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

Councillor Russell Jackson (Chairman)
Councillor Richard Scoates (Vice-Chairman)
Councillors Kathy Bance, Lydia Buttinger, Peter Dean, Simon Fawthrop,
Alexa Michael, Gordon Norrie and Tom Papworth

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 13 SEPTEMBER 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

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

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

Copies of the documents referred to below can be obtained from
www.bromley.gov.uk/meetings

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 19 JULY 2012**
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SECTION 1 (Applications submitted by the London Borough of Bromley)

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	NO REPORTS		

SECTION 2 (Applications meriting special consideration)

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4.1	Chelsfield and Pratts Bottom	11 - 20	(11/03536/FULL1) - 52 High Street, Green Street Green.
4.2	Cray Valley East	21 - 36	(11/04004/FULL1) - Bournwood Sand and Gravel, Swanley By Pass, Swanley.
4.3	Cray Valley East	37 - 50	(12/00304/FULL1) - 76 High Street, Orpington.
4.4	Petts Wood and Knoll Conservation Area	51 - 58	(12/00661/FULL1) - 102 High Street, Orpington.
4.5	Petts Wood and Knoll Conservation Area	59 - 60	(12/00662/CAC) - 102 High Street, Orpington.
4.6	Darwin	61 - 64	(12/01054/FULL1) - Land between 1 and 2 Curchin Close, Biggin Hill.
4.7	Shortlands Conservation Area	65 - 70	(12/01308/FULL6) - 18 Whitecroft Way, Beckenham.

4.8	Bromley Town	71 - 74	(12/01705/RECON) - Land adjacent to 27 Gwydyr Road, Bromley.
4.9	Farnborough and Crofton	75 - 80	(12/01767/FULL6) - 22 Grasmere Gardens, Orpington.
4.10	Farnborough and Crofton	81 - 86	(12/02052/FULL6) - 22 Reed Avenue, Orpington.
4.11	Copers Cope Conservation Area	87 - 94	(12/02092/FULL2) - 30 High Street, Beckenham.

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

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4.12	Copers Cope	95 - 100	(12/01252/FULL1) - 80 High Street, Beckenham.
4.13	Petts Wood and Knoll	101 - 106	(12/01455/FULL6) - 44 Towncourt Crescent, Petts Wood.
4.14	Bromley Common and Keston	107 - 114	(12/01731/FULL1) - Ravens Wood School, Oakley Road, Bromley.
4.15	Bromley Town	115 - 120	(12/01840/FULL1) - The Ravensbourne School, Hayes Lane, Bromley.
4.16	Petts Wood and Knoll	121 - 124	(12/01878/FULL6) - 44 Manor Way, Petts Wood.
4.17	Chislehurst Conservation Area	125 - 130	(12/01893/FULL1) - 46 Camden Park Road, Chislehurst.
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SECTION 4 (Applications recommended for refusal or disapproval of details)

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5 CONTRAVENTIONS AND OTHER ISSUES

Report No.	Ward	Page No.	Application Number and Address
5.1	Petts Wood and Knoll	141 - 144	(DRR/12/108) 59 Mayfield Avenue, Petts Wood.

6 TREE PRESERVATION ORDERS

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

NO REPORT

Agenda Item 3

PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 19 July 2012

Present:

Councillor Russell Jackson (Chairman)
Councillor Richard Scoates (Vice-Chairman)
Councillors Kathy Bance, Lydia Buttinger, Peter Dean,
Simon Fawthrop, Alexa Michael, Gordon Norrie and
Tom Papworth

Also Present:

Councillors Nicholas Bennett J.P., Kate Lymer, Russell Mellor,
Peter Morgan and Colin Smith

6 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

No apologies for absence were received, all Members were present.

7 DECLARATIONS OF INTEREST

No declarations of interest were reported.

8 CONFIRMATION OF MINUTES OF MEETING HELD ON 24 MAY 2012

RESOLVED that the Minutes of the meeting held on 24 May 2012 be confirmed and signed as a correct record.

9 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

9.1 FARNBOROUGH AND CROFTON

(12/01665/FULL1) - Darrick Wood Infant School, Lovibonds Avenue, Orpington.
Description of application - Single storey rear extension.

Members having considered the report, **RESOLVED THAT PERMISSION BE GRANTED** as

recommended, for the reasons and subject to the conditions set out in the report of the Chief Planner.

**9.2
BROMLEY TOWN**

(12/01956/FULL1) - The Hill Car Park, Beckenham Lane, Bromley.

Description of application – Demolition of level 3 car park deck slab and installation of temporary steel parapets and removal of steel barrier.

Comments from Environmental Health were reported. Members having considered the report, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, for the reasons and subject to the condition set out in the report of the Chief Planner with a further condition and informative to read:-
“2. Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

REASON: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

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

SECTION 2

(Applications meriting special consideration)

**9.3
CRAY VALLEY EAST**

(11/04004/FULL1) - Bournewood Sand and Gravel, Swanley By Pass, Swanley.

Description of application - Change of use of part of existing quarry to allow for the pre-treatment of

material prior to infilling by sorting/crushing to recycle any material that can be used to provide recycled aggregates for sale and the provision of associated storage bays.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**9.4
ORPINGTON**

(12/00573/FULL6) - Padwick Lodge, Chelsfield Lane, Orpington.

Description of application - Single storey detached garage to front.

Oral representations in objection to and in support of the application were received at the meeting. It was reported that the Fire Safety Officer had visited the site and that the proposed garage would meet fire regulations.

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

“7. The single storey detached building hereby permitted shall only be used for purposes incidental to the residential use of the main house and for no other purpose.

REASON: In order to comply with Policies BE1 of the Unitary Development Plan and in the interests of the residential amenities of the area.

8. Before first use of the development hereby permitted, the turning area shown on plan 'Parking and Turning Plan 01' received 10.07.2012 shall be provided and shall be permanently retained thereafter.

REASON: In order to comply with Policies T3 and T18 of the Unitary Development Plan and to enable vehicles to enter and leave the site in a forward direction, in the interest of pedestrian and vehicular safety.”

**9.5
DARWIN**

(12/00961/FULL1) - Maple Farm, Cudham Lane South, Cudham.

Description of application - Demolition of existing dwelling and outbuilding and erection of detached two storey four bedroom dwelling.

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

Members having considered the report and

representations, **RESOLVED** that **PERMISSION BE REFUSED**, for the following reason:-

1. The proposed replacement dwellinghouse would, by virtue of its bulk and height, have a detrimental impact on the character and openness of the Green Belt wherein there is a presumption against inappropriate residential development and the proposal would therefore be contrary to Policies G5 and BE1 of the Unitary Development Plan.

**9.6
BICKLEY**

(12/01030/FULL1) - Wilderwood, Widmore Green, Bromley.

Description of application – 4 x 2 bedroom two storey terrace dwellings with outbuildings to rear; 2 storey building containing 2 x 2 bedroom flats; associated landscaping and 8 on site car parking spaces.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Kate Lymer, in objection to the application were received at the meeting. It was reported that a petition had been received.

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

1. The proposal constitutes a cramped overdevelopment of the site by reason of the type and number of units proposed, and if permitted would establish an undesirable pattern for similar piecemeal infilling in the area, out of character with the pattern of surrounding development and resulting in an over-intensive use of the site and a retrograde lowering of the spatial standards to which the area is at present developed, harmful to the visual amenities and character of the area and therefore contrary to Policies H7 and BE1 of the Unitary Development Plan.

**9.7
ORPINGTON**

(12/01060/FULL5) - Tripes Farm, Chelsfield Lane, Orpington.

Description of application – Retention of 23m high temporary mast supporting 2 antennas, temporary radio equipment housing and development ancillary thereto including temporary fenced compound for a period of twelve months.

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

with the deletion of Condition 1.

**9.8
CRYSTAL PALACE**

(12/01326/FULL1) - Melbourne Court, Anerley Road, Penge.

Description of application amended to read, "Three storey extension comprising 9 two bedroom flats with car parking (including new car parking area at entrance and formalisation of other parking areas) and bicycle parking, refuse/recycling storage, new play space and landscaping."

Oral representations in objection to the application were received at the meeting. It was reported that further objections to the application had been received from Anerley Park Residents' Association. It was further reported that Highways Division had withdrawn their objections with regard to parking.

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.

**9.9
WEST WICKHAM**

(12/01394/FULL6) - 58 Wood Lodge Lane, West Wickham.

Description of application - Raised patio area at rear with steps and balustrade RETROSPECTIVE APPLICATION.

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Nicholas Bennett JP., 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 set out in the report of the Chief Planner with the deletion of condition 1 and subject to the following condition:-
"1. Details of a means to screen the patio area hereby permitted shall be submitted to and approved in writing by the Local Planning Authority and the approved screen shall be installed by 30th September 2012, and retained thereafter.

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

**9.10
COPERS COPE**

(12/01569/FULL1) - 66-68 Park Road, Beckenham.

Description of application – Erection of 6 three storey four bedroom terraced houses with 12 car parking spaces, refuse storage and associated landscaping at 66 and 68 Park Road.

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

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

1. The proposal, by reason of the scale, bulk and massing of the building, would have a detrimental impact on the character and visual amenities of the streetscene, contrary to Policies BE1 and H7 of the Unitary Development Plan.

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

**9.11
PLAISTOW AND
SUNDRIDGE**

(12/01612/FULL6) - 14 Alexandra Crescent, Bromley.

Description of application - Two storey side/rear and first floor side extension.

Members having considered the report, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, for the reasons and subject to the conditions set out in the report of the Chief Planner with an amendment to the condition and reason to condition 3 to read:-

“3. The additional accommodation hereby permitted shall only be used by members of the household occupying No. 14 Alexandra Crescent and there shall be no internal alterations to the dwelling or conversion of the existing garage to form two separate, self-contained units of accommodation at the site.

REASON: In order to ensure that the accommodation is not used separately and unassociated with the main dwelling, so as to prevent an unsatisfactory sub-division into two dwellings, and to comply with Policies BE1 and H8 of the Unitary Development Plan.”

SECTION 3

(Applications recommended for permission, approval or consent)

**9.12
CHELSFIELD AND PRATTS
BOTTOM**

(11/03432/FULL6) - 205 Worlds End Lane, Orpington.

Description of application - First floor front extension. Increase in roof height incorporating front and rear dormer extensions and elevational alterations (amendment to 10/03145 to incorporate first floor rear extension instead of rear box dormer at first floor level, increase in size of rear dormers above and front dormers together with elevational alterations)
RETROSPECTIVE APPLICATION.

It was reported that Policy H9 applied to this planning application but that the policy had not been breached. Members having considered the report and objections, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, for the reasons and subject to the conditions set out in the report of the Chief Planner.

**9.13
PLAISTOW AND
SUNDRIDGE**

(12/01145/FULL6) - 8 Park Grove, Bromley.

Description of application – First floor rear extension.

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

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

1. The proposed development would be detrimental to the amenities now enjoyed by the residents of Number 10 Park Grove by reason of loss of light and visual impact, contrary to Policies BE1 and H8 of the Unitary Development Plan.

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

**9.14
KELSEY AND EDEN PARK**

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

Description of application amended to read, "Demolition of existing garage and erection of two storey side and single storey rear extensions."

Oral representations in objection to the application were received at the meeting. It was reported that further objections to the application had been received

together with a letter from the Agent. Comments from Ward Member, Paul Lynch, in objection to the application were reported.

Members having considered the report, objections and representations, **RESOLVED** that the application **BE DEFERRED** without prejudice to any future consideration to seek a marginal reduction in the size of the extension.

**9.15
PETTS WOOD AND KNOLL**

(12/01455/FULL6) - 44 Towncourt Crescent, Petts Wood.

Description of application amended to read, "Part one/two storey front/side and rear extension."

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

Members having considered the report, objections and representations, **RESOLVED** that the application **BE DEFERRED** without prejudice to any future consideration to seek a reduction.

**9.16
KELSEY AND EDEN PARK**

(12/01483/FULL6) - 37 Oakfield Gardens, Beckenham.

Description of application - Single storey rear extension.

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

**9.17
KELSEY AND EDEN PARK**

(12/01486/PLUD) - 37 Oakfield Gardens, Beckenham.

Description of application - Loft conversion with rear dormer **CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT.**

Members having considered the report and objections, **RESOLVED** that **A CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT BE GRANTED**, as recommended, for the reason set out in the report of the Chief Planner.

SECTION 4

(Applications recommended for refusal or disapproval of details)

**9.18
PLAISTOW AND
SUNDRIDGE**

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

Description of application - Single storey rear extension.

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Peter Morgan, in support of the application were received at the meeting. It was reported that the application had been amended by documents received on 17 July 2012.

Members having considered the report and representations, **RESOLVED that the application be DEFERRED** without prejudice to any future decision for consideration on Section 2 of the agenda of Plans Sub-Committee 4 to be held on 16 August 2012.

**9.19
DARWIN**

(12/01407/FULL6) - Joyden, Grays Road, Westerham.

Description of application - Single storey side/rear extension

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

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

10 CONTRAVENTIONS AND OTHER ISSUES

**10.1
BROMLEY COMMON AND
KESTON**

(DRR/12/085) - Vinstrata Ltd, 4 Lakes Road, Keston - Stationing of Skip at Front of Premises.

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

11 TREE PRESERVATION ORDERS

**11.1
WEST WICKHAM**

(DRR/12/063) - Objections to Tree Preservation Order 2466 at 1 Langley Way, West Wickham.

Members having considered the report **RESOLVED that TREE PRESERVATION ORDER No 2466** relating to one oak tree **BE CONFIRMED** as recommended, in the report of the Chief Planner.

11.2
BROMLEY TOWN

(DRR/12/064) - Objections to Tree Preservation Order 2469 at 117 Ravensbourne Avenue, Bromley.

Members having considered the report **RESOLVED that TREE PRESERVATION ORDER NO 2469 NOT BE CONFIRMED** as recommended, in the report of the Chief Planner. **IT WAS FURTHER RESOLVED** that a **NEW ORDER BE MADE** to specify individual trees.

The Meeting ended at 9.04 pm

Chairman

SECTION '2' – Applications meriting special consideration

Application No : 11/03536/FULL1

Ward:
Chelsfield And Pratts
Bottom

Address : 52 High Street Green Street Green
Orpington BR6 6BJ

OS Grid Ref: E: 545578 N: 163479

Applicant : Prizegate Housing (Ltd)

Objections : YES

Description of Development:

Two storey side and part one/two storey rear extensions with accommodation in roof space to create 3 x one bedroom flats, landscaping, bin storage and cycle store.

Key designations:

Flood Zone 2
Flood Zone 3
Local Distributor Roads

Proposal

This proposal is for a two storey side and part one/two storey rear extensions with accommodation in the roof space to create 3 x one bedroom flats, landscaping, bin storage and cycle store. The side extension would involve an approximately 3.5m wide 2 storey side/rear extension which would have a maximum depth of 12.25m. The single storey rear element of the proposal would have a maximum depth of 4.8m.

Location

The application site is currently comprised of an end of terrace two storey property with accommodation in the roofspace. The property is vacant but appears to have once contained a commercial unit on the ground floor with residential accommodation on the upper floors. The application site is located to the west of High Street and is within a Flood Zone 2 and 3. Properties to the south of the application site along High Street are primarily residential in character with those to the north being of a commercial in nature.

In response to concerns raised by the Highways Division additional information was requested on 4th July 2012 which was subsequently supplied by the applicant on 24th July 2012 to address these concerns.

Comments from Local Residents

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

- the Green Street Green Village Society comments on the application and stated that the existing building is an eyesore which has been painted and as such is not in keeping with the well designed group of cottages. The current proposal would be detrimental to the symmetry of the design. If permission were to be granted a condition should be attached to remove the paint and restore the original appearance. Concerns about parking and traffic implications of a major building project on the site opposite a bus stand and a garage.
- proposed extension will negatively impact on the open character of the street scene and accentuate terracing effect diminishing historical character of street.
- removal of off street parking at No. 52 will increase demand on parking in the area for Nos. 56 and 54 which is currently limited due to yellow line restrictions and over-congested.
- scale of the proposal is too large. Other flint cottages have previously constructed single storey extensions in keeping with the original character and layout of the buildings. Proposed extension would detrimentally affect visual appearance and character of the cottages and the streetscene.
- other flint cottages are occupied by single families and it is suggested that a maximum of 2 flats with single storey extensions as opposed to 3 flats with two storey side extension would be more appropriate to overall appearance and amenities of the area.
- concerns as there are already issues with blocked drains in the area.
- concerns relating to loss of light and privacy and impact on party wall of No. 54.

Comments from Consultees

The Council's Highways Division were consulted and initially raised concerns in relation to the proposal and stated there appears to be an off-street space adjacent to the property where a vehicle had been parked. However, there is no dropped kerb and one is unlikely to be allowed to install a dropped kerb in this location and as such it is considered that the property has no existing parking. There would a net increase of 2 one-bed flats with the proposal. The existing ground floor use could also generate trips/parking. The increase in vehicles associated with site is therefore likely to be small, probably 1 or 2 at the most.

The site is within a low (2) PTAL area so it is not in a particularly accessible location for public transport and there must be a likelihood that future residents will own a car. It is considered likely that residents would look to park their vehicles as close to the property as possible and the site appears to be in the narrowest part of the High Street.

The area has a high demand for on-street parking and an Accessibility and Parking Study was submitted as part of the application, which included the results of a

number of parking surveys in the area. Concerns were raised by the Highways Division as to the methodology of the study to which the applicant responded. In relation to the revised information the Highways Division state the survey shows there are a number of parking spaces available, well in excess of any vehicles likely to be generated by the development, and that on balance given the small nature of the development it is not considered that there is any sustainable ground of refusal.

The Council's Waste Advisors stated more recycling boxes are required in accordance with the Notes for Developers. No objections are raised to the storage but must be brought to the front of the property on the day of collection.

The Council's Highways Drainage Section was consulted who stated the site is located within the Flood Plain of the River Ravensbourne or one of its tributaries, therefore this application must be registered to the Environment Agency Thames Region. The most likely source of flooding for the site is from groundwater and as such a soakage test is necessary to confirm the suitability of the soil for infiltration.

The Council's Environmental Health Housing Division have assessed the application in terms of its compliance with the Housing Act 2004 Part 1 (Housing Health and Safety Rating System) and raise concerns that in terms the ventilation and lighting to be provided for ground floor flat bedroom. The ventilation requirement for this room is 0.8 m². External doors are not included when calculating a room's natural ventilation provision. Unlike an external window an external door can not be left open to provide natural ventilation without compromising the property's security and in winter time allowing excessive heat loss. The French doors/window complex will need to include opening windows with an area of 0.8 m². In terms of proposed ground/first floor flat lounge with a floor area of approximately 14 sq m the ventilation requirement for this room is 0.7 m². The French doors/window complex will need to include opening windows with an area of 0.7 m². The proposed first/second floor flat lounge is approximately 14 sq m and the casement window to the lounge is approximately 1 sq m of which 0.5 m² is openable. The requirement is 1.4 sq m of which 0.7 sq m is openable. This does not provide adequate natural light or ventilation to the room.

In terms of the space to be provided the proposed ground floor kitchen floor area is approximately 5.75 sq m while the recommended minimum floor area for a kitchen is 6.5 m². The proposed ground/first floor flat kitchen would have a floor area of 4 sq m which again is less than the 6.5 sq m as advocated by the Housing Act 2004.

In terms of the bedroom to be provided in the roofspace for flat 2 a bedroom or living room in an attic or loft conversion must have at least half the floor area with a ceiling height of at least 1.9m. Whilst there is no minimum ceiling height for the room's remaining floor area, any ceiling height below 1.5m will not be included as part of a space assessment (is not useable floor area). In this instance the useable floor area is approximately 5.25 sq m (discounting the floor area with a ceiling height below 1.5 m high). It is reasonable to assume the intended and future occupation of the one bedroom flat is likely to include cohabiting adults who will share a bedroom. The bedroom should, therefore, have a floor area of at least 10 m² so as to avoid overcrowding.

In addition, concerns were raised as the proposed flats appear to lack internal facilities for drying clothes (i.e. tumble drier or drying cabinet) which are considered to be hazardous in terms of damp and mould, personal hygiene and fire.

The Environment Agency have been consulted and state the proposed development will only meet the requirements of the National Planning Policy Framework if the measures outlined in the accompanying Flood Risk Assessment are complied with, which should be secured by way of a condition.

Thames Water raise no objections in relation to water or sewerage infrastructure.

The Metropolitan Police Crime Prevention Design Advisor states no records can be found that the applicant or agent consulted the Metropolitan Police in connection with the application and no details appear to have been provided for plans to incorporate measures that will be employed to meet the Secure By Design (SBD) Standards to reduce and prevent criminality. The application should however, be able to achieve SBD accreditation in respect of part 2, within the guidance of 'SBD New Homes 2010' and by incorporating accredited, tested, certified products, subject to conditions.

Planning Considerations

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing
- H9 Sidespace
- H12 Conversion of Non-Residential Buildings to Residential Use
- S5 Local Neighbourhood Centres, Parades and Individual Shops
- T3 Parking
- T18 Road Safety

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

and the London Plan:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.12 Flood Risk Management

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

Planning History

In 2003 under planning ref. 03/04004/ADV, advertisement consent was refused for 2 internally illuminated fascia signs.

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 terms of the design of the proposal Nos. 52 – 58 are a row of flint finished terrace properties which have an established uniform design. While the addition of the two storey side extension will alter the rhythm of the design, the proposal would have a lower roof height than the existing property and would be set back 1m from the principle elevation at a ground floor level, 2m at a first floor level, which results in the extension appearing subservient to the host property. As such it is not considered that the proposal would be unduly detrimental to the overall appearance of No. 52 nor appear incongruous in the streetscene.

As the proposal would result in the loss of a commercial unit Policy S5 is considered to be a key consideration in the determination of the application, it states:

“In local neighbourhood centres and shopping parades change of use from Class A1 (Shops) to other uses will be permitted provided that:

- (i) the use proposed contributes to the range of local services or the provision of local community facilities: and contributes to the vitality of the centre by providing a service or attracting visitors during shopping hours; or
- (ii) it can be demonstrated that there has been a long term vacancy and a lack of demand for Class A1 (Shops) use, as well as a lack of demand for service or community use before other uses are proposed”.

In this instance it has not been demonstrated that there is a lack of demand for Class A1 (Shops) or for service or community uses at the site, with no marketing information received. The accompanying Design and Access statement states “the property has been vacant and derelict for a substantial period of time. At one point, ground floor premises were in commercial use but they have been redundant for in excess of four years and have become more and more dilapidated during this period of vacancy”. The application site is an end of terrace property within a row of residential dwellings with this section of the high street being primarily residential in nature. The application site is neither primary nor secondary shopping frontage and as such the loss of a commercial unit is considered to be acceptable in this instance.

The proposal would involve a single storey rear extension with a maximum depth of 4.75m which would be 4.08m closest to the boundary with No. 54. No. 52 is located to the south of the application site and has an existing single storey rear element, which may be original, and conservatory extension. The proposal would involve the removal of a single storey element with a greater depth than that proposed (approximately 6.2m in depth) and as such this element of the proposal

is not anticipated to result in a significant impact on the residential amenities of No. 54. The first floor element of the proposal would be a minimum of 3.85m and maximum of 5m in depth and would be set back from the boundary with No. 54 by approximately 4.3m and as such is not anticipated to appear unduly dominant or result in a significant loss of prospect for No. 54.

The proposal would be sited a minimum of 1m from the flank boundary with 50, which satisfies the requirements of Policy H9. No. 50 is a commercial premise which has previously constructed a 'wrap around' single storey side/rear extension. The first floor element of the proposal would project approximately 5m beyond the rear elevation of the main building at No. 50 with a 1m side space provided to the flank boundary. The main property at No. 50 would be sited a further 3m from the boundary resulting in a total separation some 4m. Given this distance between the flank elevations, on balance the proposal is not anticipated to result in a significant impact for the first floor of No. 50 to such an extent as to warrant refusal.

A minimum distance of 8.2m would be retained from the rear elevation of the proposal to the rear boundary which is less than the 10m generally required. Members are asked to consider with this would be acceptable given the relationship with adjoining properties.

The proposal would provide approximately 90.75 of amenity space (including space provided for bin storage and secure cycle store) which is considered to be satisfactory for the type of accommodation proposed, with future occupants likely to be individuals or couples as opposed to families.

In terms of the residential amenities proposed for future occupants Flat 1 would provide 53.8 sq m of internal floorspace which is above the minimum space standards of 50 sq m for a 1 bedroom 2 person flat as required by Policy 3.5 of the London Plan. Flat 2 is proposed to be 65.8 sq m and Flat 3 would be 59.3 sq m which again meets the London Plan requirements for a 1 bedroom 2 person flat. Additional concerns are raised as to the quality of accommodation to be provided by the Environmental Health Housing Division, however, it is not considered that the application could be refused solely on this basis. Were Members to consider it appropriate a condition could be attached requiring the submission of details and where necessary revised internal plans to be submitted to an approved in writing by the Local Planning Authority prior to work commencing on site to overcome these concerns.

On balance and 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. In addition, it is considered that the loss of a commercial unit is acceptable in this instance.

