



THE LONDON BOROUGH  
www.bromley.gov.uk

BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Lisa Thornley  
[lisa.thornley@bromley.gov.uk](mailto:lisa.thornley@bromley.gov.uk)

DIRECT LINE: 020 8461 7566

FAX: 020 8290 0608

DATE: 16 July 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 25 JULY 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](mailto: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](http://www.bromley.gov.uk/meetings)*

## A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 30 MAY 2013**  
(Pages 1-12)
- 4 **PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
4.1	Bromley Town Conservation Area	13-16	(13/01115/FULL1) - Temporary Compound and Site Office, Gordon Way, Bromley
4.2	Bromley Town Conservation Area	17-22	(13/01549/FULL1) - College Green Playing Fields, College Road, Bromley

### SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.3	Plaistow and Sundridge	23-38	(12/03606/FULL1) - Sundridge Park Management Centre, Plaistow Lane, Bromley
4.4	Chelsfield and Pratts Bottom	39-42	(13/01184/FULL1) - 6 Julian Road, Orpington
4.5	Chelsfield and Pratts Bottom	43-50	(13/01557/FULL1) - 140 Worlds End Lane, Orpington
4.6	Chislehurst Conservation Area	51-54	(13/01591/FULL6) - Mulbarton Cottage, Kemnal Road, Chislehurst
4.7	Bromley Common and Keston <i>(Report to Follow)</i>	-	(13/01666/FULL1) - Keston CE Primary School, Lakes Road, Keston

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

Report No.	Ward	Page No.	Application Number and Address
4.8	Copers Cope Conservation Area	55-62	(13/00196/FULL1) - Foxgrove House, Foxgrove Road, Beckenham
4.9	Bromley Town	63-68	(13/01141/FULL2) - 8 Sherman Road, Bromley
4.10	Cray Valley West	69-72	(13/01476/FULL6) - 222 Chislehurst Road, Orpington
4.11	Chislehurst Conservation Area	73-76	(13/01607/ADV) - 3B High Street, Chislehurst
4.12	Bromley Common and Keston	77-82	(13/02067/TELCOM) - Land Opposite 1 Oakley Drive, Oakley Road, Bromley

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

Report No.	Ward	Page No.	Application Number and Address
4.13	Penge and Cator	83-88	(13/01166/FULL1) - 11 Provincial Terrace, Green Lane, Penge

**5 CONTRAVENTIONS AND OTHER ISSUES**

NO REPORTS

**6 TREE PRESERVATION ORDERS**

Report No.	Ward	Page No.	Application Number and Address
6.1	Bickley	89-92	Objections to Tree Preservation Order 2535 at Forest Lawns, Orchard Road

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

NO REPORTS

This page is left intentionally blank

# Agenda Item 3

## PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 30 May 2013

### Present:

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

### Also Present:

Councillors Eric Bosshard, Robert Evans, William Huntington-  
Thresher, John Ince, Russell Mellor and Ian F. Payne

## 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

All Members were present.

## 2 DECLARATIONS OF INTEREST

At the request of Cllr Bosshard, an Urgency Committee considered whether he be allowed to address the meeting with regard to Item 4.13 as he had a pecuniary interest as a neighbouring resident. Members granted Cllr Bosshard an unconditional dispensation so he could continue to represent the interests of people living in the area.

No other declarations of interest were reported.

## 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 4 APRIL 2013

**RESOLVED** that the Minutes of the meeting held on 4 April 2013 be confirmed and signed as a correct record.

## 4 PLANNING APPLICATIONS

### SECTION 1

(Applications submitted by the London Borough of Bromley)

### 4.1 CRAY VALLEY WEST

**(13/01055/FULL2) - Belle Grove, 100 Mickleham Road, Orpington**

Description of application - 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.

Oral representations in objection to and in support of the application were received. Oral representations from Councillor Robert Evans, the Portfolio Holder for Care Services, in support of the application were received. Oral representations from Ward Member, Councillor John Ince, were also received at the meeting. It was reported that if permission were granted that the Housing Division had agreed that homeless people and families from the Cray Valley Wards would be given preference to the proposed accommodation wherever possible.

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

“3. No more than 93 occupants shall be accommodated at Belle Grove 100 Mickleham Road at any one time without the prior approval in writing of the Local Planning Authority.

REASON: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the residential amenities of neighbouring properties.

4. Details of the proposed management and occupancy arrangements for the development, including any contractual requirements, shall be submitted to and approved in writing by the Local Planning Authority and the premises shall subsequently be operated in accordance with the approved details.

REASON: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the residential amenities of neighbouring properties.

5. The landscaping details, which shall include details of screen planting along the boundary with Goose Green Close shall be submitted to and subsequently approved in writing by the Local Planning Authority and shall be implemented in the first planting season following the occupation of the buildings or the substantial completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.

REASON: In order to comply with Policy BE1 and C1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development and in the interest of the residential amenities of neighbouring properties.”

## **SECTION 2**

(Applications meriting special consideration)

### **4.2 PENGE AND CATOR**

**(12/02318/FULL3) - First Floor Units 8 and 9 Abbey Trading Estate, Bell Green Lane, Sydenham East**  
Description of application - 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.

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

### **4.3 SHORTLANDS CONSERVATION AREA**

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

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

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

### **4.4 COPERS COPE CONSERVATION AREA**

**(13/00234/FULL1) - 15A Wickham Road, Beckenham**

Description of application - Conversion of commercial building to provide one 5 bedroom dwelling.

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

The contents of a letter from the agent dated 30 May 2013 was reported. Councillor Simon Fawthrop stated that the value of a property was determined by how much a purchaser was prepared to pay.

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

1. In the absence of evidence to demonstrate full and proper marketing of the site the proposed

development would result in an unacceptable loss of commercial premises, thereby contrary to EMP5 of the Unitary Development Plan.

#### 4.5 CLOCK HOUSE

#### **(13/00339/FULL1) - Phantasy, 17 Allen Road, Beckenham**

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

It was noted that on page 37 of the Chief Planner's report the first sentence under the heading, 'Proposal' should be amended to read, "Planning permission is sought to demolish the existing bungalow and to erect two 2 bedroom and one 1 bedroom houses".

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

#### 4.6 BROMLEY TOWN

#### **(13/00389/FULL2) - Lancaster House, 7 Elmfield Road, Bromley**

Description of application – 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.

Oral representations in support of the application were received at the meeting. It was reported that further objections to the application had been received. It was also reported that on page 50 of the Chief Planner's report, that paragraph 3 should be amended to read, "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, EMP5 of the Unitary Development Plan and policy IA2 of the Bromley Town Centre Area Action Plan. It was also reported that further objections to the application had been received.

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

1. The site is located in a Business Improvement Area as designated in the Bromley Town Centre Area Action Plan and the change of use of the ground floor



to a private members club (sui generis), would by reason of the undesirable loss of office space (Class B1), 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 IA2 and BTC5 of the Bromley Town Centre Area Action Plan and EMP3 and EMP5 of the Unitary Development Plan.

**4.7  
CRAY VALLEY EAST**

**(13/00455/FULL2) - 44 Lynton Avenue, Orpington**

Description of application - Use of detached building as office (Class B1).

Members having considered the report and objections, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, for the reasons and subject to the conditions set out in the report of the Chief Planner with the deletion of Condition 1.

**4.8  
SHORTLANDS**

**(13/00596/FULL6) - 29 Bushey Way, Beckenham**

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

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

1. The proposed extension would, by reason of the depth of its rearward projection, have a detrimental effect on the Area of Special Residential Character and on the daylighting of the adjoining house and the prospect which the occupants of that dwelling might reasonably expect to be able to continue to enjoy, contrary to Policies BE1 and H10 of the Unitary Development Plan.

**4.9  
FARNBOROUGH AND  
CROFTON  
CONSERVATION AREA**

**(13/00691/FULL1) - Land Opposite 1 to 4 Tye Lane, Orpington**

Description of application - 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.

Oral representations in support of the application were received at the meeting. It was reported that the Fire Access and Building Inspector was satisfied there was adequate fire appliance access.

Councillor Simon Fawthrop said that in his opinion the site was not developable in principle, as it would affect the residential amenity.

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

1. The proposal would, by reason of its design and excessive bulk and scale, result in an overdevelopment of the site, detrimental to the visual amenities, spatial standards and character of the area, contrary to Policies BE1 and H7 of the Unitary Development Plan.

**4.10  
CRAY VALLEY EAST**

**(13/00703/FULL6) - 17 Northfield Avenue,  
Orpington**

Description of application – Single storey rear extension.

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

1. The rear garden at this property is restricted in size and the proposed extension would, by reason of its excessive projection and close proximity to the boundary, result in an overdevelopment of the site and be seriously detrimental to the prospect of the adjoining property, contrary to Policies BE1 and H8 of the Unitary Development Plan.

**4.11  
SHORTLANDS**

**(13/00771/FULL6) - 90 Malmains Way, Beckenham**

Description of application – First floor side and rear extension.

Oral representations in support of the application were received at the meeting. It was noted that on page 75 of the Chief Planner's report that the first bullet point within paragraph 5 should be amended to read,

- "reduction in the width of the first floor side element as it relates to the latter third of the original dwelling (1.05m x 3.88m)."

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

**4.12  
BICKLEY**

**(13/00819/FULL6) - 91 Southborough Road,  
Bickley**

Description of application – Two storey side and single storey rear extensions.

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

“6. A side space of no less than 0.85m shall be provided between the first floor flank wall of the extension hereby permitted and the flank boundary of the property.

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

**4.13  
CHISLEHURST**

**(13/00962/FULL2) - 51 Marlings Park Avenue,  
Chislehurst**

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

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillors Eric Bosshard and Ian F Payne, in objection to the application were received at the meeting.

Councillor Simon Fawthrop said that if this application were to be permitted it would be an over intensification, out of keeping in a family residential area and not conveniently located to local services, shops and amenities.

The differences between Class C3 (dwellinghouses) and Class C2 (residential institutions) and the range of uses permissible within Class C2 were explained. It was noted that Highways Division had no formal objection to the application.

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

1. The change of use from dwelling house with care provided (Class C3) to care supported residential accommodation (Class C2) would result in over-intensive use of the site, inconveniently located from public services which would be out of keeping with the residential character of the area resulting in increased noise and disturbance thereby detrimental to the

residential amenities of neighbouring properties, contrary to Policies BE1, H4 and C6 of the Unitary Development Plan.

**4.14  
DARWIN  
CONSERVATION AREA**

**(13/01068/MATAMD) - Petleys Farm House, Luxted Road, Downe**

Description of application – 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).

Oral representations in support of the application were received at the meeting. Councillor Simon Fawthrop was concerned that Members had no influence on the Planning Inspectorate's decision as to how appeals were dealt with and in his opinion this case, if subject to an appeal, would be suitable for the fast track procedure.

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

1. The proposed development would result in the undesirable loss of covered parking within the curtilage of the dwelling and would be likely to lead to open parking, harmful to the openness and character of the Green Belt, contrary to Policy G1 of the Unitary Development Plan.

**4.15  
DARWIN  
CONSERVATION AREA**

**(13/01069/FULL2) - Petleys Farm House, Luxted Road, Downe**

Description of application – 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.

Oral representations in support of the application were received at the meeting. Councillor Simon Fawthrop was concerned that Members had no influence on the Planning Inspectorate's decision as to how appeals were dealt with and in his opinion this case, if subject to an appeal, would be suitable for the fast track procedure.

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

1. The proposed conversion of two agricultural buildings to stables and change of use of land to the keeping of horses would result in an over-intensive equestrian use of this agricultural site thereby detrimental to the character of the Green Belt and Conservation Area, contrary to Policies G1, BE1 and BE11 of the Unitary Development Plan.

**4.16  
CRAY VALLEY EAST**

**(13/01078/FULL6) - 106 Perry Hall Road, Orpington**

Description of application – Two storey side and rear extension with three front dormers.

Comments from Ward Member, Councillor David McBride, and a letter from the neighbour in objection to the application were reported. Reference was also made to the previous appeal decision and the Inspector's comments on the planning issues. Members having considered the report, objections, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

1. The proposed development would result in an overdevelopment of the site with insufficient car parking, inadequate side space and amenity space to be provided thereby detrimental to the of amenities of neighbouring properties, contrary to Policies H9 and BE1 of the Unitary Development Plan.

(Councillor Simon Fawthrop wished his vote for refusal to be recorded.)

**SECTION 3**

(Applications recommended for permission, approval or consent)

**4.17  
CHISLEHURST  
CONSERVATION AREA**

**(13/00432/FULL6) - The Cottage, Summer Hill Lodge, Summer Hill, Chislehurst**

Description of application – First floor side extension.

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

**4.18  
CHELSFIELD AND PRATTS  
BOTTOM**

**(13/00724/FULL6) - 7 Oxenden Wood Road, Orpington**

Description of application – Part one/two storey side and rear and single storey front extensions, roof alterations to incorporate rear dormers and elevational alterations.

Oral representations in objection to and in support of the application were received at the meeting. Members wished to record that their local knowledge of the character of the area was relevant to this planning application.

It was reported that there were two different side space measurements referred to in the Chief Planner's report based on earlier drawings and that the updated measurement was 1.16 metres. Ward Member, Councillor Julian Grainger, stated that he was acquainted with the objector, being a resident of the area, but that he had had no communication with him since a Jubilee Party celebration in 2012.

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

1. The proposed development would, by reason of the inadequate side space to be provided in an area where higher spatial standards are considered to exist, result in a retrograde lowering of spatial standards detrimental to the established character of the area, contrary to Policies BE1 and H9 of the Unitary Development Plan.

**4.19  
PENGE AND CATOR**

**(13/01134/FULL1) - Units 6-7 Lower Sydenham Industrial Estate, Kangley Bridge Road, Lower Sydenham**

Description of application – 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.

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

"6. The canopy hereby permitted must be open sided on both flank elevations.

REASON: In the interests of the visual amenities of the area, in line with Policy BE1 of the Unitary Development Plan.

**4.20  
BICKLEY**

**(13/01204/FULL1) - Wilderwood, Widmore Green, Bromley**

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

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

Ward Member, Councillor Kate Lymer made the following points:-

- It was a cramped overdevelopment of the site and not in line with spacial standards in the area.
- It was out of character with the surrounding homes
- The chalet bungalow was incongruously placed, bore no relationship to the single storey strip of shops nearby, was too near the front of the green and of a bulky design.
- The scheme was inappropriate, and that a car park and rows of rubbish bins would be an unsightly backdrop for Widmore Green and consequently detrimental to the amenity of the residents in the area.
- There was insufficient room planned for adequate screening.
- The development would erode established special standards in the vicinity which would lead to pressure for similar inappropriate cramped redevelopment.
- To replace the front garden with a car park and flank walls of houses is a gross example of garden grabbing contrary to the London Plan.

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

1. The proposal constitutes a cramped overdevelopment of the site by reason of the type and nature 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 development, harmful to the visual amenities and character of the area and therefore contrary to Policies H7 and BE1 of the Unitary Development Plan and Policy 3.5 of the London Plan.

**SECTION 4**

(Applications recommended for refusal or disapproval of details)

**4.21  
PETTS WOOD AND KNOLL  
CONSERVATION AREA**

**(13/00815/FULL1) - Public Conveniences, Station Square, Petts Wood**

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

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 reason set out in the report of the Chief Planner.

**4.22  
ORPINGTON**

**(13/01227/FULL1) - 15 Paddocks Close, Orpington**

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

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor William Huntington-Thresher, in objection to the application were received at the meeting. It was reported that the application had been amended by documents received on 15 May 2013. Members were of the opinion that the site line issue should not be underestimated in this instance.

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

3. The proposal would result in a cramped overdevelopment of the site and unacceptable form of backland development contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5 of the London Plan.

The meeting ended at 10.38 pm

Chairman



# Agenda Item 4.1

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

**Application No :** 13/01115/FULL1

**Ward:**  
Bromley Town

**Address :** Temporary Compound And Site Office  
Gordon Way Bromley

**OS Grid Ref:** E: 540075 N: 169690

**Applicant :** Mr Chris Cole

**Objections :** YES

## **Description of Development:**

Temporary use of site as compound (use class B8) and office (use class B1), with associated car parking

Key designations:

Conservation Area: Bromley Town Centre

Areas of Archeological Significance

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

Bromley Town Centre Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

Proposal Sites

Urban Open Space

## **Proposal**

It is proposed that a site which is currently vacant and not in use, be developed temporarily as a compound and office site. This is for a period of 18 months to 2 years and is to be used for the storage of materials and site office for the Bromley North Village public realm improvement scheme.

