



THE LONDON BOROUGH
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DATE: 5 November 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 14 NOVEMBER 2013 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

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

If you have further enquiries or need further information on the content of any of the applications being considered at this meeting, please contact our Planning Division on 020 8313 4956 or e-mail planning@bromley.gov.uk

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

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

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 19 SEPTEMBER 2013**
(Pages 1 - 14)
- 4 PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
4.1	Bickley	15 - 20	(13/02192/FULL1) - Bromley High School for Girls, Blackbrook Lane, Bickley.

SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.2	Cray Valley East	21 - 28	(13/00330/FULL1) - Lower Hockenden Farm, Hockenden Lane, Swanley.
4.3	Chelsfield and Pratts Bottom	29 - 38	(13/01914/FULL1) - The Highway Primary School, The Highway, Orpington.
4.4	Cray Valley West	39 - 42	(13/02042/FULL2) - Kennedy House, Murray Road, Orpington.
4.5	Chislehurst	43 - 48	(13/02484/FULL2) - 51 Marlings Park Avenue, Chislehurst.
4.6	Darwin Conservation Area	49 - 52	(13/02719/FULL6) - 4 Weller Place, High Elms Road, Downe.
4.7	Hayes and Coney Hall	53 - 56	(13/02861/FULL6) - 5 Pickhurst Green, Hayes.
4.8	Chislehurst Conservation Area	57 - 66	(13/02880/FULL1) - Lake Cottage, Oakwood Close, Chislehurst.
4.9	Chislehurst Conservation Area	67 - 72	(13/02885/CAC) - Lake Cottage, Oakwood Close, Chislehurst.

4.10	Chislehurst Conservation Area	73 - 78	(13/02986/FULL1) - Perry Street Service Station, Perry Street, Chislehurst.
4.11	Chislehurst Conservation Area	79 - 82	(13/02987/CAC) - Perry Street Service Station, Perry Street, Chislehurst.
4.12	Chelsfield and Pratts Bottom	83 - 86	(13/03066/FULL2) - 80 Ridgeway Crescent, Orpington.
4.13	Copers Cope	87 - 94	(13/03154/VAR) - Sunnyfields Day Nursery, 19 Bromley Grove, Shortlands.
4.14	Hayes and Coney Hall	95 - 100	(13/03335/FULL6) - 33 Cheriton Avenue, Bromley.

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

Report No.	Ward	Page No.	Application Number and Address
4.15	West Wickham	101 - 106	(13/02377/FULL6) - 18 The Crescent, West Wickham.
4.16	Kelsey and Eden Park	107 - 112	(13/02384/FULL1) - David Lloyd Leisure, Stanhope Grove, Beckenham.
4.17	Kelsey and Eden Park	113 - 118	(13/02442/FULL6) - 12 Ronald Close, Beckenham.
4.18	Chislehurst Conservation Area	119 - 128	(13/02593/FULL1) - Coopers School, Hawkwood Lane, Chislehurst.
4.19	Chislehurst Conservation Area	129 - 130	(13/02594/CAC) - Coopers School, Hawkwood Lane, Chislehurst.
4.20	Darwin	131 - 134	(13/02601/FULL6) - 34 Beechwood Avenue, Orpington.
4.21	Bromley Town	135 - 138	(13/02700/FULL6) - 36 Stanley Road, Bromley.
4.22	Plaistow and Sundridge	139 - 142	(13/02751/FULL6) - 23 Edward Road, Bromley.

4.23	Orpington	143 - 148	(13/02936/FULL2) - 313 High Street, Orpington.
4.24	Orpington	149 - 152	(13/02939/ADV) - 313 High Street, Orpington.
4.25	Petts Wood and Knoll	153 - 156	(13/03090/FULL6) - 3 St Francis Close, Petts Wood.

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

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

5 CONTRAVENTIONS AND OTHER ISSUES

Report No.	Ward	Page No.	Application Number and Address
5.1	Darwin	157 - 158	(DRR13/139) - Shelleen Valley Farm, Layhams Road, Keston.

6 TREE PRESERVATION ORDERS

Report No.	Ward	Page No.	Application Number and Address
6.1	Mottingham and Chislehurst North	159 - 162	(DRR/13/135) - Objections to Tree Preservation Order 2556 at The Porcupine, 24 Mottingham Road, Mottingham.
6.2	Bromley Common and Keston	163 - 166	(DRR/13/137) - Objections to Tree Preservation Order 2560 at South House and Middle House, Oakley Road, Keston.

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

NO REPORT

PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 19 September 2013

Present:

Councillor Charles Joel (Chairman)
Councillors Reg Adams, Kathy Bance MBE, Simon Fawthrop,
Julian Grainger, Kate Lymer and Richard Scoates

Also Present:

Councillors Graham Arthur, Russell Mellor and Michael Tickner

11 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Lydia Buttinger and Russell Jackson.

12 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

13 CONFIRMATION OF MINUTES OF MEETING HELD ON 25 JULY 2013

RESOLVED that the Minutes of the meeting held on 25 July 2013 be confirmed and signed as a correct record.

14 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

14.1 PETTS WOOD AND KNOLL

(13/01392/FULL2) - 15 Moorfield Road, Orpington.

Description of application – Elevational alterations and change of use from office (class B1) to day nursery (class D1) with acoustic fencing.

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

Ward Member, Councillor Simon Fawthrop, spoke on behalf of his fellow Ward Members, Councillors Tony Owen and Douglas Auld, and objected to the application on the grounds of parking, traffic impact

and the affect on the local area.

Members having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** subject to the following conditions:-

“1. The children attending the day nursery shall be between the ages of three months and five years and not more than twenty-nine children shall be accommodated at any one time. The use of the premises for the purpose permitted shall be limited to Mondays to Fridays inclusive between the hours of 07.30 hours and 18.00 hours.

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

2. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

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

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

**14.2
CHELSFIELD AND PRATTS
BOTTOM**

(13/01914/FULL1) - The Highway Primary School, The Highway, Orpington.

Description of application – Detached single storey building for school/scout use.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**14.3
BICKLEY
CONSERVATION AREA**

(13/01940/FULL6) - 9 Sundridge Avenue, Bromley.

Description of application – Front boundary fence
RETROSPECTIVE APPLICATION.

Oral representations in objection to the application were received at the meeting. Ward Member, Councillor Kate Lymer, said that she and her fellow Ward Members, Councillors Katherine Rideout and Colin P Smith, objected to the application on the poor design of the front boundary fence which detracted from the conservation area.

Members having considered the report, objections and representations, **RESOLVED** that **PERMISSION**

BE REFUSED, for the following reason:-

1. The proposal, by reason of its design, would be harmful to the character of the Sundridge Avenue Conservation Area contrary to Policies BE1, BE7 and BE11 of the Unitary Development Plan.

IT WAS FURTHER RESOLVED that the previously authorised **ENFORCEMENT ACTION BE CONTINUED**.

**14.4
BICKLEY**

(13/02092/FULL2) - Greenwood, Bickley Park Road, Bickley.

Description of application - Two storey side extension, single storey rear extension and change of use from dwellinghouse (Class C3) to large house in multiple occupation (Sui Generis).

Ward Member, Councillor Kate Lymer, said that she and her fellow Ward Members, Councillors Katherine Rideout and Colin P Smith, objected to the application and that a petition had been signed and received by Planning Department.

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

**14.5
PETTS WOOD AND KNOLL**

(13/02391/FULL6) - 12 Great Thrift, Petts Wood.

Description of application – Single storey rear and part one/two storey side extension, front dormer extension and elevational alterations to front.

Oral representations in objection to and in support of the application were received at the meeting. Ward Member, Councillor Simon Fawthrop, read out a statement that he wished to have minuted. A copy is attached at the end of these minutes marked, 'Appendix A'.

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

1. The proposal, by reason of its size and design, would be detrimental to the amenity of neighbouring residents and harmful to the character and appearance of the Petts Wood Area of Special Residential Character contrary to Policies BE1, H8 and H10 of the Unitary Development Plan.

**14.6
COPERS COPE**

**(13/02432/FULL1) - Clare House Primary School,
Oakwood Avenue, Beckenham.**

Description of application – Provision of temporary single storey classroom block with entrance lobby, toilets and class stores, plus associated external works including canopy, ramp, steps and fences
RETROSPECTIVE APPLICATION.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**14.7
CHELSFIELD AND PRATTS
BOTTOM**

**(13/02681/FULL6) - 9 Oxenden Wood Road,
Orpington.**

Description of application - Part one/two storey front, side and rear extensions and increase in roof height to provide habitable accommodation in roof space.

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

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

REASON: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and to prevent an overdevelopment of the site.”

SECTION 3

(Applications recommended for permission, approval or consent)

**14.8
SHORTLANDS**

(12/03714/FULL6) - 76A Elwill Way, Beckenham.

Description of application – First floor side extension and extension to existing front porch.

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

**14.9
WEST WICKHAM**

(13/01484/FULL1) - 107-109 Station Road, West Wickham.

Description of application – Part one/two and three storey rear extension providing ancillary storage for ground floor retail unit; creation of 2 x one bedroom and 1 x two bedroom flats covered walkway; elevational alterations.

It was reported that further objections to the application had been received together with a letter from West Wickham Residents' Association. Comments from Highways Division were also reported.

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

**14.10
COPERS COPE**

(13/01535/FULL1) - 10 Copers Cope Road, Beckenham.

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

Oral representations from Ward Members, Councillors Russell Mellor and Michael Tickner, in objection to the application were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with three further conditions to read:-
“3. Before the development hereby permitted is first occupied the proposed windows in the northern and eastern elevations shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any openings shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details. In the interests of the privacy of adjoining properties any openings should be at high level.

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

4. The development hereby permitted shall only be used as a staff room, office and storage room ancillary to the hotel use at 10 Copers Cope Road and shall not be used as guest or residential accommodation.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and to protect the amenities of neighbouring residents.

5. Before the development hereby permitted is first commenced, details of a planting screen to reduce its impact on neighbouring residents shall be submitted to and approved in writing by the local planning authority and the scheme shall be implemented in the first planting season following first occupation of the development or substantial completion of the building, whichever is sooner.

REASON: To safeguard the amenities of the adjoining residents in accordance with Policy BE1 of the Unitary Development Plan.”

**14.11
CRAY VALLEY EAST**

(13/01797/FULL6) - 1 Georges Close, Orpington.

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

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

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

REASON: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and to prevent an overdevelopment of the site.”

**14.12
WEST WICKHAM**

(13/01847/FULL1) - 131-133 High Street, West Wickham.

Description of application – Roof alterations to include velux windows, elevation alterations, part one/two storey rear extensions, conversion of first floor, second floor and roof space to provide 1 no x 1 bed and 7 no x 2 bed self-contained units with roof terrace garden areas, 6 parking spaces, cycle and refuse storage.

Oral representations in support of the application were received at the meeting. It was reported that the

Highways Division had no objection to the application. Objections to the application had been received from West Wickham Residents' Association and a neighbouring resident with regard to parking, bulk and impact on amenity. Comments from Environmental Health were also reported.

Councillors Simon Fawthrop and Councillor Julian Grainger were concerned the proposed development would be an over-intensification of the site and lacked amenity and parking and Councillor Fawthrop also referred to his, and to Councillor Reg Adams knowledge of the local area.

The Chief Planner's representative advised that a parking survey had been undertaken on a previous scheme and the Highways Division had taken this into account. He also advised that the bulk aspect of this application had already been permitted and a previous appeal had been dismissed but not on parking grounds.

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

1. The proposed development, by reason of the number of units, lack of amenity space for future occupiers and insufficient levels of parking, would result in a cramped over-intensive redevelopment of the site, thereby contrary to Policies BE1, H7 and T3 of the Unitary Development Plan.

**14.13
HAYES AND CONEY HALL**

(13/01857/FULL6) - 25 Pickhurst Lane, Hayes.

Description of application – Part one/two storey side extension and roof alterations to incorporate rear dormer extensions.

It was reported that the application had been amended by documents received on 28 August 2013. It was also reported that on page 82 of the Chief Planner's Report, paragraph four under the heading, 'Conclusions', the second sentence should be amended to read, "The resulting separation from the side boundary is 1.31metres reducing to a minimum of 0.769 metres."

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

**14.14
WEST WICKHAM**

(13/02246/FULL6) - 2 High Broom Crescent, West Wickham.

Description of application – Single storey front, side and rear extension, elevational alterations and decking to rear.

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

**14.15
CHISLEHURST**

(13/02349/FULL1) - 44 Highfield Road, Chislehurst.

Description of application – Demolition of existing bungalow and erection of replacement bungalow with front and rear dormers (Revisions to application ref 10/00465 allowed on appeal to incorporate two storey rear projection).

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

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

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

REASON: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and to prevent an overdevelopment of the site.”

**14.16
CRAY VALLEY WEST**

(13/02385/FULL6) - 6 Sutherland Avenue, Petts Wood.

Description of application – Part one/two storey side and rear extension with raised decking and balustrade.

Members having considered the report, **RESOLVED** that the application **BE DEFERRED**, without prejudice to any future consideration to seek confirmation of the existing spatial standards of the area.

**14.17
BICKLEY**

(13/02390/FULL6) - 50 Blackbrook Lane, Bickley.

Description of application – First floor side and part one/two storey rear extensions, roof alterations to provide habitable accommodation in roof space and rear dormer, front porch and front elevational alterations.

Oral representations in objection to and in support of the application were received at the meeting. It was reported that a letter of support had been received. Members having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner.

**14.18
COPERS COPE**

(13/02589/PLUD) - 68 Copers Cope Road, Beckenham.

Description of application - Single storey side and two storey rear extensions. Installation of rear and side dormers and other roof alterations
CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Members, Councillors Russell Mellor and Michael Tickner in objection to the application were received at the meeting. It was reported that an objection had been received from North Copers Cope Action Group.

