



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333 CONTACT: Rosalind Upperton  
*Rosalind.Upperton@bromley.gov.uk*

THE LONDON BOROUGH  
[www.bromley.gov.uk](http://www.bromley.gov.uk)

DIRECT LINE: 020 8313 4745  
FAX: 020 8290 0608 DATE: 12 February 2013

To: Members of the  
**PLANS SUB-COMMITTEE NO. 1**

Councillor Alexa Michael (Chairman)  
Councillor John Ince (Vice-Chairman)  
Councillors Douglas Auld, Katy Boughey, John Canvin, Peter Fookes,  
Samaris Huntington-Thresher, Mrs Anne Manning and Harry Stranger

A meeting of the Plans Sub-Committee No. 1 will be held at Bromley Civic Centre on  
**THURSDAY 21 FEBRUARY 2013 AT 7.00 PM**

MARK BOWEN  
Director of Resources

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

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

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

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

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

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

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

## A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 20 DECEMBER 2012**  
(Pages 1 - 14)
- 4 **PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
4.1	Penge and Cator	15 - 28	(12/02798/FULL1) - Land rear of 190-200 Kings Hall Road, Beckenham.
4.2	Penge and Cator	29 - 32	(12/03629/VAR) - Yeoman House, 57-63 Croydon Road, Penge.

### SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.3	Darwin <b>WITHDRAWN BY APPLICANT</b>	<del>33</del> - 38	<del>(12/03191/FULL1) - Silverstead, Silverstead Lane, Westerham.</del>
4.4	Darwin	39 - 46	(12/03282/FULL1) - Maple Farm, Cudham Lane South, Cudham.
4.5	Chislehurst	47 - 58	(12/03385/OUT) - Sheila Stead House, Bushell Way, Chislehurst.
4.6	West Wickham	59 - 64	(12/03559/FULL1) - West Wickham Methodist Church and Church Hall, Hawes Lane, West Wickham.
4.7	Chelsfield and Pratts Bottom	65 - 70	(12/03600/FULL1) - 70 Sevenoaks Road, Orpington.
4.8	Bickley Conservation Area <b>WITHDRAWN BY APPLICANT</b>	<del>71</del> - 76	<del>(12/03620/FULL6) - 20 Pines Road, Bickley.</del>
4.9	Kelsey and Eden Park	77 - 82	(12/03630/FULL6) - 75 Kenwood Drive, Beckenham.

4.10	Bromley Common and Keston	83 - 88	(12/03717/FULL1) - 143 Croydon Road, Keston.
4.11	Chislehurst Conservation Area	89 - 94	(12/03719/FULL6) - 22 Heathfield, Chislehurst.
4.12	Shortlands Conservation Area	95 - 100	(12/03720/FULL6) - 2 Wickham Way, Beckenham.
4.13	Bickley	101 - 104	(12/03762/FULL6) - 27 Logs Hill, Chislehurst.
4.14	Copers Cope Conservation Area	105 - 108	(12/03813/CONDIT) - 94 Bromley Road, Beckenham.
4.15	<del>Penge and Gator</del> <b>WITHDRAWN BY DEPUTY CHIEF PLANNER</b>	<del>109 - 114</del>	<del>(12/03827/FULL2) - 57 High Street, Penge.</del>
4.16	Orpington	115 - 120	(12/03868/FULL6) - 1A Alma Road, Orpington.
4.17	Farnborough and Crofton	121 - 132	(13/00001/FULL1) - 22 Crofton Lane, Orpington.

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

Report No.	Ward	Page No.	Application Number and Address
4.18	Crystal Palace	133 - 140	(12/03317/FULL1) - Crystal Palace Transmitter, Crystal Palace Parade, Anerley.
4.19	Biggin Hill	141 - 144	(12/03911/FULL6) - 8 Haig Road, Biggin Hill.
4.20	Bromley Common and Keston Conservation Area	145 - 150	(12/03982/FULL6) - 55 Forest Drive, Keston.
4.21	Hayes and Coney Hall	151 - 156	(13/00034/FULL6) - 19 Crest Road, Hayes.
4.22	Petts Wood and Knoll	157 - 162	(13/00046/FULL6) - 71 St Johns Road, Petts Wood.
4.23	Bromley Common and Keston	163 - 172	(13/00092/FULL1) - 58-62 Walpole Road, Bromley.

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

Report No.	Ward	Page No.	Application Number and Address
4.24	Chelsfield and Pratts Bottom	173 - 178	(12/03653/ELUD) - Cookham Farm, Skeet Hill Lane, Orpington.
4.25	Darwin	179 - 184	(12/03987/FULL1) - 2A Keston Showmans Park, Layhams Road, Keston.

#### **5 CONTRAVENTIONS AND OTHER ISSUES**

Report No.	Ward	Page No.	Application Number and Address
5.1	Cray Valley West	185 - 190	(DRR/13/035) - 138 Lockesley Drive, Orpington.

#### **6 TREE PRESERVATION ORDERS**

Report No.	Ward	Page No.	Application Number and Address
6.1	Chelsfield and Pratts Bottom;	191 - 194	Objections to Tree Preservation Order 2510 at 11, 12 and 15 Oxenden Wood Road, Chelsfield.
6.2	Shortlands;	195 - 198	Objections to Tree Preservation Order 2513 at Everglades, 43 Shortlands Road, Bromley.

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

NO REPORT

## PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 20 December 2012

### Present:

Councillor Alexa Michael (Chairman)  
Councillors Douglas Auld, Katy Boughey, John Canvin,  
Peter Fookes, Russell Jackson, Charles Joel, Mrs Anne Manning  
and Harry Stranger

### Also Present:

Councillors Reg Adams, Ruth Bennett, Lydia Buttinger,  
Russell Mellor, Catherine Rideout and Colin Smith

## 17 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors John Ince and Samaris Huntington-Thresher and Councillors Charles Joel and Russell Jackson attended as their substitutes.

## 18 DECLARATIONS OF INTEREST

Councillor Douglas Auld declared a prejudicial interest in Item 4.12; he left the chamber for the debate and vote.

## 19 CONFIRMATION OF MINUTES OF MEETING HELD ON 8 NOVEMBER 2012

**RESOLVED** that the Minutes of the meeting held on 8 November 2012 be confirmed and signed as a correct record.

## 20 PLANNING APPLICATIONS

### SECTION 2

(Applications meriting special consideration)

### 20.1 ORPINGTON

**(12/01462/FULL6) - 5 Magdalen Grove, Orpington.**

Description of application – Single storey side and two storey rear extensions and roof alterations.

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.

**20.2  
BROMLEY COMMON AND  
KESTON CONSERVATION  
AREA**

**(12/02162/FULL1) - Land at Westerham Road  
entrance to Forest Drive, Keston.**

Description of application – Entrance gates and columns (max height 2.275m) to Forest Drive (at junction with Westerham Road).

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Ruth Bennett, were received at the meeting. It was reported that the application had been amended by documents received on 17 December 2012. Comments from Keston Park (1975) Limited were reported together with comments in support of the application from the Agent. It was noted that on page 23 of the Chief Planner's report, paragraph 4, the first sentence should be amended to read, "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 loss of amenity to local residents or impact detrimentally upon the character of the Conservation Area."

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

1. The proposed gates would, by reason of their siting, width and means of operation, be likely to result in large vehicles making unsafe manoeuvres on Westerham Road presenting a road safety hazard which would be prejudicial to the free flow of traffic on this London Distributor Route, contrary to Policy T18 of the Unitary Development Plan.

(Councillor Charles Joel recorded his vote against the motion to refuse permission.)

**20.3  
BROMLEY TOWN**

**(12/02227/FULL2) - 10A Sherman Road, Bromley.**

Description of application – Change of use from light industrial use (Class B1) to tyre retailing and fitting place (Sui Generis) **RETROSPECTIVE APPLICATION.**

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.

**20.4  
BROMLEY TOWN**

**(12/02228/ADV) - 10A Sherman Road, Bromley.**

Description of application amended to read, "2 non illuminated signs".

Members having considered the report and objections, **RESOLVED THAT ADVERTISEMENT CONSENT BE GRANTED** as recommended, subject to the condition set out in the report of the Chief Planner with a further condition to read:-  
"2. The existing signage shall be removed from the building by 28<sup>th</sup> February 2013.  
REASON: In the interests of the visual amenities of the street scene and to comply with Policy BE21 of the Unitary Development Plan."

**20.5  
WEST WICKHAM**

**(12/02360/FULL1) - 107-109 Station Road, West Wickham.**

Description of application – Part one/two and three storey rear extension providing ancillary storage space for shop unit. Creation of self-contained one bedroom and two bedroom flats and a dormer extension to form additional accommodation for existing self-contained flat.

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

**20.6  
PENGE AND CATOR**

**(12/02433/FULL3) - 211-215 High Street, Penge.**

Description of application – Change of use of ground floor retail unit (Class A1) at 211-213 High Street to restaurant (Class A3) and installation of extract duct to rear elevation.

Oral representations in objection to the application were received at the meeting.  
Members having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, for the reasons and subject to the conditions set out in the report of the Chief Planner with an amendment to condition 3.  
"3. The ceilings and walls between the ground floor and the upper floors of the premises and the adjacent properties shall be so adapted as to achieve a

reasonable resistance to airborne sound and heat transference as far as is practical having regard to existing construction. These works shall be implemented before the use hereby permitted commences in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and shall be permanently retained thereafter.

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

**20.7  
CHISLEHURST**

**(12/02671/FULL6) - 6 Gossington Close, Chislehurst.**

Description of application - Single storey rear extension.

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

1. The proposed extension would, by reason of its size and siting, give rise to an unacceptable loss of amenity to the occupiers of No. 5 Gossington Close, contrary to Policies BE1 and H8 of the Unitary Development Plan.

**20.8  
WEST WICKHAM**

**(12/02741/FULL1) - 65 Grosvenor Road, West Wickham.**

Description of application amended to read, “Retention of detached two storey block with accommodation in the roof space comprising 3 two bedroom flats and 2 one bedroom flats with new vehicular access and 5 car parking spaces and bin store to rear) - retrospective application.”

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

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

**20.9  
DARWIN**

**(12/02856/FULL1) - 115 Leaves Green Road, Keston.**

Description of application – Demolition of existing dwelling and erection of a single storey 3 bedroom detached dwelling with accommodation in the roofspace.



Oral representations in support of the application were received were received at the meeting.  
Members having considered the report and representations, **RESOLVED** that **PERMISSION BE REFUSED** as recommended, for the reasons set out in the report of the Chief Planner.

**20.10  
SHORTLANDS  
CONSERVATION AREA**

**(12/02890/FULL6) - 26 Hayes Way, Beckenham.**

Description of application – Raised garden terrace at rear with walls and steps. RETROSPECTIVE APPLICATION.

Oral representations in objection to 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 for the case officer to re-visit the site to measure the height of the decking and to take photographs to show the impact on the neighbouring property.

**20.11  
CHISLEHURST**

**(12/03231/FULL6) - 49 Clarendon Way, Chislehurst.**

Description of application – Front boundary wall with railings, brick piers and sliding gates.

Oral representations in support of the application were received at the meeting. It was reported that comments from residents in support of the application had been received.

Members having considered the report, objections and representations, **RESOLVED** that the application **BE DEFERRED** without prejudice to any future consideration to seek a reduction in the height of the wall and railings, to be no higher than 1.5 metres maximum.

**20.12  
CHELSFIELD AND PRATTS  
BOTTOM**

**(12/03232/FULL6) - Gara Rise, Orchard Road, Pratts Bottom.**

Description of application – Two storey front, side and rear extension and elevational alterations together with formation of rear terrace.

Oral representations in support of the application were received at the meeting. It was reported that the neighbour supported the application.  
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 an amendment to condition 2 to read:-

“2. Details of a scheme of landscaping, which shall include heavy stock planting on the boundary adjacent to High Linden, Orchard Road, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted. REASON: In order to comply with Policy BE1 of the Unitary Development Plan, to safeguard the amenities of neighbouring residents and to secure a visually satisfactory setting for the development.”

**20.13  
BROMLEY COMMON AND  
KESTON**

**(12/03252/FULL6) - 365 Southborough Lane,  
Bromley.**

Description of application – Single storey side and rear extension.

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

1. The proposed rear extension would, by reason of its height, roof form and proximity to the boundary, result in an unneighbourly development that would materially worsen the living conditions of the occupiers of No 363 Southborough Lane. The proposal is therefore considered contrary to Policy BE1 of the Unitary Development Plan.

**20.14  
BROMLEY COMMON AND  
KESTON**

**(12/03293/FULL6) - Foxhill Farm, Jackass Lane,  
Keston.**

Description of application amended to read, “Side extension, alterations to existing basement, landscaping and elevational alterations”.

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

Members having considered the report and

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

“8. Before the first occupation of the extension hereby permitted, the existing single storey detached garage identified as building B on drawing reference HW291 P002 shall be removed and the resulting debris removed from the land.

REASON: In order to comply with Policy G4 of the Unitary Development Plan and in the interests of the openness and visual amenities of the Green Belt.”

**20.15  
BICKLEY**

**(12/03362/FULL6) - 19 Wanstead Road, Bromley.**

Description of application – First floor rear extension.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Colin Smith who also spoke on behalf of his two fellow Ward Members for Bickley Ward, in objection to the application were received at the meeting. It was reported that further objections to the application had been received.

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

1. The dwelling has already been substantially enlarged and the proposed first floor rear extension would, by reason of its size, siting and proximity to the flank boundary, result in a cramped overdevelopment of the site and be harmful to the character and spatial standards of the surrounding area, thereby contrary to Policies BE1, H8 and H9 of the Unitary Development Plan.

2. The proposal would be overdominant and would be detrimental to the amenities that the occupiers of the adjoining dwelling at No 17 might reasonably expect to be able to continue to enjoy by reason of visual impact and loss of prospect in view of its size and depth and rearward projection, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

**20.16  
ORPINGTON**

**(12/03386/FULL1) - 15 Paddocks Close, Orpington.**

Description of application – Erection of detached two storey 3 bedroom house to rear of 15 Paddocks Close with vehicular access from Alma Barn Mews and pedestrian access to Chelsfield Lane.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Lydia Buttinger, in objection to the application were received at the meeting. Comments from Councillor William Huntington-Thresher in objection to the application were reported together with comments from the Tree Officer.

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

1. The proposed dwelling by reason of its design and layout would result in unacceptable overlooking to the gardens of 14, 15 and 16 Paddocks Close, contrary to Policy BE1 of the Unitary Development Plan.
2. The proposed intensification of use of the existing access to Alma Barn Mews is unacceptable with regard to highway safety as it does not benefit from adequate sightlines, contrary to standards in the 'Manual for Streets' and consequently Policy T18 of the Unitary Development Plan.
3. The insertion of a new dwelling in the garden of No. 15 Paddocks Close would constitute a cramped overdevelopment poorly related to the neighbouring properties and harmful to the character and amenities of the area, contrary to Policies H7 and BE1 of the Unitary Development Plan.

### **SECTION 3**

(Applications recommended for permission, approval or consent)

#### **20.17 PETTS WOOD AND KNOLL**

**(12/02545/FULL6) - 25 Priory Avenue, Petts Wood.**

Description of application – Part one/two storey front, side and rear extension and elevational alterations.

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 extension would, by reason of its proximity to the flank boundary, constitute a cramped form of development resulting in harm to the visual amenities of the street scene and the retrograde lowering of the spatial standards of the area and the Petts Wood Area of Special Residential Character, thereby contrary to Policies BE1, H8 and H10 of the

Unitary Development Plan.

**20.18  
CHISLEHURST**

**(12/03044/FULL6) - 16 The Weald, Chislehurst.**

Description of application – Part one/two storey side and 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.

**20.19  
BICKLEY**

**(12/03089/ELUD) - 8 Heath Park Drive, Bickley.**

Description of application – Rear dormer extension  
**CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT.**

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

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

**20.20  
CHELSFIELD AND PRATTS  
BOTTOM**

**(12/03120/FULL6) - 177 Warren Road, Orpington.**

Description of application – Part one/two storey front, side and rear extension and rear dormer.

It was reported that the application had been amended by documents received on 20 December 2012.

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

“5. Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed in

accordance with the approved details.

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

**20.21  
CHELSFIELD AND PRATTS  
BOTTOM**

**(12/03121/FULL6) - 50 Tregony Road, Orpington.**

Description of application – Part single/two storey side extensions.

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.

**20.22  
WEST WICKHAM**

**(12/03204/FULL6) - 2 Long Meadow Close, West Wickham.**

Description of application – 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.

**20.23  
CLOCK HOUSE**

**(12/03215/FULL6) - 11 Forster Road, Beckenham.**

Description of application – Part one/two storey rear extension.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Reg Adams, in objection to the application were received at the meeting. It was noted that on page 139 of the Chief Planner’s report, line 10, “No. 95” should be deleted and “No. 9” inserted.

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

1. The proposed extension would, by reason of its height, depth and the proximity to boundaries, result in the overdevelopment of the host property, out of character with surrounding development and detrimental to the amenities of the adjoining property at No. 9 Forster Road, contrary to Policies BE1, H8 and H9 of the Unitary Development Plan.

**20.24  
FARNBOROUGH AND  
CROFTON  
CONSERVATION AREA**

**(12/03314/FULL6) - 17 Park Avenue, Farnborough.**

Description of application – Single storey 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.

**20.25  
COPERS COPE**

**(12/03330/VAR) - Land rear of 86-94 High Street, Beckenham.**

Description of application – Variation of condition 18 of planning permission reference 11/02100/FULL1 granted on appeal (reference APP/G5180/A/11/2167690) to allow installation of structures, plant, equipment or machinery on the roofs of the buildings with the Council's written approval.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Russell Mellor, in objection to the application were received at the meeting. It was reported that further objections to the application had been received together with comments from the Agent.

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.

**20.26  
BROMLEY TOWN**

**(12/03391/FULL6) - 165 Ravensbourne Avenue, Bromley.**

Description of application – Part one/two storey side and rear extension and elevational alterations.

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

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

## **SECTION 4**

(Applications recommended for refusal or disapproval of details)

### **20.27 FARNBOROUGH AND CROFTON**

**(12/03127/FULL6) - 32 Crofton Avenue, Orpington.**

Description of application – Part one/two storey front extension and conversion of garage to habitable room.

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

Members having considered the report and representations, **RESOLVED that the application be DEFERRED**, without prejudice to any future decision, to seek a reduction in the depth of projection, and to be consideration on Section 2 of the agenda of a future meeting of the Plans Sub-Committee.

### **21. SUPPLEMENTARY ITEM**

The Chairman moved that the attached report, not included in the published agenda, be considered a matter of urgency on the following grounds:

#### **PLAISTOW AND SUNDRIDGE**

“The statutory time period for the determination of the application has elapsed. The Section 106 Agreement previously authorised by Members has been agreed and the developers have asked that the permission be issued. The report advises that there is a need to add an additional condition to the permission when issued.”

(RES/12207) – Holy Trinity Convent School – Additional Condition for Planning Permission reference 12/02443.

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

## **22 TREE PRESERVATION ORDERS**

### **22.1 BROMLEY COMMON AND KESTON**

**(DRR12/135) - Objections to Tree Preservation Order 2496 at Forest Dene, Holwood Park Avenue, Keston.**

Members having considered the report, **RESOLVED that Tree Preservation Order No 2496** relating to one maple tree **BE CONFIRMED**, as recommended, in the report of the Chief Planner.



**22.2  
CHELSFIELD AND PRATTS  
BOTTOM**

**(DRR12/ 137) - Objections to Tree Preservation  
Order 2492 at 108 Windsor Drive, Orpington.**

Members having considered the report, **RESOLVED** that **Tree Preservation Order No 2492** relating to a tree of heaven **BE CONFIRMED**, as recommended, in the report of the Chief Planner.

The Chairman warmly thanked Bob McQuillan, the Chief Planner, for his hard work and dedication to the Planning Department over many years and said that he would be a great loss to the Borough and would be missed by Councillors and colleagues. The Chairman wished him a long and happy retirement.

The Meeting ended at 9.54 pm

Chairman

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## SECTION '1' – Applications submitted by the London Borough of Bromley

**Application No :** 12/02798/FULL1

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

**Address :** Land Rear Of 190 To 200 Kings Hall  
Road Beckenham

**OS Grid Ref:** E: 536697 N: 170282

**Applicant :** Nigel Davies

**Objections :** YES

### **Description of Development:**

Extension to existing car park to provide an additional 66 car parking spaces; associated landscaping

### **Proposal**

This proposal is for an extension to existing car park at New Beckenham Station to provide an additional 66 car parking spaces and associated landscaping.

Revised plans have been received which reduce the depth of the car park by approximately 7m providing a buffer zone between the application site and Nos. 5 – 8 Bridgelands Way resulting in the loss of 4 on-site car parking spaces and turning circle to the southern edge of the site.

### **Location**

The application site would be accessed via the existing commuter car park which leads onto Lennard Road in close proximity to the junction with Kings Hall Road. The application site is currently undeveloped and backs onto the rear gardens of No. 190 - 200 Kings Hall Road and Nos. 5 – 8 Bridgelands Close. To the west of the site is a railway line operated by Network Rail.

### **Comments from Local Residents**

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

- site at present very green with several mature trees along railway line and backing onto Kings Hall Road, vital these are maintained as much as feasibly possible.
- it is crucial parking will be permeable to prevent increased rainwater run off.
- increased noise pollution and excessive vibrations already generated from train line which runs adjacent to rear garden of No. 196a Kings Hall Road.

- large quantity of mature trees have recently been removed which previously reduced noise and vibrations from trains.
- were proposal to be granted would wish re-introduction of a line of mature trees to separate residential gardens from new car park to obscure view from 2nd and 3rd floor windows of houses on Kings Hall Road and reducing noise, fumes and vibrations from cars and trains.
- such urban developments step in wrong direction for the area.
- concerns about lack of distance between car park/turning circle and rear boundary of No. 8 Bridgelands Close.
- concerns in terms of security due to recent burglaries to properties in the area, trespassing and break-ins to cars in the station car park. Proposed car park would make it easy to jump garden fence with ease and create an easy and convenient escape route.
- in terms of privacy gardens of Bridgelands Close are only 20ft long making it easy to see into bedrooms of these properties.
- understand need for additional parking however, concerns over turning closest to Bridgelands Close would prefer a compromise of this being replaced with thick trees and shrubs to provide security and privacy together with reduced noise.
- there is already controlled parking zone along Kings Hall Road to junction with Bridge Road while commuters already park along Lennard Road to junction with Aldersmead Road and as such little incentive for users to pay extra parking charge as such concerns that this will not lead to relief of car parking pressure in adjacent streets as argued.
- contrary to paragraph 3.4 there has been no upkeep, repair or restoration by the Council of the fencing bordering the railway or backing onto the houses on Kings Hall Road. Council have failed to maintain any part of the woodland.
- concerns as the cost of the proposal would be £100,000 with little benefit for residents or commuters in financially constrained times.
- no direct access point to the site at present. Car park is unsupervised and station unoccupied and unstaffed beyond morning rush hour which would allow scouting of the vulnerable backs of houses during evening and night.
- an empty concrete car park will increase noise pollution compared to unkempt vegetation, undergrowth and trees at present which act as an acoustic barrier from noise of passing trains.
- unused land currently home to many species of bird species, insects, squirrels and urban foxes with a number of trees including walnut trees with preservation orders. Pockets of nature in suburban Beckenham should be preserved instead of levelling and concreting of site. Removal of trees and vegetation at the site has affected wildlife.
- detrimental effect on value of houses neighbouring railway due to loss of aspect and outlook.
- require appropriate buffer zone between properties at Bridgelands Close and end of car park to ensure fences do not get damaged/vandalised, property remains secure and continues to enjoy some privacy.
- concerns in relation to flooding as ground of site and surrounding area including rear gardens of Kings Hall Road are low lying with mostly clay subsoil. No. 190 Kings Hall Road has a damp cellar susceptible to regular

flooding and garden liable to becoming water logged during periods of excessive rain with high water table level. Most of the trees have now been felled on the site which acted as a natural solution to control water table in the past.

- council carried out water survey to examine water table with bore hole drilled after 5 months of drought conditions and close to three remaining trees which was not considered to have been undertaken diligently.
- extending car parking will attract more cars to the area which already has major unresolved traffic problems.
- concerns as to where lights would be installed or how they would be angled or whether additional trees would be planted to obscure lighting and noise of trains.
- access to car park is narrow and hazard to pedestrians and safe access to drive of No. 207 Lennard Road. Slowing traffic entering and existing car park needs to be considered.
- lighting to car park is poor and need to be improved in extension to ensure security and safety to cars and pedestrians.
- suggest CCTV be used to act as a deterrent to people visiting car park late at night driving recklessly and at speed and to provide additional security provisions.
- traffic calming measures would also provide significant benefit to pedestrian safety.
- turning circle is superfluous given three alternative cut-through planned and buffer zone should be installed instead.
- complaints as to the removal of mature trees and abundant flora and fauna at the site without notifying local residents.
- concerns vibrations of trains have caused cracks in neighbouring properties which needs to be investigated.
- concerns as to where further ticketing machines would be located.
- concerns as to whether new car park would be at same ground level as existing car park excavation may be required in this case.
- in terms of financial viability concerns on-going costs caused on to residents.
- already underused pay and display bays in the area, query the need for the scheme which will not alleviate problems experienced by local residents.
- consider responsibilities under Human Rights Act particular Protocol 1, Article 1 which states a person has the right to peaceful enjoyment of all their possessions which includes the home and other land which would be compromised by extension of car park.
- entrance to existing car park crosses cycle routes and pedestrian access. An increase in vehicles crossing this will endanger pedestrian and cyclist safety.
- proposal against Borough and Government policies to try to discourage car use and promote healthier greener modes of transport.
- site is host to many mature trees, plants and wildlife. One of the conditions on planning application for original car park was to “ensure that as many trees as possible are preserved at this stage in the interests of the amenity”.

The full text of correspondence received is available to view in the file.

## Comments from Consultees

The Council's Highways Drainage Division were consulted who state that there is no public surface water sewer near to the site, surface water will therefore have to be drained to soakaways. The site appears to be suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water. The site is within the area in which the Environment Agency Thames Region require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries. There is no groundwater recorded flooding in the area and the fact that the proposed soakaway will be built at 1.5m above groundwater will make the proposal acceptable. No objections are raised subject to conditions including the installation of petrol/oil interceptor prior to discharge of surface water run-off to the soakaway.

The Environment Agency have been consulted and state the site is located over a Secondary Aquifer and within a groundwater Source Protection Zone (SPZ2). They state that the planning application form indicates that land contamination is neither known nor suspected, but no evidence has been produced to support this. They also state from the form that a sustainable drainage system is proposed for surface water.

The Environment Agency hydrogeological mapping indicates groundwater between 6m and 8m below ground level (bgl), although the drilling logs The Council has sent to EA Groundwater & Contaminated Land officer which show proved groundwater at around 3.5m bgl. Given that the soakaway is proposed to be at approximately 2m bgl, this is only just acceptable from the perspective of protection of Controlled Waters. The site is located within a groundwater Source Protection Zone, SPZ2, and the EA would want an absolute minimum of 1m between the soakaway and the groundwater level. The site currently appears to be undeveloped land and the EA understand it is proposed to be used for the parking of 70 vehicles. In such circumstances the EA would wish to see an appropriate oil-water interceptor (which should be adequately inspected, cleaned and maintained) installed prior to discharge of surface water run-off to the soakaway. Several conditions are recommended.

Thames Water raise no objections in terms of water infrastructure at the site.

The Council's Highways Division state the site is accessed from Lennard Road utilising the existing vehicular access arrangement. No objections are raised subject to conditions.

The Metropolitan Police Crime Prevention Design Advisor state this is an extension to the Lennard Road Car Park run by the Borough, the existing car park has a Safer Car Parking award from the British Parking Association. The Metropolitan Police would expect the principle and standards of the Safer Parking scheme to be adopted to the extended car park if permission is granted in respect of this application.

The Council's Environmental Health Division were consulted on this proposal and state use of the proposed extended car park may increase noise for residents and

lead to some loss of amenity, particularly for the houses on Bridgelands Close which are closest to the new spaces and will not benefit from the same acoustic attenuation over long gardens as the houses on Kings Hall Road.

The car park lies within the Council's Air Quality Management Area declared for NOx. Concentrating an additional 70 car parking spaces in one location within the AQMA is likely to increase NOx emissions in this area. The increase may be both through greater concentration of traffic at a location within the AQMA and by encouraging car use through increasing convenience and availability of parking spaces. There has been no attempt to mitigate the likely pollution impact (for example through provision of electric charging points - see NPPF para 35). In addition to these concerns have been raised relating to the loss of amenity from artificial lighting although this could be controlled by a condition.

Network Rail were consulted on this proposal and raise no objections subject to a number of conditions.

From a trees perspective concerns relate to the trees in the middle of the site and the potential impact of the construction works on their root systems. This can be overcome by using a no dig method of construction. If permission is to be recommended conditions are recommended

### **Planning Considerations**

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

- BE1 Design of New Development
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

#### Supplementary Planning Guidance (SPG) 1 General Design Principles

- London Plan Policy 2.8 Outer London: Transport
- London Plan Policy 5.12 Flood Risk Management
- London Plan Policy 5.13 Sustainable Drainage
- London Plan Policy 6.13 Parking
- London Plan Policy 7.3 Designing out crime
- London Plan Policy 7.13 Safety, Security and Resilience to Emergency
- London Plan Policy 7.14 Improving Air Quality
- London Plan Policy 7.15 Reducing Noise and Enhancing Soundscapes
- London Plan Policy 7.19 Biodiversity and Access to Nature
- London Plan Policy 7.21 Trees and Woodlands

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

### **Planning History**

In 1988 under planning ref. 88/03282, permission was granted for the laying out of commuter car park at New Beckenham Station.

## **Conclusions**

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

Given its location to the rear of an existing car park and residential gardens the application site is not highly visible in the streetscene. There are a number of mature trees located on the site which add to the visual amenities of the area and were permission to be granted their retention would be secured by way of conditions. Overall the proposal is not considered to result in an unduly harmful impact upon the character of the area.

To the east of the site is a railway line resulting in a considerable separation between the application site and residential properties along Copers Cope Road and as such this application shall be primarily concerned as to the implications on the residential amenities of Nos. 188- 200 Kings Hall Road, No. 207 Lennard Road and Nos. 5 – 8 Bridgelands Close.

Nos. 188- 200 Kings Hall have rear gardens of a considerable depth of approximately 36m and although the outlook of these properties will be altered given the considerable distance which would be retained between the rear elevations of these properties to the application site this is not considered to result in a significant detrimental impact on the residential amenities of these properties.

The flank boundary of No. 7 Lennard Road abuts the existing car park and although this property may be somewhat affected as a result of the additional vehicles entering and exiting the site again this could be satisfactorily overcome by appropriate conditions.

The properties most impacted by this proposal would be Nos. 5 – 8 Bridgelands Close as these properties have rear gardens which are considerably smaller than those on Kings Hall Road with the result that the rear elevations of these properties would be sited a minimum of 7m from the boundary with the application site. To overcome concerns in relation to these properties revised plans have been received which propose an approximately 7m buffer zone within the southernmost section of the application site with the result that the nearest car parking space would be a minimum of 14m from the rear elevations of these properties. Although the residential amenities of these properties may be somewhat affected by the proposal it is considered that on balance given the revisions which have been made these could be satisfactorily overcome through the imposition of a number of conditions.

The applicant confirmed that they intend to erect a 1.8m high boundary fence which would be located within the curtilage on the site. It is considered that the provision of a boundary fence with sound reducing properties would provide an adequate level of screening and security for neighbouring properties, although the



Local Planning Authority would encourage this to be a minimum of 2m in height which were permission to be granted could be secured by way of a condition. The Metropolitan Police Crime Prevention Design Advisor has been consulted who stated that the existing car park has a Safer Car Parking award from the British Parking Association. Were permission to be granted a condition would be attached to ensure the application complies with the principles of Secure By Design to limit the potential detrimental impact on the security of neighbouring residential properties.

Concerns have been raised by neighbouring properties in relation to drainage at the application site. Neighbours have stated the area is subject to flooding with cellars being regularly flooded as is the underpass at New Beckenham Station and also the area has a high water table. Local residents also raised concerns that as the proposal would remove a significant amount of vegetation and trees which absorb a high proportion of rainwater at present and that were the area to be covered in hardstanding this would be liable to flooding and may also adversely affect the adjoining railway lines which are located on a lower ground level. The applicant has provided detail calculations in terms of the soakage tests undertaken at the site and both the Council's Highways Drainage Advisor and Environment Agency are satisfied that the proposal will not result in a significant detrimental impact from a drainage perspective.

In terms of potential light pollution for neighbouring residential properties, the applicant has yet to finalised the lighting arrangements at the site but has stated that part of the design will be to minimise light pollution, this could be secured by way of a condition.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02798, excluding exempt information.

As amended by documents received on 07.12.12

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACA04<br>ACA04R | Landscaping Scheme - full app no details<br>Reason A04         |
| 3 | ACB03<br>ACB03R | Trees - no bonfires<br>Reason B03                              |
| 4 | ACB04<br>ACB04R | Trees - no trenches, pipelines or drains<br>Reason B04         |
| 5 | ACB16<br>ACB16R | Trees - no excavation<br>Reason B16                            |
| 6 | ACB19           | Trees - App'ment of Arboricultural Super                       |

- ACB19R Reason B19
- 7 ACD02 Surface water drainage - no det. submitt  
**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.
- 8 ACD06 Sustainable drainage system (SuDS)  
**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.
- 9 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 10 ACH32 Highway Drainage  
ADH32R Reason H32
- 11 ACI21 Secured By Design  
**Reason:** In the interest of security and crime prevention and to accord with Policy BE1 of the Unitary Development Plan.
- 12 Prior to commencement of works on site details of an oil-water interceptor shall be submitted to and approved in writing by the Local Planning Authority. This should include details as to the how the oil-water interceptor shall be inspected, cleaned and maintained. The scheme shall be implemented, maintained and managed in accordance with the approved details  
**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.
- 13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved and reported to the satisfaction of the Local Planning Authority.  
**Reason:** There is the potential for unexpected contamination to be identified during groundworks. The Environment Agency should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.
- 14 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.  
**Reason:** Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.
- 15 Before the external illumination becomes operational the detail of the type, orientation and screening of the lights shall be submitted to and approved by the Local Planning Authority, and, shall be permanently maintained as such thereafter. These details shall include measures to minimise the potential light pollution for the adjoining residential properties on Kings Hall Road and Bridgelands Close.

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

16 The vehicle hardstanding and access drives hereby permitted shall be formed of permeable paving in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The details shall include proposals for the regular maintenance of the paving, which shall be maintained in accordance with the approved details.

**Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

17 Before the car parking hereby approved is first used a suitable screen to protect the adjacent properties from noise of a height and type to be approved in writing by the Local Planning Authority shall be erected in such a position along the boundary of the site as shall be agreed by the Authority and shall be permanently retained thereafter.

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

18 Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 – 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

**Reason:** In order to ensure the continuous safe operation of the railway.

19 Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir

Trees – Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata “Zebrina”

Not Permitted: Alder (Alnus Glutinosa), Aspen – Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

**Reason:** In order to ensure the continuous safe operation of the railway.

20 In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail’s existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail’s boundary must also not be disturbed. Any fencing installed by the applicant must not prevent Network Rail from maintaining its own fencing/boundary treatment.

**Reason:** In order to ensure the continuous safe operation of the railway.

21 Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail’s Asset Protection Engineer’s approval of their detailed proposals regarding lighting prior to the installation of lighting on the site.

**Reason:** In order to ensure the continuous safe operation of the railway.

22 The development must ensure any future maintenance can be conducted solely on the applicant’s land. The applicant must ensure that any construction and any subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail’s adjacent land and air-space.