Background papers referred to during production of this report comprise all correspondence on file ref. 11/03536, excluding exempt information.

as amended by documents received on 24.07.2012

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
ACA04R Reason A04
- 3 ACA07 Boundary enclosure - no detail submitted
ACA07R Reason A07
- 4 ACC01 Satisfactory materials (ext'nl surfaces)
ACC01R Reason C01
- 5 ACC03 Details of windows
ACC03R Reason C03
- 6 ACD02 Surface water drainage - no det. submitt
ADD02R Reason D02
- 7 ACD04 Foul water drainage - no details submitt
ADD04R Reason D04
- 8 ACH22 Bicycle Parking
ACH22R Reason H22
- 9 No windows or doors shall at any time be inserted in the first floor flank elevation(s) and above of the extension hereby permitted, without the prior approval in writing of the Local Planning Authority.
ACI13R I13 reason (1 insert) BE1
- 10 ACI09 Side space (1 metre) (1 insert) full height and width of the northern
ACI09R Reason I09
- 11 ACI21 Secured By Design
ACI21R I21 reason
- 12 ACK01 Compliance with submitted plan

Reason: In the interests of the residential amenities of neighbouring properties, and the visual amenities of the area in line with Policy BE1 of the Unitary Development Plan.

- 13 ACK05 Slab levels - no details submitted
ACK05R K05 reason
- 14 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) dated May 2012 by Herrington Consulting Limited and the following mitigation measures detailed with the FRA:

- Finish floor levels shall be set no lower than 150mm above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

Reason: In order to comply with Policy 5.12 of the London Plan and the National Planning Policy Framework and to ensure that the development does not increase the risk of flooding in the area.

15 Details of the measures taken to address the concerns of the Council's Environmental Health Division in terms of lighting and ventilation; crowding and space shall be submitted to and approved in writing by the Local Planning Authority and the works of conversion and extension shall subsequently be carried out in accordance with the approved details and retained as such thereafter.

Reason: To ensure a satisfactory standard of accommodation and to comply with Policy BE1 of the Unitary Development Plan.

Reasons for granting permission:

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing
- H9 Sidespace
- H12 Conversion of Non-Residential Buildings to Residential Use
- S5 Local Neighbourhood Centres, Parades and Individual Shops
- T3 Parking
- T18 Road Safety

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

and the London Plan:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.12 Flood Risk Management

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

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

- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent properties;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the loss of a commercial unit is acceptable in this acceptable in this instance.

and having regard to all other matters raised.

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

- 2 In order for the Council to fully assess whether the proposed storm water system meets Council requirements the following information is required to be provided when discharging Condition 3:
 - A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.
 - Where infiltration forms part of the proposed storm water systems such as soakaways, soakage tests results and test locations are to be submitted in accordance with BRE digest 365.
 - Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.

Application:11/03536/FULL1

Address: 52 High Street Green Street Green Orpington BR6 6BJ

Proposal: Two storey side and part one/two storey rear extensions with accommodation in roof space to create 3 x one bedroom flats, landscaping, bin storage and cycle store.



SECTION '2' – Applications meriting special consideration

Application No : 11/04004/FULL1

Ward:
Cray Valley East

Address : Bournemouth Sand And Gravel Swanley
Bypass Swanley BR8 7QH

OS Grid Ref: E: 550231 N: 168274

Applicant : Bournemouth Sand And Gravel

Objections : YES

Description of Development:

Change of use of part of existing quarry to allow for the pre-treatment of material prior to infilling by sorting/crushing to recycle any material that can be used to provide recycled aggregates for sale and the provision of associated storage bays

Key designations:

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

Proposal

This application seeks permission for a change of use of part of existing quarry to allow for the pre-treatment of material prior to infilling by sorting/crushing to recycle any material that can be used to provide recycled aggregates for sale and the provision of associated storage bays. The proposed use would cease upon the cessation of the permitted quarry use in January 2018 (extraction up to March 2017). The 'inert waste treatment facility' is permitted by the Environment Agency by virtue of a variation to the site permit which was granted in 2009.

Although the application form indicates that the works / use have not already started, it is considered that the application is, in part at least, retrospective as there is evidence that sorting and recycling has been taking place at the site recently and this is already the subject of an extant enforcement notice issued in 2003.

The proposal would involve the creation of 8 storage bays along the southern boundary of the site adjacent to the railway, near to which lorries arriving at the site would unload their vehicles to allow the contents to be processed. The bays will be 10m x 10m and 4m high, and they will be constructed on the partly restored quarry

void in 'Area B'. A section demonstrating their proposed height, as well as a plan of levels, is provided with the application, which shows that the top of the bays will sit below the top of the quarry sides.

The application was withdrawn from the agenda for Plans Sub Committee on 19 July 2012 in order that the applicant could address some of the concerns raised, in particular the matters regarding noise and dust. The report has been updated to include consideration of additional material received on 17 August 2012.

The aim of the proposal is to enable the operator to pre-treat waste brought to the site to allow any suitable material to be recycled and reused rather than it being used for landfill at the site. The supporting information explains that this will accord with the current EU Landfill Directive as brought forward by the Environmental Permitting (England and Wales) Regulations 2010. It will also be consistent with the aims of the revised Waste Framework Directive and waste hierarchy and relevant planning policies. Further information is provided in the supporting documents.

Essentially, the onsite operation will enable any waste that is not able to be treated at the point of origin to be treated before it is put into landfill, complying with environmental objectives to reduce the amount of landfill. The application documents suggest that this will open up a larger market for material to be supplied to the site and potentially result in the faster infilling of the quarry.

It is confirmed that aside from the temporary storage bays, no additional permanent infrastructure or buildings are proposed as the activity requires only mobile equipment in the form of two screeners, two crushers, one loading shovel and one 360 degree excavator. This activity has been ongoing at the site at varying scales in recent years and some of the equipment mentioned above can be seen in aerial photographs on file.

The application includes a Planning Statement, a Design and Access Statement, a Transport Statement, Environmental Scheme to Identify, Mitigate, Control and Monitor the Impacts of Noise and Dust and plans and elevations.

The applicants had previously cited Planning Policy Statement 10 (which remains extant) which states at paragraph 26 and 27: "In considering planning applications for waste management facilities, waste planning authorities should concern themselves with implementing the planning strategy in the development plan and not with the control of processes which are a matter for the pollution control authorities." and "The planning and pollution control regimes are separate but complementary. Pollution control is concerned with preventing pollution through the use of measures to prohibit or limit the release of substances to the environment to the lowest practicable level. It also ensures that ambient air and water quality meet standards that guard against impacts to the environment and human health. The planning system controls the development and use of land in the public interest and should focus on whether development is an acceptable use of the land, and the impacts of those uses on the development and use of land. Waste planning authorities should work on the assumption that the relevant pollution control regime will be properly applied and enforced."

However, following the previous withdrawal from committee an updated letter with an accompanying Environmental Scheme has been received from the applicant's consultants in response to concerns raised by the Council that it would not be possible to exclude noise or dust problems based on the submitted information. The letter explains that notwithstanding the applicant's views regarding the need for such assessments and the likely impact of the proposal, a specialist environmental consultant has been commissioned and has reviewed all of the information regarding noise and dust and produced an 'Environmental Scheme to Identify, Mitigate, Control and Monitor the Impacts of Noise and Dust.' This document sets out the procedures to be adopted and measures to be taken to identify, mitigate, control and monitor the environmental impacts from the site.

In relation to this point, Members will note additionally that the Council's Environmental Health Officer (subject to any further comments received following receipt of further information) has commented as follows: "I have considered the above application. All existing planning conditions relating to dust suppression, noise control and times of operation of the site should continue to apply. The process is Environment Agency Permitted which covers noise and other environmental issues. I understand the proposed activities will require a permit variation which gives the EA an opportunity to consider any necessary further environmental controls. We do not propose any duplicate controls through the planning system."

Location

The site is situated between the A20 Swanley Bypass (east), a railway line (south), open agricultural land (north) and a woodland known as Bourne Wood which is a Site of Importance for Nature Conservation (west). The site is located on the eastern edge of the Borough and residential properties in Sevenoaks District Council are situated on the opposite side of the A20. The site is within the Green Belt and other land to the west of the A20 is generally undeveloped and open in character.

The site has a vehicular access onto the A20 and is a working quarry, with extensive excavations across the site and with several buildings and structures and a significant amount of plant and machinery stored. An additional vehicular access has been formed from the rear of the site onto the public footpath FP170.

Comments from Local Residents

A number of objections have been received from local residents. The issues raised are summarised below:

- noise pollution from the site spoils enjoyment of garden and this will increase
- dust / air pollution will increase with additional vehicles and activity combining with the higher than average pollution from the A20
- use of access to Hockenden Lane should be prevented by condition
- owner has no regard for legal requirements or the countryside

- proposal will be harmful to the character and visual amenities of the area and the openness of the Green Belt given the wide visibility of the site
- predominant wind means that Swanley is mainly affected by this site and often in the summer windows have to be closed
- light pollution from the site
- the site has become more and more commercial despite being in the Green Belt and residents of Crockenhill are blighted by the constant noise, dust and visual impact
- the quarry is an eyesore visible from Green Court Road and the A20
- this proposal represents an intensification of the use of the site which will result in additional noise and visual impact on local residents

Swanley Town Council object to the application as it will have a greater impact on the Green Belt, will cause additional noise and dust and potential land pollution, will increase traffic on the A20, and demonstrates that the applicants have no desire to cease the use of the land by January 2018.

Crockenhill Parish Council strongly object on the basis of noise from crushing equipment which will potentially persist all day when the quarry is in operation, that the proposal will have a visual impact on the openness of the Green Belt, it will result in increased traffic and that a similar application was previously refused.

CPRE Protect Kent have commented that the proposed operations will have a serious environmental impact on the neighbouring village of Crockenhill and raise concerns that the owners have a history of not complying with the environmental regulations upon which they rely to justify the proposal.

Comments from Consultees

The Environment Agency has no objection to the proposal on planning grounds but do offer advice to the applicant regarding drainage concerns, and state that a variation to the current permit is likely to be required including permission for the new storage bays and materials storage and a revised risk assessment. The proposed recycling area should not interfere with the restoration of the site.

The Council's Environmental Health Officer (EHO) has commented that all existing planning conditions relating to dust suppression, noise control and times of operation of the site should continue to apply and that the process is Environment Agency (EA) Permitted which covers noise and other environmental issues. The proposed activities will require a permit variation which gives the EA an opportunity to consider any necessary further environmental controls. We do not propose any duplicate controls through the planning system. Further consultation with the EHO has been carried out following the receipt of a number objections relating to noise, dust and air quality and further correspondence between the Council and applicants on this matter. Any further views will be reported verbally.

Sevenoaks District Council have objected to the application as insufficient information has been submitted to demonstrate that the extended operations would have no greater harm upon air quality within the adjacent designated A20(T) Air Quality Management Area (AQMA) and that no greater harm to amenity of nearby

existing and future residents from poor air quality and noise, with particular regard to housing allocation land at Cherry Avenue, Swanley.

Kent County Council (KCC) support the application and state that the application would be supported by the Waste Framework Directive (2008 98EC) and the National Waste Strategy 2007 supported by Policies 5.15 and 5.16 of the London Plan 2011. KCC consider that the proposed development would help the site remain competitive by attracting waste to the site which in turn would help the restoration of the mineral workings, according with the KCC Minerals and Waste Core Strategy. KCC also consider that the site is in a good location to intercept London waste going into Kent which would enable London to process waste produced within London rather than exporting it to Kent and other areas which would help ensure that London reaches its objectives of sustainable development. It is further considered that the proposal would assist in reducing the distance that waste would travel to management facilities. They confirm that Kent Highways Authority has no objection.

Network Rail has no observations on the proposal.

The Council's Highways Engineer comments that the continuing issue from the highway point of view relates to now unlawful obstruction/damage to the surface of the original route of Footpath 170. The temporary diversion order expired in July 2011 and no alternative legal measure has been applied for, although the Transport Statement (TS) suggests that an application is pending. It does not say, however, why there has been a delay with this.

As such enforcement action may have to be considered by the Council and an informative regarding this is requested.

This proposal is based on 50% of material being recycleable, but the TS acknowledges that it is possible for this to be as high as 75%. No justification has been given for using the assumption of 50% and reference is made to the reduction in trips should the level be lower, but no acknowledgement is made of the increase that might occur if it is higher. At 50%, the suggestion appears to be that trips could increase from the current average of 64 per day by anything between 120 and 200 extra trips per day. This seems significant to me and I consider that the Department for Transport and TfL should be consulted on this application. It certainly makes it essential to ensure that the vehicles associated with this proposal do not use local roads, particularly Hockenden Lane, and so at the very least a Construction Management Plan should be required via standard condition H29. This should be reinforced with a further condition requiring all vehicular access/egress to be from/to the A20.

The suggestion is that staff numbers would increase from 10 to 15 and that parking would be in accordance with Council standards. It is suggested that at least 15 spaces should be provided. No detail for parking is provided and so condition H02 would need to be applied. It would also be helpful if clarification could be sought on the information included in the application form which seems to suggest that parking provision on the site would be reduced by 12 spaces.

The Highways Agency (who control the A20) offer no objection to this proposal.

The Council instructed a specialist Minerals Consultant who has previous experience of this site to comment on the application proposals. The full advice is on file, and is summarised as follows: Concerns are raised that the application does not include a noise or air quality impact assessment by suitably qualified professionals and there is therefore nothing within the application which would enable the Council to judge whether such impacts will be acceptable. It is considered that there may be a cumulative impact of the existing and proposed operations, despite the fact that some recycling is already taking place. Crushing of brick, concrete etc is a potentially noisy and dusty activity and this should be properly addressed before the application is considered.

The report continues to say that it is reasonable to assume that there is a demand for the proposed activity at the site, although often the types of inert waste brought to sites like Bournewood are sorted at the point of origin. It would be important to ensure that only the waste currently allowed to be brought to the site can be sorted otherwise the overall nature and use of the site could alter, this matter is not currently addressed within the application. From a minerals point of view the consultant concludes that although such a proposal may be difficult to resist, the application is lacking in appropriate detail to consider it properly.

Following further correspondence from the applicant's Environmental Consultant the Council's consultant provided further advice in which he points out that the application site is an existing quarry and the proposal is closely linked to that use, and therefore will affect and interrelate with the minerals extraction as well as constituting a waste operation, meaning that the Council can rightly consider the application as Minerals Planning Authority as well as Waste Planning Authority.

The report disagrees with the applicant's consultant's assessment regarding how national policy and guidance requires applications such as this to be assessed, and states that the National Planning Policy Framework 2012 (NPPF) specifies that air and noise assessments should be included within a minerals application. He also points out that the applicants have cherry picked information from PPS10 which, if you continue beyond the quoted sections, points out that paragraph 29 says: "In considering planning applications for waste management facilities waste planning authorities should consider the likely impact on the local environment and on amenity (see Annex E). These can also be concerns of the pollution control authorities and there should be consistency between consents issued under the planning and pollution control regimes." (In this regard it is unfortunate that the Environment Agency have issued a permit for an activity which does not at the present time benefit from planning permission). Furthermore Annex E of PPS10 states that in testing the suitability of sites Waste Planning Authorities should consider factors which include "air emissions, including dust" and "noise and vibration".

Additionally the consultant is concerned that without any base data for noise or air quality, it will be impossible in the future to assess whether any such nuisance is being caused by the quarry or the recycling activity. It should be noted that information regarding environmental impacts has been submitted and there is no objection to the measures proposed, however it is confirmed that no base data is provided due to the fact that normal filling operations have been suspended whilst

a new lining is provided to the quarry and therefore any surveys would not accurately reflect a normal base line. The earliest it is stated that these could take place would be mid September when normal traffic flows would resume.

Planning Considerations

The application falls to be considered with regard to the following policies in the 2006 Unitary Development Plan:

T2 Assessment of Transport Effects
T3 Parking
T18 Road Safety
BE1 Design of New Development
NE2 and NE3 Development and Nature Conservation Sites
NE12 Landscape Quality and Character
G1 The Green Belt
G14 and G15 Minerals Workings and Associated Development
ER2 Waste Management Facilities

London Plan 2011 policies of relevance include:

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
7.16 Green Belt

National policy of relevance includes:

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

Planning History

Planning permission was initially granted at appeal under ref. 96/00962 in 1997 for the "Extraction of Thanet sand and restoration and re-contouring by disposal of inert waste and creation of new vehicular access." at this site.

"Details of dust suppression noise control and protection of the water course, signing changes on the A20(T) restoration and aftercare of the site, retention and protection of trees and hedgerows, trespass proof fence pursuant to conditions 06, 14, 17, and 18 of application 96/00962 granted on appeal for extraction of Thanet Sand and restoration and re-contouring by disposal of inert waste; creation of new vehicular access" were approved under reference 99/02071.

In 2000, permission was granted by the Council for some changes to the permitted scheme under ref. 00/02071 for "Variation of condition 20 of application ref. 96/00962 granted on appeal for extraction of Thanet Sand regarding restoration and re-contouring by disposal of inert waste, creation of vehicular access, the

reduction in the width of the surface berm running along the eastern boundary of the site. Erection of repair shed. Erection of security compound comprising 3m high steel palisade fence around perimeter of compound, caravan for overnight accommodation for security guard, storage container, mess hut and 2 storey office/inspection facility. Erection of 3 metre high steel palisade fence along northern boundary of the site." This was the most recent permission for the site until its expiry in January 2011.

Application ref. 00/03685 was submitted on 20 November 2000, and a duplicate application (ref. 01/00200) was submitted on 18 January 2001 for 'Use of land for the recycling of inert waste materials using one crushing machine and two screeners; the blending of the recovered aggregate with Thanet Sand to produce secondary aggregates; provision of spoil heap; and storage area for processed materials'. The former was dismissed at appeal following an appeal against non-determination, and the latter refused. The grounds for refusal (and contesting the appeal) were as follows.

1. The applicant has failed to demonstrate that very special circumstances exist to justify the grant of planning permission for a proposal which is industrial in nature and which is inappropriate development in the Green Belt and is therefore contrary to Policy G2 of the Bromley Unitary Development Plan 1994 and Planning Policy Guidance Note 2.
2. The proposal is contrary to Policies C17, C18 and G30 of the Unitary Development Plan 1994 due to the likely significantly adverse effects on residential amenities, the landscape and the surrounding rural area by reason of noise, dust, vibration and increased movements of HGV's.
3. The applicant has failed to provide information to demonstrate that the proposal will not prolong the duration of the current permission for extraction, infilling and restoration which would result in an unacceptable timescale for the approved operations , contrary to Policy G2 of the Bromley Unitary Development Plan 1994, Planning Policy Guidance Note 2 and Minerals Planning Guidance Note 1.
4. The applicant has failed to provide information to demonstrate that the proposal will not result in a safety hazard to traffic using the A20(T) which would be contrary to Policy T3 of the Bromley Unitary Development Plan 1994.

Application ref. 01/00675 was approved on 26 April 2001 for "Details of landscape scheme to security compound pursuant to condition 24 of permission ref. 00/02071 granted for extraction of Thanet Sand and restoration and recontouring by disposal of inert waste with associated access, security fencing and compound".

Application ref. 01/01377 was refused on 23 July 2001 for "Variation of condition 03 of permission ref. 00/02071 regarding extraction of Thanet Sand to enable a revised phased working."

Enforcement and Stop Notices were served on 4 April 2003 against the "material change of use of the site from excavation of sand and gravel to use for the excavation of sand and gravel and the crushing and sorting of waste materials and the stationing of two pieces of crushing machinery and one piece of sorting machinery". An appeal against these was dismissed on 20 January 2004. The notices were marked as complied with on 17 June 2004, however the breach appears to have re-occurred in recent years as can be seen on aerial photographs on file.

Replacement workshop, weighbridge, offices and parking area were permitted in 2008 under ref. 08/03444, as the area within which the original site offices were located is intended to be excavated.

Application ref. 09/02818 for an extension of time for extraction and infilling was withdrawn by the applicant in order that further discussions could take place. Application ref. 10/00657 was refused permission for an extension of time until 2018 for extraction and infilling on the basis of the harm the ongoing extraction would cause but subsequently granted at appeal subject to conditions, and this is the current permission under which the site is operating.

Application ref. 11/00140 was granted permission for Variation of conditions 1,12,13 and 16 of ref. 00/02071 and condition 1 of ref. 08/03444 to allow infilling only of existing quarry with inert waste and restoration with associated access, buildings and structures to continue/ remain until 14 January 2018.

Injunction action was authorised in September 2011 to pursue the extant enforcement notice from April 2003 against the unauthorised sorting use and associated machinery, however given the timescale since the previous dismissed appeal against the enforcement notice this action has been held in abeyance to give the applicant an opportunity to submit and have considered this current application with regard to current material planning considerations.

A Breach of Condition Notice was issued in January 2012 regarding the use of the secondary access along Footpath 170 to Hockenden Lane by quarry related vehicles.

An Enforcement Notice was issued in March 2012 against the unauthorised change of use of part of the site for the material change of use from a quarry to mixed use as a quarry and use for batching of concrete and associated materials and plant, parking and storage of plant, vehicles and machinery not required in connection with the authorised use as a quarry. The applicant had asked for an extended period of compliance until 1 July 2012. A recent site visit revealed that some progress has been made in respect of the removal of items and more are currently advertised for sale in specialist publications.

Conclusions

There are a number of key issues to be considered in the determination of this application, some of which are set out in the applicant's Planning Statement:

Appropriateness of the proposal within the Green Belt:

The applicant considers that the proposal should be considered as appropriate development within the Green Belt due to its interrelationship with the existing quarry use, which in terms of both extraction and infilling, the Inspector in the 2011 appeal considered was appropriate in the Green Belt. However, the Inspector's reasoning for this view was that extraction and infilling of a mineral site can be appropriate in the Green Belt as set out in established policies, however both these activities must by their nature take place where the mineral is found, and this is not the case with the pre-treatment of waste, which is not bound to take place at the extraction or infilling site. In the appeal decisions from 2002 and 2004, both parties and the Inspector in each case considered that processing of waste in a manner apparently identical to that proposed in this case was inappropriate in the Green Belt.

The agent has raised further points in respect of the appropriateness of the proposal in a letter received by email on 17 August 2012. In summary he refers to paragraph 90 of the NPPF and considers that the proposal can be regarded as appropriate in the Green Belt as changes of use of land should not be considered inappropriate provided that they preserve the openness of Green Belt and do not conflict with the purposes of including land within the Green Belt. He also considers that the proposed use has a clear relationship with the mineral extraction and infilling, which the Inspector in the 2011 decision considered to be an inevitable consequence of quarrying, and seen in the context of the infilling operations. He continues to explain his view that the proposal does not conflict with the purposes of including land within the Green Belt as set out in paragraph 80 of the NPPF. He accepts that the issues in relation to the fifth purpose "To assist in safeguarding the countryside from encroachment" are finely balanced, but concludes that the proposed activity could be regarded to cause no further encroachment than the already permitted quarrying and infilling, particularly as there will be little change when compared to the current operations.

It is considered that despite the case put forward with regard to the introduction of the NPPF, the conclusions reached above that the proposal is inappropriate are still valid. Whilst the NPPF does not state that changes of use of land are inappropriate, such changes of use fall into the category of development that would not be inappropriate as long as they preserve openness and do not conflict with the purposes of including land within the Green Belt. Although the agent suggests that there would be little change from the current situation, this point is limited in its usefulness since there is already a significant amount of unauthorised activity at the site including sorting and screening of material, concrete batching, unrelated vehicle parking and sales etc. Although there would be in reality a limited difference between proposed and existing, if the site were being operated in accordance with the existing planning permission and conditions there would be a significant difference between existing and proposed activities, since if this proposal were to be permitted there would be increased activity, plant and machinery, physical development in the form of storage bays, and increased vehicular movements. All of this would impact upon and fail to preserve openness.

Unlike extraction and infilling, which cannot take place anywhere other than the Green Belt if that is where the mineral is found, the sorting of materials and their subsequent sale does not have to take place at the site (although it may be convenient). It is not considered that sorting of materials for infill is an inevitable consequence of quarrying, just as the resulting retail sale of such material is also not. With regard to the purposes of including land within the Green Belt, it is not considered that the proposal complies with the fifth purpose "To assist in safeguarding the countryside from encroachment", for the reasons set out above.

It is therefore considered that this proposal is also inappropriate within the Green Belt and that in order for permission to be granted, very special circumstances to outweigh any harm caused would need to be demonstrated.

The Planning Statement does suggest such very special circumstances in the event that the Council disagree that the proposal is appropriate, and this is elaborated upon in the recent submission. These can be summarised as follows:

The proposal is necessary to facilitate the (appropriate) extraction of minerals:-
It is not considered that this is the case since the extraction of minerals and infilling would be able to take place without on site pre-treatment, although clearly it would be more convenient for pre-treatment to take place on site. Given that this statement is not considered to be correct it cannot outweigh the harm that would be caused.

The legislative requirement for waste to be pre-treated and a duty not to landfill re-useable materials:- The legislation does not require pre-treatment to take place at the site or within the Green Belt and whilst it is clear that pre-treatment is encouraged and the benefits are acknowledged, it is not considered that these benefits outweigh any harm that would occur. Waste can be pre-treated at any suitable location to meet this requirement and this activity does not need to take place at the site within the Green Belt.