The Chief Planner's representative advised Members that the Permitted Development rights granted by the Government enabled householders to undertake extensions without planning permission, provided the conditions and limitations set out in the General Permitted Development Order were met. If all requirements were complied with, as was the case with the current application, the Council was obliged to issue a Certificate of Lawfulness. Members should therefore take into account the criteria listed on page 105 of the Chief Planner's report prior to making a decision. He further said that the majority of these applications were dealt with under the Chief Planner's delegated powers because they were judged on technical grounds and that if the application had not been called in by a Member then it would have been dealt with in this way.

The Chairman stated that it may be difficult to refuse

the Certificate of Lawfulness for a Proposed Development in this instance. Members requested a legal briefing with clarification on certificate of lawfulness of proposed use or development as noted in the Town and Country Planning Act 1990.

Members having considered the report, objections and representations, **RESOLVED** that the application **BE DEFERRED**, without prejudice to any future consideration to seek further confirmation of the lawfulness of the proposed development and clarification of the matters to be considered in the determination of such applications.

SECTION 4

(Applications recommended for refusal or disapproval of details)

14.19 HAYES AND CONEY HALL

(13/02368/FULL6) - 3 Whites Cottages, Pickhurst Green, Hayes.

Description of application – Two storey side extension.

Oral representations from Ward Member, Councillor Graham Arthur, in support of the application were received at the meeting. Comments from Councillor Mrs Anne Manning and Hayes Village Association in objection to the application were reported. Members having considered the report and representations, **RESOLVED** that the application **BE DEFERRED**, without prejudice to any future decision, for consideration on Section 2 of the agenda of Plans Sub-Committee 2 to be held on 17 October 2013.

14.20 HAYES AND CONEY HALL

(13/02539/LBC) - 3 Whites Cottages, Pickhurst Green, Hayes.

Description of application – Two storey side extension LISTED BUILDING CONSENT.

Oral representations from Ward Member, Councillor Graham Arthur, in support of the application were received at the meeting. Comments from Councillor Mrs Anne Manning and Hayes Village Association in objection to the application were reported. Members having considered the report and representations, **RESOLVED** that the application **BE DEFERRED**, without prejudice to any future decision, for consideration on Section 2 of the agenda of Plans Sub-Committee 2 to be held on 17 October 2013.

**14.21
COPERS COPE
CONSERVATION AREA**

(13/02584/RESPA) - 30 High Street, Beckenham.

Description of application – Change of use of first, second and third floors of 30 High Street, Beckenham from Class B1(a) office to Class C3 dwellinghouses to form 15 studio flats (56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class J Part 3 of the GPDO).

Oral representations in favour of prior approval not being required were received. Oral representations from Ward Member, Councillor Russell Mellor in objection to the application were received and also from Ward Member, Councillor Michael Tickner, as the former Chairman of the Beckenham Town Centre Working Group were received at the meeting. Both Members were concerned with lack of parking Members having considered the report, objections and representations, **RESOLVED THAT PRIOR APPROVAL IS REQUIRED AND IS REFUSED** for the following reason:-

1. No off-street car parking facilities are proposed within the curtilage of the site and there is insufficient information to demonstrate that the car parking generated by the use would not generate an unacceptable increase in the demand for on-street car parking, prejudicial to the free flow of traffic and conditions of general safety along the adjoining highway, contrary to Policy T3 and T18 of the Unitary Development Plan and the National Planning Policy Framework.

15 TREE PRESERVATION ORDERS

**15.1
COPERS COPE**

Objections to Tree Preservation Order 2505 at Land Adjoining 76B and 76C The Avenue, Beckenham.

Oral representations from Ward Members, Councillors Russell Mellor and Michael Tickner in support of the Tree Preservation Order being confirmed were received at the meeting.

Members having considered the report and representations **RESOLVED that TREE PRESERVATION ORDER NO 2505** relating to a plane tree in the street at the front of 76B The Avenue **BE CONFIRMED**, as recommended, in the report of the Chief Planner.

**15.2
BROMLEY TOWN**

**Objections to Tree Preservation Order 2548 at 25
and 29 Gwydyr Road, Bromley.**

It was reported that Ward Member, Councillor Nicky Dykes, had written opposing confirmation of the Tree Preservation Order.

Members having considered the report and objections **RESOLVED that TREE PRESERVATION ORDER NO 2548** relating to a sycamore tree in the back garden of 25 Gwydyr Road and an Ash tree in the back garden of 29 Gwydyr Road **BE CONFIRMED**, as recommended in the report of the Chief Planner.

The Meeting ended at 9.50 pm

Chairman

MINUTE ANNEX

APPENDIX A

ITEM 14.5 – (13/02391/FULL6) – 12 GREAT THRIFT, PETTS WOOD

REPRESENTATIONS SUBMITTED BY

WARD MEMBER, COUNCILLOR SIMON FAWTHROP

In addressing this application I wanted to share some of the background to The Petts Wood Area of Special Residential Character (ASRC).

When the estate was laid out by the developer Basil Scruby He planned out the roads, utilities and plot sizes imposing strict guidelines on materials to be used density and design to meet his vision of a high quality suburb emulating the garden suburb movement and it is this heritage which the ASRC designation seeks to conserve for future generations.

Many of these references are contained within the ASRC policy H10 which refers specifically in para 4.49 to protect against unsympathetic development which would threaten the established character and residential amenity.

These standards are set out in Appendix I of the UDP.

In particular para 1.2 (i) states that developments likely to erode the quality and character of the ASRC shall be resisted. And (ii) residential density shall accord with that existing in the area. (vii) new development will be expected to take account of existing front and rear building lines. On page 37 of the committee report you will notice that this development projects 1 metre beyond the rear building line in contravention of this very strict ASRC policy. Whilst the report mentions impact upon the neighbours, there is a gapping omission in the impact this has on the ASRC.

The report tries to cite previous examples of elements being allowed. However this is a definite case of two wrongs not making a right. This application when considered on its own undermines the ASRC contrary to policy H10. In addition this is an impact in particular on the residential amenity of no. 10 Great Thrift contrary to policy BE1. But also contrary to policy H10 which is implied in the general standards of the area.

The previous refusal under ref 13/01415 did not to my knowledge come before members and may have been dealt with under delegated authority meaning that it did not come under the full scrutiny that it would had it been presented to committee.

Taking this application on its own merits, we can, as democratically elected members, using our local knowledge scrutinise this application in detail and look at the merits or otherwise of this application.

Along with case law on planning we must accept that precedents are not set by previous applications whether approved or refused.

In this particular instance the proposal whilst not creating a terrace does have a terracing effect, it reduces the spatial standards and narrows the street scene which allows views of the magnificent trees that populate the rear gardens in the Petts Wood ASRC. This is part and parcel of the character and nature of the area which exists to have a suburban setting with a rural feel. So is also contrary to policy H8 which refers to the design and density of an area. If member agree with me that this is contrary to policy H10 then I hope they will agree that it is also contrary to policy H8.

Mr Chairman I therefore propose refusal on the grounds of policies H10, H8 and BE1.

Agenda Item 4.1

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

Application No : 13/02192/FULL1

Ward:
Bickley

Address : Bromley High School For Girls
Blackbrook Lane Bickley Bromley BR1
2TW

OS Grid Ref: E: 543210 N: 168259

Applicant : Mr M Smith

Objections : NO

Description of Development:

Erection of 6 x 13m high floodlights for the existing Artificial Grass Pitch and 4 x 10m high floodlights for the existing tennis courts

Key designations:

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

Proposal

Permission is sought for floodlights to illuminate the existing artificial hockey pitch and netball/tennis courts situated next to each other on the south east side of this school.

There will be 6mx13m floodlights for the hockey pitch and 4x10m floodlights for the netball/tennis courts.

The Design and Access Statement (D&A) advises that the school wishes to use the courts/pitches on weekdays between 9am and 6.00pm and local sports clubs and community groups would use them between 6pm and 9.30pm. Local sports clubs and private hire would use the facilities between 9am and 6pm on Saturdays and Sundays. There would be no lettings on Bank Holidays. The floodlights will be used during these hours when necessary.

The Design and Access Statement advises that the courts/pitches are currently used by Bromley and Beckenham Junior and Senior Hockey Club, Bromley High School and Telestars Netball Club. The floodlights will allow the use of facilities during the winter evenings. The D&A does not anticipate that the noise generated

during the winter months will have an adverse impact on residential amenities, especially as the hours of use would be limited to those above.

In addition to the Design and Access Statement, the applicant has submitted a Lighting Assessment report, an Extended Phase 1 Ecological Habitat Survey Report and a Bat Activity Survey Report to support the application.

Location

The 2 pitches that will be floodlit are located on the south-east side of the existing school buildings. The school lies on the eastern side of Blackbrook Lane with a vacant site to the north and school playing fields immediately to the south and east with Jubilee Park beyond. The school is within the Green Belt.

Comments from Local Residents

Nearby properties were notified and no representations have been received.

Comments from Consultees

The Council's Highways Officer raises no objections to the proposal.

The Council's Environmental Health Officer raises no objections to the proposal.

Planning Considerations

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

- BE1 Design of New Development
- C7 Educational and Pre-School Facilities
- L1 Outdoor Recreation and Leisure
- G1 Green Belt
- NE5 Protected Species

London Plan policies 5.12 and 5.13

The National Planning Policy Framework 2012 is also relevant.

Planning History

The site has been the subject of numerous previous applications, the most recent of which is for the redevelopment of existing courtyard within Senior School comprising hard and soft landscaping works, construction of timber stages and pergola. Permission was granted in July 2011 (ref. 11/01599).

Conclusions

The main issues to be considered are the impact of the proposal on the Green Belt, the amenities of the nearest residents and on the fauna associated with the nearby Jubilee Park.

Policy L1 requires that proposals such as floodlights that are within the Green Belt must accord with policy G1 relating to Green Belt. In this case it is considered that the proposal is small scale and ancillary to the existing use and as such will not adversely affect the character or function of the designated area. The proposal is also considered to be an appropriate use in line with policy G1 in that it supports a facility for outdoor recreation and will preserve the openness of the Green Belt.

With regard to the impact on the amenity of occupants of nearby residential properties, the nearest house is 95m from the courts (The Vicarage) and then 200m (properties in Blackbrook Lane). There is significant tree screening between the courts and the nearby houses. The lighting assessment concludes that light spillage will be limited to a narrow area around the courts. Therefore it is considered that residential properties will not be adversely affected by light spillage.

With regard to noise generated from the use of the courts during the winter months, it is considered that, in light of the distances to the nearest residential properties referred to above, there will not be a significantly adverse impact on residents. It should be noted that there is already evening activity at the school from other activities including the use of the swimming pool and sports hall.

From an ecological point of view, the applicant submitted a supporting report setting out the implications of the development on local habitat and fauna including bats. The Council agrees with the applicants lighting assessment that the new lighting will not have an adverse effect on this sensitive area and recommends that a monitoring visit is carried out post implementation to assess whether the light spill conforms with the lighting assessment and that bat activity remains consistent with that recorded earlier this year.

A condition is recommended to secure this monitoring assessment which would include the opportunity to consider additional mitigation measures if required.

Having regard to the above it is considered that the installation of floodlights will not have an adverse impact on the openness of the Green Belt, the amenities of nearby residents or the local wildlife in the vicinity. As such it is recommended that permission be granted.

Background papers referred to during the production of this report comprise all correspondence on file ref. 13/02192, excluding exempt information.