**Reason:** In order to ensure the continuous safe operation of the railway.

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

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

Unitary Development Plan:

- BE1 Design of New Development
- T3 Parking
- T18 Road Safety

## NE7 Development and Trees

### Supplementary Planning Guidance (SPG) 1 General Design Principles

#### London Plan:

- 2.8 Outer London: Transport
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.13 Parking
- 7.3 Designing out crime
- 7.13 Safety, Security and Resilience to Emergency
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands

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;

and having regard to all other matters raised.

#### INFORMATIVE(S)

- 1 If the applicant (and any future resident) needs to utilise Network Rail land and air-space to facilitate works. The applicant / resident would need to receive approval for such works from the Network Rail Asset Protection Engineer, the applicant / resident would need to submit the request at least 20 weeks before any works were due to commence on site and they would be liable for all costs (e.g. all possession costs, all site safety costs, all asset protection presence costs). However, Network Rail is not required to grant permission for any third party access to its land.
- 2 Where a proposal calls for hard standing area / parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.
- 3 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

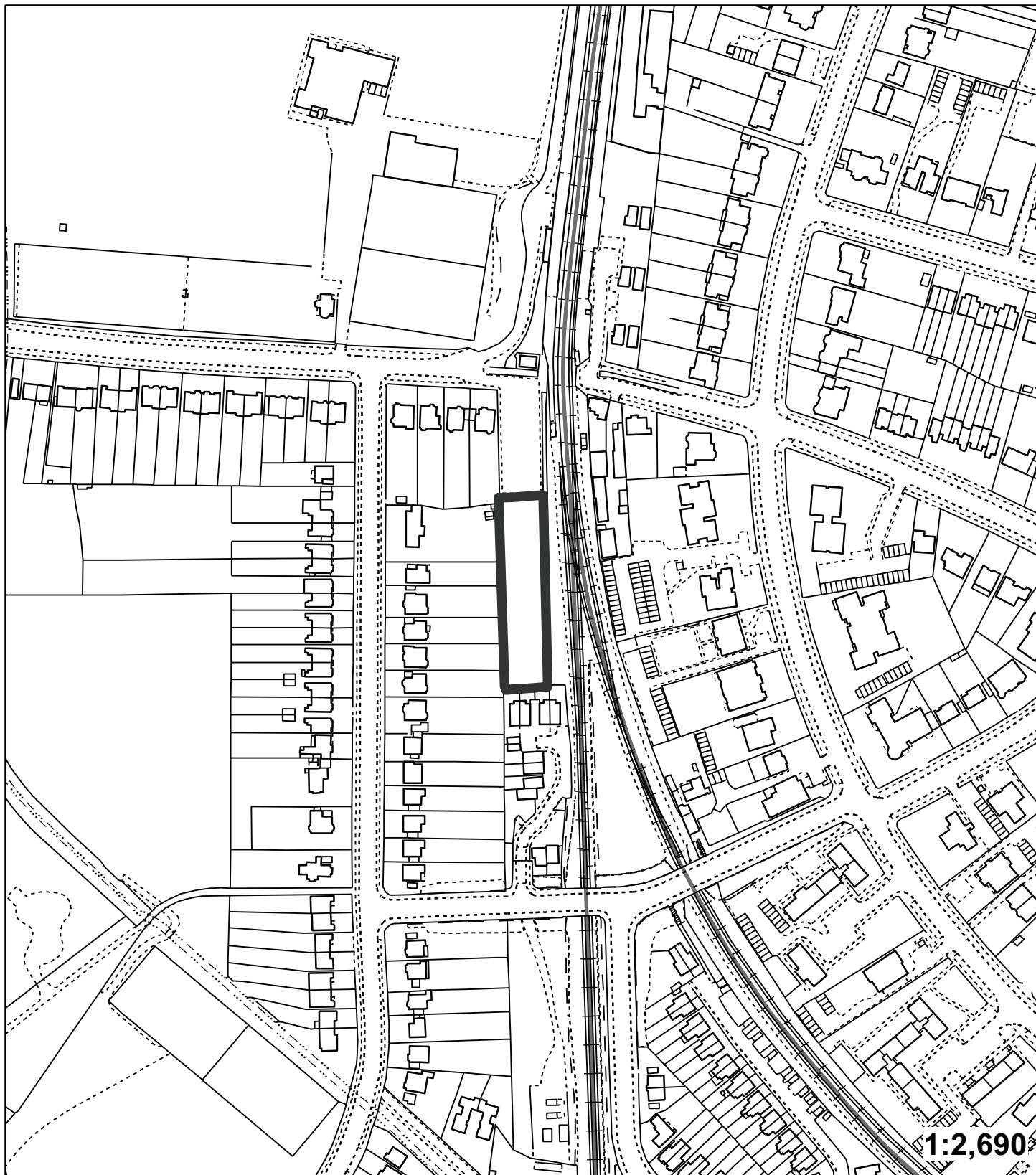
Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

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

**Application:**12/02798/FULL1

**Address:** Land Rear Of 190 To 200 Kings Hall Road Beckenham

**Proposal:** Extension to existing car park to provide an additional 66 car parking spaces; associated landscaping



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

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## SECTION '1' – Applications submitted by the London Borough of Bromley

**Application No :** 12/03629/VAR

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

**Address :** Yeoman House 57 - 63 Croydon Road  
Penge London SE20 7TS

**OS Grid Ref:** E: 535364 N: 169774

**Applicant :** London Borough of Bromley

**Objections :** NO

### **Description of Development:**

Variation of condition 5 of permission 12/00324 to allow use of 4th floor as offices/occupational health centre (class B1/D1) to operate from 0700-1900 Monday to Friday

### **Proposal**

Yeoman House is a 10 storey building in use mainly as Class B1 offices. It also has planning permission for other uses including, educational and training (Class D1) and an 89 bedroom 'Travelodge' hotel. The ground floor / forecourt of the building is in use as a car showroom. Part of the second and third floors are used as offices / community mental health centre.

Permission is sought to vary condition 5 of permission ref. 12/ 00324 granted for use of fourth floor for Offices / occupational health centre (Class B1 / D1). Condition 5 states:

"The use of the premises for the purpose permitted shall be limited to Mondays to Fridays inclusive between 0800 –1800".

It is now sought to operate the use from 0700 – 1900 on the permitted days.

### **Location**

The site is located towards the north-eastern end of Croydon Road, close to the junction with Penge High Street. The immediate area is largely residential with a mix of flatted development and single dwellings and converted houses along Croydon Road, Avenue Road and beyond. Penge District Shopping Centre is also within relatively easy walking distance and the area is also well served by public transport.

### **Comments from Local Residents**

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

### **Comments from Consultees**

No objections raised from a highway point of view.

### **Planning Considerations**

In considering the application, the main policies are C2, C4, C5, of the Unitary Development Plan.

Policy C2 concerns Community Facilities and Development and seeks to ensure that appropriate account is taken of community needs when considering proposals for development.

Policy C4 concerns Health Facilities and states that such facilities will usually be permitted provided that they are located within an accessible location.

Policy C5 concerns Facilities for Vulnerable Groups it states that the such proposals will normally be permitted except where it can be demonstrated that such development would have a significant adverse effect upon residential amenity.

### **Planning History**

In 2004 under planning ref. 04/04550, planning permission was granted for change of use of part of second and third floors from offices to community medical health centre / offices. This proposal included a mix of office accommodation and facilities for the community health team. With a total of 65 staff being based at Yeoman House. The proposal included 21 car parking space although it was stated that most of the staff would work predominantly off site with clients arriving by foot.

In 2012 under planning ref.12/00324, planning permission was granted for change of use of the fourth floor offices (Class B1) to office / occupational health centre (Class B1 / D1). A number of conditions were imposed including condition 5 restricting hours / days of use. It is this condition which is the subject of the current application.

A further application under planning ref. 12/01940 followed which sought to remove condition 3 requiring bicycle parking and vary the hours of use for the office / occupational health centre. This application was later withdrawn as possible locations where bicycles could be stored were later identified.

### **Conclusions**

At the time when the application was permitted works were underway to convert floors 6-9 of Yeoman House into the 89 bedroom "Travelodge" hotel. These works have now been completed and the hotel is now in operation. This use

generates both early morning and late night activity as hotel guests check in and out of the facility.

It is understood that the extension in the hours are required in order to allow employees to work more flexibly and not for patients/ clients to attend any clinic during these times. On this basis it is considered that the proposed extension in hours would not impact unduly on either other occupants of the Yeoman House or occupiers of nearby residential dwellings.

**RECOMMENDATION: APPROVAL**

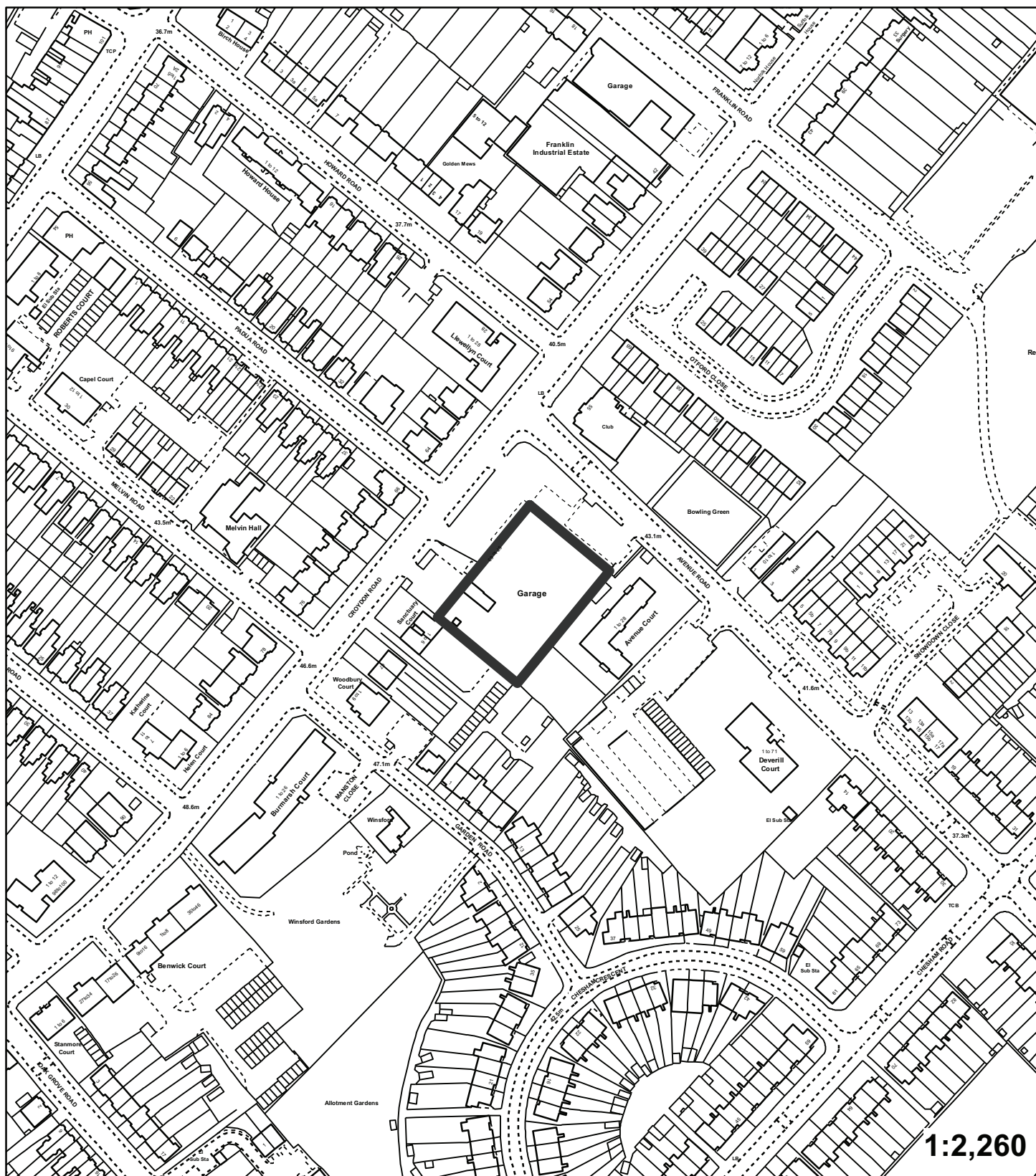
subject to the following conditions:

- 1      ACA01          Commencement of development within 3 yrs  
         ACA01R        A01 Reason 3 years
- 2      ACH03          Satisfactory parking - full application  
         ACH03R        Reason H03
- 3      ACH22          Bicycle Parking  
         ACH22R        Reason H22
- 4      The use of the premises for the purpose permitted shall be limited to Mondays to Fridays inclusive between 07:00 and 19:00.  
**Reason:** In order to comply with Policy C5 of the Unitary Development Plan and in the interest of the amenities of nearby residential properties.
- 5      The Travel Plan shall be implemented in accordance with the agreed timescale and details discharged on 7th February 2013 in connection with condition 4 of planning ref. 12/00324.  
**Reason:** In order to ensure appropriate management of transport implications of the development and to accord with Policy T2 of the Unitary Development Plan.
- 6      No powered gymnasium equipment shall be used at the site without the prior approval in writing of the Local Planning Authority.  
**Reason:** To prevent any noise disturbance in the interest of the amenities of adjacent properties with regard to Policy BE1 of the Unitary Development Plan.

**Application:**12/03629/VAR

**Address:** Yeoman House 57 - 63 Croydon Road Penge London SE20 7TS

**Proposal:** Variation of condition 5 of permission 12/00324 to allow use of 4th floor as offices/occupational health centre (class B1/D1) to operate from 0700-1900 Monday to Friday



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

## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03191/FULL1

**Ward:**  
**Darwin**

**Address :** Silverstead Annexe Silverstead Lane  
Westerham TN16 2HY

**OS Grid Ref:** E: 545218 N: 156999

**Applicant :** Mr And Mrs Mark Winsper

**Objections :** NO

### **Description of Development:**

Demolition of annexe and outbuildings and erection of a single storey three bedroom detached dwelling and store outbuilding

Key designations:

Area of Outstanding Natural Beauty Area Of Outstanding Natural Beauty 02  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
Sites of Interest for Nat. Conservation

### **Proposal**

- The proposal seeks to remove all existing structures including the annexe and associated outbuildings.
- The replacement three bedroom building will have a maximum height of 4.2m and will be single storey.
- The building will have a length of 20.5m and a width of 11.5m.
- The existing structure has a height of approximately 3.3m and a length of approximately 14m.
- A garden and recycle store building with attached carport will also be provided with hardstanding to the front and the existing access onto Silverstead Lane.

### **Location**

The application site is located on the southern side of Silverstead Lane and is isolated within an area of open countryside which falls within the Green Belt. The land is also within the North Kent Downs Area of Outstanding Natural Beauty.

The site contains a single storey flat roofed detached building which has been used as a separate detached dwelling. The site forms part of the residential curtilage of the main dwelling at Silverstead.

### **Comments from Local Residents**

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

### **Comments from Consultees**

Technical drainage comments have been received suggesting conditions.

The Environment Agency has not commented on the application.

No Thames Water objections are raised subject to an informative.

Technical highways comments have been received stating that due to the nature of the lanes leading to the site there is the need to condition routes/types of vehicle to be used etc during the demolition and construction phase. It is not clear if the access is suitable for use by construction vehicles and any changes need to be included in the Construction Management Plan. Conditions are suggested.

Waste Services has advised that refuse and recycling should be left at edge of curtilage.

Environmental Health (Housing) comments have been received regarding the need for suitable lighting and ventilation and these comments have been passed on to the applicant.

Environmental Health (Pollution) has commented suggesting informatives.

### **Planning Considerations**

The main policies relevant to this case are Policies BE1 (Design Of New Development), H7 (Housing Density And Design), G1 (Green Belt), G5 (Dwellings In The Green Belt Or On Metropolitan Open Land), NE2 (Development And Nature Conservation Sites), NE7 (Development And Trees) and NE11 (North Kent Downs Area Of Outstanding Natural Beauty (AONB)).

London Plan Policy 3.4 Optimising Housing Potential

London Plan Policy 3.5 Quality and Design of Housing Developments

London Plan Policy 7.16 Green Belt

London Plan Policy 7.8 Heritage Assets And Archaeology

London Plan Policy 7.21 Trees And Woodlands

The National Planning Policy Framework and the Council's adopted SPG guidance are also considerations.

## Planning History

A Certificate of Lawfulness application was granted under ref. 03/04524 to convert the annexe to separate dwellinghouse.

## Conclusions

The main issues relating to the application are the effect that it would have on the rural character and openness of the Green Belt, the impact on the nearby Area of Outstanding Natural Beauty (AONB), the impact on highway safety and the impact on nearby residential amenities. The impact on trees is also a consideration.

Silverstead Annexe benefits from a certificate of lawfulness under ref. 03/04524 which was granted for "Convert annex to separate dwellinghouse CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE". However there is no established separate residential curtilage for the Annexe which stands in the residential curtilage of the main dwelling without physical separation. The existing dwelling is a simple flat roof building approximately 3m high which has a floorspace of approximately 100sqm, There are additionally two sheds and a garage which have a total floorspace of 57sqm and are also a maximum of 3m high as shown on the submitted plans. The total amount of built development at the application site (to be demolished) is therefore 162sqm.

The proposal includes the formation of a residential curtilage and construction of a new dwelling and outbuilding with attached car port. The new dwelling features two single pitch sloping roof elements and the building rises to just over 4m high on one side and slopes down to an eaves around 2.6m, with some other flat roof areas around 3m high. The new dwelling has a floorspace of approximately 164sqm. The outbuildings have a floorspace of 11sqm and the car port has a floorspace of approximately 30sqm. The total amount of new built development at the application site is therefore 205sqm. Although the agent has not included the car port in their calculations, this is considered to constitute floorspace for the purposes of considering whether the proposed development is materially larger than what it replaces and in assessing how the proposal will impact on the openness of the Green Belt. The replacement building will be around 6m wider. Additionally there are deck and terrace areas proposed around the building, with extended walls which will partially enclose these areas and will also impact on openness.

The NPPF (para 89) states that the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces, can constitute appropriate development in the Green Belt. It also states that limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development can also be appropriate development. Should a proposal be inappropriate in the Green Belt, very special circumstances must be demonstrated to outweigh any harm caused. The current Bromley Unitary Development Plan defines a material increase as 10% in Policies G4 and G5.

The redevelopment of this site will result in a materially larger dwelling than currently exists, and the overall built development will increase from 162sqm to 205sqm, an increase of 26.5%. The maximum height of the development at the site will increase by approximately 1m. Coupled with the formation of a new residential curtilage and the extended walls proposed adjacent to terrace and decked areas, it is considered that the proposal will have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development and that the replacement building will be materially larger than what it replaces. The proposal is therefore considered to be inappropriate development in the Green Belt. No very special circumstances have been put forward to outweigh the harm caused by reason of inappropriateness.

The site is close to the North Kent Downs Area of Outstanding Natural Beauty. Although the proposal would provide a simple design incorporating a low roof it would appear slightly bulkier than the current structure when viewed from the nearby AONB. On balance however, it is considered that the proposal would harm views from the nearby AONB and would detract from its natural beauty.

The Annexe building is currently sited a significant distance from neighbouring properties and the proposal is therefore not considered to be harmful to nearby residential amenities.

The proposal will utilise an existing access onto Silverstead Lane and it is considered that the use of this access would not be detrimental to highway safety as a dwelling already exists at the annexe.

This is a balanced case with regard to guidance in the NPPF, however it is considered that the proposal constitutes inappropriate development and no very special circumstances have been demonstrated to warrant an exception to the normal policy considerations. It is therefore recommended that Members refuse planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03191, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposal, by reason of the increased size and amount of development proposed, would constitute inappropriate development in the Green Belt, harming its openness and rural character, and would harm views from the nearby Area of Outstanding Natural Beauty, with no very special circumstances demonstrated that would outweigh the harm caused, thereby the proposal would be contrary to Policies G1 and G5 of the Unitary Development Plan and the guidance within the National Planning Policy Framework.

## **INFORMATIVE(S)**



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

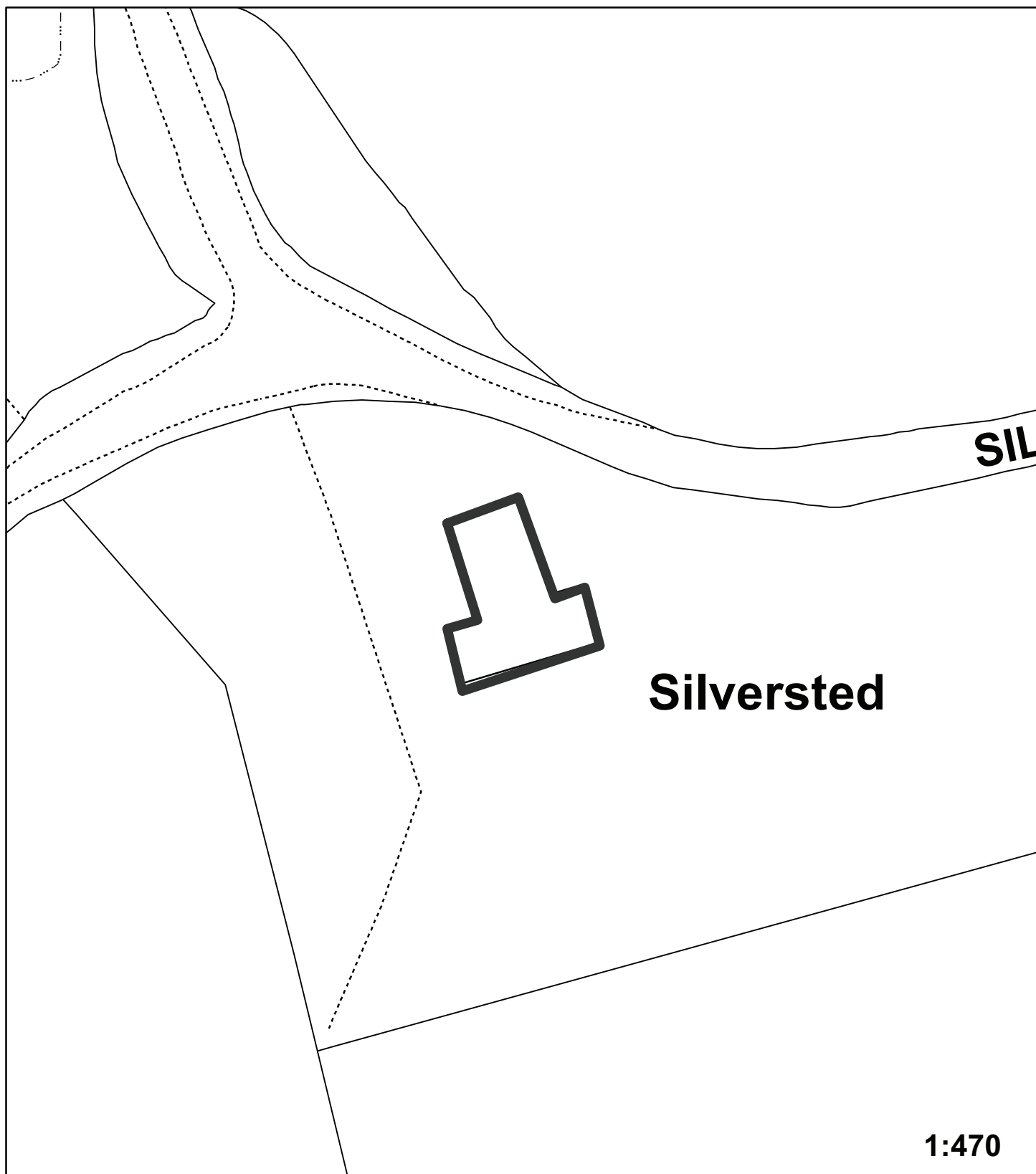
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

**Application:**12/03191/FULL1

**Address:** Silverstead Annexe Silverstead Lane Westerham TN16 2HY

**Proposal:** Demolition of annexe and outbuildings and erection of a single storey three bedroom detached dwelling and store outbuilding



## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03282/FULL1

**Ward:**  
**Darwin**

**Address :** Maple Farm Cudham Lane South  
Cudham Sevenoaks TN14 7QD

**OS Grid Ref:** E: 544852 N: 159111

**Applicant :** Mr And Mrs C Ganley

**Objections :** NO

### **Description of Development:**

Demolition of existing dwelling and outbuildings and erection of detached two storey four bedroom dwelling and stable building

Key designations:

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

### **Proposal**

It is proposed to demolish the existing bungalow and five other outbuildings on the site (leaving only the large detached shed), and construct a detached two storey four bedroom house along with a stable block at the rear of the site. The dwelling would be set back 13.8m from the front boundary of the site, and 3.3m from the side boundary with Maple Cottage.

The proposed stable block would measure 20.7m x 6m, and would contain a hay store above. It would be sited to the rear of Maple Cottage, and would have a pitched roof up to 5.9m in height. The plans originally submitted were revised to reduce the depth of the building by 7m and the height by 0.9m, thus reducing the floorspace of the stable building by 27.75sq.m.

### **Location**

This detached bungalow is located on the eastern side of Cudham Lane South within the Green Belt, and occupies a site area of 0.18ha. It was built in the mid-1930s, and originally contained a sitting room, kitchen, two bedrooms, and a small scullery at the rear. A conservatory was added to the side of the bungalow in 1966, and a single storey rear extension was permitted in 1968 (ref. 68/01185) which comprised a bedroom, bathroom and extension to the kitchen.

There are a number of outbuildings to the rear of the bungalow and the applicant also owns fields to the south and east.

The site is bounded to the north by Maple Cottage which is a two storey dwelling.

### **Comments from Local Residents**

No third party comments have been received to date.

### **Comments from Consultees**

No objections are seen to the proposals from a highways point of view as there are no proposals to alter the existing access to the site, and the proposals are unlikely to result in a significant increase in the use of the access.

No drainage objections are seen to the proposals in principle, subject to the submission of further details of the foul water and surface water drainage systems.

No objections are raised by Thames Water in principle, subject to safeguarding conditions.

Environmental Health suggest that informatives be attached regarding measures for any site contamination found, and compliance with the Control of Pollution and Environmental Protection Acts.

### **Planning Considerations**

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

- BE1 Design of New Development
- H7 Housing Density & Design
- G1 The Green Belt
- G5 Dwellings in the Green Belt
- T3 Parking
- NE7 Development and Trees

### **Planning History**

With regard to the recent history of the site, permission was refused in 2007 (ref. 06/04221) for a four bedroom replacement dwelling, and the appeal was dismissed in October 2008 on grounds relating to inappropriate development within the Green Belt, with no very special circumstances to justify the proposal.

Under ref. 09/00068, a Certificate of Lawfulness for part one/two storey side/rear and first floor extensions was refused in 2009 as the rearward projection of the part one/two storey side/rear extension from the original rear wall would exceed the permitted limits.

Under ref. 09/02085, a Certificate of Lawfulness for a single storey side/rear extension and roof extensions including side and rear dormers was refused as it

would exceed the limits of parts (f)(i) and (h)(iii) of Class A. The subsequent appeal was dismissed in August 2010 as the Inspector considered that the single storey side/rear extension would breach limitation (h)(iii) of Class A.

Under ref.10/03320, a Certificate of Lawfulness for single storey side and part one/two storey rear extensions, and roof alterations including side dormers and rooflights was refused as it wouldn't comply with criteria (f)(i) and (h)(iii) of Class A, nor criteria (c) of Class B.

Under ref.11/01635, a Certificate of Lawfulness was granted in August 2011 for a proposed single storey side extension to replace the existing lean-to, and roof extensions providing first floor accommodation over the original part of the bungalow. This has not yet been implemented.

An application for a replacement dwelling was submitted in November 2011 under ref.11/03255, but was withdrawn prior to determination.

Permission was refused in July 2012 (ref.12/00961) for the demolition of the existing dwelling and an outbuilding, and the erection of a replacement two storey 4 bedroom dwelling on the following grounds:

“The proposed replacement dwelling house 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.”

No appeal has been lodged to date.

## **Conclusions**

The site is located within the Green Belt, and the main issues are; firstly, whether the proposals comprise inappropriate development, and if so, whether very special circumstances exist that clearly outweigh the harm by reason of inappropriateness or any other harm; and secondly, whether the proposals would be harmful to the character or appearance of the surrounding area, or detrimental to the amenities of nearby residential properties.

The National Planning Policy Framework (NPPF) contains a general presumption against inappropriate development within the Green Belt. Paragraph 87 states that such development should not be approved except in very special circumstances, while paragraph 89 sets out a number of exceptions, including the replacement of a building where the new building is in the same use and not materially larger than the one it replaces, and the provision of appropriate facilities for outdoor recreation.

Policy G1 of the UDP allows for the construction of new buildings within the Green Belt where they are inter alia for essential facilities for outdoor sport or recreation, and limited replacement of existing dwellings. Such proposals should not be harmful to the openness or visual amenity of the Green Belt.

Policy G5 of the UDP allows for a replacement dwelling in the Green Belt provided that the resultant dwelling would not result in a material net increase in floor area compared with the existing dwelling (an increase of over 10% would normally be considered material, depending on design issues), and that the size, siting, materials and design of the replacement dwelling would not harm the visual amenities or the open or rural character of the locality.

The existing dwelling has a floor area of 120.5sq.m., while the nearest outbuilding to be removed (and which lies approximately 5m from the dwelling) measures 30.38sq.m., giving a total floor area of 150.88sq.m. The proposed dwelling would have a floor area of 181.7sq.m., which is an increase in floor area of 30.82sq.m., and equates to a 20% increase. This would result in a material net increase in floor area compared with the existing dwelling, and would thus be considered inappropriate development in the Green Belt. However, the applicant has put forward the following special circumstances to justify inappropriate development:

- The Certificate of Lawfulness granted under ref.11/01635 would, if implemented, result in a part one/two storey dwelling with a floor area of 181.7sq.m. which is identical to the floor area of the replacement dwelling currently proposed
- The site coverage of the proposed dwelling would (at 103.17sq.m.) be significantly less than the site coverage by the existing dwelling and outbuilding (at 150.88sq.m.), thus opening up the site
- The replacement dwelling would be more centrally-located within the site, thus increasing the separation to the side boundary with Maple Cottage from 1.3m to 3.3m
- The design of the replacement dwelling, although slightly higher, would be much improved over the awkward design of the extended dwelling permitted by the Certificate of Lawfulness
- The use of traditional materials would further enhance the appearance of the dwelling

In dismissing the earlier scheme for a replacement dwelling (ref. 06/04221), the Inspector considered that the proposed dwelling (with a floor area of 261sq.m.) would be significantly larger than the existing, and that the removal of a number of former agricultural buildings would not be sufficient to justify inappropriate development in the Green Belt.

The current scheme is for a significantly smaller replacement dwelling (181.7sq.m.) which would have the same floor area as the extended property permitted under the Certificate of Lawfulness. Although the maximum height of the replacement dwelling at 6.9m would be greater than the existing dwelling or permitted development scheme (5.7m), the overall design of the dwelling would have a more symmetrical appearance and would result in a reduction in the overall footprint with greater separation to the northern flank boundary, thus improving the open aspect to this side of the dwelling.

However, Members previously considered the replacement dwelling in the 2012 scheme (which is identical to the current scheme) to have a detrimental impact on the character and openness of the Green Belt by virtue of its bulk and height,

although in that scheme only one outbuilding was to be removed, and another re-located. In the current scheme, a further four buildings are to be removed (which total a further 156.6sq.m. in floorspace) which would considerably open up the site, whilst the replacement timber stable building would be located much further to the rear adjacent to the existing large shed.

The new stable building would have a ground floor coverage of 135.45sq.m., and would be built using traditional materials of brick plinth with a timber frame and boarding, giving a rural appearance. It would be located in the north-eastern part of the site, some 23m away from the replacement dwelling, on the site of some of the outbuildings to be removed. The stables represent essential facilities for outdoor recreation in line with the NPPF and Policy G1 of the UDP, and would not, therefore, comprise inappropriate development in the Green Belt.

As a whole, the proposals would result in an overall reduction in ground coverage by buildings of 69.22sq.m. or 22%, which would be contained within 3 as opposed to 7 buildings on the site. It is therefore considered, on balance, that there is sufficient justification to allow the current proposals which would result in an acceptable form of redevelopment, and would adequately protect the open and rural nature of the site along with the visual amenities of the surrounding area.

With regard to the impact on neighbouring properties, the replacement dwelling would be sited further away from the northern boundary with Maple Cottage, and would contain no windows in the facing flank elevation. The stable block would be situated approximately 27m to the rear of Maple Cottage, and would not be excessively high, measuring 5.9m to the roof apex. The proposals are not, therefore, considered to result in any undue loss of light, privacy or prospect to the adjacent property.

Background papers referred to during production of this report comprise all correspondence on files refs. 06/04221, 09/00068, 09/02085, 10/03320, 11/01635, 11/03255, 12/00961 and 12/03282, excluding exempt information.

as amended by documents received on 28.01.2013

## **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 |
|   | ACA0R  | A04 Reason                               |
| 3 | ACA07  | Boundary enclosure - no detail submitted |
|   | ACA07R | Reason A07                               |
| 4 | ACC01  | Satisfactory materials (ext'nl surfaces) |
|   | CC01R  | Reason C01                               |
| 5 | ACD02  | Surface water drainage - no det. submitt |
|   | ADD02R | Reason D02                               |
| 6 | ACD04  | Foul water drainage - no details submitt |

- 7 ADD04R Reason D04  
 7 ACH02 Satisfactory parking - no details submit  
 ACH02R Reason H02  
 8 ACH16 Hardstanding for wash-down facilities  
 ACH16R Reason H16  
 9 ACH27 Arrangements for construction period  
 ACH27R Reason H27  
 10 ACI02 Rest of "pd" Rights - Class A, B,C and E  
 ACI03R Reason I03  
 11 ACI13 No windows (2 inserts) northern first floor flank  
 dwelling  
 ACI13R I13 reason (1 insert) BE1  
 12 ACK01 Compliance with submitted plan  
 ACK02R K02 reason (1 insert) G05  
 13 ACK05 Slab levels - no details submitted  
 ACK05R K05 reason  
 14 Before commencement of the development hereby permitted, the existing  
 dwelling and outbuildings shown to be removed on Plan No.CLS-504-PD-  
 ST-010 Rev A, shall be demolished and the site cleared of all waste  
 material, unless previously agreed in writing by the Local Planning Authority.  
 ACK04R K04 reason  
 15 The stable building hereby permitted shall be used only for the private  
 stabling of horses in the ownership of the person(s) in possession of the  
 building, with ancillary tack room, and shall not be used for or in connection  
 with any commercial use.  
 ACJ14R J14 reason  
 16 Details of the residential curtilage attached to the dwelling hereby permitted  
 shall be submitted to and approved in writing by the Local Planning  
 Authority before first occupation of the dwelling.

**Reason:** To safeguard the character and openness of the Green Belt and to comply with Policy G1 of the Unitary Development Plan and the National Planning Policy Framework.