Given the limited number of such sites, this proposal is unlikely to be repeated other than in exceptional circumstances:-

Whilst it is acknowledged that there are few similar sites, and that policy does encourage recycling at minerals sites, this point carries limited weight when no reason other than convenience has been provided for the need for the pre-treatment to take place at the quarry within the Green Belt rather than in another location outside of the Green Belt, and no substantive information has been provided regarding potential alternative sites that have been investigated.

The activity will be limited to the life of the quarry:-

The life of the quarry is a further 6 years from now which is a considerable period over which harm to the openness of the Green Belt will occur. Additionally there is no guarantee that, in 2018 the applicants would not present the Council with a similar situation as that in the recent application and appeal whereby extraction of the mineral has not been completed and the life of the quarry will need to be extended, which might prove similarly difficult to resist. Therefore the argument that the activity will be limited to the life of the quarry is not considered to be a

compelling one with regard to limiting harm, especially given the potential difficulty of controlling waste processed at the site to that intending to be ultimately destined for the landfill. It is not considered that this outweighs the harm that would be caused.

It is further suggested that the high environmental standards required for minerals sites will be maintained by this proposal and will assist with the restoration of the site. It is difficult to understand how increased vehicular trips and potential dust and noise creating activity would improve the environmental standards of the site. In fact this would suggest that the pre-treatment would be far better located outside of the Green Belt at an appropriate waste sorting facility.

The recent changes to landfill legislation are also cited as a very special circumstance, however whilst this does place the onus on landfill operators to recycle, nothing in any current legislation states or suggests that this should be considered a reason to locate such activity in the Green Belt. The duty does not have to be met specifically at this site, but simply before waste is put into landfill. Additionally there has been an emphasis on reducing landfill for many years and not just in recent legislation. The Inspector in 2002 (para 22) stated that the general need for recycling facilities and the site's good location in respect of the road network and major urban areas did not amount to very special circumstances. He continued "What would be needed, in my judgement, is clear evidence of an unmet need, and that this unmet need cannot reasonably be met on a site outside the Green Belt." This was despite a case being made by the appellants of other sites at that time. It is not considered that this outweighs the harm that would be caused.

The additional information provided highlights the difficulties in sorting material on some larger sites which could supply the quarry, and the likely delay in infilling the void at the quarry if the site is only attractive to some suppliers. It also points out that material may need to be transported further to alternative landfill sites if Bournemouth is unable to accept it and the environmental consequences of this. It is suggested that there are no suitable facilities nearby that could sort the waste, nor any sites available to set up such a facility.

It is acknowledged that there are some benefits associated with the ability to sort materials at this site, and that it is not environmentally desirable for loads to travel further than required, however these matters must be balanced against the harm that would be caused and are not considered to be of sufficient weight to constitute very special circumstances to allow the proposed intensification of uses within the Green Belt beyond that strictly required in connection with the mineral extraction.

Policy G14 and G15 of the UDP require that any associated development on minerals sites is essential to the viability of the proposal and that the effects of extraction and associated development are minimised. The application submission has not suitably addressed either of these policies, in particular no evidence that the pre-treatment is essential to the viability of the proposal has been provided.

In summary, the proposal is considered to conflict with Policies G1, G14 and G15 of the Unitary Development Plan, Policy 7.16 of the London Plan and guidance in

the National Planning Policy Framework 2012 in that it conflicts with the purposes of including land within the Green Belt, representing encroachment into the countryside and extending industrial activities into the countryside. The proposal is not so related to appropriate minerals extraction that it must take place at the site and constitutes inappropriate development in the Green Belt, as acknowledged by two previous Inspectors at appeal, and the very special circumstances put forward by the applicant are not considered suitably compelling as to outweigh the harm caused by this proposal and the intensification of the activities at the site.

Harm to openness and character of the Green Belt and area:

Whilst the legitimate activities at the site for mineral extraction and necessary consequent infilling were found to be acceptable in the recent appeal, a previous Inspector in 2002 considered there to be "harm beyond the definitional" caused by the additional visual intrusion over and above the permitted use of the quarry, caused by the additional vehicle movements, additional plant and machinery, and stockpiles and storage heaps. In this proposal the storage would cause further intrusion by the establishing of formal storage bays at a relatively high level within the site. The applicants views that no such visual impact would occur are therefore not accepted and it is considered that there would be actual harm caused to the openness and character of the Green Belt.

Environmental Impact:

An 'Environmental Scheme to Identify, Mitigate, Control and Monitor the Impacts of Noise and Dust.' has been submitted to accompany the application. This document sets out the procedures to be adopted and measures to be taken to identify, mitigate, control and monitor the environmental impacts from the site, although no base data is included. This document does now provide a basis on which the Council can have some degree of certainty about the management of environmental concerns.

This document addresses the issues about which concerns were previously raised by the Council, and subject to any further comments from the Council's Environmental Health Officers, which will be reported verbally, and a condition requiring adherence with the recommendations in the document should permission be granted, addresses the concerns previously raised about the lack of information on this topic.

In this regard the proposal may be considered to be acceptable with reference to Policies BE1 and ER2 of the Unitary Development Plan and 7.14 and 7.15 of the London Plan 2011 and Planning Policy Statement 10.

Highways Matters:

The applicant considers that there will be no harmful impact through additional traffic movements and this conclusion is supported by the Highways Agency, which controls the A20 and do not object to the application. The Council's Highway Engineer does question some of the calculations but does not object in principle on the basis that the appropriate Highway Authority for the A20 are consulted, and

standard conditions are imposed to ensure parking provision and access only from the A20.

On balance the proposal complies with the requirements in Policies T2, T3 and T18 of the UDP.

Conclusions

It is acknowledged that there is policy support and identified environmental benefits which would result from allowing the pre-treatment of waste at this site, however this must be balanced against the location of the site within the Green Belt, its relationship with residential properties and with regard to previous decisions and the specific circumstances of the site.

Firstly, as set out above, it is considered that the proposal would be inappropriate in the Green Belt, and the very special circumstances provided by the applicant are not considered to outweigh the harm that would be caused by the additional vehicles, activity, plant and development. Furthermore these factors would also intensify the use in a manner that would cause actual harm to the Green Belt by reason of harm to openness and character.

Secondly, there are very real concerns about the likely effectiveness and enforceability of conditions in relation to this site, and consequently whether conditions governing the use of such a facility would meet the relevant tests in the Circular 11/95. The manner in which the site has been operated in the past by the current applicants, including a number of breaches of planning and environmental controls, including planning conditions, does not provide any confidence that any conditions imposed would be complied with.

Monitoring the types of material being recycled and identifying whether they are delivered to the site for sorting prior to landfill (or whether they are arriving simply to be sorted and resold), and ultimately preventing the recycling becoming a separate use and profitable interest in itself would be extremely difficult for the Local Planning Authority. In the circumstances, which are that the proposal could not be acceptable without conditions governing the nature of the pre-treatment facility, it would not be appropriate to grant permission subject to conditions which would not meet the tests in Circular 11/95 in that there would be doubt that such a condition would be enforceable. This adds weight to the conclusion that permission should not be granted.

Twice Planning Inspectors have come to a clear conclusion that the proposal to pre-treat waste is unacceptable at this site. In both instances it was concluded that the proposal was inappropriate in the Green Belt and that there was additionally actual harm likely to be caused by reason of the additional development, vehicles and plant which would be required. The designation of the land as Green Belt and the general nature of the proposals has not changed since these decisions, nor has policy insofar as it relates to the Green Belt or the general thrust of environmental and waste policies.

Suggested benefits around attracting increased deliveries to the site are difficult to assess, since there would clearly be additional products created and sold from the pre-treatment process, some of which could compete with the Thanet Sand and potentially even slow the rate of extraction and infilling, extending the timescale of the operation.

On balance, it is recommended that permission be refused.

Background papers referred to during production of this report comprise all correspondence on files refs. 96/00962, 99/02071, 00/02071, 01/01377, 08/03444, 09/02818, 10/00657 and 11/00140, excluding exempt information.

as amended by documents received on 01.05.2012 04.05.2012 17.08.2012

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The applicant has failed to demonstrate that very special circumstances exist to justify the grant of planning permission for a proposal which is industrial in nature and which is inappropriate in the Green Belt, harmful to the openness and character of the area and therefore contrary to Policies G1, G14 and G15 of the Unitary Development Plan, Policy 7.16 of the London Plan and guidance in the National Planning Policy Framework 2012.

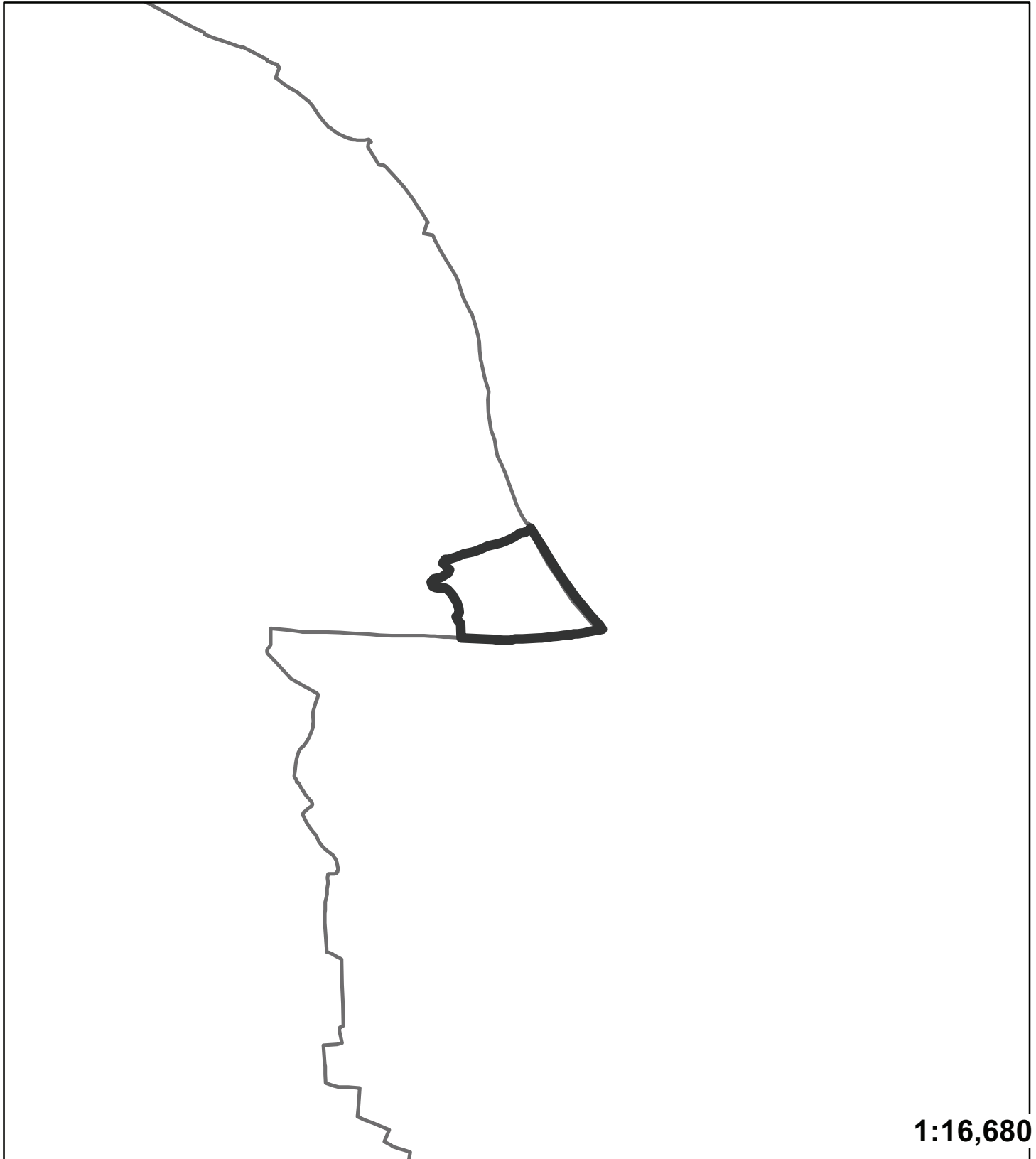
INFORMATIVE(S)

- 1 The applicant is advised that the temporary diversion order for Public Footpath 170 expired in July 2011 and that the Council has no record of any further steps being taken to address this matter, which may result in enforcement action.

Application:11/04004/FULL1

Address: Bournemouth Sand And Gravel Swanley Bypass Swanley BR8 7QH

Proposal: Change of use of part of existing quarry to allow for the pre-treatment of material prior to infilling by sorting/crushing to recycle any material that can be used to provide recycled aggregates for sale and the provision of associated storage bays



1:16,680

SECTION '2' – Applications meriting special consideration

Application No : 12/00304/FULL1

Ward:
Cray Valley East

Address : 76 High Street Orpington BR6 0JQ

OS Grid Ref: E: 546461 N: 166699

Applicant : Churchill Retirement Living

Objections : YES

Description of Development:

Three/ four storey block comprising 50 sheltered flats for the elderly including communal facilities, refuse/ recycling storage and bicycle/ electric buggy parking, with 16 car parking spaces

Key designations:

Conservation Area:

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

Flood Zone 2

Flood Zone 3

London City Airport Safeguarding

London Distributor Roads

Proposal

Members will recall that this application was deferred from PSC4 on August 16th 2012 to seek an increase in the number of car parking spaces on the site.

The applicant has submitted a statement which sets out their response to the concerns expressed by the Committee and relevant extracts are repeated below.

In addition an appeal against the non-determination of the current application within the target date has been submitted to the Planning Inspectorate.

"The site cannot accommodate additional car parking up to that number and it would be difficult to incorporate any additional car parking spaces without having a detrimental impact on the usable amenity area, making for an unsuccessful development. Furthermore, the application was supported by a robust evidence base by virtue of the Transport Statement and the Car Parking Survey. Following comments from the Highways officer further work was undertaken to clarify matters, including an additional Car Parking Study of existing Churchill Retirement Living sites which was submitted to support the application proposal. Following this ... the highways officer raised no objections to the proposal.

The client purchased the site on an unconditional basis last November and is incurring empty property costs as well as other costs with staffing and machinery which were due to be moved onto the site in due course in order to fulfil Build Programme commitments. The delays in determining the application following the overrun of the 13 week timeframe were agreed to on the basis that the application would be determined at the Committee meeting on 16 August. However, with the item deferred to increase parking provision ... my client can ill afford to delay any further and has decided to progress an appeal in order to guarantee a decision in a timely manner

We (the applicant and agent) discussed that on the basis of the debate of the Councillors at the committee there was a clear case for award of costs if they decided to pursue this parking element as a reason for refusal and I spoke of an example from another Churchill development elsewhere in the country. I attach for your information a copy of the appeal decision for a development at Warwick Road, Solihull where a similar approach to a decision was adopted by the Planning Committee, in that case we were also awarded costs."

UPDATED RECOMMENDATION

As an appeal has been lodged the jurisdiction for determining the planning application has passed to the Planning Inspectorate.

Therefore, Members are invited to consider whether they wish to contest the planning appeal or not to contest the planning appeal.

The original report submitted to Members on August 16th 2012 is repeated below.

Permission is sought for the following development

- Demolition of the existing 1970's vacant office building which ranges in height from 3.5 to 5.5 stories.
- Removal of the existing access roads into the site adjacent to 26 High Street and to the front of the existing building off the High Street .
- Erection of a building ranging from 2.5 stories adjacent to 26 Chislehurst to 3 stories, adjacent to Redwing Court to 3.5/4 stories for the remainder of the development.
- The main entrance to the building will be to the rear.
- A total of 50 sheltered flats are proposed; 31 are 1 bedroom and 19 are 2 bedroom.
- The applicant advises that the development will meet the needs of independent retired people. Based on recent research the average age of occupiers of similar sheltered schemes is 78 years. The flats are sold with a lease containing a restriction that only people over 60 years, or those over this age with a partner of at least 55 years, can live in the development.
- Additional internal accommodation comprises a guest suite, an owners lounge, a communal laundry, a plant room, refuse store. A warden will live off-site and have their own office near the entrance to the building.

- Vehicular and pedestrian access will be adjacent to Redwing Court using a shared space driveway leading to 16 parking spaces. A buggy/cycle store is shown with parking for 4 buggies and 2 cycles.
- Amenity space is provided as follows; patio space for all 12 ground floor flats, balconies for 12 flats, juliette balconies for 17 flats. This leaves 9 flats on the top floor without any balconies. In addition there is a patio area with a small green space adjacent to the owners lounge, a seating area at the junction of Chistlehurst Road and the High Street and a small green area adjacent to the northern boundary.
- To the north and east a 1.8m high close boarded fence will enclose the site. Fronting the High Street and Chistlehurst Road will be a 1.2m retaining dwarf wall with railings above.

The applicant has submitted numerous specialist reports to support the application as follows; Planning Statement, Design and Access Statement, Heritage Statement, Daylight and Sunlight Study Submission on the Provision of Affordable Housing and Financial Viability Assessment, Need for Private Housing Report, Flood Risk Assessment, Transport Statement, Parking Study, Archaeology Report, Arboricultural Report, Energy Report, Stakeholder Engagement Statement, CCTV Report, Drainage Impact Assessment and Landscape Strategy

Part of the frontage of the site lies in Priory Gardens Conservation Area and there is a locally listed building opposite, at No 59 High Street.

Location

The site is located at the north-east corner of the junction of High Street, Orpington and Chistlehurst Road.

To the north-east of the site is residential blocks at Redwing Court (part 2/part 3/part 4 stories) and Chaffinch Court (2 stories). Opposite the site to the south and east are mainly 2 storey buildings in part residential and part commercial use. These properties, and the frontage of the application site, lie within Orpington Priory Conservation Area and No 59 High Street (opposite the site) is locally listed. Beyond these properties further to the east is Priory Park which is a designated Registered Park. The entrance to this park is opposite the application site.

To the west and the north, along Chistlehurst Road, are mainly 2 storey properties with commercial uses on the ground floor and residential above for some properties and wholly residential for others.

There is a protected tree on the frontage of the site facing the High Street, which is shown to be retained.

The site lies within Flood Zones 1 and 3a.

Comments from Local Residents

Nearby properties were notified and representations were received which can be summarised as follows:

- the proposed number of car parking spaces is too low and likely to lead to overflow parking by residents and visitors
- insufficient spaces for mobility scooters
- as residents will be elderly a zebra or pelican crossing should be provided so they can access Orpington High Street
- not opposed to sheltered accommodation in Orpington but feel this proposal is in the wrong place
- building is too high and bulky and will create a visual impairment
- the building should remain in commercial use as loss of commercial at this end of the High Street will not attract shoppers and adversely affect the future of existing commercial businesses at this end of the High Street.
- loss of this commercial building to residential will be loss of key 'anchor' point use at this end of the High Street to counter balance Tesco at the other end of the street.
- loss of mature trees on the site

Comments from Consultees

The Council's Housing Officer raises no objections subject to securing the affordable housing payment in lieu contribution.

The Council's Highways Officer raises no objections from a highways and waste and recycling point of view.

The Environment Agency raises no objections providing the development is carried out in accordance with the submitted Flood Risk Assessment and recommends relevant conditions.

Thames Water raise no objections to surface and foul water measures subject to relevant conditions.

The Council's Drainage Consultant raises no objections and recommends relevant conditions. The Council's Environmental Health Officer raises no objections to the proposal.

The English Heritage Archaeology Advisor raises no objections subject to relevant conditions.

The Metropolitan Police Crime Prevention Design Advisor raises no objections

The Advisory Panel for Conservations Areas advise that the design is insufficiently distinctive for this prominent site adjacent to a conservation area. The quality of architectural design needs to be improved and the current proposal does not preserve and enhance the conservation area for present and future generation and is, therefore, not sustainable development.

Planning Considerations

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

H1 Housing Supply
H2 Affordable Housing
H4 Supported Housing
H7 Housing Density and Design
T3 Parking
T7 Cyclists
BE1 Design of New Development
BE10 Locally Listed Buildings
BE11 Conservation Areas
BE14 Trees in Conservation Areas
BE15 Historic Parks and Gardens
NE7 Development and Trees
EMP3 Office Development – redevelopment
C6 Residential Proposals for People with Particular Accommodation Requirements
IMP 1 Planning Obligations

SPD Planning Obligations

In strategic terms the most relevant London Plan policies are:

3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Quality and Design of Housing Developments
3.8 Housing Choice
3.10 Affordable Housing
3.12 Affordable Housing Targets
3.13 Negotiating Affordable Housing on Individual Residential and Mixed Use Schemes
5.1 Climate Change Migration
5.2 Minimising Carbon Dioxide Emissions
5.3 Sustainable Design and Construction
5.7 Renewable Energy
5.13 Sustainable Drainage
7.4 Local Character
7.5 Public Realm
7.8 Heritage Assets and Archaeology

National planning guidance is provided through National Planning Policy Framework 2012.

From an arboricultural point of view there is no objection to the loss the lower graded trees on the High Street frontage. The retention of the protected red chestnut tree is welcomed. Conditions relating to tree protection measures and replacement planting of good quality and size replacement trees are recommended.

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

Planning History

There are no relevant previous planning applications.

Conclusions

There are no relevant previous planning applications.

The main issues to be considered are loss of employment land, the provision of sheltered housing on the site, the level of provision of affordable housing, the acceptability of the design and appearance of the proposed building on the street scene, the impact of the building and vehicular movements on the amenities of nearby residential properties, acceptability of the realigned access and proposed refuse and parking facilities

Loss of employment land

UDP Policy EMP3 states that 'redevelopment of offices for other uses will be permitted only where: (i) it can be demonstrated that there is no local shortage of office floorspace and there is evidence of long term vacancy despite marketing of the premises, and (ii) there is no likely loss of employment resulting from the proposal.'

The applicants have submitted evidence of marketing. A Commercial Viability Report advises that the site has been on the market for 28 months with no offers for office use suggesting lack of demand. Orpington is not a principle office market and evidence shows that there is an adequate supply of offices in Orpington. The character of the area has also changed with numerous recent permissions for residential property nearby which were previously employment sites,

The proposal will result in a loss of employment opportunity. A study by GVA Grimley for the Council identifies Orpington as a secondary office location. The study suggests that office uses should be retained where possible and that future redevelopment should be concentrated on the central High Street closer to the station and around existing blocks in Knoll Rise. In addition it is felt that there is sufficient capacity within orpington to meet current demand for office floorspace.

In addition the redevelopment of the site for sheltered housing will provide an opportunity for diversification of uses in the High Street and this will support vibrancy within the town. The provision of a high quality building that could become a landmark building in the area will also contribute to the regeneration of the town centre.

On this basis it is considered that the loss of the use of the building for commercial purposes may be considered acceptable.

Provision of sheltered housing on the site

UDP Policy C6 seeks to ensure that residential proposals designed for people with particular accommodation needs provide suitably landscaped amenity space and are conveniently located for a range of local shops and service, including public transport, appropriate to the mobility of the residents.

In this case it is considered that this site, at the northern end of the High Street with excellent level access to shops and public transport, is suitable for sheltered housing. There is landscaping to the front and rear of the site and the majority of the flats have a full or Juliette balcony.

Affordable Housing and Section 106 contribution

Policy H2 seeks the provision of 35% affordable housing on all sites capable of providing 10 dwellings or more. Policy H3 allows for the affordable housing contribution to be made in the form of a payment in lieu, in exceptional circumstances.

The applicant has submitted a detailed analysis of the difficulties of making the affordable housing provision on the site and concludes that the size of the site is too restrictive, with only one access point, to provide 2 independent buildings on the site. The report advises that it would be difficult to manage the provision of open market and affordable housing within the same building as there would still be the demand for separate amenity and parking areas and management difficulties relating to communal facilities and maintenance and service charges.

The applicant has submitted a Financial Viability Assessment (FVA) which has been independently assessed on behalf of the Council, at the developers cost. This has been submitted to identify the level of S106 contribution that the development can sustain.

Following negotiations, the applicant has offered a total contribution of £255,000. This would be split to provide £211,500 for affordable housing and £44,000 for health provision, the latter to support the future occupants of this development.

In light of the evidence submitted in the FVA and the advice provided by the Council appointed consultant it is considered that this level of contribution is acceptable.

Acceptability of the design and appearance of the proposed building on the street scene, the conservation area, the registered park and nearby locally listed building

The application site lies partly in Priory Gardens Conservation Area, opposite a Registered Park and several locally listed buildings and on a prominent site at the southern end of Orpington High Street

The existing 1970's office building has little architectural or historical merit and, as such, it is considered that the demolition of the building is acceptable. This building stands between 3.5 and 5.5 stories tall and is prominent in the streetscape.

The replacement building would stand further forward in the site than the existing building. The proposed height varies from 2.5 to 4 storeys and the building 'wraps' around the frontage, leaving the corner of the site at the junction of High Street and Chislehurst Road with a landscaped area. The site will be enclosed by a wall with railings above. The design of the building reflects local styles with the use of pitched roofs, gables and the elevations are articulated with some balconies to

provide visual interest. The materials will be brick and render with a pitched slate roof.

