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

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

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 2 MAY 2013 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

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

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

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

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

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 7 MARCH 2013**
(Pages 1 - 8)
- 4 PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
	NO REPORTS		

SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.1	Penge and Cator	9 - 16	(12/02318/FULL3) - First Floor Units 8 and 9 Abbey Trading Estate, Bell Green Lane, Sydenham East.
4.2	Bromley Town	17 - 24	(12/03024/OUT) - Billingford, Elstree Hill, Bromley.
4.3	Orpington	25 - 28	(12/03655/FULL1) - 316 High Street, Orpington.
4.4	Bickley	29 - 38	(13/00251/FULL1) - 11 Chislehurst Road, Bromley.
4.5	Bickley	39 - 44	(13/00333/FULL1) - Genden, Bickley Park Road, Bickley.
4.6	Darwin	45 - 50	(13/00477/VAR) - Cudham Frith, Cudham Lane South, Cudham.
4.7	Farnborough and Crofton Conservation Area	51 - 58	(13/00691/FULL1) - Land opposite 1-4 Tye Lane, Orpington.

4.8	Farnborough and Crofton	59 - 68	(13/00763/FULL1) - 45 Grasmere Gardens, Orpington.
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SECTION 3 (Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.9	West Wickham	69 - 74	(13/00195/FULL1) - Wickham Hall, Sussex Road, West Wickham.
4.10	Crystal Palace	75 - 80	(13/00291/FULL1) - 72 Maberley Road, Anerley.
4.11	Bromley Town	81 - 86	(13/00295/FULL6) - 30 Ravensbourne Avenue, Bromley.
4.12	Bromley Common and Keston Conservation Area	87 - 92	(13/00747/FULL1) - Land at Junction of Croydon Road and Forest Drive, Keston.
4.13	Bromley Common and Keston Conservation Area	93 - 98	(13/00756/FULL1) - Land at Westerham Road Entrance to Forest Drive, Keston.
4.14	Bromley Common and Keston Conservation Area	99 - 104	(13/00757/FULL1) - Land at Croydon Road Entrance to Longdon Wood, Keston.
4.15	Petts Wood and Knoll	105 - 108	(13/00807/FULL6) - 37 Chesham Avenue, Petts Wood.
4.16	Chelsfield and Pratts Bottom	109 - 112	(13/00837/MATAMD) - 3 Waring Drive, Orpington.
4.17	Hayes and Coney Hall	113 - 118	(13/00913/FULL1) - 20 Gates Green Road, West Wickham.

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

Report No.	Ward	Page No.	Application Number and Address
4.18	Cray Valley East	119 - 122	(13/00500/FULL6) - 11 Marion Crescent, Orpington.

5 CONTRAVENTIONS AND OTHER ISSUES

Report No.	Ward	Page No.	Application Number and Address
5.1	Petts Wood and Knoll	123 - 124	(DRR/13/060) - Bread and Butter, 2 Chatsworth Parade, Petts Wood.

6 TREE PRESERVATION ORDERS

Report No.	Ward	Page No.	Application Number and Address
6.1	Bickley	125 - 128	(DRR/13/058) - Objections to Tree Preservation Order 2529 at 30 Homefield Road, Bromley.
6.2	Kelsey and Eden Park	129 - 132	(DRR/13/059) - Objections to Tree Preservation Order 2528 at 61 Manor Way, Beckenham.

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

NO REPORT

PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 7 March 2013

Present:

Councillor Russell Jackson (Chairman)
Councillor Richard Scoates (Vice-Chairman)
Councillors Kathy Bance MBE, Lydia Buttinger, Simon Fawthrop,
John Ince, Alexa Michael and Gordon Norrie

Also Present:

Councillors Mrs Anne Manning, Russell Mellor and
Catherine Rideout

29 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Peter Dean and Councillor John Ince attended as his substitute.

30 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

31 CONFIRMATION OF MINUTES OF MEETING HELD ON 10 JANUARY 2013

RESOLVED that the Minutes of the meeting held on 10 January 2013 be confirmed and signed as a correct record.

32 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

32.1 BROMLEY TOWN CONSERVATION AREA

(13/00089/FULL1) - Land Adjacent 48 East Street, Bromley.

Description of application - Retention of a shipping container for use as an occasional art gallery space.

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

**32.2
CRAY VALLEY EAST**

(13/00134/FULL1) - St Pauls Cray CE Primary School, Buttermere Road, Orpington.

Description of application – Replacement 2.7m high chain link fencing fronting pedestrian footpath at Millwood Road.

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

SECTION 2

(Applications meriting special consideration)

**32.3
DARWIN**

(12/03191/FULL1) - Silverstead, Silverstead Lane, Westerham.

Description of application - Demolition of annexe and outbuildings and erection of a single storey three bedroom detached dwelling and store outbuilding.

It was noted that on page 22 of the Deputy Chief Planner's report the last sentence of the second paragraph was amended to read, "On balance, it is considered that the proposal would not harm views from the nearby AONB and would not detract from its natural beauty."

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

1. The proposal would, by virtue of its unacceptable size and design, have a seriously detrimental impact on the visual amenities of the area thereby contrary to Policies BE1, G1, G4 and NE11 of the Unitary Development Plan regarding development, alterations or conversions in the Green Belt and the Kent North Downs Area of Outstanding Natural Beauty.

**32.4
CHISLEHURST
CONSERVATION AREA**

(12/03306/RECON) - Silver Birches, Manor Park, Chislehurst.

Description of application - Variation of condition 10 of planning permission 12/01152 (granted for demolition of existing dwelling and erection of two storey 5 bedroom detached dwelling with detached sunken garage and associated landscaping) to vary restriction requiring first floor flank windows to be obscure glazed.

Oral representations in support of the application were

received at the meeting.

It was noted that on page 30 of the Deputy Chief Planner's report the first sentence should be amended to read, "As such it may be considered that ensuring these windows were obscure glazed was a key factor in the granting of planning permission for 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 Deputy Chief Planner.

**32.5
DARWIN**

**(12/03761/FULL6) - Poppyfield Cottage, 63
Cudham Lane North, Orpington.**

Description of application amended to read, "Single storey rear extension RETROSPECTIVE APPLICATION".

Members having considered the report, **RESOLVED** that **PERMISSION BE REFUSED**, as recommended, for the reason set out in the report of the Deputy Chief Planner. **IT WAS FURTHER RESOLVED** that **ENFORCEMENT ACTION BE AUTHORISED** to secure the removal of the unauthorised structure.

**32.6
BROMLEY COMMON AND
KESTON**

**(12/03815/FULL1) - Terrance House, 151 Hastings
Road, Bromley.**

Description of application – Proposed re-modelling of main front (west) elevation, re-landscaping of front forecourt and parking.

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

**32.7
PENGE AND CATOR**

(12/03837/FULL2) - 57 High Street, Penge.

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

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

**32.8
FARNBOROUGH AND
CROFTON**

(12/03918/FULL6) - 5 Fieldside Close, Orpington.

Description of application – First floor side and rear extension over existing garage and ground floor infill extension.

Oral representations in support of the application were received at the meeting. Comments from Ward Member, Councillor Charles Joel, in support of the application were reported.

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

**32.9
COPERS COPE**

(12/03940/FULL1) - 10 Copers Cope Road, Beckenham.

Description of application - Erection of single storey building to rear.

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

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

**32.10
BICKLEY
CONSERVATION AREA**

(12/03995/FULL1) - 12 Pines Road, Bickley.

Description of application – Demolition of existing two storey dwelling and construction of new three storey dwelling.

Oral representations in objection to and in support of the application were received. 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 PERMISSION BE REFUSED**, as recommended, for the reasons set out in the report of the Deputy Chief Planner with a further reason to read:-

3. The proposal would, by reason of its minimal side space provision, constitute a cramped form of development, out of character with the street scene,

conducive to a retrograde lowering of the spatial standards to which the Conservation Area is at present developed and contrary to Policies H9 and BE11 of the Unitary Development Plan.

**32.11
BICKLEY
CONSERVATION AREA**

(12/03996/CAC) - 12 Pines Road, Bickley.

Description of application - Demolition of the existing dwelling
CONSERVATION AREA CONSENT.

Oral representations in objection to and in support of the application were received. 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 PERMISSION BE REFUSED**, as recommended, for the reason set out in the report of the Deputy Chief Planner.

SECTION 3

(Applications recommended for permission, approval or consent)

**32.12
ORPINGTON**

(12/03638/FULL6) - 22 Woodley Road, Orpington.

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

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

**32.13
BROMLEY TOWN**

(13/00028/FULL6) - 2 Beadon Road, Bromley.

Description of application – Single storey rear extension.

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

**32.14
HAYES AND CONEY HALL**

(13/00228/FULL1) - 53 Kechill Gardens, Hayes.

Description of application – Demolition of two storey extension and erection of two storey detached dwelling together with associated work to provide off street parking.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Mrs Anne Manning, in objection to the application were received at the meeting.

It was reported that further objections to the application had been received. A petition in support of the application signed by over fifty members of the public had also been received together with a letter from Agent. Comments from Environmental Health regarding pollution were reported.

Members were particularly concerned with the impact the proposed development would have on the character of the area and took into consideration the London Plan, the Local Plan and bore in mind the possible future of the Local Plan, and Councillor Mrs Anne Manning's local knowledge and her years of experience as representative for Hayes and Coney Hall Ward.

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

1. The proposal represents an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policy BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan.

SECTION 4

(Applications recommended for refusal or disapproval of details)

**32.15
CHISLEHURST
CONSERVATION AREA**

(12/03466/FULL1) - The Crest, Raggleswood, Chislehurst.

Description of application - Demolition of existing dwelling and erection of 2 detached two storey 4 bedroom dwellings with integral double garage.

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

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

**32.16
CHISLEHURST
CONSERVATION AREA**

**(12/03467/CAC) - The Crest, Raggleswood,
Chislehurst.**

Description of application - Demolition of existing dwelling CONSERVATION AREA CONSENT.

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

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

The Meeting ended at 8.12 pm

Chairman

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SECTION '2' – Applications meriting special consideration

Application No : 12/02318/FULL3

Ward:
Penge And Cator

Address : First Floor Units 8 And 9 Abbey Trading
Estate Bell Green Lane Sydenham East
London SE26 5TW

OS Grid Ref: E: 536541 N: 171341

Applicant : Mr Mike Davies

Objections : NO

Description of Development:

Change of use of part of ground and whole of first floor from business (class B1) to specialised martial arts teaching and gym (class D1) together with elevated alterations.

Key designations:

Business Area

Proposal

Planning permission is sought for the following:

- Change of use of part of the ground floor and entire first floor from offices (use class B1) to a specialised martial arts teaching centre and gym (use class D1).
- It is anticipated that the total membership number for the teaching centre/ gym would be 60 people, with no more than 25 in a class.
- Elevational alterations including replacement windows.

Location

The application site is a two storey industrial building located along the eastern side of Bell Green Lane and opposite Lucas Court, a block of residential flats which are within the London Borough of Lewisham. The proposed use would occupy vacant parts of the ground floor and the whole of the first floor.

The property has a grand art deco style entrance rising to three storeys forming a landmark feature within the Abbey Trading Estate. There are a number of other commercial uses still in operation within the ground floor of this building. The area is predominantly commercial towards the south with a number of industrial and business units which are occupied. Towards the north and west are residential flats and properties which lie within the adjoining London Borough of Lewisham. The

site lies within a designated Business Area as defined by the Bromley Unitary Development Plan.

Unrestricted on-street parking is available outside the application site and some parking is also available within the rear yard area. Bell Green Lane is connected to Stanton Way and Southend Lane (A2218) to the north and Sydenham Road (A212) via Kent House Road.

Comments from Local Residents

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

Comments from Consultees

The London Borough of Lewisham has been consulted on the application and no comments have been received.

In terms of environmental health issues, no technical objections are raised.

From a highway planning perspective, following revised plans there are no objections subject to conditions for cycle parking and travel plan.

Thames Water raises no objection.

Planning Considerations

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

- BE1 Design of New Development
- EMP4 Business Areas
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking

London Plan 2011

- 2.17 Strategic Industrial Locations
- 6.13 Parking
- 7.15 Reducing noise and enhancing soundscapes

The National Planning Policy Framework (2012) is also of relevance.

Planning History

Under planning application ref. 90/03309, permission was granted for the alteration and subdivision of Shaway House, Bell Green Lane SE26 to 3 B1 units together with the provision of parking spaces to the rear with access from Bell Green Lane.

Under planning application ref. 10/01788, permission was refused for Change of use of part of ground and whole of first floor from business (Class B1) to place of worship and Community Hall (Class D1). This application was dismissed at appeal on 14th March 2011. The Inspector concluded that the proposal would reduce the supply of land for industrial purposes and would therefore be contrary to Policy EMP4 as no detailed marketing information had been provided to demonstrate that there was no longer a need for the current use of the premises. The Inspector also concluded that given the size of the site and the amount of possible attendance as a result of the proposal there would be significant harm to existing parking and highway safety as there was a lack of parking provision.

Application ref. 12/01125 was refused for a change of use of part of the ground and whole of the first floor from business (B1) to a gymnasium (class D2). No appeal was submitted for this application. The reasons for refusal were:

The site is located in a Business Area in the Unitary Development Plan and in the absence of information to justify an exception to Policy, the proposal would result in the undesirable loss of business land and would be contrary to Policy EMP4 of the Plan which seeks to safeguard sufficient supply of land in the Borough for industrial purposes.

The proposed development would result in the increase of on-street parking and intensify the use of Bell Green Lane and in the absence of an appropriate transport statement to suggest otherwise, the proposal would be likely to give rise to an undesirable increase of on-street parking in nearby roads, and would also lead to conditions prejudicial to the free flow and general safety of traffic along these roads contrary to Policies T2, T3 and T18 of the Unitary Development Plan.

Conclusions

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

This application is a resubmission following the refusal of ref. 12/01125. In order to address the reasons for refusal, the applicant has submitted marketing information for the unit plus the next door unit in the industrial estate and has confirmed that there has been no interest in the property other than the occupiers which require the change of use proposed here.

A revised parking survey has also been undertaken with parameters showing the roads surveyed and when, together with a plan which details parking allocation within the site, levels of vacancy and access arrangements.

The site is located within a designated Business Area as defined on the Unitary Development Plan Proposals Map, where Policy EMP4 states that permission will only be given to occupiers within use classes B1, B2 and B8. The area is therefore considered to be land with established light industrial and warehouse uses which the Council wishes to safeguard.

However, it is acknowledged that the building has been vacant for some time, and that marketing of the site has not found a suitable B1, B2 or B8 occupier. At the time of writing this report, the site although is under offer subject to planning permission for a change of use, it remains on the market with no alternative occupier coming forward.

The applicant has additionally submitted historic marketing dating from 2009, when a previous offer for business use was submitted. This offer was subsequently withdrawn following difficulties with finance and the on-going maintenance involved with restoring/ maintaining the building. The building has suffered from a lack of maintenance and requires refurbishment. The proposed occupiers are proposing to install replacement critical windows which are considered to improve the grand and imposing appearance of this prominent building.

It is noted that the Ministerial Statement 'Planning for Growth' (March 2011) states that in determining planning applications to consider the likely range of economic, environmental and social benefits of proposals and give appropriate weight to support economic recovering. This is echoed in paragraph 22 of the NPPF (April 2012) which states that local authorities should avoid the long term protection sites allocated for employment use. The London Plan does not define the Abbey Trading Estate as a strategic industrial location and in this instance; and Members may consider that the applicant has demonstrated an exception to Policy EMP4 and that the proposals would bring back into use a prominent vacant unit with community benefits and in turn provide economic growth in the local area.

With regards to the car parking and transport demand for the proposals, previous applications have been refused for failing to demonstrate that the use proposed would not result in excessive pressure for parking. The applicant has sought to address these concerns by the submission of revised plans and a parking survey which show that the site would be able to accommodate the proposed use. Comments received from the Council's Highways engineers raise no objection to the proposals, and as such it is considered that a refusal grounds on this basis would be unsubstantiated.

Given the proposed operating times of between 12pm-9pm (earlier and latest hours proposed) and anticipated membership numbers, it is not considered that the proposals would be harmful to the neighbouring residents. The nearest properties are located in Lucas Court which is located approximately 40m to the west. The hours proposed are fairly limited and it considered that extended hours of between 10am and 9pm would not be unacceptable.

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, Members may consider that the proposed change of use is acceptable in that it would not impact detrimentally on the character of the area or result in a loss of a business use within an established business area. It is

also considered that the car parking provision proposed for such a use is sufficient. The proposed renovations to the building are considered acceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/03564, 12/01125 and 12/02318, excluding exempt information.

as amended by documents received on 28.03.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 3 ACK01 Compliance with submitted plan
 ACC01R Reason C01
- 4 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 5 ACH30 Travel Plan
 ACH30R Reason H30
- 6 Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) providing 1 space per 50 staff and 1 space per 10 visitors, shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

Reason: In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

- 7 Customers shall not be admitted to the premises before 10AM Monday to Sundays and all customers shall have left the premises by 9pm Monday and Saturday and 6PM on Sundays.

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

- 8 The premises shall be used for martial arts teaching and gymnasium and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

9AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

BE1 Design of New Development

EMP4 Business Areas

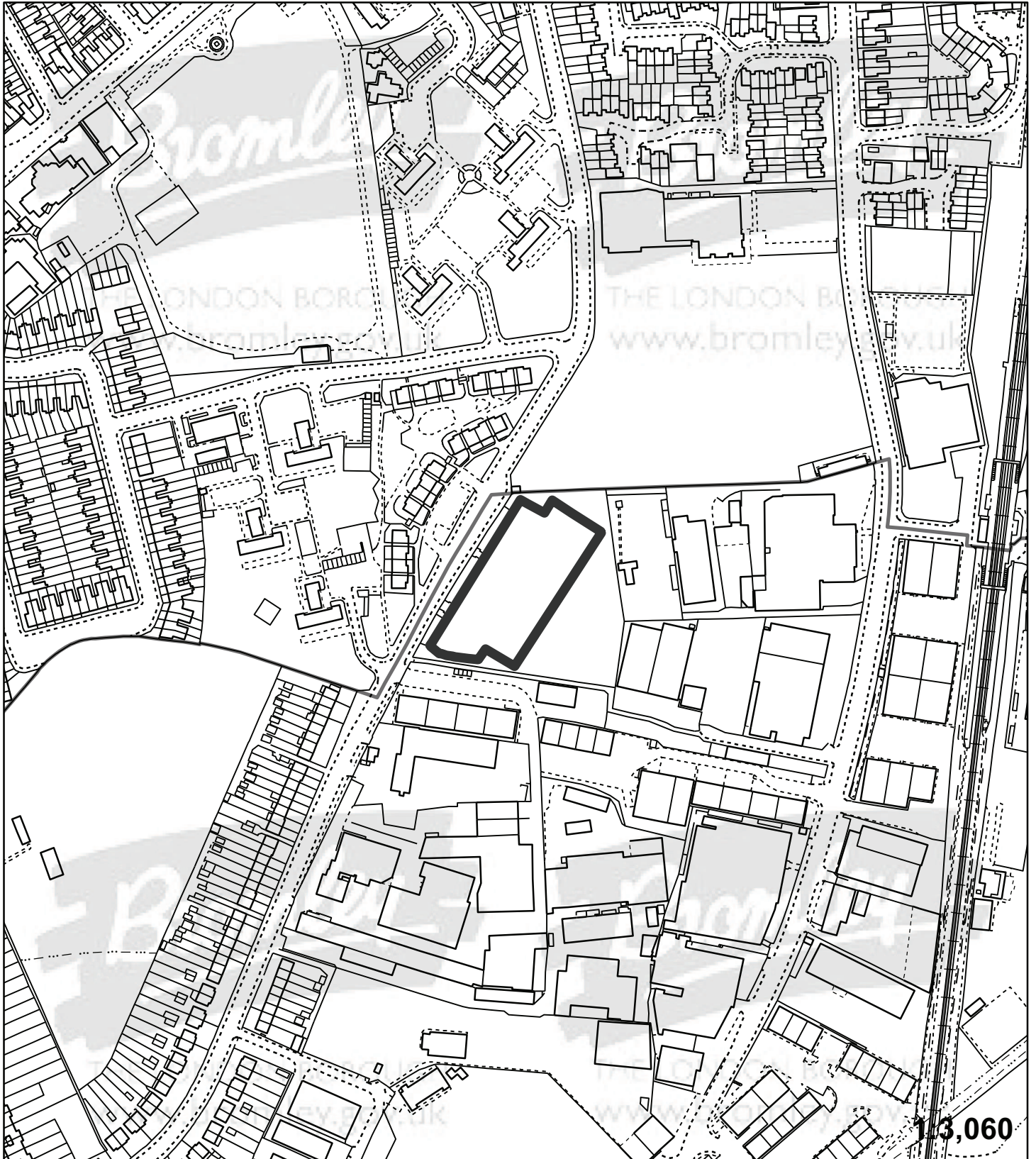
T1 Transport Demand

T2 Assessment of Transport Effects
T3 Parking

Application:12/02318/FULL3

Address: First Floor Units 8 And 9 Abbey Trading Estate Bell Green Lane Sydenham East London SE26 5TW

Proposal: Change of use of part of ground and whole of first floor from business (class B1) to specialised martial arts teaching and gym (class D1) together with elevated alterations.



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

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SECTION '2' – Applications meriting special consideration

Application No : 12/03024/OUT

Ward:
Bromley Town

Address : Billingford Elstree Hill Bromley BR1 4JE

OS Grid Ref: E: 539378 N: 170463

Applicant : Southeast Developers

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of four storey block (including basement) comprising of four 2 bedroom and three 1 bedroom flats and provision of new vehicular access and car parking spaces off Kirkstone Way

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Chain Walk
London City Airport Safeguarding
London City Airport Safeguarding Birds
Tree Preservation Order

Proposal

The application is in outline seeking approval for access, layout and scale. Appearance and landscaping are reserved matters for which subsequent approval will be sought.

