



THE LONDON BOROUGH
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DATE: 20 May 2013

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

Councillor Charles Joel (Chairman)
Councillor Lydia Buttinger (Vice-Chairman)
Councillors Reg Adams, Kathy Bance MBE, Simon Fawthrop, Julian Grainger,
Russell Jackson, Kate Lymer and Richard Scoates

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on
THURSDAY 30 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 or e-mail planning@bromley.gov.uk

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 4 APRIL 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
4.1	Cray Valley West	9-16	(13/01055/FULL2) - Belle Grove, 100 Mickleham Road, Orpington

SECTION 2 (Applications meriting special consideration)

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4.3	Shortlands Conservation Area	25-30	(12/02890/FULL6) - 26 Hayes Way, Beckenham
4.4	Copers Cope Conservation Area	31-36	(13/00234/FULL1) - 15A Wickham Road, Beckenham
4.5	Clock House	37-44	(13/00339/FULL1) - Phantasy, 17 Allen Road, Beckenham
4.6	Bromley Town	45-52	(13/00389/FULL2) - Lancaster House, 7 Elmfield Road, Bromley
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4.8	Shortlands	59-62	(13/00596/FULL6) - 29 Bushey Way, Beckenham

4.9	Farnborough and Crofton Conservation Area	63-68	(13/00691/FULL1) - Land Opposite 1 to 4 Tye Lane, Orpington
4.10	Cray Valley East	69-72	(13/00703/FULL6) - 17 Northfield Avenue, Orpington
4.11	Shortlands	73-78	(13/00771/FULL6) - 90 Malmains Way, Beckenham
4.12	Bickley	79-82	(13/00819/FULL6) - 91 Southborough Road, Bickley
4.13	Chislehurst	83-88	(13/00962/FULL2) - 51 Marlings Park Avenue, Chislehurst
4.14	Darwin Conservation Area	89-94	(13/01068/MATAMD) - Petleys Farm House, Luxted Road, Downe
4.15	Darwin Conservation Area	95-100	(13/01069/FULL2) - Petleys Farm House, Luxted Road, Downe
4.16	Cray Valley East	101-104	(13/01078/FULL6) - 106 Perry Hall Road, Orpington

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

Report No.	Ward	Page No.	Application Number and Address
4.17	Chislehurst Conservation Area	105-108	(13/00432/FULL6) - The Cottage, Summer Hill Lodge, Summer Hill, Chislehurst
4.18	Chelsfield and Pratts Bottom	109-114	(13/00724/FULL6) - 7 Oxenden Wood Road, Orpington
4.19	Penge and Cator	115-120	(13/01134/FULL1) - Units 6-7 Lower Sydenham Industrial Estate, Kangley Bridge Road, Lower Sydenham
4.20	Bickley	121-132	(13/01204/FULL1) - Wilderwood, Widmore Green, Bromley

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

Report No.	Ward	Page No.	Application Number and Address
4.21	Petts Wood and Knoll Conservation Area	133-138	(13/00815/FULL1) - Public Conveniences, Station Square, Petts Wood
4.22	Orpington	139-146	(13/01227/FULL1) - 15 Paddocks Close, Orpington

5 CONTRAVENTIONS AND OTHER ISSUES

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

6 TREE PRESERVATION ORDERS

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

NO REPORTS

PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 4 April 2013

Present:

Councillor Simon Fawthrop (Chairman)
Councillor Alexa Michael (Vice-Chairman)
Councillors Peter Dean, Peter Fookes, Russell Jackson,
Kate Lymer, Gordon Norrie, Tom Papworth and Richard Scoates

Also Present:

Councillors Russell Mellor and Douglas Auld

29 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Reg Adams and Kathy Bance MBE: Councillors Tom Papworth and Peter Fookes attended as their respective substitutes.

30 DECLARATIONS OF INTEREST

Councillor Fawthrop declared a personal interest in Item 4.13. Councillor Fawthrop left the room and did not take part in the discussion or vote.

31 CONFIRMATION OF MINUTES OF MEETING HELD ON 7 FEBRUARY 2013

RESOLVED that the Minutes of the meeting held on 7 February 2013 be confirmed and signed as a correct record.

32 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

32.1 PENGE AND CATOR CONSERVATION AREA

(13/00232/FULL1) - Pavilion and Public Conveniences, Alexandra Recreation Ground, Alexandra Road, Sydenham

Description of application - Provision of front (northern) elevation to open fronted pavilion to provide equipment store.

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the

conditions set out in the report of the Deputy Chief Planner.

SECTION 2

(Applications meriting special consideration)

32.2 CHELSFIELD AND PRATTS BOTTOM

(13/00148/FULL6) - 13 Julian Road, Orpington

Description of application - Extensions and enlargement of roof to incorporate front dormers and to provide additional habitable accommodation within roof space/first floor, front porch and part conversion of existing garage to habitable accommodation.

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

32.3 DARWIN

(13/00173/FULL1) - Land Rear of 2 and 3 St Margarets Avenue, Berrys Green Road, Berrys Green

Description of application - formation of car parking area at Restavon Park.

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

The final paragraph on page 23 of the report was amended to read: 'The proposals involve operational development to provide a hardstanding approximately 23m x 17m (483sq.m) for a car park. The land is currently an open grassed area in use for open air recreation purposes.'

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.

32.4 CRAY VALLEY WEST

(13/00190/FULL6) - 14 Church Hill Wood, Orpington

Description of application - Single storey rear extension.

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

'5 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 further structures or alterations permitted by Class A, Part 1 of Schedule 2 of the 1995 Order (as amended), shall be erected or made within the curtilage of the dwelling 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 interests of the residential amenities of the occupants of adjacent dwellings and to prevent overdevelopment of the site.'

**32.5
BROMLEY COMMON AND
KESTON**

**(13/00302/FULL6) - Mackleys, Oakley Road,
Bromley**

Description of application - Single storey rear extension to be used as a granny annexe.

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

**32.6
CLOCK HOUSE**

**(13/00407/FULL1) - 3 Beckenham Road,
Beckenham**

Description of application - Erection of part one/two storey extension to provide 8 self-contained flats (6 x 2 bedroom and 2 x 1 bedroom).

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

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

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

'15 Before the development hereby permitted is first occupied, the panels of the oriel windows facing the boundary with 5 Beckenham Road on the third and fourth floor to the north west elevation 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.'

**32.7
PETTS WOOD AND KNOLL
CONSERVATION AREA**

**(13/00478/FULL6) - The Tudor House, 267
Chislehurst Road, Orpington**

Description of application - Extension to existing garage to rear.

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

'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 further buildings or structures permitted by Class E, Part 1 of Schedule 2 of the 1995 Order (as amended), shall be erected or made within the curtilage of the dwelling 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 interests of the residential amenities of the occupants of adjacent dwellings and to prevent overdevelopment of the site.

7 The garage hereby permitted shall be used for purposes incidental to the dwelling and shall not be used for living accommodation or severed to form a separate self-contained unit.

Reason: In order to comply with Policies BE1, H7 and H8 of the Unitary Development Plan, to ensure that the garage is not used separately from the dwelling and to prevent an overdevelopment of the site.'

SECTION 3

(Applications recommended for permission, approval or consent)

**32.8
KELSEY AND EDEN PARK
CONSERVATION AREA**

(13/00083/FULL6) - 71 Manor Way, Beckenham

Description of application - Two storey side extension and elevational alterations.

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

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

**32.9
COPERS COPE**

(13/00124/TPO) - 86-90 High Street, Beckenham

Description of application - Fell 3 sycamores
SUBJECT TO TPO 735.

Oral representations from Ward Member Councillor Russell Mellor were received at the meeting. Members having considered the report and representations, **RESOLVED that CONSENT FOR TREE WORKS BE GRANTED** as recommended, subject to the condition set out in the report of the Deputy Chief Planner with the addition of a further condition to read:-

'2 Replacement trees of sizes and species to be agreed in writing by the Local Planning Authority shall be planted in such positions as shall be agreed by the Authority in the first planting season following completion of the development. Any replacement tree which dies, is removed or becomes seriously damaged or diseased within 5 years of the date of this consent shall be replaced in the next planting season with another of similar size and species to that originally planted.

Reason: In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of the visual amenities of the area.'

**32.10
WEST WICKHAM**

(13/00143/FULL6) - 38 Hayes Chase, West Wickham

Description of application - First floor side/rear extension and ground floor roof extension at rear; roof alterations; elevational alterations.

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

**32.11
PENGE AND CATOR**

(13/00167/FULL1) - Penge Clinic, 17-19 Oakfield Road, Penge

Description of application - Demolition of 17 and 19 Oakfield Road and erection of 2 storey building (with accommodation space in the roof) for use as a medical centre and associated pharmacy together with closure of existing vehicular accesses, creation of new vehicular access to Oakfield Road, 10 car parking spaces, cycle parking and refuse facilities.

It was reported that no objections to the application had been received from the National Health Service. Members having considered the report, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Deputy Chief Planner with the addition of a further condition to read:-

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

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

23 The heritage plaques shall be removed safely and stored appropriately prior to their installation of the building hereby permitted.

Reason: In order to protect the special interest of the heritage plaques and ensure that they are erected on the new building in a satisfactory condition.'

**32.12
SHORTLANDS**

**(13/00276/FULL6) - 72 Kingswood Avenue,
Shortlands**

Description of application - Single storey side and rear extension.

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

It was reported that the application had been amended by documents received on 20 March 2013. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Deputy Chief Planner.

SECTION 4

(Applications recommended for refusal or disapproval of details)

**32.13
PETTS WOOD AND KNOLL**

(13/00465/FULL6) - 67 Dale Wood Road, Orpington

Description of application - First floor rear extension.

Having declared a personal interest in this application, Councillor Fawthrop left the room and did not take part in the discussion or vote. Vice-Chairman, Councillor Alexa Michael, took the Chair.

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

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

1 The proposed extension would, because of its bulk and depth, prejudice the amenities of the occupants of the adjoining dwelling at No. 65 by reason of its visual impact, overbearing effect and loss of daylight and sunlight, thereby contrary to Policy BE1 of the Unitary Development Plan.

The meeting ended at 7.50 pm

Chairman

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Agenda Item 4.1

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

Application No : 13/01055/FULL2

Ward:
Cray Valley West

Address : Belle Grove 100 Mickleham Road
Orpington BR5 2RJ

OS Grid Ref: E: 546380 N: 169326

Applicant : Housing Needs

Objections : YES

Description of Development:

Change of use from care home for the elderly (Class C2) to short term accommodation for the homeless (sui generis) with refuse store and car and cycle parking

Key designations:

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

Proposal

Planning permission is sought for the change of use of the existing building from a care home for the elderly (Class C2) to short term accommodation for the homeless (sui generis). A total of 38 units will be provided (23 one bedroom, 13 two bedroom and 2 three bedroom units), with shared/communal facilities. It is indicated that the accommodation will predominantly be occupied by families, providing short term temporary housing for periods of between 12 and 16 weeks. A member of staff will be on-site 24hrs a day to manage the facility.

A new bin store is proposed, which will (following receipt of revised plans on 13th May 2013) be positioned in front of the existing garage block which is located adjacent to the Goose Green Close site boundary. The bin store will measure approximately 4.8m by 2.45m and be constructed from 1.8m high hit and miss timber fencing.

The application is accompanied by a Planning, Design and Access Statement, which makes the following points in support of the proposed development:

- the Bellegrove care home for the elderly has been disused since August 2012, being no longer suitable for use as a care home as the standard of accommodation and access do not meet modern standards. Alternative

provision has been provided for residents elsewhere, which better meets their needs and is more cost effective for the Council

- the building will be converted to form a total of 38 units, ranging in size to ensure that the current and future needs of Bromley are met and a range of homeless households are catered for
- all tenants will be referred directly to the managing agents, Orchard & Shipman, by Bromley's Housing Department. Tenants will be assessed as homeless and have the right to accommodation within Bromley. All tenants will have low to medium support needs, and will stay in the accommodation for 12-16 weeks, until more permanent accommodation is found for them
- overall it is considered that the proposal is acceptable in planning policy terms. The proposal will provide sufficient car parking and amenity space for the residents and visitors. The accommodation will be set in an attractive verdant setting, which will be a pleasant environment for residents, who will be selected by the Council's Housing Department. Orchard & Shipman will manage and maintain the accommodation to a very high, professional standard
- the only possible concern may be the effect of the proposed change of use on residential amenity. In this instance, the property is located some distance away from the nearest residential properties apart from the cul-de-sac of bungalows for the over 50's (Goose Green Close) immediately to the west of the site. Neighbouring uses are predominantly non-residential (medical centre, ambulance station, church, library, rugby club and school). Consequently the proposal will only have an impact on a relatively small number of residential neighbours
- local residents have raised a number of concerns, especially regarding the potential for loss of amenities (peace and quiet, privacy etc.) and these concerns have been considered. However, the facility is to be managed by an experienced management company, who will ensure that all tenants sign an occupancy contract, which requires them to adhere to standard terms and conditions relating to their continued occupancy in temporary housing. This ensures that standards and levels of behaviour are maintained and that any issues that arise can be tackled promptly in order to maintain a comfortable environment for residents and not impose on the amenities of neighbours
- Orchard & Shipman have a track record in this respect, which is second to none, so neighbours should be confident that the accommodation will be well managed and will fulfil a worthwhile function in meeting housing need in the Borough.

The application also includes a capability statement regarding the further management of the property, setting out the history and experience of Orchard & Shipman, and further detail on how this site will run and be managed day-to-day.

Location

The application site is located at the corner of Mickleham Road and Chipperfield Road, Orpington, and comprises a two storey vacant building complex formerly in use as care home for the elderly. The site rises to the south towards the adjacent playing fields. The immediate surrounding area is mixed in character, with some

non-residential uses including a library (opposite) and health clinic to west, as well as a number of dwellinghouses including at Goose Green Close to the immediately to the west of the site.

Comments from Local Residents

Nearby owners/occupiers were notified of the application by letter. In addition a site notice was displayed and an advertisement published in the local press. Comments received in response can be summarised as follows:

- local residents (Goose Green Close) will feel vulnerable and would question whether their property would be at risk of burglaries and vandalism
- objection to loss of elderly care homes in the area
- growing need for elderly care facilities in the borough
- significant harm to residential amenity arising from introduction of tenant group consisting of vulnerable people, including noise nuisance and anti-social behaviour
- concern that crime rate will increase set against current policing levels
- this use should not be located in an area which already has neighbourhood problems
- concern for safety of children/teenagers using local sports clubs, the library and primary schools in the vicinity
- no evidence that there is a need for accommodation for the homeless in this area
- concerns regarding parking provision

Comments were received on behalf of the Longbury Close Residents Association, which echo the comments already summarised above.

A 110 signature petition in objection to the proposal was received. The petition includes signatures from residents of Longbury Close, Scadbury Gardens, Goose Green Close, Broad Oak Close, Mickleham Road, Cotmandene Crescent, Chipperfield Road, Chorleywood Crescent, Robin Way,

Comments from Consultees

Cleansing raised no objection in light of the revised location of the bin store.

The Crime Prevention Design Advisor requested the standard 'secured by design' condition be imposed.

From the technical Highways perspective, it is advised that if the proposed units were for sale 38 car parking spaces would be required, and if socially rented 23/24 spaces would be required. There is little information about parking for this type of use, although it is anticipated that car ownership is likely to be lower than with socially rented units by virtue of the position the occupants find themselves in and 18 spaces may well be adequate. However, there are no figures to either support or counter this number and consequently it would be difficult to substantiate a ground of refusal on this matter.

Planning Considerations

The application should be considered against the following policies:

Unitary Development Plan

- H4 Supported Housing
- BE1 Design of New Development
- C1 Community Facilities
- T3 Parking
- T7 Cyclists
- T18 Road Safety

London Plan

- 3.3 Increasing Housing Supply
- 3.8 Housing Choice
- 6.13 Parking

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

Planning History

There is no recent planning history at the site which is of relevance to this application.

Conclusions

The main issues for consideration in this case will be the impact of the proposed use on the character of the area, the impact on the amenities of the occupants of the surrounding residential properties, and the impact upon existing parking levels in the surrounding road network.

The proposed change of use involves no external alterations to the building and will not alter the character of the building when viewed from the street. The proposed bin store will be located in front of the existing garage block and will be visible in Mickleham Road, although is a relatively modest structure and will not unduly affect the character of the area in this instance.

In planning policy terms the proposal will broadly comply with the Community Services Objectives outlined in the UDP, and is broadly supported by Policy C1 in that it comprises a change of use that meets an identified social need. Although resulting in the change of use of an existing elderly care facility, no residents will be displaced (the premises are currently vacant and all residents have been moved to accommodation elsewhere), and in this case it is considered that the proposal would make effective use of a vacant building without significant alteration, to accommodate homeless persons, based on the Borough's current housing need.

With regard to the impact on the amenities of neighbouring residents, the proposal could result in a more intensive use of the premises than the former use given its nature, with more comings and goings and general activity likely to arise.

However, it should be noted that whilst comings and goings from former residents may have been limited, the premises were likely to have been more heavily staffed given the level of care required for elderly residents which would in itself have given rise to a degree of activity associated with the use. Conversely, future residents of the premises will require relatively low levels of care/assistance and on balance; it is considered that the proposed use will not, in itself, give rise to a significant loss of amenity to neighbouring residents as a result of any intensification.

Members will note that strong objections have been received locally, with particular regard to the future occupiers of the accommodation, and the potential for increased noise and disturbance and anti-social behaviour to arise. As noted above it is considered that there may be some intensification in the use of the site, although it is not expected that this will give rise to a significant loss of amenity. With regard to anti-social behaviour, the Applicant's agent has sought to offer reassurances on this matter, and advises that the premises will be managed by an experienced management company who will ensure that standards and levels of behaviour are maintained and that any issues that arise can be tackled promptly in order to maintain a comfortable environment for residents and not impose on the amenities of neighbours.

As regards parking issues, Members will note the technical advice from Highways which indicates that the parking provision on-site is lower than would be expected for market or affordable housing, but that car ownership for this type of accommodation may well be lower by virtue of the position the occupants find themselves in. Indeed, as the accommodation proposed is specifically for the homeless, it is not anticipated that car ownership levels will be high and Members may agree that in this instance the on-site parking provision of 18 spaces is acceptable.

To conclude, Members will need to carefully consider this proposal having regard to the representations received from local residents, however may agree that the proposal would make effective use of a vacant building meeting the need to provide temporary accommodation for the homeless and would not, on balance, give rise to a significant loss of amenity to local residents or harm conditions of highway safety.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/01055, excluding exempt information.

as amended by documents received on 13.05.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACH19 | Refuse storage - implementation |
| | ACH19R | Reason H19 |

Reasons for granting permission:

In granting permission the local planning authority had regard to the following policies:

Unitary Development Plan

- H4 Supported Housing
- BE1 Design of New Development
- C1 Community Facilities
- T3 Parking
- T7 Cyclists
- T18 Road Safety

London Plan

- 3.3 Increasing Housing Supply
- 3.8 Housing Choice
- 6.13 Parking

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 residential properties;
- (c) the Housing policies of the development plan;
- (d) the character of the development in the surrounding areas;
- (e) the impact on the infrastructure of the wider area;
- (f) the identified need for temporary accommodation within the Borough;
- (g) the amenities of the occupiers of adjacent and nearby properties;

and having regard to all other matters raised.

INFORMATIVE(S)

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

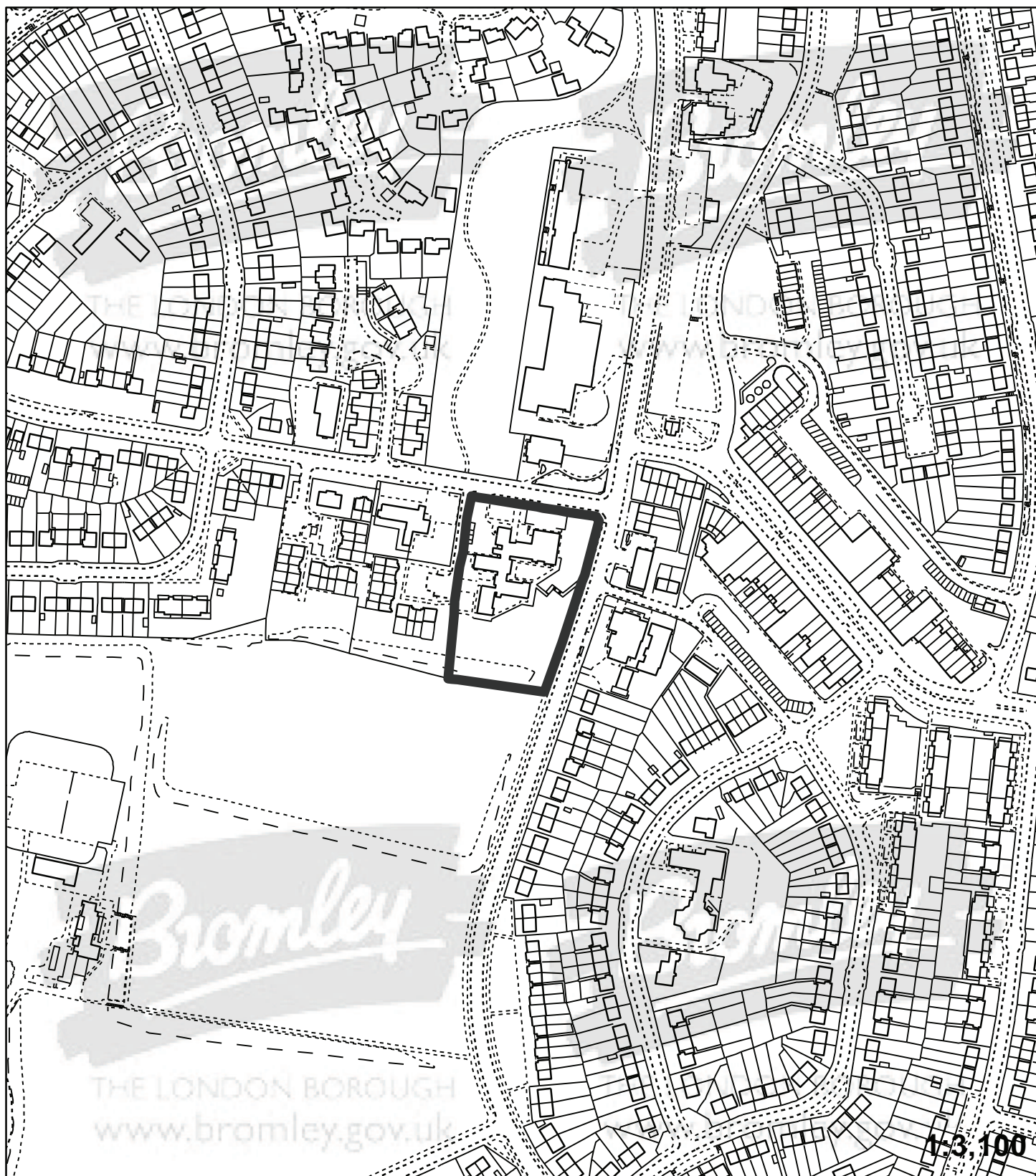
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:13/01055/FULL2

Address: Belle Grove 100 Mickleham Road Orpington BR5 2RJ

Proposal: Change of use from care home for the elderly (Class C2) to short term accommodation for the homeless (sui generis) with refuse store and car and cycle 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 : 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 elevational alterations.

Key designations:

Business Area

Update

This application was considered by the Plans Sub Committee on the 2nd May 2012. This case was deferred in order to clarify the marketing information, numbers of car parking spaces and to clarify the elevational changes. The agents have provided an updated package of information.

The agents have provided the following information in respect of marketing information.

1. February 2007 purchased the property and immediately erected our own 'For Sale' sign
2. December 2007 Offer, in writing, from Bonds Builders to purchase. Taken off the market
3. November 2009 with 3 weeks of completion Bonds Builders withdrew their offer because of the economic conditions
4. December 2009 put back on the market with Sinclair Jones Estate Agents
5. July 2010 offer to buy Taken off the market
6. March 2011 offer withdrawn because he couldn't get change of use
7. September 2011 Offer to buy
8. Applied for change of use - still ongoing

The agent indicates that 26 car parking spaces are provided for the application site.

The previous report is provided in respect of this application.

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 12/01125/FULL1. 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 16.05.2013

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'n'l 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.