An existing tree on the High Street frontage, close to Redwing Court, will be retained and conditions are recommended to protect it during construction. Replacement trees are proposed for other existing trees that will be lost.

Car parking spaces, scooter storage spaces and cycle parking will be at the rear and there will be a single new vehicular access to the High Street.

Refuse and recycling facilities will be within the building close to the proposed access road. Due to the narrowness of the High Street at this point, it is proposed that refuse vehicles will reverse into the site on collection days to minimise disruption to traffic in the High Street.

It is considered that this prominent, sensitive site requires an interesting building of high quality design, using good quality materials for the building, the landscaping and the boundaries. It is considered that the proposed site layout and building will meet these requirements and would preserve and enhance the character and appearance of the conservation area. Conditions relating to materials, hard and soft landscaping and boundary treatment are recommended.

Impact on the amenities of the occupants of nearby residential properties.

With regard to the impact on the occupants of buildings that comprise Redwing Court and Chaffinch Court to the north, the proposed building will be further away and lower than the existing building. In addition there will be a new access drive that will separate the proposed and existing buildings. This is also the case for the part of the building adjacent to No 26 Chislehurst Road in that the proposed building will be lower and separated by an access road.

The building will be slightly closer to some properties opposite in Chislehurst Road than the existing building and extent almost the full length of the site. However compared to the current arrangements on the site it is considered that the impact will not be greater and the proposed building will not result in an unacceptable visual impact or loss of daylight and sunlight. This is also considered to be the case for properties opposite the site in the High Street.

Summary

In light of the considerations above it is considered that the proposed development is acceptable in terms of its appearance, siting, height, massing and site coverage. It is also considered acceptable in terms of the impact on the occupants of neighbouring properties and will make a positive contribution to the conservation area and the view of the site from the High Street.

Background papers referred to during the production of this report comprise all correspondence on file ref. 12/00304, excluding exempt information.

as amended by documents received on 02.05.2012 14.05.2012

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 AGREEMENT relating to affordable housing and health contributions

and the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
- 3 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter. The submitted drawings shall show visibility spays for the northern western boundary for the adjacent vehicle access to Chislehurst Road and these shall be approved in writing by the Local Planning Authority. There shall be no obstruction to visibility in excess of 1m in height within the approved splays except for tress approved by the Authority, and shall be permanently retained thereafter.

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

- 4 ACB06 Replacement tree(s)
 ACB06R Reason B06
- 5 ACB18 Trees-Arbicultural Method Statement
 ACB18R Reason B18
- 6 ACC01 Satisfactory materials (ext'n'l surfaces)
 ACC01R Reason C01
- 7 ACC03 Details of windows
 ACC03R Reason C03
- 8 ACD02 Surface water drainage - no det. submitt
 ADD02R Reason D02
- 9 ACD04 Foul water drainage - no details submitt
 ADD04R Reason D04
- 10 ACD06 Sustainable drainage system (SuDS)
 ADD06R Reason D06
- 11 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 12 ACH16 Hardstanding for wash-down facilities
 ACH16R Reason H16
- 13 ACH22 Bicycle Parking
 ACH22R Reason H22
- 14 ACH23 Lighting scheme for access/parking
 ACH23R Reason H23
- 15 ACH24 Stopping up of access
 ACH24R Reason H24
- 16 ACH29 Construction Management Plan
 ACH29R Reason H29
- 17 ACH32 Highway Drainage

ADH32R Reason H32
18 The design of new vehicular access to High Street shall be submitted to and agreed in writing by the Local Planning Authority. These access arrangements shall be substantially completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 1m in height within the approved splays except for tress approved by the Authority, and which shall be permanently retained.

ACH01R Reason H01
19 ACI21 Secured By Design
ACI21R I21 reason

20 ACK01 Compliance with submitted plan

Reason: In order to comply with the terms of the application and in accordance with Policies BE1 and T3 of the Unitary Development Plan.

21 ACK08 Archaeological access
ACK08R K08 reason

22 Before any works on site are commenced, a site-wide energy assessment and strategy for reducing carbon emissions shall be submitted to and approved by the Local Planning Authority. The results of this strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve a reduction in carbon emissions of 25% above that required by the 2010 building regulations. The development should also achieve a reduction in carbon emissions of at least 20% from on-site renewable energy generation. The final designs, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

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

23 The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by Mott Macdonald (Revision A date October 2011) and details of the following mitigation measures shall be submitted to and approved in writing by the Local Planning Authority and implemented in accordance with the approved plans and documents

- Finished floor levels for the proposed building footprint are to be set no lower than 52.90mAOD (see approved Flood Risk Assessment para. 4.5).

- A Flood Risk Management Plan shall be submitted which should set out provisions for safe access/egress routes in the event of an extreme event, details on registering with the Environment Agency's flood warning system, provide details on trained flood response operatives and relevant local emergency services (refer to approved FRA section 4.8).

- Surface water runoff to be managed in accordance with the principles set out within Section 5.3 and 5.4 of the approved FRA. Detailed calculation to be provided for the design of all relevant SUDS elements, including lined porous paving areas, shallow tank storage and any provisions for overland flow routes and areas of above ground storage, in order to demonstrate that

surface water run-off for all events up to and including the 1 in 100 year plus climate change event can be contained on site.

- Relevant manufacturers details on all SUDS features shall be provided within the Floor Risk Management Plan and the Health and Safety Plan Operation and Maintenance manuals.

Reason: To reduce the impact of flooding both to and from the proposed development and third parties.

24 No impact piling shall take place until a piling method statement (detailing the type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water or sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with the relevant water or sewerage undertaker. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water and sewerage utility infrastructure and in accordance with Policy 5.12.

Reasons for permission:

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

H1 Housing Supply
H2 Affordable Housing
H4 Supported Housing
H7 Housing Density and Design
T3 Parking
T7 Cyclists
BE1 Design of New Development
BE10 Locally Listed Buildings
BE11 Conservation Areas
BE14 Trees in Conservation Areas
BE15 Historic Parks and Gardens
NE7 Development and Trees
EMP3 Office Development – redevelopment
C6 Residential Proposals for People with Particular Accommodation Requirements
IMP 1 Planning Obligations

and the following policies of the London Plan 2011.

3.13 Negotiating Affordable Housing on Individual Residential and Mixed Use Schemes
5.1 Climate Change Migration
5.2 Minimising Carbon Dioxide Emissions
5.3 Sustainable Design and Construction
5.7 Renewable Energy
5.13 Sustainable Drainage

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

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding areas
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties, in relation to privacy, light and outlook
- (e) the safety of pedestrians and motorists on the adjacent highway
- (f) the safety and security of buildings and spaces around them
- (g) accessibility to buildings
- (h) the housing policies of the development plan
- (i) sustainability issues
- (j) the employment policies of the development plan
- (k) the archaeology policies of the development plan
- (l) the conservation policies of the development plan
- (m) the setting, character and appearance of the listed building
- (n) the relationship of the development to trees to be retained
- (o) the provision of satisfactory living accommodation for future residents of the flats/houses
- (p) the preservation or enhancement of the conservation area

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. The design should be in accordance with appropriate English Heritage guidelines.
- 2 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 3 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

4 Regarding the condition concerning provision of a ventilation system, the Planning Division have prepared a technical guidance note; This covers specification of :-

- the canopy or slot hood over fume generated equipment, which should be fitted with a readily cleanable grease filter
- coarse and fine pre-filters
- an insulated carbon filter unit
- installation of the system (including fan(s)) to prevent transmission of noise and vibration onto adjacent premises.

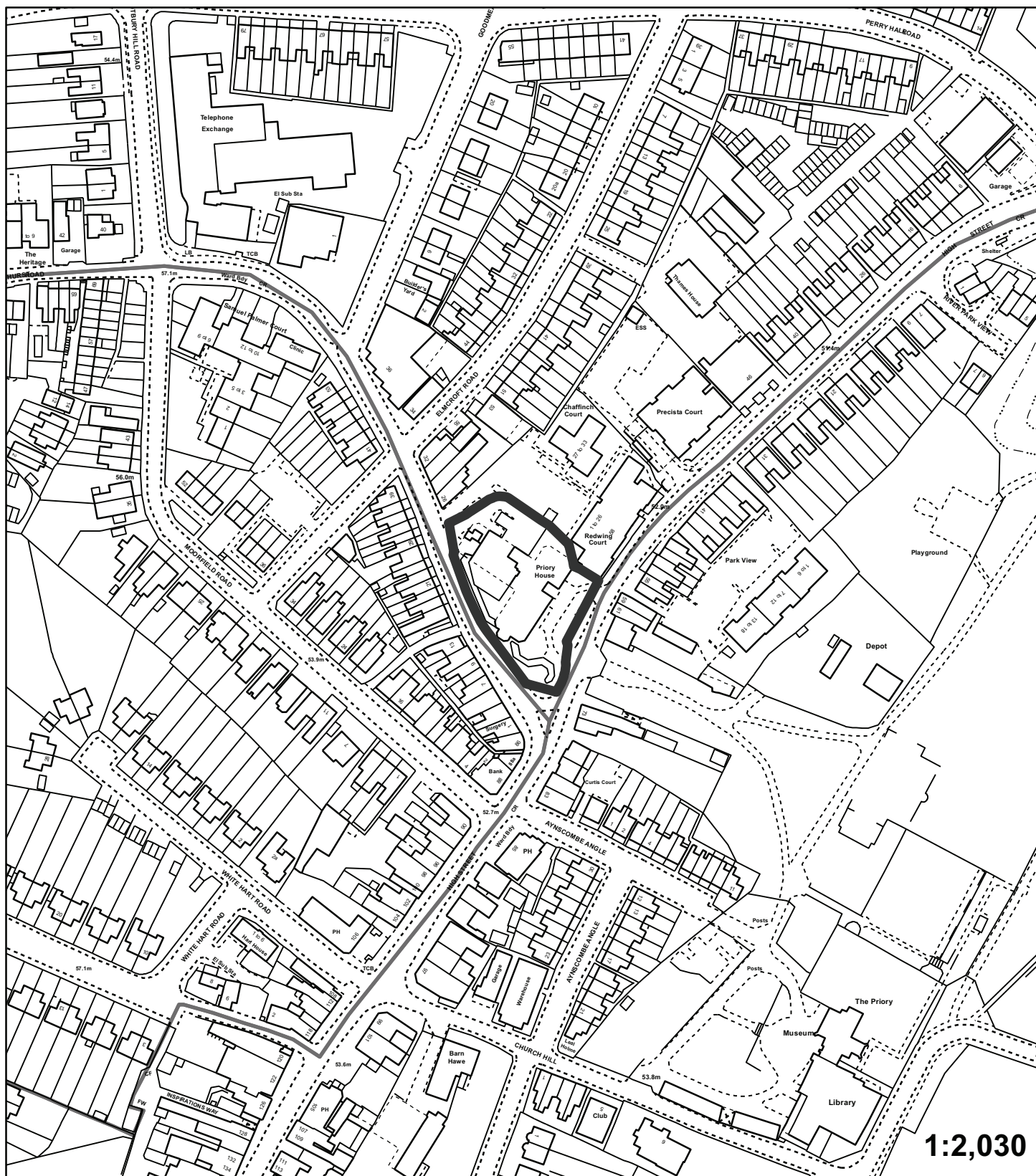
It is suggested that you may wish to seek advice from the Council's Environmental Services Division, though when you have finalised the details of the system they should be sent to the Planning Division, if possible for the attention of the planner dealing with the planning application. The Council will be concerned that the ventilation system does not have a detrimental impact on the appearance of the building and the area generally. You are advised not to install it prior to Council approval and you should ensure that you have the agreement of any other landowners or tenants onto whose property the system will be attached.

A copy of the technical guidance note can be obtained from the Development Control Section at the Civic Centre. Please write to the Planning Division at the Civic Centre, telephone 020 8313 4956 or e-mail: planning@bromley.gov.uk

Application:12/00304/FULL1

Address: 76 High Street Orpington BR6 0JQ

Proposal: Three/ four storey block comprising 50 sheltered flats for the elderly including communal facilities, refuse/ recycling storage and bicycle/ electric buggy parking, with 16 car parking spaces



SECTION '2' – Applications meriting special consideration

Application No : 12/00661/FULL1

Ward:
Petts Wood And Knoll

Address : 102 High Street Orpington BR6 0JY

OS Grid Ref: E: 546413 N: 166584

Applicant : Mr Marc Barenbrug

Objections : YES

Description of Development:

Demolition of extensions to the rear of Nos.102 and 104 High Street, erection of part two/three storey rear extension and conversion of first and second floors into 9 one bedroom flats and 2 Class B1 office units.

Key designations:

Conservation Area: Orpington Priory
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
Locally Listed Building
London Distributor Roads
Secondary Shopping Frontage

Joint report with application ref. 12/00662

Proposal

It is proposed to demolish existing single storey extensions to the rear of Nos.102 and 104 High Street, and construct a part two/three storey rear extension which would provide two Class B1 office units at ground floor level behind the existing shop units, and 9 one bedroom flats within the extended first and second floors.

Rear balconies are proposed to the 4 rear-facing flats at first and second floor levels, and a small communal amenity area would serve the flats. No car parking provision is proposed for the development, however, internal cycle parking and refuse storage would be provided.

Location

These properties are situated on the western side of Orpington High Street, and currently comprise two shop units on the ground floor with office/storage on the

floors above. They lie within Orpington Priory Conservation Area, and are locally listed.

To the south-west of the site lies The White Hart Public House which extends significantly to the rear, while No.100 High Street which adjoins the site comprises a shop unit with flats above. To the rear of the site lies a single storey car repair workshop building.

Comments from Local Residents

Concerns have been raised by a nearby resident regarding the lack of any parking provided for the development which would add to the pressure for parking in surrounding roads.

Comments from Consultees

The Council's highway engineer initially raised concerns about the lack of any on-site parking provision as there is the possibility that some future occupiers may own cars. This could be problematic due to the controlled parking in the High Street, and the subsequent high demand for on-street parking in the close vicinity. A residential parking survey was subsequently submitted, and it is accepted that the likely additional parking demand of 4/5 vehicles resulting from this development could be accommodated in nearby roads overnight.

Further concerns were raised regarding the servicing of the development due to the daytime waiting restrictions in force in the area, however, the applicant considers that servicing of the shops, offices and flats can be accommodated within the existing arrangements. Any further comments received from the highway engineer regarding this matter will be reported verbally at the meeting.

Environmental Health raises no objections in principle, while the Crime Prevention Officer recommends attaching a "Secure by Design" condition to any permission granted.

The Environment Agency raises no objections so long as the proposals are carried out in accordance with the Flood Risk Assessment submitted.

Drainage comments suggest a standard condition be imposed requiring submission of details of surface water drainage.

With regard to trees on the site, the group of three maples at the rear of the site are shown to be retained, and standard conditions should be imposed.

Waste Services comment that the size of the proposed refuse storage area is not large enough to serve the development, however, this could be dealt with by way of a condition.

Planning Considerations

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

H7 Housing Density and Design
H12 Conversion of Non-Residential Buildings to Residential Use
BE1 Design of New Development
BE10 Locally Listed Buildings
BE11 Conservation Areas
BE12 Demolition in Conservation Areas
BE14 Trees in Conservation Areas
T3 Parking
EMP3 Office Development

Planning History

There is no relevant planning history relating to the application site, but recent applications for new flatted developments have been refused for Nos.148-152 High Street (ref.11/00035, which was also dismissed on appeal) and on the site of the car repair workshop to the rear of the application site (ref.12/01562).

Conclusions

The main issues in this case are the effect of the proposals on the locally listed building and the character and appearance of Orpington Priory Conservation Area, the effect on the amenities of occupants of nearby residential properties, and the impact on parking in the surrounding area and servicing of the premises.

With regard to the principle of development, UDP Policy H12 encourages the conversion of redundant accommodation above shops into residential use, subject to achieving a satisfactory quality of accommodation and amenity. In this case, office accommodation would be lost from the upper floors, but two new office units would be provided to the rear of the ground floor shops which would offset this.

The proposals comprise only one-bedroom flats which are unlikely to provide family accommodation, therefore, the provision of balconies for the 4 rear-facing flats, and a small rear communal amenity area is considered appropriate for this town centre location. The size and layouts of the flats are considered acceptable for the needs of future occupiers.

The proposed extensions would more than double the amount of accommodation on the site, and would cover much of the rear open area with three storey development where there is currently only single storey extensions. However, the adjacent public house to the south extends significantly further to the rear at a higher level, while Nos.98/100 to the north project some distance to the rear in the form of a two storey extension. Therefore, the proposals would not appear overlarge when set in this context, and would not be considered out of character with the surrounding area.

In terms of the impact on Orpington Priory Conservation Area, the proposals are confined to the rear, and would only be visible to a limited extent from the side

between the site and the public house which is set further back from the front. The proposals would not affect the frontage of these locally listed buildings, and would not be harmful to the character and appearance of the Conservation Area.

With regard to the impact of the proposals on neighbouring properties, the extension is designed to step back from the flats to the rear of Nos.98/100 to the north-east, while the only flank windows in this elevation would be obscure glazed. There may be some impact on the outlook from side windows to the rear first floor flat at the adjacent property, but Members will need to consider whether this would be significantly harmful to warrant a refusal. The proposed rear balconies would be set further back into the site than the neighbouring flats at No.100, and would not result in any undue overlooking of these properties.

The southern part of the extension adjacent to the public house would be set back 1m from the flank boundary, with the roof hipped away, and is not considered to have a harmful impact on the amenities of the public house.

The recent proposals for the redevelopment of the car repair workshop to the rear of the site with a three storey block of flats (ref.12/01562) was refused on grounds relating to unacceptable backland development, cramped form of development, detrimental impact on residential amenity, and lack of information regarding servicing and flood risk. This case is not directly comparable as it involved a detached block of flats set close to residential properties on a backland site currently occupied by only a single storey building.

The recently dismissed appeal for flats at the rear of Nos.148-152 High Street (ref.11/00035) also comprised a detached building at the rear of the High Street buildings comprising family-sized accommodation and covering virtually the whole site. It was considered to be harmful to the character of the area and to residential amenity, lacking in family-sized amenity area with a poor outlook for future occupiers. It also lack adequate information regarding the servicing of the flats. Again, this is not directly comparable with the current proposals which are for generally non-family accommodation within an extended building.

Subject to the acceptability of the servicing arrangements, Members may, therefore, consider that the proposals constitute an acceptable form of development for the site which would not be harmful to the Conservation Area, the locally listed building, nor the amenities of nearby residential properties, and would not cause undue pressure for parking in the surrounding area.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/00035, 12/01562, 12/00661 and 12/00662, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |

- 2 ACA07 Boundary enclosure - no detail submitted
ACA07R Reason A07
- 3 ACB18 Trees-Arboricultural Method Statement
ACB18R Reason B18
- 4 ACB19 Trees - App'ment of Arboricultural Super
ACB19R Reason B19
- 5 ACC01 Satisfactory materials (ext'nl surfaces)
ACC01R Reason C01
- 6 ACC03 Details of windows
ACC03R Reason C03
- 7 ACD02 Surface water drainage - no det. submitt
ADD02R Reason D02
- 8 ACH18 Refuse storage - no details submitted
ACH18R Reason H18
- 9 ACH22 Bicycle Parking
ACH22R Reason H22
- 10 ACI12 Obscure glazing (1 insert) in the north-eastern flank
elevation
ACI12R I12 reason (1 insert) BE1
- 11 ACI17 No additional windows (2 inserts) flank extension
ACI17R I17 reason (1 insert) BE1
- 12 ACI21 Secured By Design
ACI21R I21 reason
- 13 The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment and the following mitigation measures detailed within the approved FRA:
- (i) All More Vulnerable Residential to be located on upper floors (Section 2.2)
 - (ii) Implementation of appropriate flood resilient and resistant measures where practical considerations allow within the ground floor retail and office units using the guidance contained within Approved Document C of the Building Regulations and the publication "Improving the flood performance of new buildings – Flood resilient construction" issued by the Department for Communities and Local Government in 2007 (Section 9.1).

Reason: In order to reduce the flood risks of new development.

Reasons for granting permission:

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

- H7 Housing Density and Design
- H12 Conversion of Non-Residential Buildings to Residential Use
- BE1 Design of New Development
- BE10 Locally Listed Buildings
- BE11 Conservation Areas
- BE12 Demolition in Conservation Areas
- BE14 Trees in Conservation Areas
- T3 Parking
- EMP3 Office Development

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

- (a) the impact on the character and appearance of the Conservation Area
- (b) the impact of the development on the amenities of nearby residential properties
- (c) the impact of the development on mature trees on the site
- (d) the impact on parking in the surrounding area and servicing of the premises

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

Application:12/00661/FULL1

Address: 102 High Street Orpington BR6 0JY

Proposal: Demolition of extensions to the rear of Nos.102 and 104 High Street, erection of part two/three storey rear extension and conversion of first and second floors into 9 one bedroom flats and 2 Class B1 office units.



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SECTION '2' – Applications meriting special consideration

Application No : 12/00662/CAC

Ward:
Petts Wood And Knoll

Address : 102 High Street Orpington BR6 0JY

OS Grid Ref: E: 546413 N: 166584

Applicant : Mr Marc Barenbrug

Objections : YES

Description of Development:

Demolition of extensions to the rear of Nos 102 & 104 High Street.
CONSERVATION AREA CONSENT

Key designations:

Conservation Area: Orpington Priory
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
Locally Listed Building
London Distributor Roads
Secondary Shopping Frontage

Joint report with application ref. 12/00661

RECOMMENDATION: GRANT CONSERVATION AREA CONSENT

subject to the following conditions:

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

Application:12/00662/CAC

Address: 102 High Street Orpington BR6 0JY

<BOL>Proposal:</BOL> Demolition of extensions to the rear of Nos 102 & 104 High Street. CONSERVATION AREA CONSENT



SECTION '2' – Applications meriting special consideration

Application No : 12/01054/FULL1

Ward:
Darwin

Address : Land Between 11 And 12 Curchin Close
Biggin Hill

OS Grid Ref: E: 541120 N: 161076

Applicant : Mr David Marshall

Objections : YES

Description of Development:

Detached car port at rear
RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Major Development Sites
Tree Preservation Order

Proposal

Retrospective permission is sought for retention of an existing car port. It is supported on four corners by timber pillars and it is proposed to add a corrugated roof to the existing frame. The structure provides a protective cover for four parking bays.

Location

The car port is located toward the rear of a parking lot situated approximately mid-way along Curchin Close. This forms part of an estate occupying the site of the former RAF Biggin Hill Married Quarters.

Comments from Local Residents

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

- neighbouring oak tree has already been cut back to resolve the issue of tree droppings
- roofing materials insufficient to deal with noise pollution

- proposed roof will result in noise pollution as it is hit by rain
- additional vehicle pollution
- difficult to clean
- may encourage people to congregate in area
- plans inaccurate

Comments from Consultees

No technical Highways objections have been raised.

Planning Considerations

Policies BE1 of the Unitary Development Plan applies to the development and should be given due consideration. This policy seeks to ensure a satisfactory standard of design and to safeguard the amenities of neighbouring properties.

Planning History

Planning permission for this residential development was originally approved under refs. 04/02332 and 04/02334.

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 considered that this structure serves to harm the open character of the surrounding residential estate, having resulted in development within what was originally designated to be an open parking lot. Enforcement action is therefore sought to secure removal of this unauthorised structure.

Although neighbouring concerns have been raised in relation to the design of the car port, it is not considered that this will undermine neighbouring amenity given its intended use and layout. Its purpose is to provide shelter to parked cars and it is not anticipated that this will lead to additional disturbance in the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/01054, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The car port undermines the open character of the estate, as such harmful to the visual amenities of the area and could lead to a pattern of similar development within the vicinity, contrary to Policy BE1 of the Unitary Development Plan.

