any accommodation within. The vehicular access will front Warren Road. An existing detached garage serving the existing dwelling at No 145 will be used for the new house with the position of the doors swapped over.

### **Location**

145 Warren Road, the host dwelling, forms part of a pair of semi-detached properties occupying the corner site situated on the western side of the junction of Warren Road with Cloonmore Avenue.

### **Comments from Local Residents**

The following objections have been raised:

- proposal fails to overcome previous grounds of refusal

- proposal will adversely affect neighbouring amenity by reason of loss of light, prospect and privacy
- adjoining bus stop will be affected

### **Comments from Consultees**

Technical comments have been raised by Transport for London in relation to the location of the bus stop outside the site.

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

### **Planning Considerations**

Policies BE1, BE7 and T18 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design which complements the qualities of the surrounding area; to resist the construction of high or inappropriate enclosures where these would erode the open nature of the area; and to ensure that new development does not adversely affect road safety.

### **Planning History**

Under ref. 88/02381, permission was granted for the erection of a single storey side extension at 145 Warren Road and the re-siting of the detached garage.

Under ref. 03/01988, permission was granted for the erection of a single storey conservatory extension.

Under refs. 11/02406 and 12/00194 applications – both for detached two storey two bedroom dwelling with accommodation in roof space and a side dormer – were both refused on the following grounds:

“The proposal represents a cramped overdevelopment of the site by reason of the restrictive size of plot available and would be detrimental to the character of area, contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of visual impact and loss of prospect in view of its size and siting, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.”

In the case of ref. 12/00194, the overall width of the dwelling was reduced by 1.5m partly as a result of a side garage; the proposed boundary line shared with the existing property at No. 145 was revised and was partly tapered; and modifications were made to eastern elevation, roof profile and flank dormer.

Both applications were dismissed at appeal (under one decision). In considering the appeals, the Planning Inspector raised the following points:

“the overall height of both of the proposed dwellings would be taller than the neighbouring houses and the side dormer of each would be overly prominent.”

In Para 6 the Inspector considered:

“More concerning is the fact that both dwellings would occupy almost the full width of the sub-divided plot. This would harmfully reduce the space between Nos. 145 and 143 Warren Road. Furthermore, the depth of the rear garden of each of the proposed dwellings would be very shallow compared to those of the surrounding properties, as would the resulting garden for the host dwelling, even if the Council’s minimum garden area standard would be met. This arrangement would be at odds with the prevailing layout of properties within the local area. Finally, both of the dwellings proposed would sit forward of the front elevation of No. 143 Warren Road and this would only serve to exacerbate their incongruous effect on the street scene.”

In considering the impact on neighbouring amenity the Inspector observed that:

“both of the proposed houses would sit very close to the rear of No. 145 Warren Road, which is set at an angle of about 45 degrees. I consider that if either of the houses proposed was to be built, it would be very oppressive when viewed from the rear of the host property, and the outlook from it would be unacceptably harmed.”

## **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 previously refused application the following changes have been incorporated:

- overall width reduced from 8.1m to 6.8m and 1.0m separation provided between the eastern flank of the building and the proposed boundary;
- depth reduced from 8.7m to 7.7m;
- overall height reduced from 8.2m to 7.8m, eastern side dormer deleted and no accommodation sought at second floor level

Despite the changes made since the previous scheme it is officers’ view that the revised scheme will remain cramped and out of character with the surroundings, given local spatial standards and the size of the plot, and that this will adversely reduce the space between Nos. 145 and 143 Warren Road. The development will lack adequate amenity area given that the rear garden will extend to little over 6.0m in depth (in contrast to neighbouring houses which incorporate deeper rear gardens).

Further concerns relate to the impact of the development on neighbouring amenity, particularly in view of the proximity of the dwelling to the host dwelling at No 145. It is considered that the proposed development will appear overdominant and oppressive and will undermine outlook. Accordingly it is not considered that the previous grounds of refusal have been overcome.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/02406, 12/00194 and 12/03254, excluding exempt information.

**RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposal represents a cramped overdevelopment of the site by reason of the restrictive size of plot available and would be detrimental to the character of area, contrary to Policies BE1 and H7 of the Unitary Development Plan.
- 2 The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of visual impact and loss of prospect in view of its size and siting, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

**Application:**12/03254/FULL1

**Address:** 145 Warren Road Orpington BR6 6JE

**Proposal:** Detached two storey two bedroom dwelling and associated vehicular access at land adjacent to 145 Warren Road.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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

**Application No :** 12/02746/FULL6

**Ward:**  
Plaistow And Sundridge

**Address :** 34 Kings Avenue Bromley BR1 4HW

**OS Grid Ref:** E: 539807 N: 170711

**Applicant :** Europride UK Inn

**Objections :** NO

### **Description of Development:**

Part one/two storey side and rear extension

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
Flood Zone 3  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

### **Proposal**

- Permission is sought for a two storey rear extension measuring 3.5m deep.
- A single storey side extension measuring 7m deep, this would replace an existing garage.
- Elevational alterations including a single obscure glazed window would be inserted on the flank elevation facing No. 36 Kings Road.

### **Location**

The application site is located on the northern edge of Kings Avenue and comprises a detached dwelling with single storey outbuilding. The surrounding locality is predominantly residential in nature, characterised by detached and terraced dwellings in varied architectural styles.

### **Consultations**

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

### **Planning Considerations**

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

- BE1 Design of New Development
- H8 Residential Extensions
- H9 Side Space
- T3 Parking

## **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.

It is proposed to extend the property to the rear, full width at two storeys measuring 3.5m deep. The rear extension would not be visible from the streetscene and would appear well integrated to the host dwelling, by incorporating a pitched roof and raises no design objections.

The extension is set in 0.63m from the common boundary shared with No. 32 Kings Avenue. Whilst it is noted that Policy H9 requires an inset distance from the boundary of a minimum of 1m for two storey development along the entire height and flank. In this instance, the existing dwelling is built 0.63m in from this boundary where the extension would continue the line of the existing flank elevation and this not appear discordant in the streetscene.

This is considered to be acceptable and would respect the existing spatial standards within the area and ensures the retention of adequate separation between the application site and the adjacent dwellings.

A single storey side extension would project to the boundary with No. 36 Kings Avenue, replacing an existing detached garage. The replacement side extension would have a pitched roof and would remain set back from the front elevation by approximately 9m and is considered to be of a subservient appearance to the main dwelling.

With regard to amenity, the two storey rear extension would measure full width of the dwelling and project back 3.5m, inset 0.63m from the boundary, following the line of the existing flank elevation. No. 32 is a recently built dwelling (ref. 08/03697), which has a single storey garage built along the boundary up to a height of 3.75m. The main two storey element of this positioned well away from the boundary. The projection of 3.5m although fairly for a two storey development, is not considered to result in an unacceptable impact, where the extensions face north and do not comprise any flank windows. No. 32 is a substantial property which has a significant projection beyond the application site, where the extensions here would not result in an overbearing impact or loss of privacy. It is noted that large extensions are fairly characteristic of the locality. No. 30 Kings Road has an approved 4.7m deep two storey rear extension under ref. 10/01585.

The single storey side extension would replace an existing garage and project 7m along the boundary with No. 36, which has an existing single garage in the same location over the boundary. The replacement extension would project 2m forward, and is not considered to result in an unacceptable impact.

No objection is raised to the flank window facing No. 36 as this is shown as being obscured on plan and serves a bathroom.

The loss of the garage is not considered to result in an unacceptable impact upon the highway where there is sufficient off street parking.

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.