as amended by documents received on 25.09.2013 27.09.2013 30.10.2013

RECOMMENDATION: PERMISSION

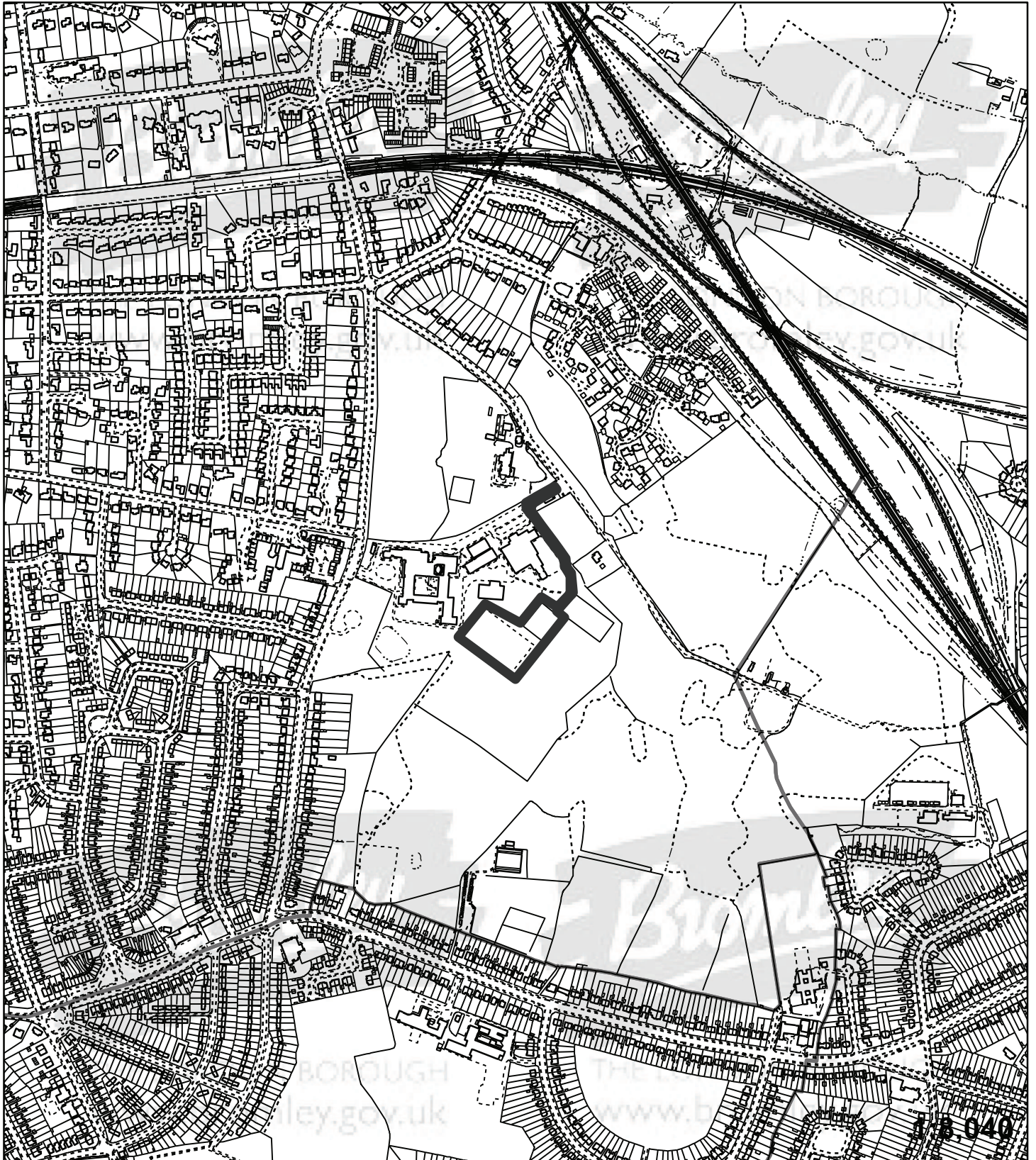
Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACK01 Compliance with submitted plan
ACC01R Reason C01
- 3 The floodlights hereby permitted shall not operate before 09.00 and after 21.30 on weekdays or before 09.00 and after 18.00 on Saturdays and Sundays and shall no operate on any Bank Holidays.
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the area.
- 4 Details of cowls to be fitted to the approved floodlights shall be submitted to and approved by the Local Planning Authority prior to the first illumination of the floodlights and shall be installed in accordance with the approved details and retained permanently thereafter.
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the area.
- 5 A report setting out the findings of a monitoring visit before the end of the first bat activity season after the installation of the floodlights shall be submitted to and approved the Local Planning Authority. Details of any mitigation measures recommended but the report shall be submitted to and approved by the Local Planning Authority and installed within 3 weeks of approval and permanently retained thereafter.
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the area.

Application:13/02192/FULL1

Address: Bromley High School For Girls Blackbrook Lane Bickley
Bromley BR1 2TW

Proposal: Erection of 6 x 13m high floodlights for the existing Artificial
Grass Pitch and 4 x 10m high floodlights for the existing tennis courts



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

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SECTION '2' – Applications meriting special consideration

Application No : 13/00330/FULL1

Ward:
Cray Valley East

Address : Lower Hockenden Farm Hockenden
Lane Swanley BR8 7QH

OS Grid Ref: E: 549405 N: 168960

Applicant : Garnet Properties Ltd

Objections : YES

Description of Development:

Detached agricultural building (RETROSPECTIVE APPLICATION)

Key designations:

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

Proposal

This application seeks retrospective permission for a detached agricultural building at Lower Hockenden Farm. The building is steel framed and metal sheet clad with concrete walling to the lower parts of the walls. It has a footprint of 24.2m x 19.5m, with a height of 8m to the ridge and 6.2m to the eaves. It includes a full height door to the longest (side) elevation which faces into the open yard. It has a footprint of 472sqm.

The building was erected following a prior approval application for an agricultural building in 2011, however the building constructed is a different size and in a different position from that approved, therefore requiring planning permission. It is stated that its use will be for the storage of grain harvested from the farm and over winter and to accommodate machinery used on the holding.

Due to a lack of detail in the application, further information was requested. The agent provided information as follows:

- a plan showing the extent of the holding (on file)
- confirmation that the holding has no buildings other than this one
- during the period since 2010 the land has been used for growing cereals and pictures of the the 2012 crop in the barn are provided
- the yield from the farm amounts to 790 tonnes of wheat at 7.9 tonnes per hectare being an average yield.

- the gross margin is £673 per hectare meaning this is a significant agricultural business
- the farm has been operated on a share farming basis by the tenant in partnership with a local farmer, currently Mr A Vale who has a farm at Charton Vale in Farningham. His buildings there have no additional capacity.
- Weald Granary could accept the crop but is too far away and not convenient
- a tonne of wheat has a volume of 1.3 cubic metres and therefore the requirement is 1027 cubic metres, which this building meets
- the building will be available after harvest for storage of agricultural machinery

Location

The site comprises a former farm yard with an area retained for agricultural use adjacent to this building with access onto Hockenden Lane located within the Green Belt. Other buildings at the site benefit from permission for Class B1, B2 and B8 use, and the surrounding land is open, with the exception of Meadow House, which is a listed residential property and its curtilage to the north east also fronting Hockenden Lane. An area of the open yard adjacent to the building is retained for open storage of agricultural equipment.

It is stated in the Design and Access Statement that the land extends to 113 hectares which was left fallow as set aside until 2011 when it was brought back into cultivation for combinable crops.

Comments from Local Residents

Objections have been received from a Planning Consultant on behalf of the residents of Meadow House in Hockenden Lane which is immediately adjacent to the site.

The first letter makes the following points about the application:

- it does not adequately detail the applicants background or tenure to support his intention
- it does not adequately demonstrate the proposal is required for agricultural purposes
- it does not demonstrate the full extent of the holding or its operations
- it does not adequately consider other properties or locations on the holding that could be more appropriate
- it is not suitably built for agricultural purposes
- it fails to consider the heritage asset adjacent (Meadow House)
- it has an adverse impact on the openness of the Green Belt and is contrary to policy

Following receipt of further information in July 2013, a further letter was received raising the following points:

- the shared farming arrangement is a concern. This is quite different from a tenancy and normally a short term arrangement. The building could be rendered unnecessary for agriculture at any time if a new partner farmer has their own adequate storage.
- there is no facility to clean and dry the corn
- the building is only required between July/August and early winter
- unlikely that the farm would grow wheat continuously and it does not address the different volume or storage requirements of other crops
- a gross margin calculation is cited to illustrate the apparent size of the operation, however this does not allow for fixed costs such as rent, labour, machinery and is not a profit figure
- the farmer is unlikely to need to store his equipment at the site and this need is unsubstantiated
- the photograph illustrates that the building does not have adequate grain walling
- the arguments about the distance of Weald Granary are not accepted as it provides excellent storage managed to control moisture and temperature with easy access and help with marketing

Comments from Consultees

The Council's Drainage Consultant suggests a condition regarding submission of drainage details.

The Environment Agency has reviewed a Flood Risk Assessment submitted with the application and have no objections.

The Council's Environmental Health Officer has no objections.

Any comments from the Highway Engineer will be reported verbally.

The Council instructed an independent Agricultural Consultant to consider the application. His initial comments were that although it would be reasonable to provide grain storage facilities at the site, the building that has been constructed does not appear to be designed to serve this purpose. Amongst his concerns are that:

- one bay does not include grain walling
- the building although larger than the prior approval building has less useable storage due to the location of the door in the side elevation
- the useable floor area for grain storage is probably around 378sqm compared to 450sqm previously
- the location of the door does not optimise the floor area for grain storage or make best use of the ridge height for tipping grain trailers and makes loading and unloading awkward. This is not a design previously seen for grain storage
- grain storage is normally Aug/Sept/Oct but in September there was barely any grain in the building in early September 2013 when you would expect it to be full

- the design of the building with gaps would allow rats and birds into the grain

Following receipt of further information from the agent, further comments were provided:

- the building is not well designed as a grain store (for the reasons set out above)
- does not agree with the calculations as an output of 790 tonnes would require 1066 cubic metres of storage but the design of the building means it could only accommodate around 750 cubic metres.
- the building cannot hold the grain that would be produced by the holding

Planning Considerations

The site lies within the Green Belt and the following Unitary Development Plan 2006 (UDP) policies are most relevant:

BE1 General Design of Development
 BE3 Buildings in Rural Areas
 T3 Parking
 G1 Green Belt

The most relevant London Plan (2011) policies are:

6.13 Parking
 7.4 Local Character
 7.16 Green Belt

The National Planning Policy Framework 2012, in particular Chapter 5 regarding the Green Belt (NPPF).

Planning History

The entire site was formerly a farmyard serving the surrounding farmland although under ref. 08/00718/ELUD a certificate of lawfulness was granted in 2009 for buildings 1, 4, 5, 6, 7, 10 and 11 on the site confirming that they had been used collectively as working car repair centre, car body shop repair centre, car storage and parts distribution centre and buildings 2, 3, 12 used collectively as offices and for the storage and maintenance of tree care equipment and for storage and maintenance of non- agricultural equipment and buildings 8 and 9 for storage and maintenance of non- agricultural equipment for the required ten year period.

Permission was granted under ref. 09/03041 for the retention of car parking / manoeuvring space to serve existing business and agricultural uses. The latter is adjacent to the building subject of this application.

Permission was granted under ref. 10/02752 for Change of use of existing buildings from mixed use for car repairs, storage and maintenance of tree care equipment and other non-agricultural equipment and storage and maintenance of

non-agricultural equipment to mixed Class B1 (light industrial/office), Class B2 (general industrial and Class B8 (storage and distribution).

Under ref. 11/03498/AGRIC, siting and appearance were approved for a detached barn.

Application ref. 12/03308 is currently under consideration for a replacement commercial building within the business area of the site.

There are also a number of outstanding enforcement issues at the site including the unauthorised open storage of plant, machinery and materials in and around the business and agricultural yard.

Conclusions

The key issue in respect of this application is whether the proposal is appropriate development in the Green Belt; if it is then whether it causes any actual harm to character or openness. Related to this is the question of whether the building is required for agricultural purposes.

The Council approved siting and appearance for an application for prior approval for a detached agricultural barn in a similar location to this proposal in 2011 under ref. 11/03498/AGRIC. The key difference between the prior approval application and the current application is that the decision on the prior approval application is a matter of detail (siting and appearance), since the permission is effectively granted by the permitted development legislation. Whether the applicant can proceed with the development essentially depends on whether he or she benefits from agricultural permitted development rights.

The proposal to be considered here differs in a number of ways from the permitted development scheme. The size, layout and location of the building is different, and as this is a full planning application, the Council has sought detailed information to be satisfied that the building is genuinely required for agricultural purposes with regard to whether it is appropriate development in the Green Belt.

A number of site visits have been carried out over the past year and there has been only limited evidence of agricultural use of the building. In particular at peak season there was only a small amount of crop in the building. It is understood that the needs for machinery would be relatively limited. The information about the farming arrangements remains vague and there seems no certainty of the length of any arrangement. No substantive detailed evidence of an agricultural business has been provided, other than vague calculations.

Policy G1 of the UDP and the NPPF both state that new buildings for agriculture are appropriate development in the Green Belt. Information has been sought in this case as to the need for the building in relation to its design and construction. If the new building is not designed or needed for agricultural purposes, it would not be appropriate development in the Green Belt.

In summary, taking into account the advice from the Council's agricultural consultant and that submitted on behalf of the neighbour, there is significant doubt in this case as to whether this building is genuinely required or intended for agricultural purposes. It is certainly not suitably designed for such purposes, and site visits over the past year have supported this view. There is little evidence of any part of the yard including the area around the building being used in connection with farming, and until recently there was an array of plant, machinery and materials spread across the open yard, and some within the building itself.

Taking into account the information provided, the evidence of use from site visits and the general design of the building, it is not considered that the case that this building is for agriculture has been adequately made, and therefore this substantial building is considered to be inappropriate development in the Green Belt, harmful to openness due to its size and design, and harmful by definition.