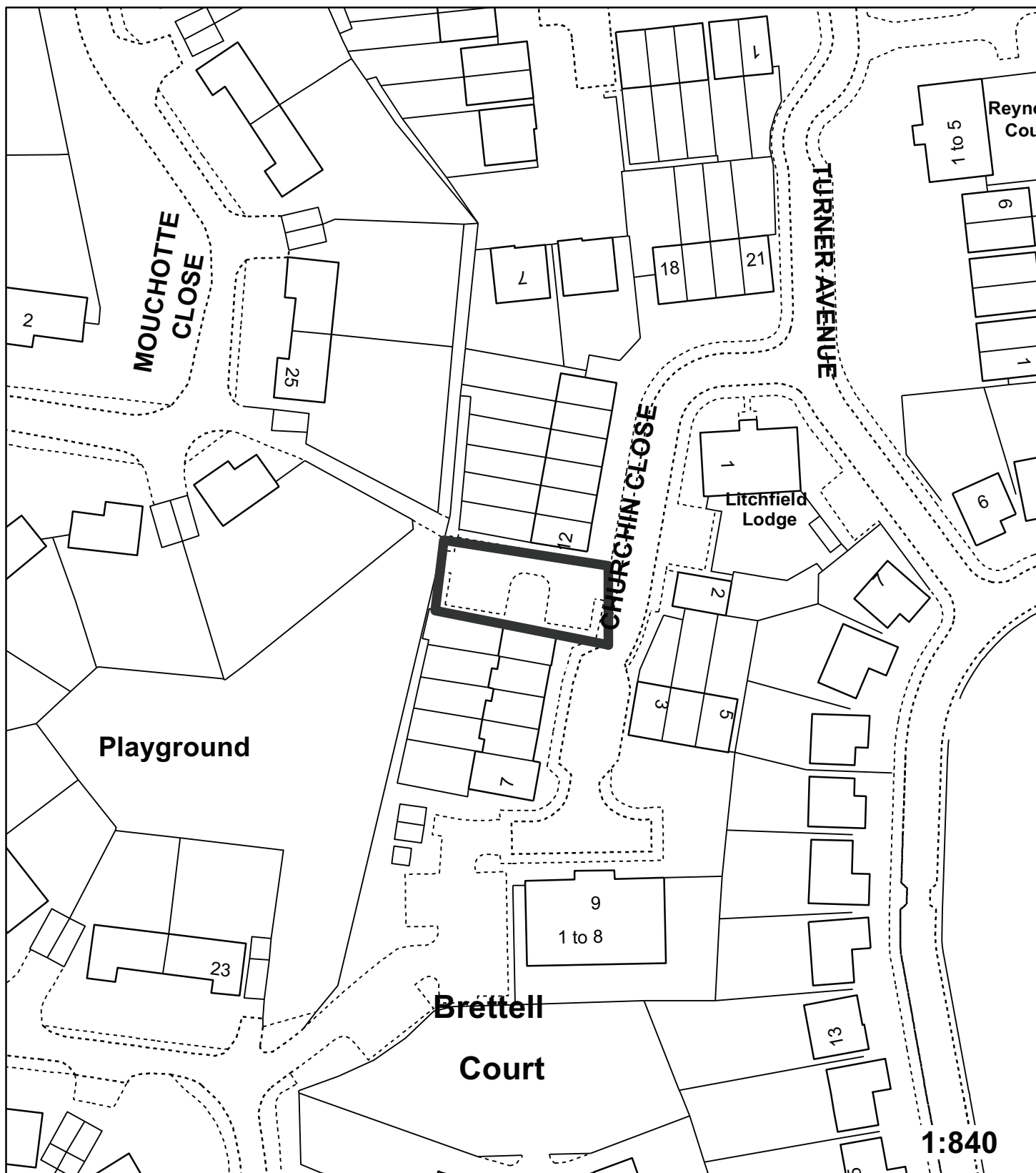
Further recommendation:

Enforcement action authorised to secure removal of this unauthorised structure.

Application:12/01054/FULL1

Address: Land Between 11 And 12 Curchin Close Biggin Hill

Proposal: Detached car port at rear
RETROSPECTIVE APPLICATION



SECTION '2' – Applications meriting special consideration

Application No : 12/01308/FULL6

Ward:
Shortlands

Address : 18 Whitecroft Way Beckenham BR3 3AG

OS Grid Ref: E: 538532 N: 168370

Applicant : Mr And Mrs Langdon

Objections : YES

Description of Development:

Demolition of detached garage and erection of part one/two storey side and rear extension

Key designations:

Conservation Area: Park Langley

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

Proposal

It is proposed to demolish a detached garage and erect a part one / two storey side and rear extension. The proposal would comprise a two storey element projecting 4.8m to the rear and extending across just under half the width of the rear elevation (4.25m). It would be sited closest to the boundary with No.16. The two storey extension would be set back approx. 2.2m from the ground floor garage element and approx.3.8m from the most forward projecting front wall. A distance of 1.7m would be maintained to the boundary with No.16. The existing eave height would be maintained however the roof ridge level would be some approx.1m lower than the main roof ridge.

Location

The site is located within Park Langley Conservation Area which is characterised by:

"Many of the individual houses make a positive contribution to the character and appearance of the conservation area. Harmonious diversity of design was a stated aim of the developers. As a result, there are very many different types and styles of houses in the estate.

Much of the character of the area is derived from a spacious layout, typical of the Garden City movement. Streets are broad and often curving: the

original designers strove to maintain at least 100 feet between the frontages of houses facing each other across the street. Mature trees remain from prior to the development of the estate. Many of the houses have extensive gardens with generous side space separating them from their neighbours."

Comments from Local Residents

Nearby owners/ occupiers were notified of the application and representations were received including Park Langley Residents Association which can be summarised as follows:

- the property has limited space to the left which is complemented by the single storey garage to the right. The proposed development would upset this balance and create a property which will occupy an excessive frontage for the site
- proposal is an overdevelopment inconsistent with policies set out in the Unitary Development Plan (UDP-) and Supplementary Planning Guidance
- the planning committee should carefully consider if such a development is reasonable in a conservation area. The proposed building may seriously impact on other neighbouring properties
- the rear element of the proposal at 4.8m in depth will dominate the site
- upper rear window is very near to the boundary of my property at No.16 and would overlook leading to loss of privacy
- proposal would dominate the side access to my property giving an oppressive feel to a space that is currently light and airy
- proposal will dominate the host building and significantly alter the spatial standards of this road

Comments from Consultees

From a Heritage and Urban Design point of view as the proposed extension would leave a side space of 1.7m and the ridge height is subservient no objection is raised subject to matching materials.

Advisory Panel for Conservation Areas (APCA) - They comment that the proposal is an overdevelopment, poor design, loss of side space, contrary to Policy BE1, BE11.

Planning History

Under planning ref. 10/01108, planning permission was refused for a two storey side extension and single storey front and rear extension. The application was refused for the following reason:

"By reason of its scale, bulk and proximity to the boundary the part one/two storey side/rear extension would result in a cramped form of development, incongruous in appearance in relation to the existing house and seriously harmful to the visual and spatial characteristics of the Park Langley Conservation Area thereby contrary to Policies BE1, BE9, H8, H9

of the Unitary Development Plan and Supplementary Planning Guidance for the Park Langley Conservation Area."

A subsequent application submitted under planning ref. 11/00034 was withdrawn following concern regarding the scale of extensions for which permission was sought.

A further application followed under planning ref. 11/01733 which sought only to regularise the retrospective elements of the proposal. This application was granted permission.

Planning Considerations

In considering the application the main policies are H8, BE1 and BE11 of the Unitary Development Plan and Supplementary Planning Guidance contained within the Park Langley Supplementary Planning Guidance.

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

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

Policy BE11 concerns conservation areas, extensions to properties within such an area will be expected to respect or complement the layout, scale, form and materials of existing buildings and spaces. This is also reflected in SPG for the area which states:

"The spacious layout of the estate does provide scope for the addition of sensitively designed extensions. However, a new extension should not dominate the existing host building or significantly alter the spatial characteristics of the road by taking up large amounts of side or front space. For this reason, the rear elevation will be the preferred location for extensions, but this does not preclude the possibility of alterations elsewhere.

New extensions should normally match the materials and finish of the host building. It will usually be appropriate to mark the new development by making it subservient in scale to the host: for example, by reducing the height of the roof ridge and marking the original exterior wall of the host building with a short return. Where houses employ details such as decorative lintels, stringcourses or window surrounds, every effort should be made to preserve the pattern and continuity of these during repairs and alterations."

Conclusions

At present there is a significant side space of around 6m separating the application property from the boundary with No.16. This gap is somewhat larger than is typical in the vicinity and therefore the principal of extending the property appears to be acceptable.

However, the main issue then is whether scale of extension is considered to be excessive and also whether or not it would preserve or enhance the character of Park Langley Conservation Area. The 1.7m side space is a reduction by just over two-thirds, however this needs to be considered alongside the factors which make this extension subservient to the main dwelling including the positioning of the first floor which is set back considerably (approx. 3.5m from the frontage, the ridge height has been lowered from that of the main roof and finally the design which complements the design of the host dwelling.

The extension projects approx. 4.8m to the rear and discernable impact would be restricted to the property at No.16. The occupants of this property have objected to the proposal on the basis that the side access to the house would become oppressive in a space that is currently light and airy. The rear upper window is also of concern to occupants of this property who consider its positioning would give rise to overlooking and loss of privacy. The proposal would reduce the amount of light to the side of the house and change the amount of spaciousness between buildings but it is considered having taken these comments into account that it would not impact so significantly on residential amenities to warrant a refusal of this application on this basis. With regard to the loss of privacy from the upper window, given the level of separation that would remain this (approx. 5m between first floor flank walls) any visibility as opposed to overlooking would be mutual and not of a direct nature.

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

On the basis of the above the proposal is on balance considered acceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/01108, 11/00034 and 12/01308, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC04
ACC04R | Matching materials
Reason C04 |
| 3 | ACI17 | No additional windows (2 inserts) flank extension |

4 ACI17R I17 reason (1 insert) BE1
AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

H8 Residential Extensions
BE1 Design of New Development
BE11 Conservation Areas

Application:12/01308/FULL6

Address: 18 Whitecroft Way Beckenham BR3 3AG

Proposal: Demolition of detached garage and erection of part one/two storey side and rear extension



SECTION '2' – Applications meriting special consideration

Application No : 12/01705/RECON

Ward:
Bromley Town

Address : Land Adjacent To 27 Gwydyr Road
Bromley

OS Grid Ref: E: 539951 N: 168874

Applicant : Hook Construction

Objections : YES

Description of Development:

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

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
Ravensbourne FZ2
River Centre Line

This case was presented to the Plans Sub Committee No 4 on the 16th August 2012. Members resolved without prejudice to any decision made that this case should be presented on List 2 of the agenda.

The report is represented on this basis:

Proposal

This application seeks the removal of condition 5 relating to planning permission ref. 11/00407 which gave consent for a detached two storey 3 bedroom house with accommodation in the roof space. Condition 5 requires that no resident of the development shall obtain a residents parking permit within any controlled parking zone which may be in force in the vicinity of the site at anytime.

Location

The site is located on the east side of Gwydyr Road; the two storey development is currently being constructed. It is located within a residential environment characterised by a mix of semi-detached, terraced and maisonette type accommodation. Restricted frontages in this location result in on-street parking with Resident Parking bays in the road. The site is located within a low PTAL area (2).

Comments from Local Residents

- limited parking – spaces at a premium
- constant obstruction to garage access
- didn't object to original development as thought parking was to be provided
- number of cars parking at Gwydyr Road is already at capacity – the number of permits should be limited to one and household should not be eligible to purchase visitor permits.
- a number of photographs have been submitted to try and demonstrate the existing parking pressure within the vicinity.

Comments from Consultees

Highways comments note that the proposal is located within Bromley Town Centre (Outer Zone) Controlled Parking Zone (CPZ) and that the development has resulted in loss of off street parking spaces (a garage and a space in front which means loss of two spaces). No off street parking space(s) have been provided, which would add to the parking stress within the area. Based on 2001 census results, car ownership in Bromley Town ward was approximately 1.04 car per household. Given the growth in car ownership levels since 2001 greater parking demand is likely to exist now. The only way to control the current parking situation in Gwydyr Road is to impose the condition.

Planning Considerations

The application falls to be determined in accordance with the NPPF, the London Plan and policies of Bromley's Unitary Development Plan:

Policy T3 Parking

Planning History

Outline planning permission, ref. 07/02923, was granted, subject to conditions, for a detached two storey three bedroom dwelling on land adjacent 27 Gwydyr Road.

Highways comments at the time raised no objections to car free housing in this location, subject to the developer entering into an agreement that the new occupiers would not be eligible for a parking permit. An informative was included on the planning decision notice advising future owners/occupiers of the dwelling would not be eligible for parking permits.

Planning permission, ref. 11/00407, was granted for the detailed development, subject to planning conditions including Condition 5 the subject of this application

Conclusions

The planning merits of the development currently under construction were considered by planning permissions refs. 07/02923 and 11/00407 and whilst representations were put forward by the applicants at the time relating to parking, no Highway objection was raised to car free housing in this location. This was however subject to restrictions; in order to address pressure on the existing parking demand in the area future residents of the development should not be eligible to apply for parking permits. It should be noted there are some 'free' (non-restricted) spaces on Gwydyr Road, which could be utilised by the future occupier(s).

Of added concern is that to allow this type of development (without the restrictive condition) is that similar developments will start applying resulting in unsustainable number of parking permits.

Members may consider that the removal of Condition 5 would add to the parking stress within the area and would be contrary to the aims of Policy T3 which seeks to avoid development which is likely to lead to parking inconvenient to other road users and be detrimental to amenities and road safety, and therefore this application should be refused.

Background papers referred to during production of this report comprise all correspondence on files refs. 07/02923, 11/00407 and 12/01705, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

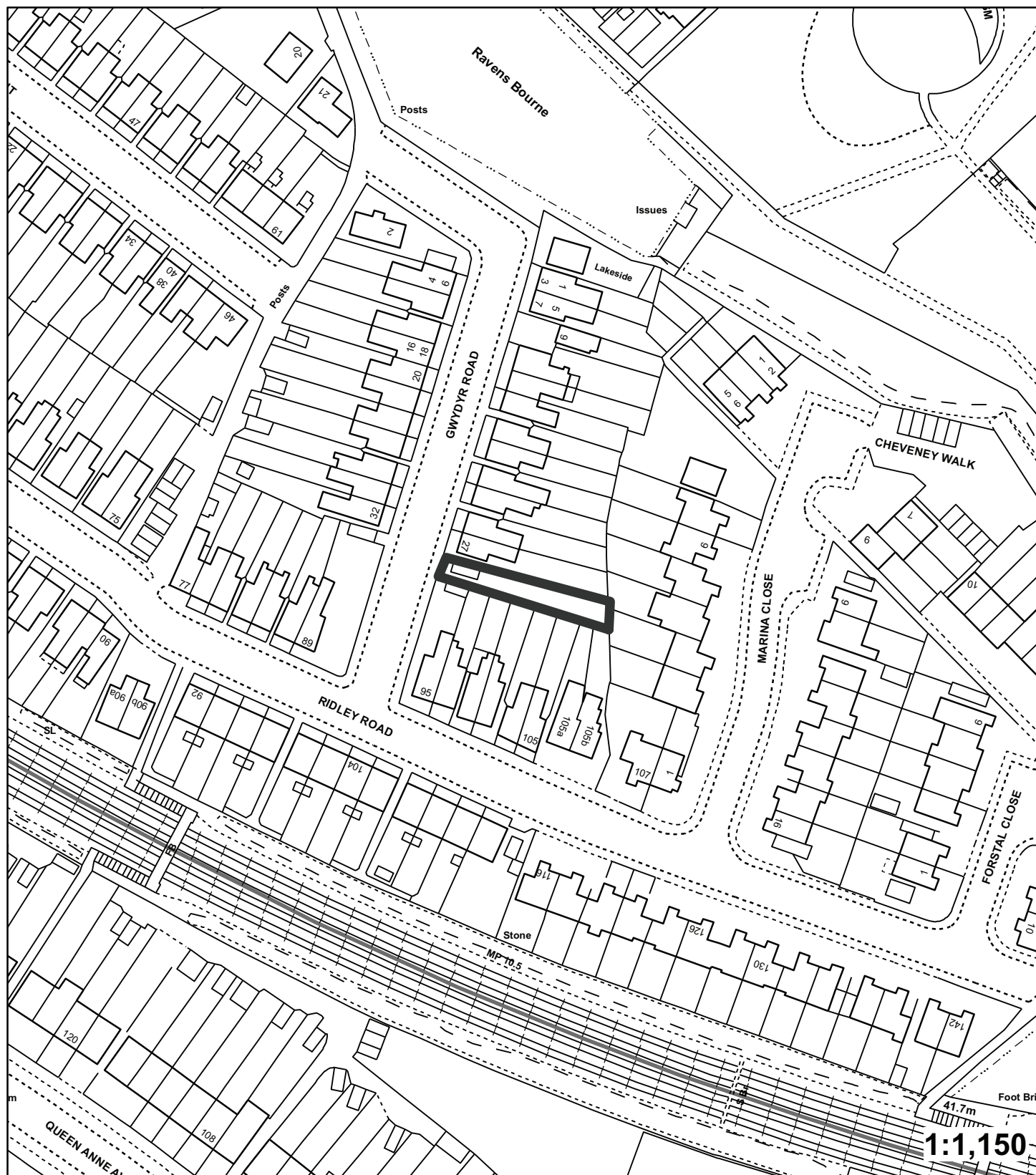
The reasons for refusal are:

- 1 The removal of Condition 5 would add to the parking stress within the area and would be contrary to the aims of Policy T3 which seeks to avoid development which is likely to lead to parking inconvenient to other road users and be detrimental to amenities and road safety.

Application:12/01705/RECON

Address: Land Adjacent To 27 Gwydyr Road Bromley

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



SECTION '2' – Applications meriting special consideration

Application No : 12/01767/FULL6

Ward:
Farnborough And Crofton

Address : 22 Grasmere Gardens Orpington BR6
8HE

OS Grid Ref: E: 543637 N: 165369

Applicant : Mr James

Objections : NO

Description of Development:

Part one/two storey side/rear extension

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
London City Airport Safeguarding
Ravensbourne FZ2

Proposal

It is proposed to add a part one/two storey side/rear extension which would measure 2.75m in width at the front of the property, increasing to 4.1m towards the rear, and would project 3m to the rear. The extension would be set back a minimum 3m from the southern flank boundary.

Location

This two storey semi-detached property is located on a corner plot on the northern side of Grasmere Gardens at the junction with Grasmere Road and Grasmere Avenue. It currently maintains a separation to the southern flank boundary of between 5.8m and 7m.

Comments from Local Residents

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

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Planning History

Permission was refused in February 2011 (ref.10/03343) for a wider two storey side extension to this property on the following grounds:

“The proposed extension would, by reason of its size, bulk and close proximity to the side boundary, result in a cramped form of development on this prominent corner site, detrimental to the visual amenities of the street scene and the character of the surrounding area, thereby contrary to Policies H8 and BE1 of the Unitary Development Plan.”

The subsequent appeal was dismissed in March 2011 wherein the Inspector considered that the proposals would cause significant harm to the visual amenities of the street scene.

Permission was then refused in December 2011 (ref.11/03134) for a revised two storey side extension which slightly reduced the width of the extension towards the rear, on the following grounds:

“The proposed extension would, by reason of its size, bulk and close proximity to the side boundary, result in a cramped form of development on this prominent corner site and would unbalance this pair of dwellings, which would be detrimental to the visual amenities of the street scene and the character of the surrounding area, thereby contrary to Policies H8, H9 and BE1 of the Unitary Development Plan.”

The subsequent appeal was dismissed in May 2012 wherein the Inspector considered that the revised scheme would still cause significant harm to the visual amenities of the street scene and to the character and appearance of the pair of dwellings.

Meanwhile, permission ref.12/00349 was granted for a single storey side/rear extension which projected 3m to the rear across the width of the house, and provided a separation of between 1-2.85m to the southern boundary of the plot.

Conclusions

The main issues in this case are the effect that the proposals would have on the appearance of this pair of semi-detached dwellings, on the character and spatial standards of the surrounding area and on the amenities of nearby residents.

In dismissing the latest appeal, the Inspector was concerned that the gap to the side of the property would be considerably reduced, and that “the proposed additional width as well as roof detailing, reducing the depth of the half hip on one end and the additional windows, would substantially unbalance the appearance of the pair of dwellings”.

The revised proposals now provide a greater separation to the southern flank boundary of this corner plot of at least 3m for the full depth of the extension, however, the number of windows and roof detailing (including the reduction in depth of the half hip to one end) remain the same. Additionally a further part one/two storey rear extension has been added, and Members will need to carefully consider whether the applicant has adequately addressed the concerns of the Inspector in the previous appeal.

With regard to the impact on residential amenity, the part one/two storey rear extension would project 3m to the rear, while the first floor element would be set back approx. 2.9m from the northern flank boundary with No.21. The adjoining property has a similar depth single storey extension immediately adjacent to the proposals, and a high party wall along the boundary, thereby limiting the effect of the proposals on the adjoining property. The proposals are not therefore considered to result in a significant loss of amenity to local residents.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/03343, 11/03134, 12/00349 and 12/01767, excluding exempt information.

RECOMMENDATION: MEMBERS' VIEWS ARE REQUESTED

- | | | | | |
|---|--------|--|----------------|----------------------------|
| 0 | D00002 | If Members are minded to grant planning permission the following conditions are suggested: | | |
| 1 | ACA01 | Commencement of development within 3 yrs | | |
| | ACA01R | A01 Reason 3 years | | |
| 2 | ACC07 | Materials as set out in application | | |
| | ACC07R | Reason C07 | | |
| 3 | ACI10 | Side space (1 insert) | 3m | southern |
| | ACI10R | Reason I10 | | |
| 4 | ACI13 | No windows (2 inserts) | northern flank | first floor rear extension |

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

Reasons for granting permission:

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

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

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

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

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

INFORMATIVE(S)

- 1 Before work commences on the extension hereby permitted you should satisfy yourself that the minimum side space to the boundary shown on the submitted drawing can be achieved. Failure to comply with the Council's requirements set out in the conditions above may result in enforcement action being authorised.

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

- 1 The proposed extension would, by reason of its size, bulk, design and close proximity to the southern side boundary, result in a cramped form of development on this prominent corner site and would unbalance this pair of dwellings, which would be detrimental to the visual amenities of the street scene and the character of the surrounding area, thereby contrary to Policies H8, H9 and BE1 of the Unitary Development Plan.

Application:12/01767/FULL6

Address: 22 Grasmere Gardens Orpington BR6 8HE

Proposal: Part one/two storey side/rear extension



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SECTION '2' – Applications meriting special consideration

Application No : 12/02052/FULL6

Ward:
Farnborough And Crofton

Address : 22 Reed Avenue Orpington BR6 9RX

OS Grid Ref: E: 545084 N: 165257

Applicant : Mr And Mrs Barnes

Objections : NO

Description of Development:

Two storey rear extension and raised patio, with balustrade and steps to rear and front canopy.

Key designations:

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

Proposal

- The proposed rear extension will have a rear projection of 3.2m and will have a width of 7.8m. The roof will be pitched with a height of 7.1m and will be lower than the main roof.
- To the rear of the house, the patio will be extended and raised and a balustrade and staircase will be provided to the lower ground at the rear. The raised area and balustrade will have a total height of 1.6m above ground level, with the patio raised by 0.9m.
- The area of raised patio will extend 3.5m beyond the rear of the proposed extension.
- The proposed front canopy will have a height of 3.0m with a pitched roof and will project 0.4m to the front of the house.

Location

The application site is on the south eastern side of Reed Avenue. The site comprises a detached two storey dwelling in an area characterised by similar detached and semi-detached development and a spacious character. The wider area is residential in character, with ample plot sizes and rear garden areas.

Comments from Local Residents

None.

Comments from Consultees

None.

Planning Considerations

Policies relevant to the consideration of this application are BE1 (Design of New Development) and H8 (Residential Extensions) of the adopted Unitary Development Plan.

The Council's adopted SPG guidance is also a consideration.

Planning History

Planning permission was granted under ref. 01/01675 for a two storey and first floor side extension.

Conclusions

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

The proposed extension to the dwelling will have a 3.2m rear projection and this is considered to be acceptable and in context with the house. The roof will be hipped and subservient and therefore the extension would not harm the character of the building or wider area. No. 24 is set further back in its plot and therefore the extension will not project significantly beyond the rear of this property (which also has a two storey rear extension) nor impact on rear windows. There are no flank windows at No. 24 that might be affected.

No. 20 will look out onto the flank wall of the extension, as the application dwelling is sited further to the rear of No. 20. The neighbouring house at No. 20 is separated from the flank boundary by the side garage and the rear windows would not suffer from a prominent and intrusive view as a result. There are first floor side windows at No. 20, one of which is a small obscurely glazed window which is likely to serve a bathroom or hallway. The second larger window serves a room which also has a rear facing window and therefore multiple sources of light serve this room. It is considered that the proposal would not result in an effect to this room that would warrant refusal, as ample light would be gained by the rear window. No serious overshadowing would occur to No. 24 which is to the north due to the set back positioning of this neighbouring dwelling.

The proposed raised patio is not considered to result in a seriously harmful impact on the neighbouring properties. The property already possesses a raised patio and its extension is not considered to result in any additional harm. No. 20 possesses a similar raised area to the rear and the opposite house at No. 24 does also. The topography of the land means that the properties have a mutual sense of overlooking that would be very difficult to prevent by way of screening conditions.

The proposed front canopy is modest in scale and will not impact harmfully on the character of the house. There are several larger examples in the immediate vicinity of the site.

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. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02052, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC07 Materials as set out in application
 ACC07R Reason C07
- 3 ACI13 No windows (2 inserts) flank extensions
 ACI13R I13 reason (1 insert) BE1
- 4 ACK01 Compliance with submitted plan

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

Reasons for granting permission:

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

- BE1 Design of New Development
- H8 Residential Extensions

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

- (a) the impact on the character of the surrounding area
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties, including light, prospect and privacy
- (c) the spatial standards to which the area is at present developed

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 The applicant is informed that the first floor flank windows indicated within original dwelling on the permitted plans do not form part of the planning permission hereby granted and the applicant should refer to the General

Permitted Development Order for details of permitted development allowances for these alterations.