**Reasons for granting permission:**

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

- BE1 Design of New Development
- H7 Housing Density and Design
- G1 The Green Belt
- G5 Dwellings in the Green Belt
- T3 Parking
- NE7 Development and Trees

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

- (a) the character and appearance of the development within the surrounding area



- (b) the impact of the development on the amenities of nearby residential properties
- (c) the impact of the development on the open and rural nature of the Green Belt

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

#### INFORMATIVE(S)

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

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

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

- 2 Non-standard Informative: In order to check whether the proposed storm water system meets drainage requirements, you are advised to submit the following information:
  - a clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways
  - where infiltration forms part of the proposed storm water system such as soakaways, soakage test 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:**12/03282/FULL1

**Address:** Maple Farm Cudham Lane South Cudham Sevenoaks TN14 7QD

**Proposal:** Demolition of existing dwelling and outbuildings and erection of detached two storey four bedroom dwelling and stable building



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

## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03385/FULL1

**Ward:**  
Chislehurst

**Address :** Sheila Stead House Bushell Way  
Chislehurst BR7 6SF

**OS Grid Ref:** E: 543232 N: 171406

**Applicant :** Croudace Homes Ltd

**Objections :** YES

### **Description of Development:**

Demolition of all existing buildings and erection of 2 x 2 bedroom houses, 13 x 3 bedroom houses, 2 x 4 bedroom houses and 1 x 2.5 storey block with 3 x 2 bed flats (total 20 units), together with 42 car parking spaces, cycle parking and refuse/recycling store and associated landscaping

Key designations:

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

### **Proposal**

- Demolition of existing buildings and erection of the following:
  - 2 two storey 2 bedroom houses (private)
  - 4 two storey 3 bedroom houses (private)
  - 2 two storey 3-bedroom wheelchair houses (affordable rent)
  - 7 two/three storey 3-bedroom houses (5 private and 2 shared ownership)
  - 2 two storey 4-bedroom houses (private)
  - two/three storey block providing 3 two bedroom flats (affordable rent)
- units 1-6 will front Bushell Way and units 7-20 will front a new access road
- there will be 2 car parking spaces for each of the houses (including 1 garage space for units 1-6) and 4 car parking spaces for the 3 flats
- application states that the varying roof heights of buildings will respond to nearby development and enliven the street scene
- materials will include yellow facing brickwork, stone/red brick features and slate roofs.

The application is accompanied by the following documents:

- Design and Access Statement
- Planning Statement
- Affordable Housing Statement
- Contamination Desk Study and Preliminary Site Assessment Report
- Lifetime Homes and Wheelchair Statement
- Sustainability and Energy Statement
- Statement of Community Involvement
- Transport Statement
- Drainage Strategy
- Arboricultural Survey.

## **Location**

- 0.46 ha rectangular application site is located on the northern side of Bushell Way and is currently occupied by Sheila Stead House, a former care home
- northern boundary is shared with No. 129a White Horse Hill, a vacant 2 storey office building and 13 and 13a Oakdene Avenue which are both 2 storey houses
- Banbury House, an NHS owned property, is located opposite the southern boundary
- eastern boundary is shared with the rear gardens of 97 – 127 White Horse Hill which are two storey semi-detached properties
- development of 2 storey housing association owned flats arranged around a courtyard to the southwest of the site
- surrounding area predominantly comprises a mixture of two storey residential dwellings with some 3 storey residential development on Invicta Close
- site is currently owned by the London Borough of Bromley Council and Croudace have a subject to planning contract to purchase the site.

## **Comments from Local Residents**

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

- overlooking / loss of privacy
- loss of light / loss of outlook
- overdevelopment / excessive density
- out of character
- increased traffic / increased demand for on-street car parking
- increased noise and disturbance / harm to peaceful character of the area
- increased anti-social behaviour in an area with an elderly population
- no benefits to local community in terms of amenities / green space
- increased pressure on local infrastructure and services, particularly in view of the nearby Ravensbourne College development
- loss of mature trees
- noise and mess from refuse storage area

- proposed building materials are of poor quality and out of keeping with the surrounding area
- lack of architectural merit
- disruption, noise, mess and inconvenience from construction activity
- detrimental impact on local property values
- application makes false assertion that surrounding area largely comprises social housing
- application does not provide contamination remediation strategy
- pre-application consultation leaflet was not received
- environmental impacts insufficiently addressed.

A 91 signature petition has been submitted expressing the following concerns:

- noise and disruption from young persons activities in the street
- noise and pollution from increased traffic
- site should be used for sheltered accommodation

### **Comments from Consultees**

Drainage – no objections

Sustainable development and renewable energy – no objections subject to a ‘Secured by Design’ condition.

Metropolitan Police Crime Prevention Design Adviser – no objections

Greenwich Council – no objections

Thames Water - no objections

Waste Advisers – no objections

Highways – no objections subject to conditions

Housing – no objections.

Any further responses to consultations will be reported verbally at the meeting.

### **Planning History**

Planning permission was granted under application ref. 07/03386 for a part one/two storey building comprising a 40 bedroom care home and 10 bedroom specialist care unit with 18 car parking spaces, bicycle parking and refuse storage. This permission has not been implemented and has now expired.

### **Planning Considerations**

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

## UDP

T3	Parking
T7	Cyclists
T11	New Accesses
T12	Residential Roads
T18	Road Safety
H1	Housing Supply
H2	Affordable Housing
H7	Housing Density and Design
H9	Side space
BE1	Design of New Development
NE7	Development and Trees
IMP1	Planning Obligations

## London Plan

2.6	Outer London: Vision and Strategy
3.3	Increasing Housing Supply
3.4	Optimising Housing Potential
3.5	Quality and Design of Housing Developments
3.6	Children and Young Peoples Play and Informal Recreation Facilities
3.8	Housing Choice
3.9	Mixed and Balanced Communities
3.11	Affordable Housing Targets
3.13	Affordable Housing Thresholds
5.2	Minimising Carbon Dioxide Emissions
5.3	Sustainable Design and Construction
5.7	Renewable Energy
5.13	Sustainable Drainage
6.9	Cycling
6.10	Walking
6.13	Parking
7.1	Building London's Neighbourhoods and Communities
7.2	An Inclusive Environment
7.3	Designing out Crime
7.4	Local Character
7.5	Public Realm
7.6	Architecture
8.2	Planning Obligations
8.3	Community Infrastructure Levy.

The following Supplementary Planning Documents (SPD) produced by the Council are relevant:

- Affordable Housing SPD
- Planning Obligations SPD.

The following documents produced by the Mayor of London are relevant:

- Housing Supplementary Planning Guidance

- Providing for Children and Young People's Play and Informal Recreation Supplementary Planning Guidance (SPG)
- Housing Strategy
- Mayor's Climate Change Mitigation and Energy Strategy
- Sustainable Design and Construction SPG.

It is anticipated that a Section 106 legal agreement will be prepared to secure the following:

- education infrastructure financial contribution (£168,737.53)
- healthcare infrastructure financial contribution (£35,953)
- affordable housing provision.

The proposal is considered acceptable in terms of its impact on trees.

The proposal equates to a residential density of 43.5 dwellings per hectare.

## **Conclusions**

The main issues to be considered in this case are the impact of the development on the character of the area and the impact on the residential amenities of the occupants of nearby dwellings.

No. 129a White Horse Hill is a two storey commercial building sited adjacent to the proposed unit 15. There is currently vacant office accommodation on the first floor of No. 129a with windows that will face unit 15. The flank wall of unit 15 will be sited approx. 6m from No. 129a at the closest point, although there will be no flank windows facing back onto the office accommodation. There will be some loss of outlook from the offices although it is not considered that this will be unduly harmful. There will be some overlooking from the offices into the garden of unit 15 although this should be limited to office working hours and is considered acceptable.

There will be some additional overlooking of houses fronting Oakdene Avenue, particularly from units 14 and 15. These properties are currently subject to some overlooking by neighbouring properties and any additional overlooking is not considered to be so harmful in this suburban context as to render the scheme unacceptable.

The proposal involves a mixture of two and two/three storey buildings. The surrounding area predominantly comprises two storey buildings with some three storey development nearby on Invicta Close. In terms of height and bulk the scheme can be considered to complement the character and appearance of the surrounding area. The variety in the design of the buildings will add interest to the street scene.

The access road and frontage car parking will result in a significant amount of hardstanding with small areas of soft landscaping. There will be soft landscaping on the more visible Bushell Way frontage of the site and the scheme provides for the retention of several mature trees including a birch in a prominent location to the

south of the site. The visual impact of the hardstanding can be balanced against the requirement to provide sufficient car parking and to optimise the housing potential of sites and may be considered acceptable.

The rear gardens to the houses are generally adequate in depth. Unit 16 has an approx. 8.5m deep rear garden and this is considered sufficient in view of an approx. 22m back to back separation with the houses fronting White Horse Hill. The block of 3 flats (units 7-9) has a small rear amenity area which backs onto the adjacent access road and is considered adequate.

In conclusion, it is considered that the scheme will not result in any undue harm in planning terms and is acceptable.

as amended by documents received on 16.01.2013 24.01.2013

### **RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT**

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  | ACA08  | Boundary enclosures - implementation     |
|    | ACA08R | Reason A08                               |
| 4  | ACB18  | Trees-Arbicultural Method Statement      |
|    | ACB18R | Reason B18                               |
| 5  | ACB19  | Trees - App'ment of Arbicultural Super   |
|    | ACB19R | Reason B19                               |
| 6  | ACC01  | Satisfactory materials (ext'nl surfaces) |
|    | ACC01R | Reason C01                               |
| 7  | ACC03  | Details of windows                       |
|    | ACC03R | Reason C03                               |
| 8  | ACD06  | Sustainable drainage system (SuDS)       |
|    | ADD06R | Reason D06                               |
| 9  | ACH03  | Satisfactory parking - full application  |
|    | ACH03R | Reason H03                               |
| 10 | ACH09  | Restriction on height to front and flank |
|    | ACH09R | Reason H09                               |
| 11 | ACH16  | Hardstanding for wash-down facilities    |
|    | ACH16R | Reason H16                               |
| 12 | ACH17  | Materials for estate road                |
|    | ACH17R | Reason H17                               |
| 13 | ACH22  | Bicycle Parking                          |
|    | ACH22R | Reason H22                               |
| 14 | ACH23  | Lighting scheme for access/parking       |
|    | ACH23R | Reason H23                               |
| 15 | ACH29  | Construction Management Plan             |
|    | ACH29R | Reason H29                               |



- 16 ACH32 Highway Drainage  
ADH32R Reason H32
- 17 ACI02 Rest of "pd" Rights - Class A, B,C and E
- Reason:** In order to comply with Policy BE1 and in the interests of the visual and residential amenities of the area.
- 18 ACI20 Lifetime Homes Standard/wheelchair homes  
ADI20R Reason I20
- 19 ACI21 Secured By Design  
ACI21R I21 reason
- 20 ACK01 Compliance with submitted plan  
ACC01R Reason C01
- 21 ACK05 Slab levels - no details submitted  
ACK05R K05 reason
- 22 ACK08 Archaeological access  
ACK08R K08 reason
- 23 ACL03 Site wide Energy statement  
ACL03R Reason L03
- 24 No wall, fence or hedge on the front boundary or on the first 2.5 metres of the flank boundaries of plots 1-6 shall exceed 1m in height, and these means of enclosure shall be permanently retained as such.  
ACH09R Reason H09

**Reasons for permission:**

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

UDP

- T3 Parking
- T7 Cyclists
- T11 New Accesses
- T12 Residential Roads
- T18 Road Safety
- H1 Housing Supply
- H2 Affordable Housing
- H7 Housing Density and Design
- H9 Side space
- BE1 Design of New Development
- NE7 Development and Trees
- IMP1 Planning Obligations

London Plan

- 2.6 Outer London: Vision and Strategy
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young Peoples Play and Informal Recreation Facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.11 Affordable Housing Targets

- 3.13 Affordable Housing Thresholds
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy.

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

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

and having regard to all other matters raised.

#### INFORMATIVE(S)

- 1 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.
- 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 0845 850 2777.

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

- 3 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres per minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 4 You should seek engineering advice from the Environmental Services Department at the Civic Centre regarding any of the following matters:-
  - the agreement under S.38 of the Highways Act 1980 concerning the estate road (Highways Planning Section)
  - the alignment and levels of the highway improvement line (Highways Planning Section)
  - general drainage matters (020 8313 4547, John Peck)
  - the provision of on-site surface water storage facilities (020 8313 4547, John Peck)
  - the provision for on-site storage and collection of refuse (020 8313 4557 or e-mail [csc@bromley.gov.uk](mailto:csc@bromley.gov.uk))
- 5 You are reminded of your obligation under Section 80 of the Building Act 1984 to notify the Building Control Section at the Civic Centre six weeks before demolition work is intended to commence. Please write to Building Control at the Civic Centre, or telephone 020 8313 4313, or e-mail: [buildingcontrol@bromley.gov.uk](mailto:buildingcontrol@bromley.gov.uk)
- 6 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering.
- 7 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.
- 8 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough

of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

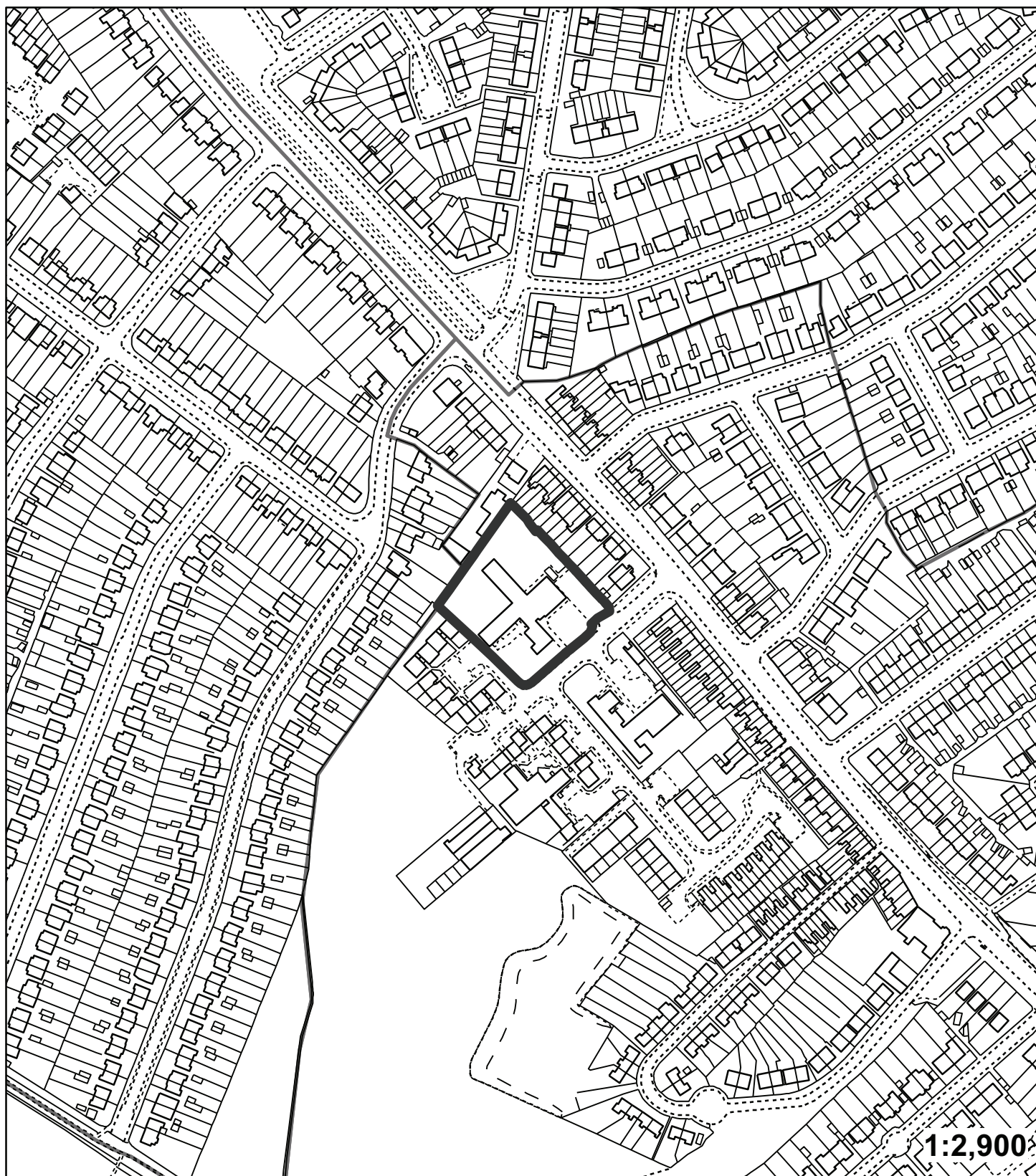
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

**Application:**12/03385/FULL1

**Address:** Sheila Stead House Bushell Way Chislehurst BR7 6SF

**Proposal:** Demolition of all existing buildings and erection of 2 x 2 bedroom houses, 13 x 3 bedroom houses, 2 x 4 bedroom houses and 1 x 2.5 storey block with 3 x 2 bed flats (total 20 units), together with 42 car parking spaces, cycle parking and refuse/ recycling store and associated



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

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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03559/FULL1

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

**Address :** West Wickham Methodist Church And  
Church Hall Hawes Lane West Wickham  
BR4 9AA

**OS Grid Ref:** E: 538763 N: 165952

**Applicant :** West Wickham Methodists Church

**Objections :** YES

### **Description of Development:**

Formation of new vehicular access, associated hardstanding and disabled parking space to No. 118 Hawes Lane. Alterations to existing access and formation of 6 new parking spaces including 1 disabled space to the Hawes Lane frontage.

### **Proposal**

Permission is sought for the formation of new vehicular access, associated hard standing and disabled parking space to No. 118. Alterations to existing access and formation of 6 new parking spaces including 2 disabled spaces to the Hawes Lane frontage (7 spaces in total).

### **Location**

The application site comprises a 1960's church building and meeting room located on Hawes Lane and Linden Lees. The surrounding locality is predominantly residential in nature.

### **Comments from Local Residents**

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

- this area regularly experiences heavy vehicular traffic in connection with the primary school and Council facilities.
- proposal results in the loss of 5 public car parking spaces
- vandalism issues by open frontage
- there are better alternative parking schemes which could be implemented
- there is scope to far improve the frontage of the church

### **Comments from Consultees**

There are no technical highway objections, 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  
T3 Parking

## **Planning History**

84/01642/FUL – continues use as a nursery playgroup – permitted

91/01473/FUL – re-roofing of link corridor – permitted

12/03560/OUT – Demolition of 1960's church, small meeting room and covered walkway and construction of four 3-4 bedroom semi-detached houses and one 3-4 bedroom detached house (with garage) formation of new vehicular accesses with associated parking to Hawes Lane and Linden Lees frontage (outline) – Refused 14/01/2013

## **Conclusions**

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

The application site comprises three church buildings with a car park accessed from Linden Lees. The primary Hawes Lane frontage is landscaped, primarily with a lawn, there is a mature Yew Tree and hedgerows which extend around the frontage of the main church and across to the bungalow adjacent no. 118 Hawes Lane. This provides a pleasant, spacious setting for the church.

It is intended to provide 5 parking spaces and 2 disabled parking spaces (7 total) along the Hawes Lane frontage (including no. 118). There are no technical Highway objections with regard to the positioning of these or the crossover, although the sizing of each bay is excessive measuring in excess of the 2.5m by 5m required for standard bays and 3.6m by 5m by disabled bays. As shown on plan the 5 standard parking bays could easily accommodate 8 vehicles, resulting in an intensive use of the site frontage and unnecessary loss of landscaping which would be harmful to the pleasant spacious setting of the church.

The disabled bays are also much larger than is required, and could accommodate additional vehicles. This over provision of space, results in a greater loss of landscaping and hedgerow than is necessary.

The above comments regarding the size of the parking spaces has been put forward to the applicant, who has submitted a revised plan reducing the size of the parking spaces so that they now measure the standard 2.4m by 5m, with the disabled spaces measuring 3.6m by 5m. This has resulted in a significant reduction of hard standing, allowing for greater retention of landscaping. Additional



information has also been submitted regarding new hedgerow planting which, in combination with the Yew Tree which is shown to be retained, is considered to soften the appearance of the parking spaces and provides a landscaped border for the church.

As such, it is considered that the revised plan acceptably addresses previous concerns regarding the size of the parking spaces and detrimental impact upon the setting of the church, where the development would have an acceptable impact in the streetscene.

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

Having had regard to the above it is considered that the proposed parking area would have an acceptable impact in the streetscene, which would not be harmful to highways safety, be detrimental to the setting of the church, a prominent building in the streetscene, and result in a loss of hedgerow and landscaping which would detrimentally on the character of the area.

as amended by documents received on 25.01.2013

**RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |             |  |        |        |
|---|-------------|--|--------|--------|
| 1 | ACA01       | Commencement of development within 3 yrs |        |        |
|   | ACA01R      | A01 Reason 3 years                       |        |        |
| 2 | ACH02       | Satisfactory parking - no details submit |        |        |
|   | ACH02R      | Reason H02                               |        |        |
| 3 | ACH11       | Visibility splays (new buildings) (3 in) | access | 3.3m x |
|   | 2.4m x 3.3m | 1m                                       |        |        |
|   | ACH11R      | Reason H11                               |        |        |
| 4 | ACH32       | Highway Drainage                         |        |        |
|   | ADH32R      | Reason H32                               |        |        |
| 5 | ACK01       | Compliance with submitted plan           |        |        |
|   | ACC01R      | Reason C01                               |        |        |
| 6 | AJ02B       | Justification UNIQUE reason OTHER apps   |        |        |

Policies (UDP)

- BE1 Design of New Development
- T3 Parking
- T11 New Accesses
- T18 Road Safety

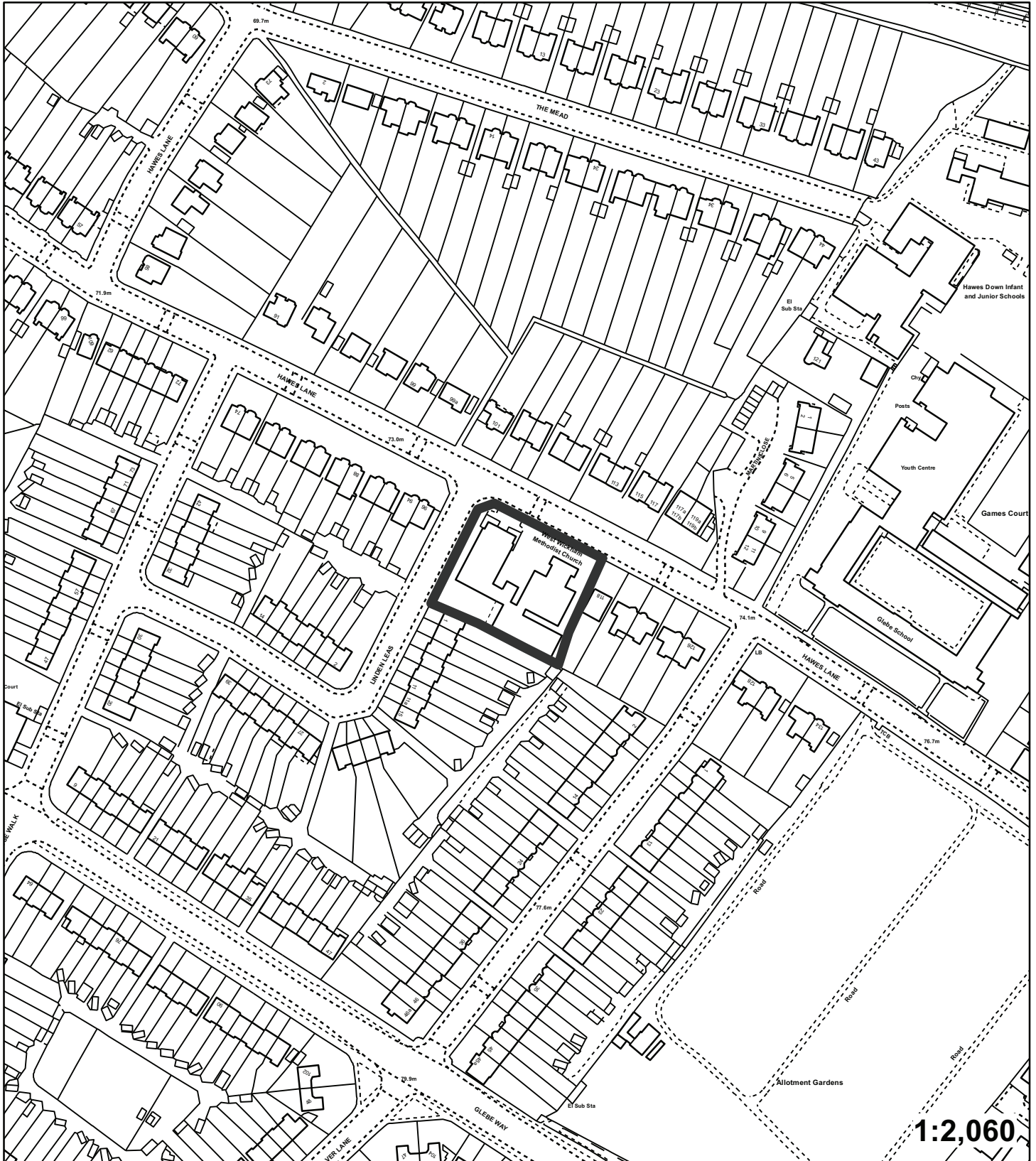
INFORMATIVE(S)

- 1 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming of the vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

**Application:**12/03559/FULL1

**Address:** West Wickham Methodist Church And Church Hall Hawes Lane West Wickham BR4 9AA

**Proposal:** Formation of new vehicular access, associated hardstanding and disabled parking space to No. 118 Hawes Lane. Alterations to existing access and formation of 6 new parking spaces including 1 disabled space to the Hawes Lane frontage.



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

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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03600/FULL1

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

**Address :** 70 Sevenoaks Road Orpington BR6 9JY

**OS Grid Ref:** E: 545831 N: 164988

**Applicant :** Mr M Hutley

**Objections :** YES

### **Description of Development:**

Demolition of existing garages and erection of two detached 4 bedroom dwellings (at side of 70 and 72 Sevenoaks Road)

Key designations:

Flood Zone 2  
Flood Zone 3  
London Distributor Roads

### **Proposal**

Permission is sought for the erection of two symmetrical detached 4 bedroom dwellings at either side of the existing pair of semis at Nos. 70 and 72 Sevenoaks Road. These will incorporate accommodation in the roofspace at second floor level, and a total of 4 off-street parking spaces will be provided. An existing detached garage will be demolished to accommodate "Unit One" situated to the south of the site.

Both houses will be of traditional design – based on the existing pair of semis at Nos. 70-72 – and boast a similar footprint (5m (w) x 10m), rising to a maximum height of 7.84m and incorporating front and rear dormers within their roofslopes. These will both be set 2m away from the existing houses at 70-72, and maintain a similar alignment relative to Sevenoaks Road, being set back a maximum 5.3m off that frontage.

The application is accompanied by a Design & Access Statement and a Flood Risk Assessment.

### **Location**

The site is situated beside the junction of Sevenoaks Road and Stapleton Road. It is broadly rectangular in shape and is bounded on three sides by roads. It is generally level, and the centre of the site is occupied by Nos. 70 and 72

Sevenoaks Road, a pair of semi detached houses of Victoria appearance which has recently been extended and renovated. The land to the south of the site is currently occupied by detached double garage which is proposed to be removed.

The area surrounding the site is primarily residential in character with two and three storey semi-detached and terraced properties and is of no uniform architectural style. The site falls within a Flood Zone.

### **Comments from Local Residents**

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

- overdevelopment
- potential flood risk to future occupiers
- proposed corner dwelling will reduce driver and pedestrian visibility
- road safety concerns
- roundabout installed at the junction of Sevenoaks Road and Stapleton Road has increased highway dangers

### **Comments from Consultees**

No technical Highways objections have been raised, subject to conditions.

No objections have been raised by Environmental Health.

No objections have been raised by the Environment Agency, subject to the imposition of conditions aimed at alleviating potential flood risks.

The Council's Drainage consultant has raised no objection, subject to conditions.

### **Planning Considerations**

Policies BE1, H7, T3 and T18 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design which complements the qualities of the surrounding area, and which does not adversely affect neighbouring amenity; to ensure the provision of adequate parking; and to ensure that new development does not adversely affect road safety.

No objections have been raised by the Tree Officer.

### **Planning History**

Under ref. 11/00020, planning permission was granted for a single storey rear extension to the existing pair of semis at Nos. 70 and 72 Sevenoaks Road.

Under ref. 11/03292, planning permission was refused for the erection of a two storey detached dwelling to the south of the existing pair of semis.

Under ref. 11/01703, planning permission was refused for erection of two detached 4 bedroom dwellings either side of the existing pair of semis at Nos. 70 and 72. This was on the following grounds:

The proposal constitutes a cramped overdevelopment of the site and would result in a retrograde lowering of the spatial standards to which the area is at present developed.

By reason of the limited individual plot frontages, the proposed dwelling 'Unit Two' would result in a cramped and overdominant development of the site out of character with adjoining development, seriously detrimental to the appearance of the street scene in general.

The proposed dwelling 'Unit One' would, by reason of its considerable rearward projection, have a detrimental effect on the daylighting and prospect to the adjoining house at No. 72.

That decision was contested at appeal. The Planning Inspector commented, in respect of the proposed house to the northern side of the plot ("Unit Two"), at Paragraph 10, that:

"The building would create an unduly dominant feature in the street scene, which would intrude significantly into the open area around the junction with Sevenoaks Road and erode the overall spacious character of the area. Furthermore, it would not reflect the pattern of development on the opposite side of Stapleton Road at this point, where the house at No 2 is stepped back to reflect the radius curve of the road junction."

The Inspector added, in the following paragraph that:

"The appellant has argued that Unit Two would align with the front building line of No 1 Stapleton Road, but this house is further into the estate and set back approximately 4 metres from the road. It has been suggested that the principal elevation of Unit Two would be that facing Sevenoaks Road and the siting of its side elevation close to Stapleton Road would be comparable to other development locally. However, it is evident that the Stapleton Road elevation has been designed as the principal elevation..."

However, in respect of "Unit One" the Inspector considered that this "would sit comfortably in an acceptably-sized plot between the side of No 72 Sevenoaks Road and the adjacent end of terrace property, No 4 Healy Drive. As such, it would not appear unduly cramped, prominent or out of character with the area."

Subsequently, under ref. 11/03997, planning permission was granted for a two storey detached dwelling (with accommodation in roofspace and associated landscaping and car parking) to the south of the existing pair of semis.

## **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.

As Members will note planning permission has previously been granted for a dwelling to the south of the existing pair of semis (at "Unit One") under ref 11/03997. Accordingly, the main consideration here relates to the proposed dwelling at "Unit Two" which is situated beside the junction of Sevenoaks Road and Stapleton Road.

In contrast to the proposal refused and subsequently dismissed at appeal under ref. 11/01703, various changes have been introduced, including the following:

- the minimum separation between the proposed dwelling at "Unit Two" and the adjacent highways at Sevenoaks Road and Stapleton Road has been increased to 4.0m (up from 2.3m);
- the overall width of the dwelling has been reduced to approximately 5m (down from 6.25m), and there has been a corresponding reduction in respect of the "Unit One" dwelling aimed at achieving a uniformity between the two properties
- front and rear roof dormers are proposed in lieu of side dormers; and
- the entrances to both houses now front Sevenoaks Road

Whilst the above changes have in large part been introduced in order to achieve a less dominant and cramped development within this corner plot, concerns remain as to the overall impact of the proposed dwelling at Unit Two in terms of local character and spatial standards.

The area to the north of the existing pair of semis at Nos. 70-72, whilst currently vacant, contributes to the suburban and open character of the area, particularly in view of its prominent corner location. It is considered that the provision of the proposed two storey dwelling within this area will undermine this existing character, since this will appear cramped and dominant within the wider streetscene. The building would create an unduly dominant feature in the streetscene, which will intrude significantly into the open area around the junction with Sevenoaks Road and erode the overall spacious character of the area. On this basis the proposal is considered unacceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01703, 11/03292, 11/03997 and 12/03600, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

The reasons for refusal are:

- 1 The proposal constitutes a cramped overdevelopment of the site and would result in a retrograde lowering of the spatial standards to which the area is at present developed, contrary to Policies BE1 and H7 of the Unitary Development Plan.

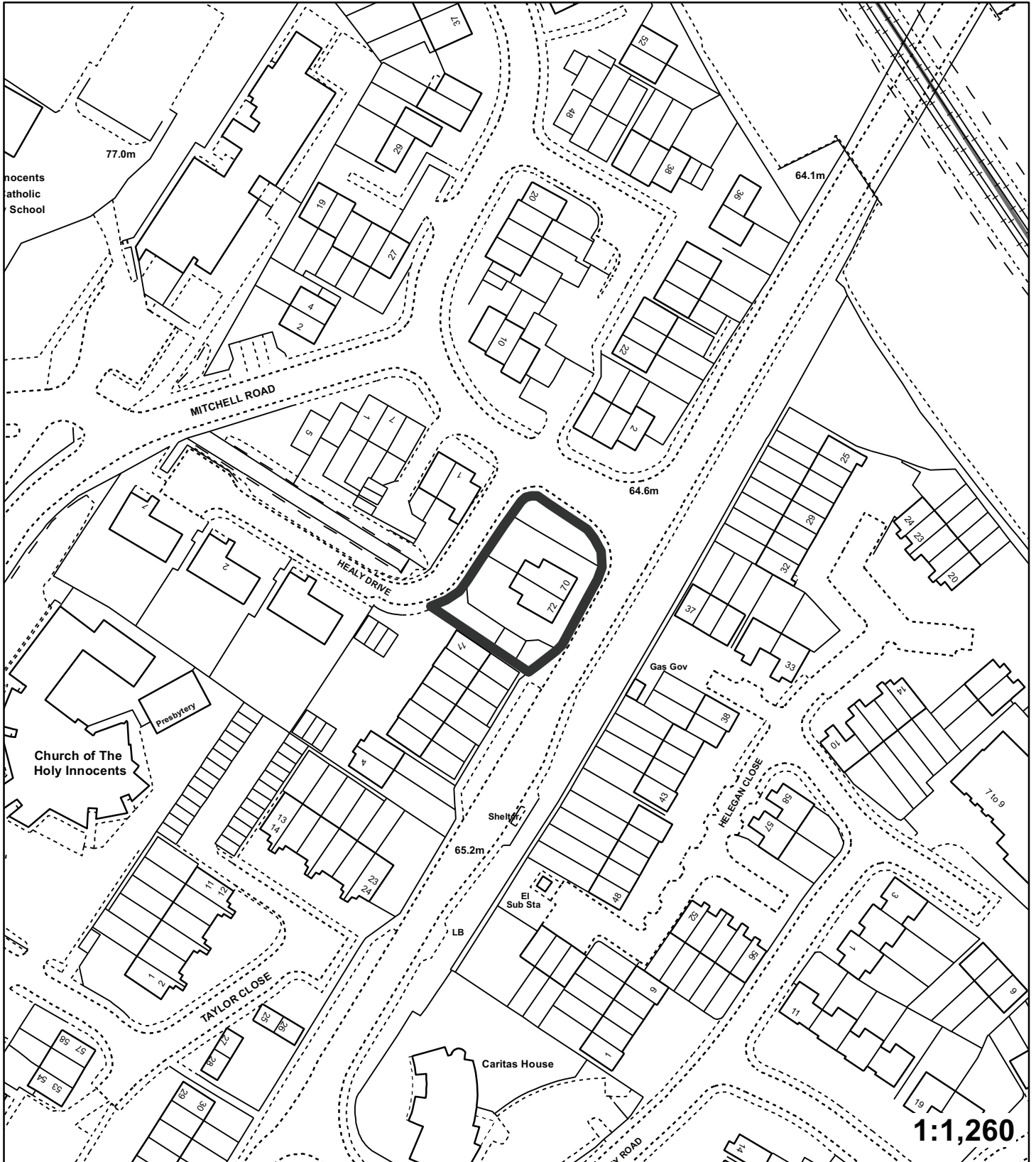


- 2 By reason of the limited individual plot frontages, the proposed dwelling 'Unit Two' would result in a cramped and overdominant development of the site out of character with adjoining development, seriously detrimental to the appearance of the street scene in general and contrary to Policy BE1 of the Unitary Development Plan.