It is proposed to demolish the existing single dwelling house and erect in its place a four storey block comprising four 2 bedroom and three 1 bedroom flats and 7 car parking spaces.

The footprint of the proposed block is irregular in shape and commensurate in terms of size with that of the existing dwelling. The minimum distance retained to the northern boundary with Kirkstone Way will remain at 2.2m. To the western rear boundary the building footprint will extend 1m closer than at present to within c. 2m of the boundary with 'the chalet'. The flank to flank distances between the two buildings will be approx. 4.6m. To the eastern front and southern flank elevations the building lines will be approx. retained.

Unlike the existing dwelling the proposed block will have lower ground floor accommodation in the form of one 1 bedroom and 1 two bedroom units and also 1 one bedroom flat within the loft space.

Location

The area is characterised by a variety of predominantly detached dwellings which range from modest bungalows to larger detached houses all of which is located within an attractive natural and unifying suburban woodland setting. Elstree Hill is an unmade road and the site measures 0.09 hectares. The proposal would equate to approx. 22hrha.

The plots in general tend to vary in size and shape and the topography of the land which falls from north to south-west together results in an interesting townscape. 'Billingford' sits in an elevated position in a prominent corner plot at the junction with Kirkstone Way.

To the northern boundary Billingford is bounded by Yew Tree Lodge a two storey dwelling. Kirkstone Way a relatively narrow vehicular access separates the two plots. To the west, The Chalet a modest bungalow falls within 2.5m of the shared boundary. No.27 Elstree Hill a two storey dwelling is located to the south-western boundary of the application site and sits on one of the smaller plots with rear garden depth c.7m.

The neighbouring Coniston Road has an entirely different character and many of the properties on this road are modest terraced houses in much smaller regular shaped plots.

The site itself is of an irregular shape and roughly falls into two parts, the higher section which comprises the main building and surface parking / hardstanding area and the lower section garden section which is accessed via steps.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received including a letter from Ravensbourne Valley Preservation Society (RVPS) which can be summarised as follows:

- RVPS: proposal does not demonstrate a high standard of design with minimal internal spaces
- basement flats are poorly lit and it is anticipated that a lime tree to the south of the proposed block may need to be pruned however, this tree is also required to screen No.27 Elstree Hill, it is quite clear that the basement accommodation is inappropriate
- there is no mention in the application of the use of renewable energy sources or use of recycled water
- windows in the southern flank have been obscure glazed but as they can be opened there is the potential for overlooking,
- the sheer height and mass would be overbearing particularly to No.27 Elstree Hill
- proposal has limited amenity space
- overdevelopment of the site
- concerns regarding the impact on trees

- Kirkstone Way is at present a narrow lane with no footpaths and provides vehicular access for 3 properties the proposal would result in traffic congestion up and down this road and also at the top of Elstree Hill
- proposed development is not in keeping with the other properties in the road in Elstree Hill and Kirkstone Way being made up of private individual houses many of which are older and provide character interest and variety
- proposal represents a massive increase in the volume of accommodation
- the idea of lighting the parking area to “secure by design” standards would result in a gross over provision of light in this area
- proposal due to its elevated position would result in many properties being overlooked
- the visual impact of the proposal is completely out of context and character with the neighbourhood
- proposal would be detrimental to the Green Chain Walk which is well used by many walkers
- proposal will harm the open and rural character of the locality
- a four storey development on this site will increase its dominance and over bearing impact on neighbouring properties
- removal or thinning of vegetation of trees and vegetation will compromise the wooded nature of the street
- there is not any similar flatted development in the vicinity and the proposal would set an undesirable precedent for development on a similar scale in the future

Comments from Consultees

Environmental Health – (Housing)

Several bedrooms are shown as 7 Sq.m only just above the statutory minimum size for a bedroom. Development will need to fully comply with or exceed building regulation standards in respect of means of Escape in case of Fire , Fire separation and sound insulation between units and thermal efficiency.

Adequate natural light and ventilation appears to be provided to all rooms. In respect of means of Escape in case of Fire this would be dealt with under Building Regulation approval however the planned Means of Escape appears to be satisfactory with means of Escape within each flat being separated from individual rooms onto a common protected escape staircase which leads to a place of safety.

Environmental Health (Pollution)

The applicant has not completed the contaminated land section of the application form and should confirm there is no known contamination on the site

By e-mail dated 16th January the applicant’s agent has confirmed the history of the site as residential and as such “No contamination” is expected.

Highways

Elstree Hill is an unadopted road which is located within an area with low PTAL rate of 1b (on a scale of 1-6, where 6 is the most accessible).

Vehicular access is from Kirkstone Way via a new vehicular crossover.

Car parking – Seven car parking spaces are indicated on the submitted plans; this is satisfactory.

Seven cycle spaces are required and shown on amended plans.

The applicant should be advised that the area created outside the existing gates is unacceptable. Not only has it created an obstruction to the highway in terms of alteration to the surface levels, it has also created a level by the entrance between the gates and pier that, should the street be made up to adoptable standards, is unlikely to be acceptable in highway terms. Therefore should the street be made up by the Council in the future any changes to the levels of the drive to meet the future highway level would have to be at the expenses of the owner of Billingford.

Drainage – No objections subject to conditions.

contrary to answer given in the application form there is no public surface water sewer close to the site. Surface water will therefore have to be drained to soakaways.

Please impose Condition D02

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.

Cleansing – No objections raised

Trees

The application is accompanied by a tree survey and arboricultural impact assessment and concur with the findings. The trees at the site are protected by a TPO made in 1967 by the London Borough of Lewisham and they would not be directly affected by the proposal. If permission s to be recommended please impose standard condition B18 and B19 together with a landscaping condition.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density and Design

H9 Side Space
NE7 Development and Trees
T18 Road Safety

SPG1 General Design Principles
SPG2 Residential Design Guidance

Planning History

Under planning ref. 08/00065, retrospective permission was refused for a single storey side and rear extension. The application was refused for the following reason:

The proposal would be over-dominant and would be detrimental to the amenities of the occupiers of No. 27 Elstree Hill and that which they might reasonably expect to be able to continue to enjoy by reason of visual impact, overlooking and loss of privacy in view of its size and depth of rearward projection on this elevated site; contrary to Policies BE1 and H8 of the Unitary Development Plan.

Under ref. 08/00879, planning permission was granted for the retention and modification of the boundary wall/fence and entrance gates and piers, with a time limit of approx. 2 months given for compliance imposed by planning condition. This time limit was not complied with and the permission expired.

Under ref. 08/04155, planning permission was sought for an amended proposal to that approved under ref. 08/00879, with a greater height overall. This was refused for the following reason:

The boundary enclosure, by reason of its excessive height, represents an inappropriate form of enclosure, detrimental to the visual amenity of the streetscene and of the character of the area, thereby contrary to Policies BE1 and BE7 of the Unitary Development Plan.

Under planning ref. 08/00879, modification/ part retention of boundary wall fence and entrance gates was granted permission.

Planning permission was subsequently granted for planning ref. 09/03300 for a scheme similar to that granted permission under ref. 08/00879.

Conclusions

From a technical point of view the proposal would, based, upon the feedback from consultees appear to meet with the required standards. Whilst this gives an important indication as to the acceptability of specific aspects of a scheme, it does not inform the overall picture of whether a proposed development is satisfactory.

The footprint of the proposed block is broadly similar to that of the existing dwelling although crucially it does extend approx. 0.5m closer to the sensitive north-western boundary with The Chalet. The height of this part of the block has been restricted

to single storey in an effort to lessen its impact. The height of the proposed block would extend to approx.9.7m.

Yew Tree Lodge is on a c.0.6m higher ground level and so the properties would appear in the street scene at similar max. heights. The ground levels fall away to the south-west and so the visual impact of the proposed block when view from No. 27 Elstree Hill would be particularly pronounced. No.27 has a shallow rear garden which would accentuate the overbearing nature and impact on the amenity of this property in terms of loss of privacy.

Whilst efforts have been made to reduce the bulk of the proposed block closest to the boundary with The Chalet the overall scale of the building 0.5m closer to the boundary with this property is not considered acceptable.

The vast majority of the upper level of the site will be taken up with the building footprint, car parking and hard surfaces. The garden / amenity space exists at a lower level [accessed via steps] and not homogenously as one. In this context the upper part of the site appears cramped and the number of units proposed and necessary parking etc. is considered to be the primary reason for this. The main access to the site will be via Kirkstone Way and no longer Elstree Hill as a result most car parking will be hidden from the main Elstree Hill Street Scene view behind proposed boundary treatment and landscaping. However, within the site the number of parking spaces and relationship to the main building is particularly close.

The existing dwelling was measured at 8.6m in height, the measurement was taken from a point outside the front door, from the same point the proposed block would be 0.575m higher. The applicants agent has stated that the application is in outline and elevations are for illustrative purposes and that there would be scope reduce the height. However, scale is one of the matters being considered and for which approval is sought, therefore there would be no scope to reduce the height a suggested.

On balance it is considered that the proposal represents an overintensive use of the site that would give rise to development that was overbearing and visually dominant in relation to neighbouring properties.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03024, excluding exempt information.

as amended by documents received on 30.01.2013 31.01.2013 18.04.2013

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

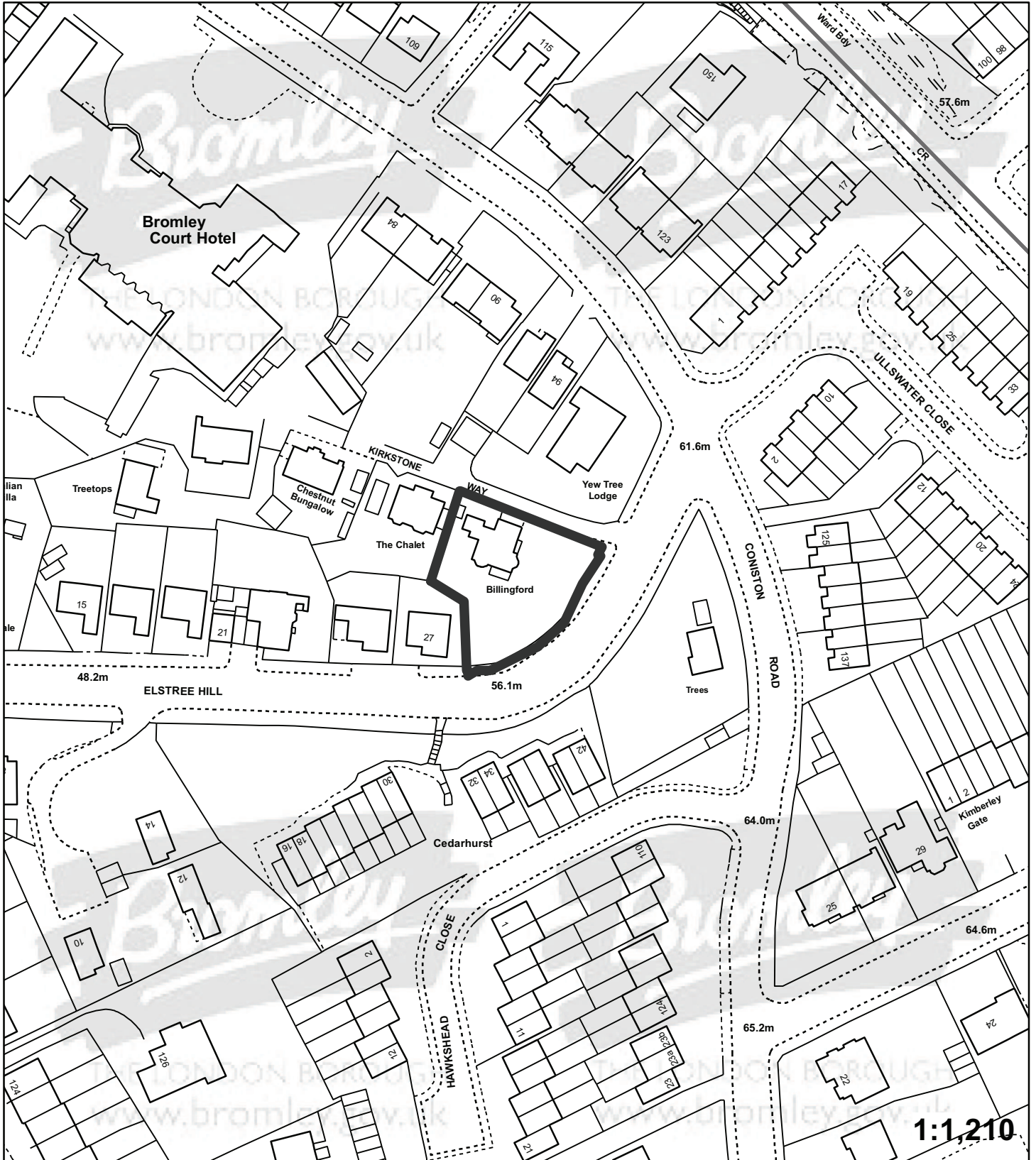
- 1 The proposal would result in an overintensive use of the site resulting in a visually dominant and overbearing form of development out of character with the prevailing form of development in the Elstree Hill thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.

- 2 The proposal would by reason of its height and scale be harmful to the residential amenities that occupants of surrounding residential properties might reasonably expect to continue to enjoy by reason of loss of visual impact thereby contrary To Policies BE1 and H7 of the Unitary Development Plan.

Application:12/03024/OUT

Address: Billingford Elstree Hill Bromley BR1 4JE

Proposal: Demolition of existing dwelling and erection of four storey block (including basement) comprising of four 2 bedroom and three 1 bedroom flats and provision of new vehicular access and car parking spaces off Kirkstone Way



"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 : 12/03655/FULL1

Ward:
Orpington

Address : 316 High Street Orpington BR6 0NG

OS Grid Ref: E: 546113 N: 165990

Applicant : Kenton Homes

Objections : NO

Description of Development:

Part one/two storey rear extension for class B1 office use on ground floor and one bedroom flat on first floor with roof terrace and undercroft parking

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
London Distributor Roads
Secondary Shopping Frontage

Proposal

The site is currently occupied by a ground floor shop (used as an estate agents) with flats above, and it is proposed to extend at the rear to provide a ground floor office unit, with a one bedroom flat and roof terrace above to be used as a live/work area for staff working in the retail unit.

Two car parking spaces would be provided at the rear beneath part of the first floor extension.

The proposals have been revised since originally submitted to increase the depth of the car parking spaces (plans received 14.2.13).

Location

This mid-terrace property is located on the western side of Orpington High Street at the southern end, and backs onto Augustus Lane which links Station Road with Knoll Rise. The Tesco store and multi-storey car park lie on the opposite side of Augustus Lane.

Comments from Local Residents

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

Comments from Consultees

The Council's Highway Engineer considered the revised plans submitted to be acceptable as the two car parking spaces would now be 5m in depth. He also commented that the parking spaces should be allocated to the residential units.

From an Environmental Health point of view, there is a reduced outlook from the bedroom which looks out onto the rear elevation of the main building, and does not provide a reasonable view of the surroundings.

There are no objections raised regarding drainage issues, whilst Thames Water and the Environment Agency have raised no concerns regarding the proposals.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density & Design
T3 Parking
EMP2 Office Development

This application was called in to committee by a Ward Councillor who supports the proposals.

Conclusions

The main issues in this case are whether the proposals comprise an overintensive use of the site, and the impact on the character and appearance of the surrounding area and on the amenities of the occupants of surrounding residential properties and future occupiers of the proposed residential unit.

A number of these shop premises have single storey rear additions of various depths, with the exception of No.306/308 which is a two storey building, and the provision of a part one/two storey rear extension over the whole of the rear service yard would appear visually prominent in the street scene and out of character with the surrounding area.

Furthermore, the use of the extension as an office on the ground floor and a residential flat above would result in an overintensive use of the site, detrimental to the character of the surrounding area.

The proposed layout of the first floor flat is considered to be substandard as the outlook from the bedroom would be of the rear elevation of the main building less than 10m away, and would not provide a reasonable view of the surroundings for future occupiers of the flat.

In conclusion, it is considered that the proposals would result in an overintensive use of the site, would be detrimental to the visual amenities of the area, and would provide a substandard level of residential accommodation for future occupiers.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/03655, excluding exempt information.

as amended by documents received on 14.02.2013

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed development, by reason of its size, height and bulk, would appear visually prominent in the street scene and out of character with the surrounding area, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan.
- 2 The proposals would result in an overintensive use of the site, detrimental to the character of the surrounding area, and contrary to Policy BE1 of the Unitary Development Plan.
- 3 The proposed layout of the first floor flat would result in substandard accommodation which would be harmful to the amenities of future occupants by reason of limited outlook from the bedroom, contrary to Policies H7 and BE1 of the Unitary Development Plan.

INFORMATIVE(S)

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

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

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

Application:12/03655/FULL1

Address: 316 High Street Orpington BR6 0NG

Proposal: Part one/two storey rear extension for class B1 office use on ground floor and one bedroom flat on first floor with roof terrace and undercroft parking



"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 : 13/00251/FULL1

Ward:
Bickley

Address : 11 Chislehurst Road Bromley BR1 2NN

OS Grid Ref: E: 541889 N: 169304

Applicant : P J Construction

Objections : YES

Description of Development:

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

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
Open Space Deficiency

Proposal

This proposal seeks to amend planning permission ref. 11/01719. That permission was granted on appeal in January 2012, subject to conditions that included Condition 2 showing a 'street-scene'. That permission did not restrict permitted development rights except for flank wall windows.

- The application is for an infill development sited adjacent to 'Old Timbers' which is a Listed Building, 11 Chislehurst Road.
- The proposed dwelling is sited so as to continue the building line on Chislehurst Road, with the dwelling set back 5m from the highway on an L-shaped plot.
- On the basis of the scaled drawings, the dwelling has a width of 12.6m and a height of 8.8m. The depth of the dwelling will be 11.8m and will incorporate a single storey rear section to the house and a gable roof feature to the front.
- The submitted elevational street scene drawing indicates the dwelling to be 1m taller than 'Old Timbers'. The eaves height of the house will be 5.0m.
- The dwelling is served by a new garage at the rear of the site served from Shawfield Park. The amended garage has a height of 4.1m and a length of 7m. The width is 6m and the garage will house two vehicles with space for

two more at the front. The garage has been reduced in height from 5.3m previously allowed on appeal.

- The existing access onto Shawfield Park has been widened and retained.
- At the time of writing the report, the development had been substantially constructed and nears completion.
- This application seeks to alter the previously permitted (2012) two storey five bedroom detached house to include accommodation in the roof space and includes high level rooflights to the rear elevation, the relevant permitted development rights were not withdrawn in 2012.
- The applicant has provided information supporting the application which states that the approved 11/01719 elevational drawings contained minor discrepancies and that the dwelling has been constructed in accordance with the elevational drawings as closely as is practicable.
- The applicant has varied the current proposal in response to concerns from an adjoining property in Shawfield Park. The pitch of the detached garage roof has been altered so as to make it less obtrusive. Also the location of some roof windows has been changed to minimise overlooking.

Location

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

Comments from Local Residents

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

- excessive height with respect to neighbouring listed building
- impact on the character of the street scene
- withdrawal of earlier objections from Shawfield Park on garage height and roof windows.

Comments from Consultees

No technical highways objections are raised in light of the Inspector's previous decision.

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

Technical drainage comments have been received stating that the previous drainage comments should be applied to the application.

No Thames Water objections are raised, subject to informatives.

No Environmental Health objections are raised subject to informatives.

Legal Services have obtained independent Legal advice and this is summarised as follows:

The Council has sought legal advice which concludes that the applicant has an existing valid planning permission (2012), but that Condition 2 is invalid and is not enforceable. Therefore the Council may find it difficult to enforce against the building as constructed, should permission be refused.

Planning Considerations

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

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

From a heritage aspect, concerns were previously raised in regard to the relationship between the new dwelling and the adjacent listed building.

The existing planning permission should however be taken into account.

Planning History

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

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

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

'The subdivision of the present curtilage of Old Timbers would result in two plots somewhat smaller than many in the area but not unprecedentedly so. They would bear comparison with No. 34 Shawfield Park or with number 9 Chislehurst Road, a far more substantial building than either Old Timbers or the house proposed in this appeal.

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

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

The appeal permission was subject to conditions, and Condition 2 required the development to be carried out in accordance with the approved plans, including a street scene drawing, which indicated the ridge height of the new dwelling to be similar to that of the listed building.

A planning application was submitted under ref. 12/03092 for a two storey five bedroom detached house with accommodation in roof space and detached double garage at rear with access from Shawfield Park (Amendment to permission ref. 11/01719). This application was subsequently withdrawn by the applicant.

The current application differs from the appeal permission 2012 in the following main respects:

- It shows accommodation in the roofspace, the Permitted Development rights for such an amendment were not however withdrawn under the 2012 appeal permission, the roof windows have now been located to minimise overlooking;
- It shows a modest rear extension, the Permitted Development rights for such an amendment were not however withdrawn under the 2012 appeal permission;
- The height of the approved detached garage has been reduced so as to reduce its impact on the adjoining property in Shawfield Park;
- The height of the new house is shown as 8.8 metres, this is consistent with the side elevations of the 2012 appeal permission, but the front and rear elevations of the 2012 appeal permissions were 8.5 metres;
- The current proposal is not consistent with the 'street-scene' drawing of the 2012 appeal permission mainly due to an inaccurate height of adjoining structures, we have taken legal advice on this matter which in summary is that the relevant Condition 2 of that 2012 permission is invalid.

Analysis of variations of the height difference of the New Building and Listed Building between the 2012 permission and 2013 application.