## **Location**

The application site lies on the western side of Tweedy Road and encompasses a vacant plot of land. The surrounding area is a mixture of commercial and residential. The site falls within the boundaries of a designated conservation area, the Bromley Town Centre.

## **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and seven representations were received. The following issues were raise.

- air pollution and noise.
- putting the site back afterwards.
- concern over impact on Sheppards Colleges, onto which this site backs, is a Grade 2 listed building with senior citizens living within.
- working hours of construction,
- concern over trees lining Tweedy Road may be affected.
- highway issues such as vehicle deliveries, waiting areas or unloading bays present within the site, would result in large vehicles either over-hanging or spilling onto Gordon Way. Also parking for staff and public.

### **Comments from Consultees**

No objection is raised from a heritage perspective subject to a temporary permission.

Highways - The site is accessed from Gordon Way via a wide access point approximately 10m wide. This is acceptable. The site access is within proximity of Tweedy Road. Tweedy Road (A21) is part of TfL road network, and therefore TfL should be consulted.

Comments from TfL will be verbally reported to Committee.

### **Planning Considerations**

The application falls to be determined in accordance with Policy BE1 of the Unitary Development Plan and the London Plan.

This policy is considered consistent with the objectives and principles of the NPPF.

### **Planning History**

No relevant planning history.

### **Conclusions**

The site in question is currently vacant and overgrown with grass, bushes and trees. The site is enclosed by a tall timber fence and then there are further bushes and trees that line the site that are visible to the streetscene along Tweedy Road. On the southern side of the site there are the Bromley and Shepherds Colleges along with the County Court.

Most of the structures to be built will be along the tweedy road side of the site and sited away from the college and the court. The majority of the structures are to be low level, apart from the silos which will be taller and 7.5 metres in height. However there are tall trees on the site that will go a small way to shielding the silos, in addition the use is only temporary and it is not considered that there would be any detrimental harm to outlook caused by the temporary instalment of the silos. No other properties are located close enough to the development for there to be any issue in relation to loss of light.

The designs of the structures are appropriate for the temporary use of the site as a compound and office.

There were concerns raised in relation to noise that may have been created by the site and the proximity to certain buildings. Since the original submission the plans have been amended to move the structures towards Tweedy road and provide a tree screening area. Tweedy Road is a large busy road with three lanes of traffic. It was thought more appropriate to position the site closer to the busy and noisier Tweedy Road. It is not considered that such a development would cause harmful issues to amenity in relation to noise.

Having had regard to the above it was considered that temporary development in the manner proposed would not cause any detrimental issues to neighbouring amenity to such an extent as to warrant a refusal of planning permission.

### **RECOMMENDATION: PERMISSION**

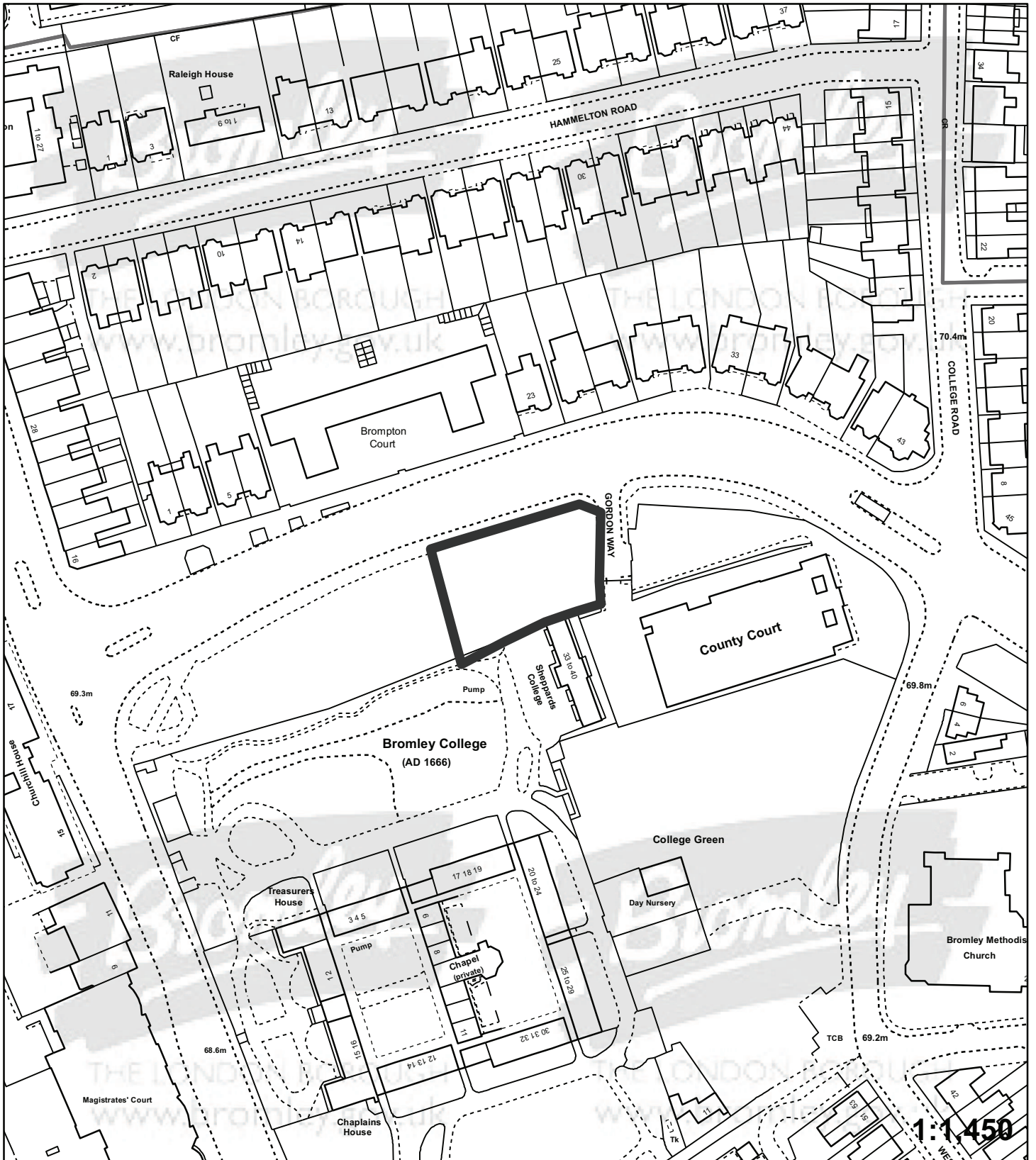
Subject to the following conditions:

1	ACE01 ACE01R	Limited period - buildings (1 insert) Reason E01	31/07/2015
2	ACK01 ACC01R	Compliance with submitted plan Reason C01	
3	ACJ06 ACJ06R	Restricted hours of use on any day J06 reason (1 insert)            BE1	07:00    21:00

**Application:**13/01115/FULL1

**Address:** Temporary Compound And Site Office Gordon Way Bromley

**Proposal:** Temporary use of site as compound (use class B8) and office (use class B1), 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"

# Agenda Item 4.2

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

**Application No :** 13/01549/FULL1

**Ward:**  
**Bromley Town**

**Address :** College Green Playing Fields College  
Road Bromley

**OS Grid Ref:** E: 540126 N: 169634

**Applicant :** Mike Jarman

**Objections :** YES

## **Description of Development:**

Erection of steel security container with 'bug hotel' cladding on external elevations for 2 year temporary period.

Key designations:

Conservation Area: Bromley Town Centre  
Areas of Archaeological Significance  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Bromley Town Centre Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Urban Open Space

## **Proposal**

The application seeks consent for the installation of a steel security container to be sited in the southwest corner of College Green Playing Fields.

The proposed container will measure 2.6 metres in height, 6 metres in width and 2.4 metres in depth. It is to be sited for a period of two years to store hand tools for the Council's grounds maintenance team.

The container will be clad on the northeast and northwest elevations with a 'bug hotel' -a 'living wall' of reclaimed materials such as palettes, filled with twigs, moss and short lengths of cane, in order to allow insects and birds to burrow and nest.

## **Location**

The site is located in a designated Conservation Area (Bromley Town Centre) and was formerly the playing fields of Bromley and Sheppard's College, which is a Grade I listed building.

## **Comments from Local Residents**

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

- will ruin character of Conservation Area and not blend in with the landscape;
- blot on landscape;
- no need for container on site; gardeners carry tools on site;
- site notice does not give adequate publicity.

### Comments from Consultees

Conservation - No objection for two years. The screened location and green walling will mitigate the impact of this structure and on the basis of a temporary permission, there is no objection. It may well act as a landscape feature in its own right and create interest in this piece of parkland through the 'bug hotel'.

The Advisory Panel for Conservation Areas (APCA) object only to the location which is too close to the locally listed old cottage and will detract from its setting (Policy BE10). We suggest a location at the far end of the Green adjacent to the County Court which is sufficiently prominent without harm to the settings of either the old Cottage or the Grade I or II Listed Bromley College buildings.

### Planning Considerations

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

BE1 Design of New Development  
BE11 Conservation Areas  
BE8 Statutory Listed Buildings  
BE10 Locally Listed Buildings  
G8 Urban Open Space  
NE3 Nature Conservation and Development

London Plan  
Policy 7.18 Protecting Local Open Space  
Policy 7.19 Biodiversity and access to nature

National Planning Policy Framework (2012)

Ref. Number	Description	Status	Decision
82/00972/LBB	BROMLEY COLLEGE COLLEGE SLIP AND STEVENS NURSERY SITE		
	DEMOLITION AND REBUILDING OF BRICK BOUNDARY WALL AND CHAIN LINK FENCE	PER	05.11.1984
84/02828/LBB	BROMLEY COLLEGE COLLEGE SLIP STEVENS NURSERY SITE		
	CONSTRUCTION OF REPLACEMENT BOUNDARY WALL	WDN	26.11.1984

85/00751/LBB STEVENS NURSERIES SITE COLLEGE ROAD BROMLEY  
USE OF LAND AS A TEMPORARY PUBLIC CAR PARK REF 30.05.1985

85/01656/LBB STEVENS NURSERY SITE COLLEGE ROAD BROMLEY  
DEMOLITION OF EXISTING BUILDING AND USE OF GROUND AS  
OPEN SPACE AND ACCESS ROAD TO STOCKWELL PLAYGROUP PER  
25.07.1985

88/01318/LBB COLLEGE GREEN COLLEGE ROAD BROMLEY  
CHANGE OF USE FROM EDUCATION PLAYING FIELDS TO PUBLIC  
OPEN SPACE PER 12.05.1988

88/02600/LBB LAND AT COLLEGE GREEN COLLEGE ROAD BROMLEY  
BR2 9ER  
USE OF LAND AS TEMPORARY SITE COMPOUND IN CONJUNCTION  
WITH THE NORTH BROMLEY TRAFFIC MANAGEMENT SCHEME PER  
04.08.1988

89/03408/LBB COLLEGE GREEN COLLEGE ROAD BROMLEY  
LANDSCAPING DETAILS PURSUANT TO 881318 GRANTED FOR  
CHANGE OF USE FROM EDUCATION PLAYING FIELDS TO PUBLIC  
OPEN SPACE PER 01.02.1990

## **Conclusions**

The main issues Members wish to consider are the loss of public open space, the effect on the character and appearance of the Bromley Town Centre Conservation Area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

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

## Principle

The site is an established playing field within Bromley Town Centre. It is an area of designated Urban Open Space. Policy G8 states that in such locations, proposals for built development will be permitted only: where the development is related to the existing use; the development is small scale and supports the recreational uses or children's play facilities on the site; and any replacement buildings do not exceed the site coverage of the existing development on the site.

In all cases, where built development is proposed, the proposed loss of open space will be weighed against wider community benefits, such as new recreational or employment opportunities. Further, the siting, scale and size of the proposal should not unduly impair the open nature of the site.

Policy 7.18 of the London Plan seeks to safeguard local open space unless equivalent or better quality provision is made within the local catchment area.

The proposed steel container would occupy a small area of the public open space of approximately 14.4 sq metres in the far south west corner of the site. The playing field as a whole occupies an area of 0.72ha; therefore, the area occupied by the steel container is negligible.

Whilst the structure would not provide any wider community or recreational benefit, it would be of a small scale in relation to the total area of the public open space and would be related to the existing recreational use, insofar as it would provide secure on site storage for hand tools to be used by the Council's grounds maintenance team for a temporary period.

The structure would be sited against a backdrop of extensive mature trees and vegetation along the southeast and south boundaries. Owing to the temporary nature of the structure, it is not considered to impair the long term open nature of the site.

#### Design, Visual Amenity and Impact on Conservation Area

The site is located in Bromley Town Centre Conservation Area and was formerly the playing fields of Bromley and Shepherd's College, which is a Grade I listed building. Policy BE11 requires new development to preserve or enhance the character and appearance of the Conservation Area. Policy BE1 states that new development should not detract from the streetscene or landscape and should respect important landscape features.

In respect of design, the structure would not be supported on a permanent basis, owing to its scale, form and appearance. The physical appearance of the structure will be mitigated to a degree by placing it in the far southwest corner of the playing fields, against a backdrop of mature trees and vegetation. The northeast and northwest elevations are to be clad with a living green wall, or 'bug hotel' to enhance the biodiversity value of the development. This will allow birds and insects to nest and burrow. The proposal is therefore complies with policy 7.19 of the London Plan, in that the development seeks to create opportunities for positive gains for nature through the layout, design and materials of proposed developments. From a heritage perspective, the structure will be sited at a distance of 35 metres from the Grade I listed Bromley and Shepherd's College. The screened location and green walling will mitigate the visual impact of the structure within the Conservation Area, and on the basis of a temporary permission for two years, no objection is raised on heritage grounds.

#### Residential Amenity

The proposed steel container will be sited at a distance of approximately 1 metre from the side boundary adjoining No. 11 College Slip, to the southeast, at a height of 2.6 metres. The side boundary is screened by mature shrubs/vegetation approximately 3-4 metres high, which will screen the steel containerised unit from view. In the absence of this mature vegetation screening, the steel container would



have an overbearing and adverse visual impact on the rear garden of this property. A structure of this size and scale would therefore be resisted on a permanent basis; however, owing to the temporary nature of the structure and the presence of this mature vegetation, the proposal is judged to be acceptable.

### Summary

Having had regard to the above, Members may consider that the development in the manner proposed is permitted for a temporary two year period, subject to the following conditions.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1 This permission shall be for a limited period only, expiring 2 years after the date of this decision notice. On or before that date the use hereby permitted shall be discontinued and any structures approved under this permission shall be removed and the land re-instated to its original condition, unless the prior written approval of the Local Planning Authority is obtained to any variation.

**Reason:** The type of structure is such as the Local Planning Authority is prepared to approve other than for a limited period, having regard to the materials and appearance of the structure proposed and, in the interests of visual amenity to comply with Policies BE1 and BE11 of the Unitary Development Plan.

- 2 The steel security container hereby permitted shall be used solely for the storage of hand tools equipment for grounds maintenance associated with College Green Playing Fields, and for no other purpose whatsoever.

**Reason:** To protect the amenity of neighbouring occupiers and the surrounding area, and to comply with Policy BE1 of the Unitary Development Plan.

- 3 ACK01 Compliance with submitted plan  
ACC01R Reason C01

- 4 Full details of the proposed 'bug hotel', shall be submitted to and approved in writing by or on behalf of the Local Planning Authority prior to the commencement of the development hereby permitted. Works shall be carried out in accordance with the approved details and permanently maintained as such thereafter.