Background papers referred to during production of this report comprise all correspondence on files set out in the Planning History section above, excluding exempt information.

as amended by documents received on 26.07.2013

RECOMMENDATION: PERMISSION BE REFUSED

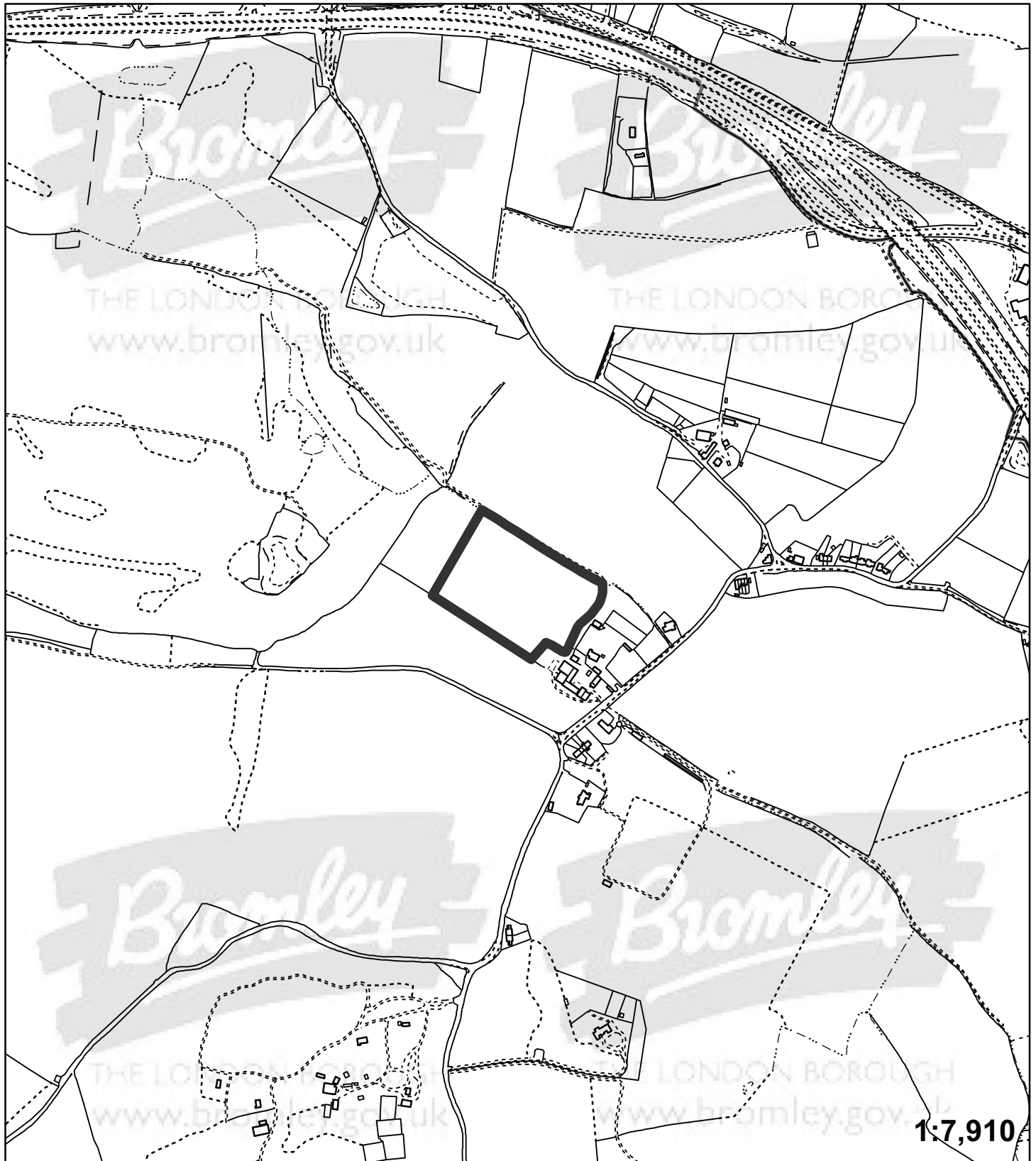
The reasons for refusal are:

- 1 The building constitutes inappropriate development in the Green Belt and by reason of its height, size and design would be harmful to the openness and character of the Green Belt and this rural location in general. No very special circumstances have been provided which would outweigh the harm caused, and it is therefore contrary to Policies BE1, BE3, and G1 of the Unitary Development Plan and the National Planning Policy Framework 2012.

Application:13/00330/FULL1

Address: Lower Hockenden Farm Hockenden Lane Swanley BR8 7QH

Proposal: Detached agricultural building (RETROSPECTIVE APPLICATION)



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

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Agenda Item 4.3

SECTION '2' – Applications meriting special consideration

Application No : 13/01914/FULL1

Ward:
Chelsfield And Pratts
Bottom

Address : **The Highway Primary School The
Highway Orpington BR6 9DJ**

OS Grid Ref: E: 547078 N: 164431

Applicant : **Mr Alex Birks-Agnew**

Objections : YES

Description of Development:

Detached single storey building for school/scout use

Key designations:

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

Proposal

This application seeks permission for a detached single storey building for use primarily by the Scouting Association and the Highway School. The building is primarily to provide an alternative location for the 3rd Orpington Scout Group who have had to move from their previous site at St Olave's School since the lease was terminated.

The building will be 25.2m long, 7.2m deep, 4.2m high to the ridge and 2.4m high to the eaves. It will be constructed from prefabricated timber with green bituminous felt, and with timber windows.

It will include a hall, kitchen, meeting rooms, a leader's room and toilets. Doors will be provided at each end with a porch at the western end, and a door is also proposed on the elevation facing the school.

The applicant has confirmed that the Scouting Group currently comprises around 110 members, although most meetings for different age groups generally occupy two hour slots between 6pm and 10pm on weekday evenings, the younger groups earlier on. It is confirmed that the new building could facilitate new sections with increased membership as there are currently waiting lists.

No significant detail is provided regarding the school use other than that the toilets would be available for pupils during normal school hours. Although at this time there are no specific plans to hire the building out, the applicant has stated that they would not wish for a specific limitation to the Scouts and school as this may be something they might wish to do in the future.

It is confirmed that the only vehicular access via Eton Road (email received 6th September 2013) will be for up to four Scout leaders and that all other users will be picked up and dropped off at the main school entrance in The Highway. It is also confirmed that the maximum hours of use would be between 08:00 and 22:00 on any day, and a suggested condition below sets out more detailed usage restrictions.

The application was withdrawn from a previous committee agenda on 19th September and 17th October 2013 in order that concerns raised by local residents could be explored further. Information provided has been included in the updated report below.

Location

The Highway School is located within a residential area of Orpington and comprises recently rebuilt school buildings with playing fields around. There are some dilapidated and current buildings in the area of the site where this building is proposed including the remains of a former swimming pool and associated buildings, a garage used for storage and a canopy provided for the childrens playground.

The building will be sited within the grounds of The Highway School adjacent to a vehicular entrance to the school from Eton Road to the rear of residential properties. It will be located 1.4m from the boundary with the rear of residential properties in Eton Road with the longer elevation running along the fence.

In general the school is accessed from the southern side at The Highway, although the Eton Road entrance is open during school hours and occasionally used by vehicles for deliveries.

This area of the site has been in use previously for a number of years for a day nursery with an associated temporary building and fenced area. The proposed building will be in a similar position close to the rear boundary of dwellings in Eton Road. The applicant has submitted a plan showing the proposed building overlaid with the previous temporary buildings in this location for the nursery / mothers and toddlers club which is on file.

Comments from Local Residents

A number of objections have been received from local residents and in particular those living immediately adjacent to the proposed location of the building. In addition a petition has been received with 16 signatures from local residents. The objections raise the following material planning issues, and the full text of objections can be viewed on file:

- alternative sites have not been considered
- noise from use of building and school grounds
- building is unnecessarily large for Scout use
- running and construction costs will be met by third party activities
- building will be too close to residential properties
- application is not explicit about other potential users
- wooden building has inadequate soundproofing and could be a fire risk
- the previous building and use in this location caused considerable disturbance
- school have failed to address concerns about boundary fencing
- the site may be a crime risk regarding theft from the building
- lighting may interfere with residential amenity
- parking is already an issue and would cause inconvenience and congestion on Eton Road
- attendees are unlikely to all travel by methods other than private car
- use of the access is inappropriate and dangerous
- previous playgroup at the site caused parking issues
- access may be impaired for emergency vehicles
- evening opening up to 11pm is too late for a residential area
- noise and activities will be ongoing all the time and not just during school hours
- the site would not be appropriate for parties, discos etc due to noise
- rubbish and litter thrown over fences into gardens

One representation in support of the proposal has been received.

Comments from Consultees

Thames Water has no objection to the proposal

The Council's Drainage Engineer requests standard conditions relating to limited discharge of surface water and SUDS.

The Council's Environmental Health Officer (EHO) initially raised concerns regarding the ambiguous nature of the application and extensive hours of use combined with the proposed timber construction. Further discussions have taken place with the applicant who has confirmed that the building would not be in use past 10pm on any day, and also that there is no requirement for any music at all for any activities proposed. On this basis the EHO has no objection to the application subject to a condition preventing any live or amplified music at any time and a further condition limiting the hours of use of the building.

Further discussions were held with the Environmental Health Officer who has provided further comments as follows: Overall the sound reduction from the building is likely to be reasonable although it is unlikely to achieve complete inaudibility in the adjoining gardens at times when noise levels inside the building are high. Obviously there are no windows from the hall section on the rear of the building and there is a boundary fence and 35 metre gap over which noise will attenuate over gardens before the nearest houses themselves. Noise from within

the building would probably only be audible at times within the gardens and then at reasonable levels. If you are aiming for complete inaudibility in gardens I think you would need to refuse the application but I am fairly satisfied that the noise arising from within the building will not be unreasonable with the suggested conditions applied. The Environmental Health Officer has additionally met with local residents at their property to discuss the comments provided and has no further comments to add following this visit except to suggest that details of any external lighting be required by condition.

The Highway Engineer initially requested further information regarding the proposed use and how users travelled to the previous site. Following receipt of further information it has been clarified that the Eton Road entrance will only be used on a restricted basis by leaders, although the applicants are not prepared to accept a condition restricting pedestrian access. They have submitted a parking survey in an attempt to satisfy any concern that pedestrian use of this access would result in parking that might be detrimental to highway safety. The Engineer comments as follows on the survey:

"I have had a chance to have a look at the surveys. They have been carried out between 6pm - 9pm over 4 nights last week. It is more of a snapshot than a full parking survey but it shows there are a number of spaces available at various times in the vicinity of the school entrance. There was no parking on the yellow zig zags, which are not in force at these times, where there is space for about 6 or 7 vehicles. There are between 5 and 10 spaces shown as available nearby at the times of the survey. The survey has obviously been carried out by the applicant so there could be complaints that the survey is not independent. The costs of getting an independent survey company involved would need to be considered against the scale of the development. I understand there were issues of when the Mothers and Toddlers club was on the site with vehicles being left across driveways in the vicinity of the entrance. This is likely to be a different situation where cars are unlikely to wait more than a minute or so while dropping people off and so there is likely to be available space. Cars may wait longer while picking people up but there appear to be a number of spaces available and drivers are unlikely to leave their vehicles. The number of vehicles using the road will increase but such an increase along with additional parking will not necessarily lead to issues of highway safety. I think that in these circumstances with the information we have it would be difficult to justify a ground of refusal on highway safety grounds.

In summary, the Highway Engineer is satisfied with the proposal subject to controls over vehicular access from Eton Road and suggests a condition requiring a construction management plan.

Planning Considerations

The site is not subject to any policy designation and the application falls to be considered with regard to the following policies in the Bromley Unitary Development Plan:

- BE1 Design of New Development
- C1 Community Facilities
- C8 Dual Community Use of Educational Facilities
- T3 Parking
- T6 Pedestrians
- T18 Road Safety

Planning History

A number of planning permissions were granted in the 1980s for buildings within the north eastern area of the site including a garage/store and swimming pool enclosure.

Under ref. 94/00585, the first of a number of temporary permissions was granted for a temporary single storey building for a mother and toddler group with car park, garden and fenced play area. This was renewed under permission ref. 96/00590 and an extension granted planning permission under ref. 99/03000. The permission was renewed again under ref. 00/00542 in 2000, and most recently in 2005 under ref. 05/00521. The building and related development have now been removed and the mother and toddler use has ceased.

In 2010 under ref. 10/00844, permission was granted for the redevelopment of the majority of the school buildings and new car parking and play areas. This has been implemented.

Conclusions

This application seeks permission for a building predominantly for Scout use but which will also be available to the school (in particular during school hours) and potentially to third parties.

Although objections have suggested there are alternative sites elsewhere for this facility, it is not a planning policy requirement that these be explored and this application should be assessed on its own merits, on the basis of whether the proposal is acceptable in this location with regard to relevant planning policies. Notwithstanding the above, the applicant has provided comment on alternative sites suggested as follows:

1. Goddington Park: Not a suitable site and would have to be in partnership with others which would not meet the Scouts requirements.
2. Westcombe Park Rugby Club: Were approached but have had no response. Having looked at their latest planning proposals it is difficult to see how the Scouts could fit in with licensed premises
3. Highfield Avenue, 1st Green Street Green HQ: Again, we have had discussions with the Group who, because of their current meetings, are only able to offer us one evening a week which is not much use to us.
4. Highway School, alternative location: This has not been offered by the School and, we understand, would involve losing grassed playing field area and an Adventure Playground, whereas the proposed site is 'brownfield', where there has been a similar building in the recent past.

It is also not necessary with regard to planning policies to consider whether the Scouts can afford to construct the building or whether it is an appropriate size for the Scout use, although it is of note that a Scout facility recently granted planning permission in Chislehurst (ref. 09/03519) is of similar floorspace. If permission is granted, the use of the building including hours of operation can be the subject of conditions.

Given the primary use of the proposed building for the Scout Association, this is supported by Policies C1 and C8 of the UDP as it will meet a community need. In particular the supporting text to Policy C8 at paragraph 13.27 states "The Council wishes to encourage schools and other educational establishments to maximise the contribution their buildings and grounds can make to the local community". The NPPF also supports community facilities in paragraph 70.

The building was originally designed so that there were only two minor windows facing the rear, which serve toilets, and there is no other fenestration facing residential properties. However, the applicant has submitted an amendment plan (7th October) showing the relocation of these toilet windows to the end of the building to take into account residents' concerns. Due to the design of the building therefore, there will be no overlooking to adjacent gardens. The rear gardens of properties in Eton Road adjacent to the site are approximately 30m long and additionally taking into account the proposed height of the building, there will not be any significant adverse visual impact, loss of light or overshadowing caused by the proposal, which is considered to comply with Policy BE1 in respect of these matters.

From a highways perspective, the use of the Eton Road entrance will be limited to a maximum of four vehicles for Scout leaders. A condition in this regard is suggested to ensure that these are the only vehicles accessing the site, which will prevent any excessive vehicular use of the Eton Road access which runs alongside residential gardens and is of limited width. This restriction would apply to any users of the building. This would address any concerns regarding excessive parking and turning onsite. Although there may be some limited parking in Eton Road, this would not be likely to be of a scale that could impact detrimentally on highway safety and the Highway Engineer has no objection to the proposal subject to conditions. The proposal is considered to comply with Policies C8, T3, T6 and T18 of the UDP.

With regard to potential noise and disturbance, the Environmental Health Officer has visited the site and is satisfied that this can be suitably controlled by conditions restricting the hours of operation and preventing any live or amplified music, which the applicant has indicated they would accept. Given the limited fenestration facing residential properties, the suggested days and times of operation, and the nature of the proposed use, it is considered unlikely that the proposal would increase noise and disturbance to neighbouring properties by an unacceptable amount. Clearly there would be some activity and noise from evening scouting activities, but these would not involve music and would be finished by 10pm for the latest proposed meeting. Subject to conditions, the proposal is considered acceptable with regard to Policies BE1 and C8.