**Application:**12/03600/FULL1

**Address:** 70 Sevenoaks Road Orpington BR6 9JY

**Proposal:** Demolition of existing garages and erection of two detached 4 bedroom dwellings (at side of 70 and 72 Sevenoaks Road)



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

Page 70.

## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03620/FULL6

**Ward:**  
**Bickley**

**Address :** 20 Pines Road Bickley Bromley BR1  
2AA

**OS Grid Ref:** E: 542201 N: 169325

**Applicant :** Mr William Marshall

**Objections :** NO

### **Description of Development:**

Single storey front and side extension and creation of basement.

Key designations:

Conservation Area: Bickley Park  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

### **Proposal**

The proposal involves the removal of an existing detached garage and the construction of a single storey side/front extension which will be situated to the southern side of the existing dwelling and maintain a minimum separation of 0.64m to the flank boundary. The extension will incorporate a gable end roof and will project 4.3m forward of the adjoining part of the dwelling. Much of the proposed basement area will be situated below the proposed garage.

The application is accompanied by a Design & Access Statement and a site plan showing a Notional Building Line.

### **Location**

The application site is situated along the eastern side of Pines Road, approximately 25 metres south of its junction with Chislehurst Road. The site falls within the Bickley Park Conservation Area.

### **Comments from Local Residents**

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

### **Comments from Consultees**

No technical Highways objections have been raised.

No objections have been raised by the Advisory Panel for Conservation Areas, subject to the development being situated behind the “Notional Building Line”.

### **Planning Considerations**

Policies BE1, BE11 and H8 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; safeguard the amenities of neighbouring properties; and to protect the overall character of the Borough’s conservation areas. The Supplementary Guidance for the Bickley Park Conservation Area is also relevant.

No objections have been raised from a conservation perspective.

### **Planning History**

Planning permission was granted for a single storey rear extension in 1997 under ref. 97/00805.

Planning permission was granted for a two storey side extension in 1998 under ref. 98/01296.

Planning permission was granted for a two storey side extension and re-positioning of the garage in 1999 under ref. 99/01012.

Planning permission was granted for a single storey rear extension in 2004 under ref. 04/03577.

Most recently, under ref. 12/01547 a proposed single storey front and side extension also involving the formation of a basement was refused on the following ground:

“The proposed single storey front extension has an excessive projection forward of the established building line and would be harmful to the character and appearance of the Bickley Park Conservation Area and the streetscene in general, contrary to Policies BE1, H8 and BE11 of the Unitary Development Plan.”

### **Conclusions**

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

The application dwelling is situated within the Bickley Park Conservation Area. Paragraphs 3.1 – 3.2 of the Supplementary Planning Guidance for the Conservation Area describe the area as such:

“Bickley Park Conservation Area is typified by large elegant houses set individually amid mature trees on spacious plots along curving roads, which convey a somewhat rural impression. The Area represents a remarkably homogeneous pocket of development from the early years of the twentieth century, illustrating the layout, setting and architecture popular amongst those inclined - and able to afford - to retreat to a sylvan Arcadia beyond the metropolis.

“Bickley Park illustrates the results of a convergence of several forces around the turn of the century... As an attractive and relatively undeveloped rural area convenient to railway stations, the Bickley area was a logical place for expression of emerging architectural and lifestyle fashions. The Arts and Crafts movement had inspired a group of young architects to reject the rigidity of classicism and reflect upon traditional materials and styles.”

The site currently benefits from having a single storey detached garage to the side of the property which follows the line of the boundary, at an angle with the property. The replacement structure will project approximately 4.3m beyond the adjoining part of the house. In comparison to the application refused under ref. 12/01547 the extent of the proposed forward projection has been reduced from 5.2m.

Although the depth of the replacement structure has been reduced it is still considered that this projection is excessive and will appear out of character in relation to surrounding properties in the area. Although a National Building Line has been provided it is not considered that this is fully representative of the layout of development within the surrounding streetscene – this being based on a neighbouring property situated some 60 metres away – and that this proposal will remain out of character in the area. It will fail to preserve or enhance the character of the Conservation Area and will result in a dominant feature in the streetscene. The forward projection is likely to have some impact on visual amenity for the neighbouring property, although given the angle and orientation of the properties, the visual impact is not considered on balance to be unduly harmful and the impact on light will be minimal.

Given that the proposed basement will not impact upon the external appearance of the property, it is unlikely that this element will harm the character of the Conservation Area. However, this consideration does not outweigh the concerns raised in the preceding paragraphs and it is ultimately considered that this proposal will adversely the character and appearance of the application dwelling and of the Bickley Park Conservation Area.

Background papers referred to during production of this report comprise all correspondence on files refs. 97/00805, 98/01296, 99/01012, 04/03577, 12/01547 and 12/03620, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

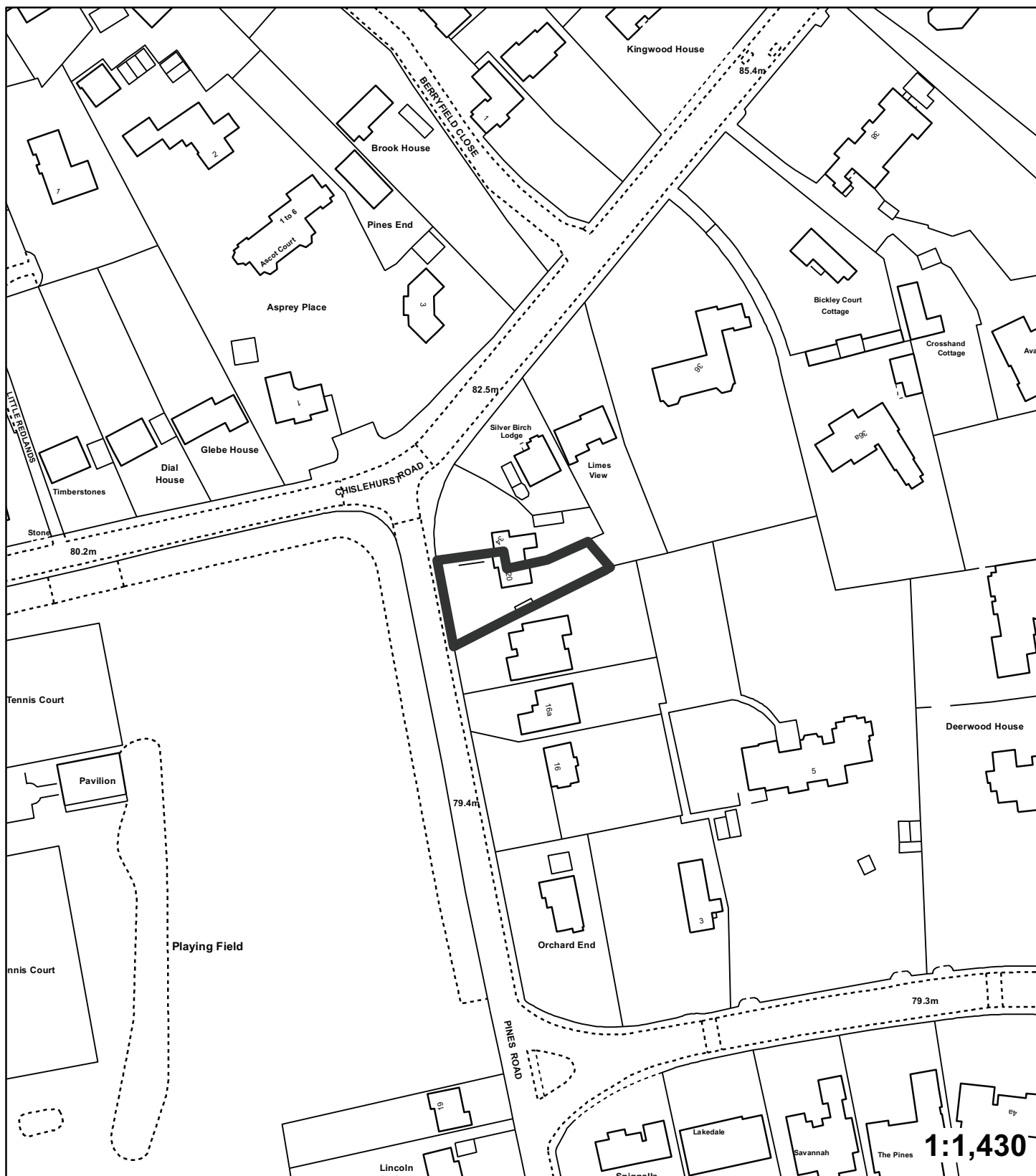
The reasons for refusal are:

- 1 The proposed single storey front extension has an excessive projection forward of the established building line and would be harmful to the character and appearance of the Bickley Park Conservation Area and the streetscene in general, contrary to Policies BE1, BE11 and H8 of the Unitary Development Plan.

**Application:**12/03620/FULL6

**Address:** 20 Pines Road Bickley Bromley BR1 2AA

**Proposal:** Single storey front and side extension and creation of basement.



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

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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03630/FULL6

**Ward:**  
Kelsey And Eden Park

**Address :** 75 Kenwood Drive Beckenham BR3 6QZ

**OS Grid Ref:** E: 538427 N: 168678

**Applicant :** Mrs Julia Dabrowa

**Objections :** YES

### **Description of Development:**

Replacement boundary fence, gate at rear maximum height 2.4 metres

Key designations:

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

### **Proposal**

- The proposal seeks permission for a replacement boundary fence along the rear of the application site fronting Quinton Close.
- The proposed replacement fence will span the rear property boundary of 75 Kenwood Drive, in total measuring approximately 23 metres in length; however, can be split into 3 separate sections.
- The first section will be closest to the property boundary shared with the electricity sub station, and this length of fencing will measure approximately 5.78 metres of fencing which would be 1800mm high timber fencing and 600mm high trellis above.
- The second section of replacement boundary treatment will be in the form of double gates, measuring approximately 1.22 metres in width and will match the height of the rest of the replacement fencing.
- The third section of replacement boundary treatment will be the largest section, measuring approximately 16 metres in length and again 1800mm in height for the fencing and trellis above measuring an additional 600mm in height.
- All of the replacement boundary enclosure will measure 1.8 metres in height for the timber fence and an additional 600mm of trellis, measuring a maximum of 2.4 metres in height.
- The application is accompanied by a Quaife Woodlands arboricultural report and planning statement which seeks to address previous concerns.

## **Location**

The application site is located on the south-eastern side of Kenwood Drive and hosts a detached family dwellinghouse with a substantial rear garden. The southern part of the rear property boundary adjoins Numbers 59 and 61 Hayes Lane, Beckenham, and the eastern part of the rear property boundary runs along Quinton Close.

The proposal seeks permission to replace the element of the property boundary which fronts Quinton Close.

## **Comments from Local Residents**

In line with normal procedure nearby properties were notified and representations were received which can be summarised as follows:

- access for a lawn motor is available via the front of the property, rather than the rear.
- why are double gates required for pedestrian access?
- this application is a cover for future development at the rear of the site.
- access to the garden has never existed and should not be allowed
- the hedgerow is of remarkable quality and should not be removed
- the garden access would be onto private land.
- arboricultural report says no damage to hedgerow will occur, but cannot see how this is possible.
- removal of young hawthorns
- once access is approved, there would be pressure for an additional pathway across the grass
- would set precedent for other households in Kenwood Close to seek access from rear gardens
- destroy vista across Quinton Gardens
- loss of privacy to residents in Quinton Gardens
- applicant would use access in connection with his building trade
- numerous objections have already been made in the past about the access onto Quinton Close
- application should be refused

The full text of correspondence received is available to view on file.

## **Comments from Consultees**

There are no technical Highway objections

## **Planning Considerations**

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

BE1 Design of New Development

BE7 Railings, Boundary Walls and Other Means of Enclosure  
NE9 Hedgerows and Development

London Plan 2011

National Planning Policy Framework 2012

### **Planning History**

An application for a detached bungalow was refused in 1982 and subsequently dismissed at Appeal under ref. 19/82/2195.

Under ref. 94/00203, planning permission was refused for a detached four bedroom house with a detached garage. A revised scheme for a four bedroom detached house with garage was submitted under ref. 94/01551 was also refused.

An appeal was lodged against the Council's refusal to grant planning permission for ref. 94/01551. The Inspector noted that the character of the area was established by detached dwellings of varying design which were set close to the road frontage with a generally consistent building line. He concluded that an important element of the quality of the area was that the fact the rear gardens of properties fronting Kenwood Drive extend up to Quinton Close and are separated from the Close by the mature hedgerow. The proposed development was therefore considered to lead to an impact upon the existing character which would be harmfully eroded.

Following this, permission was refused under ref. 05/01657 for a detached four bedroom house with integral garage. This was dismissed at Appeal, with the inspector concluding that the development would compromise the spatial quality of the immediate locality, and the loss of a section of the hedge would represent further erosion of the character and appearance of the area.

An application for a replacement boundary fence with pedestrian access onto Quinton Gardens was submitted under ref. 11/03171. This application was withdrawn prior to being presented to plans sub committee with a recommendation for refusal.

The proposed refusal reasons were:

"The proposed replacement boundary treatment would result in the loss of the existing hedgerow which would erode the setting and spaciousness of Quinton Close and would harm the character and appearance of the area, having a detrimental impact upon the semi-rural nature of Quinton Close, thereby contrary to Policies BE1, BE7 and NE9 of the Unitary Development Plan."

"The proposal would involve the loss of vegetation of considerable amenity value, contrary to Policies BE7 and NE9 of the Unitary Development Plan."

### **Conclusions**

The main issues in this case are whether the proposed fence and gate is acceptable in principle in this location, and the likely impact the development would have on the character and appearance of the surrounding area and amenities of neighbouring residential properties.

This application is a resubmission of withdrawn application ref. 11/03171. The applicant has made the following amendments to the scheme:

- Relocation of the third 16m section of fence back 0.3m into the rear garden.
- Fence will be painted green
- Submission of an arboricultural report

The fence remains of the same overall height (2.4m), width (23m in total) and design incorporating close board fence with trellis above.

Policy BE7 of the Unitary Development Plan is relevant where replacement boundary treatments are proposed. This policy seeks to ensure that a proposal will involve the retention of plantings and hedgerows where they form an important feature of the streetscape, and any proposal will be resisted where the construction of high or inappropriate boundary enclosures will erode the open nature of the area or would adversely impact on local townscape character.

Policy NE9 is also of particular relevance in this instance, and the Council would expect the retention and beneficial management of any existing hedgerow with any form of development proposal as they can provide significant screening and softening especially when used for defining boundaries. The Council will resist the removal of significant hedgerows, and Members may consider that this is relevant for the current application. The existing hedgerow is a long-standing feature along this particular boundary with 75 Kenwood Drive and Quinton Close, and Members may consider that it should be protected throughout any development proposals.

In terms of the impact of the proposal on the character and appearance of the area, the area for the proposed replacement fencing is screened by a mature and well-established high hedge and trees. Concern had been raised within the previous application (11/03171) as to the loss of significant sections of the hedgerow. In order to address these concerns, the applicant has repositioned part of the fence 0.3m rearward into the site and submitted an arboricultural report which states that the revised proposal “will not result in the removal of any of established hedge” and “furthermore, the proposed installation of the fence and gateway would not cause any material harm to the existing hedges” (para 6.4). It is therefore considered, that the position of the fencing may not result in harm to the hedgerow. However, the appearance of the fence and its impact upon the character of Quinton Close remains a consideration.

The treatment of boundaries, particularly frontages to a roadside, is considered to have a major impact upon the appearance of an area, which is largely appreciated from the public realm. Where new or replacement boundary treatments are proposed, these should reflect the height, scale, materials and detailing already evident in extant examples in the locality. In this instance, it is considered that the proposed 2.4 metre high fencing and trellis would be clearly visible through the

existing vegetation which would be out of keeping within the area, eroding the verdant nature of the application site and Quinton Close in general. Whilst the applicant has stated that the need for the fence is to improve security and privacy from the rear garden, a 2.4m high enclosure is considered unnecessarily high and that a lower fence would be sufficient. The relocation of part of the fence rearward or confirmation of its final colour finish is not considered to sufficiently address previous concerns and therefore remains unacceptable.

In addition to the fence, a 1.22m wide entrance gate is proposed onto Quinton Close. The applicant has stated that this is to allow access for a sit down lawn mower and also to allow faster pedestrian access to both Shortlands Library and rail station. The creation of the access would involve the removal of 4 young hawthorn trees. The arboricultural report has found these trees to be of limited value and as such, Members are asked to consider if their removal and the subsequent gap in the hedge row would be acceptable with regard to the impact on Quinton Close.

In terms of additional impacts, the creation of an access may also arise in increased pedestrian movement within Quinton Close on a frontage which was not intended to have accesses.

Members may therefore consider that the proposed replacement 2.4m high fence and trellis represents a method of enclosure which erodes the landscaped and semi-rural nature of Quinton Close which is considered to provide a high quality residential environment, whilst the arboricultural report submitted states that there would and be no material harm to the hedge, the fencing is considered to remain visible especially in winter months and therefore have an impact upon the character of Quinton Close, contrary to policies BE7 and NE9 of the Unitary Development Plan.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/03171 and 12/03630, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

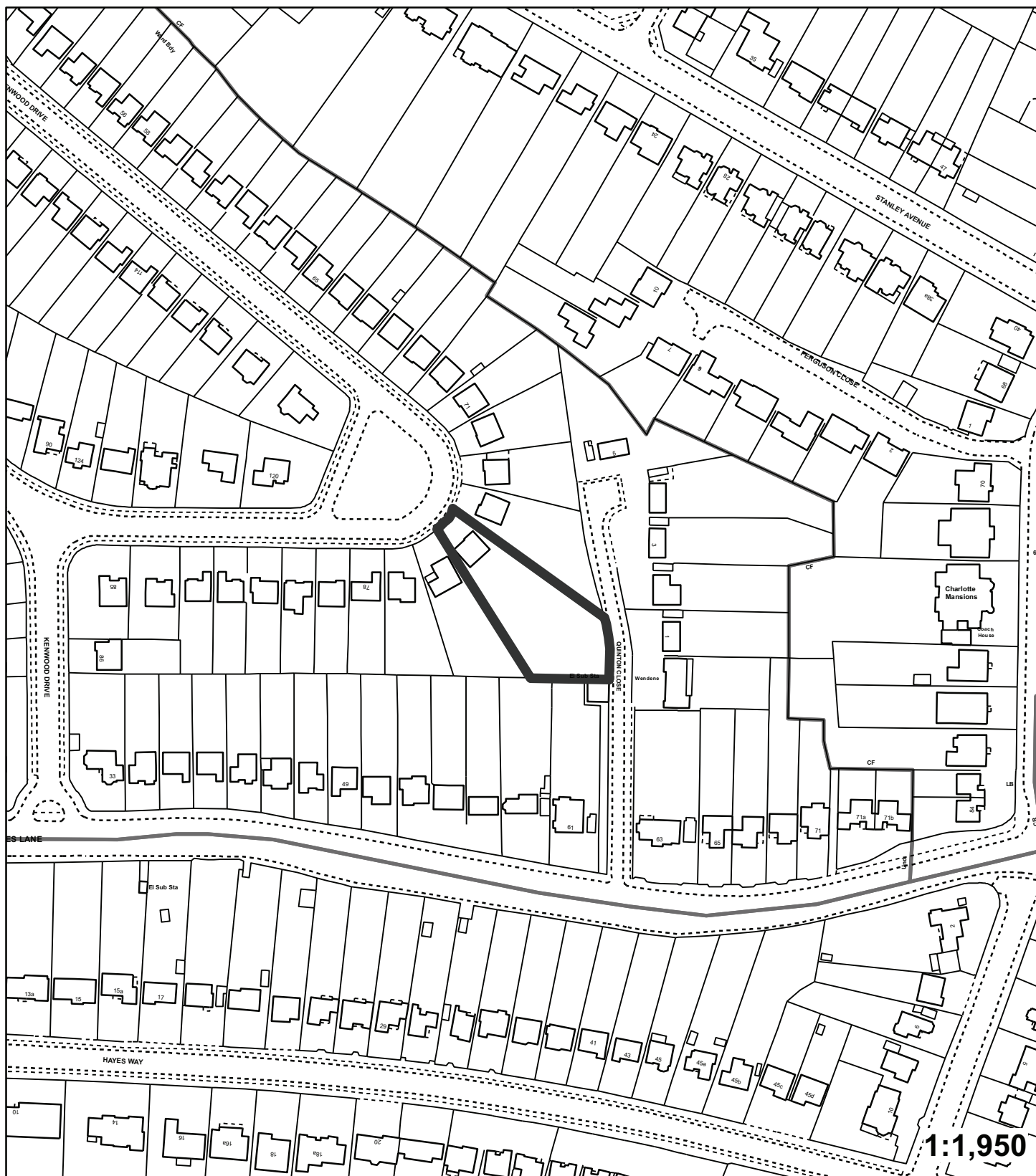
The reasons for refusal are:

- 1 The proposed replacement boundary treatment would by reason of its height and prominence, erode the setting and spaciousness of Quinton Close and would harm the character and appearance of the area, having a detrimental impact upon the semi-rural nature of Quinton Close, thereby contrary to Policies BE1, BE7 and NE9 of the Unitary Development Plan.

**Application:** 12/03630/FULL6

**Address:** 75 Kenwood Drive Beckenham BR3 6QZ

**Proposal:** Replacement boundary fence, gate at rear maximum height 2.4 metres



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

## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03717/FULL1

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

**Address :** 143 Croydon Road Keston BR2 8HW

**OS Grid Ref:** E: 541723 N: 165104

**Applicant :** The Cheviot Trust

**Objections :** NO

### **Description of Development:**

Construction of car park at rear of building together with cycle parking; turning space; vehicular access road; associated landscaping and retaining wall

Key designations:

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

### **Proposal**

This proposal is for the construction of car park at rear of building together with cycle parking; turning space; vehicular access road; associated landscaping and retaining wall.

### **Location**

The application site is located to the south of Croydon Road and is a detached single storey building formerly in use as a scout hut and now currently appears to be used for ecclesiastical purposes. The area is primarily comprised of residential properties of varying scales and architectural styles.

### **Comments from Local Residents**

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

### **Comments from Consultees**

Transport for London have no comments to make in relation to the proposal.

The Council's Highways Division were consulted who stated the proposal will be utilising the existing access point from Croydon Road. From a highways point of view the main issue with the proposal would be the access road. The A232 is part of the TLRN for which Transport for London (TfL) is the highway authority and so they should be consulted. The proposal is unlikely to have a significant impact on surrounding roads within the local network.

From a trees perspective there is a large mature birch tree at the rear of this building and it is covered by Tree Preservation Order (TPO). The tree is shown to be retained on the plans and they indicate a no dig construction for the car park. If permission is to be recommended conditions are recommended.

### **Planning Considerations**

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

BE1 Design of New Development  
T3 Parking

Supplementary Planning Guidance (SPG) 1 General Design Principles

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

### **Planning History**

In 1997 under planning ref. 97/02724, permission was granted for the formation of a vehicular access and 3 car parking spaces at a Scout Hall.

In 2010 under planning ref. 10/02867, outline permission was granted for the demolition of existing Scout Hut (D1 use) and erection of two storey 4 bedroom detached dwelling (C3 use).

In 2012 under planning ref. 12/02996, permission was refused to fell 1 birch tree in back garden which was the subject of a Tree Preservation Order.

### **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.

No technical objections have been raised from a technical highways perspective and as such the main consideration is with regards to the impact upon the residential amenities of neighbouring properties. The proposal would involve the creation of 4 additional car parking spaces and 5 cycle spaces to the rear of the site and although this would be located within close proximity of the flank boundary and rear garden with No. 141 this property is located at a significant higher ground



level than the application site and as such the potential loss of privacy or sense of overlooking for this property is not considered to be significant.

In terms of the impact for No. 145, the drawings submitted indicated a 2m high close boarded fence would be constructed on the flank boundary with this property and as such this is not considered to result in a significant detrimental impact in terms of loss of privacy or overlooking for this property.

The additional level of activity associated with 4 additional cars and potentially 5 cyclists using the area to the rear of the site is not considered to result in a considerable increase in noise and disturbance for adjoining residential properties to such an extent as to warrant refusal.

The proposal would involve the removal of a bank of earth adjacent to No. 141 and construction of a retaining wall. This would somewhat alter the visual appearance of the site when viewed from Croydon Road but is not considered to result in a significant detrimental affect on the character of the area.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03717/FULL1, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01      Commencement of development within 3 yrs  
          ACA01R      A01 Reason 3 years
- 2      ACA04      Landscaping Scheme - full app no details  
          ACA04R      Reason A04
- 3      ACA07      Boundary enclosure - no detail submitted  
          ACA07R      Reason A07
- 4      ACK01      Compliance with submitted plan

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

- 5      ACB16      Trees - no excavation  
          ACB16R      Reason B16
- 6      The vehicle hardstanding(s) / access drive(s) hereby permitted shall be formed of permeable paving in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The details shall include proposals for the regular maintenance of the paving, which shall be maintained in accordance with the approved details.  
          ADD06R      Reason D06

**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  
T3 Parking

Supplementary Planning Guidance (SPG) 1 General Design Principles

The London Plan and National Planning Policy Framework are also key considerations 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;

and having regard to all other matters raised.

**Application:**12/03717/FULL1

**Address:** 143 Croydon Road Keston BR2 8HW

**Proposal:** Construction of car park at rear of building together with cycle parking; turning space; vehicular access road; associated landscaping and retaining wall



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

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## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03719/FULL6

**Ward:**  
**Chislehurst**

**Address :** 22 Heathfield Chislehurst BR7 6AE

**OS Grid Ref:** E: 544272 N: 170632

**Applicant :** Mr John Collins

**Objections :** YES

### **Description of Development:**

Part one/two storey side and rear extension, pitched roof to side garage, enlargement to front dormer and elevational alterations

#### Key designations:

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

### **Proposal**

- The proposed rear extension will have a rear projection of 5.8m at ground floor level and a first floor rear projection of 5.0m.
- The width will be 16.3m at ground floor level and 12.1m at first floor level, resulting in an extension which will not project to the sides of the house at first floor level. The roof will be gable ended with a height of 7.8m.
- To the front of the house an open porch feature is proposed within the existing front elevation. The existing first floor front dormer will be increased in size to 2.9m in width and 4.0m in total height, in order to accommodate first floor rooms.
- A pitched roof is proposed to be added to the existing flat roofed side garage.

### **Location**

This property is located on the northern side of Heathfield and currently comprises a large inter war arts and crafts style detached two storey dwelling. Heathfield lies within the Chislehurst Conservation Area and is characterised by similar large houses set within large and spacious plots.

### **Comments from Local Residents**

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

- loss of light and outlook
- overshadowing
- excessive development/impact on character of area
- poor design in respect to host building
- overdevelopment and excessive footprint
- inaccuracies on plans
- impact on street scene
- impact on trees

### **Comments from Consultees**

The Advisory Panel for Conservation Areas (APCA) has objected to the front section of the proposal on the basis of poor design and out of character appearance.

### **Planning Considerations**

Policies relevant to the consideration of this application are BE1 (Design of New Development), BE11 (Conservation Areas), H8 (Residential Extensions), H9 (Side Space) and NE7 (Development And trees) of the adopted Unitary Development Plan.

The Supplementary Planning Guidance for the Chislehurst Conservation Area and the Council's adopted SPG guidance are also considerations.

### **Planning History**

None.

### **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the Chislehurst Conservation Area and the impact that it would have on the amenities of the occupants of surrounding residential properties. The impact on trees is also a consideration.

The Supplementary Planning guidance for the Chislehurst Conservation Area states:

- '4.24 Any extensions or additions should reflect the forms, materials, textures and finishes of the host building, along with the design philosophies underlying its style. These vary between individual buildings in this Conservation Area, and will need to respond to the specific building. The proportions, positioning and integration of an addition relative to the host building are important and deserving of significant design effort to safeguard not only the building's contribution to the public realm, but its enduring value to the owner. It

should not be so large as to dominate or compete in visual terms with the host building.

- 4.25 Materials utilised in additions and alterations should match those of the host building, such as through the re-use of reclaimed materials where possible, or by careful matching of new materials. Care should be taken with details such as the matching of bonds and continuation of stringcourses or lintels.
- 4.26 Details characteristic of the building type and era should be retained wherever possible. Alterations to the exterior form and detailing of a contributory building should respond sensitively to the significant elements of the building. In particular attention should be paid to protecting and reflecting element of the original design detailing, such as chimneystacks, ridge tiles, lintels, and stringcourses. Every effort should be made to retain and repair such original details, which can be costly and difficult to repair later.'

The proposed two storey extensions would represent a large extension that would greatly increase the bulk of the building. However the resulting structure would not be in advance of the building line and would concentrate the bulk to the rear of the house. The extensions would not appear bulky or prominent within the street scene and would not significantly alter the character of the house from the front.

The existing house is a good example of the inter war arts and crafts style with a strong and effective asymmetric gable feature that is typical of this style. The proposed front open porch feature would not be considered to alter this design and the pitch to the side garage roof would not impact significantly on the character of the house. On balance, the proposed enlarged front dormer would continue to represent a roof feature that would sit comfortably within the roof space and would not impact negatively on the character of the conservation area or the dwelling.

The proposed extensions would not extend to the rear of the neighbouring property at No. 24. The property at No. 20 is separated from the flank boundary by the presence of a detached garage and although there will be some impact in terms of loss of prospect and visual impact, this is not considered to be sufficiently severe so as to warrant refusal. The extension will project to the rear to a point level with the back of the garage at No. 20, with the first floor extending 4m beyond the rear wall of the neighbouring kitchen, separated by 7m. The proposal will impact on the kitchen, however this room possesses rear and flank windows and is therefore served by multiple sources of light and outlook. The property at No. 24 possesses a first floor flank window which would be affected by the proposal, with the proposed first floor extension projecting further to the rear, thus affecting outlook. Subject to obscure glazing in the proposed first floor flank window, this rear projection is not considered to unacceptably exacerbate the impacts on this neighbouring window. This window would continue to be served by light due to the separation and it is therefore considered that the proposal would not impact harmfully on the amenities of neighbouring residential properties.

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 conservation area. No impact on trees would result. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03719, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1     ACA01        Commencement of development within 3 yrs  
      ACA01R      A01 Reason 3 years
- 2     ACC01        Satisfactory materials (ext'nl surfaces)  
      ACC01R      Reason C01
- 3     ACC03        Details of windows  
      ACC03R      Reason C03
- 4     ACI12        Obscure glazing (1 insert)    in the first floor flank elevations  
      ACI12R      I12 reason (1 insert)   BE1
- 5     ACI17        No additional windows (2 inserts)  flank extensions  
      ACI17R      I17 reason (1 insert)   BE1
- 6     ACK01        Compliance with submitted plan

**Reason:** In order to comply with Policies BE1 and BE11 of the Unitary Development Plan and in the interest of the visual amenities of the conservation area and the amenities of the 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
- BE11  Conservation Areas
- H8    Residential Extensions
- H9    Side Space
- NE7   Development and Trees

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
- (d)   the impact on the character and appearance of the Chislehurst Conservation Area
- (e)   the impact on trees

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)).

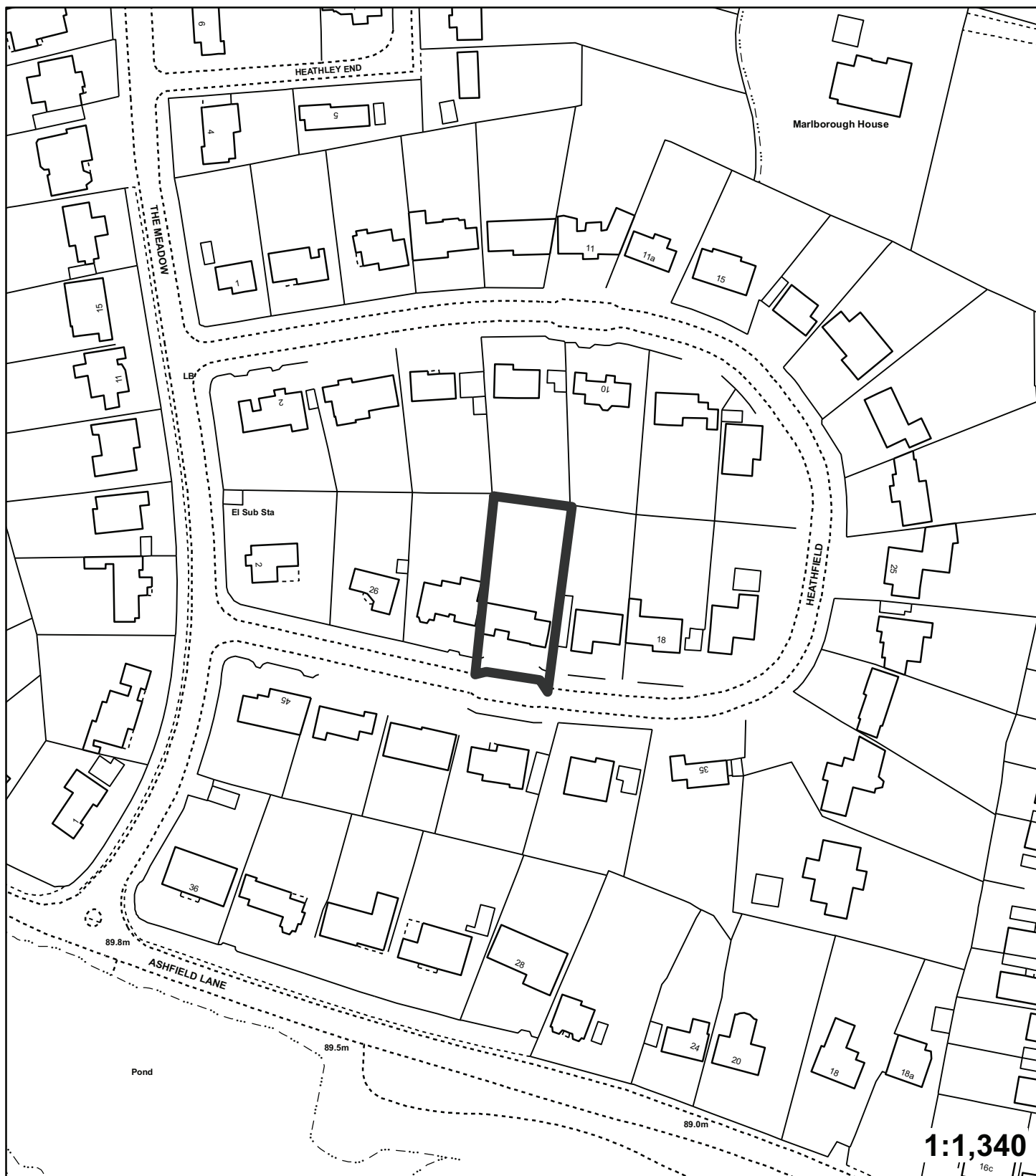
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

**Application:**12/03719/FULL6

**Address:** 22 Heathfield Chislehurst BR7 6AE

**Proposal:** Part one/two storey side and rear extension, pitched roof to side garage, enlargement to front dormer and elevational alterations



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

## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03720/FULL6

**Ward:**  
**Shortlands**

**Address :** 2 Wickham Way Beckenham BR3 3AA

**OS Grid Ref:** E: 538015 N: 168489

**Applicant :** Mr Jim Day

**Objections :** NO

### **Description of Development:**

Part one/two storey side, two storey side and rear and single storey side/rear extensions and front porch

#### Key designations:

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

### **Proposal**

Planning permission is sought for a part one/two storey side, two storey side and rear and single storey side/rear extensions and a front porch.

### **Location**

The application property is a detached dwelling, which is located on the southern side of Wickham Way within the Park Langley Conservation Area. It is sited in a prominent position at the north-eastern gateway to the Conservation Area.