	Appeal Permission 2012	Current Application (ref. 13/00251)
Height of New House	8.8/8.5 metres	8.8 metres
Height of Listed Building Old Timbers	9.1 metres	8.2 metres
Difference of height New House and Old Timbers	+ 0.3/0.6 metres	- 0.6 metres
Variation between the 2012 permission and 2013 application	0.7 to 1.0 metres	

Source: application drawings and written submission by applicants.

Conclusions

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

The principle and much of the detail of the development has been established under the appeal permission ref. 11/01719.

This report will therefore focus here on the amendments. The amendments include accommodation in the roof space. The Inspector did not remove these Permitted Development rights when allowing the appeal and such accommodation could be added without permission upon the completion of the development.

The proposed roof lights in the rear elevation are all sited at a high level on the proposed elevation drawings, although previously some were shown at a lower level. When standing within the roof, it is not easy to see neighbouring gardens from the roof rooms which possess high level windows and therefore the proposed high level roof lights would not result in significant overlooking to neighbouring property including No. 53 Shawfield Park.

The applicant has also provided slab levels for the dwelling which indicate the floor levels of the dwelling are not elevated from the ground, with sections of the floor area actually excavated into the ground at some parts of the building. These may be made the subject of a condition

The alterations also include a single storey rear extension. As with the accommodation in the roof space the Inspector did not remove permitted development rights when allowing the appeal and therefore a limited extension could be added without permission upon completion of the development. It is

considered that a single storey extension to the permitted building would not impact on the character of the area or overdevelop the site, given the Inspector's view. The extension will be well separated from No. 11 by 5m and will only project beyond the neighbouring rear wall by 4m. This relationship is considered to be acceptable and not oppressive and harmful to the amenities of No. 11, as the rear gardens face north.

The proposed detached garage has a lower roof than the garage that was previously permitted. From a highway safety point of view, it is considered that the proposed replacement garage and parking area with access from Shawfield Park would not be detrimental to highway safety, with adequate car parking provision and manoeuvring space. The Inspector imposed a condition to prevent parking on Chislehurst Road and this can be repeated. The proposed reduction in the roof height of the garage will improve the relationship with No. 53, although this relationship was deemed acceptable previously.

The Inspector considered the effect of the previous proposal on the Listed Building's setting. He concluded that there was sufficient space to the side of Old Timbers for the brick string course on its flank to be appreciated. This space has not been affected by the current proposed amendments.

A further planning issue is the Street scene. We are aware from the above planning history that the main reason for the difference in the 'actual' street scene and that shown in the appeal permission Condition 2 drawing is the given height of Old Timbers. We have taken independent legal advice and to reiterate the summary from above.

The Council has sought legal advice which concludes that the applicant has an existing valid planning permission (2012), but that Condition 2 is invalid and is not enforceable. Therefore the Council may find it difficult to enforce against the building as constructed, should permission be refused.

Drawing the above planning issues together, the existing planning permission, other than the invalid Condition 2 in relation to the Street scene, should be given significant weight. The above amendments to that planning permission do not cause harm in planning terms. Furthermore, there is the opportunity to clarify that further development under Permitted Developments rights will be restricted and to ensure that the positioning of the roof windows and the reduced height of the garage are subject to conditions.

It is therefore recommended that planning permission be granted subject to the conditions set out below.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01719, 12/03092 and 13/00251, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

1 Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, particularly to the western side of the site, shall be submitted to and approved in writing by the Local Planning Authority before the occupation of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings. 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 and to secure a visually satisfactory setting for the development.

2 Details of the proposed height of the garage shall be submitted and approved in writing by the Local Planning Authority and the garage shall be retained permanently as such thereafter and shall not be enlarged to the size of that permitted under ref. 11/01719.

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

3 Details of the proposed slab levels and roof heights of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before the dwelling hereby permitted is first occupied and the development shall be retained strictly in accordance with the approved levels.

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

4 The development hereby permitted shall be permanently retained in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

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.

5 The new dwelling shall not be occupied until space has been laid out within the site in accordance with drawing No 79769/1C for cars to be parked. The space so provided shall subsequently be kept available for its intended purpose.

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

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule 2 of the 1995 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

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

7 Before the development hereby permitted is first occupied, the proposed bathroom window(s) 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.

8 Only one of the planning applications granted under refs. 11/01719 and 13/00251 shall be implemented at the site and the development undertaken shall remain in complete accordance with only one of the developments granted.

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

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
- BE8 Statutory Listed Buildings
- H7 Housing Density and Design
- T3 Parking
- T18 Road Safety

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 setting of the adjacent Statutory Listed Building
- (e) the transport policies of the UDP

and having regard to all other matters raised.

INFORMATIVE(S)

1 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.

- 2 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk
- 3 Thames Water recommends the following informative be attached to this planning permission. 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 Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 4 If during works on site suspected contamination is encountered, Public Protection should be contacted immediately. The additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.
- 5 Before the use commences, the applicant is advised to contact the Pollution Team of Public Protection regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.
- 6 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

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

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

Application:13/00251/FULL1

Address: 11 Chislehurst Road Bromley BR1 2NN

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



"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 : 13/00333/FULL1

Ward:
Bickley

Address : Genden Bickley Park Road Bickley
Bromley BR1 2AT

OS Grid Ref: E: 542605 N: 168912

Applicant : Mr N Watson

Objections : YES

Description of Development:

Detached part one/two storey 3 bedroom dwelling with vehicular access, 2 car parking spaces and front boundary wall and gates on land to the rear of Genden and fronting St Georges Road.

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads
Open Space Deficiency

Proposal

It is proposed to subdivide the southern part of the rear garden of Genden, adjacent to Moir House, and construct a detached part one/two storey 3 bedroom dwelling (in the form of a chalet bungalow) which would front onto St Georges Road. The site area would measure 0.04ha, and would have a 13.2m wide frontage to St Georges Road with a new vehicular access proposed.

The density of the development would equate to 25 units/ha.

Location

Genden is a large two storey dwelling situated on the corner of Bickley Park Road and St Georges Road, which lies within Bickley Area of Special Residential Character.

Comments from Local Residents

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

- loss of garden land/unacceptable form of backland development
- a number of trees on the site have already been removed
- detrimental impact on the character and appearance of Bickley ASRC
- overlarge dwelling which would be visually dominating
- noise, disturbance, overlooking and lack of privacy
- detrimental impact on wildlife
- new access could cause road safety issues.

Further comments have been received from nearby neighbours as follows:

- no objections in principle, subject to the retention of trees along St Georges Road
- the verge and pedestrian footpath should not be unduly affected
- any damage made to the road by construction vehicles should be made good.

Comments from Consultees

The Council's Highway Engineer raises no objections in principle, subject to the gates being reduced in height to 1m or set back 5m from the highway boundary.

No objections are raised from a drainage, waste or environmental health point of view and Thames Water have no concerns.

With regard to the trees on the site, two significant horse chestnut trees are located at the front and are shown to be retained. The proposed dwelling would encroach very slightly into the Root Protection Area of one of the trees, but it is only a minor incursion, and would not warrant a refusal on these grounds.

Planning Considerations

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

- BE1 Design of New Development
- H7 Housing Density & Design
- H10 Areas of Special Residential Character
- T3 Parking
- NE7 Development and Trees

Planning History

There is no relevant history relating to the application site, but permission was granted in 1977 (ref.77/00760) for a detached two bedroom bungalow on the site immediately opposite which was previously part of the rear garden of Park House, and is now known as Valentine.

Conclusions

The main issues in this case are the effect of the proposals on the character and spatial standards of Bickley Area of Special Residential Character, and on the amenities of the occupants of surrounding residential properties.

The size of the proposed house plot is almost identical to the plot size of Valentine opposite, a detached two bedroom bungalow for which permission was granted in 1977 under ref. 77/00760, and which has since been extended. However, this dwelling was built prior to the adoption of the Bickley Area of Special Residential Character, within which new developments that are likely to erode the individual quality and character of the ASRC are generally resisted.

The character of Bickley ASRC is essentially that of spacious inter-war residential development, with large houses in substantial plots adjacent to the Conservation Areas of Chislehurst and Bickley, although it is acknowledged that some later development has taken place.

The proposed house has been designed to stagger between the front elevation of Moir House to the south and the side wall of Genden to the north, however, it would project 3.8m forward of Moir House on its southern side, which will appear prominent in the street scene.

Although the plot size is similar to Valentine, this is not characteristic of this part of Bickley ASRC, and the proposed dwelling would have only 1m separations to the side boundaries while the rear garden would measure only 10m deep which is not characteristic of the area. The proposed dwelling would be of a similar height to the adjacent chalet bungalow at Moir House, however, it is considered that the proposals for the development of this plot of restricted dimensions would have a harmful impact on the character of this part of Bickley Area of Special Residential Character.

With regard to the impact on neighbouring properties, the projection of the southern part of the proposed dwelling 3.8m forward of Moir House is not considered to unduly affect the outlook from and light to the neighbouring property given its chalet-style design and position to the north of Moir House. No flank windows are proposed in the southern elevation, and thus no overlooking of Moir House would occur.

Genden to the north would retain a 15m deep rear garden and is set at a slightly higher level, therefore the proposals would not unduly affect light or outlook from this property. Only ground floor flank windows are proposed in the northern elevation, which would be obscure glazed, thereby protecting privacy.

Although the proposals would not result in a significant loss of amenity to local residents, the development is considered to have a harmful impact on the character and spatial standards of this part of Bickley Area of Special Residential Character .

Background papers referred to during production of this report comprise all correspondence on files refs. 77/00760 and 13/00333, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposal constitutes a cramped overdevelopment of this subdivided site of restricted dimensions, which would have a harmful impact on the character and spatial standards of this part of Bickley Area of Special Residential Character, thereby contrary to Policies BE1, H7 and H10 of the Unitary Development Plan.

INFORMATIVE(S)

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

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

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

Application:13/00333/FULL1

Address: Genden Bickley Park Road Bickley Bromley BR1 2AT

Proposal: Detached part one/two storey 3 bedroom dwelling with vehicular access, 2 car parking spaces and front boundary wall and gates on land to the rear of Genden and fronting St Georges Road.



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

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SECTION '2' – Applications meriting special consideration

Application No : 13/00477/VAR

Ward:
Darwin

Address : Cudham Frith Cudham Lane South
Cudham Sevenoaks TN14 7NZ

OS Grid Ref: E: 545370 N: 158056

Applicant : Mr Alan Robson

Objections : NO

Description of Development:

Variation of condition 3 of application reference 05/03927 (demolition of existing outbuilding and erection of detached garage) for all the building to be used as ancillary accommodation to the main dwelling.

Key designations:

Area of Outstanding Natural Beauty
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area Multiple (Spatial)
Green Belt
London City Airport Safeguarding Multiple (Spatial)
Local Distributor Roads
Sites of Interest for Nat. Conservation

Proposal

Permission is sought for the variation of condition 3 of application ref. 05/03927, which granted permission for the demolition of existing outbuilding and erection of detached garage, to all for the building to be used as ancillary accommodation to the main dwelling.

Location

The application site is located to the western edge of Cudham Lane South and features a large two storey detached dwelling. The site is within the Green Belt.

The building is set to the rear of the main dwelling, Cudham Frith, and features a garage, bathroom, living/dining area and fully equipped kitchen on the ground floor, with two bedrooms and a bathroom on the first floor. There is access to the building through the garage, but the main external door leads onto a small paved patio area, bounded by a low box hedge but with direct access onto the lawn.

Comments from Local Residents

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

Comments from Consultees

No technical consultations were undertaken.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
G1 The Green Belt
T3 Parking

The National Planning Policy Framework (NPPF)

Planning History

The “demolition of existing outbuilding and erection of detached garage” was granted planning permission under application ref. 05/03927, where condition 3 requires the garage to be used solely for the accommodation of private motor vehicles and for purposes incidental to the dwelling and shall not be converted to living accommodation.

Enforcement action was instigated (ref. 10/00775/OPDEV) on 14th December 2010 for the use of the outbuilding as a residential dwelling in breach of condition 3 of application reference 05/03927. A Breach of Condition Notice was served on 17th June 2011 and a Certificate of Lawfulness was invited.

Application ref. 11/02295/ELUD sought a determination that the outbuilding in residential use was lawful. It was refused on the grounds that:

“The residential use has not subsisted, on the balance of probabilities, for more than ten years continuously and as such is not considered to be lawful development.”

This determination was subsequently appealed with the Inspector dismissing the appeal.

Conclusions

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

The 2011 Certificate of Lawfulness was refused on the basis that no actual change of use had occurred and the existing residential use of the outbuilding is subject the 10 year rule under section 171B(3) in accordance with Secretary of State for Communities & Local Government and another v Welwyn Hatfield Borough Council (2011) UKSC 15. However, given further evidence at submitted at appeal, namely that that the building was used for a short time for storage purposes prior to the change of use occurring together with physical alterations, this was not pursued. Rather it was the Council's alternative position that the building has not been in use as a single dwellinghouse (and therefore subject to the 4 year rule), but as accommodation ancillary to the enjoyment of the main dwelling at Cudham Frith (therefore subject to the 10 year rule).

It is important to note the findings of the Inspector in the recent appeal relating to the outbuilding, its use and function. The Council's position that the outbuilding was not a single dwellinghouse was upheld by the Inspector, who comments that such a use would require effective physical and functional separation and that given the size of the rear garden, the building is not particularly distant from the main dwelling and is within a cluster with the double garage, the level of privacy afforded and the occupant being the daughter of the applicant the building is in use as living accommodation ancillary to the main dwelling and its location is within the residential curtilage of the main residence.

In this regard the Inspector concluded:

“Overall, I consider, as a matter of fact and degree, that the use of the appeal building to provide residential accommodation for a family member, even on the reasonably independent basis claimed, is use for a purpose incidental to the enjoyment of the dwellinghouse at Cudham Frith. It is not necessary to invoke the concept of the planning unit, but in effect the appeal building is part of the same planning unit as Cudham Frith, which is occupied by the Robson family for domestic residential purposes. I conclude that the use of the appeal building by Ms Robson does not involve development as described in s55(1) of the 1990 Act. For this reason I consider that the granting of an LDC for its use as a separate single dwelling house is not warranted.”

It has therefore been established by the Inspector that the outbuilding is in use as an ancillary form of accommodation to Cudham Frith, but has not been for 10 years or more. In this regard the residential use of the building is contrary to Condition 3 of ref. 05/03927 which restricts the building to being used as a garage and prohibiting any residential function.

The building itself has been agreed and as such the harm to the openness and character of the Green Belt has been accepted in principle. Consideration must therefore be given to the impact the residential use that has subsisted since 2006 has upon the openness and character of the green Belt and its acceptability as further residential development within the curtilage of the main dwelling in regard to parking provision and the residential amenity of neighbouring residents.

The reason given for condition 3 reads:

“The storage of other vehicles (e.g. vans, lorries etc) or use for other purposes would conflict with Policy T.15 of the adopted Unitary Development Plan and Policy T3 of the second deposit draft Unitary Development Plan (Sept 2002), would be detrimental to the amenities of the neighbourhood, and conversion of the garage to living accommodation would deprive the property of adequate parking facilities.”

The property benefits from a large driveway to the front and side of the main property with good levels of parking provision and since this 2005 permission a separate detached garage has been erected close to the application building. It is also noted that the outbuilding retains a single garage. Given the level of parking provision present to the site it is considered that the loss part of the approved garage to residential accommodation has not led to an unacceptable loss of adequate parking. Further, the application site is relatively isolated in relation to neighbouring properties with the application building being well screened to the boundaries. Taking into consideration the length of time the residential use has been in place at the building, it is considered that the residential function ancillary to the main dwelling is acceptable in terms of the impact upon the amenities of the surrounding area.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/02295 and 13/00477, excluding exempt information.

RECOMMENDATION: APPROVAL

subject to the following conditions:

- 1 ACK01 Compliance with submitted plan
 ACC01R Reason C01
- 2 The single storey detached outbuilding shall only be used as residential accommodation incidental to the residential use of the main dwelling ‘Cudham Frith’ and shall not be severed either physically or functionally to form a separate self-contained unit and shall be permanently retained within the residential curtilage of Cudham Frith.

Reason: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and to ensure that the residential use permitted is not used separately and unassociated with the main dwelling and so to prevent an unsatisfactory sub-division into two dwellings.

- 3 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

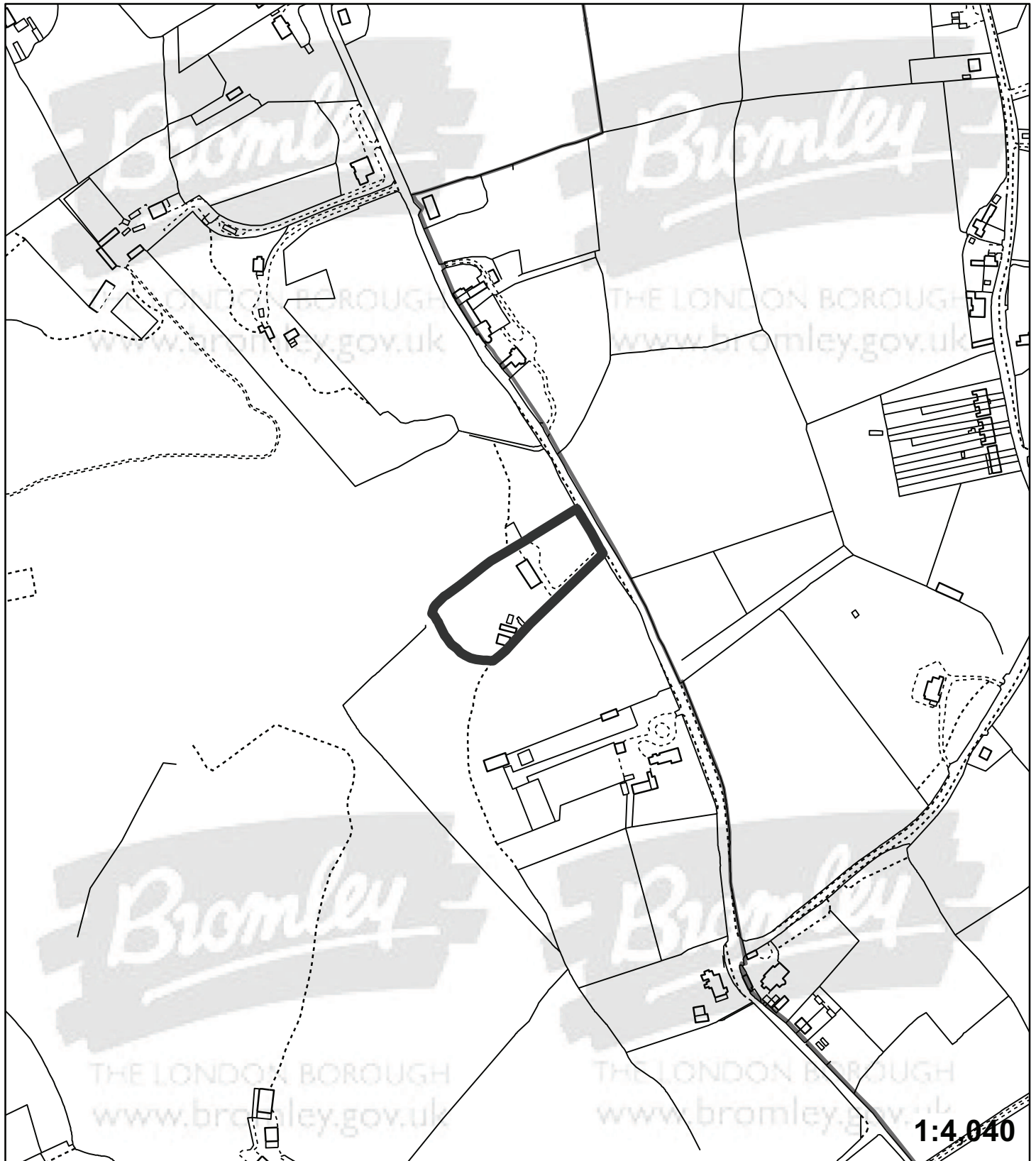
- BE1 Design of New Development
- H8 Residential Extensions
- G1 The Green Belt
- T3 Parking

The National Planning Policy Framework (NPPF)

Application:13/00477/VAR

Address: Cudham Frith Cudham Lane South Cudham Sevenoaks TN14 7NZ

Proposal: Variation of condition 3 of application reference 05/03927 (demolition of existing outbuilding and erection of detached garage) for all the building to be used as ancillary accommodation to the main dwelling.



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

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SECTION '2' – Applications meriting special consideration

Application No : 13/00691/FULL1

Ward:
Farnborough And Crofton

Address : Land Opposite 1 To 4 Tye Lane
Orpington

OS Grid Ref: E: 544263 N: 164212

Applicant : Mr & Mrs Welch

Objections : YES

Description of Development:

Change of use of land from equestrian centre to residential and erection of 2 pairs of two storey two bedroom houses with associated car parking.

Key designations:

Conservation Area: Farnborough Village
Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Open Space Deficiency
Sites of Interest for Nat. Conservation

Proposal

- The proposal comprises the removal of the two stable structures on the site and the erection of two pairs of semi-detached dwellings (4 houses), with car parking to the northeast of the site. A single access will be used onto Tye Lane.
- The site has a current use as a private equestrian centre however it is at present overgrown and not used as such.
- The proposed dwellings will have a total height of 8.1m and the terrace will have a width of 11.1m each and a depth of 10.8m each. The roof will be hipped and the rear gardens will be sited to the southwest of the site, with the ends of the gardens sited within the Green Belt. The rear gardens will be between 10m and 12.6m in depth.

Location

This site is located to the western side of Tye Lane and currently comprises a private stable and yard. The site lies outside the boundary of Farnborough Village Conservation Area and the southern section of the site falls within the Green Belt.

The development on Tye Lane comprises residential cottages, behind the larger commercial development on Farnborough High Street.