Application:12/02052/FULL6

Address: 22 Reed Avenue Orpington BR6 9RX

Proposal: Two storey rear extension and raised patio, with balustrade and steps to rear and front canopy.



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SECTION '2' – Applications meriting special consideration

Application No : 12/02092/FULL2

Ward:
Copers Cope

Address : 30 High Street Beckenham BR3 1AY

OS Grid Ref: E: 537428 N: 169717

Applicant : Petreno Ltd

Objections : YES

Description of Development:

Change of use of first, second and third floors from office (Class B1) to 14 bedroom tourist accommodation on a commercial fee-paying basis (Class C1)

Key designations:

Conservation Area: Beckenham St. Georges
Areas of Archeological Significance
Local Distributor Roads

Proposal

Planning permission is sought to change the use of first, second and third floors from office (Class B1) to 14 bedroom tourist accommodation on a commercial fee-paying basis (Class C1). No on-site car parking or external alterations are proposed. There is a separate pedestrian access for the upper floors accessed via an undercroft to the south of the site.

Initially when the application was submitted it was described as 'the change of use of first, second and third floors from office (Class B1) to Bed and Breakfast (Class C1) providing 14 bedrooms associated with restaurant/café at Nos. 78 – 82 High Street'. However, after consideration the description was revised from bed and breakfast accommodation to tourist accommodation on a commercial fee paying basis (Class C1) as it was not considered that the use at No. 30 could be associated with No. 78 – 82 as this is a separate planning unit at a remote location.

The application documents include a Planning, Design and Access Statement and a Transport Assessment.

Location

The application property is a three storey property with accommodation in the roofspace with an A2 office on the ground floor which appears to be in use as an estate agent's office with the upper floors comprised of 14 rooms which are used as offices.

The application site is located within the Beckenham St. George's Road Conservation Area and within a secondary shopping frontage.

Beckenham St. George's Conservation Area is the historic core of the village and then town of Beckenham. As such, it has been occupied by built development for many centuries. Temporal and spiritual power in the form of the Old Manor, the Rectory and the Church were located there. Appropriately, it still contains the focus of the modern town: the banks, the police station, the Church, the Public Hall and the primary school. It is largely this collection of institutional, civic and community buildings that establish the character of the conservation area.

Beckenham town centre was severely damaged by bombs during World War II. The effects were profound. Several post-war developments occupy bombsites. Sadly, the design of some replacement buildings failed to take sufficient account of the form or historical development of the town. Beckenham Green, immediately to the north of the church, a densely developed area until 1944, is a lasting and now more pleasant reminder of the dramatic way in which bombardment altered the townscape. The town centre now forms part of the main retail area of Beckenham.

Comments from Local Residents

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

- over-development of the site;
- loss of employment opportunities arising from C1 as opposed to existing B1 use;
- insufficient car parking provision to meet requirements of proposed C1 use;
- potential for unauthorised change to C2 in the future.

Comments from Consultees

The Town Centre Development Team stated Beckenham is currently the subject of an urban design evaluation looking at ways to improve the public realm to ensure the town centre continues to be successful. With this in mind, development proposals that look to enhance the residential population within a town centre are seen as potentially beneficial, and can contribute positively to the success of a town, particularly the night time economy.

Therefore, the broad principle of a change of use as described is seen as a suitable use within a town centre location close to the railway/tram station. There are some concerns over the amount of rooms proposed as part of the B&B element. Given the town centre location and the proximity of rail and bus services, a car free development is seen as appropriate subject to agreement by the Highways Division. No evidence has been submitted in terms of long term vacancy of the offices and the proposal would need to satisfy the requirements of EMP3.

The Highways Division state the development is located on the southern side of High Street, Beckenham. High Street, Beckenham (A2015) is a London Distributor Road (LDR).

The Transport Statement has considered the proposed development in terms of sustainable transport provision and the additional parking demand generated by the car parking facilities available within close proximity.

The applicant states that “Guests will be advised of the car parking arrangements during the booking process and will be advised to use public transport or a taxi.”

The site is located in an area with moderate PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible). From a highways perspective it is considered that the development would not have a significant impact on the parking demand and traffic generation within the vicinity, as there are number of public car parks within walking distance of the site and accessibility to public transport is high. The occasional guest who has a car would be able to park within one of the local car parks. The ‘car-free’ development will promote sustainable transport; therefore on balance no objections are raised to the proposal.

The Environmental Health Division raise no objections to the proposal.

From a heritage and urban design perspective as no external alterations are proposed no objections are raised to the proposal.

The Advisory Panel for Conservation Areas raise no objections to the proposal.

The Metropolitan Police Crime Prevention Design Advisor raised no objections subject to the proposal meeting Secure By Design criteria which could be secured by way of a condition.

Planning Considerations

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

BE1 Design of New Development
BE11 Conservation Areas
EMP3
L11 Tourist Related Development (Changes of Use)
T1 Transport Demand
T3 Parking
London Plan Policy 4.5 London’s Visitor Infrastructure

Planning History

In 1983 under planning ref. 83/00454/ADV, advertisement consent was refused for an internally illuminated fascia sign and projecting box sign.

In 1983 under planning ref. 83/01602/ADVILL, permission was granted for an internally illuminated fascia sign.

In 1990 under planning ref. 90/02168/FUL, permission was granted for a shopfront.

Conclusions

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

The proposed use as a tourist accommodation is broadly supported in strategic policy terms. The London Plan seeks to achieve an additional 40,000 net additional hotel bedrooms by 2031, which should be located appropriately, focussed in town centres where there is good public transport access to central London and international and national transport termini. The site has a high PTAL rating, and central London and is easily accessible by train from Beckenham Junction railway station, which is a short walk from the site. From central London a range of international and national transport termini are easily accessible.

At a local level, the Unitary Development Plan provides that applications for changes of use to hotels, guesthouses and boarding-houses will only be permitted where the use is compatible with the character of the area and will not give rise to unacceptable levels of noise and disturbance to occupiers of nearby properties, and the existing floor space of the property is greater than 170sq.m. In this case, the site is located within Beckenham town centre which is mixed in character, with many late night uses in the vicinity including bars and restaurants, and the floorspace of the building exceeds the minimum specified within the policy (approximately 240 sq m). The proposed use would therefore be compatible with the area, and is not considered to result in a significant level of noise and disturbance or impact significantly on the amenities of adjoining properties.

All rooms would be in excess of 12 sq m which is considered to provide a satisfactory standard of accommodation for future customers. In addition, no technical objections were raised from an environmental health perspective.

No changes are proposed to the commercial unit on the ground floor and as such the proposal is not anticipated to detrimentally affect the vitality and viability of the shopping frontage.

The proposal would involve the loss of office space and as such Policy EMP3 is a key consideration in the determination of this application, it states:

The conversion or redevelopment of offices for other uses will be permitted only where:

- (i) it can be demonstrated that there is no local shortage of office floorspace and there is evidence of long term vacancy despite marketing of the premises; and
- (ii) there is no likely loss of employment resulting from the proposal.

The accompanying Design and Access Statement states “the upper floors of the building have a lawful B1 office use, but are currently vacant and have not been let and used for the lawful purpose since 2009, but has been marketed widely first by Mosely and recently Smith Gore have been instructed in relation to the marketing

of the property. There has not been any interest in the occupation of the offices for such purposes”.

In addition, the Design and Access Statement argues that there is a substantial amount of vacant office space, of comparable size to the application site, being marketed in the Beckenham area at present. The evidence provided demonstrates that enquiries were made with the South London Business (a commercial property search service) on 27th June 2012 which indicates that there are 12 alternate office premises between 35 sq m – 901 sq m (the application site is approximately 240 sq m). In terms of the potential loss of employment the Design and Access Statement argues that given the premises have not been used as offices since 2009 no loss of employment would result. However, to accord with Policy EMP3 evidence of the marketing of the premises should be submitted as part of the application, this has been requested from the applicant and will be reported verbally. If this information is not received Members may wish to consider this element of the application.

Regarding the impact to conditions of road safety and car parking in the area, Members will note that no car parking is proposed on the site. In view of the high PTAL rating and the accessibility to public car parks in the vicinity however, it is not considered that a significant impact on the highway network would arise.

On balance, Members may agree that the proposal is compliant with policy and that planning permission should be granted.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02092, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years

- 2 ACK01 Compliance with submitted plan

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

- 3 ACI21 Secured By Design
 ACI21R I21 reason

- 4 The first, second and third floors of No. 30 High Street Beckenham shall be used for tourist accommodation on a commercial fee-paying basis and for no other purpose without the prior approval in writing of the Local Planning Authority.

Reason: In order that the situation can be reconsidered in the light of the circumstances at that time in the interest of the amenities of the area.

Reasons for granting permission:

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

BE1 Design of New Development
BE11 Conservation Areas
EMP3
L11 Tourist Related Development (Changes of Use)
T1 Transport Demand
T3 Parking
London Plan Policy 4.5 London's Visitor Infrastructure

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

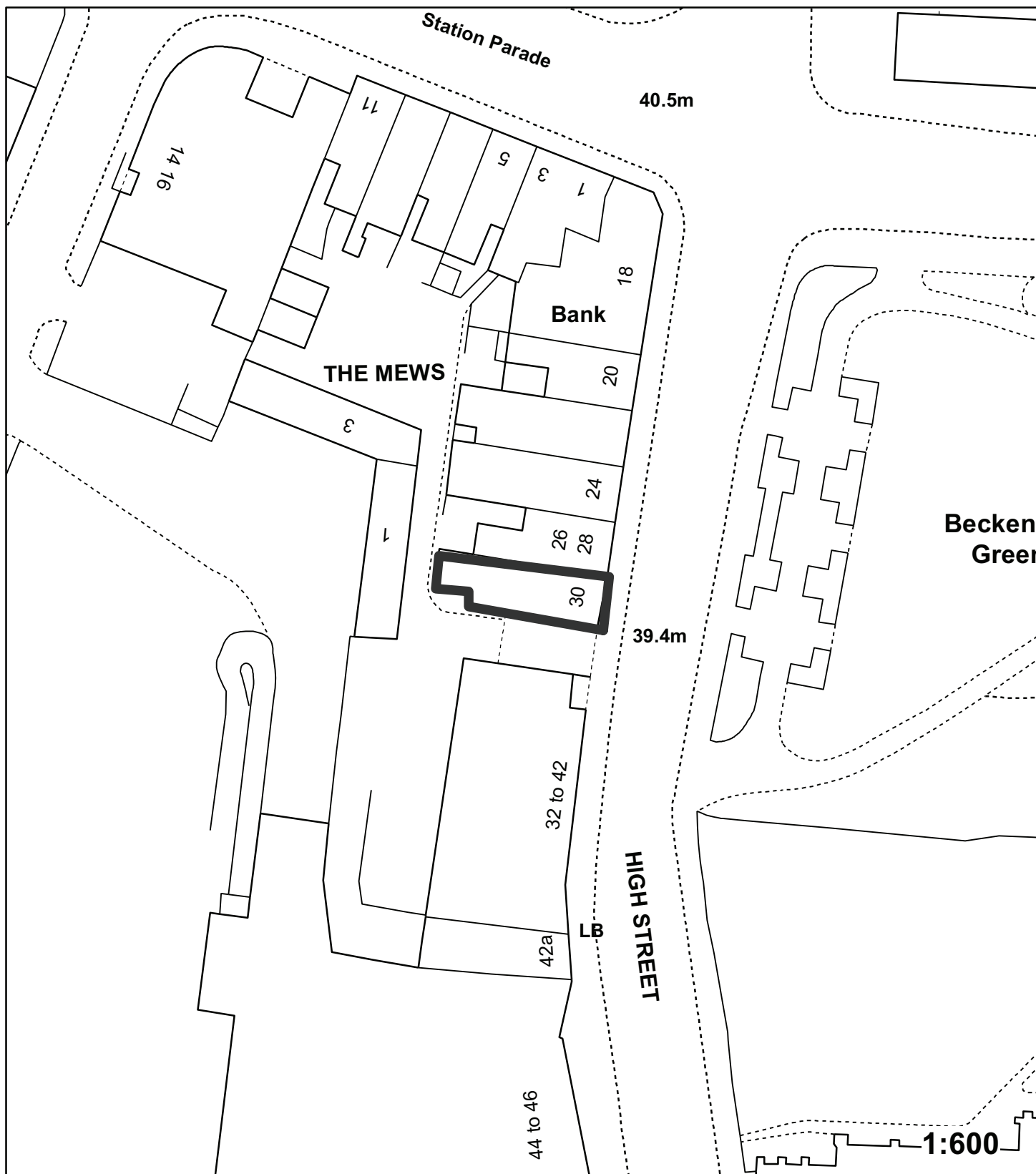
- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent properties
- (c) the town centre location of the site
- (d) the high PTAL rating and availability of public parking in the area
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (g) the conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

Application:12/02092/FULL2

Address: 30 High Street Beckenham BR3 1AY

Proposal: Change of use of first, second and third floors from office (Class B1) to 14 bedroom tourist accommodation on a commercial fee-paying basis (Class C1)



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

Application No : 12/01252/FULL1

Ward:
Copers Cope

Address : 80 High Street Beckenham BR3 1ED

OS Grid Ref: E: 537426 N: 169550

Applicant : Petreno Ltd

Objections : NO

Description of Development:

Installation of 4 rooflight windows within the rear hall and change of use of first floor of no.80 to Class C1 and partial change of use of cafe at no.82 to mixed use within Classes A3 and C1 to provide Bed and Breakfast accommodation.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads
Secondary Shopping Frontage

Proposal

Planning permission is sought for the change of use of the first floor of No. 80 High Street to Class C1 and for the partial change of use of cafe at No.82 to mixed use within Classes A3 and C1 to provide Bed and Breakfast accommodation.

The full details of the proposal are as follows:

- the accommodation will comprise a mix of 8 single and 7 double rooms to provide a total of 15, and will be split between the first floor of the main building at 80 High Street and the former billiard room at the rear
- a small 24 hour reception will be provided on the first floor, although the café located at No. 82 High Street would act as the principal reception for the B&B, where guests would also have breakfast
- no off-street parking is proposed
- the existing residential use of the upper floors of the building would remain unchanged
- 4 rooflights will be inserted to the south facing roofslope of the rear hall

An amended site and ground floor layout plan was received 2nd August 2012 to clarify the extent of the floorspace at No. 82 which will be subject to the change of use to mixed Class A3 and C1 accommodation to provide Bed and Breakfast accommodation.

The application documents include a Planning, Design and Access Statement and a Transport Assessment.

Location

The application property comprises a former private members club, which is currently vacant, located on the first floor of a three/four storey mixed use building, on the western side of High Street Beckenham. The ground floor units currently comprise 'The Big Breakfast' café/restaurant and 'Little Lebanon' restaurant.

The site is opposite the St George's Conservation Area, and has a Public Transport Accessibility Level (PTAL) of 5, on a scale of 1-6 where 6 is the most accessible.

Comments from Local Residents

Nearby owners/occupiers were notified of the application. At the time of writing one representation had been received neither objecting to nor supporting the development, which can be summarised as follows:

- St George's church has a bell tower and the bells are rung at least twice every week, as they have done for centuries.

Comments from Consultees

Highways raise no objection to the proposal as the proposal would not have a significant impact on the parking demand and traffic generation in the vicinity. It is observed that there are a number of public car parks within walking distance of the site and access to public transport is high.

The Metropolitan Police Crime Prevention Design Advisor requests the standard 'Secured by Design' be imposed.

Environmental Health (housing) made no comments on the application as the Housing Act does not apply to tourist accommodation.

Planning Considerations

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

Unitary Development Plan:

- BE1 Design of New Development
- BE13 Development Adjacent to Conservation Area

L11 Tourist Related Development (Changes of Use)
T18 Road Safety

London Plan:

4.5 London's Visitor Infrastructure

Planning History

The recent planning history of the site is summarised as follows:

Planning permission was granted under ref. 09/03256 for the change of use of first and second floors from private members club to restaurant (Class A3) with associated store rooms and offices on second floor and ancillary accommodation for staff on third floor with ventilation ductwork at side.

Planning permission was granted under ref. 11/00818 for the use of the front roof at first floor as garden terrace (Class A3) including screening, first floor rear terrace, dumb waiter at rear, additional ventilation duct and fire escape on northern flank.

Most recently planning permission was refused under ref. 11/03028 for change of use of first floor from private members club to restaurant (Class A3) and bar / drinking establishment (Class A4), use of front flat roof as garden terrace, first floor rear terrace, dumb waiter at rear, additional ventilation duct and fire escape on northern flank, for the following reason:

“The proposed addition of a bar / drinking establishment (Class A4) element would result in an undesirable and overintensive use of the site, which would be detrimental to the amenities of nearby residents by reason of noise and disturbance, thereby contrary to Policy BE1 of the Unitary Development Plan.”

Conclusions

The proposed use as a Bed and Breakfast is broadly supported in strategic policy terms. The London Plan seeks to achieve an additional 40,000 net additional hotel bedrooms by 2031, which should be located appropriately, focussed in town centres where there is good public transport access to central London and international and national transport termini. The site has a high PTAL rating, and central London and is easily accessible by train from Beckenham Junction railway station, which is a short walk from the site. From central London a range of international and national transport termini are easily accessible.

At a local level, the Unitary Development Plan provides that applications for changes of use to hotels, guesthouses and boarding-houses will only be permitted where the use is compatible with the character of the area and will not give rise to unacceptable levels of noise and disturbance to occupiers of nearby properties, and the existing floor space of the property is greater than 170sq.m. In this case, the site is located within Beckenham town centre which is mixed in character, with

many late night uses in the vicinity including bars and restaurants, and the floorspace of the building exceeds the minimum specified within the policy (361sq.m). The proposed use would therefore be compatible with the area, and whilst there are residential properties in the upper floors of the building, it is not considered that the proposal would give rise to a greater level of noise and disturbance than would arise from the permitted restaurant use (09/03256). With regard to the 24hr reception proposed, it is implicit that late arrivals are anticipated, however in view of the number of rooms proposed this is likely to be limited. Indeed, the application documents indicate that the ground floor café and restaurant would serve as the principal reception for the premises.

Regarding the impact to conditions of road safety, Members will note that no car parking is proposed on the site. In view of the high PTAL rating and the accessibility to public car parks in the vicinity however, it is not considered that a significant impact on the highway network would arise.

Finally, with regard to the proposed insertion of rooflights to the rear hall, these would be limited to the south-facing roofslope and would not result in any significant visual impact. There would be very little opportunity for overlooking to arise given their height, which is well above eye level.

On balance, Members may agree that the proposal is compliant with policy and that planning permission should be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/03256, 11/00818, 11/03028 and 12/01252, excluding exempt information.

as amended by documents received on 02.08.2012

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACK01 Compliance with submitted plan

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

- 3 The café at No. 82 shall not operate before 7am nor after 6pm on any day.

Reason: In the interests of the amenities of the area and in order to comply with Policy BE1 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
- BE13 Development Adjacent to Conservation Area
- L11 Tourist Related Development (Changes of Use)

T18 Road Safety

London Plan:

4.5 London's Visitor Infrastructure

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 town centre location of the site
- (d) the high PTAL rating and availability of public parking in the area
- (e) the character of the development in the surrounding area
- (f) the impact on the amenities of the occupiers of adjacent and nearby properties
- (g) the conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

Application:12/01252/FULL1

Address: 80 High Street Beckenham BR3 1ED

Proposal: Installation of 4 rooflight windows within the rear hall and change of use of first floor of no.80 to Class C1 and partial change of use of cafe at no.82 to mixed use within Classes A3 and C1 to provide Bed and Breakfast accommodation.



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

Application No : 12/01455/FULL6

Ward:
Petts Wood And Knoll

Address : 44 Towncourt Crescent Petts Wood
Orpington BR5 1PQ

OS Grid Ref: E: 544535 N: 168019

Applicant : Mr Vikram Patel

Objections : YES

Description of Development:

Part one/two storey front/side and rear extension

Key designations:

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

This application was deferred without prejudice from the meeting on 19th July in order for the applicant to discuss the proposals with neighbouring residents with a view to reaching a compromise, which may include reductions in the scheme. The applicant has advised that he doesn't wish to revise the scheme, and requests that Members make a decision on the scheme as submitted. I repeat the earlier report for Members' information.

Proposal

It is proposed to remove the existing garage and lean-to, and construct a single storey front/side extension, and a part one/two storey rear extension.

The single storey front/side extension would provide a small front porch which would align with the main front wall of the dwelling, and a side garage and kitchen extension which would extend up to the side boundary with No.42. It would have a mono-pitch roof to the front with a flat roof behind, and would project 3m to the rear.

The rear extension would project 3m to the rear at ground floor level adjacent to the boundary with No.46, while the first floor element would project 2.1m to the rear on this side, set back 1m from the side boundary with No.46. Part of the first floor rear extension would project 3m to the rear, but this part would be set back 3.7m from the side boundary with No.46, and 2.5m from the side boundary with No.42.

Location

This semi-detached property is located on the south-eastern side of Towncourt Crescent and backs onto the recreation ground. It currently has a garage at the side and a lean-to structure at the rear. It is located within Petts Wood Area of Special Residential Character.

Comments from Local Residents

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

- overlarge extension which would detract from the symmetry of the dwellings
- design is out of character with Petts Wood Area of Special Residential Character
- front/side extension would appear prominent in the street scene and affect the symmetry of the dwellings
- loss of light and privacy to adjacent properties
- lack of information regarding drainage
- removal of chimney stack may result in structural damage.

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
H10 Areas of Special Residential Character

This application has been called in by a Ward Member.

Planning History

Permission was recently refused under ref.12/00488 for a part one/two storey front/side and rear extension on the following grounds:

- 1 The proposed extension would, by reason of its size, height and excessive rearward projection, have a seriously detrimental effect on the daylighting and sunlighting to the adjoining dwellings, and the prospect which the occupants of those dwellings might reasonably expect to be able to continue to enjoy, thereby contrary to Policy BE1 of the Unitary Development Plan.
- 2 The proposed single storey front/side extension would project forward of the main front wall of the dwelling and would appear bulky and prominent in the street scene by unbalancing the appearance of these semi-detached properties, which would be out of character with Petts Wood Area of Special Residential Character, thereby contrary to Policies H8, H10 and BE1 of the Unitary Development Plan.

Conclusions

The main issues in this case are the impact of the revised proposals on the character of Petts Wood Area of Special Residential Character, and on the amenities of the occupants of adjacent residential properties.

The current proposals have been revised from the scheme recently refused in the following main ways:

- the front porch and side garage extension would be set back 1m so that it would come in line with the existing front wall of the lounge
- the height of the pitched roof over the porch/garage would be reduced by 0.4m
- the rearward projection of the ground floor extension would be reduced from 4m to 3m adjacent to No. 46 (the adjoining semi), and from 3.3m to 3m adjacent to No. 42
- the first floor rear extension would be reduced in depth from 3m to 2.1m adjacent to No. 46, but would increase in depth from 2.3m to 3m within the central part of the rear elevation.

The revised front/side extension would now have a reduced height roof and would not project forward of the main front wall, therefore, it is not considered to result in a prominent and unrelated feature in the street scene, and would not have a detrimental impact on the character and appearance of Petts Wood ASRC.