Having had regard to the above it was considered that the development in the manner proposed is not acceptable in that it would result in a loss of amenity to local residents.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02746, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01      Commencement of development within 3 yrs  
          ACA01R      A01 Reason 3 years
- 2      ACC04      Matching materials  
          ACC04R      Reason C04
- 3      ACK01      Compliance with submitted plan  
          ACC01R      Reason C01
- 4      Before the development hereby permitted is first occupied, the proposed first floor bathroom window facing onto No. 36 Kings Avenue, shall be obscure glazed and fixed shut with the exception of a top hung fan light 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.

- 5      AJ02B      Justification UNIQUE reason OTHER apps

Policies (UDP)

- BE1    Design of New Development
- H8    Residential Extensions
- H9    Side Space
- T3    Parking

**Application:**12/02746/FULL6

**Address:** 34 Kings Avenue Bromley BR1 4HW

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



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"

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

**Application No :** 12/03052/FULL6

**Ward:**  
Plaistow And Sundridge

**Address :** 68 Howard Road Bromley BR1 3QJ

**OS Grid Ref:** E: 540072 N: 170115

**Applicant :** Ms Penny Edmonds

**Objections :** YES

**Description of Development:**

Single storey rear extension

Key designations:

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

**Proposal**

The proposal involves the removal of an existing conservatory situated to the western side of the dwelling and the construction of a 3.37m extension which would align with an existing single storey kitchen projection. The extension would rise to a maximum height of 2.99m.

**Location**

The application site comprises a mid-terrace house situated within the northern part of Howard Road. The road forms part of a residential enclave of similar houses dating from the late-Nineteenth and early-Twentieth Centuries.

**Comments from Local Residents**

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

- height of proposed extension will be excessive and create an oppressed enclosed environment to the rear of the adjoining dwelling
- party wall should not exceed height of 2.4m

In response to the above, a letter has been submitted by the Agent outlining the changes which have been made since a previously refused application. This has

involved a reduction in the height of the extension from 4.0m to 2.99m. In addition it is stated that the height of the existing conservatory is 3.0m, and that similar extensions to that sought here have been constructed at Nos. 26 and 76 Howard Road. Reference is also made to the GPDO which allows rear extensions up to a height of 3.0m to be constructed.

### **Comments from Consultees**

Not applicable

### **Planning Considerations**

Policies BE1 and H8 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to safeguard the amenities of neighbouring properties, and to ensure a satisfactory standard of design.

### **Planning History**

Under ref. 12/01571, a proposed single storey rear extension which would align with the existing kitchen and incorporate a parapet wall which would rise to a height of approximately 4.0m was refused by the Council on the following ground:

“The proposed extension would be detrimental to the amenities of the adjoining dwelling at No. 66, by reason of the visual impact and loss of light and prospect resulting from its excessive height, contrary to Policy BE1 of the Unitary Development Plan.”

### **Conclusions**

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

This proposal will effectively ‘square off’ the rear of the existing dwelling with the existing conservatory removed and replaced with a more solid structure which would align with the existing kitchen projection. In comparison to the existing conservatory the proposed extension would rise an additional 0.2m in height and extend an additional 1.25m in depth. Since the previous application its overall height has been reduced by approximately 1.0m.

Objections have been raised in relation to the height of the proposed structure; however, it is considered that this scheme will be of modest height and not exceptionally dominant, given its height difference in relation to the existing conservatory and boundary fence. Given its orientation and siting relative to No 66, much of the structure will be obscured when viewed from a rear dining room/lounge window at that adjoining property, and there will be limited loss of sunlight. It is also noted that a similar extension up to 3.0m in depth could be erected under permitted development criteria. On balance the proposal is considered acceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/01571 and 12/03052, excluding exempt information.

**RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACC04  | Matching materials                       |
|   | ACC04R | Reason C04                               |
| 3 | ACK01  | Compliance with submitted plan           |
|   | ACC03R | Reason C03                               |
| 4 | ACI13  | No windows (2 inserts) flank extension   |
|   | ACI13R | I13 reason (1 insert) BE1                |
| 5 | AJ01B  | Justification GENERIC reason FULL6 apps  |

**Application:**12/03052/FULL6

**Address:** 68 Howard Road Bromley BR1 3QJ

**Proposal:** Single storey rear extension



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"



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

**Application No :** 12/03275/PLUD

**Ward:**  
Penge And Cator

**Address :** 2 Cottingham Road Penge London SE20  
7PT

**OS Grid Ref:** E: 535655 N: 170070

**Applicant :** Mr M Keso

**Objections :** NO

### **Description of Development:**

Single storey outbuilding to rear. CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT.

Key designations:

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

### **Proposal**

A Certificate of Lawfulness is sought for the construction of a single storey outbuilding to the rear of No. 2 Cottingham Road which is an end of terrace two storey single family dwellinghouse. The proposed outbuilding would be 12.63m in depth, 5.3m in width and would be no more than 2.5m in height to the eaves of the flat roof. The outbuilding has been described by the applicant as a 'proposed new garage to contain up to 4 no. car parking spaces for use incidental to the enjoyment of the dwellinghouse at 2 Cottingham Road' indicating the use would be incidental to that of the main dwelling.

This application has been "called-in" to Committee by a Ward Member.

### **Comments from Local Residents**

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

### **Comments from Consultees**

A consultation with the Council's Legal Division has been undertaken, the results of which shall be reported verbally.

## **Planning Considerations**

A Certificate of Lawfulness application for the construction of an outbuilding at a residential dwelling must be considered against Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended).

Matters relating to the planning merits of the proposal are not relevant in this determination.

## **Planning History**

In 2008, under planning ref. 08/04151, permission was refused for the change of use of rear garden area to car park for 7 cars for use by premises at 197-199 High Street on the following grounds:

“The proposed use of this land as a car park would be seriously prejudicial to the amenity of the occupiers of those dwellings adjoining the site by reason of noise and general disturbance associated with such a use and thereby contrary to Policies BE1 and ER8 of the Development Plan.

The proposal involves the unsatisfactory severance of the existing rear garden of 2 Cottingham Road, leaving inadequate amenity space provision about the dwelling that would be out of character with the area and contrary to Policy BE1 of the Unitary Development Plan”.

This was subsequently dismissed on appeal.

## **Conclusions**

The proposed outbuilding is considered to be permitted development as it complies with all of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended) including the following:

- the building would be used for a purpose incidental to the enjoyment of the dwellinghouse (this has been confirmed on the plans);
- as a result of the works, the total area of ground covered by buildings within the curtilage of the dwelling-house (excluding the original dwelling-house) would not exceed 50% of the total area of the curtilage (this has been confirmed on the plans);
- the proposed outbuilding would not be situated on land forward of a wall forming the principal elevation of the original dwellinghouse;
- the building would be no more than one storey;
- the outbuilding would not exceed 2.5m in height to the eaves given its location within 2m of the boundary;
- the development would not consist of or include the construction or provision of a veranda, balcony or raised platform;
- it does not relate to a dwelling or microwave antenna;

- the application site is not located within a World Heritage Site; a National Park; an Area of Outstanding Natural Beauty; or The Broads.
- the application site is not a listed building nor within article 1(5) land.

This proposal complies with all aspects of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended) and as such constitutes permitted development.

Having regard to the above and taking into consideration that the planning merits of the proposal will not be a determining factor in the case, Members are advised that the works will fall within the tolerances of permitted development. Accordingly, it is recommended that a Certificate of Lawfulness be granted.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03275, excluding exempt information.