Comments from Local Residents

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

- inappropriate development in the Green Belt
- overdevelopment of the site
- loss of privacy/overlooking
- parking and congestion issues
- highway safety issues
- noise and disturbance
- modification of Tye Lane would be required
- Tye Lane is inappropriate for further traffic
- light pollution from headlights
- letters of support provided there is ample parking. The proposal would enhance and improve the area

Comments from Consultees

Previous comments from Waste Services stated that waste is to be left at edge of curb at junction with Tye Lane for collection.

Building Control has stated that the access road will not be suitable for refuse and emergency vehicles.

Thames Water raises no objection with regard to sewerage or water infrastructure subject to informatives.

Technical highways comments have been received stating that Tye Lane is an ancient highway and also the first section from Church Road, going past the site, is a byway (BY222). It is a narrow lane with poor sightlines and pedestrian visibility coming out onto Church Road and so is not suitable for intensification of vehicular use. The site is within a low (1b) PTAL area. The submitted statement indicates that there will be no material change in traffic using the lane and these figures are not disputed. If permission is granted there would be the issue of construction traffic. Tye Lane is not suitable for large vehicles and there is a lack of parking / manoeuvring space in Church Road. It would therefore also be helpful to have an idea of how the demolition / construction vehicles would access the site. Without this information, the construction phase of the scheme would be a concern.

No technical drainage objections are raised subject to conditions.

No Environmental Health objections are raised subject to informatives.

The Crime Prevention Officer had previously suggested a 'secure by design' condition.

Comments from the Fire Brigade concerning emergency vehicle access will be reported verbally at the meeting.

Planning Considerations

Policies relevant to the consideration of this application are BE1 (Design of New Development), BE11 (Conservation Areas), H7 (Housing Density And Design), T3 (Parking), T17 (Servicing Of Premises), T18 (Road Safety), G1 (Green Belt) and G6 (Land Adjoining Green Belt Or Metropolitan Open Land).

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework, which is a material consideration.

London Plan Policy 3.4 Optimising Housing Potential
London Plan Policy 3.5 Quality and Design of Housing Developments

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

Planning History

Planning permission was granted under ref. 88/01571 for the retention of the existing stable building and erection of detached garage block.

A planning application was withdrawn under ref. 12/02608 for a change of use of land from Equestrian Centre to residential and erection of 4 terraced two storey houses with associated car parking.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, and the impact that it would have on the amenities of the occupants of surrounding residential properties, the impact on highway safety and the impact on the openness and character of the Green Belt. The impact on the nearby Farnborough Village Conservation Area is also a consideration.

The proposed dwellings would constitute a bulky and large development of 4 semi-detached houses. The design and amount of houses would not complement or respect the character of the area and the form of development around it, particularly the detached cottages on the opposite side of Tye Lane. The area is developed to a high spatial standard and it is considered that the proposal would be excessive in its scale and bulk, and would be harmful to this established character, particularly in light of the low level of development that currently exists on the site. It is noted that the dwellings have been reduced in height from 8.6m to 8.1m, however the bulk and scale would be similar to the previously withdrawn scheme, with a similar length and width of built development proposed. The nearest proposed dwelling to No. 3 Tye Lane will also be sited slightly closer than the previous proposal and this would contribute to the consideration that the proposal would be harmful to the local character and setting in light of the low bulk of development on the site at present.

A second issue is the impact on the Green Belt. The land is previously developed. The lawful use is as a private equestrian centre however at present it is not used as such and is overgrown. However the proposal is considered to be a more intensive use of the Green Belt and the bulk of the buildings would be greater and sited near to the Green Belt section of the site, and this will impact on its openness and character. The proposal includes gardens within the Green Belt and although this will open this part of the site, the associated use, fencing and paraphernalia would be considered inappropriate by definition under Policy G1 of the UDP. The large and bulky development sited adjacent to the Green Belt and in close proximity would harm the buffer that currently exists and this would impact on the setting of the adjacent Green Belt land.

NPPF Para 89 states that limited infilling or complete redevelopment of previously developed sites may be appropriate provided that it does not have a greater impact on the Green Belt. Much hardstanding already exists, however the 4 houses and associated gardens and parking are considered to result in a greater harm to the Green Belt by reason of the increase in bulk and increase in intensity of the use of the land, which would provide greater noise/disturbance and comings and goings to the site including vehicular traffic. The four houses would generate greater movements to and from the site than the present use and are likely to house families which would constitute a significant intensification in the use of the land.

Although a structure will be removed from the Green Belt section of the site which will improve openness, the current use is predominantly an outdoor recreational use, which is more suitable for this rural area. The redevelopment in the manner proposed would add significant bulk and intensity to the use to the site as a whole, which impacts on this land and the buffer surrounding it, contrary to Policies G1, G6 and the NPPF.

Table 3.2 of Policy 3.4 of the London Plan gives an indicative level of density for housing developments. In this instance the proposal represents a density of 36 dwellings per hectare with the table giving a suggested level of 40-80 dwellings per hectare in urban areas.

Table 3.3 of Policy 3.5 of the London Plan states that new dwellings of this type should have 83 square metres of GIA. In this case, the houses provide this minimum standard.

In respect to the nearby conservation area, it is noted that the development has an atypical form in its local context, however it is considered that this would not be significantly harmful to the character and setting of the Farnborough Village Conservation Area.

The proposed dwellings will be sited 9m from properties opposite on Tye Lane and will be separated from all other dwellings by a significant amount. The houses will be orientated with habitable windows facing north and south and this is considered to result in no serious overlooking or loss of light/outlook to surrounding properties, including 1-4 Tye Lane and Green Field View. Properties on the High Street will be sited 40m away and the buildings to the north at Plumbridge Cottages over 20m away due to the siting of the proposed car park at the north of the site. These

relationships are considered to be acceptable to avoid undue overlooking and loss of outlook.

Technical highways objections are raised in respect to the use of Tye Lane during construction phase. It is also considered that the access for fire appliances and refuse vehicles would be unsuitable. It is therefore considered that the site could not be adequately serviced.

Having had regard to the above it was considered that the proposal is unacceptable in that it would result in a detrimental impact on the character of the area, the openness and character of the Green Belt and would also have the potential to impact on highway safety in the absence of sufficient information to the contrary. It is therefore recommended that Members refuse planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/02608 and 13/00691, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposal, by reason of its design and excessive bulk and scale, would result in a harmful impact on the character of the area and would be detrimental to the visual amenities and spatial standards of the area, contrary to Policies BE1 and H7 of the Unitary Development Plan.
- 2 The proposal, involving the intensification of use of the land, additional vehicular movements and an increase in scale and bulk, would comprise an inappropriate development that would harm the openness and rural character of the Green Belt and land adjoining it, contrary to Policies G1 and G6 of the Unitary Development Plan.
- 3 In the absence of information to the contrary the proposal will lead to an intensification of the vehicular use of Tye Lane, during the construction phase, which is not suitable for use by large vehicles and its junction with Church Road has sub-standard sightlines and pedestrian visibility, therefore this will be detrimental to highway safety and contrary to Policy T18 of the Unitary Development Plan.

INFORMATIVE(S)

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

land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010).

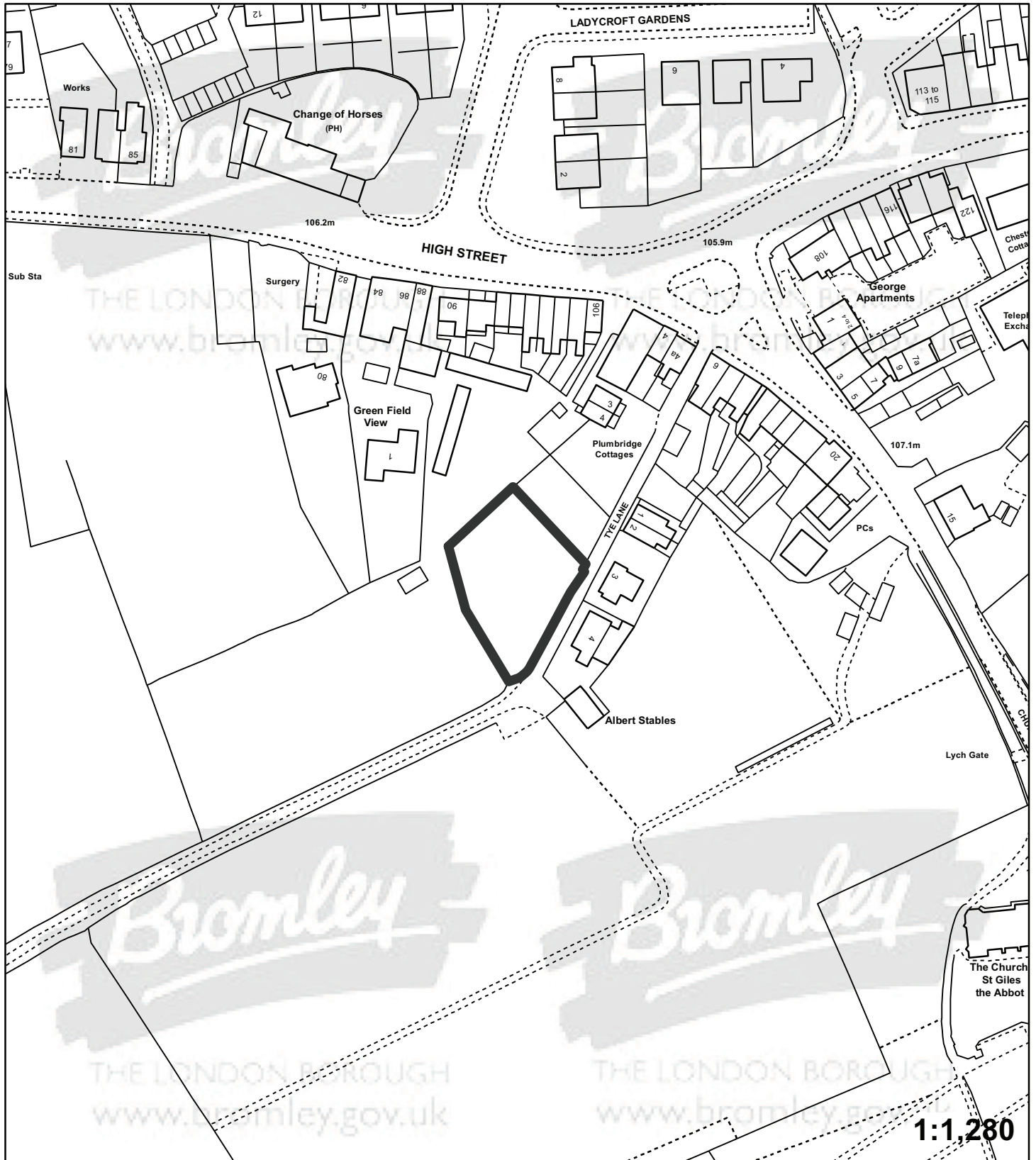
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:13/00691/FULL1

Address: Land Opposite 1 To 4 Tye Lane Orpington

Proposal: Change of use of land from equestrian centre to residential and erection of 2 pairs of two storey two bedroom houses with associated car parking.



"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 : 13/00763/FULL1

Ward:
Farnborough And Crofton

Address : 45 Grasmere Gardens Orpington BR6
8HE

OS Grid Ref: E: 543826 N: 165337

Applicant : David Robins

Objections : YES

Description of Development:

Demolition of existing dwelling and the erection of 2 detached two storey four bedroom dwellings with integral garages and associated car parking

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
London City Airport Safeguarding
River Centre Line

Proposal

- The proposal seeks to demolish the existing bungalow on the site and replace it with two detached four bedroom dwellings.
- The site will be subdivided to form two residential properties, with a 2m fence dividing the site into two.
- Each house will have a pitched and fully hipped roof that will have a height of 7.6m. The dwellings will have a length of 13.5m and a width of 7.7m.
- To the rear of the house, a single storey section will be provided that will have a flat roof with a height of 2.7m (excluding the roof lanterns proposed).
- The dwellings will not exceed the height of the two storey development on Grasmere Gardens.
- The dwellings will be sited 13m back from the highway and will project beyond the rear walls of Nos. 44 and 46.
- The two dwellings will share the existing access onto Grasmere Gardens, with each house possessing an integral garage and car parking space to the front.

Location

The site is located at the eastern end of Grasmere Gardens. At present the site possesses a single bungalow dwelling, set within a large and spacious plot. The

area within Grasmere Gardens is typically characterised by modest two storey semi-detached dwellings. The roads to the rear of the site possess detached dwellings and the area generally is considered to be relatively spacious. The front of the site is located within Flood Zone 2 and the rear of the site located in Flood Zone 3, with a river centre line running along the rear boundary of the site.

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 privacy and overlooking
- unacceptable backland development
- impact on the character of the area
- visual impact and loss of outlook
- flood risk and drainage problems
- loss of light
- impact on protected trees
- impact on wildlife
- restrictive covenant exists
- access road inadequate for emergency vehicles and refuse collection
- highway safety implications
- noise and pollution

Comments from Consultees

Thames Water raises no objection with regard to sewerage or water infrastructure subject to informatives.

No Waste Services objections are raised. Refuse is to be left at edge of curtilage.

No technical drainage objections are raised subject to a standard condition.

Technical highways comments have been received. The number of dwellings has been reduced from 3 to 2 from the previous proposal. Each property has an integral garage and other parking on the frontage. The reduction in the number of dwellings allows more parking area clear of the access and the issue of vehicles being able to turn on site would not be a particularly important issue. Given the location a construction management plan is needed to show how demolition/delivery vehicles can access the site and how site operatives' vehicles can be accommodated. Standard conditions are suggested.

No Environmental Health objections are raised, subject to informatives.

No Building Control comments have been received.

No comments from the Environment Agency have been received. These will be reported verbally at the meeting.

Planning Considerations

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

The National Planning Policy Framework

London Plan Policy 3.4 Optimising Housing Potential

London Plan Policy 3.5 Quality and Design of Housing Developments

London Plan Policy 5.12 Flood Risk Management

Planning History

Planning permission was refused under ref. 11/01166 the demolition of existing dwelling and erection of 1 detached and 2 semi-detached single storey three bedroom dwellings with integral garages and associated car parking. The refusal grounds were as follows:

‘The proposal would result in the unsatisfactory and out of character sub-division of the existing plot, constituting a retrograde lowering of the spatial standards to which the area is at present developed and constituting a cramped over-development with excessive site coverage and hardstanding, contrary to Policies H7 and BE1 of the Unitary Development Plan and PPS3.

The proposed development by reason of additional noise and disturbance associated with the location of the access and increased vehicular activity would have a detrimental impact upon the amenities of the occupiers of adjoining residential properties contrary to Policy BE1 of the Unitary Development Plan.

The Flood Risk Assessment (FRA) submitted does not comply with the requirements set out in Annexe E, Paragraph E3 of Planning Policy Statement 25 (PPS 25). The submitted FRA does not therefore provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.’

The proposal was subsequently dismissed at appeal. The Inspector stated that the proposal would be over-intensive and would form a cramped sub-division of the site. The Inspector also stated that although no significant loss of amenity to local neighbours would result from the proposal, the arrangement of the site was such that a significant change of character would result, which was perceived in a negative manner by the Inspector.

Conclusions

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

Suitable drainage along with flood risk potential are also considerations, as is the possible impact on trees.

The proposal would represent a continuation of the two storey development on Grasmere Gardens, replacing the bungalow with two storey houses. The houses would have a similar height to those surrounding the site and would face onto Grasmere Gardens. The houses will be set back from the highway and will appear to be behind Nos. 44 and 46, however this may be considered to reduce their visual impact within the street scene.

The dwellings will share an access onto Grasmere Gardens which already exists. It may be considered that the proposed sub-division of the site to form two plots would represent an improvement to the previously refused scheme, with each dwelling possessing an ample plot size and without the previously unacceptable extended access road and parking/turning area. The proposed layout is considered to be more in keeping with the character of the area, providing houses facing onto the highway and retaining spacious rear gardens. Although detached dwellings are not common on Grasmere Gardens, they are common in the wider residential area and it is not considered that the introduction of two detached dwellings on the road would harm an established character that the Council should seek to retain. It is also noted that the footprint of the buildings exceeds that of the dwellings on Grasmere Gardens, however the increase in footprint is not considered harmful to the area due to the suitable set-back from the road and height proposed, and would not be considered to over-develop the site.

When considering the application in respect to the NPPF, underutilised land is potentially capable of being developed at a higher density, even if this land is currently a residential garden. Government guidance also states that this can enhance the character and quality of an area when well designed and crucially, when built in the right locations, as reflected by the UDP which continues to carry significant weight.

It is considered that building in this location would respect the character of the area and would not lower the established spatial standards. Paragraph 53 of the NPPF encourages Councils to resist inappropriate development of residential gardens in cases where the development would harm the local area, however in this case it is considered that the local context and character would not be adversely affected.

Table 3.2 of Policy 3.4 of the London Plan gives an indicative level of density for housing developments. In this instance the proposal represents a density of 13 dwellings per hectare with the table giving a suggested level of 35-55 dwellings per hectare in urban areas. This is not consistent with the London Plan Guidance however the character of the area and the established pattern of development should be applied to this figure and it is considered that in doing so the development would not compromise the character of the area by reason of the level of density being proposed.

Table 3.3 of Policy 3.5 of the London Plan states that new dwellings of this type should have 107 square metres of Gross Internal Area (GIA). In this case, the

houses provide this minimum standard. Overall, the proposal would result in an intensity of use of the site that would be consistent with the local area.

The dwellings will project some distance beyond the rear of the adjacent houses in order to create enough side space between the pair to avoid a cramped appearance. Due to the splaying of the sites either side of the application site, the proposed houses will be visible obliquely from the rear windows of the two directly neighbouring dwellings at Nos. 44 and 46 and will have a visual impact to these properties. Both of these dwellings possess side garages which will separate them from the proposal and therefore it may be considered that there would not be a significant impact on light and outlook. The presence of the two proposed dwellings close to the flank boundaries will have a bearing on the enjoyment of the neighbouring gardens, however the relationships to the neighbouring houses are considered suitable due to the fact that the rear windows will not look directly onto the development because of this splay. Views towards the rear of these neighbouring gardens will be affected in a minor way. The flank window at No. 46 will be affected to a greater degree however, but this window appears to serve a staircase and is positioned to the south of the development therefore will not lose sunlight. The visual impact to the staircase window is considered acceptable. The proposed flank walls facing the neighbouring properties will be relieved by the inclusion of a flat roofed single storey section at the rear of both proposed houses, and this will act as a break in the two storey flank wall, creating a less bulky appearance when viewed from neighbouring houses. The application is accompanied by a tree survey and it is proposed to retain the trees during construction. The silver birch within the site of No. 44 will also act to reduce the visual impact from No. 44. No objections are raised by the Tree Officer, subject to standard conditions.

The perception of openness that the site currently affords to these neighbouring houses would be compromised by the proposal, however a large area will remain open to the rear of the houses and therefore the proposal may be considered not to impact severely in this regard, whereas the previously dismissed scheme covered a large area of the site with built development and hardstanding. To the rear, the proposed dwellings will retain a typical back-to-back separation to properties on Mada Road (at least 40m separation) and therefore the proposal may be considered not to result in significant overlooking to these neighbouring houses.

The removal of the previously proposed access road is also considered to improve the relationship that the development has with No. 46. The Council's highways engineers have stated that as the 2 dwellings share the access then parking should not have the potential to block the access. The reduction in the number of dwellings allows more parking areas clear of the access and it would not be considered that vehicle turning on site would necessarily be an issue. The garages are also a suitable size. The frontage also provides an area for soft landscaping and this would soften the impact of the hardstanding to the benefit of the character of the area.

The area lies within Flood Zone 2/3 and the application has been accompanied by a Flood Risk Assessment. The Environment Agency comments received will be reported verbally at the meeting.

Having regard to the above, it is considered that the proposal would not impact harmfully on the character of the area and would not impact significantly harmfully on the amenities of neighbouring residential properties. The proposal does not represent a dangerous flood risk and the impact on parking and highway safety is acceptable. No significant trees would be affected by the proposal. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/01166 and 13/00763, 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 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 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 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 13 ACH29 Construction Management Plan
ACH29R Reason H29
- 14 ACH32 Highway Drainage
ADH32R Reason H32
- 15 ACI12 Obscure glazing (1 insert) in the first floor flank elevations
ACI12R I12 reason (1 insert) BE1
- 16 ACI14 No balcony (1 insert) the dwellings hereby permitted
ACI14R I14 reason (1 insert) BE1
- 17 ACI17 No additional windows (2 inserts) first floor flank dwellings
ACI17R I17 reason (1 insert) BE1
- 18 ACK01 Compliance with submitted plan

Reason: In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interest of the visual amenities and character of the area and the amenities of the nearby residential properties.

19 A side space of 1m shall be provided between the flank walls of the dwellings hereby permitted and the flank boundaries of the resulting plots.

Reason: In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.