**Reason:** In order to comply with policy BE1 of the Unitary Development Plan and in the interest of visual amenity.

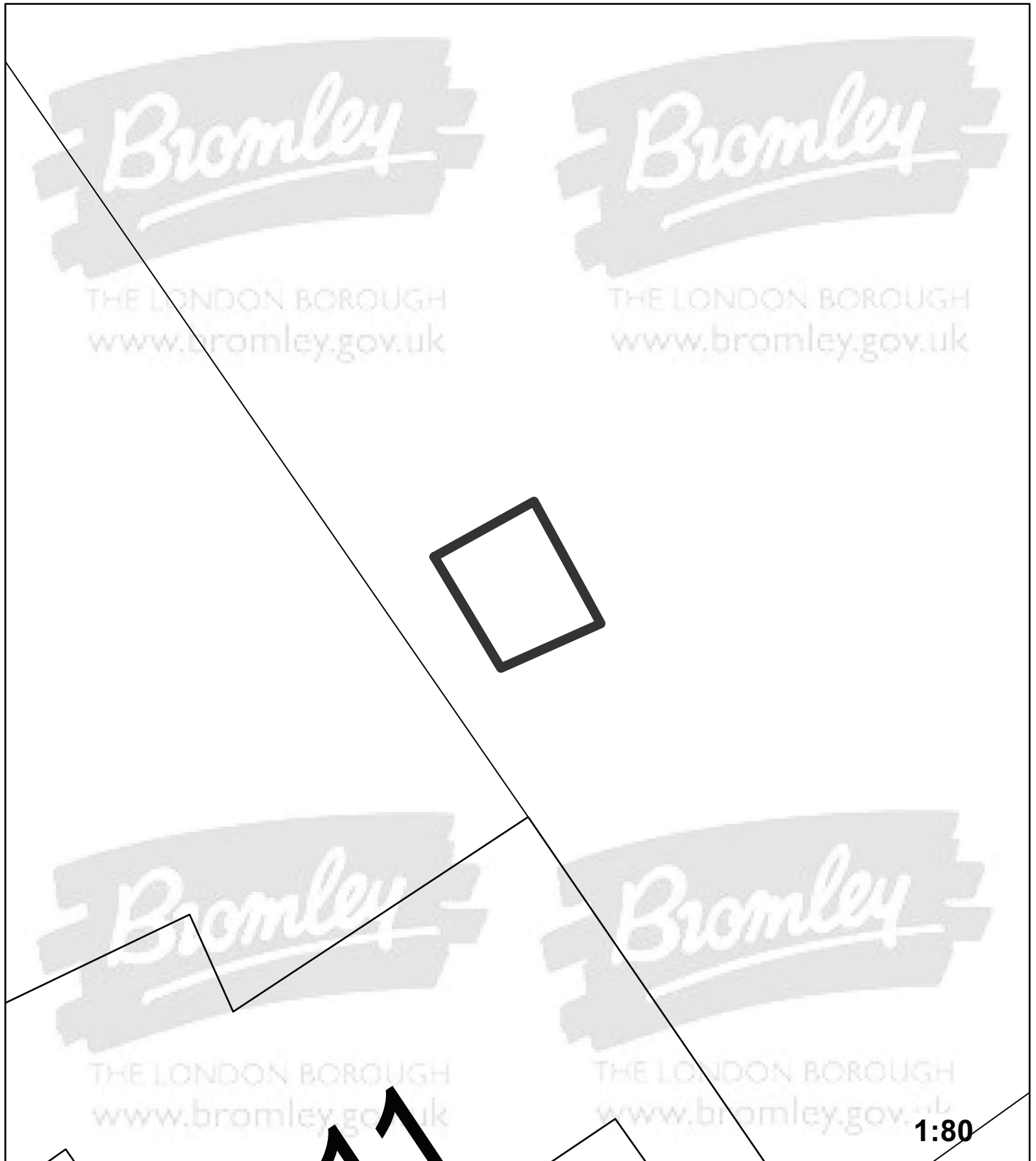
- 5 The 'bug hotel' indicated on the approved drawings shall be completed before any part of the development hereby permitted is brought into use and shall be retained thereafter until such time as the structure is removed.

**Reason:** In order to comply with policy BE1 of the Unitary Development Plan and in the interest of visual amenity.

**Application:**13/01549/FULL1

**Address:** College Green Playing Fields College Road Bromley

**Proposal:** Erection of steel security container with 'bug hotel' cladding on external elevations for 2 year temporary period.



"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 :** 12/03606/FULL1

**Ward:**  
**Plaistow And Sundridge**

**Address :** Sundridge Park Management Centre Ltd  
Plaistow Lane Bromley BR1 3TP

**OS Grid Ref:** E: 541757 N: 170738

**Applicant :** Millgate Developments Limited

**Objections :** YES

### **Description of Development:**

Erection of 1 x 3 storey 6 bedroom house; 1 x 2 storey 5 bedroom house (known as Tower House); 4 x 3 storey buildings comprising 13 x 4 bedroom and 1 x 5 bedroom town houses; 3 x 4 storey buildings comprising 8 x 2 bedroom and 17 x 3 bedroom apartments (total 41 dwellings), together with 91 car parking spaces (part basement/ part surface/part garage), recycling and refuse facilities and 91 car parking spaces and landscaping

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Chain  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Metropolitan Open Land

### **Proposal**

The current application seeks permission for a total of 41 residential units comprising 16 houses and 25 residential flats with a total of 97 surface and basement parking spaces, together with cycle parking and refuse and recycling storage provision on this 2.27ha site.

The proposed buildings are arranged in a similar format as previously approved and comprise

- a 4 storey block at the rear of the site, providing the flatted element of the scheme. There is continuous development at ground and 1st floor level. At 3rd and 4th floor level the building is separated into 3 blocks.
- vehicular access in front of this element separates these buildings from 3 terraces which provide 13 of the 3 storey houses. There is also 1 detached house in this location.
- a detached house on the eastern edge of the site (this is Tower House)

- a detached house at a lower level, in the position of the previously approved health spa.
- there are 46 car parking spaces and 58 cycle parking spaces in the basement area for the flats comprising 40 vehicle spaces for residents and 6 visitor spaces.
- there is garage parking and surface parking for each of the proposed houses and 6 of the proposed flats
- there are 8 surface visitor parking spaces.
- the total number of car parking spaces will be 97 with 21 surface spaces and 76 spaces in the basement or garages. This equates to 2.3 spaces per unit.

The scheme has been designed by Robert Adam Architects so retains the same architectural style as the approved scheme.

There is a considerable planning history for this site. Most recently permission was granted in September 2011 for 67 residential flats with surface and basement parking and a new single storey building to provide a health spa for residents use with a tennis court above and a new garage block for 5 cars (ref. 10/02308). In addition permission was granted for a detached 5 bedroom house (known as the Tower House) in May 2012 (ref. 12/00687).

The main difference between the approved scheme and the current application can be summarised as follows:

- the number of residential units has been reduced from 68 (including the Tower House) to 41 (including the Tower House site).
- the number of flats has significantly reduced from 69 to 25 and the number of houses has increased from 1 to 16.
- the height of the buildings will be 1 storey lower than the approved buildings.
- the density of development has reduced from 30 units per hectare to 18.
- the Tower House is located in the same position as the extant permission
- a new dwelling and garage block is proposed in the area currently occupied by a tennis court (under the previous permission a residents health spa was to be built below the level of the tennis court).
- the central courtyard between the 2 upper blocks was previously car free with basement parking below. In this scheme there is an access road in this location with vehicular access to the garages and underground parking and surface car parking in this area.
- the eastern section of the flatted block extends slightly closer to the approved Tower House than previously approved.
- part of the garage building for Unit 2 extends slightly further west than the existing position of building in this area.
- the total number of parking spaces has reduced from 143 previously approved to 97 spaces.
- surface parking spaces have reduced from 23 to 21 (this excludes possible parking spaces in front of garages for the Tower House, Units 35-40 and Units 1 and 2 - approx 10 spaces).

- refuse and recycling will be collected from a central point in the basement for the flats and from the kerb for the houses, with the exception of Unit 1 where there is a separate remote collection point and the residents of this unit will leave their bins here on collection day.
- the previous application offered Section106 contributions amounting to £2,096,000
- as a payment in lieu for affordable housing and education purposes. The current application is accompanied by an Affordable Housing Viability Assessment which concludes that the proposed scheme can make a £750,000 planning contribution.

The Design and Access Statement advises that all units are fully accessible for residents and visitors.

The Design and Access Statement also includes a comparative analysis of the extant permission and the proposed scheme as follows:

- the original Bitten building provided 8,823 sqm of residential floorspace and a footprint of 3,254sqm
- the approved Robert Adam scheme (ref. 10/02308) provides 12,391sqm residential floorspace, and a footprint of 3,224 sqm. (It should be noted that the residential floorspace for the Tower House approved in 2012 amounts to 238 sqm in addition to the figures above.)
- the proposed scheme provides 9,154 sqm residential floorspace (including the Tower House) and a footprint of 3,020sqm.

In summary the overall residential floorspace of the current scheme has decreased by approximately 3237 sqm and the footprint has decreased by approximately 204 sqm, compared to the approved extant Robert Adam scheme (ref. 10/02308).

The applicant has submitted a number of detailed supporting statements as follows

Design and Access Statement  
 Planning Statement  
 Landscape History, Analysis and Proposals Plan  
 Landscape and Woodland Management Plan  
 Archaeology Report  
 Ecology Report and Report Update letter  
 Arboricultural Implications Assessment  
 Low and Zero Carbon Technologies Options Appraisal  
 Construction Management Plan  
 Transport Statement  
 Construction Traffic Management Plan  
 Affordable Housing Viability Statement

The applicants Planning Statement summarises the specific impact of the current proposal in terms of the impact on the Metropolitan Open Space as follows:

- there is an extant permission for the development of 67 dwellings on the site and the principle of redevelopment has been established on this site

- the NPPF, in paragraph 89, highlights that previously developed land is not inappropriate development, providing the development will have no greater impact on the openness of the Green Belt (the site is MOL but has the same protected status as Green Belt). In this instance the applicant considers that the proposed use is no longer inappropriate and accords with the NPPF policy in this respect.
- in terms of the impact on the openness of the MOL the proposal has less impact than the previous Butten Building and the extant permission in terms of footprint and residential floorspace.
- the proposed buildings are over a storey lower than the extant permission, thereby reducing bulk as well as footprint and floorspace
- there is less impact on the MOL than the Butten Building due to high quality design and landscape improvements proposed
- the proposed buildings will be hidden from views within and outside Sundridge Park by established mature trees
- the number of parking spaces for this scheme is less than the Butten building and the extant permission
- the limited surface car parking will enable landscaping to improve the quality of the MOL
- the Repton landscaped terraces will be restored enhancing the significance of Sundridge Park, its historic landscape and adjacent listed buildings

The submitted Planning Statement outlines the 'very special circumstances' to support the application which are summarised below:

- extant permission (ref. 10/02308) of high quality design that will enhance the significance of Sundridge Park, its historic landscape and adjacent listed buildings
- contribution to additional much needed housing in the borough
- site is previously developed land and the new development will significantly reduce the impact of the intensive use of the previous 1960's buildings and associated car parking.

## **Location**

The application site occupies an area of approximately 2.27 hectares and lies on the northern edge of a parkland also occupied by the Sundridge Park Golf Course. This parkland is a Grade II registered park/garden and the application site falls within the curtilage of a Grade 1 listed building, an original late 18th century mansion house. There are additional features within the site, which are remnants of the landscaping from the time this area was one estate, including the early 19th century Coach House that has been converted into 5 houses (ref 07/03361). The site contains large belts of mature woodland to the north, west and south with open planned lawns and terraces to the front and side of the mansion house.

The site falls within an area of Metropolitan Open Land (MOL), which encompasses land to the north and east towards Elmstead and Chislehurst. The surrounding Sundridge Park is designated as a Site of Importance for Nature Conservation, although the application site itself is excluded from this designation.

The former 1960s building on the site is known as the Butten building and was part of a training and management centre that also occupied the adjacent Sundridge Mansion and Coach House. There was also a car parking area to the north of the buildings. The buildings have now been demolished

This application relates solely to the site of the former Butten building, the car parking area and adjacent terraces.

There is one vehicular access to the site through the historic southern entrance via Plaistow Lane. Plaistow Lane links the A221 Burnt Ash Lane and the A222 Widmore Road. A section of the Green Chain Walk (footpath) runs along the western and northern boundary of the Park and does not cross the site.

### **Comments from Local Residents**

Nearby properties were notified and representations received which are summarised as follows

- the application form is incorrect as it refers to 39 units and the proposal is for 41 units
- impact on the busy and hazardous junction of Willoughby Lane and Plaistow Lane from additional vehicles both during construction and once properties are occupied. This will lead to more congestion when take into account new development that has taken place in Plaistow Lane.
- pressure on nearby roads from commuter parking by residents of the development using their cars to access Sundridge Park Station and drop children at school

### **Comments from Consultees**

The Councils Drainage Officer raises no objection.

The Councils Highways Officer raises no objection.

The Councils Housing Officer raises no objection.

The Councils Waste Advisor raises no objections.

English Heritage raise no objections on archaeology grounds and do not comment on heritage grounds.

The Metropolitan Police Crime Prevention Design Advisor raises no objection subject to conditions.

Thames Water raise no objections subject to relevant informatives.

The Green Chain Working Party consider that the 'very special circumstances' required for residential development have not been demonstrated in this case. If

the development is approved suitable native species screen planting should be undertaken to protect the Green Chain and Site of Nature Conservation.

## **Planning Considerations**

The development plan comprises the Bromley Unitary Development Plan (2006) and the London Plan (2011)

The development falls to be considered in accordance with the following Unitary Development Plan policies

- H1 Housing Supply
- H2 Affordable Housing
- H3 Affordable Housing - payment in lieu
- H7 Housing Density and Design
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- BE1 Design of New Development
- BE8 Listed Buildings
- BE15 Historic Parks and Gardens
- BE17 High Buildings
- NE2 Development and Nature Conservation Sites
- NE3 Nature Conservation and Development
- NE7 Development and Trees
- NE8 Conservation and Management of trees and woodlands
- G2 Metropolitan Open Land
- G7 South East London Green Chain
- L9 Indoor Recreation and Leisure

In strategic terms the most relevant London Plan policies are:

- 2.6 Outer London: vision and strategy
- 3.3 Increasing housing supply
- 3.4 Optimising housing supply
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.11 Affordable Housing Targets
- 3.12 Negotiating affordable housing in individual private residential schemes
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.6 Decentralised energy in development proposals
- 5.7 Renewable energy
- 5.8 Innovative energy technologies
- 5.0 Overheating and cooling
- 5.10 Urban Greening
- 5.11 Green roofs and development site environs
- 6.9 Cycling



- 6.13 Parking
- 7.8 Heritage assets and archaeology
- 7.17 Metropolitan Open Land
- 7.19 Biodiversity and nature conservation
- 7.21 Trees and woodlands
- 8.3 Community Infrastructure Levy

National guidance is included in the National Planning Policy Framework and the most relevant paragraphs are set out below.

Paragraph 14 states a presumption in favour of sustainable development where development accords with the development plan.

Section 9 relates to Green Belt development. The application lies on Metropolitan Open Land which enjoys the same protection as Green Belt Land. Therefore policies in this Section apply to this site.

Paragraph 89 advises that local planning authorities should regard the construction of new buildings as inappropriate in Green Belt, Exceptions to this limited infilling or the partial or complete redevelopment of previously developed site (brownfield land), whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt and the purpose for including land within it than the existing development.

Paragraph 205 advises local planning authorities to take account of changes in market conditions over time and, where appropriate, be sufficiently flexible to prevent planned development being stalled.

As the site is in excess of 0.5ha the Council has provided a screening opinion as to whether an Environmental Impact Assessment is required. After taking into account the selection criteria in Schedule 3 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 and the terms of the European Directive, it is considered that the proposed development would be unlikely to have significant effects on the environment by virtue of its nature, size and location and an Environmental Impact Assessment is not required.

From a heritage point of view no objections are raised.

From an ecological point of view, an update of the ecological survey submitted with the 2010 application has been submitted. There are no objections raised.

From an arboricultural point of view an updated report has been submitted (dated October 2012). There are no objections to the proposal but some concern that there could be post development pressure for the trees close to the southern boundary of Plot 1, although the trees are in the ownership of the golf course.