At this point, the street is enclosed by substantial, two storey dwellings of individual design, sitting in spacious landscaped settings behind a variety of low boundary treatments. The front building line is fairly consistent and in most cases, generous spaces remain between buildings, with trees, shrubs and hedges having a strong visual presence.

### **Comments from Local Residents**

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

## **Comments from Consultees**

From the conservation perspective, it is considered that the extensions significantly enlarge the existing footprint increasing the level of development at the site consequently the appearance of the existing dwelling is entirely transformed which would be inappropriate to the local context.

APCA raise objections to the proposal in that the proposals do not reflect the original Arts and Crafts detailing and the extensions are not sufficiently subservient.

## **Planning Considerations**

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

BE1 Design of New Development  
BE11 Conservation Areas  
H8 Residential Extensions  
H9 Side Space

The Supplementary Planning Guidance (SPG) for the Park Langley Conservation Area is also a consideration. Paragraph 3.24 relates to proposals for extensions and states the following:

“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.”

Soft landscaping, consistency of scale in the built form & the regularity of spaces between buildings are equally distinctive features of the conservation area & their important contributions to local character are clearly defined in the SPG.

## **Planning History**

The planning history includes a refusal under ref. 12/02924 for part one/two storey side/rear extension to include swimming pool, part two storey/first floor side extension and front porch. The ground of refusal is set out below:

The proposed extensions would result in disproportionate and overdominant additions to the host property which would unacceptably alter its form and character, resulting a retrograde lowering of the spatial standards to which the area is at present developed, detrimental to the character and appearance of the area and the visual amenities of the street scene at this prominent location, thereby failing to preserve or enhance the character and

appearance of the Park Langley Conservation Area, contrary to Policies BE1, BE11, H8 and H9 of the Unitary Development Plan.

## **Conclusions**

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

The proposed extensions include a balcony to the rear elevation, a design feature brought forward from the original dwelling. In view of the siting of the dwelling and the proposed extensions, balcony and relationship to nearby dwellings it may be considered that the proposal is unlikely to have a detrimental impact on neighbouring amenities.

The supporting statement refers to the previous planning report in which it was considered that whilst the proposed extension to the eastern flank of the dwelling would be of a more appropriate scale to the host dwelling it did note that the proposal cumulatively would result in disproportionate additions. It is noted that the extent of intended new work has been reduced from that of the preceding proposal. However, it continues to encase the existing dwelling on three sides & significantly enlarges the existing footprint. In consequence the level of development at the site is substantially increased which would significantly alter its character, and the appearance of the dwelling in the street scene and wider context.

Additional comments were received from the agents highlighting that asymmetry of the building is not an original design feature but rather the product of a 'poor quality side extension', that the proposals are subservient to the host dwelling and reflect the original design of the building.

Given the existing structures and additions at the site it is likely that there is some potential to a sympathetic remodelling. However, the new work should be modest in scale, respect the architectural style of the existing building & preserve adequate space between the built form & side boundaries. Minor alterations & modestly scaled additions to the rear of the dwelling may also not be inappropriate, as such work has limited impact on the character of a conservation area.

From an Environmental Health (pollution) point of view, in the event of a planning permission, relevant planning conditions are to be applied.

Having had regard to the above, whilst it is clear the current scheme has been reduced from that previously refused, it is considered that the development in the manner proposed has not sufficiently addressed the previous grounds of refusal. The proposal would result in disproportionate additions to the host property which would unacceptably alter its form and character and result in a retrograde lowering of the spatial standards to which the area is at present developed, detrimental to the character and appearance of the area and the visual amenities of the street scene. The development would thereby fail to preserve or enhance the character and appearance of the Conservation Area.

In the event of a planning permission it should be noted that this proposal is potentially CIL liable.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/03720 and 12/02924, excluding exempt information.

as amended by documents received on 01.02.2013

**RECOMMENDATION: PERMISSION BE REFUSED**

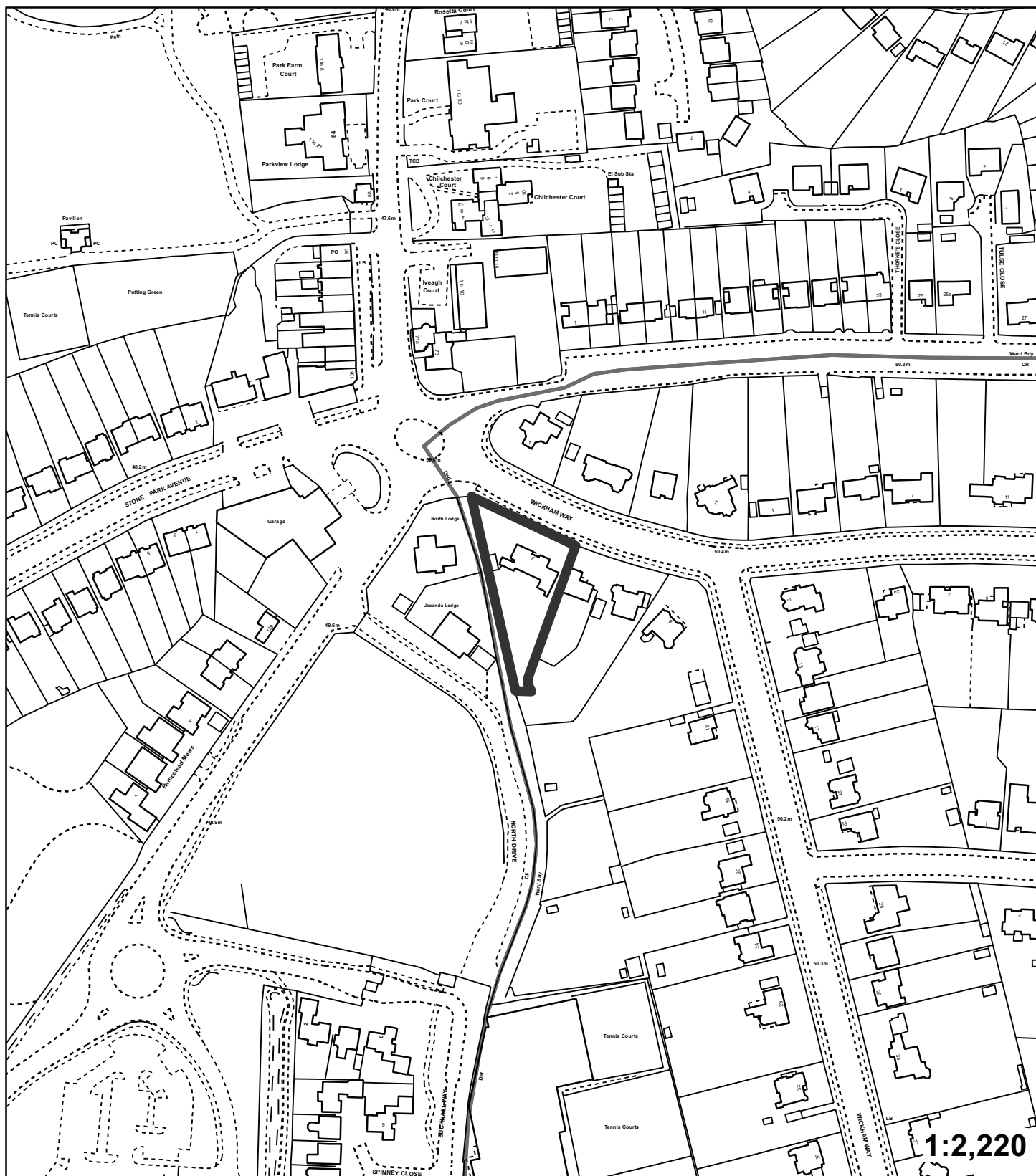
The reasons for refusal are:

- 1 The proposed extensions would result in disproportionate additions to the host property which would unacceptably alter its form and character, resulting a retrograde lowering of the spatial standards to which the area is at present developed, detrimental to the character and appearance of the area and the visual amenities of the street scene at this prominent location, thereby failing to preserve or enhance the character and appearance of the Park Langley Conservation Area, contrary to Policies BE1, BE11, H8 and H9 of the Unitary Development Plan.

**Application:**12/03720/FULL6

**Address:** 2 Wickham Way Beckenham BR3 3AA

**Proposal:** Part one/two storey side, two storey side and rear and single storey side/rear extensions and front porch



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

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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 12/03762/FULL6

**Ward:**  
**Bickley**

**Address :** 27 Logs Hill Chislehurst BR7 5LN

**OS Grid Ref:** E: 542254 N: 169931

**Applicant :** Mr B Khanna

**Objections :** YES

### **Description of Development:**

First floor side extension and lower ground floor front extension

Key designations:

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

### **Proposal**

The proposal relates to a first floor side extension and lower ground floor front extension.

- The proposed first floor extension to the southern end of the property (closest to the boundary with No.25) would add an additional 4.3m to result in a 7.5m high flank. It would be 5.4m in width and be located 1.1m from the side boundary, although this narrows to 0.87m to the rear.
- The proposed lower ground extension will increase the size of the existing bathroom and measure 1.7m in depth x 1.6m in width x 2.9m in height.

### **Location**

The site relates to a two storey detached property located on the west side of Logs Hill. The area is characterised by detached dwellings of similar size but varying in design. Although the relationship between the application site and no.25 Logs Hill is close, there is a reasonably high standard of spatial separation between dwellings in general.

### **Comments from Local Residents**

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

- out of character with the sense of space and openness of the area.
- would result in houses too close together which would have a negative impact on the streetscene.
- flank wall which states 1.09m distance to boundary on plan actually narrows to 0.87m, contrary to Policy H9.

### **Comments from Consultees**

None.

### **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**

The property has been extended a number of times in the past;

In 1988, a first floor extension and alterations to the roof was granted under ref. 88/02405/FUL.

Later that year a revision was submitted for replacement of cladding from tiles to timber 88/04660/OTH.

A single storey rear extension was granted permission in 1994 under ref. 94/00553/FUL.

In 2006, an upper side roof extension to provide music room and extension to rear balcony was permitted under ref. 06/03714/FULL6.

In 2009, a first floor side and extension to lower ground floor was permitted under ref. 09/00202/FULL6. The proposed extensions are identical to this proposal but time for its implementation has expired.

### **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. Also of note is the planning history for an identical scheme (09/00202/FULL6).

There has been no change in circumstances on the site since the last proposal. Whilst there has been no change in policy either, Policy H9 was not considered under the previous application. This is because there appears to have been a

discrepancy on the previous plans which failed to show that the boundary narrows from 1.1m to 0.87m to the rear. Therefore, the first floor side extension would be strictly against policy H9, which is the reason for its determination at committee.

The proposed extension would add a first floor level to the south side of the property. It would share a similar form as the first floor north side elevation with a lowered pitch and half hipped roof, bringing symmetry to the dwelling. It would be built flush with the flank wall of existing ground floor element.

The area is characterised by dwellings with a good standard of spatial separation. The closest relationship exists between the application site and No.25 Logs Hill to the south. Therefore the additional loss of space between these dwellings would appear slightly cramped and out of character with the street scene.

Aside from the visual amenity of the proposed extension there is considered to be no undue loss of amenity to the neighbouring properties given the size and design of the extension and relationship to No.25 Logs Hill.

The ground floor front extension is considered acceptable in all respects given its size, design and siting.

On balance the proposal is considered acceptable.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03762, excluding exempt information.

as amended by documents received on 28.11.2012 28.01.2013

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACC04  | Matching materials                       |
|   | ACC04R | Reason C04                               |
| 3 | ACK01  | Compliance with submitted plan           |
|   | ACC01R | Reason C01                               |
| 4 | AJ02B  | Justification UNIQUE reason OTHER apps   |

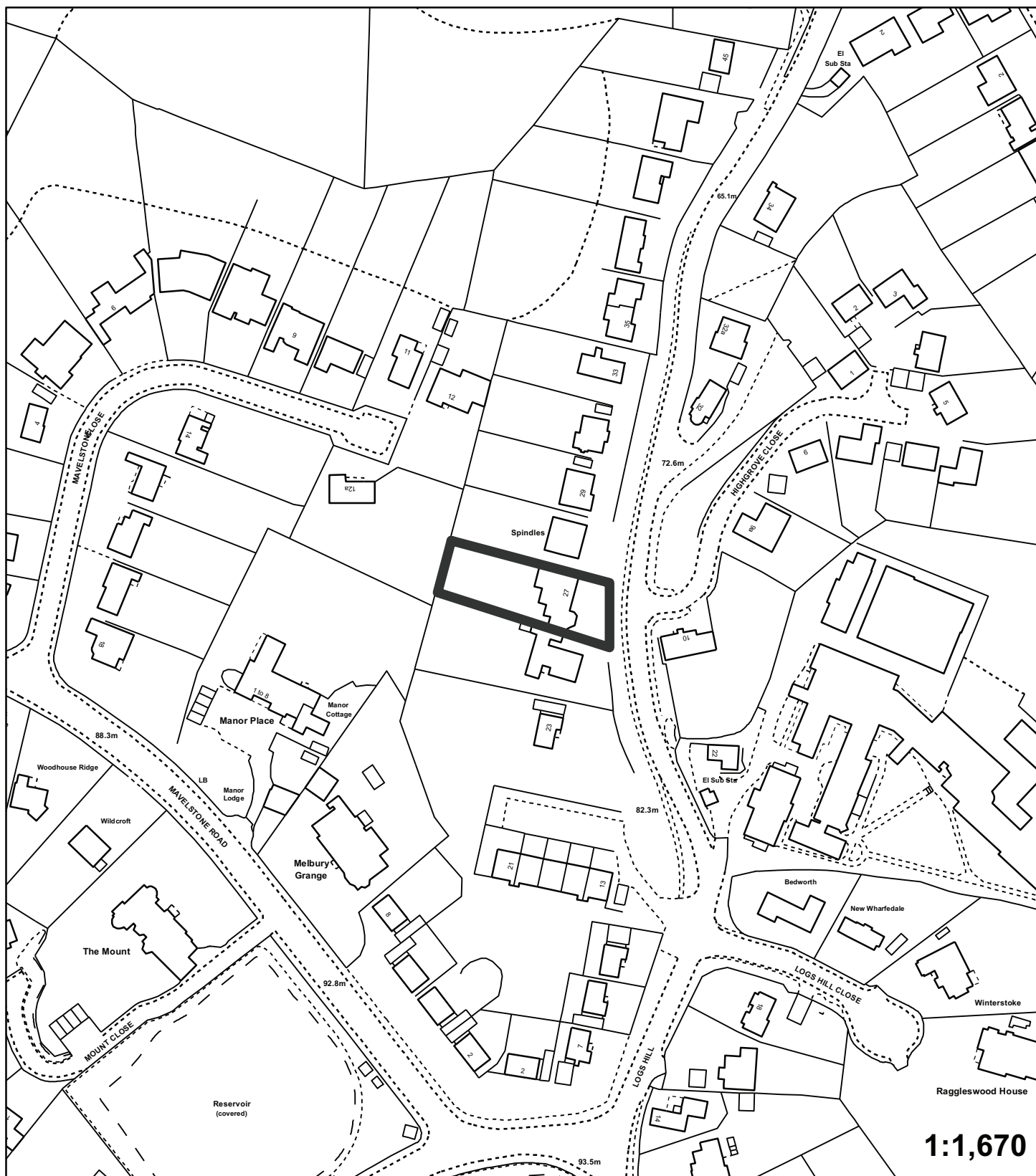
Policies (UDP)

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

**Application:**12/03762/FULL6

**Address:** 27 Logs Hill Chislehurst BR7 5LN

**Proposal:** First floor side extension and lower ground floor front extension



## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03813/CONDIT

**Ward:**  
Copers Cope

**Address :** 94 Bromley Road Beckenham BR3 5NP

**OS Grid Ref:** E: 537997 N: 169397

**Applicant :** Mr Aftor Ali

**Objections :** YES

### **Description of Development:**

Ventilation details pursuant to condition 04 of permission 12/01686 granted for Change of use of ground floor from retail shop (Class A1) to restaurant and hot food takeaway (Class A3/A5) with ventilation ducting to rear and installation of new shopfront PART RETROSPECTIVE APPLICATION

Key designations:  
Conservation Area: Chancery Lane

### Update

This application was considered at the Plans Sub Committee held on the 24th January 2013. Members resolved to defer this case in order to undertake a Members site visit. This site visit is planned for the 9th February 2013.

The previous report is repeated below:

### **Proposal**

This application seeks to approve details of Condition 4 of application ref. 12/01686 for Change of use of ground floor from retail shop (Class A1) to restaurant and hot food takeaway ( Class A3/A5) with ventilation details to rear.

The position of the ventilation system was indicated on the original application. However, there was an additional requirement as a condition that details should be provided under condition 4. The agent has confirmed that the new ventilation duct, located on the flank wall to the rear of the site, is all as indicated on the original Planning Application drawing 1028 PE 004 which formed part of the approved application. In addition, the agent confirms that the proposed rising duct will not be attached to the flank wall of the first floor flat and will be independently supported off the ground floor unit wall.

### **Comments from Local Residents**

There have been strong local objections to this application. The comments received are summarised as follows.

- I have refused permission for anything to be attached to my building.
- the wall was designated as a fire exit.
- the details need to be specific to the property
- the development would be unsightly
- the Restaurant will become a public nuisance
- independent consultant be appointed to examine the proposed system

The Environmental Health Officer has recommended that the condition be discharged.

### **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  
S9 Food & Drink Premises

The National Planning Policy Framework and the London Plan should also be taken into account.

### **Conclusions**

The main issues relating to the application are the effect that the ventilation ducting would have on the visual amenities of the area including the Conservation Area designation and on the amenities of the occupants of nearby residential properties.

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

Members may consider that ventilation ducting associated with the approved use as positioned on the plans would not have an adverse visual impact on the surrounding area.

No concerns are raised by the Council's Environmental Health Officer.

Having had regard to the above it was considered that the ventilation system is acceptable in that it would not result in undue loss of amenity to local residents nor impact detrimentally on the visual appearance of the surrounding area.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/01686 and 12/03813, excluding exempt information.

as amended by documents received on 12.01.2013

**RECOMMENDATION: APPROVAL**

subject to the following conditions:

**Application:**12/03813/CONDIT

**Address:** 94 Bromley Road Beckenham BR3 5NP

**Proposal:** Ventilation details pursuant to condition 04 of permission 12/01686 granted for Change of use of ground floor from retail shop (Class A1) to restaurant and hot food takeaway (Class A3/A5) with ventilation ducting to rear and installation of new shopfront PART RETROSPECTIVE



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



## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03837/FULL2

**Ward:**  
Penge And Cator

**Address :** 57 High Street Penge London SE20 7HW

**OS Grid Ref:** E: 535181 N: 170492

**Applicant :** Mr D Juresh

**Objections :** YES

### **Description of Development:**

Change of use from shop (Class A1) to restaurant/take-away (Class A3/A5) with ventilation ducting at rear

### **Proposal**

This proposal is for the change of use from shop (Class A1) to restaurant/take-away (Class A5) with ventilation ducting at rear,

### **Location**

The application property is a ground floor shop unit, located within a terraced building on the northern side of High Street Penge. The premises are currently in use as an internet café. The upper floors are in use as flats. The site is not part of a designated shopping frontage.

### **Comments from Local Residents**

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

- over-concentration of food and drink premises
- additional rubbish and waste
- noise and smell nuisance – extract flue will discharge near upper floor flat window
- late night noise and disturbance
- existing use remains viable
- no marketing evidence has been provided
- harmful to amenities of neighbouring residential properties
- would not accord with objectives of national and local planning framework, EMP5, EMP6, S5 and S9
- would result in undesirable parking within the area

### **Comments from Consultees**

Cleansing advised that the refuse storage and collection arrangements should remain as existing.

The Metropolitan Police Crime Prevention Design Advisor (CPDA) made no comment on the application.

Highways raised no objection to the proposal.

Environmental Health (pollution) raised no objection in principle and recommended 2 conditions regarding noise from and details of the kitchen extract system.

### **Planning Considerations**

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

- BE1 Design of New Development
- ER9 Ventilation
- S5 Local Neighbourhood Centres, Parades and Individual Shops
- S9 Food and Drink Premises

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

### **Planning History**

The application most relevant to the current proposal is planning ref. 12/01602 for the change of use from shop (Class A1) to restaurant/take-away (Class A3/A5) with ventilation ducting at rear which was refused on the following grounds:

“The proposed use of the premises as a restaurant and hot food takeaway would give rise to an unacceptable loss of amenity to neighbouring residents, with particular regard to noise and disturbance and smell nuisance, contrary to Policies BE1, S9 and ER9 of the Unitary Development Plan”.

### **Conclusions**

The main issues relating to the application are the effect that it would have on the character of the area (having regard to its shopping function) and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The proposal will involve the change of use of an existing A1 retail unit which is currently in use as an internet café, to a restaurant/hot food takeaway within Classes A3 and A5. Although the site is within Penge, it does not fall within the district centre or a designated shopping frontage as defined within the Unitary Development Plan. In considering the acceptability of the proposed change of use in policy terms, in the absence of any term of vacancy at the premises it is necessary to consider whether the proposed use would contribute to the range of local services or provision local community facilities, and whether it would

contribute to the vitality of the centre by providing a service or attracting visitors during shopping hours (in accordance with Policy S5). The proposed use could be considered to contribute to the range of local services, and would provide a service, potentially attracting visitors during shopping hours, from lunchtimes onwards.

As noted above, whilst the site is not within a designated retail frontage, it is within a defined parade of shops, which runs between Nos. 21 to 81 High Street inclusive. Within this parade, there appear to be a total of 6 existing food and drink outlets in the parade. In view of the length of the parade and the spacing between other food and drink outlets, it is not considered that an over-concentration of similar uses would arise.

With regard to the impact of the proposed use on residential amenities, it is noted that there are a total of 4 flats within the application property, one on the ground floor at the rear and three within the upper floors of the building. The proposed use will operate during daytime hours and during the evening, up until 11pm. The previous application was refused as it was considered that the proposal give rise to an unacceptable degree of noise and disturbance, both within the building while customers are served and as a result of comings and goings through take-away custom.

In terms of the ventilation duct to the rear which would discharge adjacent to the rear dormer window on the rear roofslope it was considered that insufficient detail was provided with regard to the noise output and technical specification for the ventilation system. In the absence of this information it is was not possible to determine whether the ventilation system could operate without giving rise to a loss of amenity to local residents through noise and smell nuisance and in view of the number of residential properties in the vicinity of the site it is not considered that this matter could reasonably be controlled by condition.

In order to overcome previous concerns, the current proposal provides additional information relating to the proposed ventilation duct which would include two silencers and extract system to reduce the effect of cooking smells and fumes. Again no technical objections have been raised by the Council's Environmental Health Division and given further information has been supplied as to the specification of the ventilation duct, this is considered to have overcome previous concerns in relation to the detrimental impact on the residential amenities of adjoining owner/occupiers.

In response to the concerns that the proposal would open until 11pm every day, further information has been supplied by the applicant in relation to the hours of operation of food establishments in the vicinity which the applicant states open until 11pm and in some instances beyond this. In the cases of No. 31-33, No. 73 and No. 75 as quoted by the applicant, no planning history appears to exist relating to the change of use of the ground floor of these properties to A3/A5. In relation to No. 103 although this is located approximately 330m from the application site was permitted to open until 11pm on any day (planning ref. 90/02445).

No. 79 (which has residential accommodation in the upper floors) also cited by the applicant was granted permission from change of use to A3 at appeal under planning ref: 91/00898/FUL with permitted open hours until 11pm. In this instance the Planning Inspector found that the provision of sound insulation could reduce the transmission of noise to the flats on the upper floors of the building, were permission to be granted for the current proposal a similar condition is suggested. The Inspector also found that in terms of disturbance resulting from the movement of customers coming and going from the premises due to the volume of traffic along High Street and to other nearby premises that would be open in the evening this must result in a high ambient level in the area. Accordingly, any additional noise generated by customers was deemed not to be significant. Therefore in light of this hours of operation until 11pm are considered to be acceptable in this instance.

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 loss of amenity to local residents nor impact detrimentally upon the character of the area and has satisfactorily overcome the previous grounds of refusal.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/03837 and 12/01602, excluding exempt information.

**RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1     ACA01        Commencement of development within 3 yrs  
ACA01R        A01 Reason 3 years
- 2     ACJ04        Provision of window display  
ACJ04R        J04 reason
- 3     ACJ09        Restricted hours (restaurant use) (2 in)     11:00   23:00  
ACJ09R        J09 reason
- 4     ACJ26        Ventilation system for restaurant/take-a  
ACJ26R        J26 reason
- 5     ACK01        Compliance with submitted plan

**Reason:** In the interests of the residential amenities of the adjoining properties and the visual amenities of the area, in line with Policies BE1 and S9 of the Unitary Development Plan.

- 6     The ceilings and walls between the restaurant/hot food takeaway hereby permitted and the upper floors and rear wall of the premises and the adjacent properties shall be so adapted as to achieve a reasonable resistance to airborne sound and heat transference as far as is practical having regard to existing construction. These works shall be implemented before the use hereby permitted commences in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and shall be permanently retained thereafter.

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

**Reasons for permission:**

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

- BE1 Design of New Development
- ER9 Ventilation
- S5 Local Neighbourhood Centres, Parades and Individual Shops
- S9 Food and Drink Premises

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

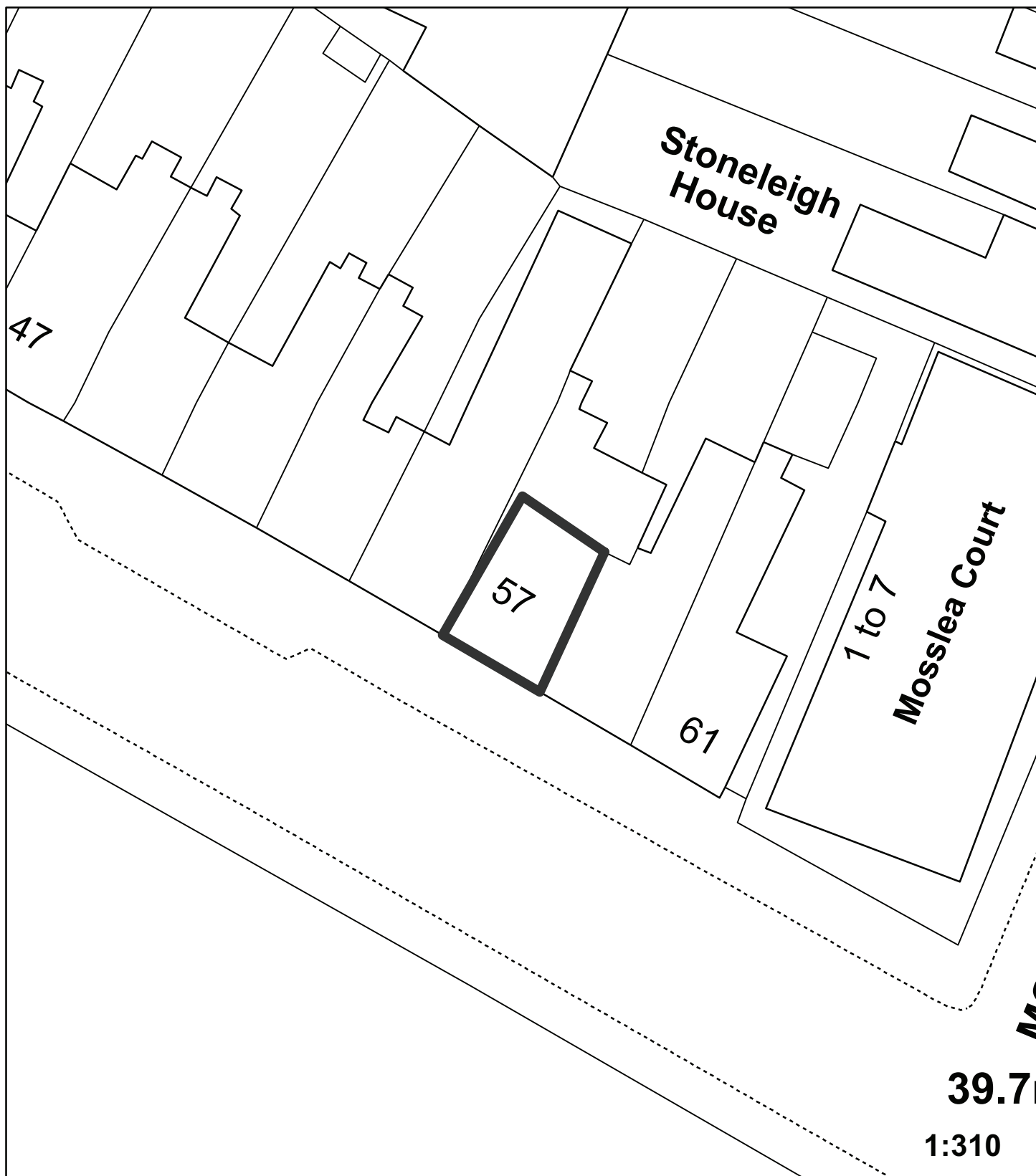
The development is considered to be satisfactory in relation to the following:

- (a) the loss of a retail unit is acceptable in this instance;
- (b) the relationship of the development to adjacent properties;
- (c) the character of the development in the surrounding area.

**Application:**12/03837/FULL2

**Address:** 57 High Street Penge London SE20 7HW

**Proposal:** Change of use from shop (Class A1) to restaurant/take-away (Class A3/A5) with ventilation ducting at rear



## SECTION '2' – Applications meriting special consideration

**Application No :** 12/03868/FULL6

**Ward:**  
Orpington

**Address :** 1A Alma Road Orpington BR5 4PT

**OS Grid Ref:** E: 547881 N: 165805

**Applicant :** Mr And Mrs A Bunce

**Objections :** NO

### **Description of Development:**

Two storey side and single storey rear extension and front porch.

Key designations:

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

The application was deferred at Plans Sub-Committee on the 24th January 2013 in order to seek a reduction in the bulk of the proposal and to increase the side space to the flank boundary. Amended plans have been received dated 31/01/13 indicating a fully hipped roof and a reduction in the width of the extension by 0.2m. The report is repeated below, updated where necessary.

### **Proposal**

- The property is to be extended by 3.0m to the rear of the house. This extension will have a width of 8.6m and will span the entire width of the plot. The roof will be sloped with a height of 3.5m (2.5m to eaves level).
- The proposed two storey side extension will have a width of 4.2m at the widest point and will have a length of 8.0m. The roof will be 6.6m in height and will incorporate a hipped roof which will be lower than the main roof of the house. The proposal will be constructed with a 0.2m side space to the flank boundary of the site.
- The proposed front porch will replace the existing porch and will have a forward projection of 2.3m. The width will be 3.1m and the roof will be pitched with a height of 3.4m.

### **Location**

This property is located on the southern side of Alma Road and the western side of Chelsfield Lane. The site occupies a corner location and comprises a two storey

detached dwelling. The area is predominately characterised by similar detached and semi-detached dwellings.

### **Comments from Local Residents**

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

### **Comments from Consultees**

None.

### **Planning Considerations**

Policies relevant to the consideration of this application are BE1 (Design of New Development), H8 (Residential Extensions) and H9 (Side Space) of the adopted Unitary Development Plan.

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

### **Planning History**

Planning permission was granted under ref. 89/03540 for a single storey front/side extension. These extensions will be replaced by the proposal.

### **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 house is located on a corner of two roads and such sites require a generous side space to be retained when considering two storey side extensions to dwellings (as outlined in Policy H9). The proposed side extension will be constructed close to the flank boundary of the site, retaining a 0.2m side space and a boundary fence, and would be technically contrary to side space policy, however there is a generously sized area of public land to the side of the site which separates the house from the highway. This land is considered to reduce the visual impact within the street scene and it is considered that this situation results in a suitable relationship and impact on the local character. The proposed side extension will be subservient to the house in respect to its height and this bulk (6.6m in height) is considered to result in a suitable impact within the street scene on this prominent corner site, particularly in light of the revised plans which indicate a hipped roof and reduction in width. The neighbouring dwellings are all considered to be separated from the two storey aspect of the proposal by a suitable amount to prevent significant loss of outlook or light.

The design of the proposed two storey extension is considered to significantly alter the appearance and character of the house, however the original features of the house would be retained and it is considered that the proposal would not create a



dwelling that would be out of context or scale with the area. The design is considered to be improved from the previously deferred proposal. The reduction in roof bulk and width is considered to considerably reduce the sense of bulk.

The proposed single storey rear extension will span the entire width of the house and will project to the rear of the neighbouring dwelling. The extension will be sited to the north of this neighbour and due to the separation between the detached dwellings the extension is considered not to impact seriously on the light and outlook from this neighbouring house, which also possesses a single storey rear extension.

The proposal seeks to replace the existing front porch and although this will project 2.3m forwards of the front wall of the house, this would not harm the character of the house or wider area. The porch is considered to be in context with the scale of the house and will be set back a significant distance from Chelsfield Lane, therefore it will not appear excessive or prominent. The porch will also not project significantly forward of the building line on Chelsfield Lane.

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 significantly harmful impact on the character of the area and would not impact harmfully on the amenities of neighbouring residential properties. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03868, excluding exempt information.

as amended by documents received on 31.01.2013

### **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

**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 the 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
- H9    Side Space

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

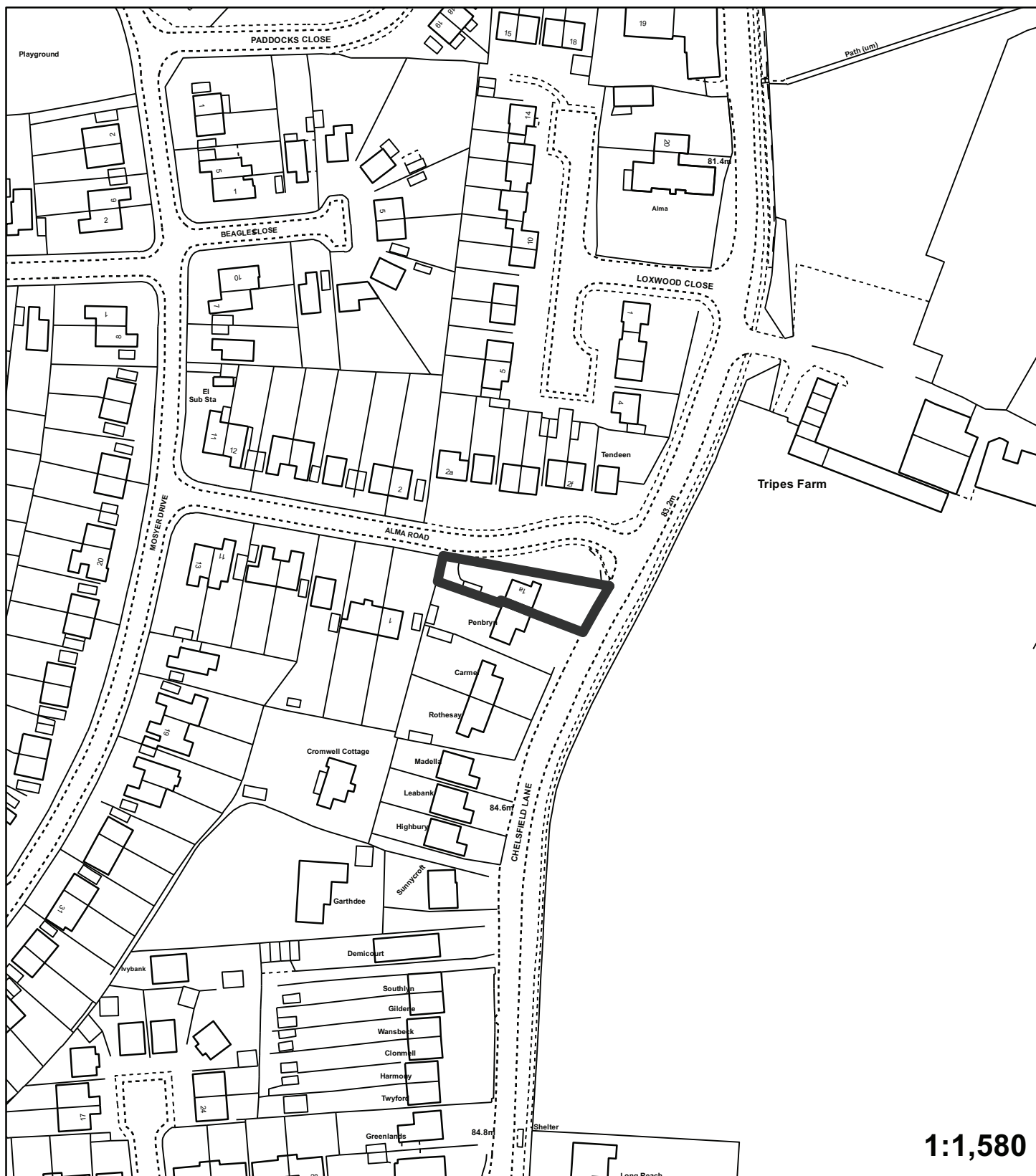
- (a) the impact on the character of the surrounding area
- (b) the impact on the amenities of the occupiers of adjacent and nearby properties, including light, prospect and privacy
- (c) the spatial standards to which the area is at present developed

and having regard to all other matters raised.