Other concerns raised by objectors include drainage and fire safety, matters which are generally addressed by the Building Regulations. Any external lighting can be controlled via a planning condition. A condition requiring compliance with Secured By Design principles is also suggested to help reduce crime risk for the development.

Although the concerns raised by local residents are understood, planning permission should not be reasonably withheld where conditions can be imposed to remedy any potential harmful impacts. Concerns must also be weighed against the policy support for community facilities, and on balance for the reasons set out above, this proposal is considered acceptable subject to the conditions set out below.

Background papers referred to during production of this report comprise all correspondence on files refs. 84/01270, 88/03918, 94/00585, 96/00590, 99/03000, 00/00542, 05/02217, 08/03608, 10/00844 and 13/01914, excluding exempt information.

as amended by documents received on 06.09.2013 07.10.2013 14.10.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
ACA04R Reason A04
- 3 ACC01 Satisfactory materials (ext'n'l surfaces)
ACC01R Reason C01
- 4 ACD02 Surface water drainage - no det. submitt
ADD02R Reason D02
- 5 ACD06 Sustainable drainage system (SuDS)
ADD06R Reason D06
- 6 Vehicular access to the site by users of the building from Eton Road shall only be for specified individuals the details of whom shall be submitted to and approved in writing by the Local Planning Authority prior to any use of the access.

Reason: In the interests of highway safety and the amenities of adjoining residential properties and to comply with Policies BE1 and C8 of the Unitary Development Plan.

- 7 ACH29 Construction Management Plan
ACH29R Reason H29
- 8 ACI11 Obscure glaz'g/details of opening (1 in) in the northern
elevation
ACI11R Reason I11 (1 insert) BE1
- 9 ACI17 No additional windows (2 inserts) northern building
ACI17R I17 reason (1 insert) BE1 and C8
- 10 ACI21 Secured By Design

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

11 ACJ17 No machinery without approval

ADJ17R Reason J17

12 ACK01 Compliance with submitted plan

ACK03R K03 reason

13 ACK03 No equipment on roof

ACK03R K03 reason

14 ACK05 Slab levels - no details submitted

ACK05R K05 reason

15 No live or amplified music shall be played at any time which is audible at any location outside the building.

Reason: In the interests of the amenities of adjoining residential properties and to comply with Policies BE1 and C8 of the Unitary Development Plan.

16 The building shall only be used by the Scouting Association between 8:00 and 22:00 Monday to Saturday and on a maximum of 5 x Sundays per year (a record of Sunday use shall be kept on site and available for inspection upon request by the Council) and not at all on Public Holidays; The building shall only be used by the Highway Primary School between 08:00 and 20:00 Monday to Saturday and not at all on Sundays or Public Holidays. Any other use shall only be between 09:00 and 20:00 Monday to Saturday and not at all on Sundays or Public Holidays.

Reason: In the interests of the amenities of adjoining residential properties and to comply with Policies BE1 and C8 of the Unitary Development Plan.

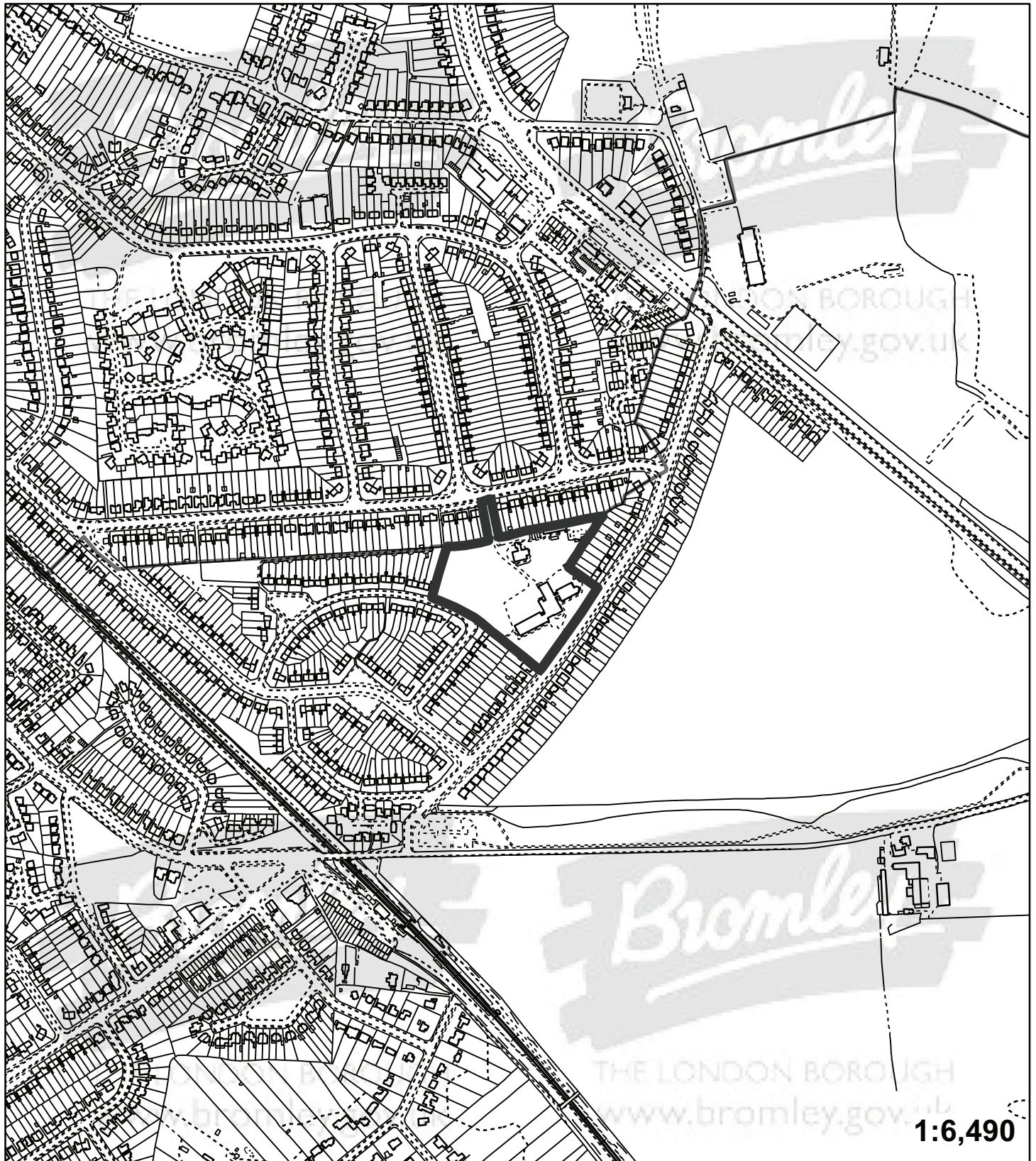
17 No external lighting shall be installed at the premises without the prior approval in writing of the Local Planning Authority. If any lighting is agreed it shall be retained in accordance with the approved details.

Reason: In the interests of the amenities of adjoining residential properties and to comply with Policies BE1 and C8 of the Unitary Development Plan.

Application:13/01914/FULL1

Address: The Highway Primary School The Highway Orpington BR6 9DJ

Proposal: Detached single storey building for school/scout use



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SECTION '2' – Applications meriting special consideration

Application No : 13/02042/FULL2

Ward:
Cray Valley West

Address : Kennedy House Murray Road Orpington
BR5 3QY

OS Grid Ref: E: 546790 N: 168690

Applicant : Mr S Miah

Objections : NO

Description of Development:

Change of use of part ground floor from storage (Class B8) to vehicle hire business and storage of vehicles.

Key designations:

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

Proposal

It is proposed to use the southern single storey part of Kennedy House as a vehicle hire business, which would include the storage of up to 15 vehicles within the building, accessed via the existing driveway adjacent to the eastern boundary of the site. A further 4 cars are shown to be accommodated along the driveway.

The proposed opening times would be:

Monday - Friday: 08.00-19.00
Saturday - 08.00-14.00
Sunday - Closed

The applicant has confirmed that no bodywork or mechanical repairs would take place on the site.

Location

Kennedy House lies within the Sevenoaks Road/Cray Avenue designated business area, and is in a Strategic Industrial Location (SIL) as designated by the London Plan. The building is currently vacant, but was previously used for office/storage

uses, most recently by South London Healthcare NHS Trust. The northern part of the building is three storeys in height while the southern part is single storey.

Comments from Local Residents

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

Comments from Consultees

From a highways point of view, there is sufficient room on site for the parking proposed, therefore, no objections are raised to the proposed vehicle hire business subject to limiting the numbers of vehicles parked both inside and outside the building.

No objections are raised to the proposals from an Environmental Health point of view.

Planning Considerations

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

BE1 Design of New Development
EMP4 Business Areas

The London Plan (2011)
NPPF

Planning History

A retrospective application (ref. 13/02473) is currently under consideration for the change of use of the ground floor of the northern part of Kennedy House from offices (Class B1) to a place of worship (Class D1).

Conclusions

The main issues relating to the application are the effect that the change of use would have on the Business Area, and the impact on the amenities of the occupants of surrounding properties.

The proposal is for a change of use from storage (Class B8) to a vehicle car hire business which is a sui generis use. In Business Areas, Policy EMP4 generally resists uses that do not fall within Use Classes B1 to B8, however, if the premises have been empty for a long period of time, and there is evidence that it has been marketed, consideration should be given for other complementary uses so long as they would not impact on the surrounding businesses or any nearby residential properties.

The applicant has provided evidence that the building has been vacant for a year, and that the letting agents commenced marketing on 24th October 2012. The letting agents have confirmed that during this time they have had very little interest from Class B business users, the main interest coming from gyms and dance companies.

Policy 2.17 (Strategic Industrial Locations) of The London Plan states that development proposals in SILs should be refused unless they fall within the broad industrial type of activities. It could be considered that a vehicle hire business would fall within the broad industrial type of activities, and given the proposed opening hours and fairly limited vehicle movements, the proposals are not considered to adversely affect surrounding businesses nor any nearby residential properties.

Having had regard to the above it was considered that the proposals are acceptable in that they would not have a detrimental effect on the Business Area, nor result in a significant loss of amenity to local residents or surrounding businesses.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/02042, excluding exempt information.

as amended by documents received on 24.09.2013 03.10.2013

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
 ACK05R K05 reason
- 3 No more than 15 vehicles shall be accommodated within the building, and no more than 4 vehicles shall be parked along the driveway within the site, in accordance with the submitted drawing no. PC/2013/001 received on 3.10.13.
 ACH03R Reason H03

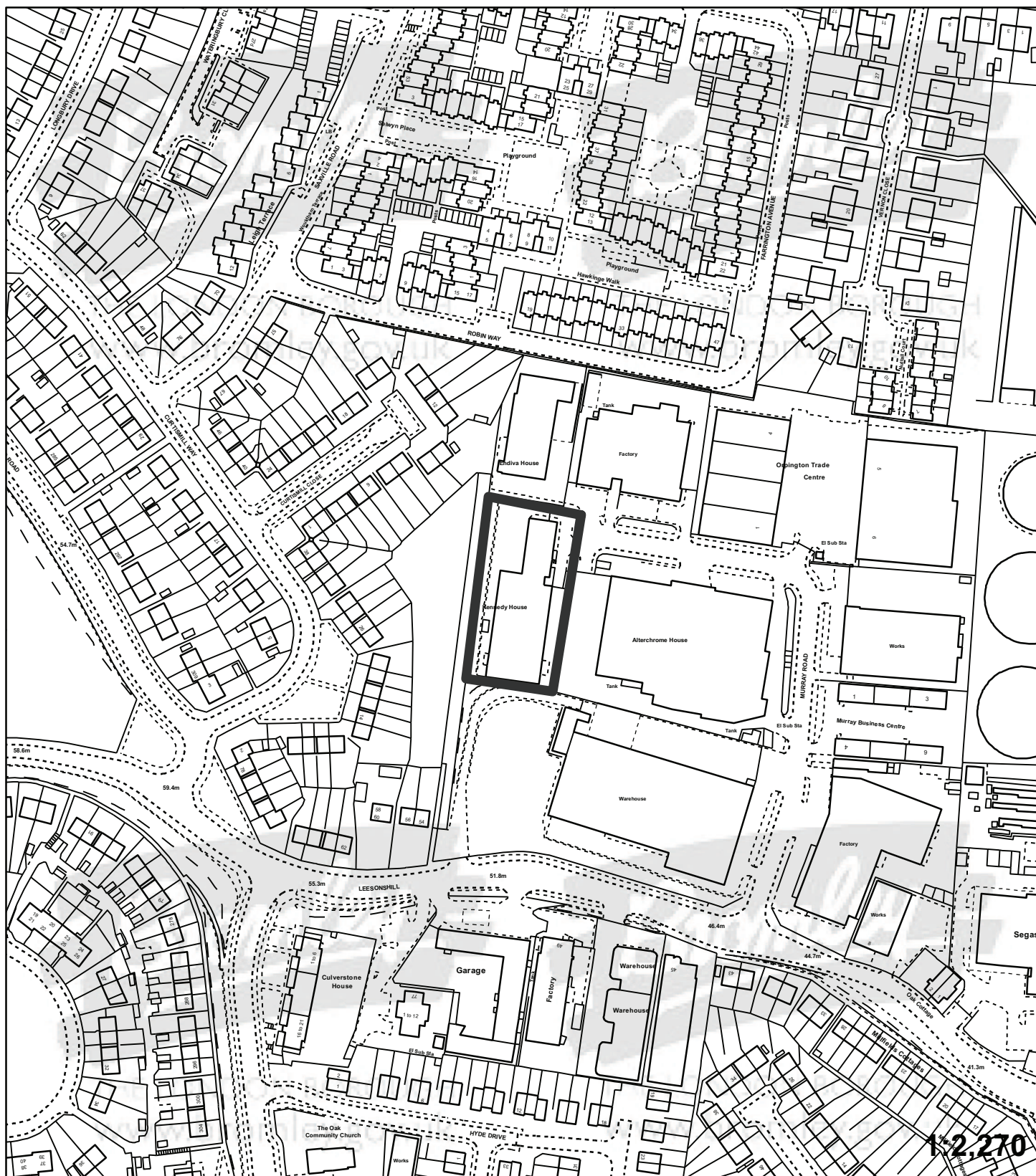
INFORMATIVE(S)

- 1 This proposal also requires approval under the Petroleum (Consolidation) Act 1928 and application must be made to London Fire and Emergency Planning Authority, 169 Union Street, London, SE1 0LL; telephone 020 8555 1200; e-mail: info@london-fire.gov.uk (service covered: Monday to Friday 8am to 5pm).
(N.B. This informative applies to petrol filling stations and parking areas within buildings which are capable of accommodating 12 or more cars (including basement car parks).