### **Planning History**

The Butten Building site has been the subject of several previous relevant applications as follows:

1. In December 2005 planning permission subject to a legal agreement, for the demolition and redevelopment of existing Butten Buildings to provide three residential pavilions comprising 61 apartments, leisure areas, basement and surface car parking together with two villas, access alterations and landscape restoration (ref. 05/03506). This is known locally as the MacAslan Scheme.
2. Also in December 2005 permission was granted for the change of use of existing Grade 1 listed Mansion to single dwelling with associated internal and external alterations and extensions and change of use of existing Coach house/ Stable Block to seven residential dwellings with associated internal and external alterations, all with associated landscaping and car parking (ref 05/03503).
3. Associated Listed Building Consent was also granted for the above schemes under refs. 05/03507/LBC and 03/0505/LBC respectively.
4. In July 2007 planning permission was granted, subject to legal agreement, for the demolition and redevelopment of existing Butten Building to provide 3/4 storey buildings comprising 11 x 2 bedroom/28 x 3 bedroom/ 6 x 4 bedroom flats and 3 x 3 bedroom/ 2 x 4 bedroom/ 4 x 5 bedroom houses (total 54 units, including the Tower House) with health club for residents use including basement/surface car parking and landscaping (ref 07/02483).
5. Application ref. 10/02214/EXTEND to extend the time limit for the implementation of permission previously granted in July 2007 (ref. 07/02483) for the demolition and redevelopment of existing Butten Building to provide 3/4 storey buildings comprising 11 x 2 bedroom/28 x 3 bedroom/ 6 x 4 bedroom flats and 3 x 3 bedroom/ 2 x 4 bedroom/ 4 x 5 bedroom houses (total 54 units, including the Tower House) with health club for residents use including basement/surface car parking and landscaping (ref. 07/02483). This application was withdrawn.
6. Four/ five storey building comprising 20 two bedroom, 41 three bedroom and 6 four bedroom dwellings and including basement car parking, garage block for 5 cars and single storey building comprising health spa for residents' use with tennis court on roof. Permission was granted in September 2011 (ref. 10/02308). This permission excluded the Tower House.
7. Detached three storey five bedroom dwelling with basement comprising triple garage, games room and utility room (the Tower House) was permitted in May 2012 (ref. 12/00687)

There are numerous applications for the Coach House and the Mansion, the most relevant of which are set out below:

1. External alterations and change of use of Coach House/Stable Block to 5 dwellings with changes of level and retaining walls to provide rear gardens/landscaping/6 car parking spaces and garage block for 3 cars

(revision to scheme permitted under ref 05/03503 for 7 dwellings). Permitted in Nov 2007 (ref. 07/03361)

2. Extension of time limit for implementation of permission ref. 05/03503/FULL1 granted for change of use of mansion to single dwelling with associated internal and external alterations and extensions and change of use of existing Coach House/ Stable Block to 7 dwellings with associated internal and external alterations, all with associated landscaping and car parking. (ref. 11/01181/EXTEND). Permitted in October 2011.
3. Partial demolition/external alterations and two storey rear extension with basement and surface car parking and change of use of Mansion and The Cottage from hotel to 13 two bedroom and 1 three bedroom flats (ref. 11/01989). Permitted in October 2011.

## Conclusions

The main issues to be considered are:

- the acceptability of the current scheme in terms of its impact on the Metropolitan Open Land (MOL), and
- whether the proposed planning contribution under S106 is acceptable.

## MOL issues

The site lies within designated Metropolitan Open Land as defined in Policy G2 of the Unitary Development Plan. It is a material consideration that there is an extant planning permission for a 67 unit residential scheme on the site granted in 2010 (ref. 10/02308). The main consideration in this respect is whether the current proposal will have a materially greater effect on the openness of the MOL than the existing permission.

This application seeks to reduce the amount of development from 68 units previously permitted to 41 units. The proposal introduces houses to the site together with flats. In addition there is a higher number of surface car parking spaces than the extant permission.

In terms of the impact on the openness of the MOL the main issues to consider are

1. Revised dimensions of the development

It should be noted that:

- the footprint of the proposed building is less than the previous Butten building and the extant 2010 permission.
- the residential floorspace is less than the extant permission.
- the volume of development is less than the extant permission.
- the height of the north and south 'blocks' are lower than the extant permission

2. Development outside previously approved development 'envelope'.

For the most part the footprint of the development lies within the footprint of the development of the extant permission. There are 2 exceptions to this as follows:

- Part for the northern block extends further east than the approved footprint. However this does not extend beyond the line of a garage block permitted in the extant permission. Therefore it is considered there would not be significant harm to the MOL as a result of this element of the scheme.
- The proposed house on Plot 1 will be sited on that part of the site currently occupied by a tennis court. The spa facility previously approved under the 2010 permission would have been below the level of the tennis court with an elevation facing southwards. In terms of the impact of the proposed house on the MOL the overall quantum of development for the whole scheme is significantly less than the extant scheme and the spa amounted to greater site coverage than the proposed house. The site is well screened from external view.
- In view of the above it is considered that the proposed house would not cause significant harm to the openness of the MOL and is, therefore, acceptable in this respect.

3. Impact of additional surface level car parking

- The extant permission shows a central terraced courtyard between the northern and southern buildings with basement parking below.
- The proposed scheme removes the basement parking and the courtyard and an access road is proposed between the northern and southern buildings at ground level. This will provide both vehicular and pedestrian access to the buildings. The majority of the car parking will be in the basement of the 'flatted' blocks to the north and in garages for the houses and the smaller northern block of flats. There will also be 13 surface level spaces provided for the houses and the potential for a further 8 parking spaces in front of the flats in Units 35-40 and the garage for the house at Unit 2.
- The submitted plans show that there will be a significant amount of shrub and tree planting to provide a landscaped setting for this part of the site and to minimise the visual impact of the surface level parking and relevant conditions are recommended.
- Whilst the introduction of a limited number of car parking spaces into this part of the site will change the appearance of the area between the north and south 'blocks' compared to the extant scheme, it is considered that the impact of the parking will be minimised by the provision of suitable landscaping. The parking will only be visible within the development and from the proposed Tower House.
- It is considered that this element of the development will not have a significantly harmful impact on either this development or the overall appearance of the surrounding Park, the Coach House and the Mansion.

4. Impact of houses with gardens on listed terrace

- From a design and heritage point of view there is no objection to the provision of houses within the development. In order to protect the setting of the listed terrace on the southern side of the houses, gardens of limited size (7 metres) have been provided for each house to minimise the opportunity for garden related paraphernalia to be provided. To further protect the setting of the terrace, conditions are recommended removing permitted development rights for extensions, fences and outbuildings. Also the applicant has agreed to include a restriction within the management agreement for the properties limiting the provision of garden paraphernalia. It is recommended that this be formally secured by condition.
  - On this basis it is considered that the houses will not have a significantly adverse visual impact on the listed terrace.
5. With regard to the design of the buildings the applicants have retained the traditional neo-classical style previously approved and in this respect it is considered that the buildings will provide a high quality development and complement the listed buildings at the Coach House and the Mansion. The landscaping plan indicates that the existing woodland setting of the development will be improved thereby enhancing the setting of the development within the historic park.

#### S106 issues

- Historically the Council has secured a financial contribution under S106 for a payment in lieu for affordable housing and education for development on this site.
- In 2007 the scheme for 54 units was approved subject to a S106 payment in lieu contribution totalling £2,096,000. This permission has now expired.
- In 2010 permission was granted for 67 units and a S106 agreement secured a total payment in lieu contribution of £2,096,000. At that time the applicant advised that the previous scheme was no longer viable and the previously secured payment in lieu could only be delivered by increasing the number of units from 54 to 67. This was accepted and permission was granted.
- In the Planning Statement submitted with the current application the applicant states that the extant 2010 scheme can no longer afford to make the agreed contribution nor is it a fundable scheme in the current market.
- An Affordable Housing Viability Assessment has been submitted by the applicant and this has been independently assessed by consultants appointed by the Council.
- The conclusions of this independent assessment are that the £750,000 offered by the applicant represents an acceptable level of contribution and recommends that the Council accept this offer.

#### Summary

The application site has been vacant for a significant number of years and applications have been previously submitted to bring forward schemes to develop the site. However each of these has stalled due to financial circumstances relating to market conditions.

The current proposal presents a scheme that the applicant advises can be successfully brought forward and is viable. This has inevitably resulted in changes to the form of development proposed.

With regard to the impact on the Metropolitan Open Land, Members may consider that the amendments to the scheme set out above do not, either individually or cumulatively, result in any additional harm to the openness of the MOL compared to the extant permission. In particular the architectural style previously approved is retained which would result in a high quality scheme in this unique setting. The height and footprint of the proposed buildings is less than previously permitted. It is considered that the introduction of additional surface parking and a dwelling in the location of the former tennis court does not result in a scheme that detracts from the setting of the Park or the site.

Turning to the proposed S106 contributions the National Planning Policy Framework, in paragraph 205, encourages 'local planning authorities to take account of changes in market conditions over time and, where appropriate, be sufficiently flexible to prevent planned development being stalled'.

The Council has sought independent advice regarding the Financial Viability Assessment submitted by the applicant and has been advised that the contribution offered is acceptable.

In view of the above Members may consider that the application is acceptable, subject to recommended conditions and the signing of a legal agreement to secure the financial contribution.

Background papers referred to during the production of this report comprise all correspondence on file ref. 12/03606, excluding exempt information.

as amended by documents received on 19.02.2013 12.03.2013

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

- 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     Landscaping details to be submitted as required by condition 2 shall consist of locally appropriate species selected with reference to the Bromley Biodiversity Action Plan and shall include a scheme for the future management of all community areas of woodland, woodland edge buffers and open land.

**Reason:** In the interest of preserving and enhancing the benefit of local wildlife and to maintain the areas natural balance of flora in order to comply with Policy NE5 of the Unitary Development Plan.

- 5     ACB18       Trees-Arbicultural Method Statement

- 6 ACB18R Reason B18
- 6 ACB19 Trees - App'ment of Arboricultural Super
- ACB19R Reason B19
- 7 ACC01 Satisfactory materials (ext'n'l surfaces)
- ACC01R Reason C01
- 8 ACC02 Sample brickwork panel
- ACC02R Reason C02
- 9 ACC03 Details of windows
- ACC03R Reason C03
- 10 ACC05 Brickwork patterning
- ACC05R Reason C05
- 11 ACC06 Mortar details
- ACC06R Reason C06
- 12 Prior to the first occupation of any dwelling hereby approved the measures set out in the submitted Flood Risk Assessment dated January 2013 shall be implemented in accordance with the submitted details and retained permanently thereafter.

**Reason:** To ensure satisfactory means of surface drainage and to accord with Policy ER13 of the Unitary Development Plan.

- 13 ACD04 Foul water drainage - no details submitt
- ADD04R Reason D04
- 14 ACH03 Satisfactory parking - full application
- ACH03R Reason H03
- 15 ACH04 Size of parking bays/garages
- ACH04R Reason H04
- 16 ACH08 Details of turning area
- ACH08R Reason H08
- 17 ACH16 Hardstanding for wash-down facilities
- ACH16R Reason H16
- 18 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is occupied and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

- 19 ACH22 Bicycle Parking
- ACH22R Reason H22
- 20 ACH29 Construction Management Plan
- ACH29R Reason H29
- 21 Details of external lighting for the building and external areas including the access road and terraces shall be submitted to and approved in writing by or on behalf of the Local Planning Authority and installed prior to first occupation of any of the residential dwellings hereby approved and shall be permanently maintained as such thereafter.

**Reason:** In order to ensure that the lighting is sympathetic to the location of development in an historic park and to comply with Policy BE1 of the adopted Unitary Development Plan.

22 ACK01 Compliance with submitted plan

**Reason:** In order to comply with Policies BE1 and BE15 of the Unitary Development Plan.

23 ACK03 No equipment on roof  
ACK03R K03 reason

24 Before any works on site are commenced, a site-wide energy strategy assessment 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 dioxide emissions of 25% above that required by the 2010 building regulations. The development should also achieve a reduction in carbon emissions of at least 25% from on-site renewable energy generation. The feasibility of the provision of combined heat and power (CHP) to supply thermal and electrical energy to the site or the most appropriate buildings within the permitted development should be included within the assessment. The final designs, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

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

25 Construction works associated with the approved scheme shall not take place before 0800 or after 1800 on any weekday nor before 0800 or after 1300 on any Saturday. No works shall take place on any Sunday, Bank Holiday, Christmas Day or Good Friday.

**Reason:** To protect the amenities of local residents and the area in general and to comply with Policy BE1 of the Unitary Development Plan.

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

**Reason:** To protect the amenities of the occupants of neighbouring properties and the setting of the adjacent listed terrace in order to comply with Policies BE1 and B8 of the Unitary Development Plan.

27 Prior to the first occupation of any of the dwellings hereby permitted the owner of the site shall agree with the Local Planning Authority, terms of a management agreement to control the use of the rear gardens of the dwellings occupying Plots 2-15 inclusive, and the subsequent use of the rear gardens shall be in accordance with the terms of the agreement unless otherwise agreed in writing with the Local Planning Authority.



**Reason:** To protect the amenities of the occupants of neighbouring properties and the setting of the adjacent listed terrace in order to comply with Policies BE1 and B8 of the Unitary Development Plan.

28 ACI21 Secured By Design  
ACI21R I21 reason

INFORMATIVE(S)

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

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

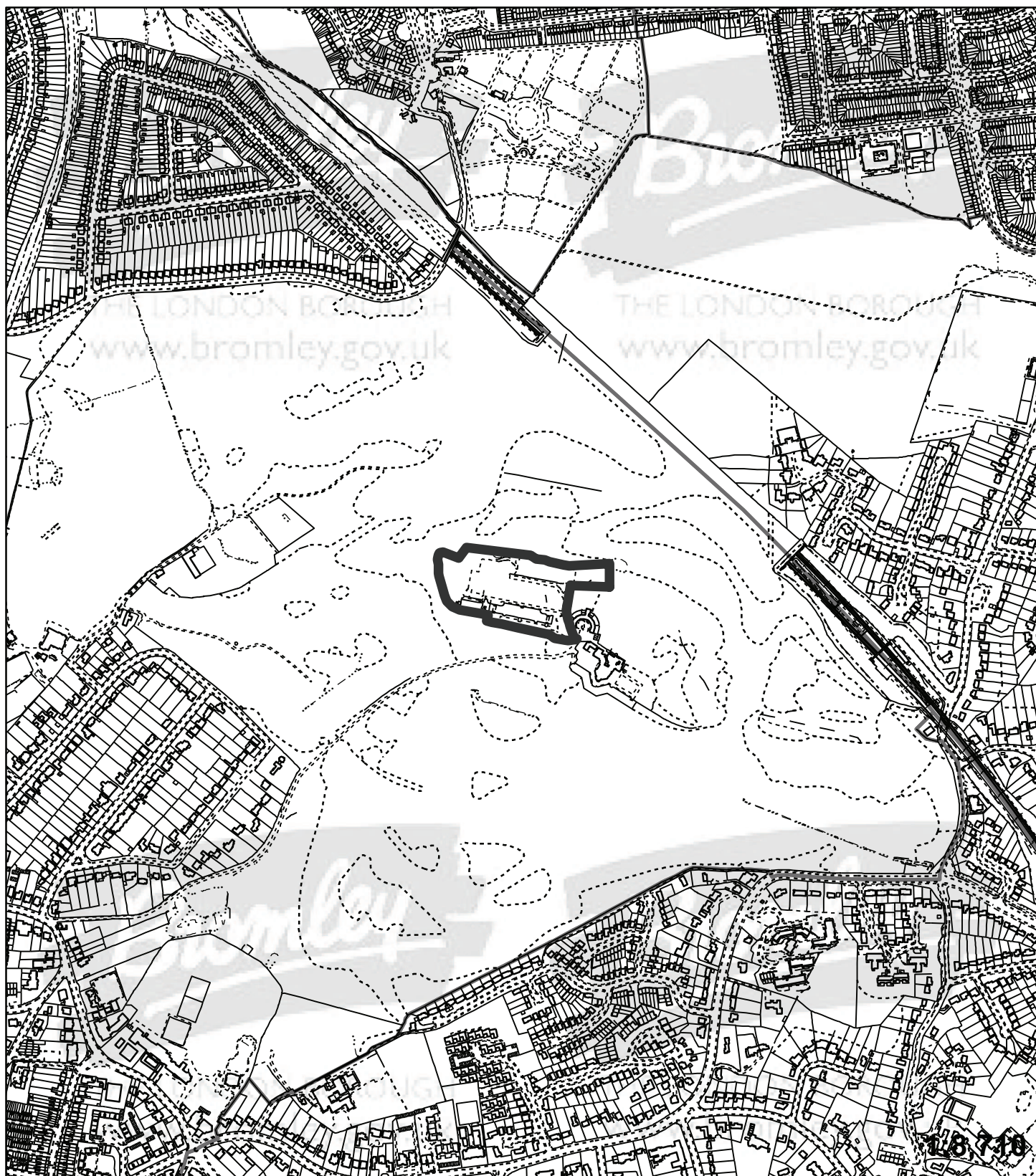
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website [www.bromley.gov.uk/CIL](http://www.bromley.gov.uk/CIL)

- 2 Thames Water will aim to provide customers with a minimum pressure Of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**Application:**12/03606/FULL1

**Address:** Sundridge Park Management Centre Ltd Plaistow Lane  
Bromley BR1 3TP

**Proposal:** Erection of 1 x 3 storey 6 bedroom house; 1 x 2 storey 5 bedroom house (known as Tower House); 4 x 3 storey buildings comprising 13 x 4 bedroom and 1 x 5 bedroom town houses; 3 x 4 storey buildings comprising 8 x 2 bedroom and 17 x 3 bedroom apartments (total



"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 :** 13/01184/FULL1

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

**Address :** 6 Julian Road Orpington BR6 6HU

**OS Grid Ref:** E: 546355 N: 163425

**Applicant :** Mr Shaun Bushnell

**Objections :** YES

### **Description of Development:**

Single storey side and rear extension with balustrade and steps, front porch, addition of first floor to form two storey dwelling house and elevational alterations

Key designations:

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

### **Proposal**

The application seeks extensions and alterations to convert the existing bungalow into a 2 storey dwelling. The proposal will involve substantial structural alterations which will result in the formation of an additional storey. This will be built above the ground floor, although it will fall short of the existing ground floor rear elevation by approximately 2.0m. The dwelling will rise to a height of 7.6m (as scaled from the front elevation). At ground floor level, the proposed extension will, for the most part, project approximately 4.5m from beyond the rear extent of the existing dwelling.