**Application:**12/03868/FULL6

**Address:** 1A Alma Road Orpington BR5 4PT

**Proposal:** Two storey side and single storey rear extension and front porch.



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

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## SECTION '2' – Applications meriting special consideration

**Application No :** 13/00001/FULL1

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

**Address :** 22 Crofton Lane Orpington BR5 1HL

**OS Grid Ref:** E: 544637 N: 166048

**Applicant :** Mr J Sharp

**Objections :** YES

### **Description of Development:**

Construction of new access adjacent to 22 Crofton Lane and erection of 2 two storey three/four bedroom dwellings on land to rear of 22-26 Crofton Lane with associated garages.

Key designations:

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

### **Proposal**

- The proposal seeks permission for the subdivision of a section of the rear gardens of Nos. 22-26 Crofton Lane to provide two detached dwellings, one with three bedrooms and one with four.
- Access to the site will be provided via a modified access to the north of No. 22 Crofton Lane.
- The access road will lead to an area of hardstanding within the site and a landscaped frontage, with Plot 1 sited to the south of the site and Plot 2 to the north.
- The dwelling at Plot 1 will have a length of 22m and a width of 12m, and will be sited between 0.8m and 4m from the southern flank boundary adjoining No. 20. The roof will be pitched with a height of 7.1m. The rear garden will be to the east of the site, with a length of 10-11m to the eastern boundary of the site.
- Plot 2 will be sited to the north of the site and will have a length of 15.6m and a width of 12m. The dwelling will be sited 3.5m from the northern flank boundary of the site adjoining No. 28. The roof will be pitched with a height of 7.1m. The rear garden will also be sited to the east of the house, with a length of 11-15.5m to the eastern flank boundary of the site.
- Plot 1 will be provided with an attached garage that will have a width of 6.1m and a length of 6.0m. The roof will be pitched with a height of 4.6m. Plot 2 provided with a detached garage that will have dimensions of 6m by 3.5m

and a pitched roof with a height of 3.6m. The detached garage for Plot 2 will be sited approximately 1m from the rear boundary of No. 26 and the side boundary of No. 28.

## **Location**

This site is located on the eastern side of Crofton Lane. The site comprises the rear gardens of Nos. 22-26 Crofton Lane and the space to the side of No. 22 to provide the access road. The eastern side of Crofton Lane is characterised by large two storey detached dwellings with spacious and large rear gardens. To the east, the site adjoins Oregon Square, which is characterised by a higher residential density. The eastern boundary of the site possesses a dense screen of vegetation and the surroundings are predominantly soft landscaped.

## **Comments from Local Residents**

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

- loss of amenity and loss of privacy
- visual impact and loss of light/overshadowing
- out of character
- harm to the spatial standards of the area and precedent for further such developments
- impact on highway safety due to the creation of a busier junction
- land is not 'previously developed' as stated in the NPPF
- obscure glazing should be used to prevent overlooking
- replacement fences should be erected
- existing trees should be retained

## **Comments from Consultees**

From a technical highways point of view, there are 2 new houses proposed. Each would have a garage and other parking on the frontages. The current access to no.22 will be amended to serve the 3 properties. A Road Safety Audit was included with the application which identified some minor issues but not with the principle of the access arrangements. Visibility was one issue and as there is no speed survey I would suggest the maximum sightlines given in Manual for Streets. The refuse collection arrangements will need to be agreed with Waste Services. The existing crossover is proposed to be widened; the applicant will need to contact Street Services regarding the works and whether an industrial type one is needed for delivery vehicles. Given the location, a construction management plan should be provided to show how deliveries etc will be made.

No Thames Water objections are raised subject to informatives.

No technical drainage objections are raised. Contrary to the answer to the question on the form there is no public surface water sewer near to this site. Surface water will therefore have to be drained to soakaways. The applicant is required to carry

out surface water design to including the use of SUDS. A standard condition and informative is suggested.

The Crime Prevention Officer has suggested a secure by design condition due to concerns that the proposed access road may lead to the rear gardens of existing properties being vulnerable. A front access gate is requested for security.

No Environmental Health objections are raised subject to informatives.

Waste Services comments have been received stating that refuse should be brought to the junction with Crofton Lane on the day of collection.

### **Planning Considerations**

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

The National Planning Policy Framework, the Council's adopted SPG guidance and the Mayor's Housing Supplementary Planning Guidance are also considerations.

London Plan Policy 3.4	Optimising Housing Potential
London Plan Policy 3.5	Quality and Design of Housing Developments
London Plan Policy 5.1	Climate Change Mitigation
London Plan Policy 5.13	Sustainable Drainage
London Plan Policy 6.4	Enhancing London's Transport Connectivity
London Plan Policy 6.13	Parking
London Plan Policy 7.3	Designing Out Crime
London Plan Policy 7.14	Improving Air Quality
London Plan Policy 7.15	Reducing Noise And Improving Soundscapes
London Plan Policy 7.21	Trees And Woodlands

### **Planning History**

Planning permission has twice been refused for a detached dwelling to the side of No. 22 under refs. 08/02873 and 09/00339. The refusal grounds for the recent refusal were as follows:

'The proposal would represent an unsatisfactory sub-division of the plot and a cramped form of development, which would result in a retrograde lowering of the spatial standards to which the area is presently developed and a detrimental impact on the spacious character of the area, contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.'

Planning permission was granted under ref. 11/01172 for demolition of Nos. 39 and 41 Oregon Square and retention of No 43 and erection of 8 dwellings with associated access road and parking spaces (Revisions to permission ref. 07/02206

allowed on appeal including increased size of dwellings on Plot 1 - 4 with amendments to garden layouts, and amended siting of Plot 5).

Planning permission was refused under ref. 11/01984 for construction of new access adjacent to 22 Crofton Lane and erection of 3 two storey detached three / four bedroom dwellings on land to rear of 22 - 28 Crofton Lane with associated car parking. The refusal grounds were as follows:

'The proposal constitutes an unacceptable form of cramped backland development that is out of character with the surrounding area, resulting in a retrograde lowering in the spatial standards to which the area is at present developed, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposed junction with Crofton Lane does not accord with the Design Manual for Roads and Bridges, Design of Mini-Roundabouts, and is likely to result in conditions prejudicial to highway safety, thereby contrary to Policy T18 of the Unitary Development Plan.'

The application was subsequently dismissed on appeal. The Inspector states:

'I conclude overall, that it is likely the proposal would cause unacceptable harm to highway safety contrary to the aims of UDP Policy T18.

I consider that the verdant setting of development thereabouts gives rise to a spacious and high quality environment.

Given the local variety in plot sizes, the sub-division of the large rear gardens of nos. 22-28 may be acceptable in principle. However, the frontage of the proposed buildings, which would be clustered around the head of the accessway, would be dominated by hardstanding, comprising a turning area and driveways for the most part. This would leave little opportunity for the provision of planting, as a means of softening the appearance of the development. When seen from the cul-de-sac, the proposed dwellings would have a relatively stark appearance in comparison with the landscaped settings of their neighbours. It is likely that this would also be appreciated, albeit to a limited degree, in views of the site from Crofton Lane through the gap between Nos. 22 and 24.

In my judgement, the proposal would be likely to result in the removal of the majority of trees along the eastern site boundary, to the detriment of the character and appearance of the locality.

I conclude overall that the proposal, which would diminish the spacious, high quality environment thereabouts, would cause unacceptable harm to the character and appearance of the surrounding area, contrary to the aims of UDP Policies H7 and BE1.

I agree with the Council and the appellant that the dwellings on plots 2 and 3 would be sufficiently distant from the rear elevations of neighbouring Oregon



Square dwellings, so as not to unacceptably affect the outlook from, or light received by, those properties. Furthermore, the eastern elevations of those proposed houses would not contain habitable room windows at first floor level and so the potential for overlooking of neighbouring dwellings to the east would be limited to an acceptable degree.

The proposal would not fit well overall with the patterns of development supported by the Framework or the Development Plan Policies which I have identified in my consideration of the main issues. I consider on balance that the appeal scheme would not amount to sustainable development.'

## **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 impact on parking and highway safety is also a consideration.

The character of the site and surroundings, particularly the eastern side of Crofton Lane, is considered to be highly spacious, verdant and a high quality environment. Despite this, there is a variety of plot sizes in the wider area. The inspector stated under the previous appeal case that the sub-division of the plots may be acceptable in principle. The large area of hardstanding to the front of the proposed houses, which was previously a matter of concern for the Inspector, has been significantly reduced and now provides a large area of soft landscaping.

Although the number of dwellings has been reduced from three to two, it is noted that the site area has also reduced, with the rear garden of No. 28 Crofton Lane now not included in the proposal. As a result, the gardens and plots of each of the proposed houses would not be any more spacious than those previously refused.

The omission of Plot 3 has allowed Plot 2 to be moved further to the west so that the outlook from the eastern windows provides a 10-15m separation to the eastern boundary trees. This outlook is considered to be an improvement on the previous scheme, where Plot 2 was sited only 4-7m from these trees. The improvement of this relationship is considered to reduce the future pressure to prune or remove these trees and therefore the future health of the landscaping in the area can be retained. A landscaping condition can be imposed to further ensure this and to ensure the sustainability of the development. An arboricultural statement has been submitted and standard conditions have been suggested by the Tree Officer.

The National Planning Policy Framework (NPPF) states at paragraph 53 that authorities should consider policies to resist inappropriate development on residential gardens. This is considered to be consistent with Policy H7 of the UDP, which states at paragraph 4.40 that such development will be resisted unless it is small scale and sensitive to the local area.

The site does not comprise previously developed land, as stated in the NPPF, and the Inspector concludes this in Para 20. This in itself may not have been

considered an objection, and it was also considered by the Inspector that a sensitive development and sub-division of the plot may be acceptable in principle.

Members will need to consider carefully whether this revised scheme has overcome the Inspector's concerns. In respect to the amenities of properties on Oregon Square, the Inspector was satisfied that there would not be significant overlooking provided that the first floor eastern windows are obscurely glazed and that the eastern boundary vegetation was retained. The re-siting of Plot 2 further from the eastern elevation is not only considered to protect the future health of these trees but is also considered to improve the relationship with properties on Oregon Square by providing a greater separation. All eastern first floor windows of both houses are proposed to be obscurely glazed and therefore it is considered that no significant overlooking would result. The proposed first floor windows facing the rear gardens of Nos. 20 and 28 Crofton Lane are also proposed to be obscurely glazed, as are the western first floor windows. It is considered that no harmful overlooking would therefore result to neighbouring gardens.

The proposal reduces the width of the frontage of the site from the previous scheme, providing an access road to the side of No. 22, without occupying any of the land at No. 24. The access will be shared with No. 22, rather than No. 24 as previously proposed. This means that the proposed access onto Crofton Lane will be sited further to the south, approximately 10m away from the centre point of the existing roundabout.

In respect to highway safety, the Inspector previously raised concerns over the proposed 4 arm roundabout at the junction with Crofton Lane, particularly as the fourth arm would serve three dwellings plus No. 24. The reduction to two dwellings (plus No. 22) will result in a reduction in the use of the roundabout and this will result in an improvement in highway safety. The risk of vehicles emerging from the site onto Crofton Lane would be reduced by the lower expected amount of traffic and no technical highways objections are raised. In addition, right turn manoeuvres into the site would be reduced by the reduction in the number of houses proposed. Members may consider that the reduction in the intensity of the use of the access may be considered suitable in this location as to not impact seriously on highway safety.

The proposal provides suitable car parking for the size and type of dwellings proposed, in line with the standards of the Mayors Housing Supplementary Planning Guidance. The proposal would therefore not result in an increase in on-street car parking pressure on Crofton Lane and the surrounding highway network.

Members are asked to carefully consider whether the reduction in number of dwellings coupled with the improved landscaping given the reduced site area overcomes the concerns previously raised, since the ratio of built development will remain similar to the refused scheme. The issues of highway safety and harm to trees have been suitably addressed, however this remains a backland site and the amount of development proposed, including hardstanding, remains significant. On balance, it is recommended that permission be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01984 and 13/00001, 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     ACA08        Boundary enclosures - implementation  
ACA08R        Reason A08
- 4     ACB01        Trees to be retained during building op.  
ACB01R        Reason B01
- 5     ACB02        Trees - protective fencing  
ACB02R        Reason B02
- 6     ACB03        Trees - no bonfires  
ACB03R        Reason B03
- 7     ACB04        Trees - no trenches, pipelines or drains  
ACB04R        Reason B04
- 8     ACC01        Satisfactory materials (ext'nl surfaces)  
ACC01R        Reason C01
- 9     ACC03        Details of windows  
ACC03R        Reason C03
- 10    ACD02        Surface water drainage - no det. submitt  
ADD02R        Reason D02
- 11    ACH03        Satisfactory parking - full application  
ACH03R        Reason H03
- 12    ACH10       Provision of sight line (3 inserts)     59m x 2.4m x 59m     the  
                  junction of the access and Crofton Lane   1m  
ACH10R        Reason H10
- 13    ACH16        Hardstanding for wash-down facilities  
ACH16R        Reason H16
- 14    ACH23        Lighting scheme for access/parking  
ACH23R        Reason H23
- 15    ACH29        Construction Management Plan  
ACH29R        Reason H29
- 16    ACH32        Highway Drainage  
ADH32R        Reason H32
- 17    ACI01        Restriction of all "pd" rights  
**Reason:** In order to prevent the future overdevelopment of the site and to protect the amenities of neighbouring properties to accord with Policy BE1 of the Unitary Development Plan.
- 18    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 the nearby residential properties.
- 19    ACK05        Slab levels - no details submitted

ACK05R K05 reason

- 20 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted, and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall achieve the "Secured by Design" accreditation awarded by the Metropolitan Police.

**Reason:** In the interest of security and crime prevention and to accord with Policies H7 and BE1 of the Unitary Development Plan.

- 21 Before the development hereby permitted is first occupied, the proposed windows in the first floor southern elevation of Plot 1, the first floor northern elevation of Plot 2, the first floor western and eastern elevations of both dwellings and the second floor window in each dwelling shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

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

- 22 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the first and second floor elevations of the dwellings hereby permitted, without the prior approval in writing of the Local Planning Authority.

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

- BE1 Design of New Development
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

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
- (d) the impact on trees
- (e) the highway policies of the Unitary Development Plan

and having regard to all other matters raised.

## INFORMATIVE(S)

- 1 With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect to surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving sewer 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 0845 850 2777. Reason to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 2 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's pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 3 In order to check that the proposed storm water system meets drainage requirements, we require that the following information be provided:
  - A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.
  - Where infiltration forms part of the proposed storm water system such as soakaways, soakage test 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.
- 4 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.

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

- 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.

- 6 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.

**Application:**13/00001/FULL1

**Address:** 22 Crofton Lane Orpington BR5 1HL

**Proposal:** Construction of new access adjacent to 22 Crofton Lane and erection of 2 two storey three/four bedroom dwellings on land to rear of 22-26 Crofton Lane with associated garages.



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

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

**Application No :** 12/03317/FULL1

**Ward:**  
Crystal Palace

**Address :** Crystal Palace Transmitter Crystal  
Palace Parade Anerley London SE19  
1UE

**OS Grid Ref:** E: 533983 N: 171187

**Applicant :** Vigilant Global

**Objections :** NO

**Description of Development:**

Installation of 4 x 1.8m diameter dishes and associated equipment at heights between 47m and 127m above ground level on existing transmitter

Key designations:

Areas of Archaeological Significance  
Metropolitan Open Land

**Proposal**

This proposal is for the installation of 4 x 1.8m diameter dishes and associated equipment (including bracketry, feeder cables, gantry) at heights of 47m, 80m and 127m above ground level on an existing transmitter.

The accompanying supporting documents state the controlling equipment racks will be placed inside the existing ground based buildings. It also states the site already accommodates the four major mobile phone operators, the Airwave emergency service network and government agencies and other more localised operators. The dish heights have been determined by the LOS requirements which aims to provide unhindered "Fixed-link" point-to-point radio links to other sites which require direct line-of-sight free from obstruction.

It is considered that the proposed development is of significant strategic importance and it would be appropriate for a decision to be made by a Committee.

**Location**

The application site with a total height of 216m is a highly visible structure within the London skyline. The structure supports various antenna arrays with associated equipment buildings and apparatus accommodated within a fenced compound below.

The application site is located to the east of Crystal Palace Parade, and measures approx. 0.94ha in area. The site has a frontage and access to Crystal Palace Parade, but the main building has an access to the end of Old Cople Lane. To the north it adjoins the Thames Water covered reservoir, and Crystal Palace Park adjoins to the east and south.

The site is located within Metropolitan Open Land (MOL), the Registered Grade II\* Park and an area of Archaeological Significance. The car park adjoins the Crystal Palace Park Conservation Area and the Site of Interest for Nature Conservation within the Park.

### **Comments from Local Residents**

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

- query as to who the applicant Vigilant Global were
- query as to how dishes and associated equipment would affect TV as digital signal is receive from Crystal Palace Transmitter

### **Comments from Consultees**

The London Boroughs of Croydon, Lewisham, Lambeth and Southwark were notified of the application. At the time of writing the report comments had been received from Southwark and Lewisham raising no objection to the proposal. Any other comments received will be reported verbally at the meeting.

The application was referred to the Greater London Authority under 1D of the Town and Country Planning (Mayor of London) Order 2008, no strategic objections were raised.

The application was referred to the Ministry of Defence. The site no longer falls within a safeguarding area and accordingly no objections were raised.

The Metropolitan Police Crime Prevention Design Advisor liaised with the Counter Terrorism Security Advisors and no comments were raised in relation to the proposal.

Thames Water was notified of the application have no comments to make on the proposal.

The Council's Environmental Health Division raise no objections to the application.

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

English Heritage was notified of the application and recommends no archaeological requirement in this case.

From a heritage perspective no objections were raised to the proposal.

Transport for London state the application is for works at the Crystal Palace (Arqiva) Transmitter sited between Crystal Palace Park and Crystal Palace Parade, the nearest part of the Transport for London Road Network (TLRN) or Strategic Road Network (SRN). The application site records a good public transport accessibility level (PTAL) of 5 on a scale of 1 – 6 where 6 is the highest. The proposed dishes are ancillary to the main use of the site and minor works would be required for their installation. There are therefore no strategic transport issues raised by the development.

Any other comments received will be reported verbally at the meeting.

### **Planning Considerations**

The main planning policies of relevance to this application are as follows:

#### Unitary Development Plan

BE1 Design of New Development  
BE13 Development Adjacent to a Conservation Area  
BE15 Historic Parks and Gardens  
BE16 Ancient Monuments and Archaeology  
BE17 and BE18 High Buildings and the Skyline  
G2 Metropolitan Open Land  
NE2 Development and Nature Conservation Sites  
BE22 Telecommunications

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

### **Planning History**

Of recent relevance is application ref. 08/01463, which was granted for elevational alterations to tower including additional feeder leg for cabling/ single storey detached equipment building/ external heat exchangers with single storey detached canopy and palisade enclosure/ 2 detached single storey buildings for generators and fuel store/ additional vehicle hardstanding.

In 2010 under planning ref. 10/00235, permission was granted for the replacement digital antennae on transmitter mast together with associated equipment on new concrete base at ground level/ additional equipment and security cage to existing building.

### **Conclusions**

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

Policy BE22 of the Unitary Development Plan is a key consideration in the determination of this application it states:

“In a development involving telecommunication mast, base station or apparatus, applicants will be required to demonstrate that:

- (i) the possibility of using an existing building, mast or other structure has been explored and proved to be unsuccessful;
- (ii) where the proposal is on or near a school or college, the relevant body of the school or college has been consulted;
- (iii) there is a need for the proposed development;
- (iv) the equipment will meet the International Commission on Non-Ionizing Radiation Protection (ICNIRP) guidelines on the limitation of exposure of the general public to electro-magnetic field;
- (v) it will not adversely affect the character and appearance of the area or those of the building on which it is to be mounted;
- (vi) will not adversely affect the visual and residential amenity of occupiers of neighbouring or host properties; and
- (vii) the visual impact of the development can be minimised by the use of screening by trees or other landscaping”.

Section 5 of the NPPF provides further advice in relation to telecommunications proposals and states “advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services.

In preparing Local Plans, local planning authorities should support the expansion of electronic communications networks, including telecommunications and high speed broadband. They should aim to keep the numbers of radio and telecommunications masts and the sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used...”

The current proposal would utilise an existing transmitting station which provides public utility infrastructure and as such the installation of 3 additional dishes within this context and scale of the existing structure is considered to be appropriate and consistent within the objectives of the NPPF. The NPPF outlines that applications for telecommunications development should be supported with evidence to justify the proposed development. To this end a signed certificate from the mast owner Arquiva has been submitted confirming that the installation conforms to ICNIRP (International Commission on Non-Ionising Radiation) Public Exposure Guidelines. No schools or colleges are located in close proximity to the site nor is the site located within a statutory safeguarding zone surrounding an aerodrome or technical site and as such the applicant was not required to undertake consultation with said parties prior to the submission of the application. As such the proposal is considered to be compliant with paragraph 45 of the NPPF while also satisfying Policy BE22 sections (i), (ii), (iii) and (iv) of the UDP.

The proposal is considered to have been sensitively designed in keeping with the overall context of the host structure. The proposal is not considered to impact detrimentally upon the openness and visual amenities of the MOL by reason of the scale, siting materials of design of the proposals, while the impact to the

Conservation Area would continue to be neutral or minimal, preserving its character and appearance and not detracting from views into or out of the area. The development would continue to balance the expansion of telecommunications while minimising the impact on the environment thus complying with section (v) of Policy BE22 of the UDP.

Given the distance of the proposal from residential properties the proposal is not considered to adversely affect the visual and residential amenities of occupiers of neighbouring properties, in line with section (vi) of Policy BE22 of the Unitary Development Plan. Given the height of the proposed dishes these could not readily be screened by trees or landscaping as advocated by section (vii) of Policy BE22 and doing so may affect their transmission capabilities and as such the absence of screening is considered acceptable in this instance.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 12/03317 and 10/00235, 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 the interests of the visual amenities of the area and residential amenities of the adjoining occupants, in line with Policies BE1 and BE22 of the Unitary Development Plan.

- 3      ACM03      Removal of equipment after redundancy  
          ACM03R      Reason M03

- 4      ACM06      Anti graffiti/general maint. condition  
          ACM06R      Reason M06

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

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

- BE1 Design of New Development
- BE13 Development Adjacent to a Conservation Area
- BE15 Historic Parks and Gardens
- BE16 Ancient Monuments and Archaeology
- BE17 and BE18 High Buildings and the Skyline
- BE22 Telecommunications
- G2 Metropolitan Open Land
- NE2 Development and Nature Conservation Sites

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

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

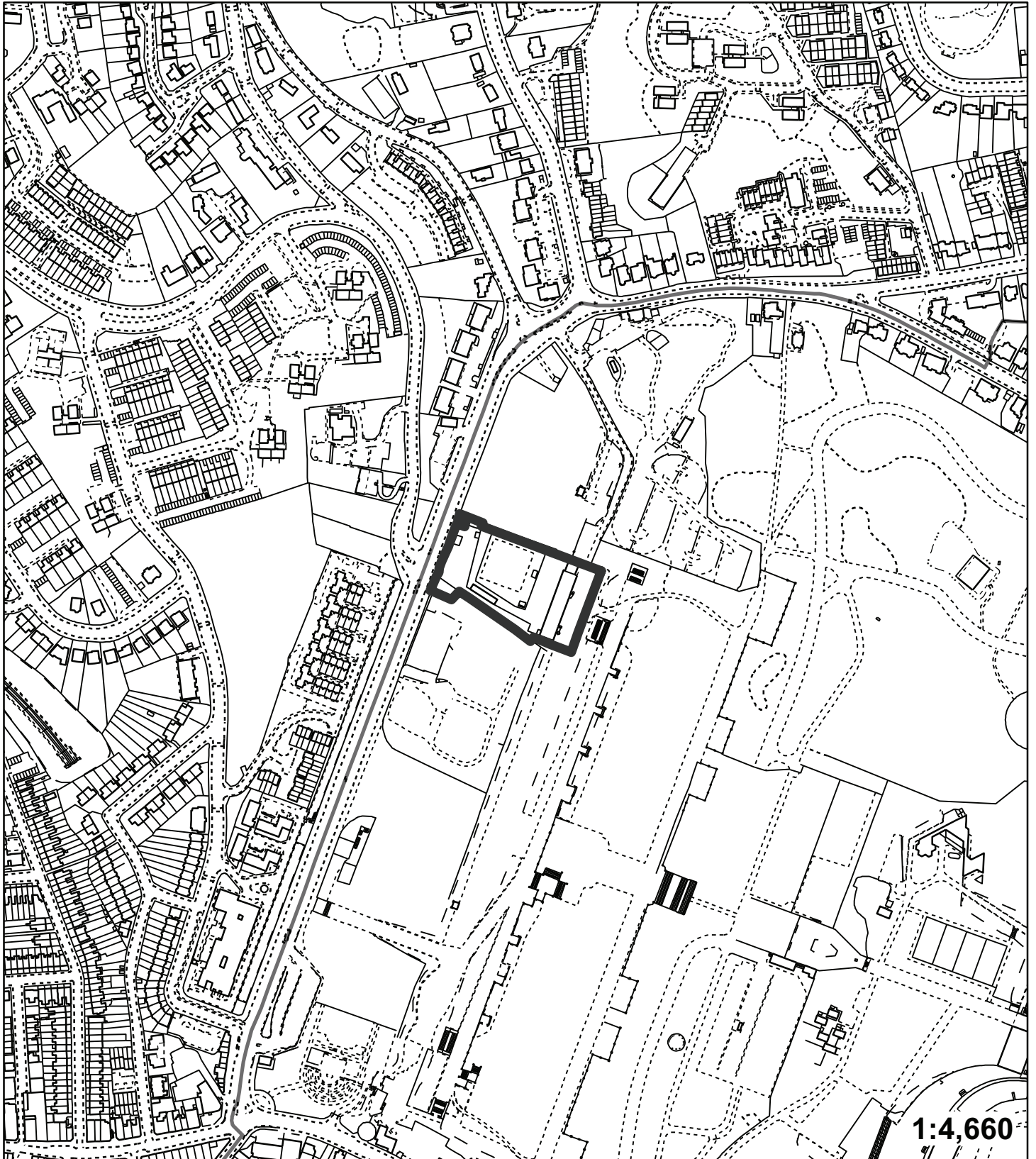
- (a) the impact to the openness and visual amenity of the Metropolitan Open Land
- (b) the preservation of the character and appearance of the adjoining Crystal Palace Park Conservation Area and the Registered Grade II\* Park
- (c) the impact to the visual amenities and character of the wider area generally
- (d) the impact upon archaeological interest and nature conservation
- (e) the facilitation of the telecommunications infrastructure which is of regional and national importance.

and having regard to all other matters raised.

**Application:**12/03317/FULL1

**Address:** Crystal Palace Transmitter Crystal Palace Parade Anerley  
London SE19 1UE

**Proposal:** Installation of 4 x 1.8m diameter dishes and associated equipment at heights between 47m and 127m above ground level on existing transmitter



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

**Application No :** 12/03911/FULL6

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

**Address :** 8 Haig Road Biggin Hill TN16 3LJ

**OS Grid Ref:** E: 542129 N: 158742

**Applicant :** Mr Mark Robert Mirams

**Objections :** NO

**Description of Development:**

Single storey side extension and roof alterations to incorporate rear dormer extension.

Key designations:

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

This application was deferred by Members at the Planning Sub Committee which convened on 24th January in order to seek clarification in regard to the proposal. In response the applicant has submitted two drawings showing perspective views of the proposal. The applicant has advised the following:

"I have not changed the original drawings which were submitted with the application as these were considered as acceptable and validated as such for determination within 8 weeks. If the plans were inadequate and not acceptable for consideration this should have resulted in the application being registered as invalid when they were originally submitted.

"The indicative elevation should hopefully clarify for Members what it is that is being proposed here... It should be noted that the alterations to the roof profile would result in a bungalow of a similar appearance to other properties within the street and is an improved design to the extensions which were previously approved under a Certificate of Lawfulness application."

The previous report is repeated below.

**Proposal**

The proposal involves a hip-to-gable roof alteration with the provision of two rear dormers and two rooflights along its frontage. The proposed single storey side

extension will project 3.25m beyond the eastern elevation and incorporate a pitched roof.

### **Location**

The site is located approximately mid-way along Haig Road – a short street of approximately 10 houses which connects Main Road to Allenby Road.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and at the time that this report was drafted no representations had been received.

### **Comments from Consultees**

Not applicable

### **Planning Considerations**

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

### **Planning History**

Under ref 12/00039, a Certificate of Lawfulness was granted by the Council in respect of a single storey side and for roof alterations to incorporate side and rear dormers.

### **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.

As Members will note a Certificate of Lawfulness has been granted to add a single storey side extension, together with side and rear dormers (under ref12/00039). In this case it is sought to enlarge the main part of the roof to form a gable end which will enable to provision of two dormers along the rear roof slope. Its ridge height will remain unaltered.

Although Haig Road is short in length and is made up of approximately 10 houses (together with a church on the facing side) the architectural styles of the properties are varied and therefore it is not considered that the proposed works will appear at odds within the wider streetscene, nor that they will be of unsympathetic design taking into consideration their overall bulk, form and height. Furthermore, it is not considered that neighbouring amenity will be adversely affected given that design and siting of the proposed additions.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00039 and 12/03911, excluding exempt information.

**RECOMMENDATION: PERMISSION**

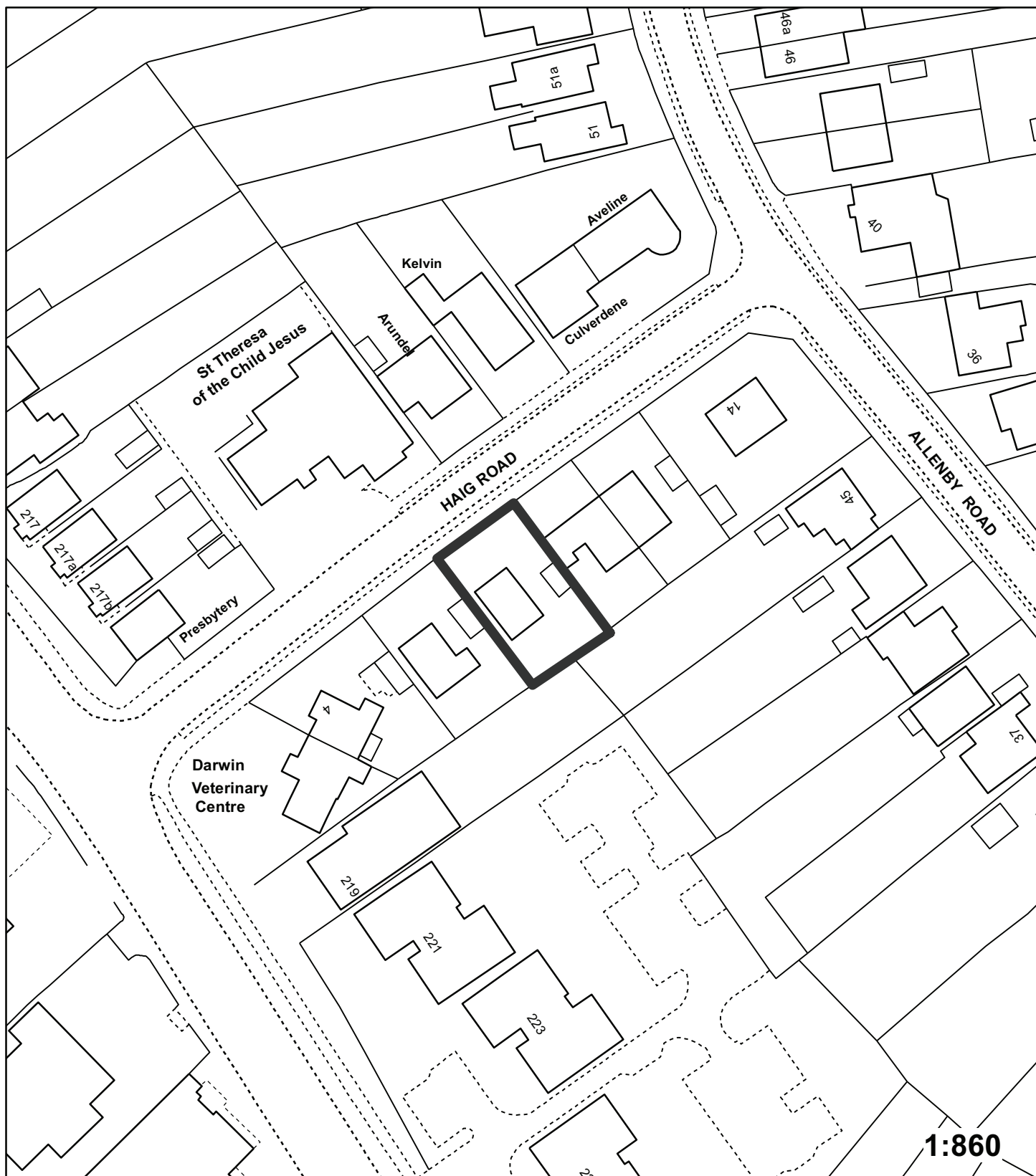
Subject to the following conditions:

- |   |        |   |
|---|--------|---|
| 1 | ACA01  | Commencement of development within 3 yrs                |
|   | ACA01R | A01 Reason 3 years                                      |
| 2 | ACC04  | Matching materials                                      |
|   | ACC04R | Reason C04  |
| 3 | ACI13  | No windows (2 inserts) first floor flank roof extension |
|   | CI13R  | I13 reason (1 insert) BE1                               |
| 4 | ACK01  | Compliance with submitted plan                          |
|   | ACC03R | Reason C03  |
| 5 | AJ01B  | Justification GENERIC reason FULL6 apps                 |

**Application:**12/03911/FULL6

**Address:** 8 Haig Road Biggin Hill TN16 3LJ

**Proposal:** Single storey side extension and roof alterations to incorporate rear dormer extension.



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

**Application No :** 12/03982/FULL6

**Ward:**  
Bromley Common And  
Keston

**Address :** 55 Forest Drive Keston BR2 6EE

**OS Grid Ref:** E: 542371 N: 165056

**Applicant :** Mr Kevin Chan

**Objections :** YES

**Description of Development:**

Part one/two storey side and rear extensions including increase in roof height to form second floor accommodation, creation of balcony areas to front and creation of basement accommodation.