The part one/two storey rear extension would now project only 3m to the rear immediately adjacent to the boundary with the adjoining semi, and the first floor element would be set back 1m from the side boundary and would project only 2.1m to the rear. Although the central part of the first floor extension would project slightly deeper than the previous scheme, this element would be set back between 2.5-3.7m from the side boundaries. The revised proposals are not, therefore, considered to have a significant impact on the amenities of the adjoining occupiers in terms of loss of light and prospect.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00488 and 12/01455, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | | |
|---|--------|--|-------------------|-----------|
| 1 | ACA01 | Commencement of development within 3 yrs | | |
| | ACA01R | A01 Reason 3 years | | |
| 2 | ACC07 | Materials as set out in application | | |
| | ACC07R | Reason C07 | | |
| 3 | ACI13 | No windows (2 inserts) | first floor flank | extension |
| | ACI13R | I13 reason (1 insert) | BE1 | |

Reasons for granting permission:

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

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

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

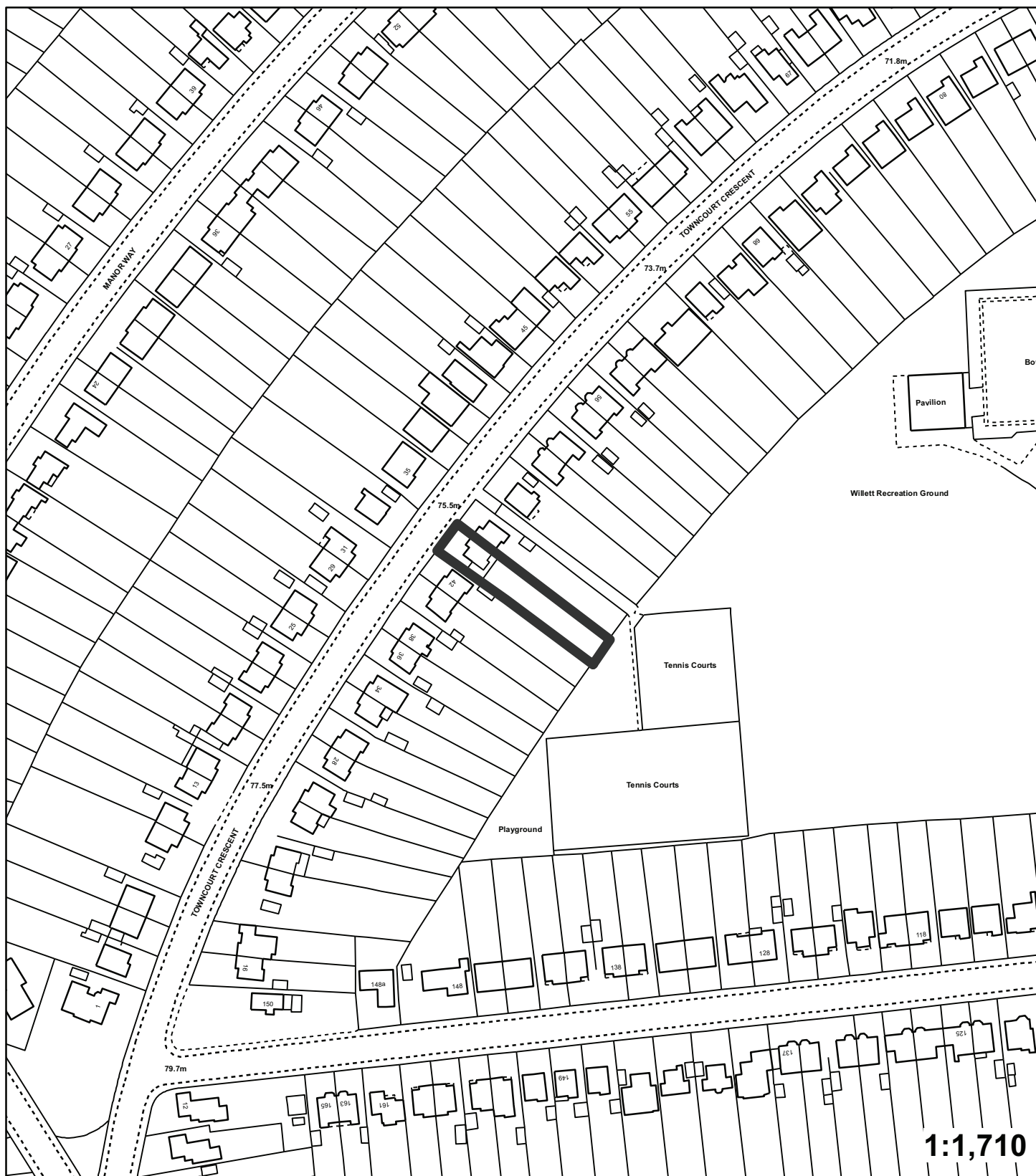
- (a) the visual impact on the Area of Special Residential Character
- (b) the impact on the amenities of the occupiers of nearby residential properties

and having regard to all other matters raised.

Application:12/01455/FULL6

Address: 44 Towncourt Crescent Petts Wood Orpington BR5 1PQ

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



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

Application No : 12/01731/FULL1

Ward:
Bromley Common And
Keston

Address : Ravens Wood School Oakley Road
Bromley BR2 8HP

OS Grid Ref: E: 541797 N: 165342

Applicant : The Governing Body

Objections : NO

Description of Development:

Removal of 4 temporary classroom buildings and erection of two storey dance/drama studio, IT and classroom block

Key designations:

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

Proposal

- The application seeks permission for the removal of 4 temporary classroom buildings and erection of two storey dance/ drama studio, IT and classroom block.
- The proposed development would provide a total of 6 classrooms, two of these being linked to provide a dance studio, one for drama, one for IT and two for general classroom use.
- There will also be ancillary space for an office, storage
- As the site lies within the Metropolitan Green Belt, the application has been submitted with a set of very special circumstances in order to attempt to justify the proposal, which can be summarised as follows:
 - The drama department has to utilise the dining room for dance lessons which has drawbacks. A purpose-built dance studio would enable the department to develop Dance at levels Key Stage (KS) 2 and 4;
 - The Drama department has no alternative facilities and a clear curriculum need for three purpose-built spaces. If a new-build was permitted, the existing drama studio could be converted into a lecture theatre for KS5 classes;

- The average room use in the school is currently running at 86% including specialist rooms for Science, IT etc when Department for Education (DfE) recommendations are set at 75%; hence the need for additional general purpose classrooms;
- One of the temporary classrooms to be replaced is PE1 which is currently used for 20/30 periods, however 33 PE lessons take place in other rooms around the school because of clashes and the need for specialist IT facilities due to the nature of the course delivered;
- The existing IT rooms are utilised for over 90% of the available time. The increased use of IT-based controlled assessments in many GCSE and A-Level subjects has placed an unexpected demand on these facilities and has highlighted the need for an additional IT suite.

The proposed new building has been designed in order to make the best use of an under-used corner of the school site, where the existing temporary buildings do not provide either an attractive or complementary appearance to the adjoining buildings.

Location

The application site is accessed via Oakley Road, with the location of the existing temporary buildings that are to be replaced by this proposed development being located on part of the site adjacent to 6 The Drift.

The Design and Access submitted in support of the current application state that various locations were considered with the south-west corner of the site being considered to be the most appropriate.

The chosen site is roughly triangular in shape, with a width of 30 metres and a length of approximately 60 metres, currently occupied by two temporary classroom buildings. The ground level of the site slopes away from the property boundary shared with 6 The Drift by approximately 800 metres.

Comments from Local Residents

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

Comments from Consultees

Environment Agency accessed the application as having a low environmental risk, therefore raised no concerns.

Crime Prevention Officer stated that the application should be able to achieve Secured By Design (SBD) accreditation in respect of part 2 physical security, with the guidance of 'SBD Schools Guide' and by incorporating accredited, tested, certificated products. As such, no objection was raised.

Highways Drainage Engineer stated in effect that there is no public surface sewer near to the site, therefore surface water will have to be drained to soakaways.

Thames Water do not have any objection to the planning application with regard to sewerage infrastructure or water infrastructure. With regards to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Highways Engineer have stated that the school confirm there is no intention to raise the intake number from 224 in the main school. However 16 students would be added due to new facilities, but the number of teaching staff is expected to be reduced. Therefore no objection raised with regard to the proposal.

Planning Considerations

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

BE1 Design of New Development
C7 Educational and Pre-School facilities
G1 Green Belt

London Plan Policy 7.16 – Green Belt

National Planning Policy Framework

Planning History

There is a long planning history at the site, the most relevant that relates to the current application can be summarised as follows:

DC/03/00452 granted permission for extensions to provide changing rooms, enlarged sports hall and additional music rooms.

DC/03/02127 permission granted for temporary siting of 2 single storey mobile buildings comprising 4 classrooms.

DC/06/00639 permission granted for demolition of cricket pavilion. Two storey detached building comprising reception/ assembly hall/ kitchen/dance studio and related accommodation. Single storey extension comprising office/ plant room/ refuse store. Single storey detached electricity substation. Elevation alterations including ventilation outlets above roof and additional/replacement windows. Internal access roads to serve 48 additional/replacement car parking spaces and service/delivery hardstanding. Hard surfacing of existing 25 staff car parking spaces.

DC/07/00813 permission granted for a two storey modular building

The temporary planning permission granted for the single storey mobile buildings have been extended a number of times the most recent permission expired in 2010. The current application seeks to replace these temporary buildings with a permanent structure so that the temporary buildings can be removed from the site.

Conclusions

The main issues to be considered are the impact that the proposed two storey building would have on the character of the area, including the openness of the Green Belt, and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The education use of the site is not an appropriate use within the Green Belt, therefore supporting documentation has been provided in an attempt to justify the proposed development. In addition to the grounds stated by the applicants, it will be noted that this part of the school is developed on all sides and does not form part of the open recreational area. As such, development here would not affect the openness of the Green Belt or conflict with the purposes of including the land within it. The applicants have considered alternative sites but this has the least impact on the open nature of the site. On this basis, it is considered that the proposal is acceptable, in principle, on Green Belt policy grounds.

As the proposed extension will be located on part of the site which has previously benefitted from permission for temporary buildings and where there is existing screening adjacent to the location of the development. Members may consider that there will be no additional harm to the character of the area or harm to the local amenity/local properties when compared to the existing situation on this part of the site. The scheme has been designed as single storey on the southern side and two storey on the northern side, with the eaves being the same height as the present temporary building, therefore attempting to reduce the impact of the resulting building upon 6 The Drift which will be closest residential property.

There is a natural slope in the ground levels along the southern boundary which has allowed for the proposed building to be built into the ground, allowing the overall height of the building to be reduced and the eaves of the resulting building to match the eaves of the existing temporary buildings. In addition, the roof over the southern wing of the proposed building has been designed as a monopitch which aims to reduce the visual and acoustic impact upon the residents of 6 The Drift. No windows or doors are to be built into the southern flank elevations, minimising the activity along this boundary adjacent to 6 The Drift, and the existing hedge located along the property boundary shared with 6 The Drift will not be affected by the proposed development, thereby retaining the existing visual screening along this boundary.

On this basis, the proposal can be seen to accord with Policy BE1 of the UDP. The proposed building will match the design of the majority of other nearby buildings on the school site and the eaves height closest to 6 The Drift will be no higher than the eaves of the existing temporary building.

The new building will be located on part of the site already occupied by temporary buildings and it is considered that the proposed building will improve the appearance of the area given its design and external finish.

Background papers referred to during production of this report comprise all correspondence on files refs. 03/00452, 03/02127, 06/00639, 06/00862, 07/00813, 08/00797, 10/02530 and 12/01755, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 4 | ACC03 | Details of windows |
| | ACC03R | Reason C03 |
| 5 | ACD02 | Surface water drainage - no det. submitt |
| | ADD02R | Reason D02 |
| 6 | ACI21 | Secured By Design |
| | ACI21R | I21 reason |
| 7 | ACK01 | Compliance with submitted plan |

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

Reasons for granting permission:

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

- BE1 Design of New Development
- C7 Educational and Pre-School facilities
- G1 Green Belt

London Plan Policy 7.16 – Green belt

National Planning Policy Framework

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

- (a) the appearance of the development in the street scene;
- (b) the Green Belt policies of the development plan;
- (c) the Transport policies of the development plan;
- (d) the character of the development in the surrounding areas;
- (e) the impact on the amenities of the occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 2 Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason – to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Application:12/01731/FULL1

Address: Ravens Wood School Oakley Road Bromley BR2 8HP

Proposal: Removal of 4 temporary classroom buildings and erection of two storey dance/ drama studio, IT and classroom block



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

Application No : 12/01840/FULL1

Ward:
Bromley Town

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

OS Grid Ref: E: 540682 N: 168046

Applicant : Mrs Cathy Whiting

Objections : YES

Description of Development:

First floor extension to sports hall (over existing changing rooms) to provide 2 classrooms.

Key designations:

Local Distributor Roads
Urban Open Space

Proposal

Planning permission is sought for a first floor extension to the sports hall building, over the existing changing rooms. The proposed extension is intended as a permanent solution to the use of a temporary classroom building for the teaching of sports science, which was recently granted a further temporary permission to be retained on the site until 30th September 2014.

The full details of the proposal are as follows:

- first floor extension over changing rooms, located on southern side of existing sports hall
- maximum height of 5.2m (from ground level), width of 26.1m and depth of 13.2m
- design similar to existing sports hall with mono-pitched roof to match that of existing building
- to be finished in wood effect panelling on first floor.

Location

The application site is located on the north-western side of Hayes Lane and comprises a Grade II listed secondary school. The site is designated Urban Open Space.

Comments from Local Residents

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

- no objection to proposed development
- concern regarding inconsistencies with previous applications in respect of car parking provision
- hours of operation not specified.

Comments from Consultees

Environmental Health (pollution) raise no objection and recommend and informative.

Planning Considerations

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

BE1 Design of New Development
BE8 Statutory Listed Buildings
G8 Urban Open Space
C7 Educational & Pre-School Facilities

From the conservation perspective it is considered that the extension to the existing building is acceptable in terms of bulk, scale, design and relation to the listed building. It is recommended that the external materials be conditioned.

Planning History

There is extensive planning history at the site. The following applications are of particular relevance in this case:

07/02691/DEEM3 - Single storey modular classroom building – Application permitted for temporary period of 5 years.

12/00951/RECON - Removal of condition 1 of permission granted under ref. 07/02691 which requires the permitted mobile classroom to be removed by 30.09.2012 – Application approved, to allow retention of building for a further 2 years. In approving the application, Members added the following informative:

‘The Applicant is advised that an application for a permanent building is expected to be submitted to the Local Planning Authority and the temporary building shall subsequently be removed within the 2 year temporary permission given.’

Conclusions

This application has been submitted following Members’ request for an application for a permanent building to be submitted to the Council for consideration, by way of

the informative attached to the grant of a temporary permission for the retention of the mobile classroom on the site under ref. 12/00951.

The proposed extension would provide 2 classrooms, for the teaching of sports science, replacing the temporary classroom building which is currently located to the south of the sports hall. The proposed extension is of acceptable bulk and scale, and would accord with the appearance of the host building, with a pitched roof to match that of the existing sports hall roof.

Regarding the impact upon the character and setting of the listed building, the sports hall is located sufficient distance from it to ensure that no negative impact will arise. Regarding the impact upon the open nature of the Urban Open Space, the extension will be located to the south of the existing sports hall, away from the more open part of the site to the north, and will appear subservient to the host building. The proposed use of the extension as classrooms is considered to be related to the existing use of the site as a school. It is not considered that the openness of the site will be impaired as a result.

Regarding the impact of the proposal on the amenities of neighbouring residents, the extension will be located sufficient distance from nearby dwellings and whilst limited views of the extension from dwellings on the opposite side of Hayes Lane may occur through openings in the extensive vegetative screening along this boundary, it will appear subservient to the host building and is unlikely to give rise to a significant visual impact.

Having regard to the above, Members may agree that on balance the proposed extension is an acceptable permanent solution to provide the required sports science classrooms which are currently located within the mobile classroom, which will need to be removed from the site by 30th September 2014.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/01840, 12/00951 and 07/02691, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC01 Satisfactory materials (ext'n'l surfaces)
 ACC01R Reason C01
- 3 The mobile classroom permitted under ref. 12/00951/RECON shall be removed and the land reinstated to its former condition on or before 30.09.2014, or within 1 month of the completion of the extension hereby permitted, whichever is soonest.

Reason: In order to comply with Policy BE1 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
- BE8 Statutory Listed Buildings
- G8 Urban Open Space
- C7 Educational and Pre-School Facilities

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

- (a) the character of the development in the surrounding area
- (b) the impact of the proposal on the open nature of the Urban Open Space
- (c) the impact of the proposal on the setting of the listed building
- (d) the small scale and use of the extension which is related to the existing use of the site
- (e) the impact on the amenities of the occupiers of adjacent and nearby properties
- (f) the safety and security of buildings and the spaces around them
- (g) the design and conservation policies of the Unitary Development Plan

and having regard to all other matters raised.

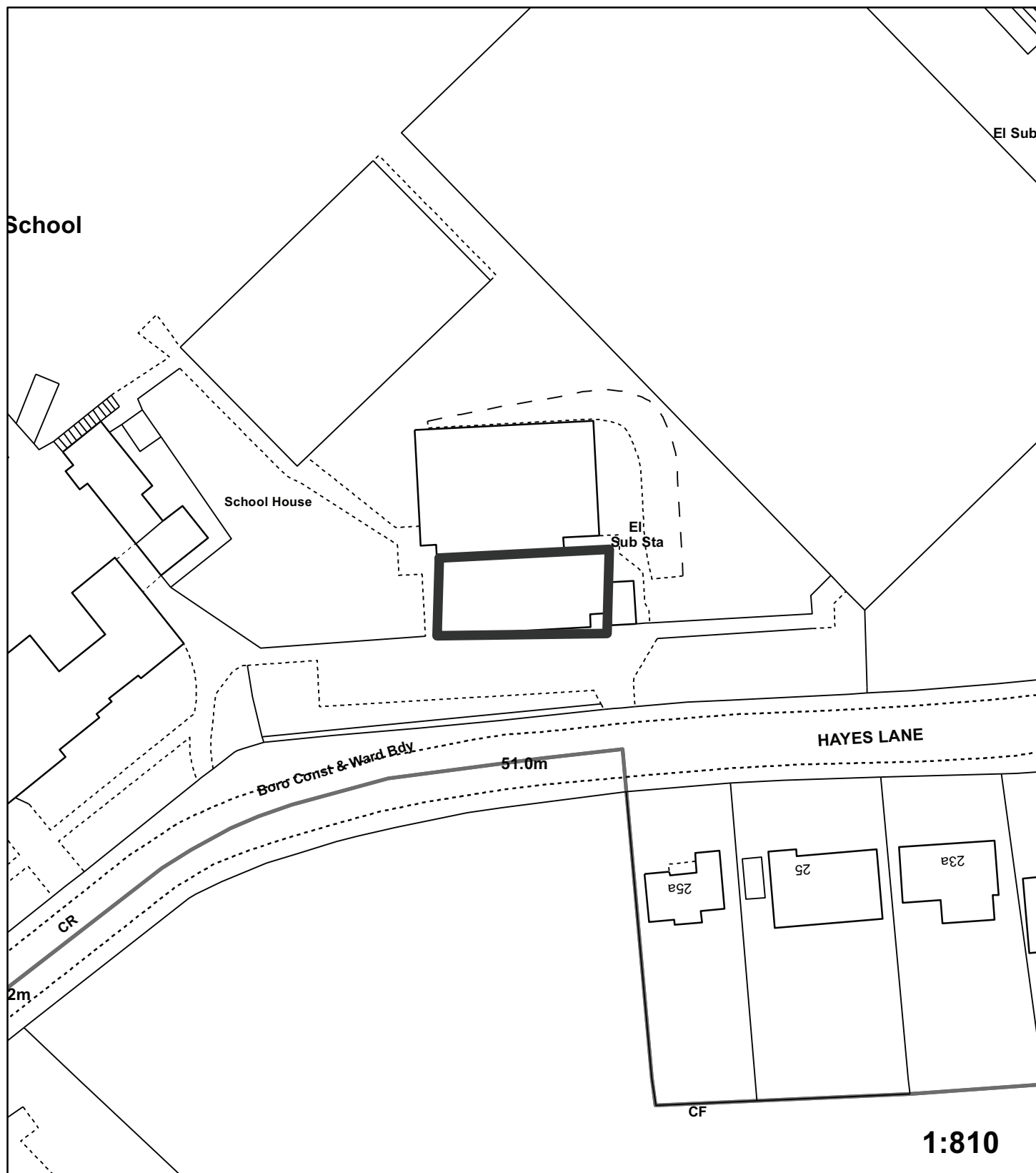
INFORMATIVE(S)

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

Application:12/01840/FULL1

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

Proposal: First floor extension to sports hall (over existing changing rooms) to provide 2 classrooms.



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

Application No : 12/01878/FULL6

Ward:
Petts Wood And Knoll

Address : 44 Manor Way Petts Wood Orpington
BR5 1NW

OS Grid Ref: E: 544483 N: 168154

Applicant : Mr And Mrs Perkins

Objections : YES

Description of Development:

Single storey front/side and rear extensions

Key designations:

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

Proposal

The proposal involves the following works:

- 4.0m rear extension and a front/side extension which will incorporate a new porch and garage entrance along the frontage which will extend to approximately level with the front porch.
- the garage element will be set 0.15m off the SW (flank) boundary and extend to a depth of 5.0m. The front porch will incorporate a gable roof with Mock Tudor beams.
- the side extension beyond the garage will maintain a 1.0m separation to the flank boundary and extend approximately 1.2m beyond the rear building line of the existing dwelling.
- an existing detached garage will be demolished so as to accommodate the extension.

Location

The application property is situated along the SE side of Manor Way which forms part of the designated Petts Wood Area of Special Residential Character. The dwellings at Nos. 42 and 44 are separated by driveways leading to detached garages to the rear of both houses.

Comments from Local Residents

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

- objections raised in relation to the side extensions
- loss of light and outlook from side of No. 42
- side extension constitutes overdevelopment
- proximity of garage extension to neighbouring boundary will hinder its maintenance
- cramped terracing effect of development which will be out of character
- proposal will result in further drainage problems for local residents

Comments from Consultees

Not applicable

Planning Considerations

Policies BE1, H8 and H10 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design, to safeguard the amenities of neighbouring properties, and ensure that development within Areas of Special Residential Character respects its established character and appearance.

Planning History

There is no significant planning history relating to the application property.

Conclusions

The main issues relating to the application are the effect that it would have on residential amenity and on the character and appearance of the Petts Wood Area of Special Residential Character.

As noted above, objections have been raised by the resident at No 42 on the basis that this proposal will lead to a loss of light and undermine its existing visual amenities. In considering this matter, it is noted that the neighbouring dwelling incorporates flank windows which serve a WC, landing and kitchen and which would directly face the proposed side extension. A glazed conservatory is situated beyond the kitchen.

Whilst it is acknowledged that this proposal will extend the dwelling at No 44 to within closer proximity of No 42 and erode some of the open aspect between both houses, it is considered that the ensuing separation between the proposed side extension and the dwelling at No 44 will maintain an adequate level of amenity in respect of the neighbouring property. The side extension situated beyond the garage will be stepped in further by 1.0m from the party boundary thereby further reducing its prominence from the side of No 41, particularly in respect of the flank kitchen window.

With regard to its impact on the ASRC it is considered that the proposal will respect the existing character in view of its scale and design. The single storey height of the extension will ensure that the existing symmetry between this pair of semis is maintained and that this addition remains subservient in form.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/01878, 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 |
| | ACC02R | Reason C02 |
| 4 | AJ02B | Justification UNIQUE reason OTHER apps |

Policies (UDP)

BE1 Design of New Development

BE10 Areas of Special Residential Character

H8 Residential Extensions

Application:12/01878/FULL6

Address: 44 Manor Way Petts Wood Orpington BR5 1NW

Proposal: Single storey front/side and rear extensions



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

Application No : 12/01893/FULL1

Ward:
Chislehurst

Address : 46 Camden Park Road Chislehurst BR7
5HF

OS Grid Ref: E: 543102 N: 170288

Applicant : Mr Dennis Boughey

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of two storey 5 bedroom dwellinghouse with basement and accommodation in roofspace, integral double garage and associated landscaping.

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Tree Preservation Order

Joint report with application ref. 12/01894.

Proposal

It is proposed to demolish the existing dwelling and construct a replacement two storey five bedroom dwelling with integral double garage, a rear conservatory, rooms in the roofspace, and basement accommodation.

Location

This large detached property is located on the southern side of Camden Park Road, and lies within Chislehurst Conservation Area. It is set back approximately 18m from the front boundary, and has a rear garden of some 40m in depth which rises up towards the rear to meet Camden Way.

The property lies between two similarly large detached dwellings (Nos.44 and 48) which are set within spacious grounds.

Comments from Local Residents

Letters of objection have been received from nearby residents, the main points of which are summarised as follows:

- the new dwelling would be considerably closer to Camden Park Road than the existing dwelling, and would project forward of the general building line
- the first and second floors should be set back from the ground floor of the building
- the proposals are overlarge for the plot, and would neither preserve nor enhance the conservation area
- the design of the proposed dwelling would not be in keeping with the style of adjacent properties
- proposed dwelling should more accurately be described as a four storey property
- submitted plans do not properly represent the neighbouring property at No.44.
- loss of the existing house could lead to pressure for redeveloping similar houses, to the detriment of the conservation area.

Comments from Consultees

The Council's highway engineer raises no objections to the proposals, but suggests an informative is added to ensure that the public right of way along the south side of the road is not obstructed or damaged during building works.

Drainage comments suggest that a standard condition be imposed requiring details of surface water drainage to be submitted, while Thames Water raise no objections.

With regard to the trees on the site, three pine trees on the front boundary shown to be retained would not be directly affected by the proposals, while conditions could be imposed to ensure that they are not impacted by excavations for the proposed basement. Additionally, no objections are seen to the removal of three trees on the boundary with No.46 (two cherries and an almond), subject to replacement planting.

Any comments made by the Advisory Panel for Conservation Areas will be reported verbally at the meeting.

Planning Considerations

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

H7 Housing Density and Design
BE1 Design of New Development
BE11 Conservation Areas
BE12 Demolition in Conservation Areas
BE14 Trees in Conservation Areas
T3 Parking

Planning History

Applications for permission and Conservation Area Conservation were previously submitted in early 2012 (refs.12/00037 and 12/00038) for a replacement dwelling on this site, but were withdrawn prior to determination to allow revised proposals to be submitted.

Conclusions

The main issues in this case are the effect of the proposals on the character and appearance of Chislehurst Conservation Area, the impact on important trees on the site, and the effect on the amenities of occupants of nearby residential properties.

It is considered that the existing dwelling makes only a neutral contribution to the character and appearance of Chislehurst Conservation Area. Whilst attractive, it is not exceptional and is of an inter-war mock tudor type community seen in the borough. Consequently, its loss could not be resisted in principle where an acceptable scheme for redevelopment exists.