### **Location**

The application property is situated along the eastern side of Julian Road, approximately 60 metres north of its junction with Worlds End Lane.

### **Comments from Local Residents**

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

- height and depth of enlarged dwelling is excessive and will result in loss of light to No. 8 (living room , kitchen, patio and immediate rear garden)
- ground level at No 6 begins about 1m above No. 8
- loss of outlook

- loss of privacy
- height of proposal is excessive in relation to No. 6

### **Comments from Consultees**

Not applicable

### **Planning Considerations**

Policies BE1, H8 and H9 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design which complements the qualities of the surrounding area; to safeguard the amenities of neighbouring properties; and to ensure that an adequate degree of separation is maintained in respect of two storey development.

### **Planning History**

Under ref. 12/03468, planning permission was refused for a single storey rear and side extension and for the addition of a first floor to form two storey dwellinghouse, on the following grounds:

"The depth of projection proposed is excessive and the development would therefore seriously prejudice the amenities of the occupiers of Nos. 4 and 8 Julian Road by reason of visual dominance, loss of prospect and loss of light, thereby contrary to Policy BE1 of Unitary Development Plan.

"The proposed development, by reason of its bulk, height and rearward rojection would be unduly obtrusive in the street scene and out of character with neighbouring development, contrary to Policies BE1 and H8 of the Unitary Development Plan."

Of note, under refs. 07/04226 and 07/04648, planning permission was granted for a replacement two storey five-bedroom dwelling at the neighbouring dwelling at No. 8, although that permission was not implemented.

### **Conclusions**

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

As noted above planning permission was refused under ref. 12/03468 for the enlargement of the existing dwelling to form a two storey house. In comparison to that scheme the depth of the rear ground floor element has been reduced by approximately 0.5m and the first floor rear by approximately 2.3m. The first floor width has also been reduced so that the enlarged house will align with the two flank walls of the existing dwelling, thus allowing for a greater separation between Nos. 4 and 6 at first floor level. The resultant house is therefore more modest in scale.

Whilst it is considered that previous concerns relating to the impact of No 4 have been overcome as a result of the separation now proposed between the houses, objections have again been raised from the side of No 8, on the basis of the height and depth of the enlarged house. Planning officers concur that the resultant relationship between the application dwelling and No 8 will be unsatisfactory; whereas both properties currently maintain a similar rear building line, the proposed rear extension at No 6 will project approximately 4.5m in depth, and given the difference in ground level it is considered that the proposal will appear overbearing and result in a loss of light and prospect.

It is also apparent that the height of the proposed development has not been reduced, and although the bulk is reduced, this will still present a very prominent development in the streetscene, particularly given the relationship to No 8.

Background papers referred to during production of this report comprise all correspondence on file refs: 07/04226, 07/04648, 12/03468 and 13/01184, excluding exempt information.

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

The reasons for refusal are:

- 1 The proposal, by reason of its height and bulk, will prejudice the amenities of the occupiers of No. 8 by reason of visual dominance, loss of prospect and loss of light, thereby contrary to Policy BE1 of Unitary Development Plan.
- 2 The proposed development, by reason of its bulk, height and rearward projection would be unduly obtrusive in the street scene and out of character with neighbouring development, contrary to Policies BE1 and H8 of the Unitary Development Plan.

**Application:**13/01184/FULL1

**Address:** 6 Julian Road Orpington BR6 6HU

**Proposal:** Single storey side and rear extension with balustrade and steps, front porch, addition of first floor to form two storey dwelling house and elevational alterations



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

## SECTION '2' – Applications meriting special consideration

**Application No :** 13/01557/FULL1

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

**Address :** 140 Worlds End Lane Orpington BR6  
6AS

**OS Grid Ref:** E: 546814 N: 163326

**Applicant :** Ms Melanie Winter

**Objections :** YES

### **Description of Development:**

Demolition of existing dwelling and erection of a detached two storey six bedroom house with accommodation in roof space.

Key designations:

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

### **Proposal**

The proposed dwelling will have a height of approx. 9.1m and a width of approx. 15.4m. The depth will be approx. 15.5m. The dwelling will be separated from the flank boundaries of No. 138 and No. 142 by a minimum of 1.8m.

### **Location**

The application site is on the northern side of Worlds End Lane. The site comprises a detached bungalow in an area characterised by similar development and a spacious character. The wider area is residential in character, with ample plot sizes and rear garden areas. At the front of the site is a protected oak tree.

### **Comments from Local Residents**

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

- excessive size and scale
- inappropriate space at front of house
- overlooking and loss of privacy
- loss of trees

- glare from the sun reflecting from the windows.

### **Comments from Consultees**

No technical highways objections are raised subject to conditions.

Environmental Health (Pollution) raises no objection subject to informatives.

No technical drainage objections are raised subject to conditions.

No Thames Water objections are raised subject to informatives.

Environmental Health (Housing) comments have been received indicating technical concerns regarding the internal layout. Additional information has been submitted by the applicant and Environmental Health is satisfied that this information overcomes the concerns raised.

### **Planning Considerations**

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

BE1 Design of New Development  
H7 Housing Density And Design  
H9 Side Space  
T18 Road Safety  
NE7 Development And Trees

The National Planning Policy Framework

London Plan Policy 3.4 Optimising Housing Potential  
London Plan Policy 3.5 Quality and Design of Housing Developments  
London Plan Policy 5.12 Flood Risk Management

### **Planning History**

Planning permission was granted under ref. 08/02834 for the demolition of existing dwelling and erection of a two storey five bedroom detached dwelling with integral double garage.

Planning permission was granted for an extension of time for the implementation of this development under ref. 11/02835.

Planning permission was granted for Demolition of existing dwelling and erection of a two storey four bedroom detached house with integral garage and accommodation in roof space under ref. 12/01151.

### **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 the development would have on the amenities of the occupants of the surrounding residential properties. Any highway safety implications of the proposed new development and impact on trees are also a consideration.

The site is located on the north side of Worlds End Lane and comprises a bungalow with accommodation in the roof space. The area is characterised by large detached two-storey residential properties sited within generous plots, giving the area a spacious character.

The principle of replacing the existing house with a two storey replacement dwelling has been established at the site. The proposed building will have a similar height and depth to the dwelling permitted under ref. 12/01511. The bulk of the proposed dwelling would also be comparable to the previous dwelling, with an eaves height that is similar to the adjacent houses. It is considered that the dwelling would appear in context with surrounding development within the street scene and would not appear conspicuous or dominant.

The roof bulk is considered to be similar to that previously granted, incorporating front gable features and an increase in height to 9.1m. It is considered that the roof bulk results in a dwelling that does not look out of keeping within the street scene and the dwelling will be flanked on both sides by other two storey residential development of similar heights, retaining an area of space between buildings.

The footprint of the proposed dwelling is sited as to not be in advance of the existing building line.

The proposal would extend to the rear of neighbouring dwellings by a similar amount to the previously permitted dwelling, with a side space of 1.8m - 2.0m retained as a minimum distance. It is considered that the roof bulk provides a scale and bulk that would be similar to that previously granted and would not impact significantly over the scheme previously granted. The north facing rear gardens are considered to mitigate this impact and the proposed house is considered not to result in an overbearing visual impact for the neighbouring properties. The generous separation afforded by the ample side space retention is considered to further reduce the visual impact.

To the west, No. 138 is separated from the dwelling by approx. 3-3.5m for the majority of the flank of the proposed dwelling. This separation is considered adequate to minimise the impact on this property. A separation of 4-4.5m exists to No. 142 and this separation will likewise reduce the impact. Due to the separation between the proposed dwelling and neighbouring properties, it is considered that the prospect from and light to the neighbouring properties will not be adversely affected, despite the significant rearward projection of approx. 5m from the rear of No. 138 (which is similar to that previously granted permission) and 4m, beyond the rear of No. 142 (approximately 2m previously permitted). These relationships are considered to be suitable when considering the orientation, fully hipped roof and recent planning history.

There is a mature oak tree at the front of this property which is protected by TPO. The application is accompanied by an arboricultural report and this recommends the loss of the oak tree. It is accepted that the tree is not in top quality condition but it occupies a prominent location at the front of the property and is character tree in the street scene. The tree Officer is opposed to the loss of the tree and the scheme has been amended to allow for its retention.

The proposal provides parking to the front of the house with the excavation of part of the front of the site. The existing access onto Worlds End Lane will be retained. Aside from the tree issue, the proposal will provide an area of hardstanding that would be suitable for car parking. Subject to drainage and parking layout conditions, no objections are raised to this aspect of the proposal.

Additional documents have been received indicating the proposed drainage arrangements and the retention of the oak tree.

Having had regard to the above it was considered that the siting, size and design of the proposed replacement dwelling is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. No adverse impact on highway safety or protected trees is considered to result from the proposal. It is therefore recommended that planning permission is granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 08/02834, 11/02835 and 13/01557, excluding exempt information.

as amended by documents received on 03.06.2013 18.06.2013

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACA04<br>ACA04R | Landscaping Scheme - full app no details<br>Reason A04         |
| 3 | ACB18<br>ACB18R | Trees-Arboricultural Method Statement<br>Reason B18            |
| 4 | ACB19<br>ACB19R | Trees - App'ment of Arboricultural Super<br>Reason B19         |
| 5 | ACC07<br>ACC07R | Materials as set out in application<br>Reason C07              |
| 6 | ACD02<br>ADD02R | Surface water drainage - no det. submitt<br>Reason D02         |
| 7 | ACH03<br>ACH03R | Satisfactory parking - full application<br>Reason H03          |
| 8 | ACH16<br>ACH16R | Hardstanding for wash-down facilities<br>Reason H16            |
| 9 | ACH29           | Construction Management Plan                                   |

- ACH29R Reason H29
- 10 ACH32 Highway Drainage  
ADH32R Reason H32
- 11 ACI02 Rest of "pd" Rights - Class A, B,C and E
- Reason:** In order to comply with Policies H7 and BE1 of the Unitary Development Plan and to prevent overdevelopment of the site.
- 12 ACI12 Obscure glazing (1 insert) in the first floor flank elevations  
ACI12R I12 reason (1 insert) BE1
- 13 ACI17 No additional windows (2 inserts) first and second floor dwelling  
ACI17R I17 reason (1 insert) BE1
- 14 ACK01 Compliance with submitted plan
- Reason:** In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interest of the visual amenities of the area and the amenities of the nearby residential properties.
- 15 ACK05 Slab levels - no details submitted  
ACK05R K05 reason
- 16 A minimum side space of 2.0m and 1.8m shall be provided between the western and eastern flank walls respectively of the dwelling hereby permitted and the corresponding flank boundaries of the property.
- Reason:** In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.
- 17 The surface water drainage design should be implemented in accordance with the submitted and agreed "Proposed Drainage Layout" drawing no. A1833-500 revision P1 Dated 29/05/2013 and shall be permanently retained as such thereafter.
- Reason:** In order to achieve suitable drainage of the development.

#### INFORMATIVE(S)

- 1 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. The applicant is advised that if they intend to use the existing soakaways, they would need to demonstrate their full functionality.
- 2 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.
- 3 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance

with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.

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

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

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

**Application:**13/01557/FULL1

**Address:** 140 Worlds End Lane Orpington BR6 6AS

**Proposal:** Demolition of existing dwelling and erection of a detached two storey six bedroom house with accommodation in roof space.



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

This page is left intentionally blank

## SECTION '2' – Applications meriting special consideration

**Application No :** 13/01591/FULL6

**Ward:**  
**Chislehurst**

**Address :** Mulbarton Cottage Kemnal Road  
Chislehurst BR7 6LY

**OS Grid Ref:** E: 544521 N: 170948

**Applicant :** Mrs Susan Smith

**Objections :** NO

### **Description of Development:**

Replacement single storey double garage/store/gym and sauna at rear with 2 side dormers and projecting balcony to provide accommodation in roofspace

Key designations:

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

### **Proposal**

The proposed building will be situated toward the NE corner of the site and incorporate an overall depth of 13.0m and maximum width of 6.0m. It will rise to a maximum height of 6.6m with a gym, sauna and shower/WC provided within the roofspace.

The application is accompanied by a Design and Access Statement.

### **Location**

The site is situated along the eastern side of Kemnal Road, between Mulbarton Court - a three storey block of flats - and Avondale - a two storey house of modern appearance. The host dwelling at Mulbarton Cottage is a locally listed house and is centrally situated within the plot.

### **Comments from Local Residents**

No local comments were received.

### **Comments from Consultees**

No technical Highways objections have been raised.

## **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  
BE10 Locally Listed Buildings  
BE11 Conservation Areas  
NE7 Development and Trees

No objection has been raised by the Tree Officer, subject to conditions.

## **Planning History**

Under ref. 12/03910, planning permission was granted for roof alterations with dormer extensions, and single storey extensions to north and south elevations at the existing dwelling at Mulbarton Cottage.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character and appearance of the Chislehurst Conservation Area and its impact of the setting of the locally listed building at Mulbarton Cottage.

Policy BE11 (Conservation Areas) advises that proposals will be expected to:

- (i) respect or complement the layout, scale, form and materials of existing buildings and spaces;
- (ii) respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area;
- (iii) ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character or appearance of the area.

Policy BE10 (Locally Listed Buildings) advises that a proposal to alter, extend or for the change of use of a locally listed building will be permitted provided that:

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

Although the proposed building will be of a substantial size it will occupy a relatively small proportion of what is a large site, and be located within a fairly discreet spot within the NE corner of the site. As illustrated by the proposed streetscene perspective, the building will be smaller in scale than the surrounding structures and it is not considered that it will adversely affect the character of the area, or indeed undermine local residential amenity. The roof design and proposed materials are similar in style to the host dwelling. Accordingly, it is not considered that the setting of the locally listed building will be harmed.



Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character and appearance of the Conservation Area, or on the setting of the locally listed building.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/03910 and 13/01591, excluding exempt information.

**RECOMMENDATION: PERMISSION**

Subject to the following conditions:

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

**Application:**13/01591/FULL6

**Address:** Mulbarton Cottage Kemnal Road Chislehurst BR7 6LY

**Proposal:** Replacement single storey double garage/store/gym and sauna at rear with 2 side dormers and projecting balcony to provide accommodation in roofspace



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

# Agenda Item 4.8

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

**Application No :** 13/00196/FULL1

**Ward:**  
Copers Cope

**Address :** Foxgrove House Foxgrove Road  
Beckenham BR3 5AR

**OS Grid Ref:** E: 537552 N: 170125

**Applicant :** Mrs Patricia Mantoura

**Objections :** YES

## **Description of Development:**

Formation of a new crossover and parking space in the rear garden with access via gates from Beckenham Place Road.

Key designations:

Conservation Area: Southend Road  
Area of Special Residential Character  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Local Cycle Network  
Local Cycle Network  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

## **Proposal**

The application property is a ground floor residential flat (No.3) which forms part of Foxgrove House which is subdivided into a number of self-contained units. The site is an irregular shape and fronts onto Foxgrove Road with the side / rear boundary fronting onto Beckenham Place Park. It is proposed to provide a vehicular access from Beckenham Place Park to the side rear garden come hardstanding area associated with No.3 Foxgrove House. The development would comprise the formation of vehicular crossover and 4m (w) x 2m (h) gates which would be of a very similar appearance and same height as the existing fence panels along this part of the site boundary.

## **Location**

The aptly named Foxgrove House is located at the western end of Foxgrove Road at the junction with Beckenham Place Park, Park Road and Southend Road.

The site is adjacent to Southend Road Conservation Area and also falls within Beckenham Place Park, Foxgrove Avenue & Foxgrove Road Area of Special Residential Character (ASRC). The western section of the ASRC which incorporates the application site is described in Appendix I of the Unitary Development Plan(UDP) as:

"...a pleasant residential area comprising some post-war as well as substantial inter-war detached family houses of no particular architectural merit, but in a good setting with the statutorily listed lodges to Beckenham Place Park at the entrance from Southend Road... In the case of Foxgrove Avenue and Foxgrove Road, the properties are in the main inter/ post-war and present a less expansive impression than other parts of this area. The rear gardens are spacious and in most cases provide an important and attractive backdrop to the surrounding open space."