9 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

BE1 Design of New Development

EMP4 Business Areas

T1 Transport Demand

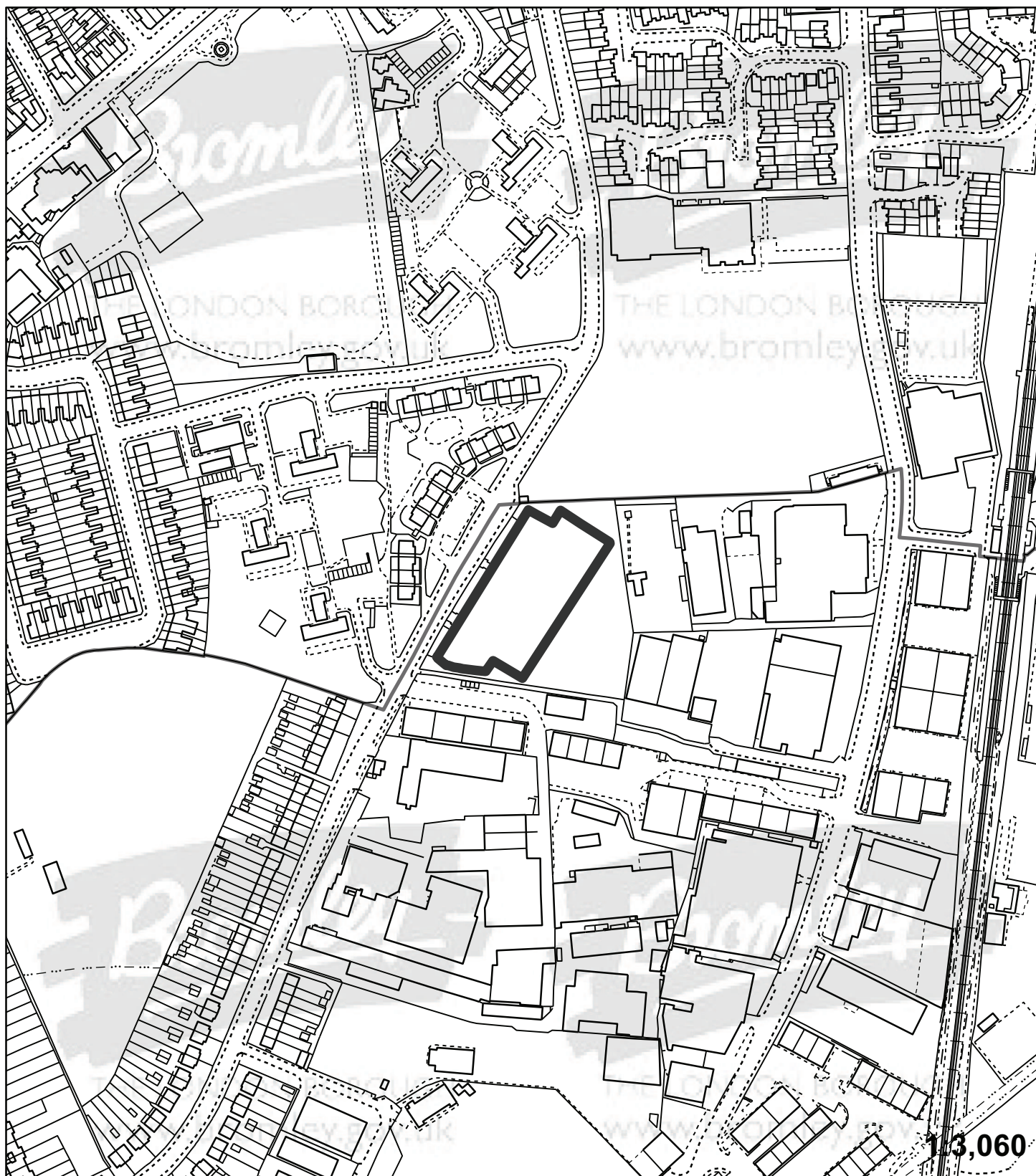
T2 Assessment of Transport Effects

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 elevational alterations.



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

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SECTION '2' – Applications meriting special consideration

Application No : 12/02890/FULL6

Ward:
Shortlands

Address : 26 Hayes Way Beckenham BR3 6RL

OS Grid Ref: E: 538434 N: 168457

Applicant : Mrs Terrie Martin

Objections : YES

Description of Development:

Raised garden terrace at rear with walls and steps. RETROSPECTIVE APPLICATION.

Key designations:

Conservation Area: Park Langley

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

Update

Members will recall that this case was presented to the Plans Sub Committee held on the 20th December 2012 in order that photographs were taken from the garden of 28 Hayes Way looking towards 26 Hayes Way (with someone standing on the terrace). This has now has been undertaken and the photographs are on file to view. The report is now represented to committee.

Proposal

This application seeks planning permission for the retention of a garden terrace with walls and steps.

The terrace is 4 metres deep and 9.9 metres wide and raises approximately 0.68 metres above the ground level.

Location

The application site is located within the Park Langley Conservation Area and hosts a two storey detached dwelling house.

The application site slopes to the rear by approximately 1.5 metres and is surrounded by 1.8 metres high boarded fence.

There is an ash tree positioned close to the terrace.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and a representation was received on the grounds of loss of privacy and noise and can be summarised as follows:

- the platform is at such a height that people standing on it appear at least head and shoulders above the fence;
- the installation of the fence has removed mature planting that provided screening between the property and no. 28 and has created a straight and clear sightline around the perimeter and also into the kitchen and dining room;
- there is no part of the garden at no. 28 that cannot be viewed from the platform;
- the laurel bushes that were planted do not provide significant coverage and could be easily removed by any future owner of the property;
- the hard surfacing and the walls have created an 'amphitheatre' effect on sound, magnifying the music and conversations;

Comments from Consultees

No objection from heritage perspective as there is no adverse impact on the conservation area.

An Arboricultural Officer confirmed that the ash tree has not been affected by the construction works.

Planning Considerations

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

BE1 Design of New Development
BE11 Conservation Areas
H8 Residential Extensions
NE7 Development and Trees

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

Planning History

10/00697/FULL6 - Two storey rear extension, conversion of garage to habitable room with pitched roof over existing and proposed element. Roof alterations – Permission refused on 01.06.2010 for the following reason:

The proposed extensions by reason of their size, height and bulk would appear bulky and over dominant and would be detrimental to the character and

appearance of the existing dwelling, the street scene in general and the Park Langley Conservation Area thereby contrary to Policies H8, BE1 and BE11 of the Unitary Development Plan.

10/02821/FULL6 - Two storey rear extension, conversion of garage to habitable room with pitched roof over existing and proposed element. Roof alterations – Permission granted on 28.01.2011.

Conclusions

The main issues relating to the application are the effect that it has on the character of the area and the impact that it has on the amenities of the occupants of surrounding residential properties ((with particular regard to privacy and noise/disturbance).

In this instance it is considered that the terrace is not detrimental to the architectural integrity of the parent dwelling and that the special character and appearance of the surrounding conservation area were not harmed by the proposal, thereby satisfying the requirements of Policies BE1, BE11 and H8 of the UDP.

With regard to the overlooking, it is noted that whilst the elevated position of the terrace allows wider views of the adjoining gardens, these views are not dramatically different from the views which are available from the rear garden of the property or its first and second floor windows. Similarly, although it is possible to obtain oblique views into the rear windows of the neighbouring properties, direct views are not easily accessible. Notwithstanding, it is considered appropriate that a suitable condition be added to this consent, should it be granted, requiring the installation of an adequate planting screen as well as its future maintenance. Members may agree that subject to such a condition any actual or perceived overlooking would be minimised.

The proposed terrace is being used for a purpose incidental to the enjoyment of the dwellinghouse. Whilst the presence of the structure may encourage the occupiers of the application property to utilise the outside amenity space to a greater degree, it can not be demonstrated that the use of the terrace results in a materially different impact than the ordinary use of the garden would. In any case, should any issues arise relating to undue noise or disturbance, these should be reported to the Council's Environmental Health Division.

Having had regard to the above it was considered that any envisaged loss of privacy or increase in noise/disturbance is not significantly harmful to warrant a refusal of planning permission. Members are therefore requested to determine that the proposal is acceptable and worthy of permission being granted.

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02890, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 Notwithstanding the details submitted in plan 12033/003 Rev. P1 full details of the planting screen, including details of the proposed plants shall be submitted to and approved in writing by the Local Planning Authority within 2 months from the date of this decision notice and this condition shall apply notwithstanding any indications as to these matters which have been given in the application. All planting comprised in the approved details of planting screen shall be carried out not later than the expiration of three months from the date of this decision notice solely in accordance with the approved details and retained for the duration of the permitted use. Any trees, hedgerows or shrubs forming part of the approved planting screen which die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written consent to any variation.

Reason: To ensure a satisfactory and continuing standard of amenities are provided and maintained and to prevent overlooking and loss of privacy, contrary to Policy BE1 of the Unitary Development Plan.

- 2 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

BE1 Design of New Development

BE11 Conservation Areas

H8 Residential Extensions

NE7 Development and Trees

Application:12/02890/FULL6

Address: 26 Hayes Way Beckenham BR3 6RL

Proposal: Raised garden terrace at rear with walls and steps.
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"

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SECTION '2' – Applications meriting special consideration

Application No : 13/00234/FULL1

Ward:
Copers Cope

Address : 15A Wickham Road Beckenham BR3
5JS

OS Grid Ref: E: 537854 N: 169301

Applicant : Emerald Properties (London) Ltd

Objections : YES

Description of Development:

Conversion of commercial building to provide one 5 bedroom dwelling

Key designations:

Conservation Area: Chancery Lane

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

London Distributor Roads

Proposal

The site is a linked building, part 2/part 3 storey and includes a courtyard type area to the front/side and a small garden/amenity area to the rear. This application proposes the conversion from commercial use to provide one 5 bedroom dwelling. Some external revisions are proposed which include the reduction of existing fenestration and external staircase area to the rear.

Location

The site is located on the east side of Wickham Road within Chancery Lane Conservation Area and is within a mixed residential/commercial location.

Comments from Local Residents

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

- overlooking
- loss of privacy and amenity
- road safety
- situated within line of business premises
- No. 15 has been recently sold as a business premises

- restricted access and parking
- emergency access
- clash of commercial and residential interests
- detrimental impact on commercial use
- letter advising interest in the property as commercial use

Comments from Consultees

No objections are raised from a Heritage point of view; conditions are suggested in the event of a planning permission.

From a Highways point of view it is noted that the site is located on the B230, a London Distributor Road, which carries a large volume of traffic; waiting restrictions are in force around the site on both Wickham Road and Chancery lane. As the site can accommodate up to two vehicles the proposal raises no Highway objection. Conditions are suggested in the event of a planning permission.

Cleansing raise no objection and advise refuse and recycling are to be left edge of curtilage

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:

H7 Housing Density and Design
 H12 Conversion of Non-Residential Buildings to Residential Use
 T3 Parking
 T18 Transport and Road Safety
 BE1 Design of New Development
 BE11 Conservation Areas
 EMP5 Development Outside Business Areas

Chancery Lane Supplementary Planning Guidance

SPG1
 SPG2

Planning History

The planning history includes a refusal for an application made in 1986, ref. 86/00978, for the change of use of the existing buildings to warehousing /workshop. It was refused on the basis the use would be detrimental to nearby residential amenities and be out of character in a primarily residential area.

Conclusions

The main issues relating to the application are the loss of a commercial unit, 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 whether a satisfactory quality of accommodation and amenity can be achieved.

Regarding the loss of a business unit Policy H12 requires that where a conversion of non-residential to residential use is proposed the applicants must be able to demonstrate that the premises are genuinely redundant and that a satisfactory quality of accommodation and amenity is achievable. Policy EMP5 states the redevelopment of business premises outside of Designated Business Areas will be permitted on the basis that it is unsuitable for Use Classes B1, B2 or B8 use and that full and proper marketing of the site confirms the unsuitability and financial non-viability of the site for those uses. The supporting statement to the application highlights that the unit has been vacant since September 2010 and has been fully on the market with two property agents since the Spring of 2011. One agent confirms that out of 12 viewings, three were for office use, one for Medical/Health Services and the remainder for residential interest. The second agent confirms that throughout the marketing period there have been viewings with commercial interest and with residential interest, however the only offers received were for the use as residential. The supporting statement clarifies that the owners did not wish to sell on a 'subject to planning' basis. A letter has recently been received by the Council from an interested party which advises that they have made an offer on the premises and would look to keep it for commercial purposes (Web Design). No additional information has been provided as to the size/viability of the company.

The plans submitted, photographs available on file and the site visit reveal that the site would provide a sizeable single dwelling house but with limited associated amenity area. The agents have confirmed that the site is within easy walking distance to Kelsey Park (6minutes). On the basis there is a dedicated amenity area associated with the proposed change of use and given the proximity to the local Park the limitations of the curtilage may not be considered to be such as to raise a planning ground of refusal.

The Supplementary Planning Guidance (SPG) for Chancery Lane Conservation Area states that 'changes of use will be acceptable only where, in the opinion of the Council, they would have no detrimental effect on the character of the area'. Wickham Road is a busy highway and there is a mix of commercial and residential in the vicinity. The irregular nature of the style and design of buildings in the location, the mix of uses and that very few (mostly fenestration) changes will be carried out to the external face of the building it may be considered that the proposal is unlikely to have a detrimental impact on the character of the area.

Regarding the impact that it would have on the amenities of the occupants of surrounding residential properties and whether a satisfactory quality of accommodation and amenity can be achieved neighbour concerns are noted that with the change of use to residential the increased likelihood of overlooking at evenings and weekends will result in a loss of privacy and amenity. The existing window configuration to the first floor level allows for a level of overlooking into residential neighbours to the south of the site (photographs are available on file) and there seems to be some evidence of an element of residential use at the application site. Whilst neighbour concerns are noted in this respect, the existing level of overlooking will be reduced significantly and on balance the extent of

overlooking into and from nearby residential properties may not be considered to be so great as to warrant a planning ground of refusal.

In respect of the directly adjacent commercial property, number 17, there are a number of windows and doors to the north elevation; the proximity and relationship of the site (number 15a) to number 17 will continue to give rise to overlooking (as is evident from the photos). Objections raise concerns re noise that would arise from the change of use and the subsequent disruption to the noise free environment that the business requires. Any conflict between commercial and residential use requires careful consideration. It may be considered however that the comings and goings from a residential use are unlikely to be greater than that arising from a commercial B1 use. Whilst some noise and disturbance may arise from any associated works related to a proposed conversion it is true that the same would result from on-going maintenance and repairs associated with a building.

Policy BE1 requires new development to be imaginative and attractive to look at and Policy BE11 seeks to preserve or enhance the character or appearance of conservation areas.

In terms of the design and its impact on the character and appearance of the area it may be considered that the revised fenestration and rear, external access arrangement are unlikely to result in a detrimental impact to the host building nor on the character or appearance of the conservation area.

No Highways objections are raised to the proposal on the basis there is sufficient parking for two cars.

On balance Members may consider that the change of use to residential may not be inappropriate. Although there has been a recent expression of commercial interest in the site it may be considered that this is not sufficiently substantial, given the two year marketing evidence that has been submitted with the application, to suggest that the site is viable to continue in business use.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 13/00234, excluding exempt information.

as amended by documents received on 28.03.2013

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 | ACH03 | Satisfactory parking - full application |

- ACH03R Reason H03
 - 4 ACH22 Bicycle Parking
 - ACH22R Reason H22
 - 5 ACH32 Highway Drainage
 - ADH32R Reason H32
 - 6 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.
- Reason:** In the interest of highway safety and to comply with Policy T18 of the Unitary Development Plan.
- 7 ACI01 Restriction of all "pd" rights
- Reason:** In the interest of the amenities of nearby occupiers and to comply with Policy BE1 of the Unitary Development Plan.
- 8 ACK01 Compliance with submitted plan
 - ACC01R Reason C01
 - 9 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

- H7 Housing Density and Design
- H12 Conversion of Non-Residential Buildings to Residential Use
- T3 Parking
- T18 Transport and Road Safety
- BE1 Design of New Development
- BE11 Conservation Areas
- EMP5 Development Outside Business Areas

Chancery Lane Supplementary Planning Guidance

- SPG1
- SPG2

INFORMATIVE(S)

- 1 RDI25 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

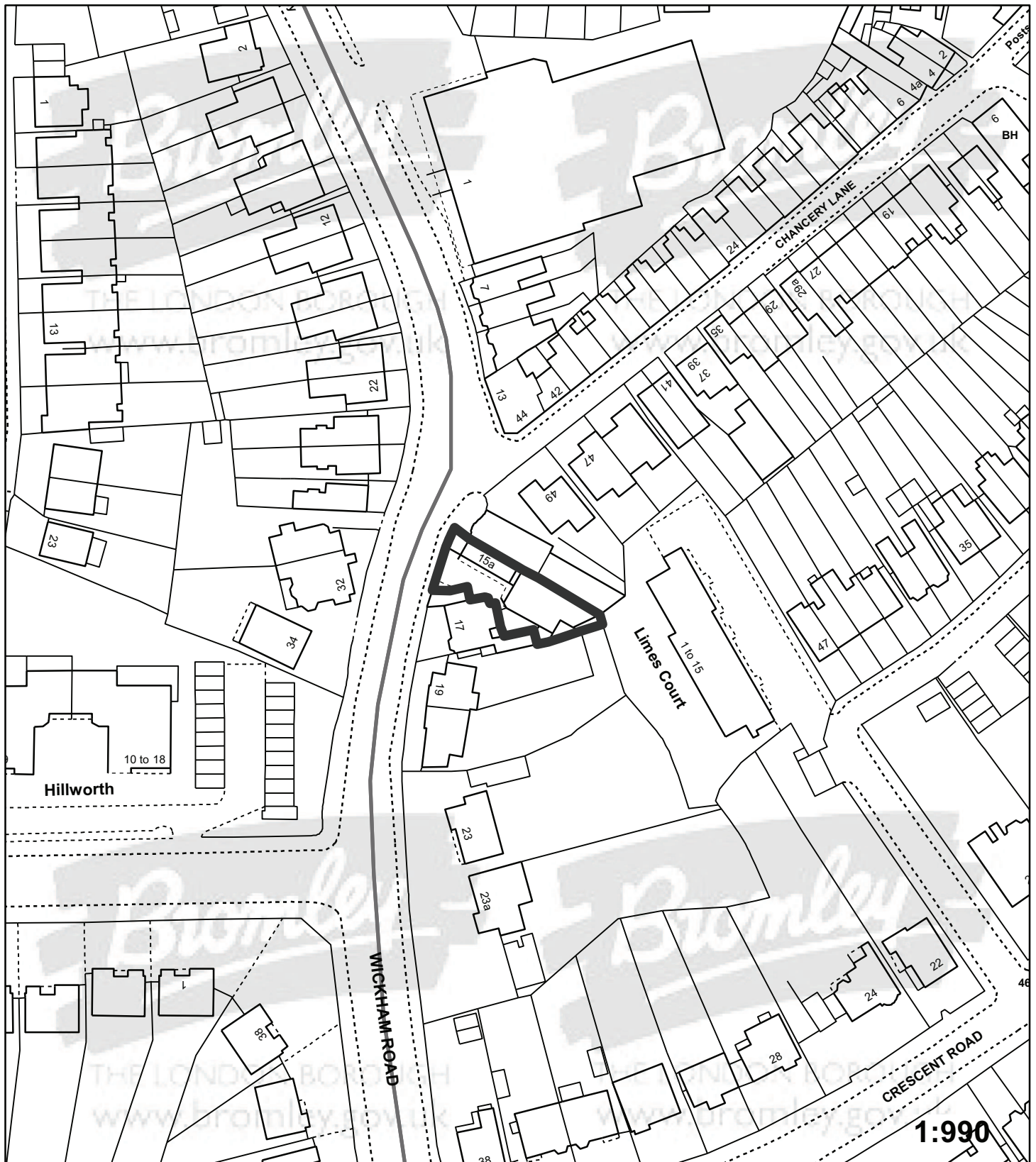
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:13/00234/FULL1

Address: 15A Wickham Road Beckenham BR3 5JS

Proposal: Conversion of commercial building to provide one 5 bedroom dwelling



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

SECTION '2' – Applications meriting special consideration

Application No : 13/00339/FULL1

Ward:
Clock House

Address : Phantasy 17 Allen Road Beckenham
BR3 4NU

OS Grid Ref: E: 535732 N: 169176

Applicant : McCullochs

Objections : YES

Description of Development:

Demolition of existing bungalow and erection of two 2 bedroom and one 1 bedroom dwelling with 3 car parking spaces.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Urban Open Space

Proposal

Planning permission is sought to demolish the existing bungalow and to erect a terrace of 3 three bedroom two storey houses. A total of 3 car parking spaces are proposed to the front and each property would have a rear garden of extending between 17m and 18m in depth. The footprint of the terrace would have a maximum depth of approx. 10.5m c.0.5m less deep than the newly constructed terrace at No.19 and approx. 1.5m beyond the rear building line at No.15. The max. height of the houses would be 6.65m. The design of the house would be simple and modern, featuring large windows at front and rear and a low profile shallow pitched roof that would extend to a max. of 6.65m in height (eaves height approx. 5m). A side space of 1.2m would be retained to the boundary with No.19 and 1.18m to the boundary with No.15. No windows are shown in the elevation facing No. 15 although the front door to this house (plot1) is located here. To the other elevation facing No.19 there is 1 first floor window which serves a bathroom and this window is shown to be obscure glazed.

The application is accompanied with a Tree Survey and Design and Access Statement.

Location

The application site currently hosts a detached bungalow, located on the south eastern side of Allen Road. The existing property is situated on a plot between a two storey semi to the north east, and to the south west a row of 3 recently constructed terraced houses that were allowed on appeal under ref. 09/00266. The rear boundary of the application site adjoins allotments.

The surrounding area is residential in character. The majority of properties along this road do not benefit from off-street parking. The road is mainly fronted by two storey terraced properties which appear to be Victorian in character.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received (including a petition) which can be summarised as follows:

- rear building line excessive
- excessive number of units proposed
- if permission is granted then permitted development rights should be removed to prevent future extensions
- the entrance door at the side of the house at plot 1 would reduce security of my property (No.15)
- no. of parking spaces proposed is inadequate and the proposal will increase parking congestion on Allen Road /Clement Road which will prejudice highway safety and access for emergency service particularly at the junction of Allen Road and Clement Road
- the completed development at No.19 should not be allowed to set a precedent
- the new development will have a larger footprint than the existing bungalow and will impede on our views
- the proposal will put extra strain on the drainage system
- loss of light sunlight and daylight to No.15

Comments from Consultees

Highways

The development would provide 3 off street parking spaces via a wide crossover from Allen Road. The parking ratio for terraced housing is 1:1.5 consequently 4 spaces are required; there is a shortfall of 1 space. However as most of Allen Road has no off-street parking and the development would provide 1 space per unit on balance this is acceptable, subject to standard conditions.

The applicant should be advised to contact Highway (Area Management) to rationalise the wide crossover to a more manageable width. Also there is a tree and a telephone pole which needs relocating.

From a tree perspective, this application is accompanied by an arboricultural report and the findings appear to be acceptable. Seven small trees will need to be removed to allow this development to take place but they are all graded C and are of no public amenity value. There is one grade B tree at the site and it is an ash,

towards the rear of the site and it would not be affected by this proposal. If permission is to be recommended it is suggested that standard conditions be imposed.

Environmental Health (Housing)

The first floor bathroom to plot 2 and the ground floor WC's to all three plots do not appear to be provided with natural ventilation. Adequate means of mechanical ventilation should therefore be provided.

Environmental Health (Pollution)

The following informatives should be added if permission is granted:

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.

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.

Cleansing- Refuse and recycling to be left edge of curtilage on day of collection.

Drainage

Please impose D02 and add the following informative:

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.

Planning Considerations

In considering the application the main policies are H1, H7, H9, BE1, T3, T11 and T18 of the Unitary Development Plan. These concern the housing supply and design of new housing/new development, side space, the provision of adequate car parking and new accesses and road safety.

Policy H1 (v) seeks to make most effective use of land. Policy H7 aims to ensure that new residential development respects the existing built and natural environment, is of appropriate density and respects the spatial standards of the

area as well as amenities adjacent occupiers, and allows adequate light penetration into and between buildings.