The proposed replacement dwelling would increase the gross internal floorspace by 540sq.m. (from 280sq.m. to 820sq.m.), 212sq.m. of which would comprise the basement area, while the overall footprint would increase by 72sq.m. The proposed dwelling would appear significantly larger within the street scene as it would extend for 2/3 storeys across much of its width, however, it would occupy a more centralised position on the plot, and a separation of 2.2m would be retained to the eastern side boundary with No.48, while an increased separation of 2.5m would be provided to the western side boundary with No.44 by the removal of a single storey garage which currently abuts the boundary.

The overall height of the dwelling would be 1m lower than the existing roof ridge, and the proposed roof would be hipped to either side in order to reduce its impact in the street scene. Camden Park Road slopes down from east to west, and the height of the proposed dwelling would fall between the heights of the adjacent properties, No.48 being approximately 3.5m higher, and No.44 2.5m lower.

The proposed new dwelling, and would project between 1.3-5.3m forward of the existing dwelling, however, the dwelling would not project forward of the general building line along this part of Camden Park Road. Furthermore, although the replacement dwelling would be significantly larger than the existing dwelling, this sizeable plot is considered to be large enough to accommodate a house of this size without compromising the character and spatial standards of this part of the Conservation Area.

Camden Park Road has many different architectural styles which contribute to the character of the Conservation Area, and the design of the new dwelling which is of an arts and crafts style similar to the work of Ernest Newton is considered to complement the character and spatial standards of the surrounding area.

With regard to the impact on residential amenity, the dwelling would maintain good separations to the side boundaries, and would not project significantly to the rear of

the adjacent properties. Currently, a number of first floor flank windows in the existing house overlook the neighbouring property at No.44, but no first or second floor windows are proposed in either flank wall of the new dwelling.

Overall, the proposals are considered to represent an appropriate redevelopment of this site, which would preserve the character and spatial standards of this part of Chislehurst Conservation Area, and would not be harmful to residential amenity.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00037, 12/00038, 12/01893 and 12/01894, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|----|--------|---|---------------------------------------|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACA04 | Landscaping Scheme - full app no details | |
| | ACA04R | Reason A04 | |
| 3 | ACA07 | Boundary enclosure - no detail submitted | |
| | ACA07R | Reason A07 | |
| 4 | ACB18 | Trees-Arboricultural Method Statement | |
| | ACB18R | Reason B18 | |
| 5 | ACB19 | Trees - App'ment of Arboricultural Super | |
| | ACB19R | Reason B19 | |
| 6 | ACC01 | Satisfactory materials (ext'n'l surfaces) | |
| | ACC01R | Reason C01 | |
| 7 | ACC03 | Details of windows | |
| | ACC03R | Reason C03 | |
| 8 | ACD02 | Surface water drainage - no det. submitt | |
| | ADD02R | Reason D02 | |
| 9 | ACI13 | No windows (2 inserts) | first and second floor flank dwelling |
| | ACI13R | I13 reason (1 insert) | BE1 |
| 10 | ACK05 | Slab levels - no details submitted | |
| | ACK05R | K05 reason | |

Reasons for granting permission:

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

- H7 Housing Density and Design
- BE1 Design of New Development
- BE11 Conservation Areas
- BE12 Demolition in Conservation Areas
- BE14 Trees in Conservation Areas
- T3 Parking

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

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

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

INFORMATIVE(S)

- 1 You should ensure that the public right of way along the south side of Camden Park Road is not obstructed or damaged during building works.
- 2 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)).

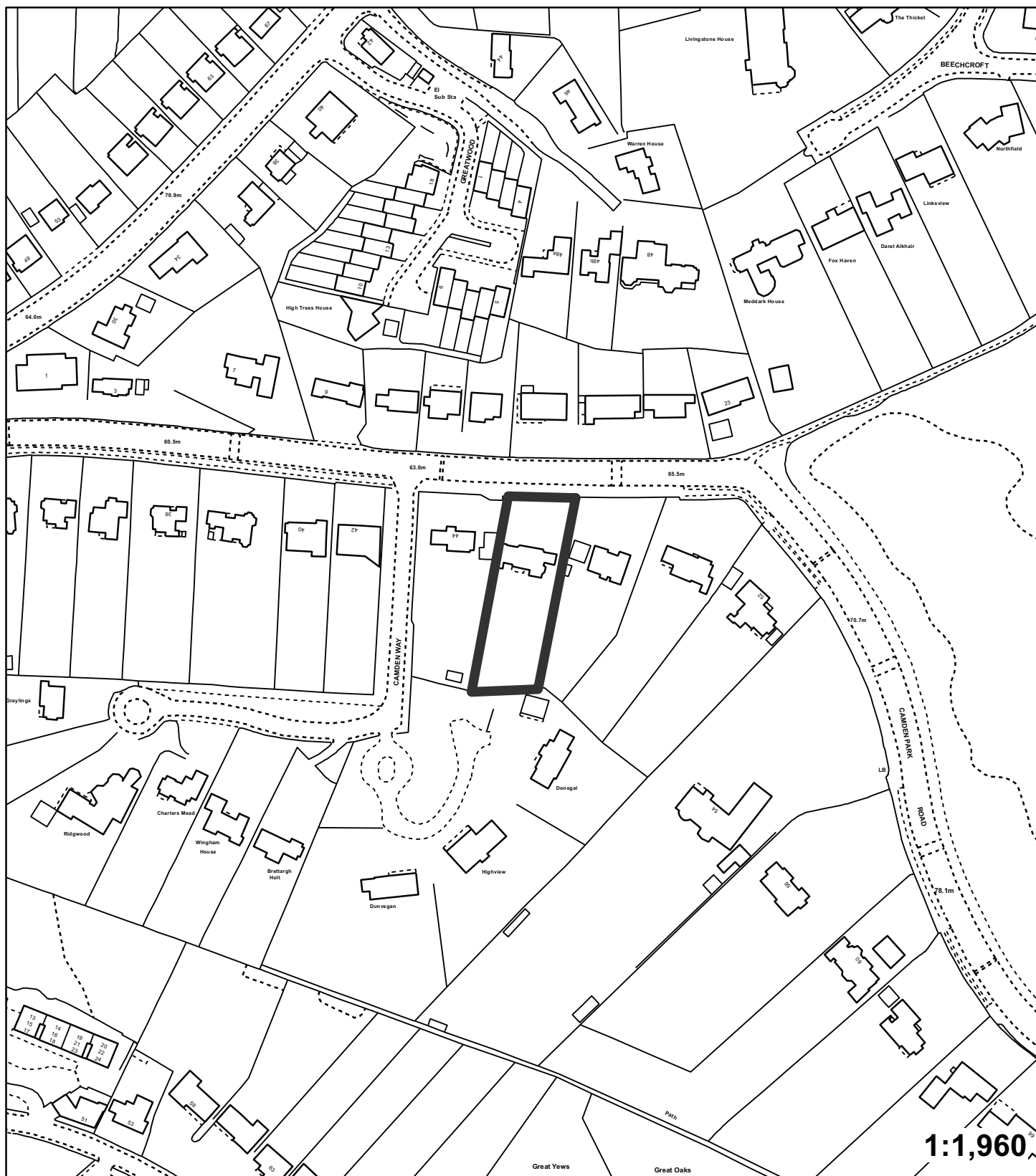
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

Application:12/01893/FULL1

Address: 46 Camden Park Road Chislehurst BR7 5HF

Proposal: Demolition of existing dwelling and erection of two storey 5 bedroom dwellinghouse with basement and accommodation in roofspace, integral double garage and associated landscaping.



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

Application No : 12/01894/CAC

Ward:
Chislehurst

Address : 46 Camden Park Road Chislehurst BR7
5HF

OS Grid Ref: E: 543102 N: 170288

Applicant : Mr Dennis Boughey

Objections : YES

Description of Development:

Demolition of existing dwelling
CONSERVATION AREA CONSENT

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Tree Preservation Order

Joint report with application ref. 12/01893

RECOMMENDATION: GRANT CONSERVATION AREA CONSENT

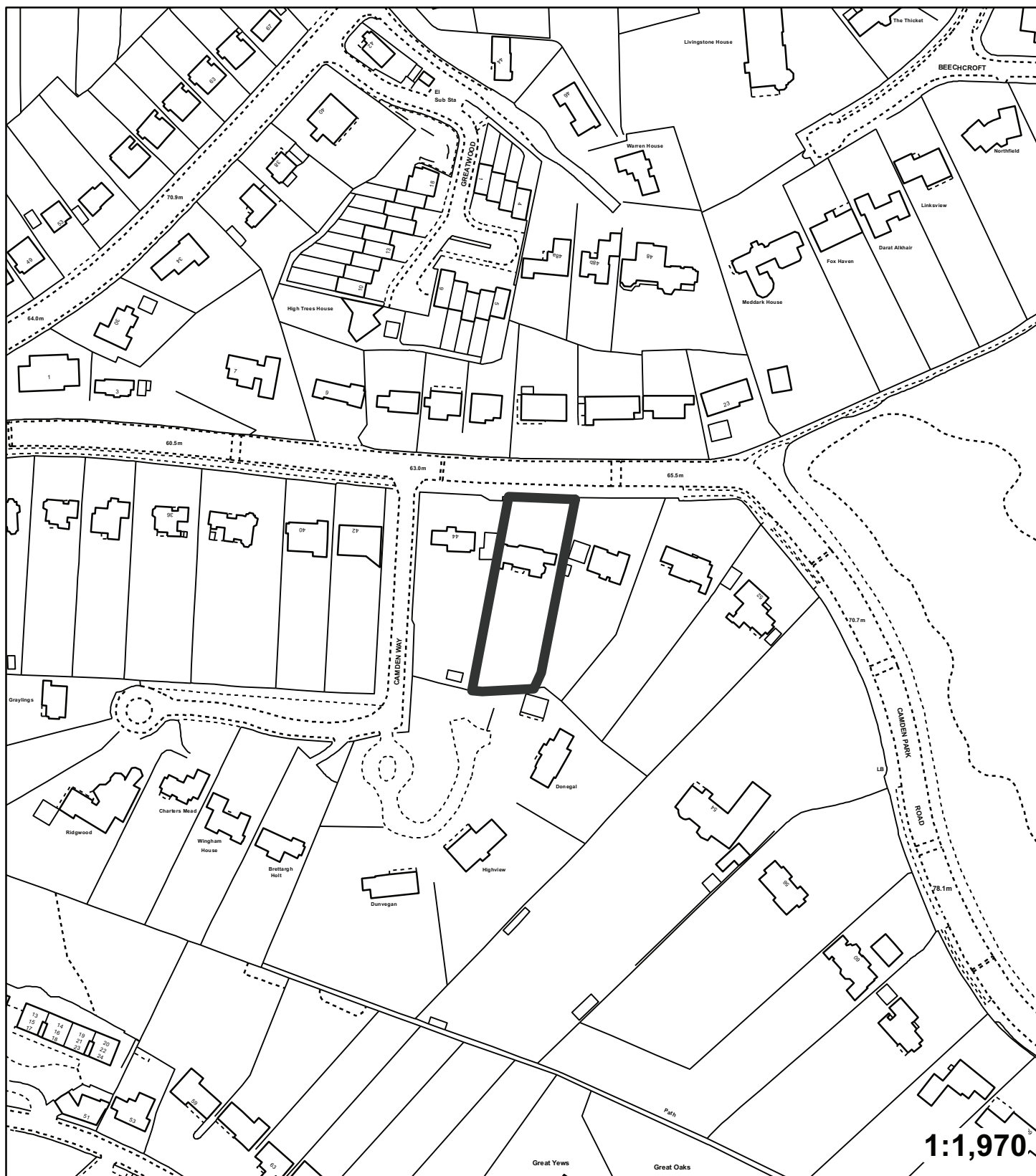
subject to the following conditions:

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

Application:12/01894/CAC

Address: 46 Camden Park Road Chislehurst BR7 5HF

Proposal: Demolition of existing dwelling
CONSERVATION AREA CONSENT



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

Application No : 12/02120/FULL1

Ward:
Shortlands

Address : 49 Shortlands Road Shortlands Bromley
BR2 0JJ

OS Grid Ref: E: 539002 N: 168842

Applicant : Jemcap Ltd

Objections : NO

Description of Development:

Conversion of the property into 4 self-contained two bedroom flats together with the installation of front lightwells, elevational alterations and the provision of 4 car parking spaces & refuse storage.

Key designations:

Conservation Area: Shortlands
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads

Proposal

The proposal seeks planning permission for the conversion of the property into 4 self-contained, two bedroom flats.

The following works are proposed to facilitate the conversion:

- installation of two front lightwells;
- removal of the rear terrace and side staircase;
- installation of Juliette balcony at the rear;
- insertion of a rooflight within the side roofslope; and
- insertion of new windows and doors within the front, side and rear elevations.

The proposed scheme would provide 4 car parking spaces and refuse storage within the front garden of the application property.

Location

The application property is a large Victorian semi-detached house located on the eastern side of Shortlands Road, some 100 metres to the south from its junction with Church Road.

At the application site the land drops away from the front of the property towards the rear where the elevation is of 4 storeys, the ground floor being the basement area.

The surrounding area is mainly residential in character and falls within the boundaries of the Shortlands Conservation Area.

Comments from Local Residents

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

Comments from Consultees

Highways – no in principle objection subject to appropriate conditions;

Environmental Health (Pollution) – concerns raised in relation to the light and ventilation issues;

Highways Drainage Section – no comments;

Crime Prevention – no objection subject to the development achieving Secured by Design accreditation;

Waste Services – no comments;

Thames Water – No objection. Surface water drainage is the responsibility of the developer, and if the proposal will discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Planning Considerations

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

BE1 Design of New Development
BE11 Conservation Areas
H11 Residential Conversions
H8 Residential Extensions
T3 Parking
T18 Road Safety

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

London Plan:

- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 6.9 Cycling
- 6.13 Parking
- 7.3 Designing out crime
- 8.3 Community infrastructure levy

Planning History

07/01295/FULL1 – Single storey rear extensions and conversion of basement into a two bedroom flat. Permission granted on 25.07.2007.

Conclusions

The main issues relating to the application are the effect that proposal would have on the special character and appearance of the Shortlands Conservation Area, the impact that it would have on the amenities of the occupants of surrounding residential properties and the acceptability of the standard of residential accommodation proposed.

Members' attention is drawn to the fact that the previous approval (ref. 07/01295/FULL1) established the acceptability of the basement accommodation as well as the associated elevational alterations that were to facilitate its conversion.

The elevational alterations proposed are considered as minor in nature and therefore not affecting the special character and appearance of the surrounding conservation area. The proposed lightwells would be relatively small in size and would occupy an insignificant proportion of the front garden. The positioning and the proportions of the new openings within the lightwells would correspond well with the existing fenestration. As such, it is considered that the opening up of the lightwells is an acceptable form of development in that the proposal would not be detrimental to the architectural integrity of the parent dwelling and that the special character and appearance of the surrounding conservation area would continue to be preserved.

In terms of the standard of the residential accommodation proposed, the minimum gross internal floor areas of all flats would exceed the space standards set out in the London Plan (Policy 3.5). All habitable rooms, except for the bathrooms, would have fenestration providing for natural light, outlook and ventilation. Officers note that the outlook, as well as the daylight and sunlight penetration to the north facing rooms within the basement flat would be constrained; however the deficiency observed is considered to be mitigated by the generous size of the rooms in question and the overall floor area of the flat. Members may consider, therefore, that on balance, the proposed development would provide an acceptable level of internal amenity, thereby satisfying the requirements of Policy H11 of the Unitary Development Plan.

The proposal would be confined to the envelope of the existing building therefore there would be no reduction in daylight and sunlight provision or outlook to the neighbouring residential occupiers. Similarly, although the scheme would introduce

new openings within the front, side and rear elevation, these would afford the views that would not be dramatically different from the views which already exist and consequently no objections are raised in this respect.

The site is located to the east of Shortlands Road within an area with low public transport access level (PTAL) rate of 2 (where 6 is highest and 1 is lowest). The vehicular access to the site is from Shortlands Road via an existing vehicular crossover leading to car parking area which is acceptable. No cycle parking is indicated on the submitted plans, therefore a suitable condition would be added to this consent, should it be granted to request 5 cycle parking spaces to be provided.

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 Shortlands Conservation Area. Members are therefore requested to determine that the proposal is acceptable and worthy of permission being granted.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02120, excluding exempt information.

as amended by documents received on 15.08.2012 23.08.2012

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|----|---|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |
| 3 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 4 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 5 | ACH18 | Refuse storage - no details submitted |
| | ACH18R | Reason H18 |
| 6 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 7 | ACH29 | Construction Management Plan |
| | ACH29R | Reason H29 |
| 8 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |
| 9 | ACI21 | Secured By Design |
| | ACI21R | I21 reason |
| 10 | No loose materials shall be used for surfacing of the parking and turning area hereby permitted. | |
| | Reason: In order to comply with Policy T18 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety. | |
| 11 | AJ02B | Justification UNIQUE reason OTHER apps |

Policies (UDP)

BE1 Design of New Development

BE11 Conservation Areas

H11 Residential Conversions

H8 Residential Extensions

T3 Parking

T18 Road Safety

INFORMATIVE(S)

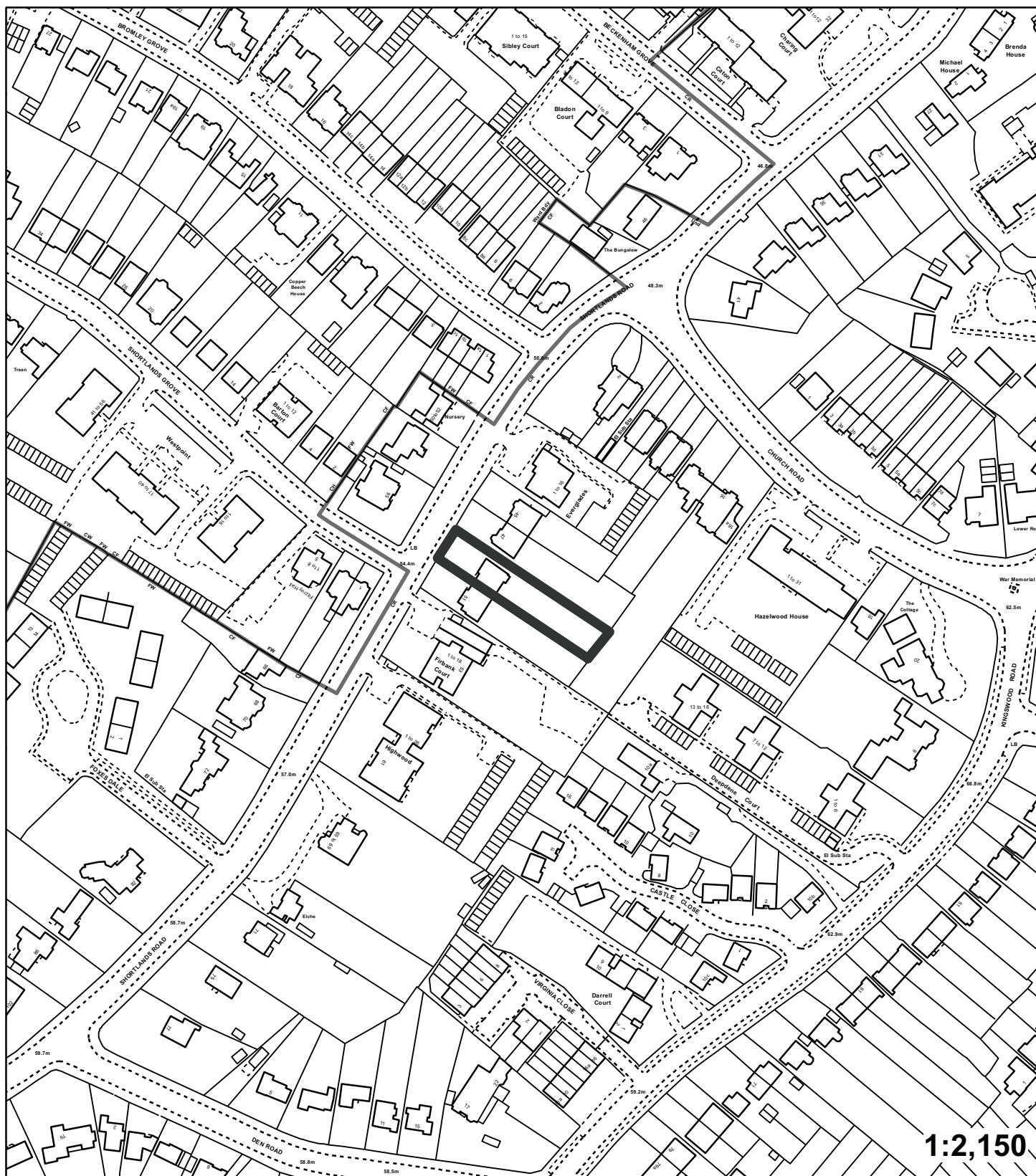
- 1 Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant."
- 2 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 08458502777. Reason – to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 3 You are advised to contact Thames Water Developer Services on 08458502777 to obtain required approval if the building, or the extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer.
- 4 Thames Water will aim to provide customer with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 5 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:12/02120/FULL1

Address: 49 Shortlands Road Shortlands Bromley BR2 0JJ

<BOL>Proposal:</BOL> Conversion of the property into 4 self-contained two bedroom flats together with the installation of front lightwells, elevational alterations and the provision of 4 car parking spaces & refuse storage.



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Report No.
DRR/12/108

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PLANS SUB-COMMITTEE NO. 2

Date: Thursday 13 September 2012

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

Title: 59 MAYFIELD AVENUE, PETTS WOOD

Contact Officer: Tony Stewart, Development Control Manager
Tel: 020 8313 4956 E-mail: Tony.Stewart@bromley.gov.uk

Chief Officer: Chief Planner

Ward: Petts Wood and Knoll;

1. Reason for report

- 1.1 The two storey rear extension at this property was built higher than originally permitted and an application (ref: 12/00014) to regularise the change was refused and enforcement action authorised earlier this year. The extension has now been modified to bring it more in line with the permitted scheme. This report sets out the changed circumstances to enable Members to consider the expediency of continuing enforcement action.

2. **RECOMMENDATION(S)**

- 2.1 The previously authorised enforcement action be withdrawn and no further action be taken.

3. COMMENTARY

- 3.1 Under reference 10/02541 permission was granted for various forms of development at this site including a part one/two storey rear extension with Juliet balcony to rear. The original scheme included a first floor flank window facing number 61, Mayfield Avenue although this was subsequently deleted by the applicant as part of a non-material amendment application. Work commenced in April, 2011.
- 3.2 Under reference 11/02867, permission was granted for an amendment to the permitted scheme to enable a change to the design of the single storey rear conservatory extension. The permission was subject to a condition requiring the flank windows facing No. 61 to be obscure glazed.
- 3.3 Following concerns raised by the neighbours at No. 61, it was established that the works being carried out on site deviated from the original permission. In particular, the two storey rear extension had been constructed higher than permitted and was linked into the roof of the main house well above eaves level. This was taken up with the applicant and a revised application (ref.12/00014) was submitted in January, 2012 to regularise the work. Members, having considered the changes and increased height, refused planning permission due to the impact of the enlarged extension on the appearance of the dwelling and the amenities of No. 61
- 3.4 . Enforcement action was also authorised and the notices have been prepared but not yet issued. However, since this decision was made the height of the rear extension has been reduced to bring it more in line with the original permission. Due to discrepancies in the application drawings and a drop in level across the rear garden from south to north the height of the extension varies across the rear. However, from the neighbours' perspective the height of the two storey extension as viewed from No. 61 is scaled on the relevant plans at 5.1metres and this height measurement has been confirmed on site. There is, however, a parapet wall at the rear which exceeds this height and is visible from the neighbours' property.
- 3.5 As regards the single storey conservatory extension, also at the rear, this has been built lower than permitted under reference 11/02867 and has obscured glass in the flank, as required by the condition.
- 3.6 During the processing of the applications affecting this site and the enforcement action, the neighbours at No. 61 have continued to express concern at the way the work has been carried out beyond the terms of the permission and in advance of any revised permission. In response to the current position on site they say that they hope that the Council will enforce the earlier decision so there will be no more surprises and the build can be finished as per the original permission. They contend that if the roof is permitted as it is now, the parapet wall will make it look very much the same as it did before the applicants reduced the height when viewed from both their back garden and from East Cote. In their opinion, the parapet wall looks very odd and unsightly when viewed from their property. The whole rear extension will still constitute poor design resulting from a harmful visual impact detrimental to the appearance of the host dwelling and the amenities of neighbours.
- 3.7 For Members' information, the applicants have been requested to submit accurate drawings to show the development 'as built' but none have been received to date. However, there are photographs on file which indicate the position regarding the height of the extension, the parapet wall and the single storey extension as seen from No. 61. Given that the conservatory has been built at a lower height than permitted and has the required obscure glazing in the flank elevation and the height of the two storey rear extension has been reduced, the only outstanding planning issue is the parapet wall at the rear.

- 3.8 Members will therefore need to consider whether it is expedient to continue enforcement action against this particular element. On balance, it is recommended that no further action be taken in view of the reductions now made and the limited impact of the parapet wall on the amenities of the area.

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