Application:13/02042/FULL2

Address: Kennedy House Murray Road Orpington BR5 3QY

Proposal: Change of use of part ground floor from storage (Class B8) to vehicle hire business and storage of vehicles.



"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 : 13/02484/FULL2

Ward:
Chislehurst

Address : 51 Marlings Park Avenue Chislehurst
BR7 6RD

OS Grid Ref: E: 545504 N: 168478

Applicant : Mr G Kitchen

Objections : YES

Description of Development:

Change of use of premises from dwelling house (Class C3) to residential institution involving the provision of residential accommodation and care to people in need of care (Class C2).

Key designations:

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

Proposal

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

The property is currently being occupied as a residential dwelling, and permission is now sought to change the use to a residential institution involving the provision of residential accommodation and care to people in need of care (Class C2).

The ground floor would comprise an office, meeting room, communal lounge, kitchen, w.c's, and a staff bedroom with en-suite, whilst the first floor would contain 6 bedrooms, each with en-suite provision. The applicant has confirmed that the number of residents would not exceed 6.

Location

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

Comments from Local Residents

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

- the proposals would result in a busy commercial operation which is out of character with the wholly residential area
- overintensive use of the property which would cause noise and disturbance to neighbouring properties
- inadequate on-site parking provision to accommodate staff, carers, visitors, doctors, tradesmen etc which would lead to a traffic hazard
- the property is remote from facilities and public transport is poor, therefore the proposals are contrary to Policy C6
- the property could be used for any Class C2 use which may pose significant risks to security and crime prevention
- more than one resident member of staff would be needed to provide proper care for people with learning difficulties
- the previous care home use was of a much smaller scale than currently proposed.

Comments from Consultees

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

With regard to the accessibility of the site, it is located in a low (1b) PTAL area which indicates poor public transport links, although the 61 bus links Chislehurst, Orpington and Bromley.

Education, Care and Health Services support the proposals.

No objections are raised to the proposals from an Environmental Health point of view.

Planning Considerations

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

- C6 Residential Proposals for People with Particular Accommodation Requirements
- H4 Supported Housing
- T3 Parking

Planning History

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

Application ref. 11/00318 was submitted in February 2011 for the retrospective change of use of the property from a dwelling house (Class C3) to a residential care home (Class C2). However, the application was withdrawn prior to determination as the use of the property at that time was not considered to constitute a material change of use from Class C3 to Class C2.

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

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

Permission was refused in June 2013 (ref.13/00962) for the change of use of the premises from dwelling house with care provided (Class C3) to care supported residential accommodation (Class C2) on the following grounds:

"The change of use from dwelling house with care provided (Class C3) to care supported residential accommodation (Class C2) would result in an overintensive 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."

An appeal against the refusal was lodged in July 2013, and the outcome is awaited.

Conclusions

The main issues in this case are whether the proposed use of the property for care supported residential accommodation falling within Use Class C2, to be occupied by up to 6 residents would result in an overintensive use of the property to the detriment of residential amenity.

The only change from the recently refused proposal is that a ground floor room would not now be used as a 7th bedroom, but as a meeting room, thereby reducing the total number of residents that could occupy the property from 7 to 6.

Use Class C3 allows for the use of a residential property as a small community care home accommodating up to 6 people living together as a single household, where care is provided for residents. Therefore, this property can lawfully be used as a Class C3 care home for up to 6 residents and a night warden. Members will therefore need to carefully consider whether the proposed Class C2 care home for

occupation by up to 6 residents would materially intensify the use of the property to justify a refusal of permission.

With regard to concerns about the accessibility of the site to local services, Members will need to weigh up the particular location of the property with the permitted lawful use of the property as a care home accommodating 6 residents within Use Class C3.

In conclusion, the proposals are not considered to have a seriously detrimental effect on the amenities of neighbouring residents, subject to a restriction on the number of residents permitted.

Background papers referred to during production of this report comprise all correspondence on files refs. 83/01516, 97/03252, 11/00318, 11/02642, 13/00962 and 13/02484, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 The premises shall be used for a residential institution for the provision of residential accommodation and care to people in need of care and for no other purpose (including any other purpose in Class C2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

- 3 ACK01 Compliance with submitted plan
ACK05R K05 reason
- 4 There shall be no more than 6 residents accommodated at the premises and receiving care at any one time.

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

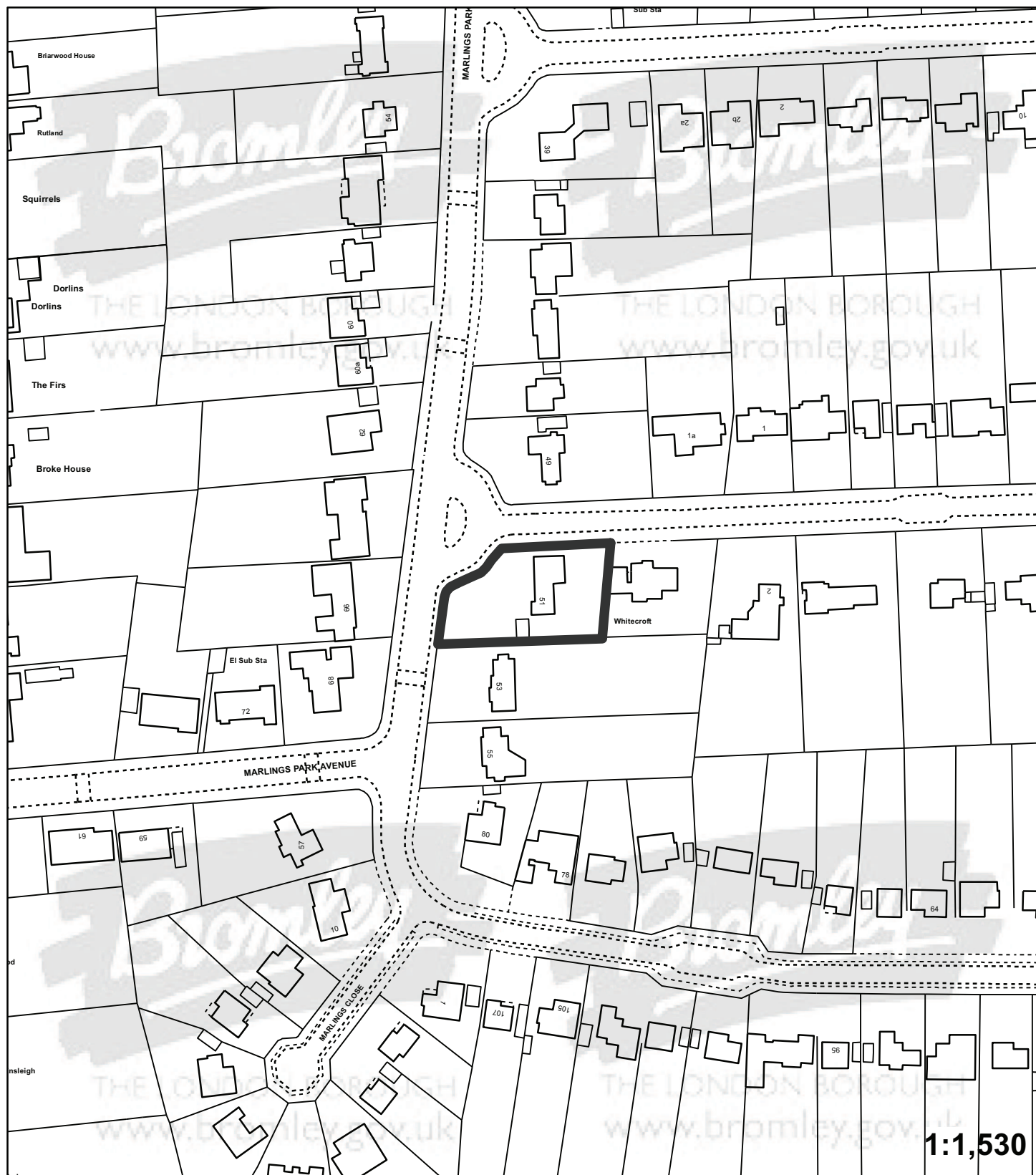
- 5 There shall be no more than 6 residents accommodated at the premises and receiving care at any one time.

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

Application:13/02484/FULL2

Address: 51 Marlings Park Avenue Chislehurst BR7 6RD

Proposal: Change of use of premises from dwelling house (Class C3) to residential institution involving the provision of residential accommodation and care to people in need of care (Class C2).



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

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SECTION '2' – Applications meriting special consideration

Application No : 13/02719/FULL6

Ward:
Darwin

Address : 4 Weller Place High Elms Road Downe
Orpington BR6 7JW

OS Grid Ref: E: 543270 N: 161756

Applicant : Mr Simon Sleath

Objections : NO

Description of Development:

Hip to gable end incorporating rear dormer with Juliet balcony

Key designations:

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

Proposal

The proposal involves the formation of a gable end roof to replace the existing hip. This will enable a rear dormer to be provided measuring 6.1 metres in width and 2.4m in height, which will facilitate an additional bedroom within the dwelling.

The planning application is accompanied by a supporting letter which sets out the applicant's personal circumstances to justify the need for the extension.

Location

The site is situated along the western side of High Elms Road, approximately 140 metres north of its junction with Cudham Road. It forms part of a terrace of four houses, at the northern end of that group. The site falls within the Green Belt and the Downe Village Conservation Area.

Comments from Local Residents

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

Comments from Consultees

None received at the time of writing. Any comments will be reported verbally at the meeting.

Planning Considerations

Policies BE1, BE11, G4 and H8 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to safeguard the amenities of neighbouring properties; preserve the character and appearance of conservation areas; to control the size of residential extensions within the Green Belt, and to ensure a satisfactory standard of design in respect of residential extensions.

Planning History

There is no relevant planning history relating to the application site.

Conclusions

The main issues relating to the application are whether it is appropriate development within the Green Belt, the effect that it would have on the character and appearance of the Downe Conservation Area and on the openness of the Green Belt, and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The application dwelling is situated within a semi-rural location at the edge of Downe Village. It forms part of a line of ribbon development fronting the western side of High Elms Road beyond which the surrounding area becomes a lot more open and devoid of built development.

In this case it is proposed to extend the northern side of the dwelling at roof level in order to provide additional accommodation within the second floor. The additional floor space would be 32.3 sq metres in area (based on external measurements) with the enlargement visible in the form of the proposed gable end and rear dormer. It is noted that a rear conservatory has previously been added to the dwelling which measures approximately 11 sq metres in area. Consequently, the proposed extension would result in a cumulative increase in the floor area of the original house of 45% over and above the original floor area of the dwelling. The total additions would be well in excess of 10% which is the maximum permitted under UDP Policy G4. Accordingly, it is considered that the proposal would represent an unacceptable incremental enlargement of the property.

With regard to its design, no specific objection is raised, in part because the appearance of the dwelling would remain similar when viewed from the frontage, and not significantly undermine the symmetry of this group of terraces. Neither is it considered that the character and appearance of the Conservation Area would be adversely affected. With regard to neighbouring amenity, given its separation and relationship to surrounding houses it is not considered that the proposed extension will adversely affect neighbouring amenity.

However, it is considered that the proposal would constitute inappropriate development in the Metropolitan Green Belt, and that it would thus conflict with established Green Belt policy which records that inappropriate development is by definition harmful to the Green Belt, and also UDP Policy G4.