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

Policy T3 seeks to ensure that off street parking provisions for new development are to approved standards. Policy T18 requires that issues of road safety are considered in determining planning applications.

Government guidance in the form of PPS3 "Housing", while emphasises the role of good design and layout to achieve the objectives of making the best use of previously developed land and improving the quality and attractiveness of residential areas, but without compromising the quality of the environment.

Planning History

Under planning ref. 11/03478, planning permission was refused for a similar proposal. A subsequent appeal was dismissed. The inspector identified 2 issues, (1) Impact on neighbours in terms of outlook and (2) Impact on character and appearance of locality. Overall it was considered that the proposal due to its height, bulk, depth and position behind general building line would be overbearing in relation to No.31 Clement Road and restrict day light and sunlight to No.15. Furthermore, its overlarge appearance would be bulky and incongruous feature in the street scene detracting from the character and appearance of the locality.

The recently constructed terrace of 3 constructed at No. 19 was also allowed on appeal

Conclusions

The current scheme appears to have taken on board many of the criticisms made by the Inspector in dismissing the previous application. The main changes to the current scheme are as follows:

- reduction in height of the houses from 8.1m previously to 6.65m, stepping down to 6.25m for the house on plot1
- (Plots 2&3) 2m reduction in the depth of the footprint from 12.4m to 10.4m at ground floor level and 11.95m to 9m at first floor level (excl. oriel window)
- (Plot 1) 3.3m reduction in depth of footprint adjacent to No.15 from 12.4m to 9.1m at ground floor level and 10.7m to 7.5m at first floor level
- oriel windows proposed for first floor rear elevation angled away from No.31 Clement Rd to restrict views into bedroom windows and garden of this property
- shallow pitched roof resulting in a reduction in the height and also reduces scope to provide second floor accommodation in future that could impact on neighbours amenity

- the side spaces maintained remain unchanged, however the Inspector did not consider this aspect was out of keeping

In making the above outlined changes, the floorspace of each of the houses (particularly plot1) have been reduced to just below minimum standards as set out in The London Plan (Housing Supplementary Planning Guidance November 2012) . Environmental Health have not however raised any objections with regards to this aspect of the proposal.

In this case, it is clear that there will be an impact on the street scene and to nearby properties as a result of this proposal and a judgement needs to be made about whether the impact is unduly harmful. Members will need to consider whether the proposal sufficiently addresses the previous appeal decision and comments received locally. On balance, it is considered that the current scheme addresses the previous concerns in respect of the scale of the development.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/03478 and 13/00339, 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 | ACB01 | Trees to be retained during building op. | |
| | ACB01R | Reason B01 | |
| 5 | ACB02 | Trees - protective fencing | |
| | ACB02R | Reason B02 | |
| 6 | ACB03 | Trees - no bonfires | |
| | ACB03R | Reason B03 | |
| 7 | ACB04 | Trees - no trenches, pipelines or drains | |
| | ACB04R | Reason B04 | |
| 8 | ACC01 | Satisfactory materials (ext'nl surfaces) | |
| | ACC01R | Reason C01 | |
| 9 | ACD02 | Surface water drainage - no det. submitt | |
| | ADD02R | Reason D02 | |
| 10 | ACH03 | Satisfactory parking - full application | |
| | ACH03R | Reason H03 | |
| 11 | ACH12 | Vis. splays (vehicular access) (2 in) | 3.3 x 2.4 x 3.3m |
| | | 1m | |
| | ACH12R | Reason H12 | |
| 12 | ACH16 | Hardstanding for wash-down facilities | |
| | ACH16R | Reason H16 | |
| 13 | ACH22 | Bicycle Parking | |

- ACH22R Reason H22
- 14 ACH29 Construction Management Plan
- ACH29R Reason H29
- 15 ACH32 Highway Drainage
- ADH32R Reason H32
- 16 ACI02 Rest of "pd" Rights - Class A, B,C and E

Reason: In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in order prevent an overdevelopment of the site in the interest of the visual and residential amenities of the area.

- 17 No windows or doors shall at any time be inserted in the north-eastern and south-western elevation(s) of the houses on Plots 1 and 3 of the development hereby permitted, without the prior approval in writing of the Local Planning Authority.

ACI17R 117 reason (1 insert) BE1

- 18 ACK01 Compliance with submitted plan

Reason: In order to comply with the terms of the permission, Policies BE1 and H7 of the Unitary Development Plan and in order prevent an overdevelopment of the site in the interest of the visual and residential amenities of the area.

- 19 AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- BE1 Design of New Development
- T3 Parking
- T11 New Accesses
- T18 Road Safety

INFORMATIVE(S)

- 1 You are advised that it is an offence under Section 137 of the Highways Act 1980 to obstruct "the free passage along the highway" (which includes the footway i.e. the pavement). This means that vehicles parked on the forecourt should not overhang the footway and therefore you should ensure that any vehicle is parked wholly within the site.
- 2 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 3 Street furniture/ Statutory Undertaker's apparatus "Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming of

vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

- 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 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.
- 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:13/00339/FULL1

Address: Phantasy 17 Allen Road Beckenham BR3 4NU

Proposal: Demolition of existing bungalow and erection of two 2 bedroom and one 1 bedroom dwelling with 3 car parking spaces.



"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 : 13/00389/FULL2

Ward:
Bromley Town

Address : Lancaster House 7 Elmfield Road
Bromley BR1 1LT

OS Grid Ref: E: 540487 N: 169009

Applicant : Bromley Conservative Club

Objections : NO

Description of Development:

Change of use of ground floor from office (use class B1) to a private members club (sui generis). Formation of new entrance to Elmfield Road and the installation of new ventilation and extract system.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Bromley Town Centre Area
Local Cycle Network
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

It is proposed that the ground floor of the property change use from office space to a private members club. As part of this change of the use the entrance

Location

The application site lies on the eastern side of Elmfield Road and encompasses a four storey semi-detached corner property. The surrounding area is mainly commercial and is characterised by large properties. The site does not fall within the boundaries of any designated conservation area, but is within the Bromley Town Centre Area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and one representation was received. The comment received enquired about the consultation process and the relevant dates for submitting comments by.

Comments from Consultees

Environmental Health Officer – No objections.

Planning Policy and Town Centre Development – Business/Employment Policy Implications

From a policy point of view it is noted this site falls within the Bromley Town Centre area boundary and is within the designated Business Improvement Area as per the Bromley Town Centre Area Action Plan proposals map.

It is noted that the site does not fall within a designated Business Area as per the UDP.

The key issues to consider in assessing this application from a business/employment perspective are the loss of office space and the projected future demand for B1 office in the borough.

The site is currently used as a reception area and meeting/conference space for Baker Tilly (who occupy the rest of the building). The D&A states that “there is no office floorspace at ground floor level”. The proposal therefore involves the loss of prime B1 office floorspace in a Business Improvement Area. This conflicts with the aims and objectives of the Bromley Town Centre Area Action Plan (AAP).

Existing gross internal floorspace:
B1(a) Office = 240 sq.m

Net loss of office floorspace proposed for change to sui generis = -240 sq.m

The building is in use-class ‘B1 office’ and therefore the ground floor is capable of supporting an office use. Hence there is a ‘loss’ of office floorspace.

The applicant states that the development results in no loss of employment because Baker Tilly will retain a reception area and post room on their remaining floors.

Employment on site is currently 1 full-time employee. The proposals do not affect the number of jobs on the site as this job will be relocated within the building. The proposed scheme is estimated to generate 10 FTEs, albeit it these are not 10 new jobs, but relocated from an existing site within the town centre. The proposal would therefore safeguard these 10 jobs.

English Partnerships Guidance states that one general office worker requires approximately 12sq.m. The loss of 240sq.m would therefore equate to the loss of approximately 20 full time jobs with the office use it currently has permission for. The proposal would result in the net loss of 10 jobs, thus it does not fulfil criteria (ii) of EMP3 (“there is no likely loss of employment resulting from the proposal”).

The applicant has also failed to demonstrate that there is no local shortage of office floorspace and provide evidence of long term vacancy despite marketing of the premises. There is no evidence to suggest the ground floor could not be used for

offices purposes and the applicant offers no advice to show that marketing for office use was undertaken.

Paragraph 5.15 of the Adopted AAP states that the designation of Business Improvement Areas will assist in creating a high quality business environment for the retention of existing businesses and new business development in the Town Centre. The letter from Baker Tilly states they intend to extend their lease on the 2nd and 3rd floors – a decision has already been taken to remain on site and so the proposed change of use of the ground floor does not support the retention of an existing business. Hence it is inaccurate to claim that a change of use will assist a local business to remain in the town centre.

Furthermore, Policy IA2 of the AAP states that the Council will not permit development proposals resulting in the loss of B1 office floorspace in the business improvement areas. Policy BTC5 further qualifies that development proposals resulting in the loss of B1 floorspace will only be acceptable if the office floorspace is re-provided as part of the redevelopment on the site. The applicant has not satisfied this requirement.

Policies EMP3 and EMP5 of the UDP set out criteria which must be fully met in order to satisfy the test of the reasonable likelihood of the resumption of the previous use and provide clear evidence of a genuinely redundant office and thus is surplus to requirements. The applicant has failed to meet these criteria.

The thrust of the UDP policy is reflected in the NPPF aims and objectives. Paragraph 22 of the NPPF requires LPAs to avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. The site is currently in use and the applicant has failed to demonstrate that there is no reasonable prospect that the site could be used as an office. There is no evidence that the applicant has marketed the site for office use and therefore there is a lack of evidence to suggest the site is genuinely redundant and thus surplus to requirements.

The NPPF sets a strong emphasis on market signals as an evidence base for commercial allocations. It is essential to consider the vacancy and occupancy levels in order to ascertain whether the premises are genuinely redundant. No evidence is supplied on these fronts. These factors are to be taken into consideration in assessing this scheme.

The proposal conflicts with the Council's aim to safeguard a supply of land in the Borough to provide for the growth and development of business and industry. The findings of the GVA Grimley study, DTZ study and the Mayor of London's projections for job creation in the Borough emphasise the importance of ensuring a supply of business sites to meet future need.

The UK economy has recently been in recession and is currently characterised by sluggish growth. It is Council policy to safeguard a supply of business land for the future growth and development of business industry.

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
EMP3 Office Development
EMP5 Development outside Business Areas
ER9 Ventilation

Supplementary Planning Guidance 1 General Design Guidance

Bromley Town Centre Area Action Plan Policies:

Policy BTC5 - Office Development

With the exception of changes of use which may be permitted in the Bromley North Village Improvement Area under Policy IA1, development proposals resulting in the loss of B1 office floorspace will only be acceptable if the office floorspace is re-provided as part of the redevelopment of the site.

The Council will achieve these policy aims through promoting the development of the Opportunity Sites identified in the Plan and improvements to existing premises and facilities in the Business Improvement Areas identified on the Key Diagram to create a high quality business environment.

Policy IA2 Business Improvement Areas

The Council will seek to support existing businesses and promote new business development through the designation of Business Improvement Areas as shown on the Key Diagram. Development proposals resulting in the loss of B1 office floorspace will not be permitted in the Business Improvement Areas. The Council will work with businesses to secure improvements to premises and facilities and the appearance of the public realm to create a high quality business environment.

London Plan Policies:

The London Plan (2011) sets out the Mayoral vision and strategic policy regarding the economy and business growth. The following London Policies are considered relevant:

Policy 2.6 Outer London: Vision and strategy

Policy 2.7 Outer London: Economy (The Mayor will, and boroughs and other stakeholders should, seek to address constraints and opportunities in the economic growth of outer London so that it can rise above its long term economic trends.)

Policy 4.1 Developing London's Economy

Policy 4.2 Offices (supporting managed conversion of surplus capacity to more viable, complementary uses.)

Policy 2.6 Outer London: Vision and strategy

Policy 2.7 Outer London: Economy

Policy 4.1 Developing London's Economy

Policy 4.2 Offices

NPPF (particularly paragraphs 22 and 51.)

The above policies are considered consistent with the objectives and principles of the NPPF.

Planning History

91/02190/ADV - Non-illuminated sign on rear elevation, application permitted.

95/01036/ADVILL – Wall mounted flag pole over main entrance, application permitted.

96/00724/ADVILL - Internally illuminated wall mounted sign, application permitted.

01/02058/ADV - Non illuminated letter sign and internally illuminated logo sign, application permitted.

Conclusions

The main issues relating to the application are the loss of a commercial unit, 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 properties and whether the relocation of the front entrance and installation of ventilation and extract system is appropriate.

The ventilation and extract system is proposed to be positioned at the rear of the property. It will run up three storeys of the building and will ventilate gases away at roof level. It is large in size and would not be in keeping with the character of the existing building. However, due to the system being sited at the rear of the property the system would not be that visible to the main streetscene. It would also run past upper floors that are occupied by office space, however, no gases would be released near the upper floor windows and the ventilation system would not detrimentally affect outlook from the office windows. The rear of the building is clearly used for deliveries and services and an extract system would not appear so out of place, however, it is proposed for the ventilation system to be positioned in a place where it would be tucked away out of site from most viewpoints when looking at the building. Therefore the installation of the extract system would not affect the visual amenity of the area or the amenity of any neighbouring properties and is considered acceptable.

The application also seeks to create a new entrance at the property. There is currently an entrance that is positioned on the western elevation, and it is proposed to add another on the same elevation. It will be positioned within a section of glazing and the doors themselves will also be glazed. The new entrance therefore will be in keeping with character of the property and the surrounding area. It is not considered that the new entrance will affect amenity in any way to neighbouring properties.

The Bromley Conservative Club is currently located at a different property further down the street from the question site. The club aims to move the club to the property and change the use of the ground floor from office space to a sui generis use class for the club. The Policy and Town Centre Development team have objections to the loss of the office space at the property. The area has been designated for the long term protection of employment use and the proposed change of use is therefore contrary to policy.

Having had regard to the above it was considered that the development in the manner proposed would represent the loss of needed office space in the Bromley Town Centre Area, thus contrary to the objectives of policies EMP3 and EMP5 of the UDP.

RECOMMENDATION: PERMISSION BE REFUSED

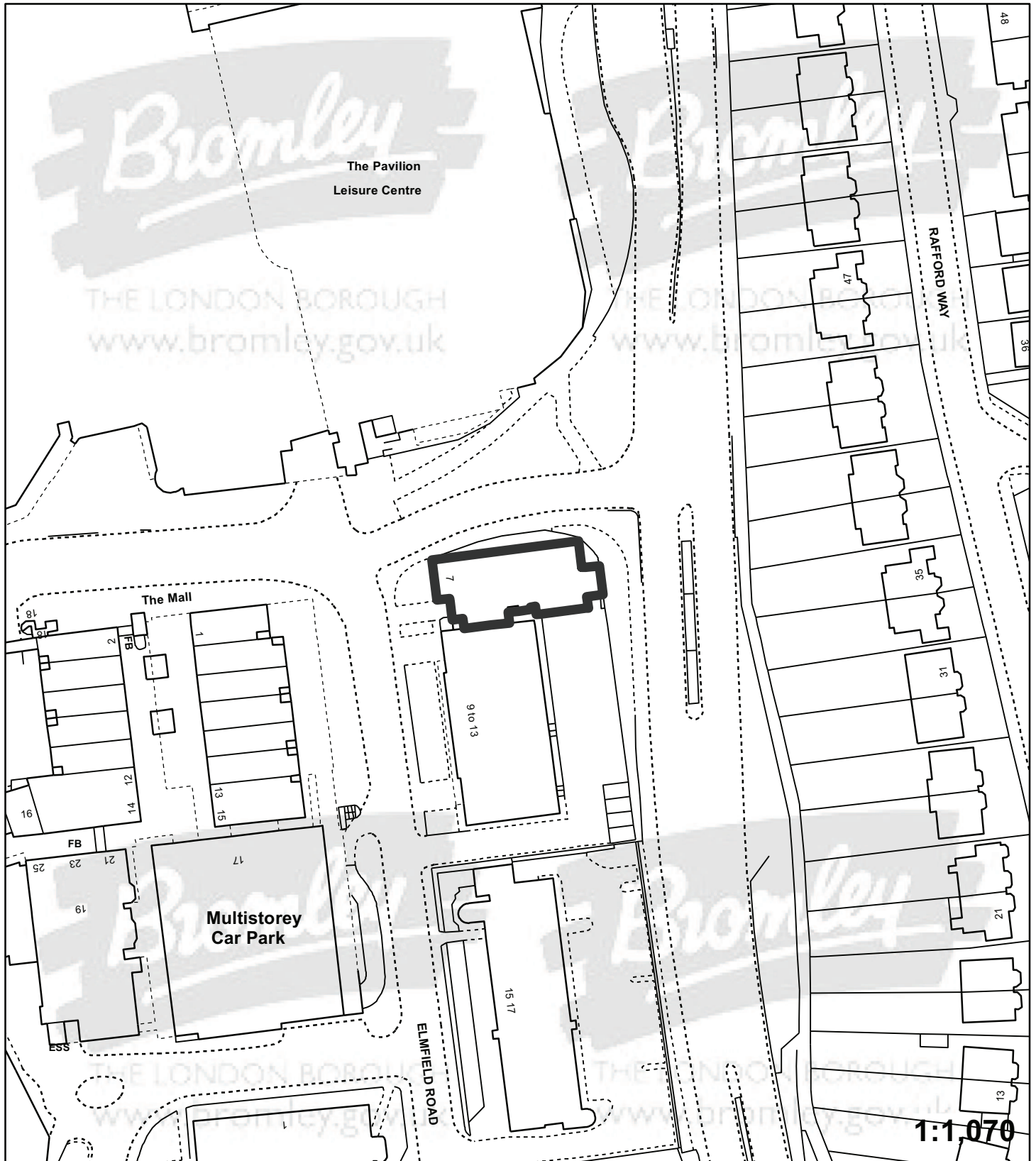
The reasons for refusal are:

- 1 The change of use of ground floor from office (use class B1) to a private members club (sui generis). Formation of new entrance to Elmfield Road and the installation of new ventilation and extract system, by reason of the loss of office space that would occur within the designated business improvement area would be detrimental to the Council's aim to safeguard a supply of land in the Borough to provide for growth and development of business and industry, contrary to policies EMP3 and EMP5 of the UDP.

Application:13/00389/FULL2

Address: Lancaster House 7 Elmfield Road Bromley BR1 1LT

Proposal: Change of use of ground floor from office (use class B1) to a private members club (sui generis). Formation of new entrance to Elmfield Road and the installation of new ventilation and extract system.



"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 : 13/00455/FULL2

Ward:
Cray Valley East

Address : 44 Lynton Avenue Orpington BR5 2EH

OS Grid Ref: E: 546601 N: 168107

Applicant : TBNZ Properties Ltd

Objections : YES

Description of Development:

Use of detached building as office (Class B1)

Key designations:

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

Proposal

It is proposed to convert this detached building which was formerly used in connection with a former non-residential day centre at No 44 Lynton Avenue as an office (Class B1). The site contains one off-street parking space.

The application is accompanied by a Design and Access Statement which advises that the internal arrangements would remain largely unaltered, except for the provision of a WC facility and the replacement of existing windows with obscured glass.

Location

The site fronts the eastern side of Sidmouth Road and is situated within a residential area characterised by two storey dwellings.

Comments from Local Residents

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

- this proposal represents an attempt to sidestep a 2011 condition requiring that the building should only be used for purposes incidental to No 44 Lynton Avenue
- use of office in a residential area is unacceptable

- no evidence that a sequential approach has been considered, or details of office deficiency to support this proposal
- proposal is at odds with local character
- cramped overdevelopment due to plot size

Comments from Consultees

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

Planning Considerations

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

BE1 Design of New Development
EMP6 Development Outside Business Areas
T3 Parking

The National Planning Policy Framework is also relevant

Planning History

The detached studio building, together with the neighbouring dwelling at No 44 Lynton Avenue, were previously used by the Oxleas NHS Foundation Trust having been converted to a non-residential day centre (Class D1) in 1992. Planning permission was granted to convert the main building back to residential use in 2011 (under ref. 11/00569). A condition imposed on the 2011 permission for the conversion of a non-residential day centre back to a dwelling stated that the studio building could only be used for purposes incidental to the enjoyment of the dwelling at No.44.

Under ref. 12/00657 planning permission was refused by the Council for the conversion of the studio building to a self-contained dwelling on the basis that it would not accord with the general character, pattern and spatial standards of the area, and would constitute a cramped form of development by reason of its restricted plot size. The proposal was subsequently dismissed at 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.

The detached studio building, together with the neighbouring dwelling at No 44 Lynton Avenue, were previously used by the Oxleas NHS Foundation Trust after having been converted to a non-residential day centre (Class D1) in 1992. The site was put up for sale in 2010 and planning permission was granted to convert the main building to residential use in 2011 (under ref. 11/00569). It is now proposed to convert this former ancillary building to a self-contained office.

The National Planning Policy Framework constitutes a material consideration in determining planning applications. The Framework asserts that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

Policy EMP6 advises that outside designated Business Areas the Council will only permit non-conforming business uses where there would be no significant adverse impact on the amenity of the surrounding properties.

It is considered that the scale of use of this detached building will be restricted by its relatively small size which will most likely suit a small or start-up business. On that basis it is not considered that the sort of activity associated with a B1 office-related use will be so significant as to undermine neighbouring amenity. Conditions restricting the hours of use are suggested to ensure that the building is not used outside normal working hours, as well as a condition limiting the period of time of the use, thus enabling the Council to assess the impact of the use at a later date.

In comparison to the previous proposal which involved the building's conversion to a self-contained dwelling and the provision of a mezzanine floor it is not considered that this scheme will undermine local character, in view of its non-residential form and less intensive use. Furthermore, following receipt of revised plans (received 30.4.13) the amount of garden area given over to the proposed B1 use will be minimised so that the plot size associated with the dwelling at No 44 Lynton Avenue will remain more commensurate with surrounding residential properties.