**Key designations:**

Conservation Area: Keston Park  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

**Proposal**

The proposal relates to the construction of a part one/two storey front and rear extensions including increase an increase in roof height to form second floor accommodation; creation of balcony areas to front; creation of basement accommodation.

The proposed front extension would be some 11.3 metres in terms of its depth of forward projection and would be located at its closest point around 2.5 metres away from the flank boundary of the site located adjacent to the rear gardens of the properties in Croydon Road. The front extension would accommodate at ground floor a new integral double garage, cloak room, boiler room, porch and hall. The first floor would accommodate a bedroom, gallery landing, bathroom, kitchen and balcony. The balcony would be located above the proposed front porch.

The rear extension would accommodate at ground floor an extended living room towards the northern boundary adjacent to the rear gardens of the properties located within Croydon Road and a new breakfast room located towards the southern boundary. The first floor extension accommodates bedrooms but has been set back 4m from the rearmost ground floor aspect and set in 3.7m from the flank.

The difference between this application and the previously refused scheme is the removal of this North West corner/flank against the boundary to 33 Croydon Road.

### **Location**

The application site is a detached residential property located within the Keston Park estate. The dwelling is reasonably well screened by vegetation to front, rear and sides and is well set back from the road. The surrounding area is predominantly residential in character with large detached properties benefiting from substantial plots.

### **Comments from Local Residents**

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

- overdevelopment of the site
- loss of light and outlook from No.53
- the further projection back would result in potential overlooking into garden area of 53 Forest Drive.
- potential impact on 2 oak trees that border rear garden of No.55 and no.8 Ebury Close
- overshadowing and overlooking towards rear of no.8 Ebury Close
- loss of outlook from No.31A Croydon Road by virtue of increased roof height, increased floor space and proposed garages and accommodation extending halfway across the back of the garden bordering No.31A.

### **Comments from Consultees**

Highways – no comments.

Tree Officer - no significant trees would be affected by the proposals. If minded to approve the application, appropriate planning conditions should be imposed on any approval to ensure existing trees are protected.

### **Planning Considerations**

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

- BE1 Design of New Development
- BE11 Conservation Areas
- H8 Residential Extensions
- H9 Side Space

The Supplementary Planning Guidance for the Keston Park Conservation Area is also a material consideration here.

## **Planning History**

In 2010, planning permission was refused under ref. 10/01702 for a part one/ two storey front, side and rear extension including an increase in roof height to form second floor accommodation, creation of balcony areas to front and rear and creation of basement. The proposal was considered to constitute an overdevelopment of the site by reason of the amount of site coverage by buildings and hard surfaces and the bulk of the proposed extensions would detract from the character of the building and would harm the character and appearance of this part of the Keston Park Conservation Area contrary to Policies BE1, BE11 and H8 of the Unitary Development Plan.

The proposal was also considered to be over dominant and detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of visual impact and loss of prospect in view of its size and depth of rearward projection thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

In 2011, a revised scheme was refused under ref. 11/03214 for part one/two storey front, side and rear extensions including increase in roof height to form second floor accommodation, creation of balcony areas to front and rear and creation of basement accommodation, for the following reasons:

1. The proposal would constitute an overdevelopment of the site by reason of the amount of site coverage by buildings and hard surfaces and the bulk of the proposed extensions would detract from the character of the building and would harm the character and appearance of this part of the Keston Park Conservation Area contrary to Policies BE1, BE11 and H8 of the Unitary Development Plan.
2. The proposal would be overdominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of visual impact and loss of prospect in view of its size and depth of rearward projection thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

This application was dismissed at appeal, however the inspector found that the proposed dwelling did not constitute overdevelopment of the site and would have an acceptable impact on the conservation area. The second reason for refusal was upheld, though the only neighbouring property deemed to be significantly impacted was No.33 Croydon Road. Appeal Ref. APP/G5180/D/12/2175515.

## **Conclusions**

The main issues relating to the application are the impact that it would have on the amenities of the occupants of surrounding residential properties and the effect it would have on the character of the conservation area. In addition, the conclusions taken from recent appeal decision are taken into account.

### Impact on residential amenity

The recent appeal decision found that the only issue preventing an acceptable scheme was its impact on 33 Croydon Road in that the bulk of the rear projection would be clearly visible through the gap in the vegetation along the boundary...given the fenestration of 33 Croydon Road, together with its patio and swimming pool, the two storey rear element of the scheme would appear as a dominant and overbearing feature as viewed from that property.

Therefore, the applicant has amended this scheme with this refusal reason in mind. The first floor element facing the boundary to 33 Croydon Road has been set back 4m from the rearmost ground floor element and set in 3.7m from the flank. This serves to remove a significant degree of bulk from the proposal and in turn removes the loss of outlook from the rear of 33 Croydon Road. This amendment is considered to have an acceptable impact on 33 Croydon Road and to have adequately addressed the inspector's sole concern.

With regards to the amenity of other residential properties, the proposal could potentially impact surrounding properties 31 and 31a Croydon Road, 8 Ebury Close and 53 Forrest Drive.

Concern has been raised that the forward projection of the existing dwelling, including the garage would have a detrimental impact on the prospect of No.31a. However, given the distance of at least 28m, their siting and relationship to the proposed extensions and the overall ridge height of the proposed garage, there is not considered to be any overbearing impact or unacceptable reduction in outlook to 31 and 31a Croydon Road.

With regards to overshadowing, the proposal could potentially impact on the amenity of all 3 properties north of the application site, given their orientation. However the applicant has provided an overshadowing study which appears to satisfy any concern over loss of light to these properties. This potential of this impact has also been reduced by the removal of a first floor North West corner/flank from the proposal.

The impact on 8 Ebury is considered minimal given the orientation of the properties, the distance between them and the vegetation screening along the border. 53 Forest Drive has been recently redeveloped and now presents a large two story north flank elevation clearly visible from the rear garden of the subject property. The impact on this property is considered acceptable given that it would be no higher or extend no deeper than 53. There would be no direct overlooking. It would present a flank elevation against 53, but the only window impacted would be a secondary kitchen/ wash room.

#### Design and impact on Conservation area

Properties in Keston park benefit from generous sites and many have been redeveloped to into larger dwellings. Therefore, given the size of this site and character of the area, there is considered to be scope for a property of this design and size. The property is well set back from the road which facilities the level of two storey forward projection proposed without detrimental harm to the streetscene. The increase in the height of the ridge by 400mm is considered acceptable, whilst



the overall design is considered to be in keeping with character of the host dwelling and serves to replace the existing rather tired looking frontage. For these reasons the proposal is considered to respect the character and appearance of the existing dwelling and preserve the character conservation area, in accordance with Policies H8, BE1 and BE11.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03982, excluding exempt information.

as amended by documents received on 20.12.2012

### **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 | ACB01  | Trees to be retained during building op. |
|   | ACB01R | Reason B01                               |
| 4 | ACB02  | Trees - protective fencing               |
|   | ACB02R | Reason B02                               |
| 5 | ACB03  | Trees - no bonfires                      |
|   | ACB03R | Reason B03                               |
| 6 | ACB04  | Trees - no trenches, pipelines or drains |
|   | ACB04R | Reason B04                               |
| 7 | ACB16  | Trees - no excavation                    |
|   | ACB16R | Reason B16                               |
| 8 | ACK01  | Compliance with submitted plan           |
|   | ACC01R | Reason C01                               |
| 9 | AJ02B  | Justification UNIQUE reason OTHER apps   |

Policies (UDP)

BE1 Design of New Development

BE11 Conservation Areas

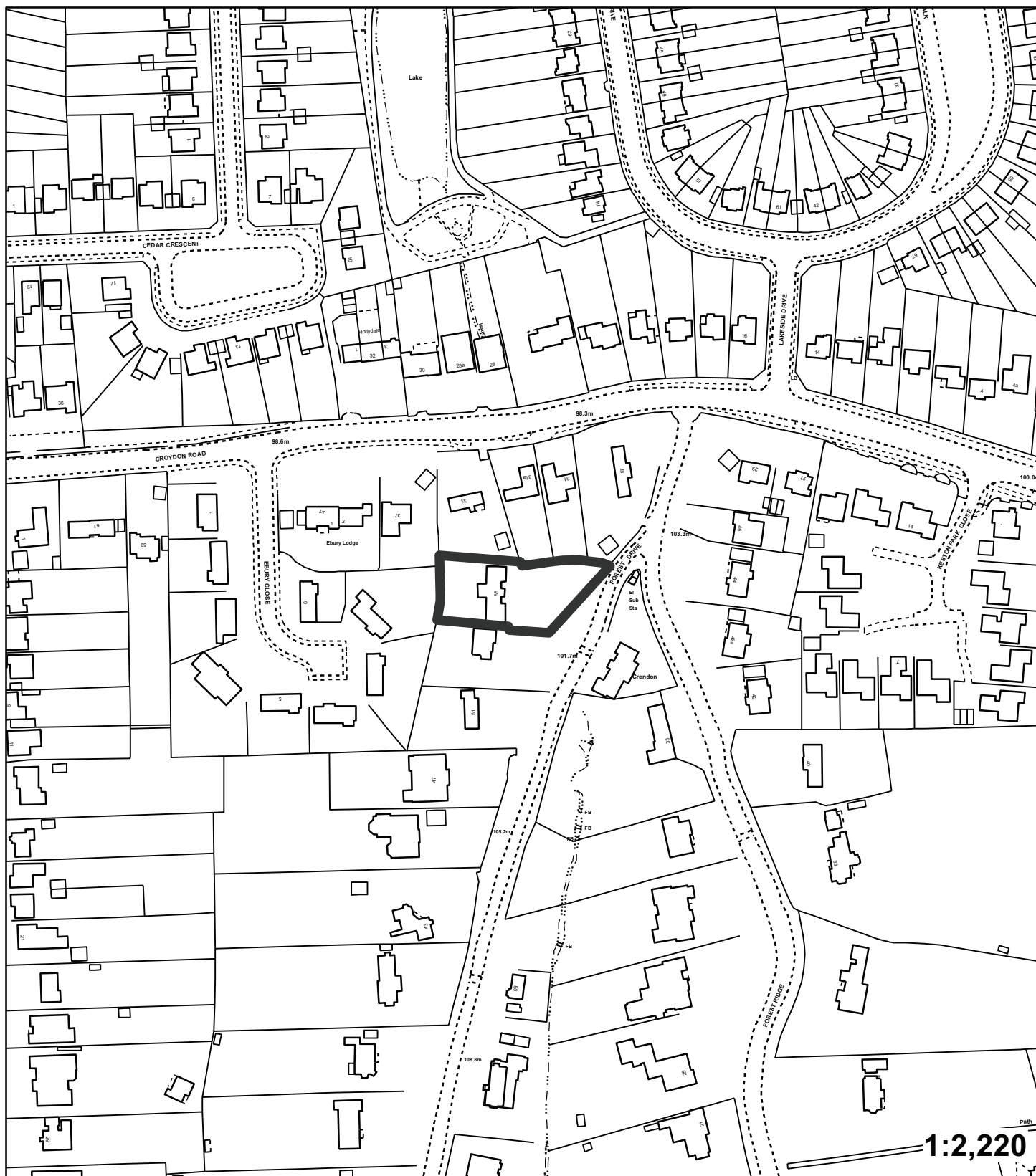
H8 Residential Extensions

H9 Side Space

**Application:**12/03982/FULL6

**Address:** 55 Forest Drive Keston BR2 6EE

**Proposal:** Part one/two storey side and rear extensions including increase in roof height to form second floor accommodation, creation of balcony areas to front and creation of basement accommodation.



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

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

**Application No :** 13/00034/FULL6

**Ward:**  
Hayes And Coney Hall

**Address :** 19 Crest Road Hayes Bromley BR2 7JA

**OS Grid Ref:** E: 539504 N: 166537

**Applicant :** Mr Tom O'Reilly

**Objections :** NO

**Description of Development:**

Single storey rear extension and pitched roof, first floor front/side extension and elevational alterations

Key designations:

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

**Proposal**

- The proposal is for a single storey rear extension, a first floor front and side extension and associated roof and elevational alterations.
- The rear extension will provide additional kitchen/dining room space, and will have a maximum rear projection of 4.0m at the eastern flank (and the boundary with No.21) reducing to an additional 1.0m beyond the existing kitchen at the western side.
- A pitched roof is proposed with an eaves height of 2.9m and an overall ridge height of 4.0m, with two proposed rooflights.
- The first floor front and side extension will provide an additional bathroom with a new window to the front elevation and a new rooflights within the remodelled pitched roof to match the existing.
- Elevational alterations at first floor level include provision of a further window to the front elevation to serve the room proposed to be converted from the original bathroom to a study.

**Location**

The application site is a semi detached family home in Crest Road, Hayes. The host dwelling is a semi-detached two storey property with the wider area characterised by similar residential properties, a number of which have benefited from a two-storey extension at some time in the past.

## **Comments from Local Residents**

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

## **Comments from Consultees**

No internal consultations were deemed necessary in respect of this application.

## **Planning Considerations**

Policies relevant to the consideration of this application are BE1 (Design of New Development), H8 (Residential Extensions) and H9 (Side Space) of the adopted Unitary Development Plan.

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

## **Planning History**

The existing side/rear dormer in the roof space was granted in 1990 under ref. 90/01281.

In 2003, a part one/two storey side and rear extension to provide an enlarged third bedroom on the first floor, an enlarged kitchen and the current utility room and playroom to the side on the ground floor was permitted under ref. 03/00911.

The adjoining property, No.21, was granted permission for a part one/two storey side and single storey rear extensions and elevational alterations under planning ref. 11/03751. The rear extension element of this proposal had a rear projection of 3.0m.

## **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 property has been extended in the past to create an enlarged kitchen and to provide additional living accommodation on the ground floor, and at first floor level to create a larger third bedroom. Regard must therefore be had as to the appropriateness of further extensions to these additions to the original dwelling.

The single storey rear extension proposes a rear projection of 4.0m at the western boundary with No.21. The proposal would result in a projection beyond the rear building line of No.21 of around 1.0m (No.21 has a single storey rear extension of 3.0m). Whilst the proposed rear extension is considered sizeable, the existence of the rear extension at No.21 does mitigate the impact of this element of the proposal, and the 1.0m projection beyond the extension at No.21 is not considered to result in a detrimental impact on the occupants of No.21.

No.17 is orientated to the south-west of the application site, and properties in this part of the street have gardens that face south-easterly. In this respect the rear extension is not considered to overly impact on the neighbouring amenities to the south-west of the site.

The first floor additional to the front and side at the north-eastern corner of the property proposes no flank windows, and is not considered to result in a detrimental impact on the amenity of No.17 which is positioned adjacent to the site at this side. It is noted that the first floor flank windows at No.17 are currently obscure glazed and appear to serve a bathroom and stairwell. In terms of the design of the revised roof and its impact on the street scene, a pitched roof is maintained which will match the existing roof, which is considered to re-balance the property and respect the form and appearance of the existing roof to an acceptable extent. The proposal is also considered to sit comfortably alongside the adjoining property which has also been extended to the front and side.

As the proposal introduces a first floor addition to the front and side of the existing dwelling, Policy H9 requires a minimum of 1.0m to be retained from the side boundary for a proposal of two or more storeys in height, and this should be retained for the full height and length of the flank wall of the building. The submitted plans show that a distance of 0.88m from the boundary is retained at both ground and first floor level at the front of the property, increasing to 0.95m at the rear. It is considered that the mirroring of the existing ground floor separation at first floor level would allow sufficient separation from the boundary of the site to be compliant with the aspirations of Policy H9 of the adopted UDP.

Evidence of two storey front and side extensions are evident elsewhere in the street, and the proposal is not considered to detract from the overriding nature of the area or result in an over dominant addition to the streetscene.

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

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

Background papers referred to during production of this report comprise all correspondence on file ref. 13/00034, excluding exempt information.

as amended by documents received on 21.01.2013

**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

**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
- H9    Side Space

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

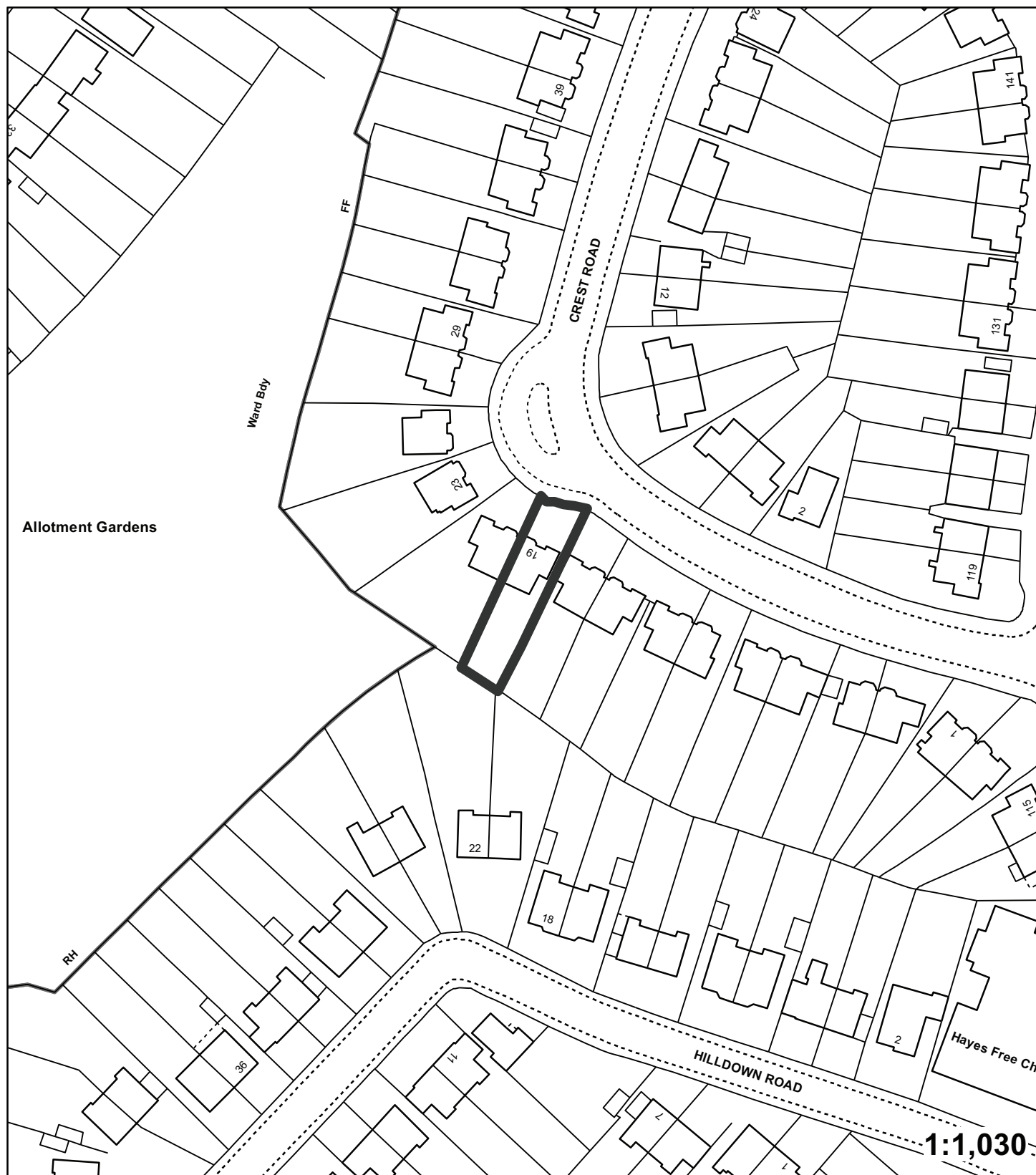
- (a)   the impact on the character of the surrounding area
- (b)   the impact on the amenities of the occupiers of adjacent and nearby properties, including light, prospect and privacy
- (c)   the spatial standards to which the area is at present developed
- (d)   the impact on the existing visual amenity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

and having regard to all other matters raised.

**Application:**13/00034/FULL6

**Address:** 19 Crest Road Hayes Bromley BR2 7JA

**Proposal:** Single storey rear extension and pitched roof, first floor front/side extension and elevational alterations



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

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

**Application No :** 13/00046/FULL6

**Ward:**  
Petts Wood And Knoll

**Address :** 71 St John's Road Petts Wood  
Orpington BR5 1HT

**OS Grid Ref:** E: 544834 N: 167247

**Applicant :** Mr And Mrs H Rohdes

**Objections :** YES

### **Description of Development:**

Increase in roof height to include front and rear dormer extensions and extension to first floor and elevational alterations

Key designations:

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

### **Proposal**

- The property is to be extended by increasing the roof height from 5.4m to 7.9m, creating an orthodox two storey dwelling. The roof will be pitched with an eaves height of 5.2m.
- Two front dormers will be provided within a cat-slide roof to the front elevation. These dormers will have a height of 1.8m with pitched roofs.
- A small front porch is provided which will have a forward projection of 0.7m and a height of 2.5m with a sloped roof.
- The proposed roof alterations would provide side windows which will serve bedrooms and a bathroom. The roof extension will create a pitched roof above the existing flat roofed single storey section of the house to the rear.

### **Location**

This property is located on the south western side of St. John's Road. The site comprises a bungalow that has been extended into the roof space to provide roof accommodation with two side dormer extensions. The area is characterised by predominantly two storey residential development. To the North West is a row of three storey terraced town houses.

### **Comments from Local Residents**

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

- possible loss of light and privacy
- possible overlooking

### **Comments from Consultees**

None.

### **Planning Considerations**

Policies relevant to the consideration of this application are BE1 (Design of New Development), H8 (Residential Extensions) and H9 (Side Space) of the adopted Unitary Development Plan.

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

### **Planning History**

Planning permission was refused under ref. 97/00704 for two side dormer extensions. The refusal grounds were as follows:

'The proposed dormers, by reason of their prominent siting, size and bulk, would be detrimental to the appearance and character of this bungalow and the street scene generally, thereby contrary to Policies H.3 and E.1 of the Bromley Unitary Development Plan.'

This application was subsequently allowed on appeal. The Inspector stated that the surrounding houses have no particular architectural merit and that the dormers would not be sited on a prominent siting and would not exceed the height of the main roof. The Inspector also stated that the dormers would result in overlooking to side windows at No. 69 and therefore obscure glazing would be required.

Planning permission was granted under ref. 97/01681 for side dormer extensions. This development has been completed.

### **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 dwelling existing at the site is a bungalow with side roof dormers set within an area predominantly characterised by two and three storey semi-detached dwellings and terraced townhouses. The dwelling is therefore shorter than those buildings around it. The principle of the increase in the roof height would therefore not be objected to in principle. The proposal would not result in a dwelling that is taller than those around it and it is considered that the increase in height and bulk would be suitable in this location without harming its character and form.

The proposal is contrary to side space policy, retaining 0.83m to the flank boundary adjoining No. 69. It is considered that, at present, the side dormers create a bulky appearance to the house which gives the appearance of a two storey flank wall in close proximity to No. 69. The proposal would add a pitched roof to the house and this appearance would not be significantly different from the existing situation, with the dormers replaced with an orthodox flank wall. When viewed from the front, the additional bulk would amount to essentially the pitched roof and therefore it is considered that the spatial standards of the area and relationship that the house would have with those around it would not be altered significantly. The added bulk will be low due to the hipped design of the roof. It is considered that the lack of a 1m side space in this instance would not be seriously harmful to the spatial characteristics of the area, with the existing 1.1m space between the application dwelling and No. 69 retained. The two storey flank wall of No. 69 is also separated from the side boundary by an attached garage and this further creates a sense of separation. To the opposite flank, a 1.3m side space and a separation of 2.6m to the flank wall of No. 11 Dunstan Glade will be retained.

Although front dormers are not a common feature of the locality, the host dwelling is considered to be unusual within the context of the locality and the front dormers would be sited at first floor level rather than in the roof at a higher level. The proposed front porch will be modest and in context with the host dwelling. On balance, it is considered that the alterations would not detract from the character of the house or the wider area.

The proposal will add a fully hipped, pitched roof to the existing dwelling and to the flat roof to the rear of the house. It is considered that the addition of bulk would not add significantly to the house and would not result in a significant visual impact from the rear windows of neighbouring properties. No. 69 is sited further to the rear, and there is a suitable separation to No. 11 Dunstan Glade to prevent significant loss of light or outlook. The main roof addition will be visible from the side windows at No. 69, however the flank wall will be sited in a similar location to the side wall of the existing dormers and therefore this relationship will be similar to the existing one. The proposed roof will pitch away from these windows, including the ground floor rooflights, and is not considered to impact significantly on outlook or light, as it will be sited to the north west of No. 69. The proposed first floor windows will be sited in similar positions to those which exist within the side dormers. The Inspector previously stated that side windows facing No. 69 should be obscurely glazed to prevent overlooking into the flank windows facing the site. A similar condition can be imposed to prevent this. The proposed windows on the opposite flank elevation will look onto a brick wall at No. 11 Dunstan Glade, and there are no flank windows at No. 11 that would be overlooked. Neither elevation would create overlooking to neighbouring gardens over and above that which exists as a result of the side dormers. The provision of rear dormers would similarly not result in significant overlooking. The relationship would be typical of the area, with the majority of properties possessing first floor rear windows.

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 significantly harmful impact on the character of the area and would not impact harmfully on the

amenities of neighbouring residential properties. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/00046, 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 ACI10 Side space (1 insert) 0.83m south-eastern  
ACI10R Reason I10
- 4 Before the development hereby permitted is first occupied, the proposed window(s) in the first floor south eastern flank elevation of the extension shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.  
ACI12R I12 reason (1 insert) BE1
- 5 ACI17 No additional windows (2 inserts) flank extension  
ACI17R I17 reason (1 insert) BE1
- 6 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 the 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
- H9 Side Space

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.

**Application:**13/00046/FULL6

**Address:** 71 St John's Road Petts Wood Orpington BR5 1HT

**Proposal:** Increase in roof height to include front and rear dormer extensions and extension to first floor and elevational alterations



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

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

**Application No :** 13/00092/FULL1

**Ward:**  
Bromley Common And  
Keston

**Address :** 58 - 62 Walpole Road Bromley BR2 9SF

**OS Grid Ref:** E: 541824 N: 167915

**Applicant :** Mr P Pratt

**Objections :** YES

### **Description of Development:**

Demolition of existing factory and erection of 3 two storey three bedroom terrace dwellings with associated parking and landscaping

Key designations:

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

### **Proposal**

- Permission is sought for the demolition of all existing buildings on the site, with the exception of the Metropolitan Police Station which is to remain.
- Construction of 3, 2 storey terraced houses measuring a maximum of 9.4m deep, 9.6m high and 15m wide, arranged with a kitchen and living/ dining room at ground floor with 3 bedrooms and bathroom at first floor. No roof accommodation is proposed.
- The houses would be accessed via Walpole Road and 4 parking spaces in total would be provided.

### **Location**

The application site is located on the eastern edge of Walpole Road and comprises a series of vacant commercial buildings which extend across the entire site with an open storage area to the front. The frontage is shared with the Metropolitan Police Station.

The surrounding area is predominantly residential in nature, to the north is, whilst to the south is a local parade of shops on Chatterton Road.

### **Comments from Local Residents**

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

- properties will result in overlooking and therefore a significant loss of privacy.
- 3 houses is an unacceptably high density for the area
- noise and disturbance
- upsets the balance between residential and commercial which is an essential feature of the area.
- houses are out of alignment with surrounding properties.
- detrimental to highway safety
- not in character of Chatterton Village which is worthy of being a Conservation Area.

### **Comments from Consultees**

Highways raise no objections to the scheme subject to conditions.

Drainage recommend standard conditions.

Environmental Health raise no objection subject to conditions.

Comments from Waste state that refuse and recycling should be left on the edge of kerb prior to collection.

Thames Water raise no objection with regard to waste or sewerage infrastructure.

### **Planning Considerations**

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

- BE1 Design of New Development
- H2 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- EMP3 Conversion or Redevelopment of Offices
- EMP5 Development Outside Business Areas
- T3 Parking
- T18 Road Safety

London Plan Policies:

- 2.6 Outer London: Vision and Strategy
- 2.7 Outer London: Economy
- 4.1 Development London's Economy
- 4.2 Offices
- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Developments
- 6.13 Parking



## **Planning History**

Under ref. 87/00319, use of office building on independent basis was withdrawn.

Under ref. 88/02068, demolition of existing building and erection of detached two storey office block with new roof to storage area at rear was approved.

Under ref. 88/04426, a single storey side extension was refused.

In 2002, a three storey block comprising 5 two bed and 3 one bed flats with 6 parking spaces was refused under ref. 02/01424. This was dismissed on appeal.

In 2003, a two storey block comprising 6 two bedroom flats with 6 car parking spaces was refused under ref. 03/02458.

In 2004, a two storey extension and roof extension and conversion into 4 two bedroom and 1 bedroom flats with 5 parking and cycle spaces was approved under ref. 04/01599.

In 2005, a single storey side and rear extension with pitched roof over workshop, and first floor side and rear extension for additional offices was refused under ref. 05/02115.

In 2005, a single storey side and rear extension with pitched roof over workshop, with first floor side and rear extension for additional offices and change of use from printing works to mail distribution centre operating from 08:00 to 18:00 was approved under ref. 05/04071.

In 2006, shopfront/ security shutters and disabled access ramp and railings/ alterations to the front and side elevations with 7 cycle lockers to the front was permitted under ref. 06/04137.

In 2007, two air conditioning units were approved under ref. 07/00954.

## **Conclusions**

The main issues relating to the application are the principle of development, and 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.

### Principle of development:

The site comprises vacant commercial buildings, which are not located in a designated employment area.

Policy EMP3 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 floor space 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.

Policy EMP5 states ‘the redevelopment of business sites or premises outside of the Designated Business Areas will be permitted provided that:

- (i) the size, configuration, access arrangements or other characteristics make it unsuitable for uses Classes B1, B2 or B8 use, and
- (ii) full and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for those uses’.

It is noted that the buildings are no longer occupied, and the sites redevelopment has previously been accepted on application ref. 04/01599, and was not raised as an issue on an earlier appeal decision ref. 02/01424 where the Inspector stated “although it would result in the loss of a business use, I agree that the site is unsuitable for continued business use. I consider that the existing use is harmful to the character and appearance of the area...In view of this I consider that the principle of redevelopment is acceptable”.

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

The principle of residential accommodation on this site has therefore appears to have been established.

#### Density and site layout:

With regard to the density of the scheme, it is proposed to construct 3 dwellings, resulting in a density of 43 dwellings per hectare. This is considered to be an acceptable figure for the locality. It is noted that permission has been given (although now expired) for 5 flats. As such the proposals are not considered to be an overdevelopment of the site.

The locality is predominantly residential in nature, characterised by buildings which front the highway with linear gardens to the rear. The site at present is unusual in this location by being extensively developed with large office buildings which extend across the site boundaries up to two storeys in height. It is proposed to demolish all buildings on the site with the exception of the police station to the front. The replacement terrace of 3 dwellings is considered to result in a significant reduction in bulk and resultant improvement in the spatial standards of the area.

The dwellings would be positioned to the rear of the police station and would constitute backland development. The text to Policy H7 (para 4.40) states that “backland development, involving development of land surrounded by existing

properties...will be resisted” but “may be acceptable provided it is small-scale and sensitive to the surrounding residential area”.

In this instance, there would be no loss of residential gardens, where the proposals would utilise previously developed land. The dwellings would share a similar north-west/ south-east orientation as per existing dwellings in the locality and would be located between 6 – 6.8m rearward of the police station with a minimum garden depth of 9.5m. The terrace is inset 1m from the north eastern flank boundary and 1.8m from the south western flank boundary. This would accord with Policy H9. Where the proposals represent a reduction in built form on the site, it is considered that they would not constitute a cramped form of development.

Furthermore, it is noted that residential accommodation has been approved within the rear of this site previously (ref. 04/01559), although this was single storey, and there are similar development nearby including that at Peartree close (application ref. 03/02143 – formerly 19 Union Road).

#### Design and streetscene:

The existing buildings are in a visibly poor state of repair and considered to detract from the appearance of the surrounding area. There is in principle no objection to their demolition. The replacement dwellings are of a traditional appearance, which is widely reflective of the locality and considered to be acceptable, subject to samples of materials.

The terrace is staggered with each dwelling set 0.7m behind the other. This is considered to provide relief to the front elevation. The first floor is also partly set within the eaves, in order to minimise the height of the building, which measures a maximum of 6.9m in height.

The removal of the buildings would open up the site frontage, where the terrace would be visible from Walpole Road and it considered that the proposals would result in an improvement of the appearance of the streetscene. Landscaping is proposed to the site boundaries and this is to be secured by condition.

#### Amenity implications:

The dwellings would be located rearward within the site, and concern has been raised within the objection received with regard to overlooking and a loss of privacy.

Each dwelling as stated above is staggered the projecting front wall of the adjacent dwelling would screen the view across properties in Walpole Road. A privacy screen is also incorporated into each flank wall of each dwelling, rising up to eaves level; this is considered to restrict overlooking toward neighbouring properties. No flank windows are proposed in the elevations of the dwellings.

The eaves height of the dwellings would measure 0.3m higher than that of the existing single storey office building on the site with the ridge height 0.2m higher than the existing two storey building, however, there is significant reduction in built

form across the site with the dwellings now set away from the boundary. The dwellings are considered to result in a less intrusive form of development, which would not appear overbearing from the rear gardens of surrounding properties not result in material harm through over shadowing.

Given the planned form of development which seeks to utilise the available space within the plot, it is recommended that permitted development rights be removed in order that the Council can control any future changes.

#### Highway implications:

With regard to highway and parking implications, the dwellings would be accessed via an existing crossover from Walpole Road which is acceptable and 4 parking spaces would be provided in total. This raises no objections. Public transport links are located nearby on Bromley Common.

#### **Conclusion**

Taking account of the above, Members may, therefore, consider that the proposals constitute an acceptable form of development for the site which would not be harmful to the character of the surrounding area, 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. 88/00319, 88/02068, 88/04426, 02/01424, 03/02458, 04/01595, 05/02115, 05/04071, 06/04137, 07/00954 and 13/00092, 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 | ACD02  | Surface water drainage - no det. submitt |
|   | ADD02R | Reason D02                               |
| 5 | ACD06  | Sustainable drainage system (SuDS)       |
|   | ADD06R | Reason D06                               |
| 6 | ACH03  | Satisfactory parking - full application  |
|   | ACH03R | Reason H03                               |
| 7 | ACH18  | Refuse storage - no details submitted    |
|   | ACH18R | Reason H18                               |
| 8 | ACH22  | Bicycle Parking                          |
|   | ACH22R | Reason H22                               |
| 9 | ACH32  | Highway Drainage                         |

- ADH32R Reason H32
- 10 ACK01 Compliance with submitted plan  
ACC01R Reason C01
- 11 ACK09 Soil survey - contaminated land  
ACK09R K09 reason
- 12 ACI02 Rest of "pd" Rights - Class A, B,C and E  
**Reason:** In order to accord with Policy BE1 of the Unitary Development Plan.
- 13 ACI13 No windows (2 inserts) flank building  
ACI13R I13 reason (1 insert) BE1
- 14 No loose materials should be used for the surfacing of the parking and turning area hereby permitted.  
**Reason:** In the interest of Highway Safety and to accord with Policy T18 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
- H2 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- H12 Conversion of Non-Residential Uses
- EMP3 Conversion or Redevelopment of Offices
- EMP5 Development outside Business Areas
- T3 Parking
- T18 Road Safety

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

- (a) the appearance of the development in the street scene
- (b) the relationship of the development to adjacent property
- (c) the character of the development in the surrounding area
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties
- (e) the safety of pedestrians and motorists on the adjacent highway
- (f) the provision of satisfactory living accommodation for future residents
- (g) the employment, housing, transport and environmental policies of the UDP

and having regard to all other matters raised.