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and 5 representations were received including 2 letters on behalf of Beckenham Place Park Society which can be summarised as follows:

- fencing and gates detract from the character and appearance of the surrounding area
- previously when there had been unauthorised opening it created difficulty for others nearby accessing their driveways
- the fence height prevents good sight lines and the gates would prejudice pedestrian safety
- if gates are left open this would be harmful to the visual amenity of the area
- the access in the form proposed is likely to require a formal agreement
- Foxgrove House is not part of Beckenham Place Park
- there is already parking available in front of Foxgrove House
- the proposed access may make it difficult for trucks and ambulances and refuse trucks to enter Beckenham Place Park
- proposed is a back garden development that should not be allowed in a Conservation Area or ASRC
- allowing a vehicular access here will pose a security risk to my garden at the rear of my property (flat 5, Foxgrove Hse) adjacent to this. Cars will disturb the enjoyment of my garden, through noise and unattractive appearance (hardstanding)
- the revised scheme is virtually identical to that which was dismissed at appeal
- council highways officials should not be allowed to dictate the Councils decision on the basis of their own personal judgement, whether personal or not as there is ample reason and relevant grounds to take a different view
- the gates would open directly onto a narrow footpath at a particularly narrow stretch of road near to a dangerous entrance. All other vehicle

entries in the park have an apron inform of varying width which facilitates mutual visibility.

- the increase in the size of the gates does not seem to alter sightlines and distances significantly
- the creation of the access would result in the removal of some of the vegetation and shrubbery in an attempt to improve visibility splays which in turn would result in adverse impact on the character of the Conservation Area and ASRC

Full text of all letters are available to view on file.

### **Comments from Consultees**

Highways - "The site is located at the corner of Foxgrove Road and Beckenham Place Park with a long side boundary fronting Foxgrove Road. The vehicular access for the proposed parking space will be gained from Beckenham Place Road, which is an unadopted highway. There are waiting restrictions (No Waiting at any Time) immediately outside Foxgrove House. The development is located within an area with a PTAL rate of 3.

The revised drawings supplied show gates widened to 4m. This would improve visibility significantly, so no further comments are made. Following concern from residents' concerning highway safety the site was visited by the Highways Development Engineer for a second time. Their view remains unchanged it is not considered that the formation of a crossover and vehicular access via gates from Beckenham Place Park will affect pedestrian safety.

Given the status of Beckenham Place Park as an unadopted street, the applicant should be advised via an informative attached to any permission that the condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development. The applicant should, therefore, also be advised that before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which Beckenham Park Place is laid out.

Heritage and Urban Design concur with the view of the inspector on the appeal decision that the boundary treatment would not harm the visual amenities and character of the area.

### **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
- H10 Areas of Special Residential Character
- T18 Road Safety

## **Planning History**

An enforcement appeal was made under ENF/08/00199, the breach related to the subject fencing, gate and hardstanding. The appeal was allowed in so far as it related to the retention of the hardstanding and fencing which would need to be permanently closed. The appeal was dismissed in so far as it related to the gates, it was considered that it would due to its height compromise sightlines and therefore also highway safety.

In reaching a conclusion the Inspector noted the following:

### **Effect on Highway Safety**

"The position of the gates at the back of the footway and the height of the fence give rise to visibility problems for drivers exiting the appeal site as their sightlines are obstructed. In view of the narrow width of Beckenham Park at this location and its close proximity to the junction with Foxgrove road and Southend Road, any lack of visibility is I consider a potential hazard and breaches the policy requirement to ensure that road safety is not adversely affected. Failure to provide adequate visibility results, in my opinion, in an adverse impact on vehicular and pedestrian safety."

### **Character and Appearance of the Conservation Area**

"In the immediate vicinity front boundary treatments are characterised by low fences or walls with tall hedges above, or by high walls and railings. The former type of fence existed at the appeal site but was dilapidated. However, there are side boundary fences adjacent to the highway close to the site within the Conservation Area. The appeal fence appears to have been constructed to a high standard, is of a similar design, height and materials to those other fences. It is therefore in keeping with its surroundings.

With regard to the hardstanding, I observed this to be a gravelled area at the back of the garden. It cannot be seen from the road, except when the gates are open, and is significantly less extensive than other hard surfaced areas at nearby properties which are highly visible from public viewpoints. It is, in my view, in keeping with its surroundings as a hard landscaped area of garden.

I conclude on this issue, therefore, that the fence, gates and hardstanding as constructed do not adversely affect the character and appearance of the ASRC, the adjacent Southend Road Conservation Area or the setting of the listed buildings."

## **Conclusions**

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.

The main issues relating to the application are the effect that it would have on the character and appearance of the adjacent Conservation Area and the ASRC and also its impact on pedestrian and vehicular safety.

The SPG for Southend Road Conservation Area sets out an expectation for new development proposals to conform with the character of that section of the conservation area surrounding the proposal site and with the general character of the area, especially in regard to the scale and height of construction, location with a plot (where material), 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.

The appeal decision dated 15th October 2009 concludes that the gates, fencing and hardstanding would not adversely affect the character of the Conservation Area. It is considered that there have been no substantive changes to Policy or within the site or surrounding locality that would result in a different conclusion being reached. This view is also shared by the Heritage and Urban Design Section.

Furthermore, the highways planning section are now content that the proposed gates due to their increased width would no longer compromise highway safety.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 13/00196, excluding exempt information.

as amended by documents received on 29.05.2013

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

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

**Reason:** In the interests of the visual amenities of the area and the residential amenities of the neighbouring properties, in line with Policies BE1, BE11 and H8 of the Unitary Development Plan.

## INFORMATIVE(S)

- 1 The condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development.
- 2 Before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which Beckenham Park Place is laid out.



**Application:**13/00196/FULL1

**Address:** Foxgrove House Foxgrove Road Beckenham BR3 5AR

**Proposal:** Formation of a new crossover and parking space in the rear garden with access via gates from Beckenham Place Road.



This page is left intentionally blank

# Agenda Item 4.9

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

**Application No :** 13/01141/FULL2

**Ward:**  
Bromley Town

**Address :** 8 Sherman Road Bromley BR1 3JH

**OS Grid Ref:** E: 540424 N: 169668

**Applicant :** Mrs Carmen Tobitt

**Objections :** YES

## **Description of Development:**

Change of use from offices (Use Class B1) to foreign language school (Use Class D1)

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Bromley Town Centre Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Open Space Deficiency  
Proposal Sites

## **Proposal**

The application seeks permission to change the use of the building from offices (Class B1) to education use (Class D1).

The applicant proposes to use the premises as a new foreign language school to be supported by one full time and three part time employees. The property will be used between 9.30am and 8.30pm from Monday to Friday, and between 9am and 4pm on Saturday.

The illustrative floor layout indicates accommodation for 32 students.

## **Location**

The application site is situated on the northern side of Sherman Road backing on to Bromley North Station and the main pedestrian entrance fronting Sherman Road itself. The site comprises a terraced three storey building with four car parking spaces.

## **Comments from Local Residents**

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

- comments from local resident stating that they would object to students 'hanging around' the area
- questioned the hours of operation and whether classes would be held on weekdays only or include evening and weekend classes

### **Comments from Consultees**

Highways - No objection raised as the site is in a high PTAL area with a rating of 6a.

From a Heritage and Urban Design perspective, no objection is raised.

APCA - The Panel did not inspect the file.

Crime Prevention - No comments received.

Town Centre Renewal - The site sits within the boundaries of Bromley Town Centre proposals map and in line with Policy BTC 5 of the Adopted Bromley Town Centre Area Action Plan (AAP) any development proposals resulting in the loss of B1 floorspace will be expected to include provision of an appropriate level of replacement office floorspace. Given the particular circumstances of this case, the Town Centre Renewal team is not inclined to object to this application.

Planning policy - no comments received.

Environmental Health - no objection raised.

### **Planning Considerations**

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

- C1 Community Facilities
- C7 Educational and pre-school facilities
- EMP3 Conversion or redevelopment of offices
- EMP5 Development outside business areas
- T1 Transport Demand
- T3 Parking

Bromley Town Centre Area Action Plan policies:

- Policy BTC5 - Office Development
- Policy OSA: Bromley North Station

The Council's Supplementary Planning Guidance is also a consideration.

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework which is a key consideration in the determination of this application.

### **Planning History**

The site has a long planning history, those applications deemed relevant to this proposal are:

85/01090/OUT - LAND ADJ BROMLEY NORTH STATION SHERMAN ROAD BROMLEY BR1 3JH ERECTION OF 3 STOREY BLOCK COMPRISING GROUND FLOOR PARKING AREA WITH OFFICES ABOVE OUTLINE - permitted

86/03475/FUL - LAND ADJ BROMLEY NORTH STATION SHERMAN ROAD BROMLEY BR1 3JH THREE STOREY OFFICE BUILDING - permitted

### **Conclusions**

The main issues in this case are whether the current proposal represent an appropriate use of this building, whether it would result in an over-intensive use of the site, whether it would adequately protect the amenities of adjacent residents in terms of increased noise and disturbance associated with the use, and whether the proposal would be in keeping with the character of the area in general.

Policy EMP3 allows for the loss of offices so long as there is no local shortage of office space; there is evidence of long-term vacancy despite marketing the premises, and there would be no loss of employment resulting from the proposal. In respect of the appropriateness of the use, the owners have stated that the building been vacant since May 2012, and has been marketed by the current agent since that time (marketing material has been included in the application). Information from the marketing agent submitted as part of the application states that no enquiries or offers from potential users of the site have been received other than that of the applicant. The proposal will bring the building back to a functioning use after being vacant for a significant period of time. In these circumstances and given the existing commercial use of the site, it may be considered that the proposed educational use, which enhances training opportunities locally, is appropriate. Since the building is currently vacant there is no likely loss of employment arising from the proposal.

The site also falls within Opportunity Site A: Bromley North Station as identified in the adopted Bromley Town Centre Area Action Plan (AAP). AAP Policy BTC 5: Office Development states that any development proposals resulting in the loss of B1 floorspace will be expected to include provision of an appropriate level of replacement office floorspace.

From a Town Centre Renewal perspective, it is the default aim of the Council to retain existing office space provision within the town centre, however on further inspection of the evidence supplied it is the view that in spite of the premises having been well marketed for a period of time it has remained vacant. This could indicate that the property does not readily lend itself to office use. It is also noted

that the property will retain an employment use. Furthermore, taking the size and location of the property into consideration, it is also not likely to have any substantial impact on the loss of office space in the town centre.

The proposed development would be retained within the envelope of the existing building and consequently no impact to adjoining residences in terms of access to sunlight/daylight or outlook is anticipated. It is further considered that by virtue of its proposed use, the scheme would not generate a noise disturbance for other existing residential units in the area. Members may consider that the proposal represents a good opportunity to bring forward a use on the site that could maximise its potential by adding diversity to the local economy.

The parking provision at the site is four parking spaces, which is the same as that available for the site if used as offices, therefore no intensification or increased pressure on parking demand is envisaged. No objection is raised from the Council's Technical Highways department.

In terms of the character of the area in general, the proposal does not involve an increase in the size of the building and no external alterations are proposed. The surrounding area is a mixture of commercial and residential properties close to and within Bromley town centre.

Members may consider that the application satisfies the relevant policy requirements. The desirability of bringing this building into productive use and the benefits that will result from the proposed use can be considered to provide a good degree of justification for this scheme.

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 proposed change of use is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/01141, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

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

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

3 The use shall not operate before 9.30am and after 8.30pm on Monday to Friday, or before 9am and after 4pm on Saturday

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

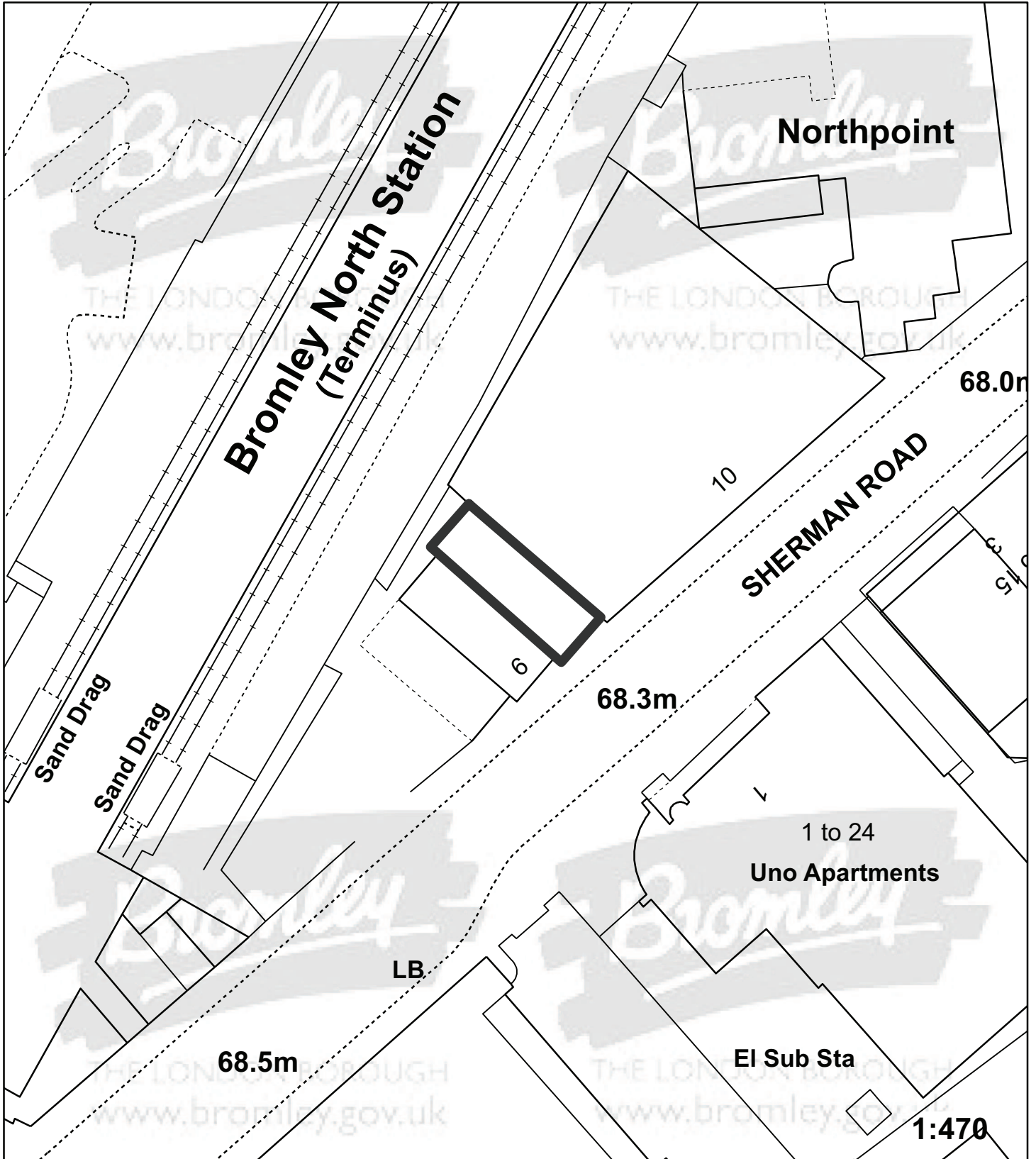
4 There shall be no more than 32 students accommodated within the use hereby permitted.

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

**Application:**13/01141/FULL2

**Address:** 8 Sherman Road Bromley BR1 3JH

**Proposal:** Change of use from offices (Use Class B1) to foreign language school (Use Class D1)



"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 :** 13/01476/FULL6

**Ward:**  
Cray Valley West

**Address :** 222 Chislehurst Road Orpington BR5  
1NR

**OS Grid Ref:** E: 545575 N: 167830

**Applicant :** Mr Mevlut Babaoglu

**Objections :** YES

### **Description of Development:**

Erection of single storey extension to side of part one/two storey side extension approved under ref. 12/03812

Key designations:

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

### **Proposal**

This proposal seeks to enlarge the ground floor habitable area by adding a single storey addition to the northern side of the dwelling which will project beyond the part one/two storey side extension approved under ref. 12/03812. The proposed extension will project 2.1m in width and be 5.0m long. It will be set back by almost 5.0m relative to the front part of the house and incorporate a flat roof.