In summary it is considered that the proposal could provide a useful local business use and that this 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. 11/00569, 12/00657 and 13/00455, excluding exempt information.

as amended by documents received on 30.04.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|-----------------|--|---------------|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years | |
| 2 | ACE02
ACE02R | Limited period - use (1 insert)
Reason E02 | 31.03.2018. |
| 3 | ACJ01
ACI14R | Restriction on use (2 inserts)
I14 reason (1 insert) BE1 | office use B1 |
| 4 | ACJ05
ACJ05R | Rest. hours of use and ex. Sun (2 ins)
J05 reason BE1 | 07:30 19:30 |
| 5 | ACH03 | Satisfactory parking - full application | |

- | | | |
|---|--------|--|
| | ACH03R | Reason H03 |
| 6 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 7 | ACK01 | Compliance with submitted plan |
| | ACC03R | Reason C03 |
| 8 | AJ02B | Justification UNIQUE reason OTHER apps |

Policies (UDP)

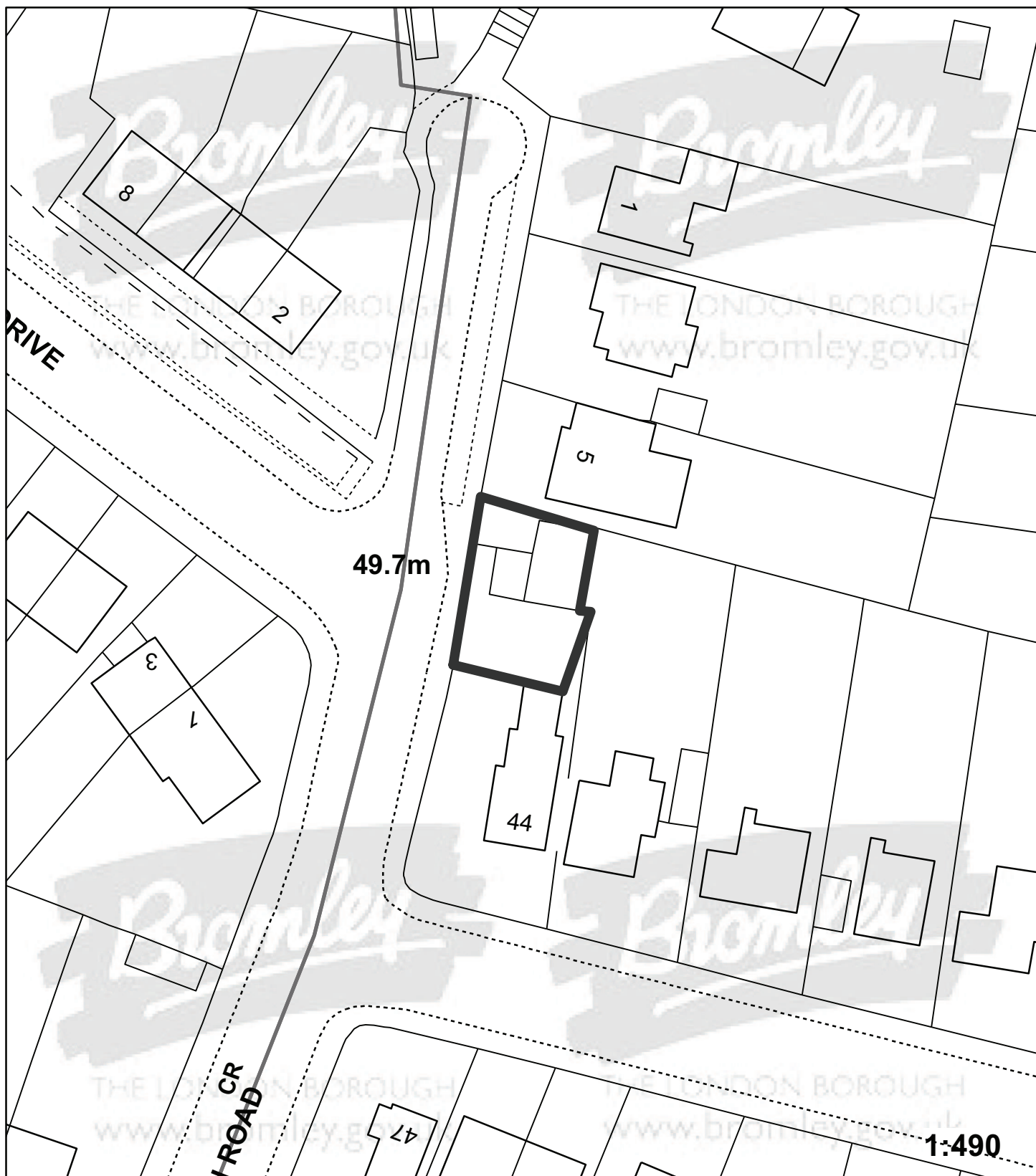
- BE1 Design of New Development
- EMP6 Development Outside Business Areas
- EMP8 Business Support
- T3 Parking

National Planning Policy Framework

Application:13/00455/FULL2

Address: 44 Lynton Avenue Orpington BR5 2EH

Proposal: Use of detached building as office (Class B1)



"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 : 13/00596/FULL6

Ward:
Shortlands

Address : 29 Bushey Way Beckenham BR3 6TA

OS Grid Ref: E: 538702 N: 167546

Applicant : Mr St John Cordingley

Objections : YES

Description of Development:

Single storey rear extension and roof alterations incorporating increase of roof height, half hip and rear dormer extensions

Key designations:

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

Proposal

This application proposes a single storey rear/side extension and roof alterations incorporating increase of roof height, half hip and rear dormer extensions. The rearward projection of the single storey element is 3.9m to the eastern boundary. There is a flat roof first floor element already in-situ. It seems the original roof line was of hipped design with a subservient gable element incorporated to the side.

Location

The site is a two storey, semi-detached dwelling house located on the north side of Bushey Way, within an Area of Special Residential Character (ASRC).

Comments from Local Residents

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

- design concerns re raised roof line and subsequent imbalance to street scene
- would like to see reduction in depth of rear extension to 3m with maximum height of 3.2m.

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
H8 Residential Extensions
H10 Areas of Special Residential Character

SPG1
SPG2

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 H10 requires for development proposals to respect and complement the established and individual qualities of the area. Appendix 1 states that the particular character of this part of Langley Park ASRC references character of a garden estate which is given by the quality and appearance of the hedges, walls, fences and front gardens. It also requires that the general height of existing buildings in the area shall not be exceeded. There is a mix of house type in the vicinity and the street scene evidences various types of extension. The application site is a semi-detached dwelling. The attached semi has been previously extended and the main part of the extended ridge line sits at a slightly lower level to the highest part of the roof. This application seeks to provide a rear dormer and incorporate a half hip design over the existing flat roof element. In so doing the overall height is raised in line with the highest part of the main roof. Neighbour concerns have been raised in this respect highlighting concerns with an asymmetric appearance and imbalance to the street scene.

The proposals will result in an imbalance to the pair of semi-detached houses. There is of course an imbalance at present and the proposed design will see the loss of the first floor flat roof element which is desirable. However careful consideration is to be given as to whether the development will result in a positive contribution to the street scene or whether the extent of additional bulk and imbalance is so harmful as to warrant a planning refusal ground.

The single storey side/rear element will project 3.9m to the rear and 1.3m out to the side. A small element of the flat roof design will be visible from the street scene. It is however set far enough back so as not to cause any harm to the street scene. It will be set off the eastern boundary by 0.325m. Neighbour concerns (number 31) suggest they would prefer to see a reduction to 3m rearward projection. The rear gardens are of a northerly orientation and number 31 is set to the east of the application site. Although there is a slight off-set from the boundary the rear garden is of northerly orientation and careful consideration needs to be given as to the harm caused to neighbouring amenities as a result of the 3.9m proposed rearward projection.

In an Area of Special Residential Character where planning policy requires for development proposals to respect and complement the established and individual qualities of the area Members are asked to carefully consider whether the proposed design outweighs the impacts of the existing flat roof first floor extension and whether it sufficiently protects the character and appearance of the area.

On balance, having regard to the above, Members may consider that the development in the manner proposed is acceptable in terms of its impact on the street scene but not acceptable in view of the depth of the rearward projection and the resulting loss of amenity to neighbouring amenities.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/00596, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed extension would, by reason of the depth of its rearward projection, have a detrimental effect on the daylighting to the adjoining house and the prospect which the occupants of that dwelling might reasonably expect to be able to continue to enjoy, contrary to Policy BE1 of the Unitary Development Plan.

Application:13/00596/FULL6

Address: 29 Bushey Way Beckenham BR3 6TA

Proposal: Single storey rear extension and roof alterations incorporating increase of roof height, half hip and rear dormer extensions



"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 : 13/00691/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 have been received stating that the principles and recommendations of the British Standard BS 5588 Part 11, Building Regulations and Fire Safety Guidance should be followed in the provisions of fire precautionary arrangements. Concern is raised that there may be inadequate access for fire vehicles.

Building Control has been consulted on the observations received by the Fire Brigade and the inadequate access for fire vehicles has also been highlighted. Further information has been requested from the applicant to demonstrate how emergency services can access the site in line with Building Regulations and this 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
London Plan Policy 6.13 Parking
London Plan Policy 7.13 Safety, Security And Resilience To Emergency

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. The development is not considered to impact on its openness and character. The proposal includes gardens within the Green Belt and this will open this part of the site, removing the stable building. The proposed built development on the site will be sited adjacent to the Green Belt and in close proximity, however the use of the area of Green Belt land as residential garden space is not considered to be more harmful in this case. 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.

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 concerns 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 may be unsuitable. Having said this, conditions may be considered

suitable to address this, and further information is expected to be submitted by the applicant regarding emergency vehicle access.

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.

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.

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)).

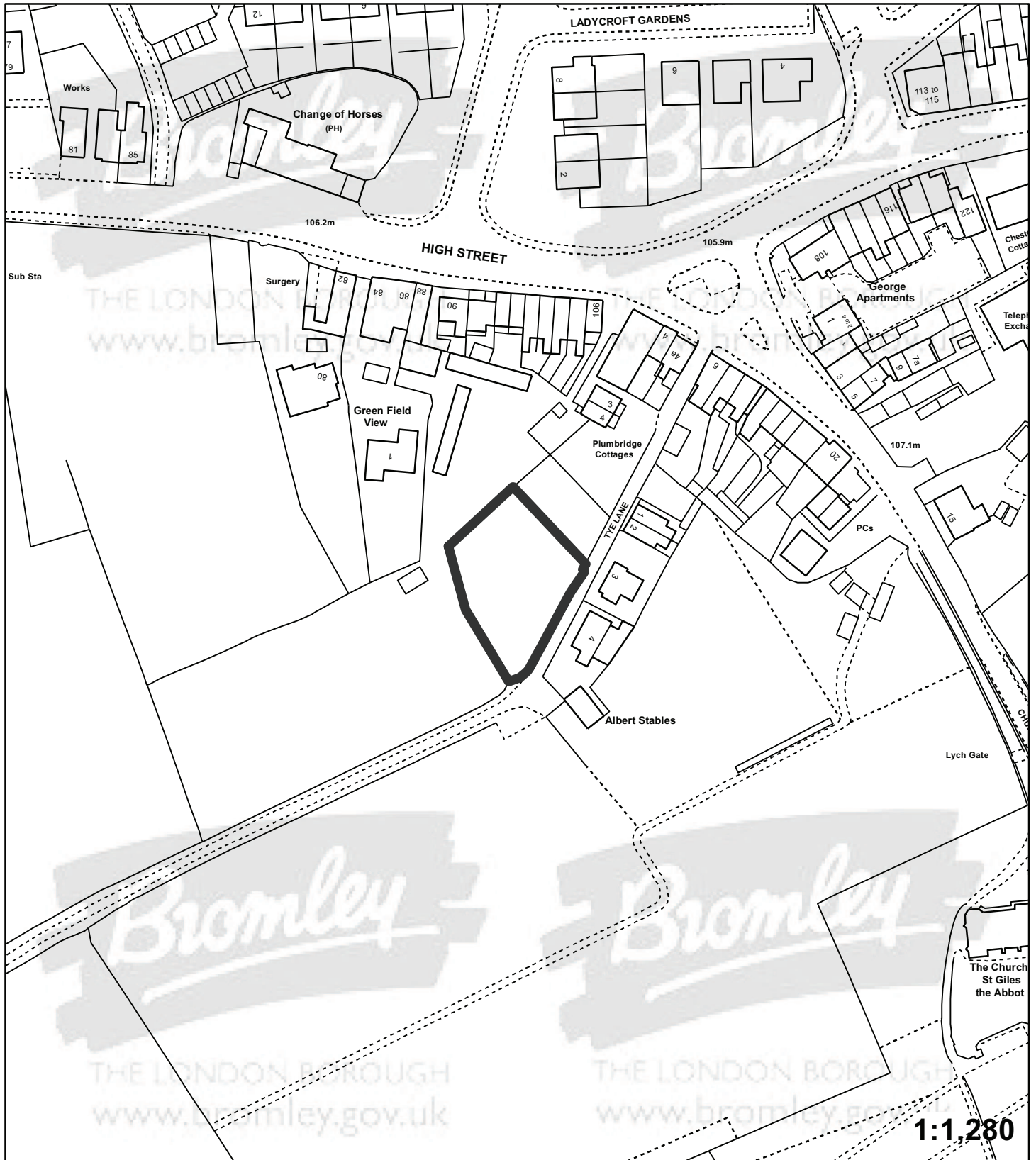
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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"

SECTION '2' – Applications meriting special consideration

Application No : 13/00703/FULL6

Ward:
Cray Valley East

Address : 17 Northfield Avenue Orpington BR5
4JQ

OS Grid Ref: E: 547152 N: 167094

Applicant : Mr Grahame Marla

Objections : NO

Description of Development:

Single storey rear extension

Key designations:

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

Proposal

Planning permission is sought for a 2.25m rear extension which will be erected behind an existing addition. The extension will incorporate a glazed roof and rise to a maximum height of 3.1m.

Location

The application property is situated along the northern side of Northfield Avenue – a residential road containing a number of semi-detached bungalows – adjacent to its junction with Edmund Road.

Comments from Local Residents

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

- could proposed extension block out light?

Comments from Consultees

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 which complements the qualities of the surrounding area; and to safeguard the amenities of neighbouring properties.

Planning History

Under ref. 03/01871, a proposed single storey rear extension was refused on the following ground:

“The proposed extension would, by reason of its excessive projection and close proximity to the boundary, be seriously detrimental to the prospect from the adjoining dwelling contrary to Policy H.3 of the adopted Unitary Development Plan and Policy H8 of the second deposit draft Unitary Development Plan (Sept 2002).”

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.

At present the application dwelling maintains a similar projection as the adjoining semi at No. 19 with both houses having been similarly extended at the rear, although in the case of No. 19 the rear extension comprises of a predominantly glazed lean-to with a lower roof. The proposed addition to No. 17 will extend beyond the rear extension at No. 19 by 2.25m, though its height will be lower than the existing extension.

In view of the relationship between the two houses it is, on balance, not considered that neighbouring amenity will be so adversely affected by this proposal in view of the depth, height and orientation of the proposed extension, and its relationship to No. 19 which has itself been extended.

Background papers referred to during production of this report comprise all correspondence on files refs. 03/01871 and 13/00703, excluding exempt information.

RECOMMENDATION: PERMISSION

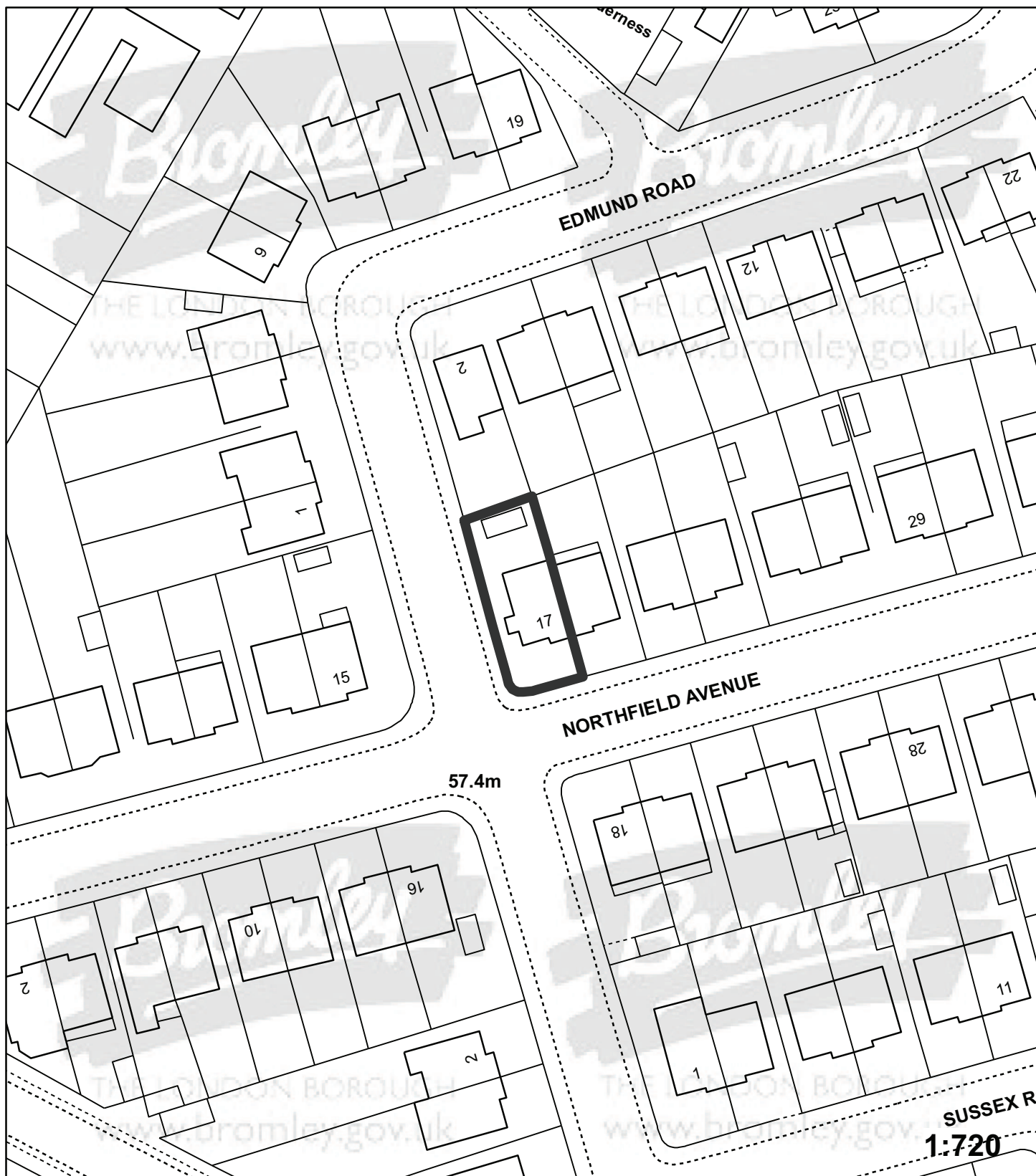
Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC04
ACC04R | Matching materials
Reason C04 |
| 3 | ACK01
ACC03R | Compliance with submitted plan
Reason C03 |
| 4 | AJ01B | Justification GENERIC reason FULL6 app |

Application:13/00703/FULL6

Address: 17 Northfield Avenue Orpington BR5 4JQ

Proposal: Single storey rear extension



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

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SECTION '2' – Applications meriting special consideration

Application No : 13/00771/FULL6

Ward:
Shortlands

Address : 90 Malmains Way Beckenham BR3 6SF

OS Grid Ref: E: 538837 N: 167746

Applicant : Dr Sivalingam Sivathanan

Objections : YES

Description of Development:

First floor side and rear extension

Key designations:

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

Proposal

The application property is a detached modern house built in the mid 1990's and features a front gable and a pitched 'catslide' roof orientated away from the north-western boundary. It is proposed to extend this dwelling in the form of a first floor side and rear extension. The existing front gable feature would be replicated at the opposite side of the house and is shown in the elevation plans to be flush with the main front wall and set back approx. 2.15m with the boundary with No.88. Two windows are shown in the first floor side elevation which would serve the lading area and a wardrobe and en-suite facilities, both of these windows would be obscure glazed.

To the rear half of the house and projecting approx. 4.05m beyond the rear wall the first floor rear extension will not be set in but will extend out flush with the flank wall of the house. At this point a distance of 1.1m would be maintained to the boundary with No.88. No windows are shown in either first floor flank elevations, there will be one rear elevation window.

Location

The property is located at the south-eastern end of Malmains Way close to the junction with Bushey Way. The street is characterised by detached dwellings of varied design mostly dating from the 1920-50's set within an attractive tree-lined setting. The property falls within Park Langley Area of Special

Residential Character (ASRC) and is described within the Unitary Development Plan (UDP) as follows.

“...built sporadically between the 1920’s and 1950’s, whilst not of the same exceptional standard [as the Conservation Area] has the character of a garden estate given by the high quality and appearance of the hedges, walls, fences, and front gardens. The area, which comprises almost exclusively large detached two storey family homes on generous plots ...represents a coherent, continuous and easily identifiable area, which has maintained its character and unity intact.”

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 3 representations were received including a letter from the Park Langley Residents Association (PLRA) which can be summarised as follows:

- PLRA – Previously the Inspector concluded that the adverse effects on the living conditions of neighbours, particularly those at No. 88 would lead to conflict with the Unitary Development Plan (UDP). Accordingly the proposed development should only be permitted if it overcomes the inconsistencies with the UDP as identified by the Inspector in respect of the impact on neighbouring property and the character of the local area.
- No.88 – As the sun rises to the north of Malmaims Way and travels round the other side of No.90 we would still lose a considerable amount of daylight, particularly in winter, spring and autumn
- one of main concerns is the impact on our rear terrace this area currently a “sun trap” will not get any sun until the afternoon if the proposal were to go ahead
- proposal will significantly encroach upon natural light to kitchen, this would be more apparent during the winter when the sun is lower in the sky.
- the kitchen is the hub of the house and also a working environment where natural light is essential
- proposal does not fully address the concerns raised by the Inspector in dismissing the previous proposal
- No.92 – The first floor rear extension extends beyond current building line and that of neighbouring properties and is disproportionate in relation to neighbouring homes.
- the proposal will block my views and create a sense of enclosure

Planning Considerations

In considering the application the main policies are H10, H8 and BE1 of the Unitary Development Plan.

Policy H10 concerns Areas of Special Residential Character, applications in these areas will be required to respect and complement the established and individual qualities of the area.

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

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

Due regard should also be given to the conclusions of the Inspector in dismissing the previous application (ref.11/03032) for the first floor side and rear extension.

The principle issues in this case are whether the current scheme complies with the main policies quoted above and also whether the new proposal addresses and overcomes the issues set out by the Inspector in dismissing the previous proposal.

The main differences between with the current application as compared to the previous application under planning ref. 11/03032 are as follows:

- reduction in the width of the of the first floor side element as it relates to the latter third of the original dwelling (0.55m x 3.88m).
- deletion of flank elevation windows to first floor rear element
- 0.2m reduction in height of roof to first floor rear element from approx. 6.6m to 6.4m.

In support of the proposal the applicant's agent sets out the following points:

- the distance maintained to the boundary with No.88 would not be less than 1.1m, the flank to flank distance between Nos. 88 – 90 would be approx. 3.2m at ground floor level and 4.25m at first floor level
- the design of the proposed extension seeks to enhance the current street elevation by removing the existing 'catslide' roof and adding a second gable which would mirror the existing gable and add symmetry and balance to the front elevation design
- the argument that the proposal would diminish natural light to the kitchen at No.88 does not stand up on examination of the conditions that one can assess from outside the property in that the space cannot be considered as a kitchen / diner as it is too small an area and at some time in the past the property was extended to the rear which would have required loss of the existing door to the garden
- the submitted drawing show the angles of light which exist and which would be provided in order that a proper judgement can be made.

The most recent appeal decision regarding this site relates to a very similar proposal for a first floor side and rear extension under planning ref. 11/03032. The Inspector highlighted the main issues as: a) the living conditions of neighbouring occupiers at No.88 in respect of overbearing effect and loss of light and No.92 in terms of loss of privacy, b) the appearance and character of the neighbourhood.

With regards to the impact of the proposal on No.88 the Inspector noted the following [paras. 4-5]:

“... In view of the close proximity of the kitchen window at No.88 this would have a significant effect on the outlook from that room. In considering the extent, height and proximity of the proposed side extension, it seems that this would give rise to a considerable overbearing effect and would also result in a loss of access to daylight. In turn, this would compromise the living conditions experienced by the occupiers of No.88...despite the improvement, the impact on living conditions at No.88 cannot be said to have been addressed sufficiently to enable the current scheme to be regarded as acceptable.” the development quality aims of H9 and H10 of the UDP”

With regards to the impact of the proposal on the neighbouring property at No.92 the Inspector noted [para. 6]:

“..there are concerns relating to overlooking from proposed bedroom 5 southwards towards No.92...this relationship does appear unsatisfactory in terms of maintaining privacy.”

With regard to the impact of the proposal on appearance and character of the neighbourhood, the Inspector considered that the design should be regarded as acceptable in terms of its impact on the street scene. In particular it was noted that the rear / side element would be set back from the frontage and as a consequence would have comparatively little impact on visual amenities. The overall conclusion of the Inspector was that although the scheme did have some positive merit the adverse effects in the living conditions of No.88 would conflict with UDP.

The deletion in the first floor window facing No. 92 is an improvement and resolves the issue regarding direct overlooking of this property. The main change to the first floor side extension is relatively minor and does not reduce the width of the extension where it is arguably most needed opposite the most affected window at No.88. Furthermore the height of the first floor extension remains the same and whilst this makes for a pleasing symmetry in terms of the overall appearance of the house, the levels of light and visual impact for occupants of No. 88 would be very similar.

Conclusions

The Design and Access Statement submitted alongside the application offers limited insight into how the current scheme would lessen the impact on No.88.

As compared to the previous applications the current scheme is an improvement. However, having regard to the Inspectors comments it is considered that the adverse impacts on living conditions of occupants of No.88 have not been sufficiently addressed.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/00771, 11/03032 and 10/02118, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed extension would be detrimental to the amenities that occupants of No.88 might reasonably expect to be able to continue to enjoy by reason of loss of light, outlook and visual impact thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

Application: 13/00771/FULL6

Address: 90 Malmaims Way Beckenham BR3 6SF

Proposal: First floor side and rear extension



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

SECTION '2' – Applications meriting special consideration

Application No : 13/00819/FULL6

Ward:
Bickley

Address : 91 Southborough Road Bickley Bromley
BR1 2EP

OS Grid Ref: E: 542399 N: 167796

Applicant : Ms Annette Jones

Objections : NO

Description of Development:

Two storey side and single storey rear extensions

Key designations:

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

Proposal

The proposal is for a two storey side and single storey rear extensions.