As Members will be aware personal circumstances can rarely override normal planning considerations, and whilst sympathetic to the applicant's circumstances, these do not constitute very special circumstances which would outweigh the harm caused by this inappropriate development in the Green Belt.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/02719, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

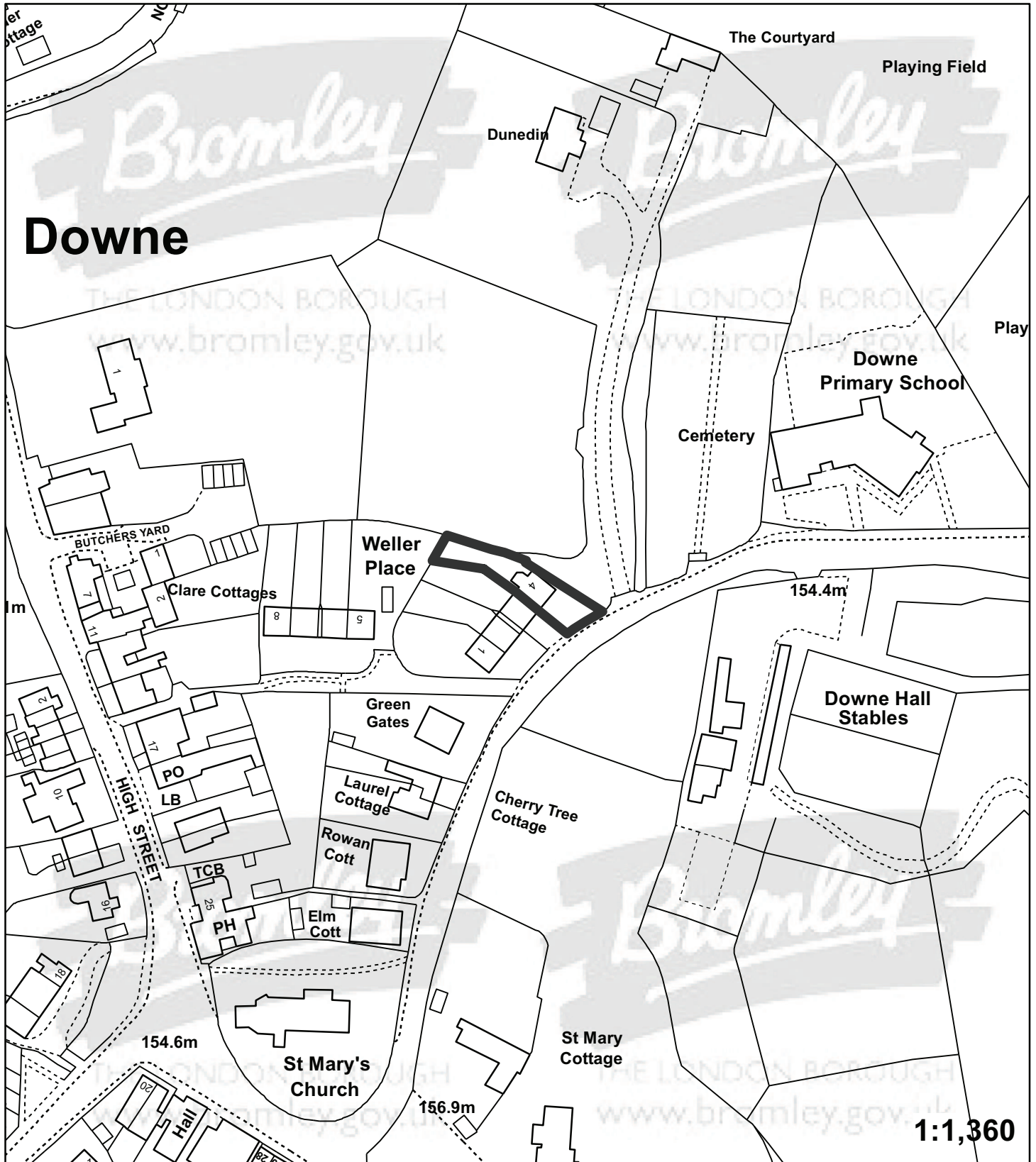
The reasons for refusal are:

- 1 The proposed extension would constitute inappropriate development and, in the absence of very special circumstances, would be contrary to Policy G4 of the Unitary Development Plan regarding extensions and alterations to dwellings in the Green Belt.

Application:13/02719/FULL6

Address: 4 Weller Place High Elms Road Downe Orpington BR6 7JW

Proposal: Hip to gable end incorporating rear dormer with Juliet balcony



"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 : 13/02861/FULL6

Ward:
Hayes And Coney Hall

Address : 5 Pickhurst Green Hayes Bromley BR2
7QT

OS Grid Ref: E: 539568 N: 166770

Applicant : Mr Nicholas Mulholland

Objections : YES

Description of Development:

Part one/two storey front/side/rear extension, formation of rear gable and creation of front porch.

Key designations:

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

Proposal

The proposal is for a part one/two storey front/side/rear extension, formation of rear gable and creation of front porch.

The proposal comprises a two storey side and rear extension, the main element of which is sited to the south of the property and includes the broad location of the existing garage. The two storey side element of the proposal incorporates a side space of 2.122m at the front elevation of the proposed extension tapering to 1.020m at the narrowest point.

The proposal also encompasses a small two storey wraparound element to the rear of the main two storey extension and rear of the existing property. This projects beyond the existing flank elevation by approx. 0.8m and beyond the existing rear elevation by approx. 1m.

A single storey rear extension is also proposed with a rearward projection of 4m, this takes the combined rearward projection of the proposed extensions to 5m.

The loft of the property will also be converted to habitable accommodation as part of this proposal, and alterations to the roof are proposed including the formation of a rear gable.

Location

The site is located on the south side of Pickhurst Green facing the Green and close to the junction with Pickhurst Lane.

Comments from Local Residents

Three letters of objection have been received from local residents. These are summarised as follows:

- the gable ended loft conversion will be dominant, totally inappropriate for this road and completely out of character with the rear aspect of any of the adjacent houses;
- the property will be rebuilt on a bigger scale from other properties in the road;
- the proposed rear element will result in a large building close to the boundary fence between No.4 and No.5. The proposed roof extension to the building will be very dominant and very close to No.4 and relate poorly to the properties either side;
- the proposed rear extension and gable will be incongruous, over-dominant and inappropriate for the road;
- out of character with adjacent houses;
- the height and proposed projection of the proposed gable end will reduce the amount of natural daylight/sunlight to the glass roofed conservatory of No.6;
- the redesigned frontage will result in a building the scale and form of which will be incompatible with the streetscene due to the infilling of the gaps and scale and the long views.

One letter of support has been received, this indicates that "as long at the modifications are with-in keeping of the overall appearance of the style of Houses I can only see this asa benefit both in 'Street appeal' and potentially house price sealing"

Comments from Consultees

No comments.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Planning History

No relevant planning history on the site.

Conclusions

The two storey side element of the proposal maintains the minimum 1m sidespace for the full length of the flank elevation of the property. Due to the level of separation between the host dwelling and the adjoining property this element of the proposal is not considered likely to impact on the amenities of the adjoining property.

The overall appearance of the dwelling when viewed from the street frontage is also considered to be acceptable and will not be detrimental to the streetscene or the visual amenities of the occupiers of the surrounding residential properties.

As a result of the combined rearward projection of the proposed extensions to the rear of this property (approx. 5m (1m two storey + 4m single storey)) the proposal is considered likely to impact on the amenities of the occupiers of the adjoining properties by reason of loss of outlook, overshadowing and loss of light.

The proposed gabled roof is also considered to be overdominant and bulky and detrimental to the amenities of the adjoining residential properties by reason of overshadowing and loss of light.

Whilst there is scope for an extension to this property the scale and design of the proposal is considered to result in a development that will be overly bulky and detrimental to the residential amenities of the occupiers of the surrounding residential properties. The proposal is therefore considered to be contrary to policies BE1 and H8 of the Unitary Development Plan and the application is therefore recommended for refusal.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/02861, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

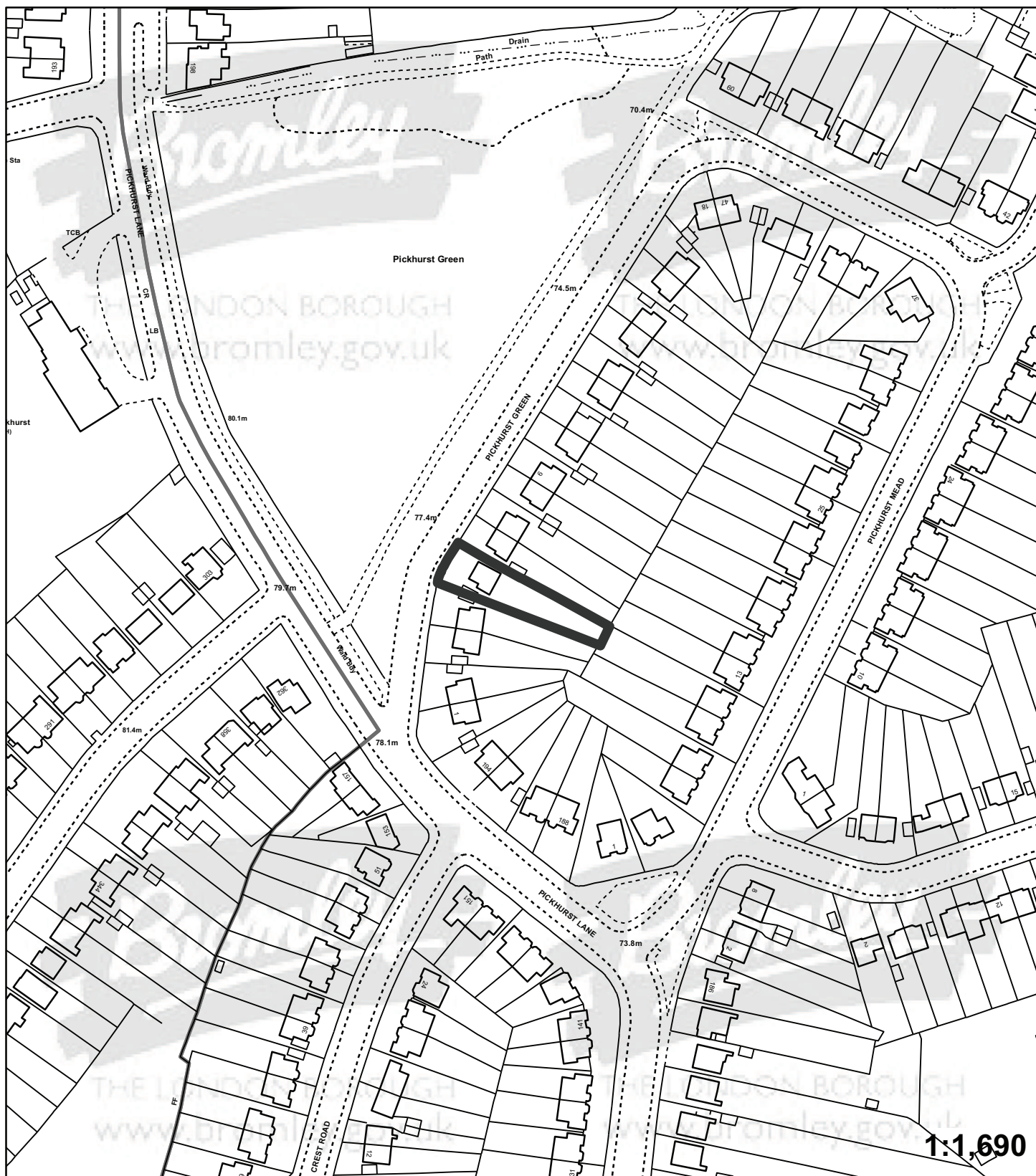
The reasons for refusal are:

- 1 The combined rearward projection of the proposed extension is considered to be excessive and represent an overdevelopment of the site that would be detrimental to the residential amenities of the occupiers of the adjoining properties by reason of loss of outlook, overshadowing and loss of light. The proposal is therefore contrary to Policies BE1 and H8 of the Unitary Development Plan.
- 2 The proposed gabled roof is considered to be overdominant and bulky and detrimental to the amenities of the adjoining properties by reason of overshadowing and loss of light, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

Application:13/02861/FULL6

Address: 5 Pickhurst Green Hayes Bromley BR2 7QT

Proposal: Part one/two storey front/side/rear extension, formation of rear gable and creation of front porch.



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

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SECTION '2' – Applications meriting special consideration

Application No : 13/02880/FULL1

Ward:
Chislehurst

Address : Lake Cottage Oakwood Close
Chislehurst BR7 5DD

OS Grid Ref: E: 543018 N: 170678

Applicant : Maple Properties Limited

Objections : YES

Description of Development:

Three storey, four bedroom detached replacement dwelling with two car parking spaces to front and refuse and recycling storage area

Key designations:

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

Proposal

- Demolition of existing bungalow towards rear of site and detached garage at front of site;
- Three storey, four bedroom detached replacement dwelling;
- Two car parking spaces to front and refuse and recycling storage area;
- The proposed dwelling would be sited towards the front of the site in approximately the same position as the detached garage;
- The front building line of the proposed dwelling would be marginally in front of that of Oak Haven to the north-west;
- At the rear the building would project approximately 4.5m behind the rear part of Oak Haven closest to the site;
- Approximately 4.5m separation would be retained between the side of Oak Haven and the proposed dwelling;
- Approximately 16.5m separation would be retained between the nearest residential accommodation at Lake House and the side of the proposed dwelling;
- 1m side space would be retained between the sides of the building and the two flank boundaries of the site;

- The proposed dwelling is of a modern design with Oak frame, timber cladding, large areas of glazing and a slate clad roof;
- Solar panels are proposed on the south-eastern roof slope;
- A number of trees will be removed at the front of the site.

Location

- The application site currently comprises of a two bedroom single storey dwelling to the rear and a detached garage to the front;
- The site is a narrow infill site between two established residential properties, increasing in width towards the rear;
- There are a number of trees around the perimeter of the site;
- The surrounding development is mainly large detached two storey dwellings on spacious plots, with some evidence of additional accommodation in the roof space;
- The surrounding properties are of varying and architectural styles
- The site is located within the Chislehurst Conservation Area.