### **Location**

The site is prominently situated at the corner of Chislehurst Road and Poverest Road and forms one of four dwellings fronting the roundabout connecting those roads. The site falls within the Petts Wood Area of Special Residential Character and the Chislehurst Road, Petts Wood Conservation Area which is situated to the north of the site.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and the following comments have been raised by the Petts Wood Residents' Association:

- application has previously been refused to build a larger side extension
- flat roof is out of character with the remainder of the property

### **Comments from Consultees**

Not applicable

### **Planning Considerations**

Policies BE1, BE13, H8 and H10 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure a satisfactory standard of design; to safeguard the amenities of neighbouring properties; ensure that new development preserves or enhances the settings of adjoining conservation areas; and ensure that development within Areas of Special Residential Character respects its established character and appearance.

### **Planning History**

Under ref. 12/02839, planning permission was refused for roof alterations, part one/two storey side and rear extension with front and rear dormers, first floor front extension and elevational alterations.

Under ref. 12/03812, planning permission was subsequently granted for roof alterations, part one/two storey side and rear extension with rear dormer, first floor front extension and elevational alterations.

Under ref. 13/00637, planning permission was granted for a revision to planning permission ref. 12/03812 to include elevational alterations and conversion of garage into habitable room.

Under ref. 13/00654, planning permission was granted for a revision to planning permission ref. 12/03812 to include elevational alterations and side dormers.

### **Conclusions**

The main issues relating to the application are the effect that it would have on the character and appearance of the host dwelling, and the wider Petts Wood Areas of Special Residential Character and adjoining Chislehurst Road, Petts Wood Conservation Area.

It is considered that the proposed extension will appear subservient in relation to the recently-approved part one/two storey side extension, in view of its width, height and set-back position. Given its height it is not considered that it will appear prominent from the surrounding roads which form part of the Petts Wood Areas of Special Residential Character and adjoining Chislehurst Road, Petts Wood

Conservation Area. From a neighbouring amenity perspective the extension is set well away from surrounding properties and will not appear especially visible.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/02839, 12/03812, 13/00637, 13/00654 and 13/01476, excluding exempt information.

**RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |
| 2 | ACC04  | Matching materials                       |
|   | ACC04R | Reason C04                               |
| 3 | ACK01  | Compliance with submitted plan           |
|   | ACC03R | Reason C03                               |

**Application:**13/01476/FULL6

**Address:** 222 Chislehurst Road Orpington BR5 1NR

**Proposal:** Erection of single storey extension to side of part one/two storey side extension approved under ref. 12/03812



"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 :** 13/01607/ADV

**Ward:**  
Chislehurst

**Address :** 3B High Street Chislehurst BR7 5AB

**OS Grid Ref:** E: 543973 N: 170618

**Applicant :** Mr Andy Pugh

**Objections :** YES

### **Description of Development:**

Internally illuminated fascia sign and Internally illuminated projecting sign.

Key designations:

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

### **Proposal**

- The proposed fascia sign will have a length of 7.3m and a height of 1.0m. The box sign will have dimensions of 0.63m by 0.60m and both signs will be internally illuminated.
- The signs will replace an externally illuminated fascia sign and an internally illuminated projecting sign.

### **Location**

The site is located on the western side of the High Street. The building comprises a ground floor commercial use and forms one of a small group of similar commercial premises. To the west of the site there are residential flats, with a public open space opposite. The site falls within the Chislehurst Conservation Area.

### **Comments from Local Residents**

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

The Chislehurst Society has objected on the grounds that the proposed sign should be redesigned to take account for the character of the conservation area and Chislehurst Commons location. Internally illuminated signage is inappropriate in this location.

## **Comments from Consultees**

APCA raises no objection subject to the font size being reduced so that the sign is less intrusive in the street scene.

No technical highways objections are raised.

No Environmental Health objections are raised.

## **Planning Considerations**

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

BE11 Conservation Areas

BE21 Control of Advertisements and Signs

T18 Road Safety

The Supplementary Planning Guidance for the Chislehurst Conservation Area is also a consideration.

## **Planning History**

Advertisement Consent was granted under ref. 07/03508 for internally illuminated fascia and projection signs.

## **Conclusions**

The main issue in this case is whether the proposed signs would have a significantly harmful impact on the appearance of the building and the character of the Chislehurst Conservation Area within which the premises lies. Highway safety and the impact on neighbouring amenities are also considerations.

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.

The Supplementary Planning Guidance for the Chislehurst Conservation Area states:

'4.48 It is Council policy that advertisements and signs should have regard to the character of the surrounding area and kept in scale, form and character with the building upon which they are placed. Advertisements and signs in residential areas and in the Green Belt will normally be resisted.

4.50 In commercial nodes (such as High Street, Royal Parade and some other small pockets) some signage and advertising is necessary to identify businesses and services provided. These must be respectful of the significance of the

conservation area's character and appearance, and relate to the scale and style of the building and its surroundings. A sign, which is carefully designed and located to respond to the facade of commercial premises, can be compatible with it in a manner, which utilises surrounding parts of the facade to enhance its message. Recognising Chislehurst's close relationship with its commons, care must be exercised to ensure that signage does not impact inappropriately upon areas beyond commercial nodes, particularly open spaces.'

The signs are in context with the host building and similar in scale to the existing signage. This is considered to be consistent with other signage in the area. The method of illumination of the fascia sign would be subtle, with only the lettering illuminated. This would not detract from the visual amenities of this part of the conservation area. The sign would not appear intrusive in the street scene and is considered not to harm this part of the Chislehurst Conservation Area.

There is an internal illuminated sign in the immediate area at No. 1 (permitted under ref. 11/02191). An internally illuminated sign was permitted under ref. 07/03508 at the application site, however this appears not to have been installed.

Having had regard to the above it is considered that the proposed signs are of a sympathetic design and would not harm the character of the Chislehurst Conservation Area. No impact on residential amenities or highway safety would result. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/01607, excluding exempt information.

**RECOMMENDATION: ADVERTISEMENT CONSENT GRANTED**

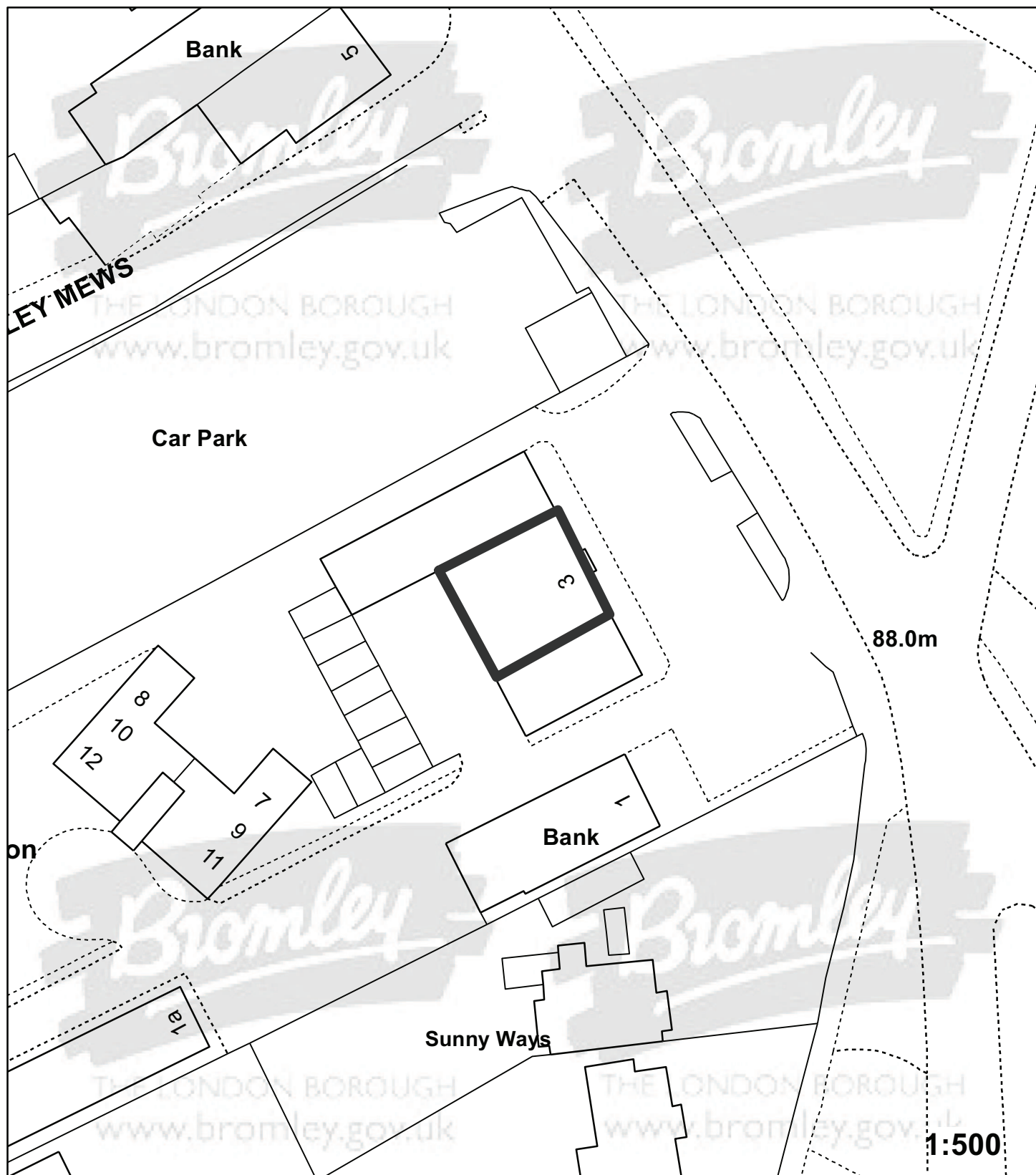
Subject to the following conditions:

- |   |  |  |            |             |
|---|--|--|------------|-------------|
| 6 | ACF01<br>ACF01R                                    | Standard 5 year period<br>Reason F01                       |            |             |
| 7 | ACF02<br>fascia sign<br>ACF02R                     | Rest. of luminance-(s) (2 in)<br>300<br>Reason F02         | internally | illuminated |
| 8 | ACF03<br>illuminated projecting box sign<br>ACF03R | Rest of luminance - proj. sign (2 in)<br>300<br>Reason F03 | internally |             |

**Application:**13/01607/ADV

**Address:** 3B High Street Chislehurst BR7 5AB

**Proposal:** Internally illuminated fascia sign and Internally illuminated projecting sign.



"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 :** 13/02067/TELCOM

**Ward:**  
Bromley Common And  
Keston

**Address :** Land Opposite 1 Oakley Drive Oakley  
Road Bromley

**OS Grid Ref:** E: 542031 N: 165259

**Applicant :** CTIL And Vodaphone Limited

**Objections :** YES

### **Description of Development:**

Replacement of existing 10m high column with 12.5m high, street works column and one additional equipment cabinet.  
(CONSULTATIONS BY VODAFONE AS TO THE NEED FOR APPROVAL OF SITING AND APPEARANCE)

Key designations:

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

### **Proposal**

The proposal seeks prior approval for the replacement of the existing 10 metre high replica street pole telecommunications mast with a new 12.5 metre high telecommunications mast.

There is an existing associated cabinet at ground level and the proposal includes the provision of an additional cabinet.

The proposed installation would result in O2 and Vodafone sharing the facility to ensure that 3G and 4G services can be provided from the same facility. A height extension of 2.5 metres is required to enable adequate coverage to the target area for both operators. The additional cabinet will accommodate O2 and Vodafone's radio equipment.

### **Location**

The proposal is to be located in the same position as the existing mast on the west side of Oakley Road on a grassed verge opposite the junction of Oakley Road and

Oakley Drive, close to the boundary of the garden centre. The site faces residential properties on the opposite side of Oakley Road and adjoins the Green Belt to the west.

### **Comments from Local Residents**

An objection has been received from a local resident which raises concerns regarding the health impacts of the existing and proposed equipment. Paragraph 46 of the National Planning Policy Framework 2012 advises that "Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission (ICNIRP) guidelines for public exposure." As the applicant has provided confirmation of ICNIRP compliance, then it is not possible for the Council to consider health issues any further in respect of this proposal.

### **Comments from Consultees**

Highways - Any comments will be reported verbally

Environmental Health (Pollution) - the file was considered and no comments were made.

### **Planning Considerations**

The proposal falls to be considered with regard to the following Policies contained within the Unitary Development Plan:

BE1 Design of New Development  
BE22 Telecommunications

The relevant planning legislation relating to this application is Part 24 of Schedule 2 of the Town and Country Planning (General Permitted Development) (Amendment) (England) Order 2001.

The National Planning Policy Framework (NPPF) came into force in 2012 and replaced PPG 8 in terms of national policy specifically relating to electronic communications development.

Paragraphs 42 to 46 of Section 5 of the NPPF addresses supporting high quality communications infrastructure.

Para. 42 sets out that: "Advanced, high quality communications infrastructure is essential for sustainable economic growth. The development of high speed broadband technology and other communications networks also plays a vital role in enhancing the provision of local community facilities and services".

Para 43 advises: "Existing masts, buildings and other structures should be used, unless the need for a new site has been justified. Where new sites are required,

equipment should be sympathetically designed and camouflaged where appropriate".

Para 44 emphasises that: "Local planning authorities should not impose a ban on new telecommunications development in certain areas, impose blanket Article 4 directions over a wide area or a wide range of telecommunications development or insist on minimum instances between new telecommunications development and existing development. They should ensure that:

- they have evidence to demonstrate that telecommunications infrastructure will not cause significant and irremediable interference with other electrical equipment, air traffic services or instrumentation operated in the national interest; and
- they have considered the possibility of the construction of new buildings or other structures interfering with broadcast and telecommunications services"

Finally, para 46 clarifies that: "Local planning authorities must determine applications on planning grounds. They should not seek to prevent competition between different operators, question the need for the telecommunications system, or determine health safeguards if the proposal meets International Commission guidelines for public exposure".

### **Planning History**

At this location, under application ref. 05/04478 the siting and appearance was approved for a 9.7 metre high telecommunications monopole with ancillary equipment cabinets. However, this was subsequently built at 8 metres in height.

In 2011, under ref. 11/00963, Members approved the siting and appearance of a replacement 10 metre high telecommunications mast at the site.

The Council disapproved of siting and appearance of a mast approximately 50 metres away from the proposed installation in March 2003 under application ref. 03/00430. This application was allowed at appeal and the mast has subsequently been installed.

### **Conclusions**

The main issues to be considered in this case are the visual impact of the proposal, the investigation of alternative sites and any perceived health concerns.

The principle of a telecoms mast and associated equipment cabinets has already been established through the approval of planning ref. 11/00963. This application seeks approval for the replacement of the existing 10m mast with a new 12.5m high column and one additional cabinet.

In the accompanying statement the agents for this application include a technical justification for the siting of the installation which is required to provide coverage to the surrounding area for both mobile phone operators. The proposal is to utilise the

existing apparatus, as per guidance set out in the NPPF, but with an increase in height of 2.5m to allow for both 3G and 4G service from the same mast.

As with all telecommunications applications there is a fine balance between the technical needs and the amenities of the area. The agents have provided documentation to confirm compliance with the International Commission on Non-Ionizing Radiation Protection (ICNIRP).

It is considered on balance that the proposal would not appear overly visually obtrusive within the street scene as there is already an existing established telecommunications installation on this section of the grass verge which has had time to assimilate into the landscape. The existing telecommunications monopole is 10 metres in height, and there is an existing cabinet positioned on the back edge of the footway. The proposed new mast and new associated cabinet would be of a similar appearance to the existing equipment. It is therefore considered that, on balance, by utilising the existing equipment and current location the proposal would not have a significant detrimental effect on the street scene or character of the area in general.

The mast would be visible from nearby residential properties and commercial premises. However, Members may consider that it would not appear unduly out of keeping in the context of its location. It is considered that the development would not be unacceptably overbearing or be overtly detrimental upon the outlook of nearby residents or the visual amenities of the street scene in general.

Policy BE22 requires that the visual impact of the development upon the environment should be minimized and should respect the local character. It is considered that the sufficient steps to minimize the impact of the proposal by utilizing the existing structures and landscaping have been taken.

The new equipment cabinet would be located between the footway and the hedge behind the proposed mast. The proposed replacement cabinet is considered to be of an acceptable scale and size and would not have a detrimental impact on the street scene or surroundings.

In light of the above and the planning history of the site, Members may consider that the overall impact of the proposed installation on the area and the street scene in general would be minimal and that approval of siting and appearance should be granted.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/02067, excluding exempt information.

## **RECOMMENDATION: APPROVAL OF SITING AND APPEARANCE**

Subject to the following conditions:

- 1 The siting and appearance of the replacement mast and additional cabinet shall be carried out in complete accordance with the submitted drawing(s) unless previously agreed in writing by the Local Planning Authority.

**Reason:** In order to comply with Policies BE22 and BE23 of the Unitary Development Plan and in the interest of the visual amenities of the area.