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
NE7 Development and Trees
T3 Parking
T18 Road Safety

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 risk of future flooding of the site
- (e) the impact on trees
- (f) the transport policies of the UDP

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 recommend the following informative be attached to this planning permission. 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 Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 4 In order to check that the proposed storm water system meets our 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.
- 5 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.
- 6 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.
- 7 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop

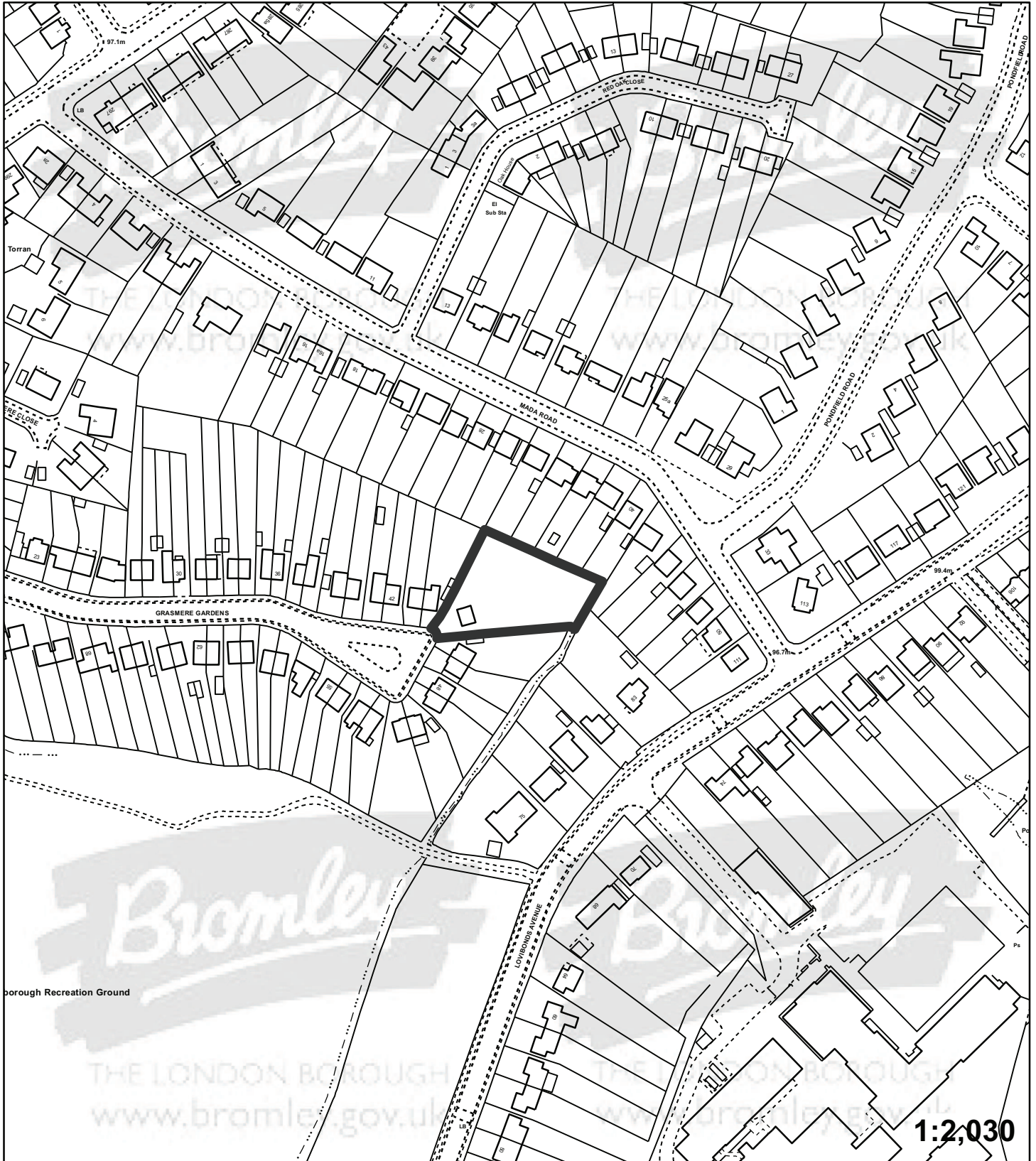
notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:13/00763/FULL1

Address: 45 Grasmere Gardens Orpington BR6 8HE

Proposal: Demolition of existing dwelling and the erection of 2 detached two storey four bedroom dwellings with integral garages and associated car parking



"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 : 13/00195/FULL1

Ward:
West Wickham

Address : Wickham Hall Sussex Road West
Wickham BR4 0JX

OS Grid Ref: E: 537936 N: 166133

Applicant : Wickham Hall

Objections : YES

Description of Development:

Part one/two storey side extension; front dormer window extension; elevational alterations

Key designations:

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

Proposal

This application proposes a part one/two storey side extension, front dormer and elevational alterations.

Location

The site is a community hall located on the east side of Sussex Road. There is residential to the north, west and east and mostly community and commercial uses located to the south.

Comments from Local Residents

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

- increase in people using the facility will result in increase in additional noise and parking – which is already bad
- disabled facilities already in existence
- proposed extension will reduce safe egress in the event of a fire
- concerns with emergency access in the event of a fire in Azriel Terrace
- consultation should be carried out with the Local Fire Authority – Regulatory Reform (Fire Safety) Order 2005 s.45(1)

- concern over future use
- block sunlight to back gardens
- loss of light – Prescription Act 1832 (s3)
- overlooking
- privacy
- narrow the space between buildings
- reduce parking for mobility scooters between halls

Comments from Consultees

From a Highways point of view whilst the site has no parking facility it is considered that the development would not have a significant impact on the traffic generation and parking demand within the local network. Therefore on the basis that all works are within the site's curtilage no Highway objection is raised to the proposal.

Any comments raised by Environmental Health will be reported verbally to committee.

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
- C1 Community Facilities

Supplementary Planning Guidance 1
Supplementary Planning Guidance 2

Planning History

The planning history of the site includes a permission for a two storey side extension for projector room with external staircase (ref. 98/00141) and retrospective permission was given, ref. 05/03518, to increase the height of the storeroom.

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 that it would have on the character of the area.

Given the existing use and the proposed design it is considered that the scheme does not sit uncomfortably within its context and is unlikely to have a detrimental impact on the character of the area. The main issue therefore is the impact of the proposal on the amenities of the occupants of surrounding residential properties.

The proposal has raised a number of objections locally. In respect of concerns raised with fire safety it should be noted that in the event of a planning permission any development will need to conform to the Building Regulations. A supporting

statement has been received from the applicants which clarifies that the hall does not currently have the benefit of disabled toilet or access facilities. It also clarifies that mobility scooters should not really be parking on the area that they currently do, but regardless of this there will be capacity for scooter parking to the front of the hall. It advises that there is no plan to extend the use of the hall by showing films and that the number of entertainment events is restricted by licence. In respect of noise nuisance the statement indicates that whilst there have been some issues in the past the booking conditions require for the windows to Azriel terrace to remain closed and additionally cooling is being introduced into the main hall. The statement also advises that obscure glazing can be fitted to the proposed dormer window to help alleviate concerns with any potential overlooking.

The proposed development will infill for the most part the space between the two existing halls on the site with an overhanging first floor element. The day care centre to the south is single storey. The planning history shows that planning consent for a similar scheme was granted permission in 1998 under planning reference 98/00141. Whilst concerns have been raised in respect of loss of light / sunlight to nearby dwelling-houses it may be considered that the development is such located that whilst there will be some visual impact, the extent of any loss of light will not sustain a planning refusal ground.

In the event of a planning permission concerns regarding overlooking can be safeguarded with the use of obscure glazing.

No technical Highway objections are raised in respect of the proposal.

There is clearly a balance to be sought between the improvement of the existing community facility and safeguarding nearby residential amenities. Members may consider, on balance, that the scheme as proposed would not cause such harm as to warrant a refusal of planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/00195 and 98/00141, excluding exempt information.

as amended by documents received on 03.04.2013 16.04.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC04
ACC04R | Matching materials
Reason C04 |
| 3 | ACI11
ACI11R | Obscure glaz'g/details of opening (1 in) to the west
elevation
Reason I11 (1 insert) BE1 |
| 4 | AJ02B | Justification UNIQUE reason OTHER apps |

Policies (UDP)

BE1 Design of New Development

C1 Community Facilities

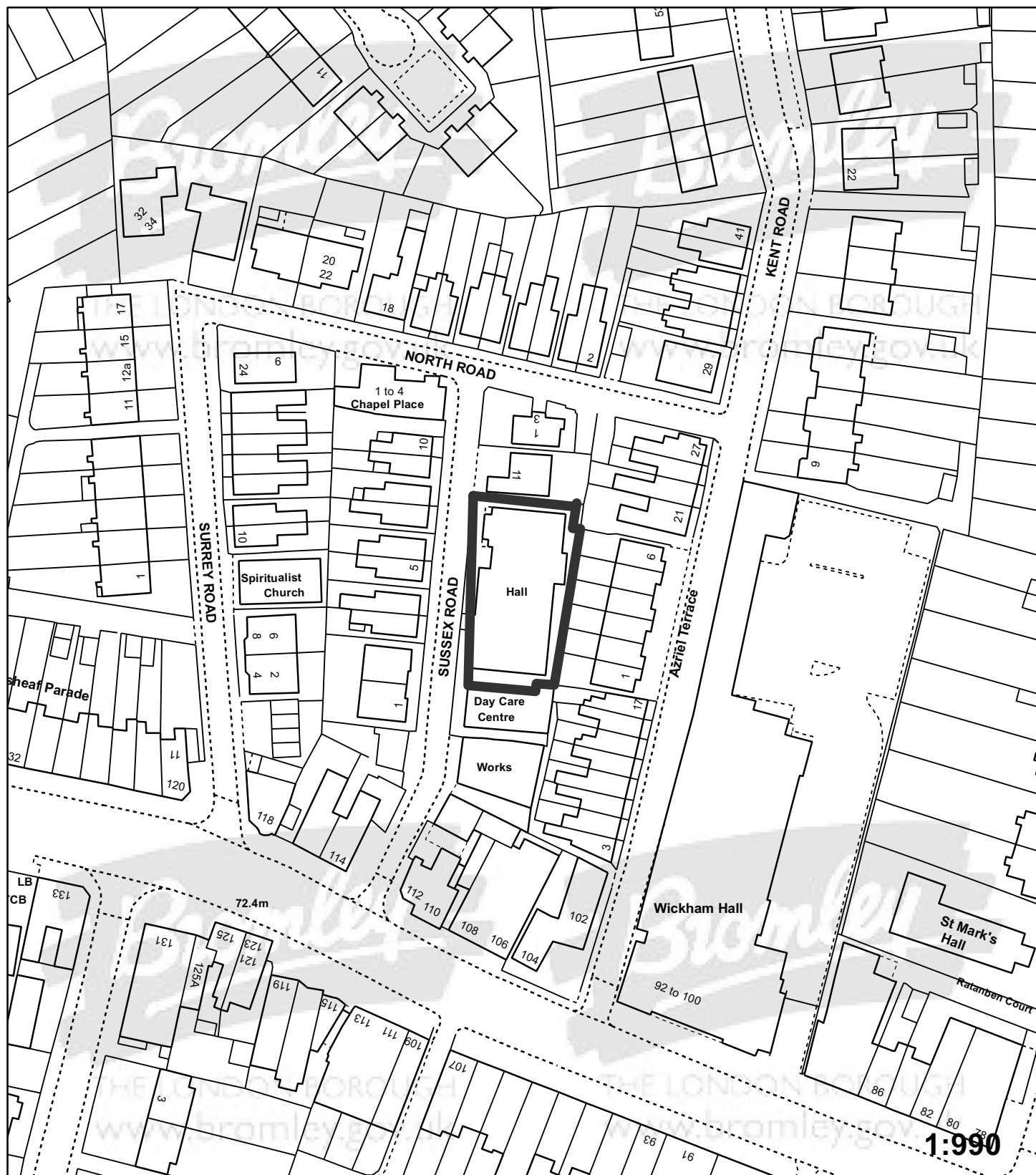
Supplementary Planning Guidance 1

Supplementary Planning Guidance 2

Application:13/00195/FULL1

Address: Wickham Hall Sussex Road West Wickham BR4 0JX

Proposal: Part one/two storey side extension; front dormer window extension; 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 : 13/00291/FULL1

Ward:
Crystal Palace

Address : 72 Maberley Road Anerley London SE19
2JD

OS Grid Ref: E: 534139 N: 170223

Applicant : Acqua Plus Developments

Objections : YES

Description of Development:

Conversion of roofspace into 1 one bedroom flat plus roof extensions incorporating rear dormer window and rooflights

Key designations:

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

Proposal

Planning permission is sought for the conversion of roof space into 1 two bed flat plus roof extensions incorporating rear dormer window and roof lights.

Location

The application site is located on the eastern edge of Maberley Road and comprises a two storey semi-detached dwelling, currently laid out as two flats. The rear of the site is heavily screened, behind which is the railway line.

The surrounding locality on Maberley Road is 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:

- there is no party wall agreement in place, despite building works taking place.
- disturbance by building work.
- parking is being blocked by delivery vans.

Comments from Consultees

Comments from Waste state that refuse and recycling should be left on the edge of curb as existing.

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

BE1 Design of New Development
H7 Housing Density and Design
H8 Residential Extensions
H9 Side Space
T3 Parking

London Plan 2011

London Plan – Housing Supplementary Planning Guidance 2012-11-30

National Planning Policy Framework – 2012

Planning History

10/00759/OUT – Demolition of no's 70 and 72 and erection of five storey block comprising 3 one bedroom and 15 two bedroom flats with car and bicycle parking at lower ground level and refuse/ recycling enclosure at front – withdrawn

11/00220/OUT – Demolition of Nos. 70 and 72 and erection of five storey block comprising 2 one bedroom and 15 two bedroom flats with 17 car parking spaces and bicycle parking at lower ground level and refuse/ recycling storage within the building at front – refused

12/03256/FULL1 - Conversion of roof space into 1 two bed flat plus roof extensions incorporating rear dormer window and roof lights – refused.

Conclusions

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

It is proposed to convert and extend the roof space to create a one bedroom dwelling.

This application is a resubmission following the refusal of ref. 12/03256, which sought permission for a 2 bedroom flat and was refused for the following reason:

The proposed flat, by reason of its location within the restricted roof space of the building, lit by roof lights would result in an unacceptable level of accommodation and outlook which is contrary to Policies BE1, H7 and H11 of the Unitary Development Plan.

The applicant has made the following changes:

- Revised internal layout
- Reduction in accommodation to 1 bedroom.

Conversions of single residential units into 2 or more self contained units must accord with Policy H11, which states that:

- (i) The amenities of occupiers of neighbouring dwellings will not be harmed by loss of privacy, daylight or sunlight or by noise and disturbance;
- (ii) The resulting accommodation will provide a satisfactory living environment for the intended occupiers;
- (iii) On street or off street parking resulting from the development will not cause unsafe or inconvenient highway conditions nor affect the character or appearance of the area and;
- (iv) The proposal will not lead to the shortage of medium or small size family dwellings in the area.

The dwelling would have an internal floor area of 57 square metres for a 1 bed 2 person dwelling, which would accord with the Housing SPF for the London Plan (November 2012), which states that 1 bed, 2 person dwellings should have a minimum GIA of 50m².

The dwelling would continue to be located wholly within the roof space and set within the eaves. However, the reduction in accommodation (loss of a bedroom) and reconfiguration of internal layout now means that the living areas are now set within the proposed dormer window (rather entirely under the eaves) and lit by conventional windows, rather than solely by roof lights. As such the revised layout is considered to be practical and would reasonably address the reason for refusal.

The dormer extension to the rear would not be visible from the highway and is set below the ridge and above the eaves as to appear as a subordinate extension to the roof. It is not considered that the dormer extension or front roof lights would be detrimental to neighbouring amenity through overlooking.

No car parking is proposed for the unit. The site has a PTAL rating of 4. Car free schemes can be acceptable where sites benefit from a high PTAL. In this instance, the applicants' have submitted a Parking Stress Survey as required from Highways. This found there to be on-street parking spaces available for additional demand during the hours of maximum residential parking demand. As such, it is considered that the proposals would not result in significant demand for parking in the area.

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material

planning considerations including any objections, other representations and relevant planning history on the site were taken into account in the assessment of the proposal.

Having had regard to the above it was considered that the siting, size and design of the proposed flat is now acceptable in that it would provide an acceptable level of accommodation for future occupants.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |
| 3 | ACK01 | Compliance with submitted plan |
| | ACC01R | Reason C01 |
| 4 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 5 | AJ02B | Justification UNIQUE reason OTHER apps |

Policies (UDP)

- BE1 Design of New Development
- H7 Housing Density and Design
- H8 Residential Extensions
- H9 Side Space
- T3 Parking

INFORMATIVE(S)

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

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

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

Application:13/00291/FULL1

Address: 72 Maberley Road Anerley London SE19 2JD

Proposal: Conversion of roofspace into 1 one bedroom flat plus roof extensions incorporating rear dormer window and rooflights



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

Application:13/00291/FULL1

Address: 72 Maberley Road Anerley London SE19 2JD

Proposal: Conversion of roofspace into 1 one bedroom flat plus roof extensions incorporating rear dormer window and rooflights



"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 : 13/00295/FULL6

Ward:
Bromley Town

Address : 30 Ravensbourne Avenue Bromley BR2
0BP

OS Grid Ref: E: 539259 N: 169510

Applicant : Mr W Bell

Objections : YES

Description of Development:

Part one/two storey side extension; single storey rear extension; alterations to rear dormer window extension; insertion of rooflight in side elevation

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
Flood Zone 2
Flood Zone 3
Green Chain
London City Airport Safeguarding
London City Airport Safeguarding Birds
Metropolitan Open Land

Proposal

This proposal is for a part one/two storey side extension which would have a width of 2.6m and depth of 7.95m; single storey side/rear extension with a maximum depth of 9.2m and minimum depth of 1.9m beyond the existing dwellinghouse. Alterations to rear dormer window extension are also proposed and also the insertion of rooflight in side elevation.

Location

The application site is located to the north-east of Ravensbourne Avenue and is a semi-detached two storey single family dwellinghouse located within a Flooding Zone 2 and 3. Properties in the area are of a similar scale and architectural style. To the west and north of the application site is designated Metropolitan Open Land while to the south is an elevated railway line.

Comments from Local Residents

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

- concerns as single storey ground floor kitchen/diner would extend approximately 2m from current rear wall line resulting in loss of daylight for No. 28 and would be unsightly when viewed from kitchen and patio of this property.
- no objections in principle to this being extended by 1m.
- concerns as house extensions were supposed to be limited to 25% of existing floor plans which the current proposal would exceed.
- due to loft conversion require services of Party Wall Surveyor which No. 30 required to pay for fees and disbursements in line with regulations.

Comments from Consultees

The Council's Highways Division state the site is located to the north of Ravensbourne Avenue. The proposed garage is substandard; garages should normally have minimum internal dimensions of 2.6 metres in width by 6 metres in length. However, there are spaces within the site's curtilage which could be utilised. Therefore on balance as it is a small development no objections are raised to this proposal.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

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

London Plan Policy 5.12 Flood Risk Management
London Plan Policy 5.13 Sustainable Drainage

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework.

Planning History

In 2012, under planning ref. 12/03335, a Certificate of Lawfulness was granted for roof alterations including rear dormer window extension; insertion of rooflights in front elevation.

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 the proposal would involve a two storey side extension Policy H9 is a key consideration in the determination of this application, it states:

“When considering applications for new residential development, including extensions, the Council will normally require the following:

- (i) for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building; or
- (ii) where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties”.

This proposal would be located up to the flank boundary and as such would not provide the required 1m minimum side space as advocated by Policy H9. The explanatory paragraphs of this policy state the retention of space around residential buildings is essential to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. It is important to prevent a cramped appearance and unrelated terracing from occurring. It is also necessary to protect the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas.

In this instance while the proposal would result in a technical breach of the side space policy, as the application site adjoins Metropolitan Open Land with the next residential property at No. 48 located approximately 60m distance away, this would not result in unrelated terracing nor would it impact upon the residential amenities of this property. Given the modest width of the proposal of 2.6m with hipped roof profile the development is not considered to result in a significant detrimental impact upon the spatial or visual amenities of the area. As such although the proposal would not provide the 1m side space normally required, the development in the manner proposed would be appropriate in this instance having regard to the relationship with adjoining properties and the surrounding area.

The proposed two storey side extension would have a hipped roof profile and would not project beyond the principle elevation of the host dwelling at a first floor level. It is considered to have been sensitively designed to respect the visual amenities of the host dwelling and would not impact detrimentally upon the character of the area or appear incongruous in the streetscene.

The proposed single storey side/rear element of the proposal would project 3.3m beyond the two storey rear element of the original dwellinghouse which would be 1.9m beyond the existing single storey element. No. 28 has an existing single storey rear element of a similar scale with the result that the single storey side/rear extension would project 1.9m beyond the rear elevation of No. 28 closest to the application site. Although the proposal would be sizeable in terms of its height (4.3m to the ridgeline) the eaves closest to No. 28 would be 3m and the roof profile

would be hipped away from the flank boundary with this property, thereby lessening its visual impact. Given the orientation of the site with No. 28 located to the south east of the application site the proposal is not anticipated to result in a significant loss of light for No. 28. As previously stated No. 48 is located a considerable distance from the application site and as such the impact upon the residential amenities of this property would be negligible.

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. 13/00295 and 12/03335, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
 ACC04R Reason C04
- 3 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 4 ACK01 Compliance with submitted plan

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

- 5 The flood proofing, flood resilience and resistance measures for the extension hereby permitted, submitted as part of this application shall be implemented before any part of the development hereby permitted is first occupied and shall be permanently retained thereafter.

Reason: In order to comply with Policies 5.12 and 5.13 of the London Plan as the property is located in an area at risk of flooding as defined by the Environment Agency.