Location

The site relates to a three storey semi-detached dwelling located on the eastern side of Southborough Road. The surrounding area is characterised by semi-detached properties of varying size and design

Comments from Local Residents

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

Comments from Consultees

N/a

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
H9 Side Space
H8 Residential Extensions

Planning History

None relevant.

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.

To the rear a single storey extension would extend 2.5m deep, replacing an existing conservatory. It would be 3.3m to the eaves of a flat roof, but the majority of this would be hidden by a boundary wall between this and the adjoining property, suggesting no harm to their amenity.

The dwelling would be extended to the side, converting the existing garage and above the lean-to roof to create ground floor and first floor accommodation. It would be relatively small scale extension and is not considered to unbalance this pair of semi-detached properties, bringing minimal harm to the streetscene.

Although a 2m gap to the boundary is maintained when viewed from the front, the angle of the boundary means that this gap reduces to 0.85m to the rear. The scheme is to be determined by committee due to its breach of Policy H9 regarding side space. Only a small part of the extension would be within 1m of the boundary, and when viewed from the front it appears to maintain sufficient side space. This is considered a marginal allowance and given the reasons discussed above regarding design and amenity, it is deemed a suitable situation to warrant an exception to Policy H9.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/00819, excluding exempt information.

as amended by documents received on 12.03.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
ACC04R Reason C04
- 3 ACI17 No additional windows (2 inserts) flank of south side
extension
ACI17R I17 reason (1 insert) BE1
- 4 ACK01 Compliance with submitted plan

5 ACC01R Reason C01
AJ02B Justification UNIQUE reason OTHER apps

Policies (UDP)

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

Application:13/00819/FULL6

Address: 91 Southborough Road Bickley Bromley BR1 2EP

Proposal: Two storey side and single storey rear extensions



"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 : 13/00962/FULL2

Ward:
Chislehurst

Address : 51 Marlings Park Avenue Chislehurst
BR7 6RD

OS Grid Ref: E: 545504 N: 168478

Applicant : Mr G Kitchen

Objections : YES

Description of Development:

Change of use of premises from dwelling house with care provided (class C3) to care supported residential accommodation (class C2)

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

This recently extended residential property was previously used as a small care home accommodating up to 5 elderly residents on the first floor, and 2 resident carers/managers on the ground floor, which fell within Use Class C3 (dwellinghouses). The property can currently be used as a small care home accommodating up to 6 residents on the first floor, with a night warden in a ground floor staff bedroom, which again falls within Use Class C3. Neither of these uses required planning permission as no material change of use of the property would occur.

Permission is now sought to change the use of the property from a Class C3 dwelling house with care provided into care supported residential accommodation falling within Class C2 (residential institutions). The only change in the way the property would be operated is the use of a ground floor meeting room as an additional bedroom with en-suite facilities, giving a total of 7 bedrooms which could be occupied by up to 7 residents.

Location

This detached two storey property occupies a corner plot on the corner of Marlings Park Avenue and Berens Way within a wholly residential area. It is bounded to the south by No.53, and to the rear by “Whitecroft”, Berens Way.

Comments from Local Residents

A number of letters of objection have been received from local residents, and the main points of concern are summarised as follows:

- a commercial care home use is unacceptable in a residential area
- property could be used for any type of Class C2 use if permission is granted, with an unrestricted number of occupants
- proposals would not satisfy Policy C6 of the UDP as there is no easy access to local shops, facilities and public transport to give the residents a degree of independence
- increased traffic from visitors to the property, resulting in increased noise and disturbance to nearby residents
- increased parking in adjacent roads.

A Ward Member lives close by and reiterates the objections received from residents.

Comments from Consultees

The Council’s Highway Engineer comments that a maximum of 3.5 spaces should be provided on site to meet the Council’s parking requirements, and as more than 4 spaces could be provided on the frontage, no highway objections are raised to the proposals.

Education, Care and Health Services support the proposals, and comment that the addition of a downstairs bedroom would help to accommodate a resident with poor mobility.

Planning Considerations

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

- C6 Residential Proposals for People with Particular Accommodation Requirements
- T3 Parking

Planning History

This property was extended to the side during the 1980s (ref. 83/01516), and to the front in 1998 (ref. 97/03252).

Application ref. 11/00318 was submitted in February 2011 for the retrospective change of use of the property from a dwelling house (Class C3) to a residential care home (Class C2). However, the application was withdrawn prior to

determination as the use of the property at that time was not considered to constitute a material change of use from Class C3 to Class C2.

Permission was granted in November 2011 (ref.11/02642) for two storey and first floor rear extensions to the property along with elevational alterations, subject inter alia to the following condition:

“The premises shall only be used for purposes within Class C3 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and in the event that care is provided, there shall be no more than 6 residents accommodated at the premises and receiving care at any one time.”

Conclusions

The main issues in this case are whether the proposed use of the property for care supported residential accommodation falling within Use Class C2, along with the increase in the number of residents from 6 to 7, would materially intensify the use of the property to the detriment of residential amenity.

Use Class C3 allows for the use of a residential property as a small community care home accommodating up to 6 people living together as a single household, where care is provided for residents. If this limit were to be exceeded by one or two residents, there would not necessarily be a material change in use requiring planning permission. This would only be the case where the total number of residents increases to the point where it could be said that the use has intensified so as to become of a different character, or where the residents no longer live together as a single household.

Currently, this property can lawfully be used as a care home for up to 6 residents and a night warden, therefore the addition of one further resident occupying a ground floor bedroom is not considered to significantly increase the intensity of use on the site, and would not unduly harm the amenities of nearby residents. In this regard, the applicant has agreed to the imposition of conditions restricting the use of the property to a care home and for no other purpose within Use Class C2, and limiting the number of residents to 7.

With regard to local concern, the applicant has also confirmed that the designated meeting room, which is now proposed to be used as the 7th bedroom, is not needed as meetings can take place in either the Manager's office or in one of the two living rooms.

Residents have also raised concerns that the proposals would not meet the requirements of Policy C6 of the UDP. This policy requires residential proposals for people with particular accommodation needs, such as care homes, to provide a high quality living environment for residents, and suggests that they be conveniently located for a range of local shops and services, including public transport, in order to give residents a degree of independence appropriate to their needs.

The extended property would clearly provide a high quality living environment for future residents, with adequate amenity space provided, although Members will need to consider the particular location of the property (with regard to proximity to local shops and services) albeit in the light of the current lawful use which accommodates 6 residents.

In conclusion, the proposals are not considered to have a seriously detrimental effect on the amenities of neighbouring residents, subject to the imposition of restrictive conditions regarding the use and the number of residents permitted.

Background papers referred to during production of this report comprise all correspondence on files refs. 83/01516, 97/03252, 11/00318, 11/02642 and 13/00962, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACJ01 Restriction on use (2 inserts) care supported residential
 accommodation C2

Reason: To safeguard the character and residential amenities of the area and to accord with Policy BE1 of the Unitary Development Plan.

- 3 There shall be no more than 7 residents accommodated at the premises and receiving care at any one time.

Reason: To safeguard the character and residential amenities of the area and to accord 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:

- C6 Residential Proposals for People with Particular Accommodation Requirements
- T3 Parking

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

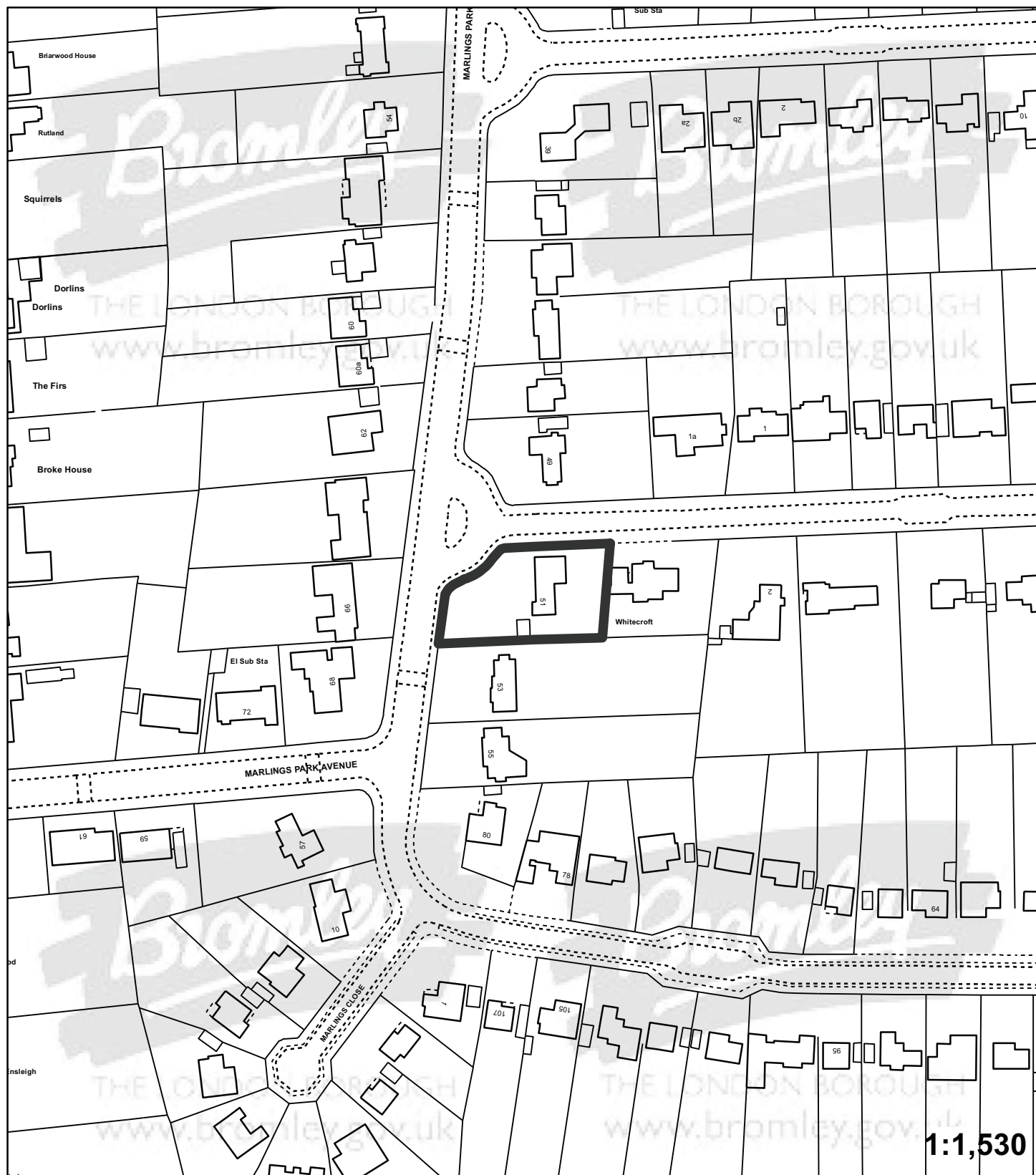
- (a) the impact on the character of the surrounding area
- (b) the impact on the amenities of the occupiers of nearby residential properties,

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

Application:13/00962/FULL2

Address: 51 Marlings Park Avenue Chislehurst BR7 6RD

Proposal: Change of use of premises from dwelling house with care provided (class C3) to care supported residential accommodation (class C2)



"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 : 13/01068/MATAMD

Ward:
Darwin

Address : Petleys Farm House Luxted Road
Downe Orpington BR6 7JS

OS Grid Ref: E: 543040 N: 161600

Applicant : South Darenth Farms & Cold Store Co. **Objections :** NO
Ltd.

Description of Development:

Change of use of part of existing outbuilding from car parking to purpose ancillary to the main residential use including elevational alterations
(MINOR MATERIAL AMENDMENT TO APPEAL PERMISSION 09/00145/FULL2)

Key designations:

Conservation Area: Downe Village
Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
London City Airport Safeguarding

Proposal

This application seeks a minor material amendment to conditions 6 and 9 of permission 09/00145 which was granted at appeal for the conversion of a barn to a residential dwelling with associated outbuilding. The amendment is sought to the permission to alter the use of part of the outbuilding currently dedicated to car parking as part of the main residential use. This will involve some minor elevational changes including the installation of glazing to the front elevation, and the displacement of parking provision to a barn proposed to be converted as part of application 13/01069 also on this agenda

Location

The site is located within a farm yard in the Green Belt and within the Downe Village Conservation Area

Comments from Local Residents

At the time of report writing no representations had been received from local residents.

From a Highways aspect there is no objection to the proposal.

Planning Considerations

The application falls to be considered with regard to Unitary Development Plan Policies T3 (Parking), BE1 (General Design of Development), BE11 (Conservation Areas) and Policy G4 (extensions and alterations to dwellings in the Green Belt)

The National Planning Policy Framework 2012 is also relevant.

Planning History

Under ref. 00/00141, an agricultural occupancy condition was transferred from a 1970 house adjacent to the farm to Petleys Farm House which is adjacent to the farm yard.

Under refs. 08/00205 and 09/00145, permission was refused for the conversion of an existing barn and outbuilding to dwelling. Ref. 09/00145 was subsequently allowed at appeal and is currently being implemented.

Under ref. 09/00465, the agricultural occupancy tie attached to Petleys Farm House was sought to be removed. This was refused

Application ref. 10/02967 sought permission for an alternative access to Petleys Farm from Rookery Road / High Street opposite North End Lane but this was withdrawn.

Application ref. 13/01069 is also on this agenda for Change of use of 2 agricultural buildings to provide 4 stables, feed room, tack room and associated storage and change of use of land for the private keeping of horses. Change of use of part of agricultural building for car parking for existing residential use at Petleys Farm and re cladding of buildings.

Conclusions

The primary issues for consideration for this application are the loss of covered parking provision and any impact this has on parking provision within the site, and additionally whether this change has an acceptable impact on the openness and character of the Green Belt and area in general.

It is proposed that the parking be displaced to a barn which falls outside of the permitted residential curtilage, a proposal which forms part of a current application also on this agenda for the conversion of an adjacent barn and land for private keeping or horses. It is therefore not possible to rely on that parking being available as it has at the time of writing not been granted permission. However, it appears that there is space for parking within the existing residential curtilage on hardstanding. There is no restriction on the use of this area for parking currently

and it could accommodate the likely number of vehicles associated with the residential use. The proposal would comply with Policy T3 of the Unitary Development Plan.

With regard to the elevational changes, these are considered acceptable with regard to the overall character and appearance of the dwelling and the area in general. This would comply with Policies G4, BE1 and BE11 of the Unitary Development Plan.

Although the proposal may give rise to a modest increase in external parking, there is no current requirement for the previously proposed covered barn to be solely used for car parking, nor any restriction that would prevent the use of the hardstanding for parking. On this basis given the limited impact, the proposal can be considered to accord with Policy G4.

It is therefore recommended that permission be granted.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 AC102 Rest of "pd" Rights - Class A, B,C and E

Reason: In order to prevent inappropriate development in the Green Belt and in the interests of the character and appearance of the Conservation Area to comply with Policies G1, BE1 and BE11 of the Unitary Development Plan and the NPPF.

- 2 The single storey detached building, hereby approved, shall only be used for purposes incidental to the residential use of the approved dwelling and for no other purpose other than those expressly permitted under the terms of this permission.

Reason: In order to prevent inappropriate development in the Green Belt and in the interests of the character and appearance of the Conservation Area to comply with Policies G1, BE1 and BE11 of the Unitary Development Plan and the NPPF.

- 3 Details of landscaping, materials, scheme of work for demolition, boundary enclosures, and surface water drainage approved pursuant to conditions 4, 5, 7, 8 and 13 of appeal decision 2114806 shall be carried out and retained as approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenities of the area.

- 4 Demolition and construction works shall not take place outside 08.30 hours to 18.00 hours on Mondays to Fridays and 09.00 hours to 13.00 hours on Saturdays nor at any time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of the area.

- 5 In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with a scheme to be submitted to, and approved by, the Local Planning Authority and, where remediation is necessary, a remediation scheme must be prepared in accordance with details to be

submitted to, and approved in writing by, the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) that demonstrates the effectiveness of the remediation carried out must be produced, and approved in writing by the Local Planning Authority before the dwelling, hereby permitted, is first occupied.

Reason: In the interests of preventing contamination risk.

6 ACK01 Compliance with submitted plan

Reason: In order to prevent inappropriate development in the Green Belt and in the interests of the character and appearance of the Conservation Area to comply with Policies G1, BE1 and BE11 of the Unitary Development Plan and the NPPF.

7 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the elevation(s) of the outbuilding hereby permitted, without the prior approval in writing of the Local Planning Authority.

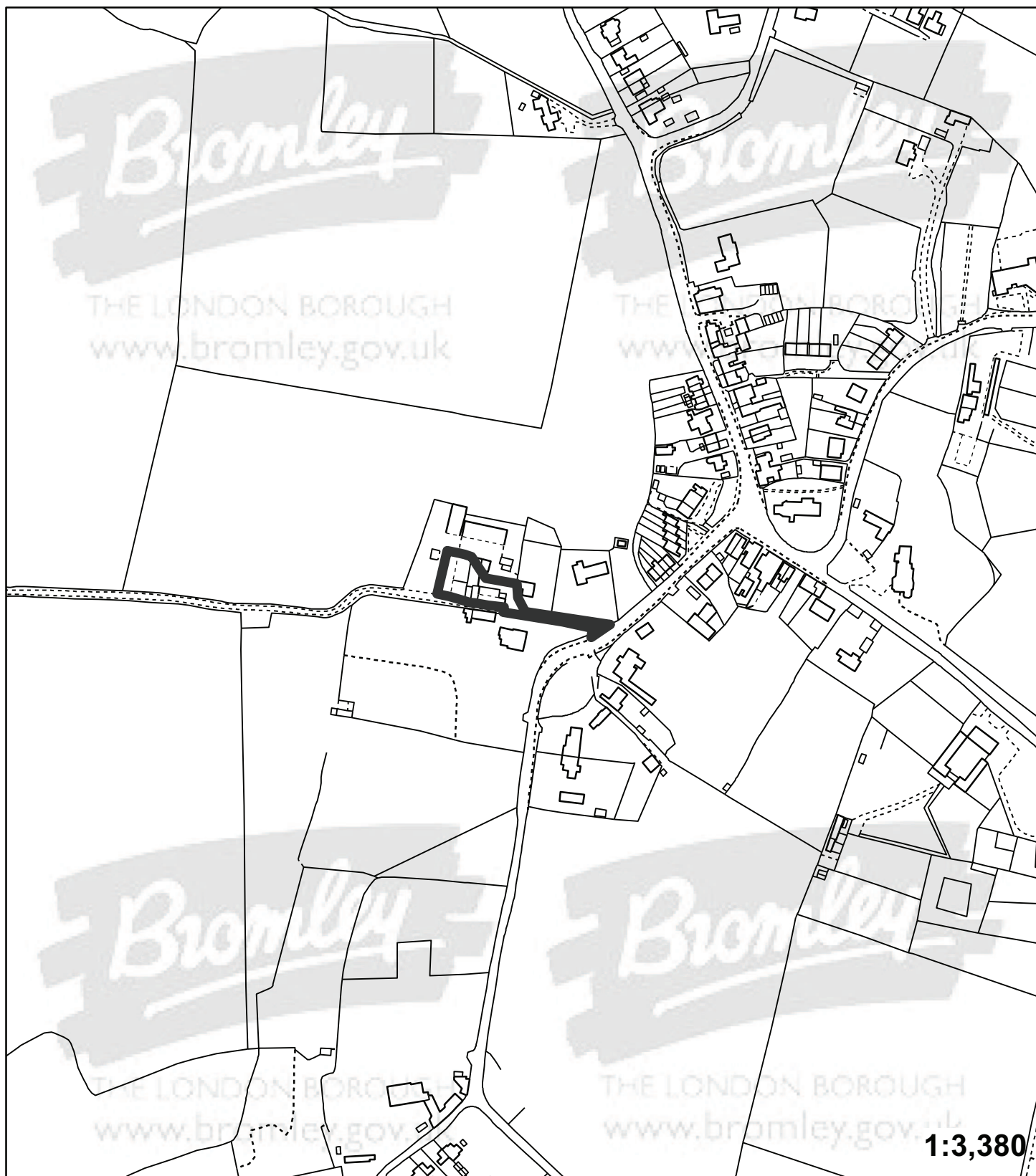
ACI17R 117 reason (1 insert) BE1 and G4

Application:13/01068/MATAMD

Address: Petleys Farm House Luxted Road Downe Orpington BR6 7JS

Proposal: Change of use of part of existing outbuilding from car parking to purpose ancillary to the main residential use including elevational alterations

(MINOR MATERIAL AMENDMENT TO APPEAL PERMISSION)



"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 : 13/01069/FULL2

Ward:
Darwin

Address : Petleys Farm House Luxted Road
Downe Orpington BR6 7JS

OS Grid Ref: E: 543040 N: 161600

Applicant : South Darenth Farms & Cold Store Co. **Objections :** NO
Ltd.

Description of Development:

Change of use of 2 agricultural buildings to provide 4 stables, feed room, tack room and associated storage and change of use of land for the private keeping of horses. Change of use of part of agricultural building for car parking for existing residential use at Petleys Farm and re cladding of buildings.

Key designations:

Conservation Area: Downe Village
Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
London City Airport Safeguarding

Proposal

This application seeks to change the use of 2 existing agricultural buildings to provide 4 stables, tack room, feed room, parking for the adjacent residential use (3 spaces) and associated storage, along with the change of use of an arable field for private stabling of horses and the recladding of the buildings. Provision is proposed for tractor and hay storage within the building.

The buildings form part of a derelict farmyard - it is understood that the relating land has been farmed remotely for some time and they have only been used for low key storage.

Permission has been granted for demolition of some of the adjacent buildings and the conversion of another to form a residential dwelling with outbuilding and curtilage, which is currently being implemented. The buildings subject of this application fall outside the residential use, and the application seeks to convert them to private stables, along with 2.67 hectares of land to be used as paddock.

The application includes minor elevational changes and recladding but no extensions to the buildings.

Location

The site is located within the Green Belt and the buildings and land immediately around fall within the Downe Village Conservation Area, although the proposed paddock lies outside.

The application has been submitted with a bat survey, and planning, heritage, design and access statement.

Comments from Local Residents

At the time of report writing no representations had been received from local residents.

Comments from Consultees

From a Highways aspect there is no objection to the proposal, subject to it not being a commercial use as the existing junction of the site with Luxted Road has inadequate sightlines.

There are no objections from a heritage viewpoint.

Planning Considerations

The application falls to be considered primarily with regard to Unitary Development Plan Policies T3 (Parking), BE1 (General Design of Development), BE8 (Listed Buildings), BE11 (Conservation Areas), BE16 (Archaeology), G1 (Green Belt), G9 (Agricultural Land), L1 (Recreational uses), and L3 (Horse and Stabling)

The National Planning Policy Framework 2012 is also relevant.

Planning History

Under ref. 00/00141, an agricultural occupancy condition was transferred from a 1970 house adjacent to the farm to Petleys Farm House which is adjacent to the farm yard.

Under refs. 08/00205 and 09/00145, permission was refused for the conversion of an existing barn and outbuilding to dwelling. Ref. 09/00145 was subsequently allowed at appeal and is currently being implemented.

Under ref. 09/00465, the agricultural occupancy tie attached to Petleys Farm House was sought to be removed. This was refused

Application ref. 10/02967 sought permission for an alternative access to Petleys Farm from Rookery Road / High Street opposite North End Lane but this was withdrawn.

Application ref. 13/01068 is also on this agenda for the conversion of covered car parking to part of the residential accommodation in the converted barn.

Conclusions

The primary issues to be considered in respect of this application are: the appropriateness of the use and impact upon openness within the Green Belt, the impact on the character and appearance of the Conservation Area, and the impact on surrounding residential properties.

With regard to the impact of the proposal on the Green Belt, Policy G1 and the NPPF support the re-use of buildings within the Green Belt provided that the buildings are of permanent and substantial construction and do not require extensive or complete reconstruction. The NPPF is silent in respect of changes of use and whether they are appropriate or not, however Policy G1 states that changes of use will be inappropriate unless they maintain openness and do not conflict with the purposes of including land within the Green Belt.