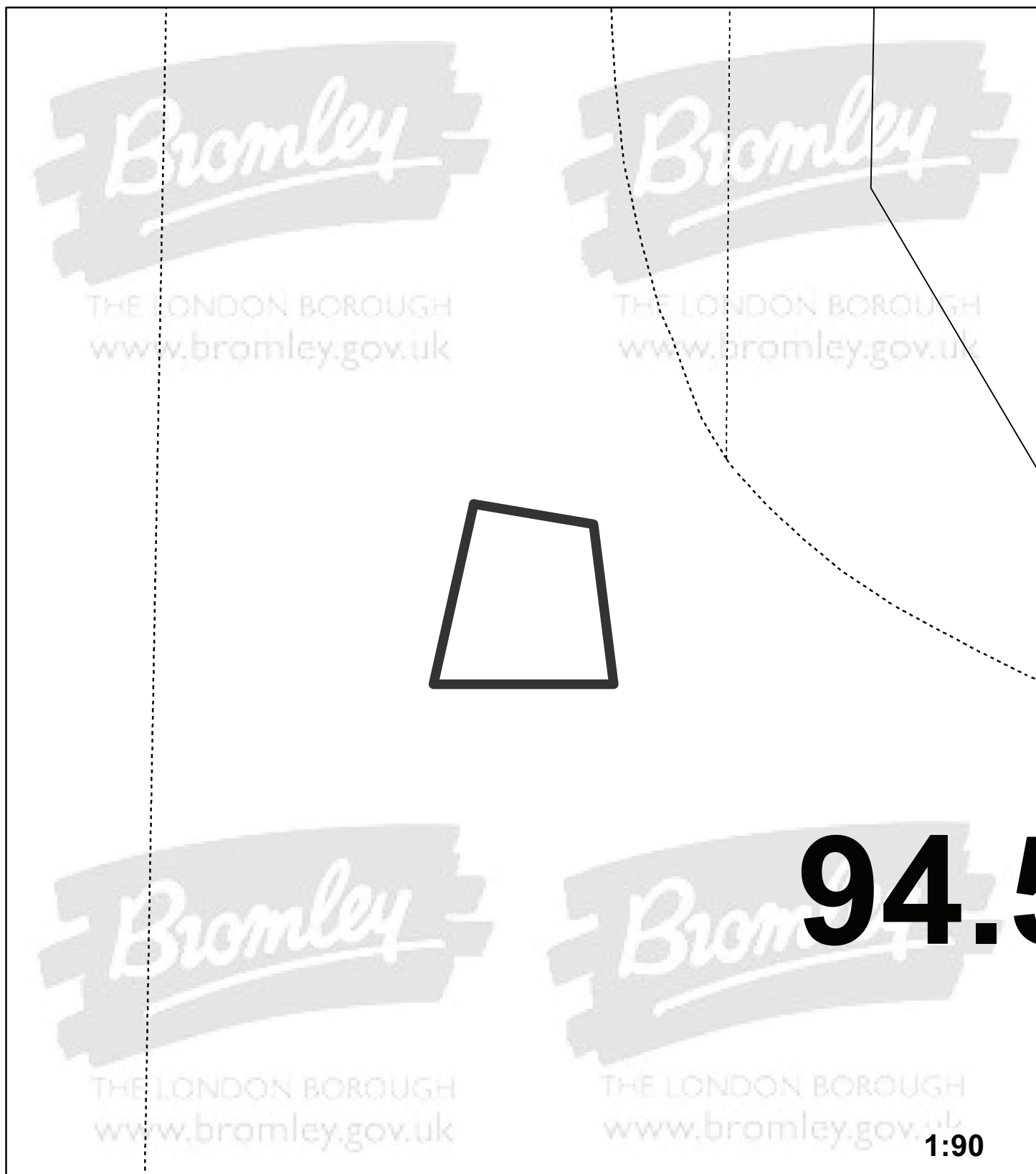
2     ACM03     Removal of equipment after redundancy  
      ACM03R    Reason M03

**Application:**13/02067/TELCOM

**Address:** Land Opposite 1 Oakley Drive Oakley Road Bromley

**Proposal:** Replacement of existing 10m high column with 12.5m high, street works column and one additional equipment cabinet.

CONSULTATIONS BY VODAFONE AS TO THE NEED FOR APPROVAL OF SITING AND APPEARANCE)



"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 :** 13/01166/FULL1

**Ward:**  
Penge And Cator

**Address :** 11 Provincial Terrace Green Lane Penge  
London SE20 7JQ

**OS Grid Ref:** E: 535774 N: 170281

**Applicant :** Akers Developments Ltd

**Objections :** YES

### **Description of Development:**

Demolition of two storey side extension and creation of access road; erection of pair of two storey semi-detached two bedroom houses with associated parking and residential curtilage

Key designations:

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

### **Proposal**

It is proposed to demolish an existing two storey side extension and create an access to land at the rear. Two residential dwellings will be created to the rear of the site that will be two storey semi-detached dwellings provided with two car parking spaces for both the properties.

### **Location**

The application site lies on the northern side of Provincial Terrace and encompasses a two storey end of terrace property. The surrounding area is mainly residential with some commercial uses near by. The site does not fall within the boundaries of any designated conservation area.

### **Comments from Consultees**

Nearby owners/occupiers were notified of the application and 10 representations were received including a petition containing 26 signatures. The comments received raised the following issues:

- setting a precedent of building in back gardens
- overlooking and loss of light
- security risks by creating vehicular access
- road having a blind spot
- loss of a family home
- loss of green space
- noise from construction and activity from new dwellings
- issues with the plans and elevations
- cutting down of trees

### **Comments from Consultees**

Cleansing - No comments received.

Highways - The development is located to the north of Green Lane. Green Lane (A213) is a London Distributor Road. The site is located in an area with medium PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible).

The site is accessed via a new access road approximately 3.0m wide leading to two car parking spaces. The access road would require a new crossover from Green Lane. The applicant should be aware that there is a telephone pole and a tree which may require relocation. The cost of the works would be funded by the applicant.

Furthermore the developer is required to explain how the refuse vehicles would service the site. Two car parking would be provided which is satisfactory. Also 1 cycle space should be provided.

Conditions are suggested if planning permission is granted.

### **Planning Considerations**

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

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

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework (NPPF) which is a key consideration in the determination of this application.

London Plan Policies:

- Policy 3.3 Increasing Housing Supply
- Policy 3.4 Optimising Housing Potential



Policy 3.5 Quality and Design of Housing Developments  
Policy 5.3 Sustainable Design and Construction  
Policy 5.13 Sustainable Drainage  
Policy 7.3 Designing out Crime  
Policy 7.4 Local Character

The Councils SPG guidance is also a consideration:

Supplementary Planning Guidance No.1 - General Design Principles  
Supplementary Planning Guidance No.2 - Residential Design Guidance

### **Planning History**

No relevant planning history.

### **Conclusions**

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

The submitted drawings show that a pair of two bedroomed semi-detached dwellings is proposed, and there will be only a small separation between the proposed properties and the boundaries. A majority of the building has at least a 1 metre separation; however the south west corner of the western property has a separation of only 0.9 of a metre, which is not compliant with policy (H9) of the UDP. This conflict with adopted side space policy (H9) is considered to result in an erosion of the spatial standards. Whilst it is noted that the surrounding street is characterised in part by terraced properties, this should not necessarily dictate the form of future development, and the provision of dwellings on this limited area is considered to be detrimental to this part of the area.

Overall the proposed dwellings appear poorly related to adjoining development, cramped and overdeveloped. The land is restricted overall and the provision of amenity space around the property is limited. The insertion of these dwellings in this back land area would also result in a loss of openness and amenity to neighbouring occupants, particularly in view of the scale and height of development adjacent to private gardens.

Having had regard to the above it is considered that the new dwelling as proposed would result in a cramped form of development, harmful to the area and local amenity and contrary to Policies BE1, H7 and H9 of the adopted UDP.

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

- 1 The proposed constitutes a cramped form of backland development out of character and poorly related to adjoining property and thereby contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.
- 2 The proposed development, in view of its scale, height and siting would be harmful to the amenities of adjoining occupants by reason of visual impact,

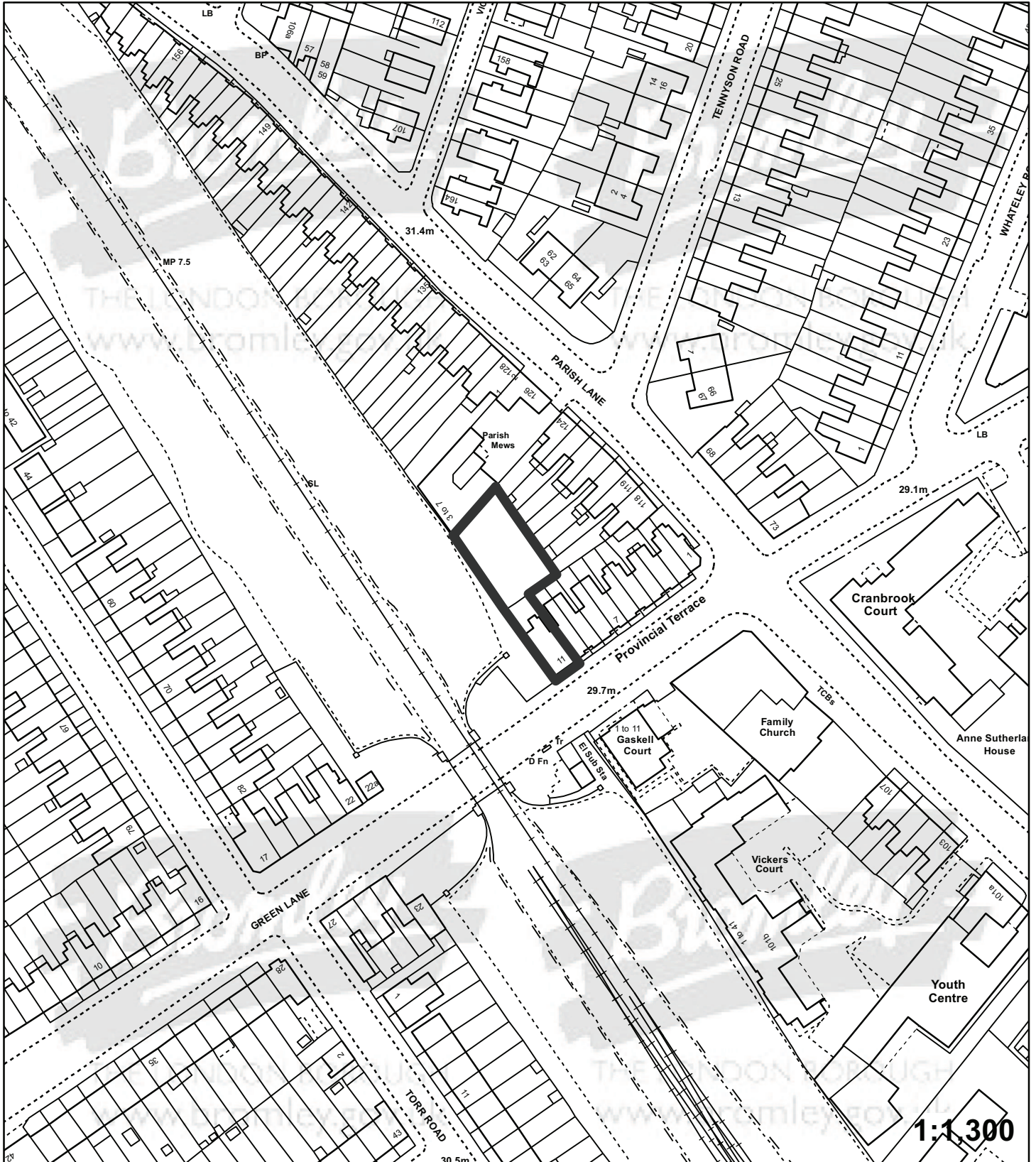
loss of prospect and light and contrary to Policies BE1 and H7 of the Unitary Development Plan.

- 3 The proposed dwellings would lack adequate amenity space for future occupants and would thereby be contrary to Policy H7 of the Unitary Development Plan.

**Application:**13/01166/FULL1

**Address:** 11 Provincial Terrace Green Lane Penge London SE20 7JQ

**Proposal:** Demolition of two storey side extension and creation of access road; erection of pair of two storey semi-detached two bedroom houses with associated parking and residential curtilage



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

This page is left intentionally blank

Report No.  
DRR 13/089

London Borough of Bromley

PART ONE - PUBLIC

---

**Decision Maker:** PLANS SUB-COMMITTEE NO. 4

**Date:** Thursday 25 July 2013

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

**Title:** OBJECTIONS TO TREE PRESERVATION ORDER 2535 AT  
FOREST LAWNS, ORCHARD ROAD

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

**Chief Officer:** Chief Planner

**Ward:** Bickley;

---

1. Reason for report

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

---

2. **.RECOMMENDATION(S)**

The Chief Planner advises that the trees make an important contribution to the visual amenities of Orchard Road and that the order should be confirmed.

### Corporate Policy

1. Policy Status: Existing Policy
  2. BBB Priority: Quality Environment
- 

### Financial

1. Cost of proposal: No Cost
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Planning Division Budget
  4. Total current budget for this head: £3.3m
  5. Source of funding: Existing revenue budget
- 

### Staff

1. Number of staff (current and additional): 103.89ftes
  2. If from existing staff resources, number of staff hours: N/A
- 

### Legal

1. Legal Requirement: Statutory Requirement
  2. Call-in: Not Applicable:
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Those affected by the tree preservation order.
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

3.1. This order was made on 1<sup>st</sup> March 2013 and relates to 2 cedars in the garden at the front of the flats. Objections have been made by two residents of the flats. The first objector is concerned specifically about T.1 of the order for the following reason:

Several of the flats have been affected by cracks appearing and following investigations the estate managers were advised that the likely cause was water abstraction by the large trees leading to shrinkage of the clay sub soil. The insurers loss adjuster recommended the removal of two of the three trees that were growing at the front of the flats. He also referred to tree root damage to the drive. One of the trees was felled before the order was made and he concerned that the job is half completed and the problem of damage to the property is unresolved. He asks that T.1 is excluded from the order but that T.2 remains protected.

3.2. In response he has been advised that the two cedars are mature specimens, about 20 metres in height and they are both in a reasonably healthy condition. They are large growing species about 12 metres from the front of the building. It is considered that the trees are appropriate to their location and they make a positive contribution to the visual amenities of Orchard Road and it is for this reason that they have been preserved. Damage to properties is a serious matter, and if it is demonstrated that damage is occurring as a result of the tree, and the only means of solving the problem is by tree surgery or even tree removal, then I think it would be unusual for the Council to withhold consent. However sufficient evidence would need to be submitted to show that damage is subsidence and that the tree was the cause of the damage. Sight of any documentary evidence was requested but no further information has been submitted.

3.3. The second objector has expressed concern because residents received a report from their management company stating that the cracks appearing in Forest Lawns were likely to have resulted due to water abstraction caused by the two large trees at the foot of the site. The management company arranged for the removal of the two trees but work was stopped when the Council made a tree preservation order. She queried where occupants of Forest Lawns stand with regard to the preservation order and continued cracking within the building.

3.4. In response the same comments as set out 3.2 above were made. Additionally she was advised that residents (or their managing agents) are free to make an application to the Council to fell or prune either or both of the trees. However any application would need to clearly set out the reasons for the proposed felling and if the trees are implicated in subsidence evidence would need to be submitted to demonstrate this. Normally the following information is needed:

- A description of the property, including a description of the damage and crack pattern, the date that the damage first occurred, details of any previous underpinning or building work,
- information about the geological strata for the site,
- details of vegetation in the vicinity and its management since discovery of the damage,
- measurement of the extent and distribution of vertical movement using level monitoring. Where level monitoring is not possible, state why and provide crack monitoring data. This data must be sufficient to show a pattern of movement consistent with the presence of the implicated tree.
- A profile of a trial/borehole dug to identify foundation type and depth and soil characteristics. Sub soil characteristics including soil type on which the foundations rest, liquid limit, plastic limit and plasticity index.
- Location and identification of roots found. Where identification is inconclusive, DNA testing should be carried out.
- Proposals and estimated costs of options to repair the damage

No application has been received..

**4. POLICY IMPLICATIONS**

This report is in accordance with Policy NE6 of the Council's adopted Unitary Development Plan

**5. FINANCIAL IMPLICATIONS**

None

**6. LEGAL IMPLICATIONS**

If not confirmed the order will expire on 28<sup>th</sup> August 2013.

**7. PERSONNEL IMPLICATIONS**

None

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