Reasons for granting permission:

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

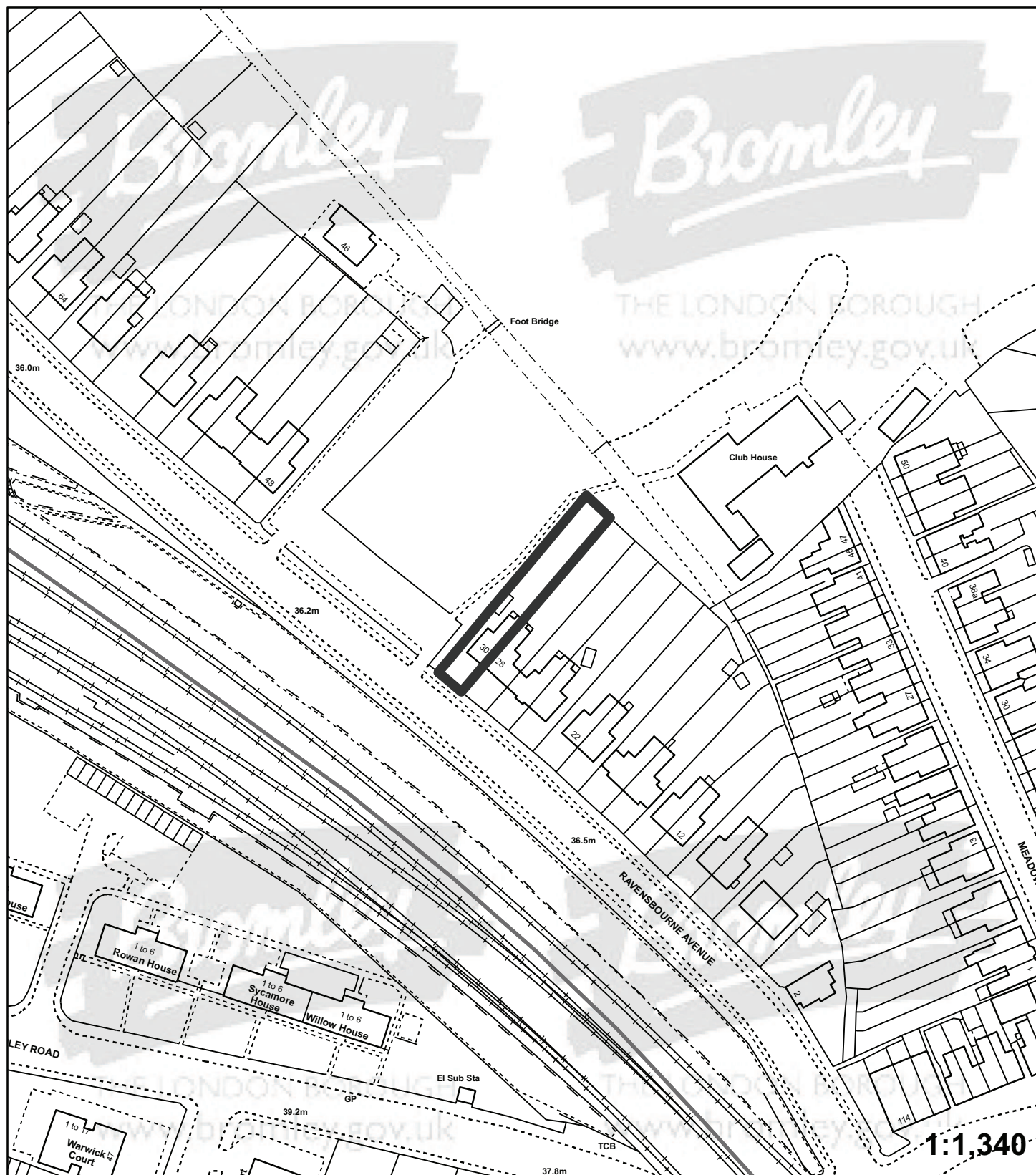
- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent properties;
- (c) the character of the development in the surrounding area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

Application:13/00295/FULL6

Address: 30 Ravensbourne Avenue Bromley BR2 0BP

Proposal: Part one/two storey side extension; single storey rear extension; alterations to rear dormer window extension; insertion of rooflight in side elevation



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

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

Application No : 13/00747/FULL1

Ward:
Bromley Common And
Keston

Address : Land At Junction Of Croydon Road And
Forest Drive Keston

OS Grid Ref: E: 542456 N: 165115

Applicant : Keston Park (1975) Ltd

Objections : NO

Description of Development:

Entrance gates and piers (2.575m high) to Forest Drive (at junction with Croydon Road).

Key designations:

Conservation Area: Keston Park
Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Stat Routes

Proposal

The proposal is for the 4 columns (with a height of 2.575m) between which two pedestrian and a single set of double vehicular gates (6.4m in width) are proposed to be constructed.

The gates would ordinarily be kept shut but would open automatically inwards into Forest Drive when a vehicle approaches. Residents would also be provided with a key fob as to allow opening of the gates from a distance.

The gates are proposed to be wrought iron set between stone columns which would replace a timber post and gate which is manually operated and according to the Design and Access Statement is periodically locked to prevent through traffic.

Location

The proposed entrance gates and columns would be set back approximately 13.3m from the junction with Croydon Road within Keston Park Conservation Area. The Keston Park Conservation Area is comprised of mainly inter-war detached houses produced by developers within the Arts and Crafts or Garden City movements set on large plots within a mature sylvan landscape.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and at the time of writing this report no representations have been received. Any comments received will be reported verbally.

Comments from Consultees

There are no technical Highway objections.

There are no comments from the Council's Waste Advisors.

There are no objections from Environmental Health.

APCA were notified of the application but did not inspect the proposals.

Transport for London have been consulted of the proposals, at the time of writing this report no comments have been received, and these 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
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE11 Conservation Areas
- T14 Un-adopted Highways
- T18 Road Safety

Supplementary Planning 1 General Design Principles
Supplementary Planning Guidance for Keston Park Conservation Area

The above policies are considered to be consistent with the NPPF.

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

Planning History

In 2009 under planning ref. 09/01663, permission was granted for entrance columns to entrances in Ninhams Wood, Longdon Wood and Forest Drive (Keston Park).

In 2012 under planning ref. 12/00426, was submitted entrance columns and gates to Keston Park entrances in Ninhams Wood, Longdon Wood, Holwood Park and Forest Drive (facing both Keston Road and Croydon Road) which was subsequently withdrawn.

There are corresponding applications for entrance gates in Keston Park currently under consideration under the following references:

13/00756/FULL1 – Westerham Road/ Forest Drive entrance

13/00757/FULL1 – Croydon Road/ Longdon Wood entrance

13/00746/PLUD – Farnborough Common/ Ninhams Wood entrance

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 BE7 of the Unitary Development Plan would be a key consideration in the determination of this application, it states:

The Council will:

- (i) seek to ensure the retention of railings, walls, plantings and hedgerows of native species and other means of enclosure where they form an important feature of the streetscape; and
- (ii) resist the construction or erection of high or inappropriate enclosures where such boundary enclosures would erode the open nature of the area, or would adversely impact on local townscape character.

In 2009 under planning ref. 09/01663, permission was granted for the erection of entrance columns (to a height of 2.5m) which included the entrance to Forest Drive. As such the principle of a structure of this height is considered to have been established.

The gates are traditional in appearance, constructed from wrought iron and are considered to be of an acceptable appearance, which would match the gates currently proposed at the other Keston Park entrances. It is considered that there would be no harm to the character of the Keston Park conservation area, subject to a condition for details/ samples of materials.

There would be an extension of the entrance by the removal of some grass verge, and existing wall, these would be replaced by a new brick wall measuring between 0.225m and 0.8m high, rising up to a maximum of 1.3m by the entrance gates. The proposed loss of landscaping is considered modest and there is no objection to the demolition of existing curved brick walls, as such, it is considered that there would not impact detrimentally upon the setting of the conservation area.

The gates are inward opening into Forest Drive, the Design and Access statement states that the gates would normally remain close to deter vehicles cutting through the park, but would open automatically when a vehicle approaches. As such, there would be no obstruction for either refuse or emergency vehicles and representations received from Highways raise no objection. Furthermore, this document states that residents would additionally be provided with key fobs as to

allow opening of the gates from a distance. The alterations to the frontage walls would improve sightlines onto Croydon Road.

Members may therefore consider that the proposed replacement gates and piers would be of an acceptable appearance and not result in obstruction to vehicular traffic or detrimental impact on highway safety.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/01663, 12/00426 and 13/00747, 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
 ACC01R Reason C01
- 3 Details of materials to be used for the external surfaces of the entrance gates, columns and walls shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy BE11 of the Unitary Development Plan and in the interest of the visual amenities of the Conservation Area.

- 4 Should lighting be provided, details of the method of lighting including level of luminance for the hereby permitted entrance gates and columns shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works.

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

Reasons for granting permission:

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE11 Conservation Areas
- T14 Unadopted Highways
- T18 Road Safety

Supplementary Planning 1 General Design Principles
Supplementary Planning Guidance for Keston Park Conservation Area

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;

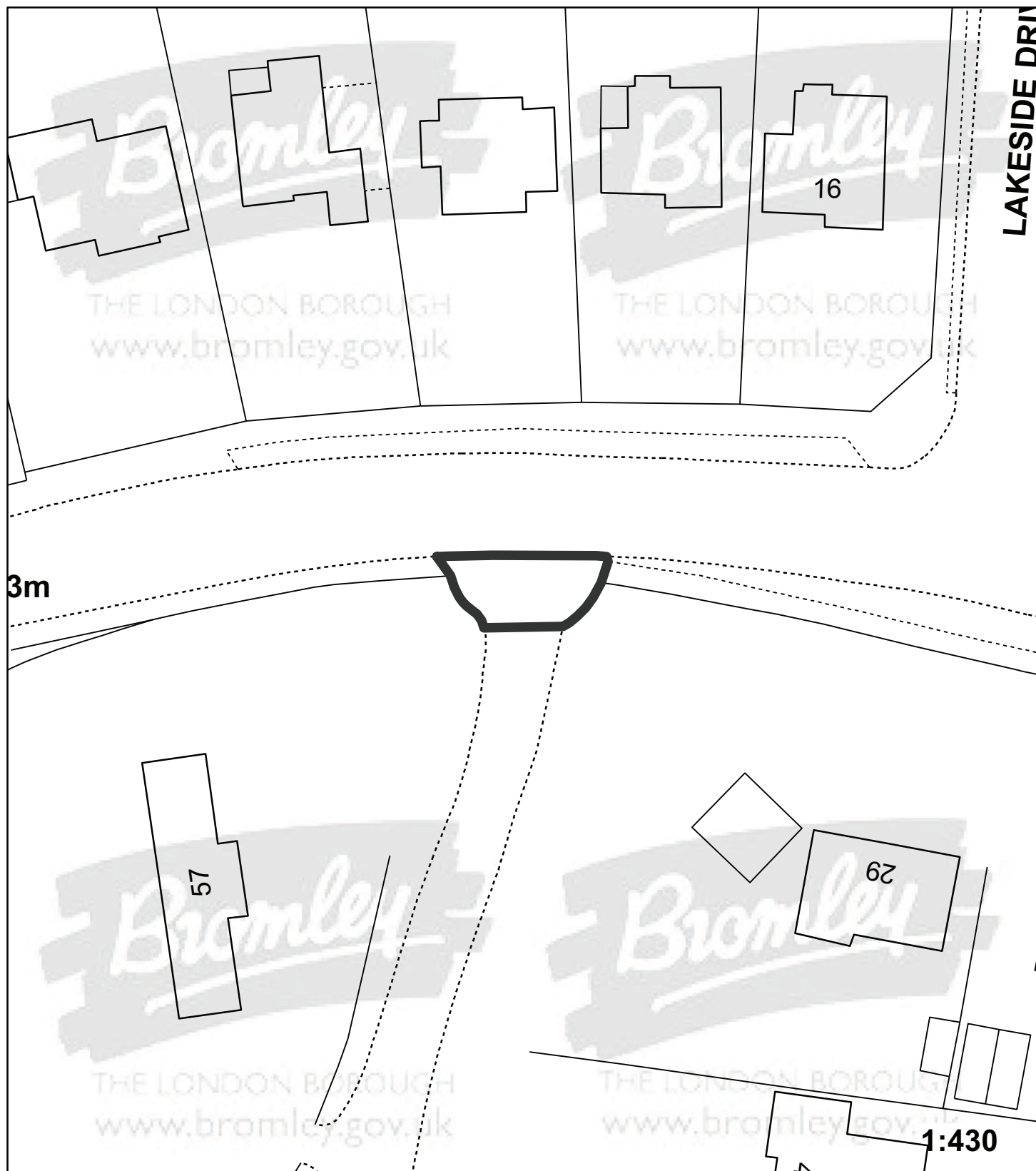
- (c) the character of the development in the surrounding Conservation Area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the implications on highways safety.

and having regard to all other matters raised.

Application:13/00747/FULL1

Address: Land At Junction Of Croydon Road And Forest Drive Keston

Proposal: Entrance gates and piers (2.575m high) to Forest Drive (at junction with Croydon 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"

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

Application No : 13/00756/FULL1

Ward:
Bromley Common And
Keston

Address : Land At Westerham Road Entrance To
Forest Drive Keston

OS Grid Ref: E: 542079 N: 164534

Applicant : Keston Park (1975) Ltd

Objections : NO

Description of Development:

Entrance gates and column (max height 2.575m) to Forest Drive (at junction with Westerham Road).

Key designations:

Conservation Area: Keston Park
Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London Distributor Roads

Proposal

The proposal is for the 4 columns (with a height of 2.575m) between which two pedestrian and a single set of double vehicular gates (6.4m in width) are proposed to be constructed.

The gates would ordinarily be kept shut but would open automatically inwards into Forest Drive when a vehicle approaches. Residents would also be provided with a key fob as to allow opening of the gates from a distance.

The gates are proposed to be wrought iron set between stone columns which would replace a timber post and gate which is manually operated and according to the Design and Access Statement is periodically locked to prevent through traffic.

Location

The proposed entrance gates and columns would be set back approximately 12.6m from the junction with Westerham Road within Keston Park Conservation Area. The Keston Park Conservation Area is comprised of mainly inter-war detached houses produced by developers within the Arts and Crafts or Garden City movements set on large plots within a mature sylvan landscape.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and at the time of writing this report no representations have been received. Any comments received will be reported verbally.

Comments from Consultees

There are no technical Highway objections as the gates have no central pier and open automatically when a vehicle approaches so no entry system is required.

There are no comments from the Council's Waste Advisors.

There are no objections from Environmental Health.

APCA were notified of the application but did not inspect the proposals.

Planning Considerations

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE11 Conservation Areas
- T14 Un-adopted Highways
- T18 Road Safety

Supplementary Planning 1 General Design Principles
Supplementary Planning Guidance for Keston Park Conservation Area

The above policies are considered to be consistent with the NPPF.

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

Planning History

In 2009 under planning ref. 09/01663, permission was granted for entrance columns to entrances in Ninhams Wood, Longdon Wood and Forest Drive (Keston Park).

In 2012 under planning ref. 12/00426, was submitted entrance columns and gates to Keston Park entrances in Ninhams Wood, Longdon Wood, Holwood Park and Forest Drive (facing both Keston Road and Croydon Road) which was subsequently withdrawn.

In 2012 under planning ref. 12/02162, permission was refused for entry gates at the forest Drive entrance to Westerham Road. The reason for refusal was:

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.

There are corresponding applications for entrance gates in Keston Park currently under consideration under the following references:

13/00747/FULL1 – Croydon Road/ Forest Drive

13/00757/FULL1 – Croydon Road/ Longdon Wood entrance

13/00746/PLUD – Farnborough Common/ Ninhams Wood entrance

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 BE7 of the Unitary Development Plan would be a key consideration in the determination of this application, it states:

The Council will:

- (i) seek to ensure the retention of railings, walls, plantings and hedgerows of native species and other means of enclosure where they form an important feature of the streetscape; and
- (ii) resist the construction or erection of high or inappropriate enclosures where such boundary enclosures would erode the open nature of the area, or would adversely impact on local townscape character.

In 2009 under planning ref. 09/01663, permission was granted for the erection of entrance columns (to a height of 2.5m) which included the entrance to Forest Drive. As such the principle of a structure of this height is considered to have been established.

Additionally, it is noted that the recently refused application under ref. 12/02162 was not refused due to the gates height or design. The design of the gates (minus the central pillar and pier) is similar to that previously proposed, and on balance, it is not considered that the construction of 2.575m high gates at this location would significantly erode the open character of the Keston Park Conservation Area.

The previous proposals were considered to be prejudicial to highway safety and as such the applicant has made revisions to the proposals including the removal of the centre pier and replacement by a single set of inward opening gates set back from the junction with Westerham Road by 12.6m. The applicant has stated that the gates would open automatically when a vehicle approaches, therefore omitting the need for entry systems, as such access to refuse and emergency vehicles would not be impeded. Key fobs would additionally be provided to residents, so

that the gates could be opened from a distance, thus ensuring that vehicles would not need to stop.

Representations received from the Councils Highways engineer raise no objection, as such the proposals are considered to acceptably address the reason for refusal.

Having had regard to the above Members may considered that the development in the manner proposed is acceptable and addresses the reason for refusal in that the gates would not impact detrimentally upon highway safety, nor have an adverse impact upon the character of the Keston Park Conservation Area.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/01663, 12/02162 and 13/00756, 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
 ACC01R Reason C01
- 3 Details of materials to be used for the external surfaces of the entrance gates and columns shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy BE11 of the Unitary Development Plan and in the interest of the visual amenities of the Conservation Area.

- 4 Should lighting be provided, details of the method of lighting including level of luminance for the hereby permitted entrance gates and columns shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works.

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

Reasons for granting permission:

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE11 Conservation Areas
- T14 Unadopted Highways
- T18 Road Safety

Supplementary Planning 1 General Design Principles
Supplementary Planning Guidance for Keston Park Conservation Area

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

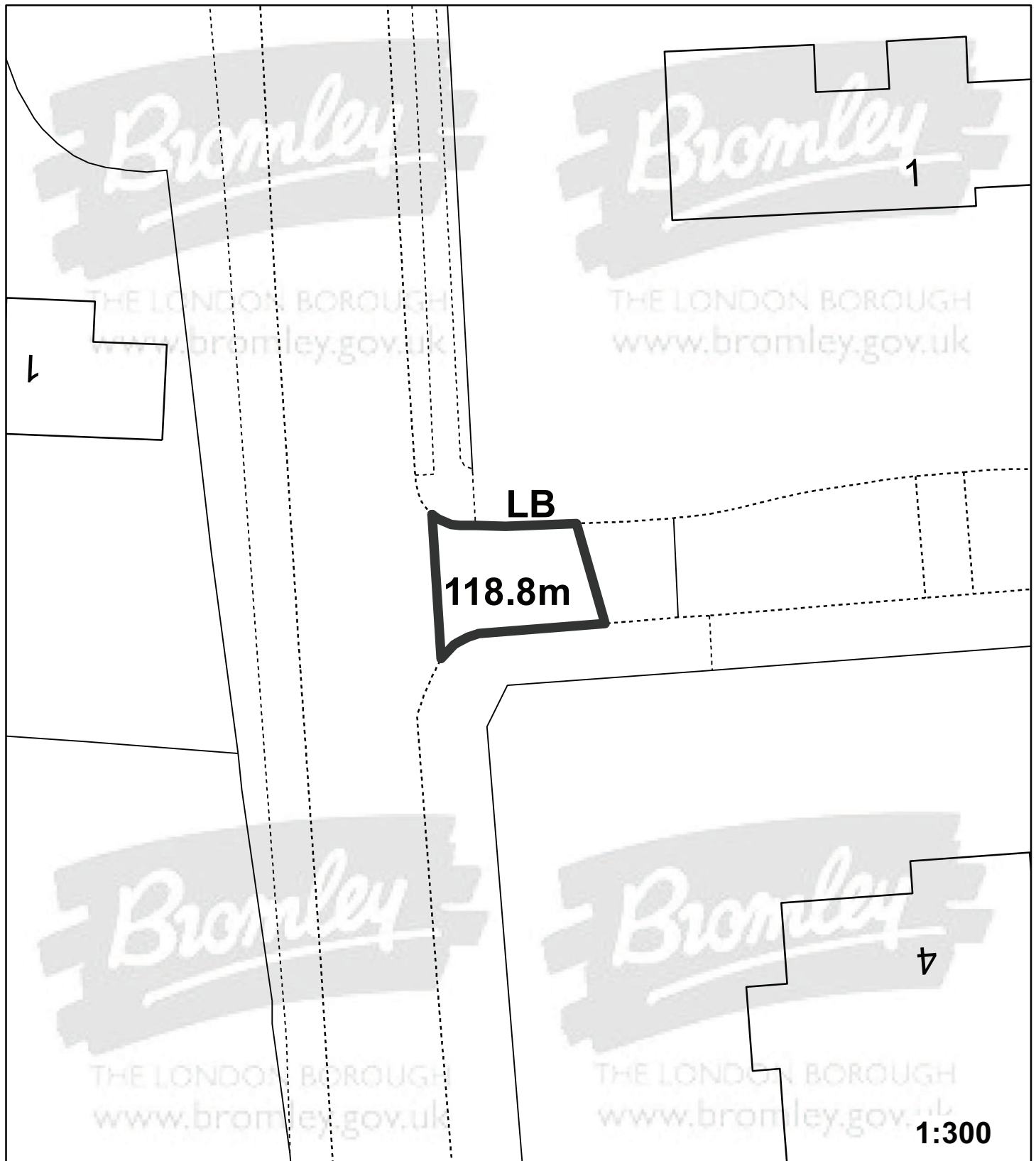
- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent properties;
- (c) the character of the development in the surrounding Conservation Area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the implications on highways safety.

and having regard to all other matters raised.

Application:13/00756/FULL1

Address: Land At Westerham Road Entrance To Forest Drive Keston

Proposal: Entrance gates and column (max height 2.575m) to Forest Drive (at junction with Westerham 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"

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

Application No : 13/00757/FULL1

Ward:
Bromley Common And
Keston

Address : Land At Croydon Road Entrance To
Longdon Wood Keston

OS Grid Ref: E: 542154 N: 165087

Applicant : Keston Park (1975) Ltd

Objections : NO

Description of Development:

Entrance gates and column (max height 2.575m) to Longdon Wood (at junction with Croydon Road).

Key designations:

Conservation Area: Keston Park
Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Stat Routes

Proposal

The proposal is for the 4 columns (with a height of 2.575m) between which two pedestrian and a single set of double vehicular gates (6.4m in width) are proposed to be constructed.