INFORMATIVE(S)

- 1 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertakers apparatus, considered necessary and practical to help with the modification or vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

- 2 In order to minimise the impact of the development on local air quality it should be an aim to ensure that any gas boilers meet a dry NOx emission rate of <40mg/kWh.
- 3 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 1975 and/ or the Environment Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites of Practice 2008 which is available from the Bromley web site.
- 4 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.
- 5 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

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

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

**Application:**13/00092/FULL1

**Address:** 58 - 62 Walpole Road Bromley BR2 9SF

**Proposal:** Demolition of existing factory and erection of 3 two storey three bedroom terrace dwellings with associated parking and landscaping



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

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

**Application No :** 12/03653/ELUD

**Ward:**  
Chelsfield And Pratts  
Bottom

**Address :** Cookham Farm Skeet Hill Lane  
Orpington BR5 4HB

**OS Grid Ref:** E: 548838 N: 165519

**Applicant :** Mrs Sally Campbell

**Objections :** NO

### **Description of Development:**

Use of land as a residential curtilage and use of outbuildings ancillary to main residential use. CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT.

Key designations:

Special Advertisement Control Area  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding

### **Proposal**

The application seeks a legal determination as to whether the residential curtilage of Cookham Farm as shown on the submitted drawings is lawful and that the outbuildings within this area have been used for purposes ancillary to the existing dwelling for in excess of ten years continuously.

### **Location**

The application site is located to the southern edge of Skeet Hill Lane and features a two storey detached dwelling.

### **Comments from Local Residents**

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

### **Comments from Consultees**

Legal opinion has been sought, which has concluded that the certificate be refused as the evidence submitted by the applicant is insufficient to demonstrate a residential use within the area cited for ten years or more and that the boundary indicated fails the relevant legal tests.

### **Planning Considerations**

The application is submitted under Section 191 (a) of the Town and Country Planning Act 1990 (as amended) and requires the Council to consider whether the the existing residential use of the land and associated buildings is lawful.

In determining whether the residential use of the land is lawful, and the use of the buildings within this as ancillary to the main dwelling, Section 171B (3) states that:

“In the case of any other breach of planning control, no enforcement action may be taken after the end of the period of ten years beginning with the date of the breach.”

As such it falls to be considered as to whether the use of the land in question for residential purposes has existed for a period of ten years or more, which for the purposes of this application is ten years prior to the date of submission, which is November 2002. Members should note that the onus is upon the applicant to provide sufficient evidence to demonstrate this to the Council’s satisfaction.

### **Planning History**

Three lawful development certificates have previously been submitted, as follows:

12/02411 for the proposed development of a two storey rear extension, single storey side extension and porch to front elevation. This was refused on the grounds that:

“The proposed side and rear extensions do not constitute development within the curtilage of a dwellinghouse and are not development permitted under Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (as amended).”

12/02418 for the proposed development of a single storey outbuilding for use as a gym and games room within the residential curtilage for purposes incidental to the enjoyment of the main dwelling. This was refused on the grounds that:

“The proposed outbuilding is located outside of the residential curtilage of the dwellinghouse and its size and proposed use go beyond that expected for an ancillary building and it is therefore not development permitted under Part 1, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (as amended).”

12/02419 for the proposed use of an existing outbuilding to the eastern boundary as workshop, home office, bedroom, bathroom and storage ancillary to main dwelling. This was refused on the grounds that:

“The outbuilding is located outside of the residential curtilage of the dwellinghouse and does not constitute a use ancillary to the main dwelling.”

In relation to ref. 12/02419, enforcement action has been authorised and is being held in abeyance pending the outcome of this application.

## **Conclusions**

Consideration is given to the requested determination in three parts:

### Council Records

The residential curtilage is shown as being far bigger than that which is evident for the dwelling on any Ordnance Survey (O/S) maps or the Council's aerial photos. It is noted that the most recent of these from 2010 clearly shows a total absence of any enclosure or obvious boundary to the west of the site where the vegetable patches and fencing are now present. Indeed, in the Council's aerial photos of 2010, 2006, 2001 and 1998 there is a clear sign of increased vegetation around the boundary shown on the O/S map, creating a demarcation between the residential curtilage of the dwelling and the agricultural and commercial uses of the farm as a whole.

These photos also show, from 2006 and 2010, a large degree of what appears to be waste and/or building material to the southern and eastern edges of the now claimed residential curtilage, with a number of large vehicles also present in these and the 2001 photo. Although it is relatively unclear as to the precise nature of the use at this time, the available evidence shows that the use is not what would normally be considered residential.

This evidence, combined with the lack of any clear boundary for the curtilage other than for the intimate area around the dwelling leads to the conclusion that the residential use claimed within the area of land shown on the submitted plans has not been present for ten years. Therefore this area is not considered to form part of the residential curtilage of the dwelling.

### Evidence Submitted

In support of the application, a number of statements have been submitted by the applicant consisting of those made by two neighbours (Mr Sparkes and Mr Wolfe), the applicant (Mrs Campbell and Mr Hollyoake) and the planning consultant acting as agent for this application (Mr Pete Hadley). In addition there is a condition survey report for the workshop to the eastern boundary and a delegated report dated 30th March 2009 for Hazeldene Skibbs Lane. Since this case must be determined on its own legal merits, other examples such as Hazeldene are of limited value.

Mr Sparkes is resident opposite the site and states that this has been the case for 25 years and has known various owners of Cookham Farm for 45 years. It is stated at paragraph 2 that the land in question has been neglected for the 20 years prior to the current ownership in 2011, with the site being repossessed in late 2010. The

land is stated as being residential in use with all of the building in residential use between 2003 and 2010. It is noted that none of the land annotated on the attached aerial photo is included within the claimed residential curtilage of this application. It is claimed that the land around the house was occupied by various cars in various states of disrepair and domestic rubbish, with the workshop building accommodating the previous owners hobby of repairing cars. Work is stated as being undertaken to this workshop to make it more suitable for residential purposes.

Mr Wolfe concurs with much of Mr Sparkes' statement, including that there was a large amount of abandoned vehicles and domestic waste to the land surrounding the property. In addition it is stated that Area 2 was also used to store scaffolding equipment. Again most of the areas annotated on the same attached aerial photo are not relevant to this application.

These two statements are not considered sufficient to establish the now claimed residential curtilage as such. The evidence does not provide any firm conclusion that the land in question was in use as residential curtilage. In addition to it failing the test of intimate association with the dwelling, the storing of large amounts of dilapidated vehicles, domestic waste and scaffolding is not considered to reflect what would be accepted as a residential use.

The statement from the applicants is only relevant to the period from June 2011 and as such does not establish any residential use for the ten years from 2002.

Mr Hadley's statement states that his firm was instructed in 2007 by the previous occupants to undertake an assessment of the development potential of Cookham Farm. It is stated that the storage of vehicles was present and that the residential curtilage was consistent with that now submitted. This statement supports the others in terms of the amount of waste on site. It is noted that this information is from a visit in 2007, which does not establish a ten year period.

The condition survey report was commissioned by Mr Hadley in November 2007 for the 'garage/workshop' and adjacent 'piggery buildings' to satisfy the Council that the building is capable of conversion to a residential unit. It is clearly stated at section 2.00 that the building comprised a garage and workshop, with internal office space. It is noted that no mention is made of any residential accommodation being present in the building and that, again, the date does not establish a use for a ten year period.

It is not considered that any of the evidence submitted establishes the residential curtilage as submitted for a period of ten years or more. In particular there does not appear to be any evidence dating back to 2002, and some of the evidence even points to potentially commercial uses, such as scaffolding storage.

### Legal Test

Case law establishes that in order to establish different planning units within single units of occupation and different uses within a single planning unit, there must be a physical and functional separation. It is important to note that for there to be two

physically separate and distinct areas there must be substantially different and unrelated purposes. In effect the application seeks to establish the extent of the residential planning unit within the wider unit of occupation – Cookham Farm – by being for substantially different purposes to the rest of the site.

Although the land in question is within the same ownership as the wider site, it is not subject to any physical separation from the remainder of the land to which it forms part (e.g. it does not have a distinct curtilage or access). A fence has been erected within the last 18 months to the western edge of the claimed curtilage which is far short of the required ten years and to the south and south-east there is an absence of any form of physical distinction between one area and another. It should be noted that the only area where an obvious physical separation occurs is around the residential curtilage identified by the O/S map, where there is fencing and typical garden planting.

In terms of functional separation, it is considered that the garden area immediately adjacent to the dwelling as outlined on the O/S maps are obviously apparent as residential garden land, whilst the area being claimed beyond this is not distinct from the wider land within the holding and is occupied by what are obviously barns and other non-residential structures. For instance, to the south of the claimed curtilage there are two barns within very close proximity, with the northern building set within the claimed curtilage and the smaller southern one excluded, yet there is no obvious functional difference between the two, or that matter any physical separation. For the reasons stated above there is also no functional form of separation.

### Conclusion

The Council contends that as a matter of fact and degree the area of land in question has not been in continuous residential use for a period of ten years for the reasons listed above. As such the certificate should be refused.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/03653, 12/02411, 12/02418 and 12/02419, excluding exempt information.

### **RECOMMENDATION: THE EXISTING USE/DEVELOPMENT IS NOT LAWFUL**

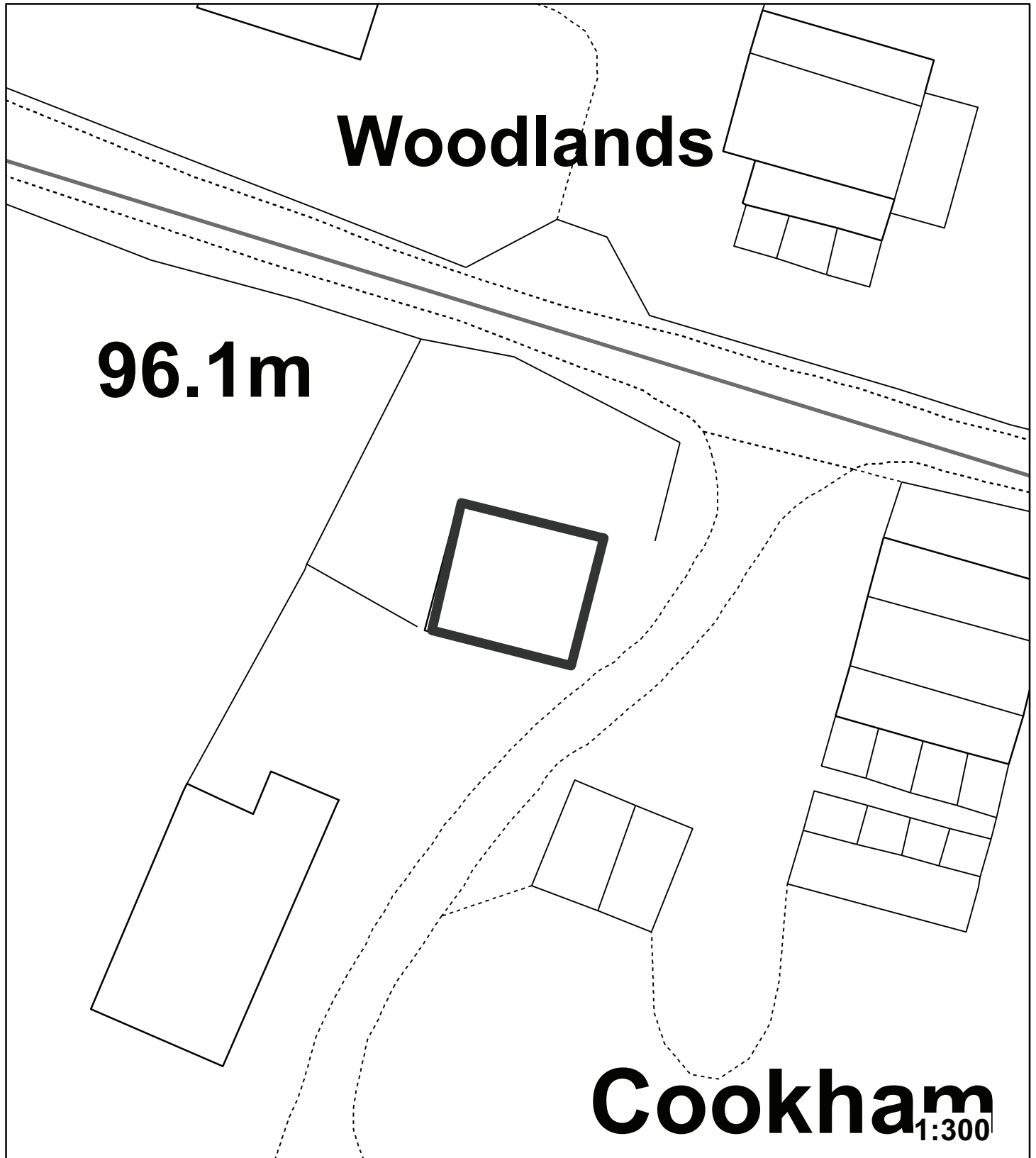
for the following reasons:

- 1 The residential curtilage identified has not subsisted, on the balance of probabilities, for more than ten years continuously and as such is not considered to be lawful and as such the outbuildings contained therein do not constitute a use ancillary to the main dwelling.

**Application:**12/03653/ELUD

**Address:** Cookham Farm Skeet Hill Lane Orpington BR5 4HB

**Proposal:** Use of land as a residential curtilage and use of outbuildings ancillary to main residential use. CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT.



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

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

**Application No :** 12/03987/FULL1

**Ward:**  
Darwin

**Address :** 2A Keston Showmans Park Layhams  
Road Keston BR2 6AR

**OS Grid Ref:** E: 539762 N: 161191

**Applicant :** J And P Bond

**Objections :** NO

### **Description of Development:**

Construction of a single storey dwelling

Key designations:

Areas of Archaeological Significance  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding

### **Proposal**

The proposal is for the construction of a permanent single storey 2 bedroom dwelling within site 2a, intended to match the design and size of the mobile homes elsewhere on site.

### **Location**

The site relates to Keston Showman's Park, an established park of show peoples pitches/yards. The site is split up into pitches/yards that comprise mobile homes, residential caravans, vehicle parking, showground equipment and areas of open storage. Site 2a is a fenced off pitch with caravans and showground equipment. The park is screened by established trees and hedges to the south and east and the surrounding and includes agricultural and sports fields. The site is designated as an Area of Archaeological Significance and Green Belt land.

### **Comments from Local Residents**

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

### **Comments from Consultees**

Highways - The application indicates that a mobile home on the site would not require planning permission. Levels of trip generation from mobile homes are unlikely to be significantly different from a permanent structure particularly if it is the same people who would be living there. The increase in traffic from the site with an additional unit is also likely to be low. Consequently I would have no objection to the application.

Drainage – no objection, subject to conditions.

Waste - refuse and recycling to be placed edge of curb.

Any comments from archaeological perspective will be reported verbally.

### **Planning Considerations**

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

- BE1 Design of New Development
- BE16 Ancient Monument and Archaeology
- G1 Green Belt
- H6 Gypsies and Travelling Show People

The National Planning Policy Framework.

### **Planning History**

The change of use of the land to permanent showman's headquarters was refused in 1997 (97/02017/FULMAJ) and 1999 (99/02264/FULL2) but allowed on appeal in 1999. The identified need for a site for travelling show people was found to be very special circumstance to allow the change of use in the Green Belt.

### **Conclusions**

The main issues relating to the application are the principle of development, the appropriateness of a permanent dwelling, the size and design of the dwelling and its impact on the Green Belt and surrounding area.

#### Principle

The site is situated with Keston Showman's Park which has been identified under Policy H6 as an established travelling show people site. However, it is located within the Green Belt and therefore a new permanent dwelling constitutes inappropriate development, contrary to National Planning Policy Framework and advice contained within Policy G1 of the Unitary Development Plan.

The applicant argues that proposed dwelling can not be treated as 'inappropriate' given its appearance, location and use would be no different from the development on other show people's plots (mobile homes) which could be replicated on this site without the need for planning permission.



However, it is well established in planning law that the stationing of mobile homes comprises the use of the land and is not operational development creating permanent floorspace. Therefore, whilst the use of the land for siting a mobile home may continued, this use does not constitute the erection of a new permanent dwelling. Therefore, the potential to put a mobile home on site does not represent an opportunity for a permanent residential building in the Green Belt, which constitutes development in its own right.

Section 9 of the NPPF advises that inappropriate development within the Green Belt is by definition harmful to the Green Belt and should not be approved except in very special circumstances. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

#### Very special circumstances

As set out above, the proposed development is inappropriate and therefore any very special circumstances need to be considered to ascertain if they outweigh the identified harm to the Green Belt by reason of inappropriateness.

The applicant has put forward that the proposed dwelling, given its appearance, location and use is not materially different from the mobile homes, caravans etc on other show peoples's plots which could be replicated on this site without requiring planning permission and that the fact that the site is allocated under policy H6 as a protected show people's site represents very special circumstances.

Whilst Policy H6 does ensure the continued provision of the use of the land for travelling show people, it does not relate to the erection of new built development, nor would the refusal of such an application jeopardise the ongoing provision of accommodation for travelling show people.

The proposed dwelling would be of a similar size and design to mobile homes and would occupy a footprint of similar size. Therefore the design would not necessarily cause any harm to the character and appearance of the area. However, there is no mobile home on site 2a currently and the development proposed would replace the use of the land with a permanent dwellinghouse, which would mean this part of the Green Belt would be less open than it is at present. The permanence of this proposed development differs from the use of the land currently ongoing.

#### Archaeological implications

Policy BE16 protects areas of archaeological significance. The site has been designated under Policy H6 for a show people's yard and the site. However, the current uses of land have not involved significant disturbance to the ground. Archaeological ground investigation would be necessary and a condition would be appropriate should permission be granted.

#### Other considerations

The development proposed would offer improved accommodation for the applicant that would be more energy efficient and easier to maintain. It has been put forward to represent a base for the show people during winter and provide better stability for the education of children of the show people.

### Conclusions

The current use of the site does not involve any permanent built development and therefore does not provide an opportunity for a permanent built dwelling. The proposed dwelling therefore amounts to inappropriate development in the Green Belt, which is by definition harmful to Green Belt and is a consideration to which substantial weight should be attached. It is considered that a permanent dwellinghouse would have a greater impact on the openness of the Green Belt and its purposes than the current use.

The applicant reference to the benefit of a permanent dwelling in terms of its improved maintenance, energy efficiency and practicality is noted. However, the refusal of this application would not jeopardise the ongoing provision of accommodation for travelling show people and this limited positive weight does not clearly outweigh the significant harm caused by the inappropriateness of development and the loss of openness. Therefore, very special circumstances to justify the proposal do not exist in this circumstance.

The original permission granted was for the use of the land and this use for parking vehicles and stationing mobile homes would have a far less permanent impact on the Green Belt than the construction of buildings. Furthermore, new buildings are inappropriate unless within the relevant categories as defined within the NPPF. This proposal does not fall within any of the any of these categories and since the site already provides accommodation for show people, the need for such accommodation does not constitute very special circumstance.

On balance, the benefits for the applicants are not considered to outweigh the harm caused by reason of inappropriateness. Furthermore, the approval of such a proposal could give rise to similar applications on site, which would change the character of the Showman's Park, intended for stationing of mobile homes, parking of vehicles and storage and maintenance of fairground equipment to a site with a much more a permanent residential character, contrary to Policy G1 and the NPPF.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03987, excluding exempt information.

as amended by documents received on 19.12.2012

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

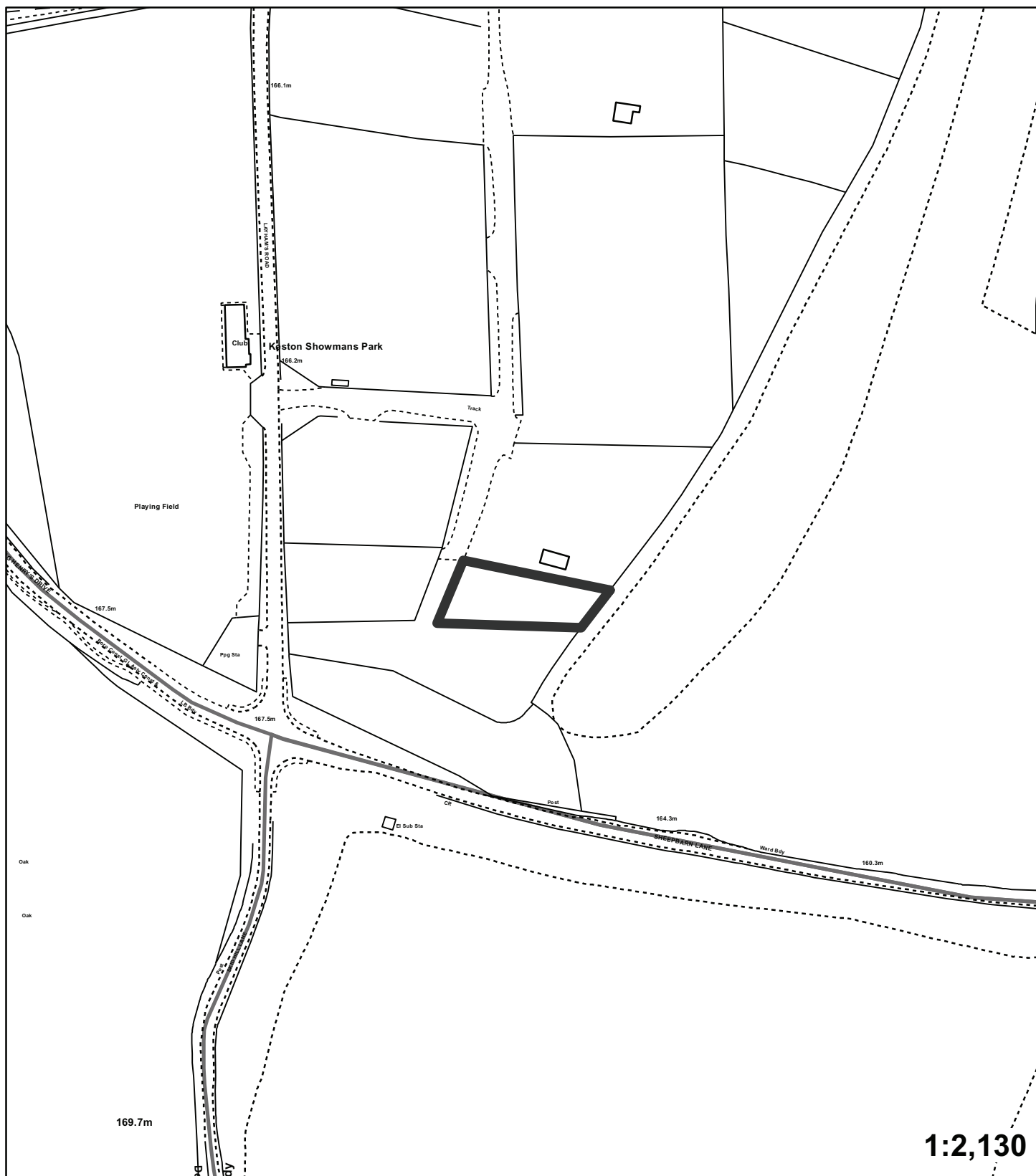
The reasons for refusal are:

- 1 The proposal development is inappropriate development within the Green Belt and the Council sees no special circumstances which might justify the grant of planning permission as an exception to Policy G1 of the Unitary Development Plan and the National Planning Policy Framework.
- 2 In the absence of exceptional circumstances to justify a relaxation of established policy, the proposal if permitted would be likely to set a pattern for similar undesirable development in the Green Belt to the detriment of its character and open nature.

**Application:**12/03987/FULL1

**Address:** 2A Keston Showmans Park Layhams Road Keston BR2 6AR

**Proposal:** Construction of a single storey dwelling



Report No.  
DRR/13/035

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** PLANS SUB-COMMITTEE NO. 1

**Date:** Thursday 21 February 2013

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

**Title:** 138 LOCKESLEY DRIVE, ORPINGTON, BR5 2AE

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

**Chief Officer:** Chief Planner

**Ward:** Cray Valley West

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1. Reason for report

This matter has previously been reported to Plans Sub Committee on 24 November 2011 (Item 5.2), 16 February 2012 (Item 5.1) and 16.08.2012 following complaints concerning a number of alleged breaches of planning control ,

The resolution of the Sub Committee on 16 February 2012 was that no further action should be taken subject to submission of details of a boundary treatment scheme along the side boundary between 136 and 138 Lockesley Drive within 1 month of the date of that meeting of a height, position and materials to be approved by the LPA.

No such details have been submitted and this report considers what further action should be taken.

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2. **RECOMMENDATION(S)**

**Members views are requested.**

### 3. COMMENTARY

3.1 Since the date of the meeting in August 2012, further visits have been made to the site in order to ensure that the agreed boundary treatment scheme is implemented within the time limit set. The present owners of 138 Lockesley Drive purchased the property around November 2011 when this matter was first reported to committee. At the time of purchase a 1.8M fence was in place along the side boundary between Nos. 138 and 136 and the new owners bought the property in the belief that the fence was included in the sale. They were unaware that the fence was the subject of a boundary dispute between the former owner and the occupier of 136 Lockesley Drive.

3.2 When they took possession of the property the fence had been removed. The boundary dispute was ongoing but this is a civil rather than a planning matter.

3.3 The present owners of 138 Lockesley Drive claim they are not in a financial position to implement a boundary scheme and require more time to either restore the original fence or erect a new fence.

3.4 The relevant background was set out in the previous report which is repeated below.

3.5 The property is situated on a hill and the land slopes down from west to east. The existing level of the rear garden is approx. 300mm higher than the rear garden of No.136, although this partly reflects the natural gradient of the land, and does not appear to be significantly higher than other properties in the vicinity. The rear garden of 136 includes a patio area with steps up to the lawn which emphasises the difference in levels. No.138 also has a recently constructed patio area which is level with the rear of the house.

3.6 Permission was granted in 2008 for a detached garage at the side of 138, (ref. 09/00488). The approved plan gives no indication of ground levels and there was nothing to suggest that it was proposed to increase levels in the rear garden. However, in the area behind the garage and adjoining the side boundary ground levels are approx. 500mm higher than the adjoining garage at 136. This means that it is possible to overlook the flank wall of the garage at 136 and to the lesser extent the rear patio.

3.7 It was previously reported that ground levels along the eastern boundary appeared to have been increased by up to approx. 500mm adjacent to the detached garage but reducing to approx. 100mm at the end of the garden. However there was insufficient information to indicate precisely how much levels had been increased.

3.8 A survey was carried out on 9 January 2012 in order to ascertain the natural and possible raised level of the garden. The survey was carried out in the presence of the new owner of 138 and the owner of 136 Lockesley Drive.

3.9 The main conclusions of the previous report are summarised below:

“Topography of site

The site is naturally graded in two directions, being on the slope of a hill, will falls lowering from the garden at No.138 to No.136, both perpendicular and parallel to the property boundary, towards the road and the front.

Site Survey

The boundary between both properties was measured from a zero datum at the intersection of the properties at the rear of the gardens. It is not possible to make any accurate assessment of what the ground levels were at No.138 Lockesley Drive, prior

to the commencement of building works to extend the property and the addition of a detached garage, commencing in 2007. At present, the line of the boundary for the first 18.1m is not clear, and the existing fence line has been removed. A rope "line" has been established by the owner of No.136, but the boundary is yet to be established by both owners. Levels were therefore taken between ground levels on the line of the existing fence.

## Conclusions

3.10 The change in levels from one side of the boundary to the other is shown on the attached drawing. To the rear, the maximum change in level to the first 18.1m is 320mm. Where a new fence has been installed behind the detached garage, with 2No. concrete "gravel boards" at the base, the change in levels reach a maximum dimension of 570mm, although as shown in the detail section, the change is not fully 570mm, due to the higher ground level falling away towards the gravel boards."

3.11 The maximum difference in ground levels between 138 and 136 was confirmed to be 570mm. However, the surveyor was unable to make any accurate assessment of ground levels before the commencement of recent building works. Furthermore, the survey results do not reflect the natural contours of the land which slopes downhill from west to east, meaning that the dwelling at 138 was built at a higher level than 136.

3.12 Whereas the maximum difference in levels along the side boundary was found to be 570mm, the maximum change in levels to the rear of the garden was 320mm. Towards the rear boundary this reduces to only 100mm. Given the lack of information to confirm the original ground levels the extent of land raising towards the rear boundary varies between 320mm and 100mm over a distance of approx. 20m. The extent to which levels have been raised in the rear part of the rear garden is not considered to be significant and it is concluded that no further action would be expedient in respect of this area.

3.13 The extent of land raising is more significant along the area between the front boundary and approx. 15m into the site. Levels in this part of the site are up to 570mm higher than 136, which is marginally higher than previously estimated. However, the original levels are not known and the precise extent of land raising cannot be confirmed with any degree of certainty. Allowing for the natural slope of the land the original ground level at 138 is estimated to have been between 100-300mm higher than 136, having regard to the topography of the surrounding area.

3.14 The main issue is whether the increase in ground levels has resulted in a material loss of amenities to the adjoining properties to the extent that enforcement action is expedient. If enforcement action was taken the requirement of the notice would be to reduce ground levels to their former level before the breach took place. As original ground levels are not known with any degree of certainty, the notice would have to give a notional level, which would lack precision and run the risk of being quashed on appeal. The required reduction in levels would be between 100-570mm over the length of the side boundary and it would be necessary to specify at which locations ground levels should be lowered.

3.15 A further consideration is to define the harm caused by the increase in levels. As concluded above the main area of concern is the first 15m along the side boundary from the frontage. Some degree of overlooking of the side elevation of 136 has resulted from the raising of ground levels to the side and rear of the detached garage at 138. This overlooks the flank wall of a detached garage and garden shed at 136 and there are 3 first floor windows on the flank wall of the dwelling. However, there is a new 6' closeboarded fence along this section of the side boundary which provides some degree of privacy. The reinstatement of the remainder of the side boundary fence will assist in providing an adequate level of privacy to both rear gardens.

3.16 It is understood that there is a current boundary dispute along this section of the boundary but this is a civil rather than a planning matter.

3.17 In conclusion, the difference in ground levels between 138 and 136 varies between 570mm and 100mm. The maximum difference in levels occurs along the front part of the side boundary over a distance of approx. 15m from the frontage. Enforcement action could be taken to reduce levels in this part of the garden but it is concluded that such action would not be expedient. The harm caused by the raising of ground levels is not considered to be so significant so as to result in a material loss of residential amenity to 136. On balance it is therefore concluded that taking action to require existing ground levels to be lowered would be disproportionate. Accordingly it is recommended that no further action be taken.

3.18 Whilst the owners of 138 Lockesley Drive have indicated that it remains their intention to erect a new boundary fence along the common side boundary with No 136 but so far no boundary treatment has been implemented despite assurances to do so. They previously requested more time to do so but this extended period expired some time ago. It would clearly be in the interests of both parties to reinstate the former boundary screening along the common side boundary in order to safeguard privacy and overlooking but the erection of the fence is not subject to an effective enforcement notice. It is concluded that a further extension of time would be unlikely to achieve the desired solution.



# Agenda Item 6.1

Report No.  
DRR13/032

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** PLANS SUB-COMMITTEE NO. 1

**Date:** Thursday 21 February 2013

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

**Title:** **OBJECTIONS TO TREE PRESERVATION ORDER 2510 AT 11, 12 AND 15 OXENDEN WOOD ROAD, CHELSFIELD**

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

**Chief Officer:** Deputy Chief Planner

**Ward:** Chelsfield and Pratts Bottom

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1. Reason for report

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

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2. **RECOMMENDATION(S)**

The Chief Planner advises that the trees make an important contribution to the visual amenity of this part of Oxenden Wood Road and that the order should be confirmed.

### Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Quality Environment
- 

### Financial

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

### Staff

1. Number of staff (current and additional):103.89ftes
  2. If from existing staff resources, number of staff hours:N/A
- 

### Legal

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

### Customer Impact

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

### Ward Councillor Views

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

### 3. COMMENTARY

3.1. This order was made on 30th October 2012 and relates to 3 beech trees in the front garden of no.11, 2 in the front garden of no.12 and 2 in the front garden of no.15. Objections have been made by owner of 10 relating to T.6 of the order.

3.2. He has raised one main concern and this related to the size of the tree and its proximity to his garage. He is concerned about the impact of the tree on the floor of the garage and the possible damage to the drive from the replacement of the garage and drive.

3.3. The tree is a mature specimen and together with the other beech trees covered by the order it makes a positive contribution to the visual amenities of this part of Oxenden Wood Road. Damage to properties is a serious matter, and if it is demonstrated that damage is occurring as a result of the tree, and the only means of solving the problem is by tree surgery or even tree removal, then I think it would be unusual for the Council to withhold consent. However a copy of any reports of investigations into the causes of the damage to the floor of the garage were requested so that more detailed comments could be made. There has been no response to this request.

3.4. With regard to the repair or replacement of the drive there are several technical options which may allow the retention of the tree without damage, but the consent of the Council would be needed for any works which would affect the tree roots.

### 4. POLICY IMPLICATIONS

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

### 5. FINANCIAL IMPLICATIONS

None

### 6. LEGAL IMPLICATIONS

If not confirmed the order will expire on 30<sup>th</sup> April 2013.

### 7. PERSONNEL IMPLICATIONS

None.

<b>Non-Applicable Sections:</b>	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]

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Report No.  
DRR13/031

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** PLANS SUB-COMMITTEE NO. 1

**Date:** Thursday 21 February 2013

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

**Title:** **OBJECTIONS TO TREE PRESERVATION ORDER 2513 AT EVERGLADES, 43 SHORTLANDS ROAD, BROMLEY**

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

**Chief Officer:** Deputy Chief Planner

**Ward:** Shortlands

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1. Reason for report

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

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2. **RECOMMENDATION(S)**

The Deputy Chief Planner advises that the tree makes an important contribution to the visual amenity of this part of the Shortlands conservation area and that the order should be confirmed.

### Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Quality Environment
- 

### Financial

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

### Staff

1. Number of staff (current and additional): 103.89ftes
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

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

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Those affected by the TPO
- 

### Ward Councillor Views

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

### 3. COMMENTARY

3.1. This order was made on 24th October 2012 and relates to 1 oak tree at the rear of Everglades, a 4 storey block of flats in Shortlands Road. Objections have been made by loss adjusters, acting for insurers of the property. They allege that the oak tree is implicated in movement of a garage within the garage block at the rear of the flats.

3.2. They have commented that clay shrinkage subsidence is occurring at Everglades, 43 Shortlands Road, the oak tree is only 6 metres from the property with the safe distance being 24 metres and it is therefore within the roots influencing distance and finally whilst the roots that were found were in made ground, there is clay present at depth and they have presumed that the tree roots have extracted moisture causing the subsidence.

3.3. The protection of trees in Shortlands was clarified. All trees in this area are protected by virtue of their location within the conservation area. This means that if any work to trees is proposed, 6 weeks notice in writing should be given to the Council. The Council can either allow the proposed works or make a Tree Preservation Order. It does not have the power to revise the works, and so the only way of controlling tree works which are not considered appropriate is by making a Tree Preservation Order. In this case it was considered that insufficient evidence had been submitted to justify the felling of the oak tree.

3.4. Their report submitted with the six weeks notice of intention demonstrates that there is movement of the garage block but also showed that the block was founded partly (in the vicinity of the oak tree) on made ground. The report also recommended that level monitoring was required. It is agreed that there is movement of the garage block but insufficient evidence had been submitted to demonstrate that the oak was implicated.

### 4. POLICY IMPLICATIONS

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

### 5. FINANCIAL IMPLICATIONS

None

### 6. LEGAL IMPLICATIONS

If not confirmed the order will expire on 24<sup>th</sup> April 2013.

### 7. PERSONNEL IMPLICATIONS

None.

<b>Non-Applicable Sections:</b>	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]

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