The only physical changes proposed are external cladding, the addition of internal dividing walls and some elevational alterations. It would appear that the buildings are capable of reuse in the manner proposed without extensive or complete reconstruction and therefore this is considered acceptable in Green Belt terms. The change of use of the land for keeping of horses will maintain its openness subject to suitable controls over additional related development such as fencing and sand schools.

In respect of the impact on the character and appearance of the Conservation Area, the proposed cladding will provide a suitably rural appearance which will respect the character of the area. Conditions are suggested in respect of any hardsurfacing and to ensure that the materials are suitable. There is a good separation to the statutory listed building at Petleys to the south and there is not considered to be any adverse impact.

Policy G9 states that land that complies with Policy G1 but results in the loss of the best and most versatile agricultural land will be expected to allow for the future use of the land for agricultural purposes. The application proposal does allow for future reuse and therefore complies with this policy.

With regard to the provision of horse stabling facilities, Policy L3 states that these will only be permitted subject to an acceptable impact on the Green Belt and adjoining residential properties, and should not result in an unacceptable intensification of horse-related activities. The British Horse Society recommends 1-2 acres (0.4-0.8 ha) of pasture for each horse during the summer, and this would be met by this proposal.

The proposal to use part of the barn for parking for the adjacent residential use is not considered to conflict Green Belt policy, subject to no extension of the residential curtilage which would require further consent. The limited use of the building proposed for parking, given that it would appear that the private stable use

will be for the owners / occupiers of the newly converted barn, would appear to be acceptable.

In summary, the proposed uses for the building will preserve the openness of the site and provide for storage of related equipment and materials within the existing buildings. The proposals will preserve the character and appearance of the Downe Village Conservation Area and subject to suitable conditions, are on balance considered acceptable.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACA07 Boundary enclosure - no detail submitted
 ACA07R Reason A07
- 3 ACC08 Satisfactory materials (all surfaces)
 ACC08R Reason C08
- 4 ACH02 Satisfactory parking - no details submit
 ACH02R Reason H02
- 5 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 buildings, structures, alterations, walls or fences of any kind shall be erected or made within the site without the prior approval in writing of the Local Planning Authority.

Reason: In order that any future development can be considered in the interests of the openness and character of the Green Belt and the character and appearance of the Downe Village Conservation Area with regard to Policies G1 and BE11 of the Unitary Development Plan.

- 6 The converted buildings hereby permitted shall be used only for the private stabling of horses with ancillary storage and for the provision of 3 parking spaces for the adjacent residential property, and the external areas of the site shall only be used for the private keeping and grazing of horses and for no other purpose without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the openness and character of the Green Belt and the character and appearance of the Downe Village Conservation Area with regard to Policies G1 and BE11 of the Unitary Development Plan.

- 7 ACJ14 Restriction to private stables
 ACJ14R J14 reason
- 8 There shall be no external lighting without the prior written approval of the Local Planning Authority.

Reason: In the interests of the openness and character of the Green Belt and the character and appearance of the Downe Village Conservation Area with regard to Policies G1 and BE11 of the Unitary Development Plan.

- 9 ACJ28 Restriction on no. of horses (1 insert) 4
 ACJ28R J28 reason
- 10 ACK03 No equipment on roof
 ACK03R K03 reason

Application:13/01069/FULL2

Address: Petleys Farm House Luxted Road Downe Orpington BR6 7JS

Proposal: Change of use of 2 agricultural buildings to provide 4 stables, feed room, tack room and associated storage and change of use of land for the private keeping of horses. Change of use of part of agricultural building for car parking for existing residential use at Petleys Farm and re



"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 : 13/01078/FULL6

Ward:
Cray Valley East

Address : 106 Perry Hall Road Orpington BR6 0HR

OS Grid Ref: E: 546226 N: 166934

Applicant : Mr And Mrs Patel

Objections : YES

Description of Development:

Two storey side and rear extension with three front dormers

Key designations:

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

Proposal

The proposal relates to a two storey side and rear extension with three front dormers and front porch.

This proposal has revised a previously refused application (ref. 12/02954) by removing the large front porch and changing the three front pitched dormers to three flat roof dormers.

Location

Site relates to a detached chalet style bungalow with accommodation in the roof and occupies a relatively prominent position in the streetscene given its elevated position. The area is largely characterised by detached properties of similar design and size.

Comments from Local Residents

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

- property would be disproportionate to the size of the plot and in relation to others in the surrounding area.
- concerns that the garden store room and attic space would be used as living accommodation.

- the proposed plans would reduce the car parking spaces from 3 to 2.
- the distance to the boundary would be contrary to Policy H9, Side Space.
- the rear extensions are significant and add to sense of overdevelopment.
- the proposed three dormers are of a greater size and scale to the existing dormer window, disproportionate to the roof slope and out of character with the area.

Comments from Consultees

Highways have no objections to the proposal.

Planning Considerations

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

BE1 Design of New Development
 H8 Residential Extensions
 H9 Side Space

Planning History

In 2012, a two storey side and rear extension with three front dormers and front porch was refused under ref. 12/02954 for the following reasons:

The proposal, by reason of its size and design, would be unduly obtrusive in the street scene and out of scale and character with neighbouring properties, contrary to contrary to Policies H8, H9 and BE1 of the Unitary Development Plan.

The proposal represents a cramped overdevelopment of the site by reason of the restrictive size of plot available, contrary to Policies H8, H9 and BE1 of the Unitary Development Plan.

The appeal was dismissed on the basis that the front dormers and porch would result in an adverse effect on the character and appearance of the area, contrary to Policies H8 and BE1.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties. In addition, the recent appeal decision is taken into account.

The proposed side extension would replace an existing garage and be brought forward in line with the existing building line. The previous application was refused on one ground relating to overdevelopment of the site on a small plot size. However, whilst the Inspector noted the size of the plot, the encroachment into

useable amenity space was considered minimal. In light these comments, this refusal reason cannot be upheld in the determining of this application.

Due to the slightly angled boundary, the width of the extension would technically breach Policy H9, though only by 1cm. There is considered to be an acceptable gap to the boundary to warrant exception to Policy H9 in this case and the Inspector did not find this harmful.

The appeal was dismissed on the size and scale of the front porch and dormer windows being out of character with the area. The porch has now been removed and the dormer windows changed from pitched to flat. This is considered to overcome this refusal reason by presenting a visually acceptable frontage to the streetscene.

To the rear, the proposal would create additional second floor accommodation by building above the ground floor and extending the pitched roof over. This was not raised as an issue on the previous application because it brings no harm to residential amenity or character of the area.

The residential amenity of the surrounding properties is largely protected. There are no side windows which could overlook No.104 and its relationship to this and other neighbouring properties suggest no undue harm would be caused in terms of loss of prospect or light.

Concerns have been raised over the loss of a car parking space but Highways have no objections given there is ample space for two cars on site.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/01078 and 12/02954, excluding exempt information.

as amended by documents received on 02.04.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

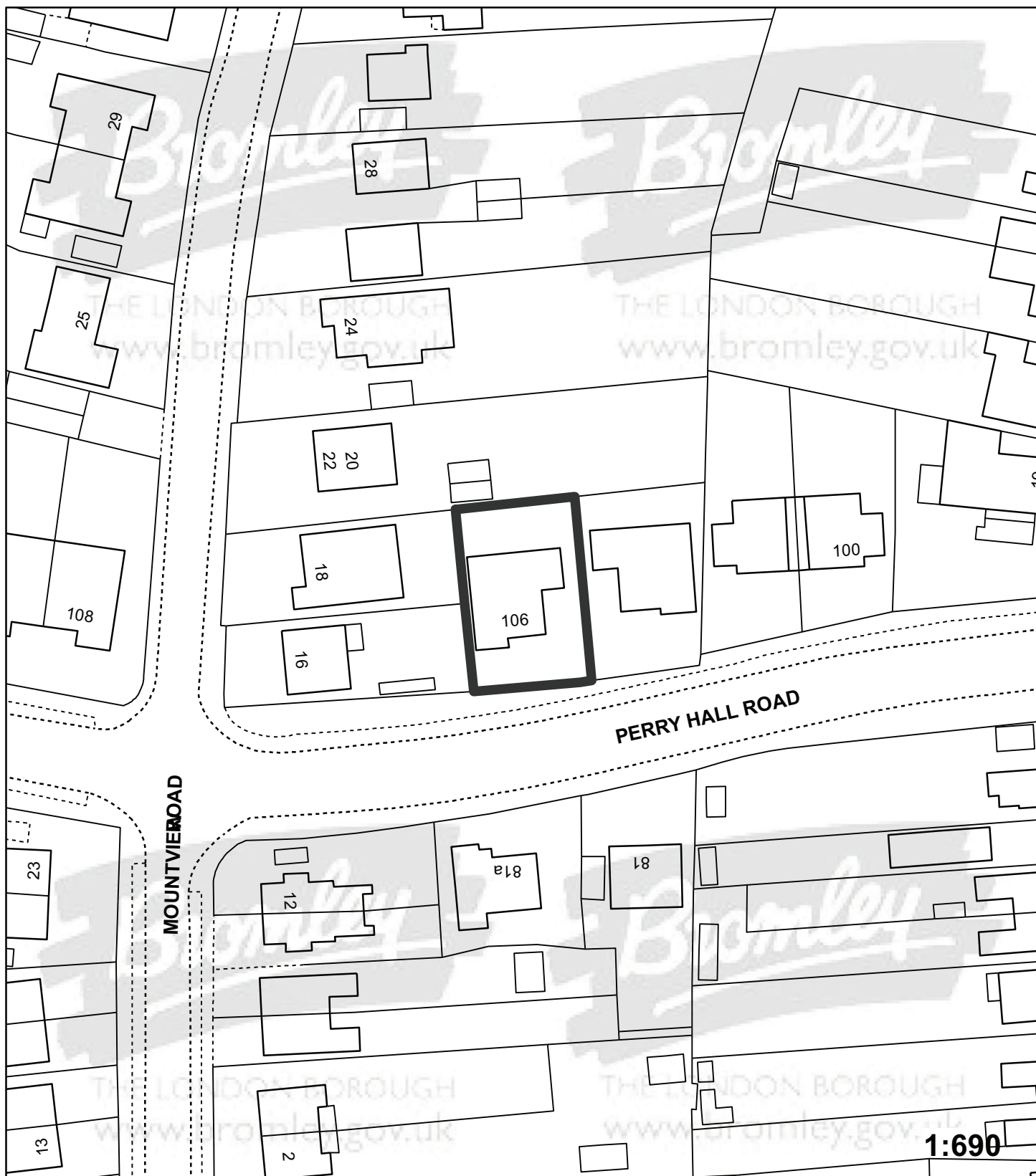
Policies (UDP)

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

Application:13/01078/FULL6

Address: 106 Perry Hall Road Orpington BR6 0HR

Proposal: Two storey side and rear extension with three front dormers



"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 : 13/00432/FULL6

Ward:
Chislehurst

Address : The Cottage Summer Hill Lodge
Summer Hill Chislehurst BR7 5NY

OS Grid Ref: E: 543515 N: 169679

Applicant : Mrs Patricia Price

Objections : NO

Description of Development:

First floor side extension

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Locally Listed Building

Proposal

It is proposed to add a first floor side extension measuring approximately 4.4m x 2.4m to the western side of this dwelling, which would have a hipped roof over. A north-facing rear window would be the only window serving the proposed bedroom.

Due to a tapering flank boundary, the southern part of the extension would come within 0.45m of the boundary, but the separation would increase to over 1m at its northern end.

Location

This two storey dwelling forms part of a larger locally listed property comprising a number of dwellings which lie within Chislehurst Conservation Area. The land slopes down from Summer Hill, and The Cottage lies at a lower level than Bank House and Summer House adjacent.

Comments from Local Residents

A letter has been received from Mill Place (Chislehurst) Management Limited requesting that provisions be put in place to allow access to private driveways and garages to neighbouring properties in Mill Place during construction works.

Planning Considerations

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

- BE1 Design of New Development
- BE10 Locally Listed Buildings
- BE11 Conservation Areas
- H8 Residential Extensions
- H9 Side Space

Planning History

Permission was granted in 2008 (ref. 08/01415) for a rear conservatory extension which has been built.

Conclusions

The main issues in this case are the impact of the proposals on the character and spatial standards of Chislehurst Conservation Area, on the appearance of the locally listed building, and on the amenities of nearby residents.

Policy H9 of the UDP requires a minimum 1m separation to be provided to the flank boundaries of the site in respect of two storey development in order to prevent a cramped appearance and unrelated terracing from occurring, and to protect the spatial standards and visual amenity of the surrounding area. Although part of the resulting two storey development would be situated within 1m of the boundary of the site, due to the location of the building in relation to neighbouring properties, and its limited visibility within the street scene, the proposals are not considered to appear unduly cramped nor have a harmful impact on the appearance or spatial standards of the Conservation Area.

With regard to the impact on nearby residential properties, the extension would have only one rear-facing first floor window, which is unlikely to result in any undue loss of privacy to neighbouring residents, whilst the size and bulk of the extension is not considered to have a seriously detrimental impact on the outlook from or light to neighbouring properties.

Therefore, although the proposals would not strictly speaking meet the provisions of the Council's side space policy, they may be considered acceptable in this instance as they would provide a sympathetic and subservient extension to the existing locally listed dwelling, which would not appear overdominant nor out of character with this part of Chislehurst Conservation Area.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/01415 and 13/00432, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|--------|--|-------------------------------|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACI13 | No windows (2 inserts) | western or southern extension |
| | ACI13R | I13 reason (1 insert) | BE1 |
| 3 | ACK01 | Compliance with submitted plan | |
| | ACC01R | Reason C01 | |

Reasons for permission:

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

- BE1 Design of New Development
- BE10 Locally Listed Buildings
- BE11 Conservation Areas
- H8 Residential Extensions
- H9 Side Space

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

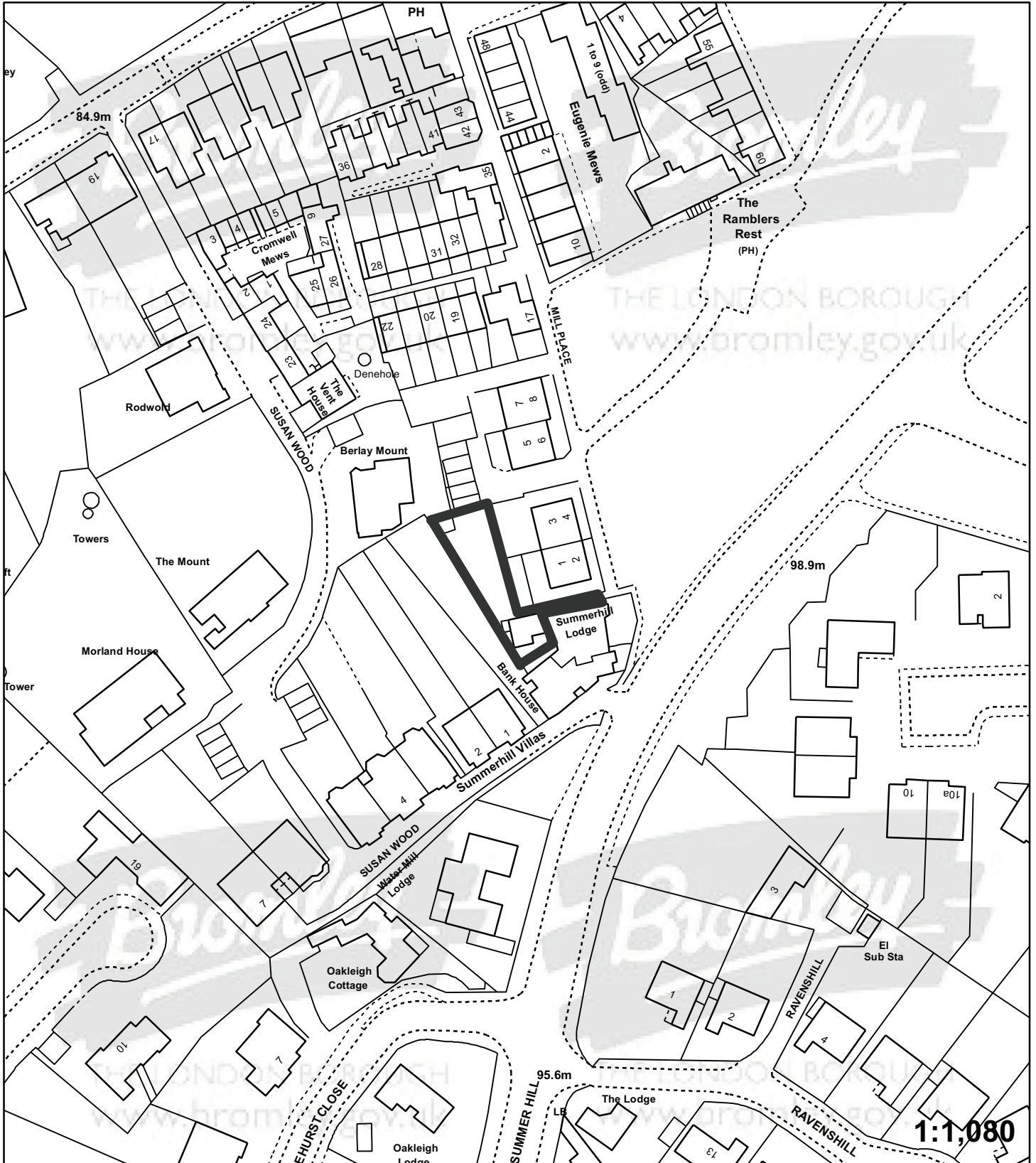
- (a) the impact on the character and appearance of Chislehurst Conservation Area
- (b) the impact of the development on the amenities of nearby residential properties

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

Application:13/00432/FULL6

Address: The Cottage Summer Hill Lodge Summer Hill Chislehurst BR7 5NY

Proposal: First floor side extension



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

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

Application No : 13/00724/FULL6

Ward:
Chelsfield And Pratts
Bottom

Address : 7 Oxenden Wood Road Orpington BR6
6HR

OS Grid Ref: E: 547034 N: 163361

Applicant : Mr Andrew Gebbett

Objections : YES

Description of Development:

Part one/two storey side and rear and single storey front extensions, roof alterations to incorporate rear dormers and elevational alterations

Key designations:

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

Proposal

- The proposed side extension will have a width of 4.2m and will have a length of 15.2m at ground floor level, extending to the rear of the main rear wall of the house by 5.0m. The first floor will have a length of 10.1m and will be set in from the side wall of the ground floor by 1.0m. The side extension will have a hipped roof and will retain a 1.2m side space to the flank boundary at ground floor level (2.0m at first floor level). The existing side garage will be replaced.
- The proposed rear extension at first floor level will square off the property and rationalise the roof, replacing the existing flat roof to the rear of the house. To the front a front porch will be created with a roof of 3.5m in height and a width of 2.8m.
- Roof alterations include the provision of three small rear dormers and flank rooflights.

Location

The property is located on the western side of Oxenden Wood Road. The site currently comprises a large detached two storey dwelling. The area is characterised by similar large houses set within large and spacious plots.

Comments from Local Residents

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

- proposal would be too close to southern flank boundary
- overdevelopment of site
- boundary location is unclear and in dispute
- excessive rear projection and site coverage
- visual impact and loss of outlook
- proposal would contradict the Chelsfield Park Licensing Authority guidelines
- side space inaccurately stated

Comments from Consultees

None.

Planning Considerations

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

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

Planning History

Planning permission was refused under ref. 12/03920 for a part one/two storey side and rear and single storey front extensions, roof alterations to incorporate increase in ridge height, rear dormers and elevational alterations. The refusal grounds were as follows:

'The proposal, by reason of its design, excessive height and roof bulk, would result in a disproportionate addition to the dwelling and would be detrimental to the character of the dwelling and wider street scene, contrary to Policies BE1 and H8 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 proposal omits the previously refused increase in roof height and will provide a large side extension. The resulting house will maximise the use of the plot and will retain a 1.3m side space which is considered to be acceptable. The extension will have an architectural design that will complement the main house, with the large and disproportionate addition to the height now removed from the scheme. The resulting structure will appear in keeping with the house. The rear section of the roof will be rationalised, removing the flat roof that exists, and this will improve the

appearance of the house and the relatively modest design of the existing house will be retained. The large overhang previously proposed has also been removed and the angle of the roof pitch will remain the same as the existing house, therefore the appearance of the house will be suitable, given the existing architecture.

The proposal will not increase the roof height and therefore the dwelling will not exceed the height of No. 5, which is sited on higher ground. The roof exceeds the height of No. 9 already and, although the side extension will be significant, the resulting structure will not appear excessive within the street scene.

The proposed side extension is not considered to impact on the amenities of No. 5, which does not have any flank facing windows. To the rear, the replacement of the existing garage with a new rear extension will be acceptable as it will be sited in the same location. The roof will be 3.7m in height and therefore taller than the flat roofed existing structure, however the structure will be on lower ground than No. 5 and will not result in a harmful impact. The side boundary is well screened with vegetation and this will also reduce the impact, as will the orientation as No. 7 is to the north.

No. 9 may be affected by the provision of a hipped roof on to the existing flat roofed section at the rear of the house. The dwelling will not be extended closer to No. 9 and although the additional roof may impact on light and outlook from the flank windows at No. 9, this impact is considered to be acceptable as the houses are separated by approximately 5.5m, with the majority of the added bulk sited even further from the boundary.

It should be noted that the provisions of the local residents' Association are not matters of planning law.

Amended plans have been received dated 10/04/13 indicating a reduced porch, a side space of 1.2m at ground floor level and a first floor set in of 2.0m from the flank boundary.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significantly detrimental on the character of the area not would it impact harmfully on the amenities of neighbouring properties. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/03920 and 13/00724, excluding exempt information.

as amended by documents received on 10.04.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|---|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |
| 3 | ACI12 | Obscure glazing (1 insert) in the second floor flank elevations |
| | ACI12R | I12 reason (1 insert) BE1 and H8 |
| 4 | ACI17 | No additional windows (2 inserts) flank extensions |
| | ACI17R | I17 reason (1 insert) BE1 |
| 5 | ACK01 | Compliance with submitted plan |

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

Reasons for permission:

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

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

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

- (a) the 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 development

and having regard to all other matters raised.

Application:13/00724/FULL6

Address: 7 Oxenden Wood Road Orpington BR6 6HR

Proposal: Part one/two storey side and rear and single storey front extensions, roof alterations to incorporate rear dormers and elevational alterations



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

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

Application No : 13/01134/FULL1

Ward:
Penge And Cator

Address : Units 6-7 Lower Sydenham Industrial
Estate Kangley Bridge Road Lower
Sydenham London SE26 5BA

OS Grid Ref: E: 536788 N: 171284

Applicant : Mr Neil Beauchamp

Objections : YES

Description of Development:

Construction of canopy to create covered area for the loading, unloading and sorting of parcels from delivery vehicles in relation to Units 6, 7 8 & 9

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Water Link Way

Proposal

The proposal is for the construction of a canopy to create a covered area between Units 6, 7, 8 and 9 within the Lower Sydenham Industrial Estate for the loading, unloading and sorting of parcels from delivery vehicles.

The canopy will be 39.5m long and 25m wide, at a maximum height of 9.3m and open on two sides. It will be constructed from structural aluminium with two sides consisting of brown horizontal sheet walling. The net new gross internal floorspace proposed to be created is an additional 987.5 m².

Location

The application site is located towards the northern end of Kangley Bridge Road within the Lower Sydenham designated Business Area, close to Lower Sydenham railway station. The site falls within the Lower Sydenham designated Business Area as per the UDP Proposals map, but is not located in a Strategic Industrial Location (SIL) as per the London Plan.

Comments from Local Residents

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

- concern raised over 'dangerous and unlawful' parking at the site

Comments from Consultees

The Council's Technical Highways department raise no objection to the proposed canopy. The proposal is not considered to have a significant impact on the local road network.

Colleagues from Planning Policy (Business) raise no objection. The proposal is in-line with Policy EMP4, the London Plan and is supported by the NPPF.

Retaining existing commercial sites around the Borough has significant sustainable development advantages in terms of providing both local employment opportunities and local services. Many of the small sites within the Borough are occupied by local independent traders, providing specialist services, who form an important part of the local economy.