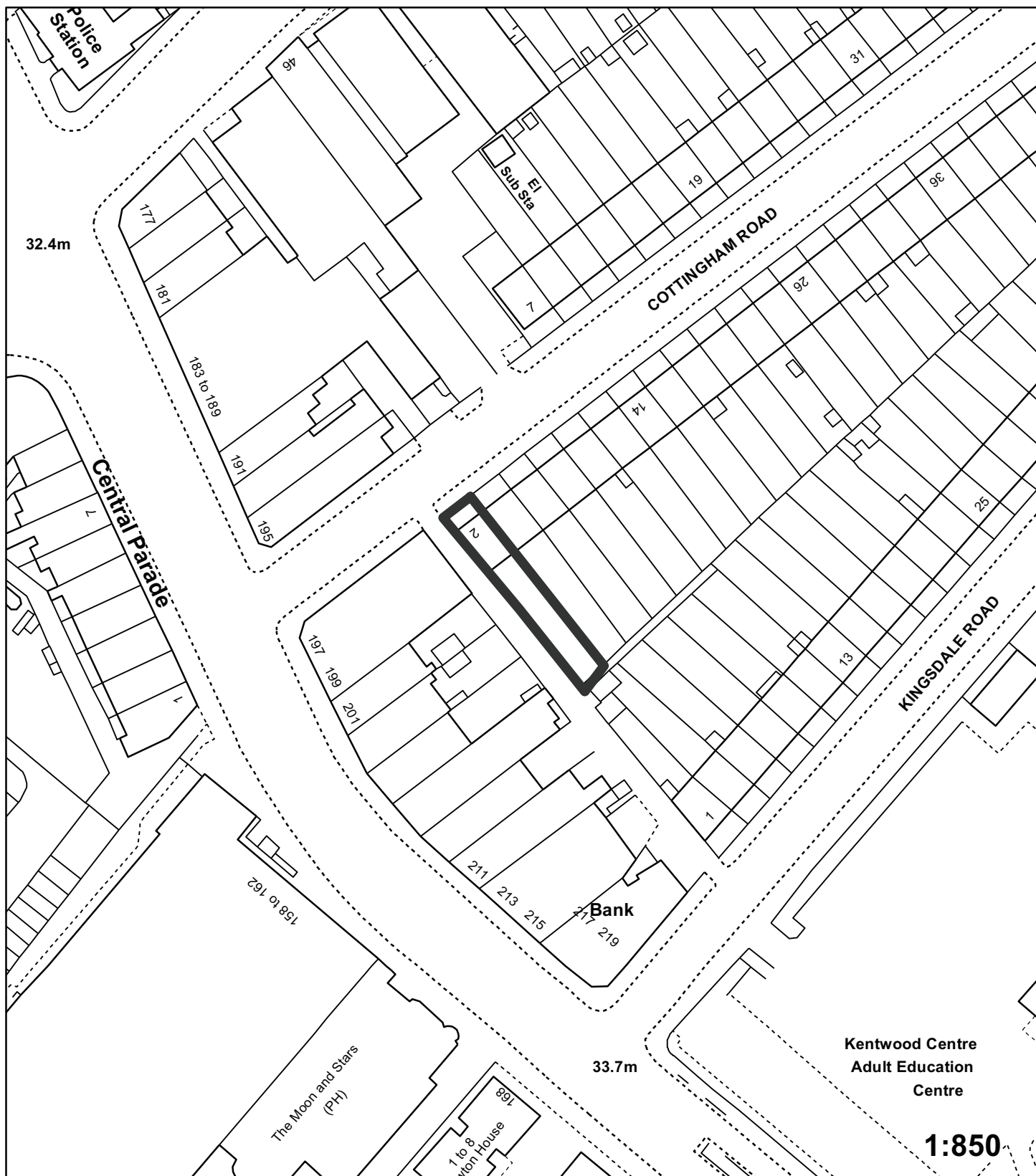
**RECOMMENDATION: CERTIFICATE BE GRANTED**

- 1 The outbuilding constitutes permitted development by virtue of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 1995 (as amended).

**Application:**12/03275/PLUD

**Address:** 2 Cottingham Road Penge London SE20 7PT

**Proposal:** Single storey outbuilding to rear. CERTIFICATE OF  
LAWFULNESS FOR A PROPOSED DEVELOPMENT.



"This plan is provided to identify the location of the site and should not be used to identify the extent of the application site"