The gates would ordinarily be kept shut but would open automatically inwards into Longdon Wood when a vehicle approaches. Residents would also be provided with a key fob as to allow opening of the gates from a distance.

The gates are proposed to be wrought iron set between stone columns which would replace a timber post and gate which is manually operated and according to the Design and Access Statement is periodically locked to prevent through traffic.

Location

The proposed entrance gates and columns would be set back approximately 11.3m from the junction with Croydon Road within Keston Park Conservation Area. The Keston Park Conservation Area is comprised of mainly inter-war detached houses produced by developers within the Arts and Crafts or Garden City movements set on large plots within a mature sylvan landscape.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and at the time of writing this report no representations have been received. Any comments received will be reported verbally.

Comments from Consultees

There are no technical Highway objections.

There are no comments from the Council's Waste Advisors.

There are no objections from Environmental Health.

APCA were notified of the application but did not inspect the proposals.

Transport for London have been consulted of the proposals, at the time of writing this report no comments have been received, and these 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
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE11 Conservation Areas
- T14 Un-adopted Highways
- T18 Road Safety

Supplementary Planning 1 General Design Principles
Supplementary Planning Guidance for Keston Park Conservation Area

The above policies are considered to be consistent with the NPPF.

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

Planning History

In 2009 under planning ref. 09/01663, permission was granted for entrance columns to entrances in Ninhams Wood, Longdon Wood and Forest Drive (Keston Park).

In 2012 under planning ref. 12/00426, was submitted entrance columns and gates to Keston Park entrances in Ninhams Wood, Longdon Wood, Holwood Park and Forest Drive (facing both Keston Road and Croydon Road) which was subsequently withdrawn.

There are corresponding applications for entrance gates in Keston Park currently under consideration under the following references:

13/00756/FULL1 – Westerham Road/ Forest Drive entrance

13/00747/FULL1 – Croydon Road/ Forest Drive entrance

13/00746/PLUD – Farnborough Common/ Ninhams Wood entrance

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 BE7 of the Unitary Development Plan would be a key consideration in the determination of this application, it states:

The Council will:

- (i) seek to ensure the retention of railings, walls, plantings and hedgerows of native species and other means of enclosure where they form an important feature of the streetscape; and
- (ii) resist the construction or erection of high or inappropriate enclosures where such boundary enclosures would erode the open nature of the area, or would adversely impact on local townscape character.

In 2009 under planning ref. 09/01663, permission was granted for the erection of entrance columns (to a height of 2.5m) which included the entrance to Forest Drive. As such the principle of a structure of this height is considered to have been established.

The gates are traditional in appearance, constructed from wrought iron and are considered to be of an acceptable appearance, which would match the gates currently proposed at the other Keston Park entrances. It is considered that there would be no harm to the character of the Keston Park conservation area, subject to a condition for details/ samples of materials.

The gates are inward opening into Longdon Wood, the Design and Access statement states that the gates would normally remain close to deter vehicles cutting through the park, but would open automatically when a vehicle approaches. As such, there would be no obstruction for either refuse or emergency vehicles and representations received from Highways raise no objection. Furthermore, this document states that residents would additionally be provided with key fobs as to allow opening of the gates from a distance.

Members may therefore consider that the proposed replacement gates and piers would be of an acceptable appearance and not result in obstruction to vehicular traffic or detrimental impact on highway safety.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/01663, 12/00426 and 13/00757, 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
 ACC01R Reason C01
- 3 Details of materials to be used for the external surfaces of the entrance gates and columns shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy BE11 of the Unitary Development Plan and in the interest of the visual amenities of the Conservation Area.

- 4 Should lighting be provided, details of the method of lighting including level of luminance for the hereby permitted entrance gates and columns shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works.

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

Reasons for granting permission:

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE11 Conservation Areas
- T14 Unadopted Highways
- T18 Road Safety

Supplementary Planning 1 General Design Principles
Supplementary Planning Guidance for Keston Park Conservation Area

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

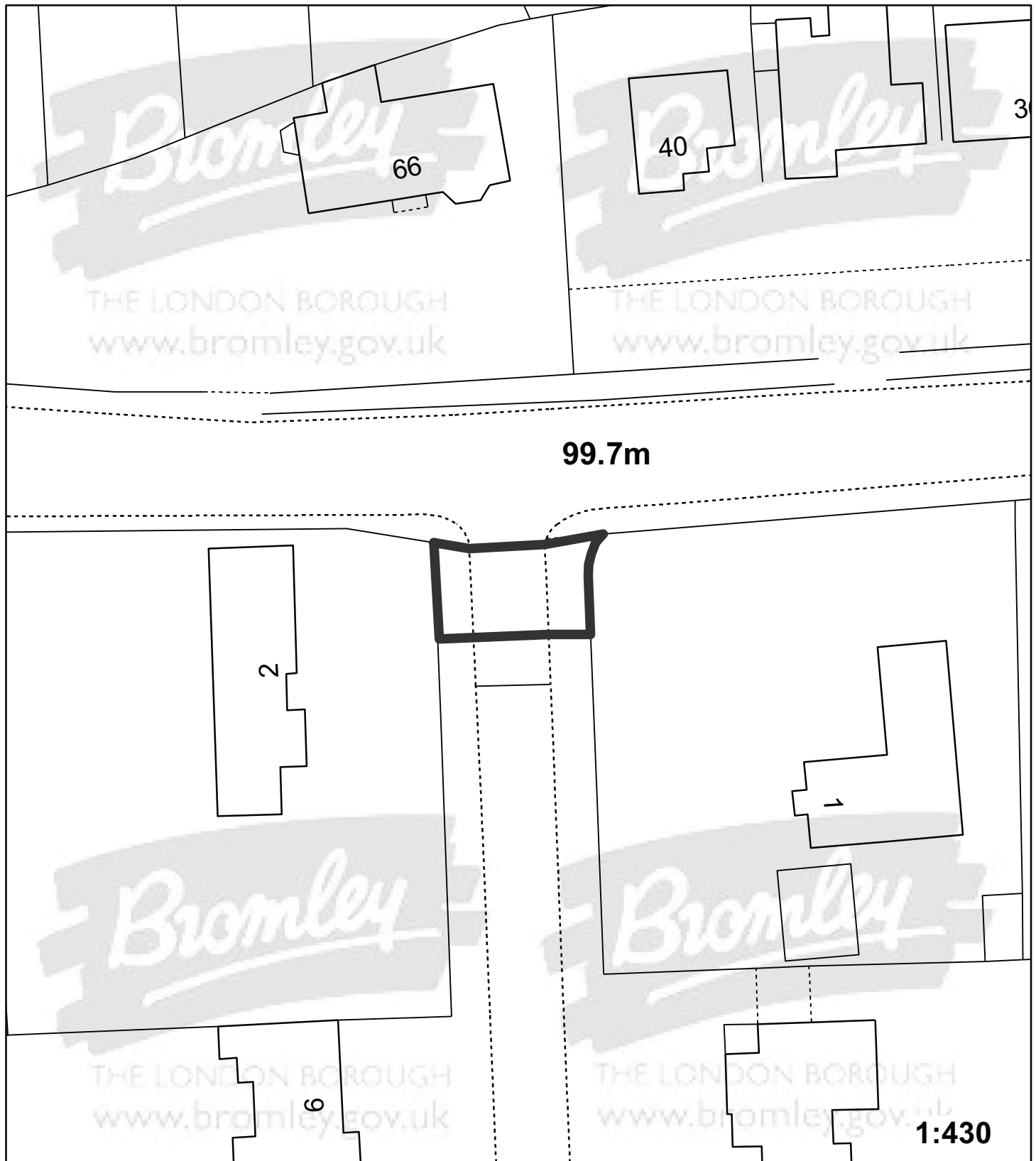
- (a) the appearance of the development in the street scene;
- (b) the relationship of the development to adjacent properties;
- (c) the character of the development in the surrounding Conservation Area;
- (d) the impact on the amenities of the occupiers of adjacent and nearby properties;
- (e) the implications on highways safety.

and having regard to all other matters raised.

Application:13/00757/FULL1

Address: Land At Croydon Road Entrance To Longdon Wood Keston

Proposal: Entrance gates and column (max height 2.575m) to Longdon Wood (at junction with Croydon Road).



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

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

Application No : 13/00807/FULL6

Ward:
Petts Wood And Knoll

Address : 37 Chesham Avenue Petts Wood
Orpington BR5 1AA

OS Grid Ref: E: 543863 N: 167282

Applicant : Mr Paul Barkway

Objections : YES

Description of Development:

Increase in roof height to provide habitable accommodation in roof space with front dormer extensions, single storey rear extension, front porch and elevational alterations

Key designations:

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

Proposal

The proposed works, involving alterations to the existing roof, will result in the ridge height being increased by 0.6m – from approximately 5.5m to 6.1m. The roof will be altered to incorporate “Dutch” gable ends with two front dormers. Four Velux windows will be added along the rear roof slope. In addition a 2.8m deep rear extension will be added to the eastern side of the dwelling.

Location

The application dwelling is located along the northern side of Chesham Avenue, between its junctions with Crescent Drive and Langley Gardens. It is situated approximately 45 metres off the junction with Crescent Drive with its plot having previously formed part of the rear gardens of Nos. 241 – 245 Crescent Drive. The surrounding houses are varied in form: the properties situated immediately to the west comprise semi-detached bungalows, whilst those beyond and opposite, and at Crescent Drive are mainly of conventional two storey design.

Comments from Local Residents

The following representations were received from local residents:

- proposal will exceed the height of a restrictive covenant affecting the height of the dwelling
- proposal would, in effect, create a two storey dwelling which would be intrusive and which would breach restrictions imposed on the property
- proposed dormers along the front elevation are not consistent with the neighbouring bungalows in Chesham Avenue
- velux windows are proposed along the rear elevation
- overlooking of neighbouring rear garden and sun lounge
- loss of light to neighbouring kitchen

Comments from Consultees

No objections have been raised by Thames Water.

No technical Highways objections have been raised.

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; and to safeguard the amenities of neighbouring properties.

Planning History

The application dwelling occupies what was formerly part of the rear gardens of Nos. 241 – 245 Crescent Drive. The existing bungalow was approved in 1981 under ref. 81/00283.

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 existing dwelling will be changed from a bungalow of conventional single storey design to a chalet-style property. Whilst this proposal will result in a significant enlargement in floor area, the majority of the additional living accommodation will be confined to the enlarged roof space thereby retaining the majority of the garden space and the generous gaps which exist either side of the house.

From a design and streetscene perspective the existing dwelling stands somewhat in isolation to the neighbouring bungalows fronting Chesham Avenue, being detached, and incorporating a substantially wider plot. Furthermore, the road contains a number of two storey houses, including at the junction with Langley Gardens. As such it is not considered that the proposal will undermine local character in terms of its scale or form. Its chalet appearance will ensure that the enlarged dwelling will maintain a satisfactory relationship with the bungalows situated to its western side.

Turning to its impact on neighbouring amenity it is noted that enlarged dwelling will continue to maintain a 2m separation to the western boundary (adjoining No 35). Whilst its height will be increased by 0.6m, the sloping nature of the upper part of the roof will help to reduce the bulk of the development (as visible from No 35). The overall relationship and orientation of the two properties is therefore considered acceptable. With regard to other neighbouring houses, a substantial degree of separation will be maintained so as to avoid an adverse impact on their amenities.

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. 80/02079, 80/03220, 81/00283 and 13/00807, excluding exempt information.

RECOMMENDATION: PERMISSION

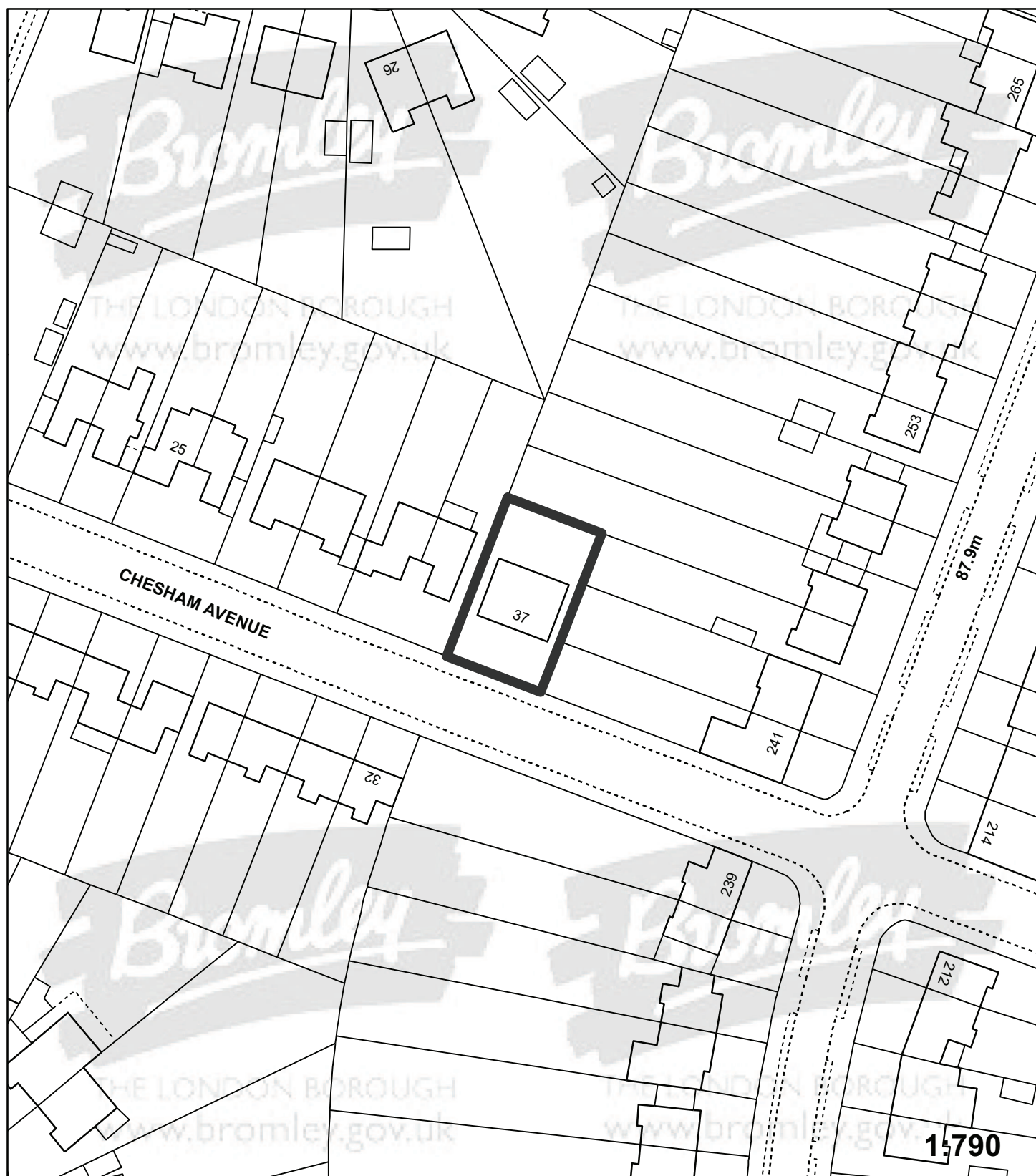
Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |
| 3 | ACK01 | Compliance with submitted plan |
| | ACC03R | Reason C03 |
| 4 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 5 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |
| 6 | AJ01B | Justification GENERIC reason FULL6 apps |

Application:13/00807/FULL6

Address: 37 Chesham Avenue Petts Wood Orpington BR5 1AA

Proposal: Increase in roof height to provide habitable accommodation in roof space with front dormer extensions, single storey rear extension, front porch 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 '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 13/00837/MATAMD

Ward:
Chelsfield And Pratts
Bottom

Address : 3 Waring Drive Orpington BR6 6DN

OS Grid Ref: E: 545955 N: 163819

Applicant : Mrs Josephine Hall

Objections : YES

Description of Development:

Porch to be clad in painted rendered blockwork instead of facing brick

Key designations:

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

Proposal

The approved porch extension is to be rendered as well as the blockwork under the front kitchen window.

Location

Site relates to a two storey detached property on North side of Waring Road. Properties of similar design and size characterise the area.

Comments from Local Residents

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

- contrary to Condition 2 of application ref. 12/03681FULL6 which should be maintained.
- painted render would have a detrimental impact on the host building and streetscene, and visual amenity of the residents of the surrounding area, contrary to the UDP.
- does not blend within the styles and materials of the host building.
- yellow brickwork predominates the host building and It is the most appropriate material to use.
- does not constitute a 'Minor Material Amendment' given its visual impact.

- there are a mix of designs and materials used in Waring Drive but render does not predominate the streetscene.
- permission would set an unwarranted precedent to the area.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions

Planning History

A single storey front extension was granted permission under ref. 12/03681/FULL6. Condition 2 required:

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

Conclusions

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

Concerns have been raised that painted render would have a detrimental impact on the host building, streetscene and visual amenity of the residents of the surrounding area. The render finish would be restricted to the porch extension and part of the ground floor front elevation. This is not considered to change the appearance of the dwelling in a significant degree or harm the character and visual amenity of the area of the area.

The proposed alteration from the approved application, ref. 12/03681/FULL6, would not be substantial enough to warrant refusal. Concerns have been raised that the render finish would set an unwarranted precedent to the area, however as discussed above this finish is not considered either significant or harmful to the character of the area. In addition, it should be noted that cladding any part of the exterior of the dwelling with render does not constitute development and properties in Waring Drive could undertake such alterations without planning permission.

Having had regard to the above it was considered that the development in the manner proposed would constitute a minor material amendment in that it would not result in a significantly change to the appearance of the building, result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

as amended by documents received on 08.03.2013

RECOMMENDATION: MINOR MATERIAL AMENDMENT APPROVED

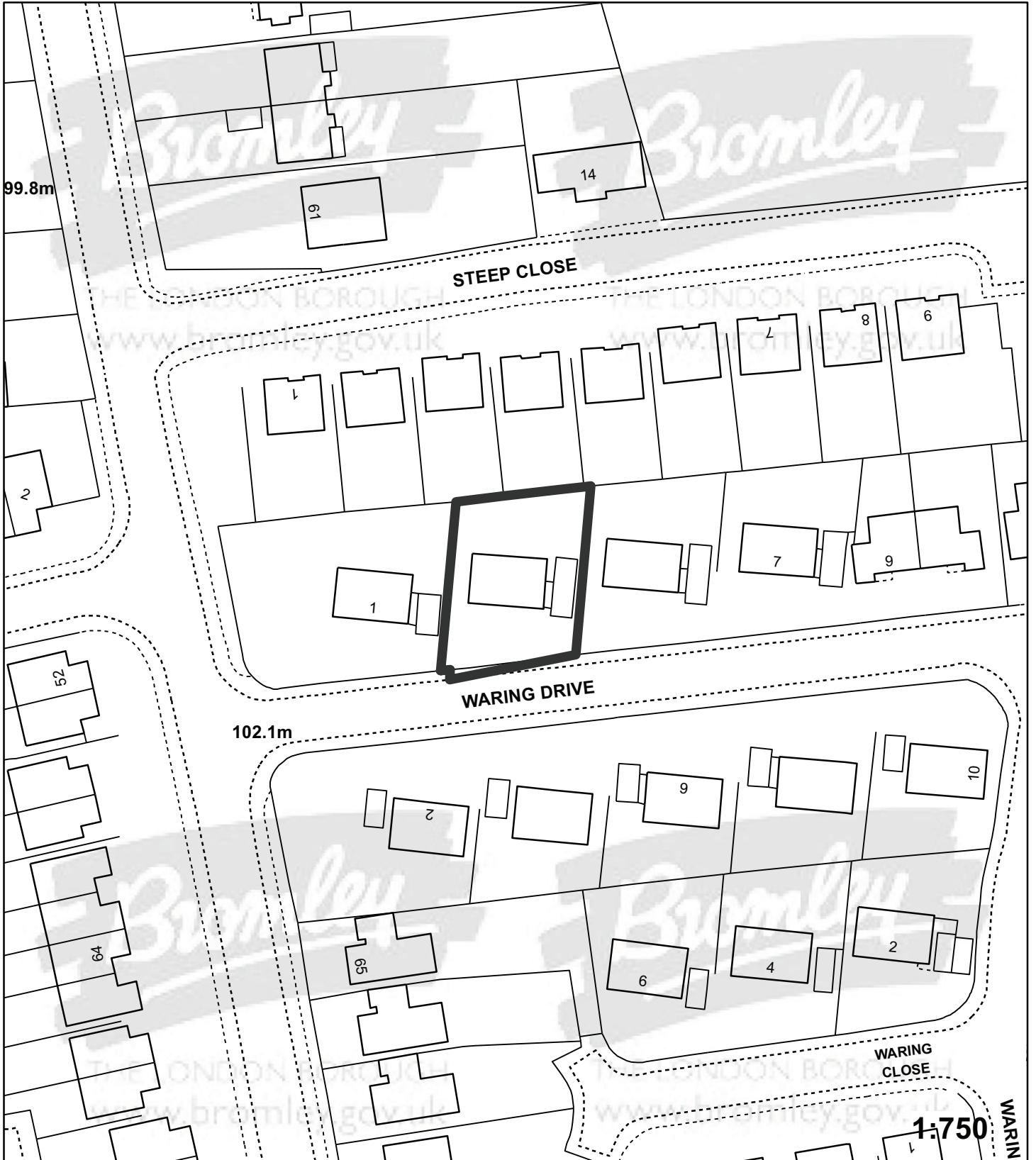
Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACK01 Compliance with submitted plan
 ACC01R Reason C01
- 3 AJ01B Justification GENERIC reason FULL6 apps

Application:13/00837/MATAMD

Address: 3 Waring Drive Orpington BR6 6DN

Proposal: Porch to be clad in painted rendered blockwork instead of facing brick



"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 : 13/00913/FULL1

Ward:
Hayes And Coney Hall

Address : 20 Gates Green Road West Wickham
BR4 9JW

OS Grid Ref: E: 539651 N: 165206

Applicant : Mr Mariusz Mankau

Objections : NO

Description of Development:

Proposed demolition of existing bungalow and erection of two 4 bed semi detached houses.