The Council's Environmental Health department raises no objection. Should planning permission be granted, an informative relating to compliance with the Control of Pollution and Noise and Noise from Demolition and Construction Sites Code of Practice 2008 is suggested.

Planning Considerations

Policies relevant to the consideration of this application are BE1 (Design of New Development) and EMP4 (Business Areas) of the adopted Unitary Development Plan.

The Council's SPG guidance is also a consideration.

Planning History

In terms of planning history, an application for 2 internally illuminated signs on side elevation was refused under ref. 09/02655. A subsequent application was permitted in 2010 under ref. 10/023482.

Conclusions

The main issues relating to the application are whether the proposal would result in a detrimental impact on the nature of the area that the site sits within, and whether there would be any resulting impact on the amenities of surrounding properties.

The proposal would result in a canopy covering an area of 987m², and in-fill the area between Units 6, 7, 8 and 9 of the industrial estate. A supporting statement submitted as part of the application states that the canopy is required in order to provide a covered area for the loading and unloading of delivery vehicles to these units.

The site is within a designated Business Area, and as such Policy EMP4 states in para 10.26 that proposals which result in the possibility of a large unit, greater than 1000m², being created are likely to be refused. The application will provide an additional area of 987m², and will be incidental to the use of the four surrounding industrial units. In order to guard against any unsatisfactory future amalgamation of the canopy with the surrounding units, or the potential creation of a separate more permanent unit (with four fixed sides as opposed to open ended, as proposed), then it is considered that suitable planning conditions can be attached to any permission granted.

The canopy will set well within the industrial estate, which is in itself a commercial area, and is not considered to result in a detrimental impact on the general nature of the business related activities undertaken on the estate. Given its proposed location between four existing large industrial units, it will not be visible from any residential properties, and the nature of the proposal is not considered to be out of keeping with the commercial nature of the immediate 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 canopy is acceptable in that it would not result in a detrimental impact on the commercial nature of the area; a detrimental impact on the amenities of any surrounding residential properties, nor have a negative impact on the highway network.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/01134, 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

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

- 4 No additional permanent floorspace shall be provided by virtue of an amalgamation of the proposed open-ended canopy hereby permitted and the existing surrounding industrial units.

Reason: In order to comply with Policy EMP4 of the Unitary Development Plan and in the interest of the controlled growth of warehousing and storage uses in Business Areas.

5 The canopy hereby permitted shall not be used for any purpose other than the loading, unloading and sorting of deliveries to units 6, 7, 8 and 9 without prior written approval of the Local Planning Authority.

Reason: In order to comply with Policies BE1 and EMP4 of the Unitary Development Plan and in order to control any future use of the proposed canopy.

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
EMP4 Business Areas

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 any nearby properties, including light, prospect and privacy
- (c) the impact on the local highway network
- (d) the impact on the existing visual amenity from the streetscene

and having regard to all other matters raised.

INFORMATIVE(S)

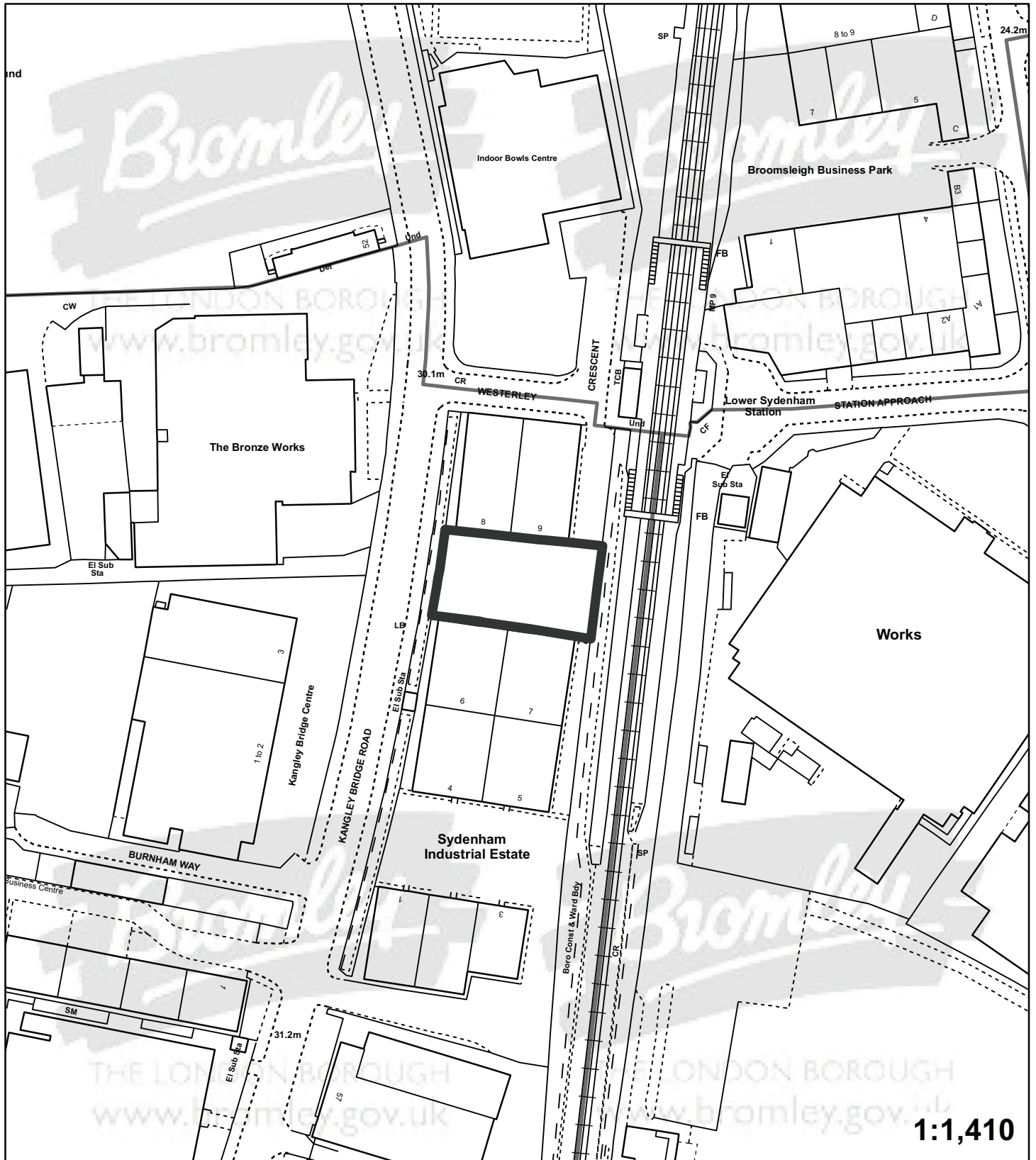
- 1 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 2 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt. Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

Application:13/01134/FULL1

Address: Units 6-7 Lower Sydenham Industrial Estate Kangley Bridge Road Lower Sydenham London SE26 5BA

<BOL>Proposal:</BOL> Construction of canopy to create covered area for the loading, unloading and sorting of parcels from delivery vehicles in relation to Units 6, 7 8 & 9



"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 : 13/01204/FULL1

Ward:
Bickley

Address : Wilderwood Widmore Green Bromley
BR1 3BB

OS Grid Ref: E: 541513 N: 169460

Applicant : I F Property

Objections : YES

Description of Development:

4 two bedroom two storey terrace dwellings and 1 two bedroom chalet bungalow with 8 car parking spaces and associated outbuildings and landscaping.

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 application is for four 2 bedroom two storey terrace dwellings with outbuildings to rear; chalet bungalow; associated landscaping and 8 on site car parking spaces.

Location

The 0.12 hectare site is currently vacant following the removal of a detached residential dwelling formerly known as Wilderwood. The site rises quite steeply away from Widmore Green and is bounded by the highway verge to the northeast, by 112 Plaistow Lane to the northwest, by the rear of a two storey building to the southwest and further south along this boundary by the rear of two storey shop / residential premises fronting Widmore Road. The south-eastern boundary is adjacent to Widmore Green and includes an existing dropped kerb.

The surrounding area is mixed in character with some shops on Widmore Road adjacent to the site and further to the east. Widmore Green itself is a small but well kept open space in front of the site with a limited turning / parking area within it.

Comments from Local Residents

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

Comments from Consultees

The Council's Highways Division were consulted who stated that previous applications have been dismissed at appeal but the Inspector did not uphold the highway ground of intensification of use of the access. The highway aspects of the proposal are the same as with the previous application. Parking provision is proposed at levels given in the UDP, (1.5 per house and 2 for the detached property) and as these are 2 bed units this would seem reasonable. The waste storage and collection arrangements would need to be agreed with Waste Services. The access gate is shown as 3m wide which is relatively narrow. This will reduce the pedestrian visibility and the gates should be amended (widened, lowered or set back) to improve this.

Transport for London has no comments to make on the application.

The Council's Environmental Health Pollution Division raises no objections to the proposal subject to informatives. However, it was noted under the previous application that Japanese Knotweed is known to be present on the site which at present appears to have been treated, were permission to be granted a condition would be required to ensure the Japanese Knotweed has been dealt with satisfactorily.

From a trees perspective, comments from the Tree Officer will be reported verbally at the meeting. The previous application was accompanied by an arboricultural report and the Council concurred with its findings. No significant trees would be directly affected by the proposal and as such no objections were raised subject to conditions.

The findings of the Council's Highways Drainage Division raise no objections subject to conditions.

The Council's Waste Advisors were consulted who stated that refuse should be placed at edge of curtilage within one metre of the public highway and allowance must be made for this. Collection will not take place from the areas shown on the plans.

The Metropolitan Police Crime Prevention Design Advisor was consulted who stated he had spoken with the applicant's representatives with regard to the Secured by Design Scheme and the required standards and noted that those measures and standards have been included in the Design and Access Statement. The application should be able to gain Secure By Design accreditation in respect of design and layout as well as physical security part with the Guidance of 'New Homes 2010' and incorporating accredited, tested, and certificated products. As such no objections are raised subject to conditions.

No Thames Water objections are raised, subject to a standard informative.

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
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
T3 Parking
T18 Road Safety
NE7 Development and Trees

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

3.3 London Plan Increasing Housing Supply
3.4 London Plan Optimising Housing Potential
3.5 London Plan Quality and Design of Housing Developments

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

Planning History

There is a substantial planning history relating to this site the most relevant of which is outlined below:

In 1995, under planning ref. 95/00458, an outline application was refused for the demolition of an existing dwelling and erection of three detached houses and vehicular access to Plaistow Lane.

In 2008, under planning ref. 08/01390, an application was submitted for a three storey block comprising 2 three bedroom and 7 two bedroom flats including front and rear balconies with lower ground floor parking comprising 7 car parking spaces and 3 surface parking spaces at front with bin store which was subsequently withdrawn.

In 2008, under planning ref. 08/02958, permission was refused for the erection of a part 2 / part 3 storey block comprising 8 two bedroom apartments and 1 three bedroom penthouse with undercroft parking and associated landscaping on the following grounds:

‘The proposed development, by reason of its size and bulk and amount of building and hard surfaces would constitute an overdevelopment of the site and would result in an overbearing and detrimental feature within the streetscene, contrary to Policies BE1 and H7 of the Unitary Development Plan.’

This was subsequently dismissed at appeal.

In 2010, under planning ref. 10/00642, an outline application for the erection of two/three storey building comprising of 7 two bedroom flats was submitted which was subsequently withdrawn.

In 2010, under planning ref. 10/02076, permission was refused for an outline application for the erection of two storey building comprising of 6 two bedroom flats with undercroft parking on the following grounds:

'The proposed development, by reason of its size and bulk and amount of building and hard surfaces would constitute an overdevelopment of the site and would result in an overbearing and detrimental feature within the streetscene, contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposed additional vehicular movements to enter and exit the site will increase the potential for highway safety concerns, therefore contrary to Policy T18 of the Unitary Development Plan'.

This was subsequently appealed against and dismissed by Appeal Decision dated 14th March 2011.

Planning permission was refused under ref. 12/01030 for 4 x 2 bedroom two storey terrace dwellings with outbuildings to rear; 2 storey building containing 2 x 2 bedroom flats; associated landscaping and 8 on site car parking spaces. The refusal grounds were as follows:

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

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

'The proposal includes a two storey building containing two flats that would be about three metres from the edge of the Green. The building would be higher than the adjacent single storey commercial building and although the proposed building would have the appearance of a detached house, it would be a prominent and imposing feature that would have the effect of unduly enclosing part of the northwest side of the Green. Thus it would detract from the openness of the area and so would not respect or enhance the character and appearance of the area.

The proposal also includes a terrace of four houses and a parking area. The density of development would be greater than that along Plaistow Lane or the wider area to the north and south of the site and the terrace would be close to 112 Plaistow Lane. The Council have expressed concern at the

extent of building footprints and the bulk, type and number of units proposed for the site. A terrace of houses would be unusual in Plaistow Lane but this site has a stronger relationship with the area around the Green than with the more distant parts of Plaistow Lane. In any event, the scheme would meet the Council's spacing requirements and the density would not be dissimilar to those of the terraces to the southwest of the site. The area is mixed and, subject to sensitive design, I do not consider the change in spatial standards resulting from this proposal would in itself be detrimental to the character and appearance of the area.

Parked cars in the southeast corner of the site would be discordant with the more natural characteristics of the Green but suitable boundary treatment would screen this area and this could be required by condition. I have also noted the Council's concerns that the proposal would establish an undesirable pattern for cramped and piecemeal development that would be detrimental to the character and appearance of the wider area. However, I have determined this case on its particular merits in relation to the objectives of the development plan and this should be the case for future applications elsewhere.

Notwithstanding my conclusion on other aspects of the proposed development, I conclude that the proposed building containing the two flats would detract from the character and appearance of the area. The proposal conflicts with saved Policies BE1 and H7 of the Bromley Unitary Development Plan which aim to protect the character and appearance of areas.'

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 site once comprised a single dwellinghouse with garden land to the front, sides and rear. It may be considered that redevelopment of the site may be acceptable provided that the policy requirements at local, regional and national level are met. Although central government guidance in the form of the National Planning Policy Framework (NPPF) now replaces Planning Policy Statement 3 it may be considered that the thrust of the guidance otherwise remains the same and assessment must be given on the merits of the application with regard to the character, appearance and amenities of the area.

It is noted that the predominant character of the area is residential, with the exception of a small parade of shops to the south-west of the site. In paragraph 7 of Appeal Decision dated 25th January 2011 the Planning Inspector states "the levels of the site rise up from the junction to the north-west boundary with 112 Plaistow Lane, which is a two storey dwelling with a single storey wing close to the boundary. Just beyond this property there is a mix of chalet style properties and bungalows. There are bungalows in secluded plots on the opposite side of Plaistow Lane with two-storey housing further to the northwest. There are modern three-

storey dwellings near the northeast side of the traffic light controlled junction at the corner of Sundridge Avenue and Plaistow Lane, which contrasts strongly with the more modest scale of the buildings adjoining the appeal site and with the mainly two-storey housing on the south side of Widmore Road. Whilst there are larger scale flatted developments further along Widmore Road to the west, the proposal would be mainly seen in the context of the buildings around the periphery of the junction and Widmore Green”.

In terms of Widmore Green itself, to south-west of the site is a parade of primarily A1/A2 units (shops/financial and professional services) with Nos. 179 and 179b being semi-detached single storey buildings, to the south of the junction at Widmore Green are two storey terrace and semi-detached properties of a similar scale to that proposed. To the east of the site are semi-detached and detached properties of a larger scale than that proposed while to the north and north-west of the site are large detached dwellings set within sizeable gardens.

The development follows the rhythm of properties on Widmore Road, being mainly terrace or semi-detached properties. The design follows on the building line of Plaistow Lane with the terrace cottages facing out towards the grass verge and highway. The scale of these is consistent with the properties on Plaistow Lane and step down in relation to the site contours and road. It is accepted that there are a variety of architectural styles and scales in the vicinity of the site and it is considered that on balance the erection of two storey terrace dwellings and flatted accommodation which are similar in scale to those to the south and west of the site are acceptable in this instance given the lack of uniformity in the area at present.

When considering the recently dismissed appeal, the Inspector stated that the proposed terraced dwellings would be reflective of properties on Plaistow Lane. The appeal was dismissed on the basis of the height and siting of the two storey block of flats at the south of the site. The current proposal replaces this block with a single chalet bungalow that would have a height of 6.4m. The previously dismissed block of two flats had a proposed height of approximately 8.5m. This reduction in height and bulk is considered to have a more sympathetic relationship with Widmore Green and the surrounding buildings. When viewed from the south east, the chalet house will have a similar height to No. 179b Widmore Road and will not appear overly bulky and tall. It should also be noted that the chalet bungalow at Plot 1 will be sited further rearwards than the previously proposed block, with a set-back of 3.5m from the front boundary of the site (2.6-3.0m previously proposed). This is considered to further respect the open character of Widmore Green.

The application site is some 0.12 hectares with a Public Transport Access Level of 2 (on a scale of 1 – 6, where 6 is the most accessible). In assessing the application against Policy H7 and the Council’s Density/Location matrix for sites along transport corridor and sites close to the town centre the Council would generally seek 50 – 80 units per hectare for terraced houses and flats, this proposal would provide 41.7 units per hectare which suitably complies with the Council’s density/location matrix and the local character/density. The proposal also complies with the London Plan Policy 3.4 Optimising Housing Potential Sustainable Residential Quality (SRQ) density matrix which would generally require 35 – 65

units per hectare, as such the proposal is not considered to result in an overdevelopment of site.

No. 112 is a part one/two storey dwelling which is on a higher ground level than the application site and a total separation of 3m would be retained between the flank elevations of the proposal and No. 112 (1.7m from Plot 5 to the boundary satisfying the requirements of Policy H9), with Units 2 and 5 having a partially hipped roof profile which minimises the visual impact of the proposal in the streetscene when viewed from Plaistow Lane. Units 2-5 also have a staggered roofline which adds visual interest to the design and breaks up the massing of the building. The design is considered to be acceptable for this site given the context of the vicinity.

The proposed terrace properties (Plots 2-5) would be set back a minimum of 2.5m and maximum of 5.5m from the north eastern boundary following the front building line of the adjoining property at No. 112. This would result in a total separation of between 10m – 15m from Plaistow Lane owing to the grass verge to the east of the site. This sizeable set back from the highway prevents the proposal from appearing overly dominant in the streetscene when viewed from Plaistow Lane. The Inspector raised no objections to this proposed row of terraced dwellings under the most recent previous application.

The location of the car park may result in a substantial section of hardstanding being installed at a prominent location on the site, however, the proposed site plan refers to 1.5m high railings being proposed along the site boundaries and it is intended to allow the planting to grow through and over the railings forming a planted screen which would minimise the visual effects of the proposed hardstanding, this could be secured by way of a condition as previously suggested by the Inspector. The provision of the car park in this location is considered to be preferable to additional built development as it retains the openness of the site and would allow views through the site to and from Widmore Green and Plaistow Lane.

While a large section of the site will be taken up by the footprint of the buildings and associated car parking, the proposal will allow some areas for soft landscaping and amenity space for future occupiers. Generally the Council will seek rear gardens of 10m in depth which all Plots would provide.

While units 1 would be located relatively close to the rear boundary with Plot 2, given the gradient of the site with Plot 2 being at a higher ground level than Plot 1 and given there is a mature tree on the flank boundary with Nos. 179 and 179b which provides a degree of screening, the potential impact in terms of loss of privacy for Plot 2 is not anticipated to be of such an extent to warrant refusal.

Units 2-5 are indicated to provide a Gross Internal Area (GIA) of 83sq m per dwelling which is considered to satisfy the minimum space standards for a 2 bedroom 4 person development as required by the London Plan 2011. Unit 1 would provide a GIA of 89 sq m which is satisfactory for a 2 bedroom 4 person dwelling under Policy 3.5 of the London Plan. As such the proposal is considered to provide a satisfactory standard of accommodation for future occupants.

The current application has been designed to limit the impact on the residential amenities of the adjoining occupants. No windows are proposed to be located on the first floor flank elevation of Plot 5 (closest to the boundary with No. 112) or the south western flank elevation of Plot 1 (adjacent to boundary with 179b). While a window is proposed in the first floor flank elevation of Plot 2 (which would overlook the car park) it is indicated to be obscurely glazed. Although a number of windows are to be located in the rear elevations of Plots 2-5 a minimum distance of 10m would be retained to the western boundary which is considered to be an acceptable distance to protect the amenities of adjoining properties to the west of the site.

Plot 5 would project approximately 1.5m beyond the rear elevation of No. 112 Plaistow Lane with a total separation of 3m between the flank elevations of these properties which given this modest projection is not considered to result in a significant loss of light for No. 112. While the proposal would project beyond the rear elevation of No. 179b and 179 and may cause some loss of light for these properties, these are commercial premises as opposed to residential properties and as such the potential loss of light is considered to be acceptable. The proposed sheds provided for each unit are not considered to harm character or residential amenities as they will have a maximum height of 2m and will be sited to the side and rear of the respective dwellings.

In terms of proposed parking, a total of 8 car parking spaces are proposed which is considered to be satisfactory for these types of dwellings at this location, and there are no technical highways objections regarding to the number of spaces proposed.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/01204, 12/01030, 10/02076 and 08/02958, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACA04
ACA04R | Landscaping Scheme - full app no details
Reason A04 |
| 3 | ACA07
ACA07R | Boundary enclosure - no detail submitted
Reason A07 |
| 4 | ACB01
ACB01R | Trees to be retained during building op.
Reason B01 |
| 5 | ACB02
ACB02R | Trees - protective fencing
Reason B02 |
| 6 | ACB03
ACB03R | Trees - no bonfires
Reason B03 |
| 7 | ACB04
ACB04R | Trees - no trenches, pipelines or drains
Reason B04 |
| 8 | ACB19
ACB19R | Trees - App'ment of Arboricultural Super
Reason B19 |

- 9 ACC01 Satisfactory materials (ext'n'l surfaces)
ACC01R Reason C01
- 10 ACC03 Details of windows
ACC03R Reason C03
- 11 ACD02 Surface water drainage - no det. submitt
ADD02R Reason D02
- 12 ACD06 Sustainable drainage system (SuDS)
ADD06R Reason D06
- 13 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 14 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 15 ACH29 Construction Management Plan
ACH29R Reason H29
- 16 ACH32 Highway Drainage
ADH32R Reason H32
- 17 ACI02 Rest of "pd" Rights - Class A, B,C and E
- Reason:** To prevent overdevelopment of the site and in the interests of the residential amenities of neighbouring properties, in line with Policy BE1 of the Unitary Development Plan.
- 18 ACI11 Obscure glaz'g/details of opening (1 in) on the first floor
flank elevations
ACI11R Reason I11 (1 insert) BE1
- 19 ACI17 No additional windows (2 inserts) first floor flank dwelling
ACI17R I17 reason (1 insert) BE1
- 20 ACI21 Secured By Design
ACI21R I21 reason
- 21 ACK01 Compliance with submitted plan
- Reason:** In the interests of the residential amenities of neighbouring properties, and the visual amenities of the area in line with Policy BE1 of the Unitary Development Plan.
- 22 ACK05 Slab levels - no details submitted
ACK05R K05 reason
- 23 No demolition, site clearance or building works shall be undertaken, and no equipment, plant, machinery or materials for the purposes of development shall be taken onto the site until a method statement detailing the measures to be taken to remove the Japanese Knotweed from the site, in accordance with the Environmental Protection Act (Duty of Care) Regulations 1991, is submitted to and approved in writing by the Local Planning Authority. The method statement shall be implemented according to the details contained therein until completion of building works, and all plant, machinery or materials for the purposes of development have been removed from the site.
- Reason:** To prevent the spread of Japanese Knotweed at the site and vicinity, in accordance with the Wildlife and Countryside Act 1981 and Environmental Protection Act 1990.
- 24 Before commencement of the development hereby permitted details of the design and layout of vehicular gates at the site shall be submitted to and approved in writing by the Local Planning Authority. The vehicular gates

shall be provided before any part of the development is first occupied and shall be permanently retained thereafter.

Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan in the interest of pedestrian and vehicular safety.

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

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy ER13 of the Unitary Development Plan and in order to comply with Policies T3 and T18 of the Unitary Development Plan in the interest of pedestrian and vehicular safety.

Reasons for granting permission:

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

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

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 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.

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

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

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

- 4 In order to ensure that the proposed storm water system meets the Council's requirements, the Council will 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 In order to minimise the impact of the development on local air quality it should be an aim to ensure that any gas boilers meet a dry NO_x emission rate of <40mg/kWh

Application:13/01204/FULL1

Address: Wilderwood Widmore Green Bromley BR1 3BB

Proposal: 4 two bedroom two storey terrace dwellings and 1 two bedroom chalet bungalow with 8 car parking spaces and associated outbuildings and landscaping.



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

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

Application No : 13/00815/FULL1

Ward:
Petts Wood And Knoll

Address : Public Conveniences Station Square
Petts Wood Orpington

OS Grid Ref: E: 544471 N: 167619

Applicant : Bilacraft Limited

Objections : YES

Description of Development:

Demolition of former public convenience building, change of use of land to retail (class A1), and erection of a two storey retail building

Key designations:

Conservation Area: Station Square Petts Wood

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

Local Cycle Network

London City Airport Safeguarding

Secondary Shopping Frontage

Proposal

The proposal seeks to demolish the former public convenience building, change the use of the land to retail (Class A1) and erect of a two storey retail building. The proposed building will have a height of 7.2m and a length of 7.0m. The width will be 8.1m. The two storeys provided will both be dedicated to a single retail use.

Location

This site is located on the Station Square 'island' and currently comprises a single storey public convenience building. The site is surrounded by the Daylight Inn public house and a restaurant building, both of which are locally listed buildings. The site and surrounding area falls within the Station Square Petts Wood Conservation Area.

Comments from Local Residents

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

- excessive number of coffee shops in the locality

- structural concerns

The Petts Wood and District Residents' Association has objected on the basis of dominant overdevelopment, poor design and concern over future restaurant use, unclear waste disposal and impact on trees.

Comments from Consultees

APCA states that consideration should be given to converting existing buildings and that the SPG assumes retention of buildings in the conservation area.

Technical highways comments have been received stating that the development is located within an area with a PTAL rate of 2. The site is part of shopping centre in a busy district centre where parking is controlled, so there are unlikely to be any highway issues. However, the site is situated on a bus route and involves demolition. Also the plans do not incorporate areas to store and aid the collection of waste, therefore, standard conditions are suggested.

No Environmental Health objections are raised subject to informatives.

Waste Services has commented that storage for trade waste should be provided.

English Heritage has made no comment on the application.

Planning Considerations

Policies relevant to the consideration of this application are BE1 (Design of New Development), BE10 (Locally Listed Buildings), BE11 (Conservation Areas), S2 (Secondary Frontages), S6 (Retail And Leisure Development), T3 (Parking) and T18 (Road Safety) of the adopted Unitary Development Plan.

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

The National Planning Policy Framework and the Supplementary Planning Guidance for the Station Square Petts Wood Conservation Area are also considerations.

Planning History

There is no relevant and recent planning history at the site.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the Station Square Petts Wood Conservation Area, the impact on the setting of the locally listed buildings, the impact on neighbouring amenities, the impact on parking and highway safety and the impact on retail viability in the Secondary Shopping Frontage

The Supplementary Planning Guidance (SPG) for the Station Square Petts Wood Conservation Area states:

- '3.1 Station Square retains its original form and a substantial number of original neo-Tudor shops. The square is an important retail location forming part of Petts Wood District Centre: as such, pressures for change and renewal in the urban fabric will arise. The Council will aim to preserve its key buildings, the Estate Office & the Daylight Inn, together with the remaining shops from Scruby's development that provide their setting and illustrate the architectural and historical development of the square. Proposals that bring about the re-use of existing buildings constructed prior to 1939 will be encouraged.

- 3.2 The Council will expect all proposals for new development to conform with the general character of the conservation area, especially in regard to the scale and height of construction, design and materials used. It is hoped that all improvement works will take account of the character of the buildings and alter them as little as possible. Changes of use will be acceptable only where, in the opinion of the Council, they would have no detrimental effect on the character of the area.

- 4.17 The area's layout will also restrict new development opportunities. There are no vacant plots and there is generally insufficient backland to accommodate new development. The open space in the centre of the square (surrounding the Estate Offices and the Daylight Inn) is important to the character and appearance of the area as a whole.

- 4.19 When considering development proposals, the Council will pay special attention to the scale and bulk of proposed buildings and their relationship with adjacent buildings. Increases in development density and height could damage the character of the area and proposals of this nature will be strongly resisted.

The SPG places emphasis on the open spaces and character around the Daylight Inn on the central island of Station Square. It states that new development should conform to the general character and appearance of the area, whilst retaining the special features of the area.

It is considered that the replacement of a modest single storey building on this part of Station Square with a significantly larger and bulkier two storey development would erode the sense of space and harm the special character of this part of the conservation area. The proposed additional height and bulk would also detract from the setting of the Daylight Inn and adjacent restaurant, which are locally listed buildings, and will result in an unsuitable relationship with them. The proposal would appear at odds with the neighbouring restaurant in terms of height and would fail to preserve or enhance the conservation area.

It is considered that the principle of providing a retail use at the site may not be objected to, as this would be a suitable use of the site within the secondary frontage. It may also be considered that a retail use at the site per se may not

impact harmfully on the conservation area. The Council will look to support retail uses in this location, subject to impact appropriate scale and lack of harm caused to other nearby centres. It is also considered that the proposal is unlikely to impact harmfully on neighbouring residential amenities as a retail use would operate during shopping hours.

From a highway safety point of view, the site has good accessibility to public transport and the lack of any dedicated car parking is not considered to be likely to result in further parking stress in the locality as the area has controlled parking.

The proposed building will be sited adjacent to two commercial buildings and will therefore not impact on residential amenity. The impact on the adjacent restaurant and pub windows is considered to be acceptable.

Amended plans have been received dated 28/03/13 indicating a revised first floor plan removing the proposed external door.

Having had regard to the above it is considered that the proposal is not acceptable in that it would result in a significantly detrimental impact on the character and appearance of the Station Square Petts Wood Conservation Area and the setting of the locally listed buildings. It is therefore recommended that Members refuse planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/00815, excluding exempt information.

as amended by documents received on 28.03.2013

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed building, by reason of its excessive height and scale, would fail to preserve and enhance this part of the Station Square Petts Wood Conservation Area and would impact harmfully on the setting of the Locally Listed Buildings, thereby contrary to Policies BE1, BE10 and BE11 of the Unitary Development Plan and the Supplementary Planning Guidance for the conservation area.

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)).

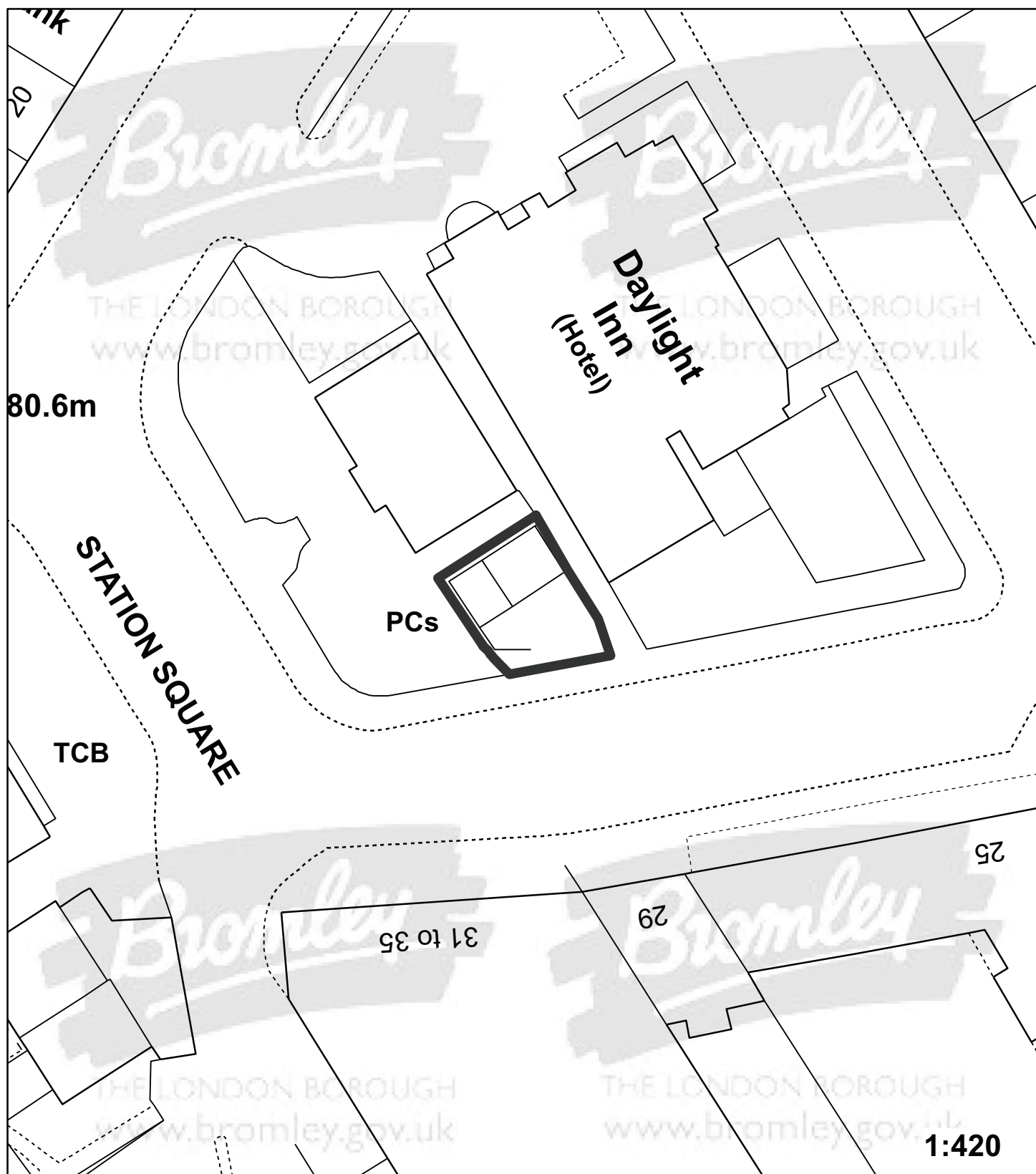
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:13/00815/FULL1

Address: Public Conveniences Station Square Petts Wood Orpington

Proposal: Demolition of former public convenience building, change of use of land to retail (class A1), and erection of a two storey retail building



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

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

Application No : 13/01227/FULL1

Ward:
Orpington

Address : 15 Paddocks Close Orpington BR5 4PP

OS Grid Ref: E: 547902 N: 166005

Applicant : Mr M Paye

Objections : YES

Description of Development:

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

Key designations:

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

Proposal

This application seeks permission for a detached two storey 3 bedroom house to the rear of 15 Paddocks Close, with vehicular access from Alma Barn Mews and pedestrian access to Chelsfield Lane. Two parking spaces will be accessed from Alma Barn Mews and the dwelling would be set approximately 8 metres back from the access road.

The dwelling would be approximately 7m high to the ridge and 8.5m x 6.9m wide and deep. An amenity area would be retained to the west with a depth of between 5m and 5.77m. A pedestrian access with steps is proposed to Chelsfield Lane.

Location

The site is located on the edge of the urban area in a generally residential location. Open Green Belt land is located to the opposite side of Chelsfield Lane

The site is formed of the rear portion of the garden of 15 Paddocks Close and is bounded by the rear garden of 14 Paddocks Close, Chelsfield Lane, and the

access for Alma Barn Mews, a recent residential development which comprises a renovated statutory listed building (adjacent to Chelsfield Lane) and a new building to the rear of the site. The applicant has retained ownership rights to the in / out access for Alma Barn Mews and it is proposed to use this for the proposed new dwelling.

Comments from Local Residents

There have been objections to this application both from residents in Paddocks Close and residents of the new residential development at Alma Barn Mews. These can be summarised as follows:

- neighbouring gardens are already enclosed and this will make matters worse
- trees have already been removed and more will be lost
- light and privacy will be affected
- vehicle access will be dangerous
- existing refuse arrangements for Alma Barn Mews are not effective
- parking is inadequate already and this will worsen the situation
- emergency vehicle access is inadequate
- plans do not show the correct situation with regard to extensions to neighbouring dwellings
- unclear how many bedrooms are proposed in the dwelling
- overshadowing will result to the rear garden of no.15
- impact on adjacent Green Belt
- proposal is backland development using 60% of an existing rear garden
- insufficient private amenity space for dwelling
- proposal does not meet design guidance and criteria in planning policies
- proposal will be a cramped overdevelopment poorly related to existing properties
- use of Alma Barn one way access will not be suitable especially as the access is already substandard

Comments from Consultees

Thames Water have no objection to the proposal

Drainage comments are that contrary to the answer to the question on the application form, there is no public surface water sewer near to the site and surface water would need to be drained to soakaways. A condition regarding foul water drainage is suggested.

From a trees perspective there is a protected cedar at this site. The tree is a young mature specimen with the potential to grow considerably larger. It is graded B in the tree survey accompanying the application and is shown on the plan to be only 4.4 metres from the proposed house. The RPA is 4.5 metres and whilst the encroachment into the RPA is only small the separation between the house and the tree is inadequate for such a large growing species. Following discussions and information regarding the accuracy of the plan in respect of the tree location, the

applicant has submitted a further tree consultant's statement regarding the tree. The consultant is correct in that the proposed house is outside the RPA of the tree and with adequate protection the construction work will not harm the tree. However concern is raised that it states that building should be sited to allow for adequate space for a trees natural development. A blue atlantic cedar can have a spread of 15 metres and the relationship between the proposed house and tree is inadequate to allow the tree to develop to its full potential. There is likely to be post development pressure for inappropriate pruning or felling of the tree. A reason for refusal is supported based on the future impact on the tree.

From a Conservation perspective, no objections are raised with regard to the impact on the statutory listed Alma Barn Mews.

Cleansing have commented that refuse and recycling should be left at the edge of the kerb for collection

The Highways Engineer has commented that the site would have access from Alma Barn Mews. This is a private access and is shown in the ownership of the applicant. The site is within a low (2) PTAL area and Chelsfield Lane is a classified road, a local distributor.

There is no footway in Chelsfield Lane to the south of the site and the converted barn building affects the sightlines from Alma Barn Mews. There is a substandard sightline to the south, as acknowledged in the Transport Note supplied with the application.

It is normal to measure the sightline from 2.4m back and the advice in Manual for Streets is that 2m back can be used in low trafficked slow speed situations which is not considered to be the case here. The sightline from 2m back is shown at just under 43m, the stopping distance from 30mph. It is considered that speeds here could be over 30mph and so without a speed survey the sightline may not be adequate even from 2m back.

The Transport Note puts forward the contention that an extra house will only generate a small increase in traffic through the access. The current Alma Barn Mews development was allowed with the existing accesses because of the argument at the time that the trips replicated those from the previous agricultural/storage use of the site. This proposal is over and above that use and any increase in traffic will increase the potential conflicts with vehicles in Chelsfield Lane.

Consequently it is considered that the previous refusal on sightline grounds is still valid and should be applied to this application

The proposed steps to Chelsfield Lane are show on land outside of the applicant's control. This appears to have been dedicated as highway in the 1960's so the applicant will need to get the Council agreement to install the steps although that may not materially affect the development. Should permission be granted the construction phase will be potentially disruptive and a detailed construction management plan would be required.

Planning Considerations

The site lies on land not subject to any specific designations in the Unitary Development Plan, however the adjacent converted barn is Grade II Listed, and the land on the opposite side of Chelsfield Lane is Green Belt.

The application falls to be considered primarily with regard to the following policies in the Unitary Development Plan: BE1 (Design of New Development), BE8 (Statutory Listed Buildings), H7 (Housing Density and Design), G6 (Land adjoining the Green Belt), NE7 (Trees and Development), T3 (Parking) and T18 (Road Safety).

The National Planning Policy Framework 2012 and the Council's adopted SPG guidance are also considerations.

Planning History

A modest single storey rear extension to no 15 was allowed in 1968.

Recently application ref. 12/03886 was refused for a proposed dwelling on this site for the following reasons:

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

Conclusions

There are a number of primary impacts to consider in relation to this proposal. These are the character and appearance of the area, the amenities of neighbouring properties, highway safety, the adjacent statutory listed building and trees. It is also necessary to consider whether the previous grounds of refusal have been overcome by the amended design of the dwelling.

With regard to Policies BE1 and H7 and the impact of the proposal on the character of the area, the proposal would involve a dwelling of relatively modest proportions in keeping with the size of other properties in the area. The design of the dwelling has been amended since the previous refusal by a reduction in height by around 0.85m and the introduction of a long sloping roof facing towards no.15. The proposal would involve a substantial proportion of built development with

regard to the overall size of the site, and the impact on the area and adjacent properties requires careful consideration. On balance, with regard to the character of development and in particular dwellings in relation to their plots in the wider area, Members may consider this amended scheme to be acceptable. The dwelling would have a limited amenity area, however this may also be considered acceptable in light of that provided for surrounding properties.

With regard to Policy BE1 and the relationship with neighbouring properties, there are no concerns regarding the impact on dwellings in Alma Barn Mews, however there will be a degree of impact on properties in Paddocks Close, albeit reduced from that in the previous application. The site location plan shows that the proposed dwelling would be sited at its closest 19m away from the rear of 15 Paddocks Close, however there is an extension to the rear of no 15 which shortens this distance to around 18m. This is closer than would normally be acceptable and the occupier of 15 will experience some visual impact and loss of prospect as a result of this proximity. Since the previous application the design has been improved by removing first floor windows facing no.15 and the rear garden of no.14, and the introduction of a longer sloping roof facing no.15 and this is an improved relationship. Although there will be some visual impact to no 16, this will be limited by a large tree which is currently located between the proposed dwelling and the rear garden, provided this tree can be retained. There will be a degree of visual impact for the occupiers of 14 given the general proximity of the development, however the relationship is improved compared to the previous proposal.

From a highways aspect with regard to Policies T3 and T18, a slightly reduced manoeuvring area of 5.8m is accepted for the new parking spaces and the parking provision is considered acceptable. However, there remain concerns raised previously that the intensification of the use of the access from Alma Barn Mews has not been shown to be safely achievable with regard to the provision of sightlines to accord with the Manual for Streets. The access arrangements were permitted previously only on the basis of limited use by the proposed properties in Alma Barn Mews because that proposal resulted in an improvement to the access arrangements that existed prior to the development. Additional usage as proposed in this application is without benefit and is considered to result in a highway safety concern due to the substandard visibility when using the access. The Transport Note puts forward the contention that an extra house will only generate a small increase in traffic through the access. The current Alma Barn Mews development was allowed with the existing accesses because of the argument at the time that the trips replicated those from the previous agricultural/storage use of the site. This proposal is over and above that use and any increase in traffic will increase the potential conflicts with vehicles in Chelsfield Lane. A refusal ground is recommended on this basis.

In respect of the proximity to the statutory listed building and Policy BE8, there is not considered to be any adverse impact from this proposal on the listed barn subject to suitable materials.

With regard to Policy G6, although Green Belt land is located to the opposite side of Chelsfield Lane, it is not considered that this proposal would adversely impact

on the visual amenity or character of the Green Belt given the existence of the road in between the site and Green Belt land.

Since the previous application, a Tree Preservation Order has been placed on a cedar tree within the site. Although it is considered that construction could be carried out without any detriment to the tree, it is considered that there would be post development pressure to prune and ultimately remove the tree and there are strong objections raised on this basis. This is considered sufficient to warrant a ground of refusal.

In summary, although there will be a change to the character and appearance of the area as a result of the proposal, on balance the overall size of the site and size and design of the proposed dwelling may be considered acceptable. The impact on the adjacent listed building is considered acceptable subject to suitable materials, and the previous refusal ground relating to overlooking has been overcome. However, there remain issues of highway safety which conflict with established policy. . Therefore the proposal is considered unacceptable with regard to the impact on the protected cedar tree from post development pressure, and the lack of provision of adequate sightlines for the intensification of the use of the access.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/03386 and 13/01227, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

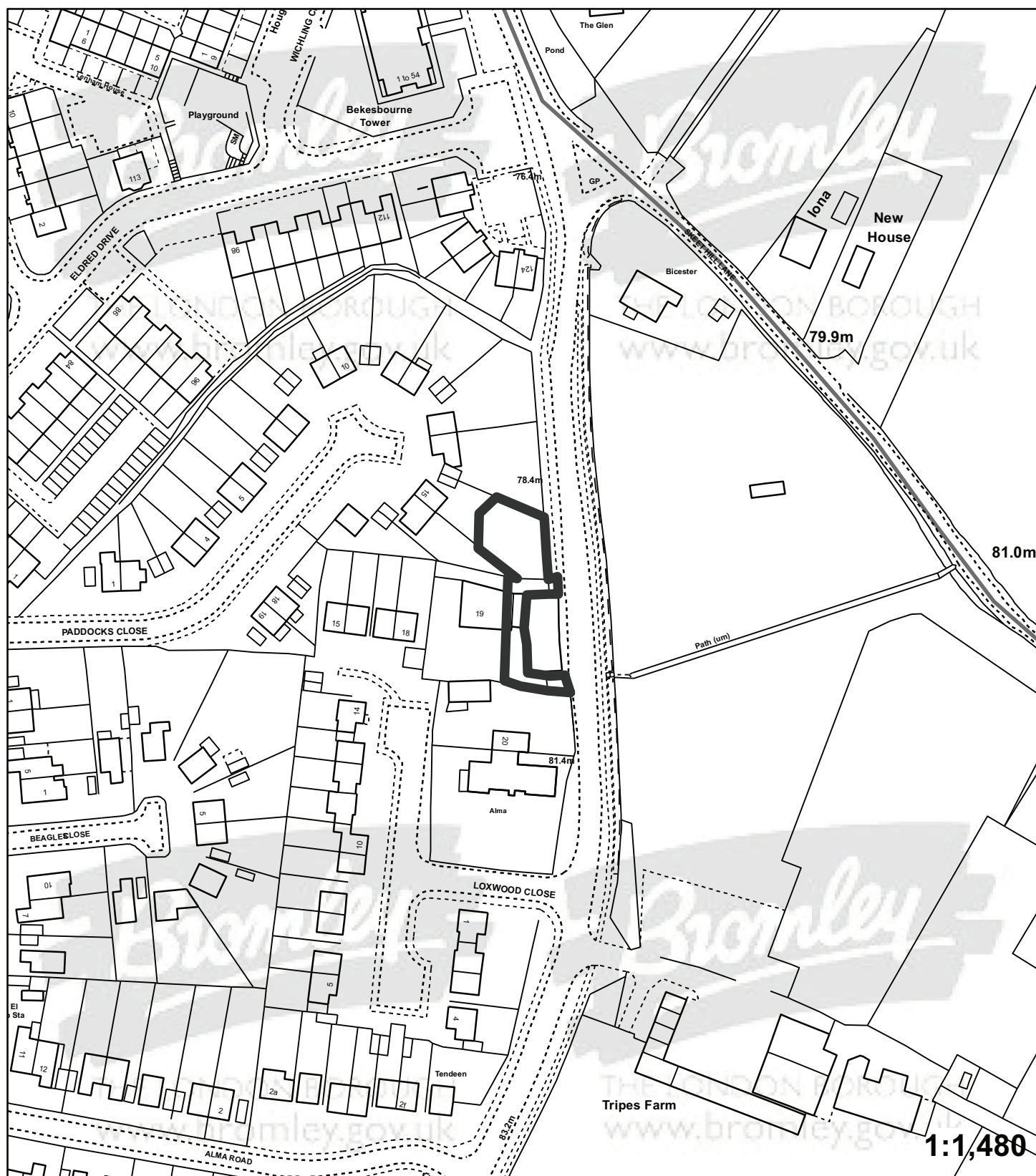
The reasons for refusal are:

- 1 The proposed intensification of use of the existing access to Alma Barn Mews is unacceptable with regard to highway safety as it does not benefit from adequate sightlines, contrary to standards in the 'Manual for Streets' and consequently Policy T18 of the Unitary Development Plan.
- 2 The proposed dwelling by reason of its size and siting would result in unacceptable post development pressure on the protected cedar tree within the site which would be contrary to Policy NE7 of the Unitary Development Plan.

Application:13/01227/FULL1

Address: 15 Paddocks Close Orpington BR5 4PP

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



"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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