Key designations:

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

Proposal

Planning permission is sought for the demolition of the existing bungalow and erection of 2 semi-detached 2 storey 4 bedroom dwellings.

- The building would have a maximum depth of 12.4m and minimum depth of 8.3m
- Maximum width of 16.5m
- Ridge height of 6.2m and eaves height of 4.8m

Individual gardens are provided to the rear, and access would be via Gates Green Road.

Location

The application site is located on western edge of Gates Green Road and comprises a detached bungalow. Directly adjacent to the site (south) is 'The Rectory', a 17th century Grade II listed building and directly behind the site (west) are the 'Assembly Rooms', which are locally listed. East of the site are open fields, designated as Metropolitan Green Belt.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and no representations were received at the time of writing this report. Comments received will be reported verbally at the committee meeting.

Comments from Consultees

There are no technical Highway objections subject to conditions.

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

Thames water raise no objection with regard to water 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
BE8 Statutorily Listed Buildings
BE10 Locally Listed Buildings
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
T3 Parking

The above policies are considered consistent with the NPPF.

London Plan 2011

National Planning Policy Framework 2012.

Planning History

Application ref. 12/02837 sought for the replacement of the existing bungalow and erection of two semi-detached dwellings. This was refused for the following reason:

The proposed dwellings, by reason of their unimaginative design, bulk, height and massing would appear dominant in the streetscene, and harmful to the setting of the adjacent Grade II listed and locally listed buildings, contrary to Policies BE1, BE8 and BE10 of the Unitary Development Plan.

Conclusions

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

The application site is open in character, with low level boundary enclosures and is located directly adjacent to The Rectory; a Grade II listed 17th century house. To

the rear of the site are the locally listed Assembly Halls, their respective car park lies to the front of the building and adjacent to the application site, resulting in an open character, which the large listed building dominates when viewed from the Gates Green Road.

The site is presently occupied by a bungalow, which is of no particular architectural merit and there is in principle no objection to its replacement. However, any replacement structure at this sensitive site must respect the presence of the neighbouring Designated Heritage Assets.

It is proposed to replace the bungalow with a pair of semi-detached two storey dwellings, which would be located centrally within the site in the same location as the existing bungalow, albeit on a larger footprint.

A previous application for replacement dwellings has recently been refused under ref. 12/02837, and the applicant has made the following amendments in order to address the reason for refusal:

- reduction in height from 7.5m to 6.2m.
- increase in side space on the eastern boundary from just over 1.08m to 1.58m.
- revision in design to omit weatherboarding and replacement with Tudor style elevations.

The proposed dwellings would now be of a significantly reduced bulk from the refused application. The previously flat elevations and local vernacular barn style appearance have been revised for a mock Tudor appearance which incorporates a much greater level of articulation on the front elevation with decorative gables and windows set at eaves level. Members may therefore consider that the proposals would now appear subservient in the streetscene and allow the adjacent distinctive 17th century listed building to remain dominant.

With regard to amenity, it is considered the positioning of the building would not result in overlooking or loss of privacy given the distances to neighbouring buildings. No flank windows are proposed on the eastern flank facing onto the Rectory. There are two first floor flank windows which would face onto the access road of the Assembly Halls to the rear, however, as these serve a bathroom and staircase these raise no objection.

The internal layouts of the dwellings are acceptable and with a GIA of 134 and 139m², would accord with the London Plan Housing SPG space standards. The gardens to the rear are provided in single enclosed blocks which are considered to provide acceptable amenity provision.

Sufficient parking is provided on site with two spaces per unit, as such there are no highway objections.

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, Members may consider that the siting, size and design of the proposed replacement dwellings is acceptable in that it would appear subservient to the surrounding heritage assets.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/02837 and 13/00913, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
- 3 ACA07 Boundary enclosure - no detail submitted
 ACA07R Reason A07
- 4 ACC01 Satisfactory materials (ext'n'l surfaces)
 ACC01R Reason C01
- 5 ACK01 Compliance with submitted plan
 ACC01R Reason C01
- 6 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 7 ACI02 Rest of "pd" Rights - Class A, B,C and E

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

- 8 No windows or doors shall at any time be inserted in the flank elevation(s) 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.

- 9 ACH16 Hardstanding for wash-down facilities
 ACH16R Reason H16
- 10 ACH12 Vis. splays (vehicular access) (2 in) 3.3m x 2.4m x
 3.3m 1m
 ACH12R Reason H12
- 11 ACH22 Bicycle Parking
 ACH22R Reason H22
- 12 ACH32 Highway Drainage
 ADH32R Reason H32
- 13 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

BE1 Design of New Development

BE8 Statutorily Listed Buildings

BE10 Locally Listed Buildings

H7 Housing Density and Design
H9 Side Space
T3 Parking

INFORMATIVE(S)

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

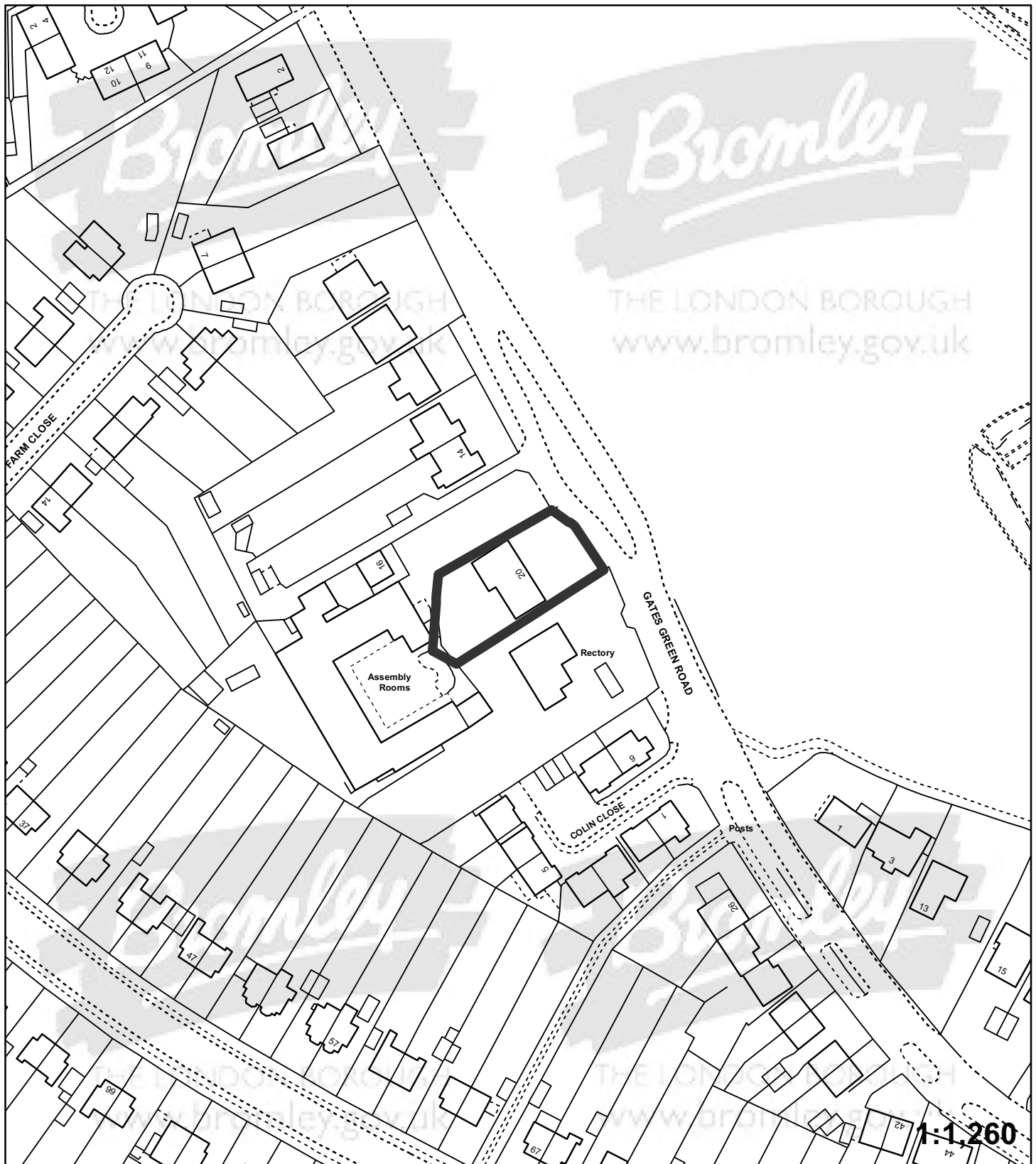
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:13/00913/FULL1

Address: 20 Gates Green Road West Wickham BR4 9JW

Proposal: Proposed demolition of existing bungalow and erection of two 4 bed semi detached houses.



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

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

Application No : 13/00500/FULL6

Ward:
Cray Valley East

Address : 11 Marion Crescent Orpington BR5 2DE

OS Grid Ref: E: 546586 N: 167843

Applicant : Ms Samantha Page

Objections : NO

Description of Development:

Roof alterations to include increase in roof height and side dormer, part one/two storey rear extension and elevational alterations

Key designations:

Areas of Archaeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding

Proposal

The proposal relates to roof alterations to include increase in roof height and side dormer, part one/two storey rear extension and elevational alterations.

The proposal is a revised scheme to the previously refused application of the same description. The revisions are:

- depth of two storey rearward projection reduced 1.1m from 6.1 to 5m.
- overall depth, including single storey rear extension reduced 2.9m from 9m to 6.1m.
- height up to ridge and eaves reduced by 0.5m.

Location

The site relates to a two storey detached property located on the south side of Marion crescent. Detached and semi-detached properties of similar design and size characterise the area.

Comments from Local Residents

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

- occupiers of Nos..11 and 13 (each side neighbouring property) support the application, and believe there would be no undue loss of light or outlook.

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

Planning History

A front bay window was granted permission in 1983 and subsequently built (ref. 83/02794).

Last year, an application for roof alterations to include increase in roof height and side dormer, part one/two storey rear extension and elevational alterations was refused under ref. 12/03397 for the following reasons:

The proposed development, by reason of its design, height and depth would be seriously out of character and scale with the host dwelling and surrounding area and contrary to Policies H8 and BE1 of the Unitary Development Plan.

The proposed development, by reason of its overall size and design would be overbearing and harmful to the amenities of adjoining residential properties, resulting in loss of prospect and harmful visual impact, contrary to Policies H8 and BE1 of the Unitary Development Plan.

Conclusions

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

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.

Whilst effort has been made to reduce the bulk of the proposal by reducing its height and depth and, in turn, its impact on the neighbouring properties, the scheme is not consider tom have overcome the previous reasons for refusal.

The proposal when viewed from all angles would still appear as if a two storey dwelling would be attached to the rear of this existing two storey dwelling. Although the ridge and eaves height has been reduced, it would have a different roof form and the roofslope would still sit 0.5m above the original roof, which would be visible from the front. The buildings footprint would approximately double in size. This

would significantly change the character and appearance of the dwelling which would be completely out of scale, form and proportion with the houses it sits between and the streetscene generally. The height and bulk presented fails to compliment the character, form and scale of the original dwelling and would be incongruous with the surrounding area.

With regards to amenity, the application receives support from each neighbouring property, Nos. 9 and 13 Marion Crescent. However, it is important to consider the impact on future occupiers of these properties. No.11 would extend 5m rearwards at two storey level and this would constitute a significant rear projection beyond the original rear wall. In addition, the higher roofline adds to the sense of bulk and mass presented. For these reasons, the proposal would have an overbearing impact and would be harmful to the amenities of the occupants of the neighbouring properties.

Having had regard to the above it was considered that the development in the manner proposed has not overcome the previous reasons for refusal and therefore is not acceptable in that it would be out of character with the surrounding area and result in a loss of amenity to local residents.

as amended by documents received on 18.02.2013

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed development, by reason of its design, height and depth would be seriously out of character and scale with the host dwelling and surrounding area and contrary to Policies H8 and BE1 of the Unitary Development Plan.
- 2 The proposed development, by reason of its overall size and design would be overbearing and harmful to the amenities of adjoining residential properties, resulting in loss of prospect and harmful visual impact, contrary to Policies H8 and BE1 of the Unitary Development Plan.

Application:13/00500/FULL6

Address: 11 Marion Crescent Orpington BR5 2DE

Proposal: Roof alterations to include increase in roof height and side dormer, part one/two storey rear 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"

Report No.
DRR/13/060

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PLANS SUB-COMMITTEE NO. 2

Date: Thursday 2 May 2013

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

Title: BREAD AND BUTTER, 2 CHATSWORTH PARADE, PETTS WOOD

Contact Officer: Philip Spiteri, Planning Enforcement Officer
Tel: 020 8461 7751 E-mail: Philip.Spiteri@bromley.gov.uk

Chief Officer: Deputy Chief Planner

Ward: Petts Wood and Knoll

1. Reason for report

A complaint has been received alleging that the premises appear to be operating outside its permitted Class A1 retail use involving the preparation and cooking of hot food on the premises.

2. **RECOMMENDATION(S)**

Enforcement action authorised requiring the cessation of the cooking and preparation of hot food on the premises.

3. COMMENTARY

- 3.1 The site is a sandwich bar in a busy shopping parade in Queensway.
- 3.2 On 8th March 2013 a complaint was received alleging that the premises is operating outside of its permitted A1 use.
- 3.3 On 11th March 2013 a site visit was carried out and it was confirmed that the premises operates primarily as a sandwich bar within Class A1 (retail). As part of the business sausages and bacon are cooked from raw, accounting for between 10-15% of their business, mainly in the winter months. In addition, joints of meat are occasionally cooked on the premises. Other hot food including scrambled eggs and jacket potatoes heated in a microwave oven.
- 3.4 It is concluded that the preparation and cooking of hot food involves a material change of use from Class A1 (retail) to a mixed A1/A3 use, as a matter of fact and degree. A planning application has been requested but nothing has been received to date. although assurances have been given that an application was imminent.

Report No.
DRR13/058

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PLANS SUB-COMMITTEE NO. 2

Date: Thursday 2 May 2013

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

Title: OBJECTIONS TO TREE PRESERVATION ORDER 2529 AT 30
HOMEFIELD 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: Bickley;

1. Reason for report

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

2. **RECOMMENDATION(S)**

The Deputy Chief Planner advises that the tree makes an important contribution to the visual amenity of the 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:
 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: N/A

3. COMMENTARY

3.1. This order was made on 14th January 2013 and relates to 1 ash tree in the back garden of 30 Homefield Road. Objections have been made by the owners of the adjoining land, Bromley cricket club. They have advised that the vegetation around the perimeter of their grounds is pruned on an annual basis to prevent overhang to the courts and grounds. They state that this year they are planning to install new cricket nets which will be beside the back garden of 30 Homefield Road. They were advised by their tree surgeon to cut back the branches of the ash tree overhanging your grounds to reduce the amount debris from the tree falling onto the existing nets area. The new nets will have an extended roof to ensure that balls do not go into the gardens. They also refer to an open water ditch between the rear gardens of properties in Homefield Road and their grounds. They state that it is their responsibility to keep the ditch clear of debris and that they were advised to cut back as many overhanging branches as possible. They had overhanging branches of the ash tree cut back to protect the health and safety of their members, to safeguard the investment in their new nets and to comply with advice to keep the open watercourse clear from debris at all times. They anticipate that that the ash tree will need to be cut back occasionally and argue that the tree does not have significant amenity value.

3.2. They have been advised that their concerns about the safety of the tree are appreciated. Whilst it is never possible to guarantee the trees' safety, provided the tree is in good health then this is normally accepted as a low risk. However, the Council's consent must first be gained prior to almost any tree works. One exemption specified in the Tree Preservation Order is that of dead wood, and the formal consent of the Council is not required for the removal of dead wood from the tree. In respect of debris from the tree, leaves, seeds etc, these are seasonal problems and it is unlikely that this would be considered sufficient reason to prevent the confirmation of the Tree Preservation Order.

3.3. It has been pointed out that landowners do have a right in Common Law to cut back any branches which overhang their property. They can only cut back to the boundary line and should offer the branches back to the owner of the tree. However this right is removed once a preservation order has been made. If someone wants to cut back overhanging branches from a preserved tree they would need the written consent of the Council in the same way as an owner. These "rules" also apply to roots which extend beyond the boundary. Tree Preservation Orders do not preclude appropriate tree surgery, although they do mean that the consent of the Council is required prior to most tree works being carried out. Trees sometimes require tree surgery, and this does not necessarily prevent Tree Preservation Orders being made for them. They would be free to apply at any time in the future if they wish to prune the overhanging branches.

3.4. With regard to the assessment of amenity for Tree Preservation Orders, no standard method is in use which determines when a tree merits a Tree Preservation Order, and when it does not. All methods of amenity assessment contain some inherent subjectivity. The amenity value of trees depends on many factors, and a tree may be appropriate in one location, but out of place or unattractive in another. Trees do not lend themselves to classification into high or low landscape value categories. In this case the size, potential growth, location and intrinsic characteristics of the trees are not considered to lessen their amenity value.

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 14th July 2013.

7. PERSONNEL IMPLICATIONS

None.

Non-Applicable Sections:	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]

Report No.
(DRR/13/059)

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PLANS SUB-COMMITTEE NO. 2

Date: Thursday 2 May 2013

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

Title: **OBJECTIONS TO TREE PRESERVATION ORDER 2528 AT 61
MANOR WAY, BECKENHAM**

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

Chief Officer: Deputy Chief Planner

Ward: Kelsey and Eden Park;

1. Reason for report

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

2. **RECOMMENDATION(S)**

The Deputy Chief Planner advises that the tree makes an important contribution to the visual amenity of this part of the Manor Way 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: £3.3 mill
 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: N/A

3. COMMENTARY

3.1. This order was made on 3rd January 2012 and relates to 1 cedar tree in the front garden of 61 Manor Way, Beckenham. Objections have been made by the owner of the property. He is concerned because the cedar tree was self sown about 25 years ago and has grown well because of the good soil in the garden. You are a tree lover and would not be seeking its removal if it was further from the house and had not caused damage or was likely to cause damage in the future. The owners are happy to plant a suitable replacement tree.

3.2. The concerns about the cedar are as follows:

1. The owner has advised that at least 4 branches have fallen from the tree onto the drive and he is concerned that more branches could fall and could damage his car.
2. The tree is pushing over a front garden wall which will collapse in the near future.
3. The front drive has lifted as a result of the tree roots and is getting worse.
4. There are cracks in the front wall of the house which could be caused by the roots. He has stated that the tree roots can grow in length 1.5 times the trees height and is concerned that this distance is 23 metres and the tree is only 10 metres from the house.
5. He is concerned that the tree may fall in a strong wind and cause damage to the house and the adjoining property at no.63 (there was a similar occurrence about 2 years ago) He has identified that the base of the tree is "kinked" and that this could be a weakness.
6. Finally he is concerned about his liabilities if the tree fell onto the road or pavement (2 metres from the tree) and someone was killed or injured. He has asked if the Council will indemnify him against any damage or accident caused by the tree.

3.3. In response the same numbering was used.

1. He has not said when the branches fell or whether they were alive or dead. It was queried if they all fell at the same time and when this occurred, was it following a strong wind or heavy fall of snow.
2. Front garden wall – it is noted that the front boundary wall to Manor Way continues round beside the access drive and does reduce in height to two brick courses beside the tree. The wall is displaced slightly, probably as a result of the growth of the tree, although there is not a serious risk of a significant failure of the wall. Indeed if a short section beside the tree were to be removed, with the continued growth of the tree there would be little likelihood of the soil failing onto the drive.
3. Front drive – the specific concerns relate to the upward movement of the drive close to the base of the tree. It is agreed that the most likely cause is the growth of the tree roots. However the problem is not currently serious and there are several options for the repair of driveways which need not adversely affect the tree, for example techniques using a no dig method of construction and building up over the roots. If total replacement of the driveway were required, again there are technical solutions 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.. Turning to the possibility of future damage to the property, it was pointed out that the TPO does not prevent tree surgery, but it does mean that the consent of the Council is required for almost any works. If it is demonstrated in the future that property foundations are being

damaged, and the only means of solving the problem is by tree surgery or even tree removal, then it would be unusual for the Council to withhold consent. However, the possibility of future damage is not normally sufficient to prevent the confirmation of Tree Preservation Orders.

5. Concerns that in the event of a high wind the tree could fall and cause damage. The deformation at the base of the tree (described as being kinked) is probably a result of the initial growth of the tree when it first began to grow in the garden. There are no signs of decay, although the concerns about the safety of the tree are appreciated. Whilst it is never possible to guarantee the tree safety, provided the tree is in good health then this is normally accepted as a low risk. It is prudent to have trees inspected periodically by a qualified arboriculturist,

6. In respect of the owners liabilities, the making of a tree preservation order does not transfer responsibility for the tree to the Council and the duty of care remains with the owner. Whilst the owner remains responsible for the tree the “rules” regarding compensation and Tree Preservation Orders were set out. Compensation is not payable purely for the making of an order. However a claim can be made if an application to the Council to carry out work to a protected tree has been refused or given consent subject to conditions. Claims have to be made within 12 months of the Council’s decision and are only payable if an owner has suffered loss or damage as a result of the Council’s decision to refuse or grant consent. Any claims for less than £500 are not payable.

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 the order is not confirmed it will expire on 3rd July 2013.

7. PERSONNEL IMPLICATIONS

None.

Non-Applicable Sections:	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]