Comments from Local Residents

- the building will sit comfortably within the general street scene
- represents a modern architectural design, using natural material of oak framework and cladding that addresses the constraints of the site creatively
- concerned about impact of the height
- no other property in the road is three storeys
- will tower over neighbouring properties
- undesirable height in a Conservation Area, it sets a dangerous precedent for future
- is a greater side space required?
- very squashed into the space available
- glass at front will produce glare and reflection from the property
- this will be exacerbated by removal and reduction of surrounding trees
- light pollution from property when they have internal lights on
- privacy issues
- cutting trees back will make them lopsided and unbalanced and possibly dangerous
- visually unappealing for many trees to be removed or pruned
- out of keeping with character and aesthetics of the road
- does not preserve or respect the surroundings
- does not complement character or appearance of area
- will extend above existing roof lines of properties in road
- excavations for foundations will destroy the roots of surrounding trees
- will directly overlook garden and house
- two storey development more in keeping with neighbouring buildings would not be such an issue
- direct view into back bedrooms from third floor (33 Sandy Ridge)
- overlooking of property, no privacy in back garden or at back of house (35 Sandy Ridge)

- unnecessary to have so many windows
- loss of well-established and significant trees
- will damage visual and natural environment of road
- different architectural style will stand out
- inappropriate design
- removal of trees may cause damage to drains and sewers as there are several large manholes in close proximity to the boundary
- implications of removing tree roots to neighbouring trees
- level of activity and traffic caused by demolition then building of proposed house
- there may be asbestos
- design of new building incongruous in street scene
- too large for size of plot
- out of proportion, cramped, over-developed
- insufficient parking spaces allocated
- no garage parking will lead to parking in road and congestion
- refuse vehicles may have problems
- no site notice was displayed
- notice was not received by many nearby residents
- property will extend to an out of keeping height against adjacent property aspect from the street in to driveway and the front of house
- adjacent garage was restricted in height and width under planning ref.06/04326
- negatively impacts property value
- demolishing Lake Cottage will be detrimental to surroundings
- strongly object to the felling of our trees.

Comments from Consultees

The Advisory Panel for Conservation Areas (APCA) have raised no objections.

The Council's Environmental Health Officer has recommended an informative regarding on-site contamination.

The Council's Drainage Officer has advised that surface water will have to be drained to soakaways and the site seems suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water.

The Council's Highways Development Engineers have raised no objections but require a construction management plan should permission be granted.

Thames Water has advised that with regard to sewerage or water infrastructure they have no objections to the proposal. With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer.

Planning Considerations

From the heritage aspect, the proposal is considered to be acceptable.

As regards the impact on trees, the proposal would mean the loss of 3 individual specimens (a hawthorn, an ash and a spruce), together with a cypress hedge. These have all been graded C and it would not be appropriate to insist on their retention. On this basis, conditions are recommended.

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
- BE14 Trees in Conservation Areas
- H7 Housing Density and Design
- H8 Residential Extensions
- H9 Side Space
- T3 Parking
- T7 Cyclists
- T18 Road Safety

- SPG1 General Design Principles
- SPG2 Residential Design Guidance

London Plan:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.2 An Inclusive Environment
- 7.3 Designing out crime
- 7.4 Local Character
- 7.6 Architecture

Mayor of London's Housing Supplementary Planning Guidance

Planning History

There is a Conservation Area Consent application currently under consideration for the demolition of the existing dwelling (ref.13/02885).

Conclusions

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

The front of this site is narrow and the arrangement of the existing buildings is currently at odds with the general street scene, with residential accommodation to the rear and a garage fronting the highway. The proposed site layout would move the residential part of the development to the front, following an established building line in the road and complementing the surrounding pattern of development. Given the narrow frontage of the site, side space between the flank walls of the proposed dwelling and the site boundaries would be limited to only 1m, which is less than may normally be considered acceptable in conservation areas. However, adequate separation would be retained to neighbouring buildings; particularly Lake House where the main dwelling is well-separated from the application site. As such, it is considered that the privacy and amenity of adjoining residents would be safeguarded and the development would not appear unduly cramped.

Concerns have been raised over the impact of the proposed three storey height in an otherwise predominantly two storey height area. The third storey would be largely encompassed within the confines of the roof slope, with low-hung eaves on the north-western elevation giving the appearance of a two storey development with accommodation within the roof space and appearing more sympathetic to the height of the adjacent 'Oak Haven'. While the eaves would be higher on the south-eastern flank, the dwelling would be set back from the highway boundary (by around 9m) and this would help to reduce the visual impact on the street scene.

Oakwood Close is characterised by houses of varying architectural designs. The proposed development is a high quality, contemporary timber and glass structure, designed to blend well with the surrounding wooded environment. Concerns have been raised over the reflective nature of the glass causing glare from the sun as well as light pollution from the internal lighting, however, the materials proposed are commonly used in modern residential development and, as this is a dwellinghouse, the effect of the internal lighting on the amenities of neighbouring occupiers is unlikely to be significant. Furthermore, Policy BE1 of the UDP promotes "Good modern design" going on to say that it "will be welcomed in appropriate circumstances where it can contribute positively to the surrounding environment" (Para.6.11). In addition, Policy BE1 and London Plan Policy 5.3 support sustainable design and construction methods as well as on-site renewables. The proposal includes solar panels to generate on-site energy.

With regard to the impact on the privacy and amenities of neighbouring residents, some concerns over overlooking and loss of privacy have been raised by residents in Sandy Ridge which is the road running behind the application site to the north-east. However, there is considerable separation between the application site and houses in Sandy Ridge and, despite the three storey's proposed, any significant overlooking or loss of privacy is considered unlikely.

The proposed dwelling would project beyond the rear of Oak Haven by approximately 4.5m. Although this would have some impact on the outlook from the rear of Oak Haven, given the separation between the two properties and the tree screening between the two developments, the visual impact is considered acceptable. In addition, there are no flank windows proposed which are likely to

cause undue overlooking, the indicated first floor window being to a bathroom which would be required to be obscure glazed, should permission be granted.

Objections have been received relating to the visual impact of the development from the street looking into the driveway of Lake House and the front of the house, and the height of the development against the adjacent garage. The visual impact of the development has already been assessed in the preceding sections of the report and is considered acceptable. While it is accepted that the development would be visible from Lake House, it would not materially impact on the living conditions of the occupiers of this property, as the main dwelling at Lake House is well-separated from the application site and many of the large trees around the site would be retained, providing some visual screening for the development.

Development will not normally be permitted if it will damage or lead to the loss of one or more trees in conservation areas. The trees on this site make an important contribution to the visual amenities of this part of the conservation area and the retention of as many trees as possible is desirable in order to minimise the visual impact of the development.

The proposal is considered acceptable from a Highways perspective. Two parking spaces are proposed at the front of the site which is considered acceptable. Should permission be granted a construction management plan would be needed due to the layout of the site.

Having had regard to the above it is 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 and it would enhance the character and appearance of the Chislehurst conservation area.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/02880 and 13/02885, excluding exempt information.

as amended by documents received on 06.09.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 3 | ACC07 | Materials as set out in application |
| | ACC07R | Reason C07 |
| 4 | ACD02 | Surface water drainage - no det. submitt |
| | ADD02R | Reason D02 |
| 5 | ACD06 | Sustainable drainage system (SuDS) |
| | ADD06R | Reason D06 |
| 6 | ACH03 | Satisfactory parking - full application |

- | | | | |
|----|--------|--|--|
| | ACH03R | Reason H03 | |
| 7 | ACH09 | Restriction on height to front and flank | |
| | ACH09R | Reason H09 | |
| 8 | ACH18 | Refuse storage - no details submitted | |
| | ACH18R | Reason H18 | |
| 9 | ACH22 | Bicycle Parking | |
| | ACH22R | Reason H22 | |
| 10 | ACH26 | Repair to damaged roads | |
| | ACH26R | Reason H26 | |
| 11 | ACH29 | Construction Management Plan | |
| | ACH29R | Reason H29 | |
| 12 | ACI01 | Restriction of all "pd" rights | |
- Reason:** In order to comply with Policies BE1 and H7 of the Unitary Development Plan and to prevent overdevelopment of the site.
- | | | | |
|----|--------|-----------------------------------|------------------------------------|
| 13 | ACI09 | Side space (1 metre) (1 insert) | north-west and south-east |
| | ACI09R | Reason I09 | |
| 14 | ACI12 | Obscure glazing (1 insert) | in the first floor flank elevation |
| | ACI12R | I12 reason (1 insert) | BE1 |
| 15 | ACI17 | No additional windows (2 inserts) | flank dwelling |
| | ACI17R | I17 reason (1 insert) | BE1 |
| 16 | ACK01 | Compliance with submitted plan | |
- Reason:** In order to comply with Policies BE1, BE11, BE14, H7 and H9 of the Unitary Development Plan and in the interest of the appearance of the building and the visual and residential amenities of the conservation area.

INFORMATIVE(S)

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

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

2 With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be

separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 3 In order to assess the proposed storm water system, we require:
 - A clearly labelled drainage plan showing pipe networks and any attenuation soakaways;
 - Where infiltration forms part of the proposed storm water system such as soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365;
 - Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.
- 4 If during works on site suspected contamination is encountered, Public Protection should be contacted immediately. The additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.
- 5 You are reminded of your obligation under Section 80 of the Building Act 1984 to notify the Building Control Section at the Civic Centre six weeks before demolition work is intended to commence. Please write to Building Control at the Civic Centre, or telephone 020 8313 4313, or e-mail: buildingcontrol@bromley.gov.uk
- 6 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.

Application:13/02880/FULL1

Address: Lake Cottage Oakwood Close Chislehurst BR7 5DD

Proposal: Three storey, four bedroom detached replacement dwelling with two car parking spaces to front and refuse and recycling storage area



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

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SECTION '2' – Applications meriting special consideration

Application No : 13/02885/CAC

Ward:
Chislehurst

Address : Lake Cottage Oakwood Close
Chislehurst BR7 5DD

OS Grid Ref: E: 543018 N: 170678

Applicant : Maple Properties Limited

Objections : YES

Description of Development:

Demolition of existing dwelling
CONSERVATION AREA CONSENT

Key designations:

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

Proposal

Demolition of existing dwelling and detached garage.

Location

- The application site currently comprises of a two bedroom single storey dwelling to the rear and a detached garage to the front;
- The site is a narrow infill site between two established residential properties, increasing in width towards the rear;
- There are a number of trees around the perimeter of the site;
- The surrounding development is mainly large detached two storey dwellings on spacious plots, with some evidence of additional accommodation in the roof space;
- The surrounding properties are of varying and architectural styles
- The site is located within the Chislehurst Conservation Area.

Comments from Local Residents

- the proposed building will sit comfortably within the general street scene

- represents a modern architectural design, using natural material of oak framework and cladding that addresses the constraints of the site creatively
- concerned about impact of the height
- no other property in the road is three storeys
- will tower over neighbouring properties
- undesirable height in a Conservation Area, it sets a dangerous precedent for future
- is a greater side space required?
- very squashed into the space available
- glass at front will produce glare and reflection from the property
- this will be exasperated by removal and reduction of surrounding trees
- light pollution from property when they have internal lights on
- privacy issues
- cutting trees back will make them lopsided and unbalanced and possibly dangerous
- visually unappealing for many trees to be removed or pruned
- out of keeping with character and aesthetics of the road
- does not preserve or respect the surroundings
- does not complement character or appearance of area
- will extend above existing roof lines of properties in road
- excavations for foundations will destroy the roots of surrounding trees
- will directly overlook garden and house
- two storey development more in keeping with neighbouring buildings would not be such an issue
- direct view into back bedrooms from third floor (33 Sandy Ridge)
- overlooking of property, no privacy in back garden or at back of house (35 Sandy Ridge)
- unnecessary to have so many windows
- loss of well-established and significant trees
- will damage visual and natural environment of road
- different architectural style will stand out
- inappropriate design
- removal of trees may cause damage to drains and sewers as there are several large manholes in close proximity to the boundary
- implications of removing tree roots to neighbouring trees
- level of activity and traffic caused by demolition then building of proposed house
- there may be asbestos
- design of new building incongruous in street scene
- too large for size of plot
- out of proportion, cramped, over-developed
- insufficient parking spaces allocated
- no garage parking will lead to parking in road and congestion
- refuse vehicles may have problems
- no site notice was displayed
- notice was not received by many nearby residents
- property will extend to an out of keeping height against adjacent property aspect from the street in to driveway and the front of house

- adjacent garage was restricted in height and width under planning ref.06/04326
- negatively impacts property value
- demolishing Lake Cottage will be detrimental to surroundings
- strongly object to the felling of our trees.

Comments from Consultees

The Advisory Panel for Conservation Areas (APCA) have raised no objections.

The Council's Environmental Health Officer has recommended an informative regarding on-site contamination.

Planning Considerations

The site forms part of the Chislehurst conservation area. The application falls to be determined in accordance with S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that conservation area. The following policies of the Unitary Development Plan are further considerations:

BE12 Demolition in Conservation Areas

The Supplementary Planning Guidance (SPG) for the Chislehurst Conservation Area should also be taken into consideration.

From the heritage aspect, there are no objections to the demolition of the existing property.

Planning History

A planning application is currently under consideration for a replacement three storey, four bedroom detached replacement dwelling with two car parking spaces to front and refuse and recycling storage area (ref.13/02880).

Conclusions

The main issue relating to this application is the effect that the demolition of the building would have on the character and appearance of the conservation area.

It is considered that the existing building is of little architectural merit and makes no positive contribution to the character or appearance of the conservation area. Furthermore, an acceptable replacement building has been proposed under ref.13/02880. The demolition of this building is therefore considered acceptable.

Having had regard to the above it is considered that the building has no particular architectural merit and in light of the permission granted for development under ref:13/02880 the loss of the building would not have a significantly harmful impact on the character of the conservation area.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/02885 and 13/02880, excluding exempt information.

RECOMMENDATION: GRANT CONSERVATION AREA CONSENT

subject to the following conditions:

- 1 ACG01 Comm.of dev-Listed Building and Con.Area
 ACG01R Reason G01
- 2 ACG05 Timing of demolition work
 ACG05R Reason G05

INFORMATIVE(S)

- 1 You are reminded of your obligation under Section 80 of the Building Act 1984 to notify the Building Control Section at the Civic Centre six weeks before demolition work is intended to commence. Please write to Building Control at the Civic Centre, or telephone 020 8313 4313, or e-mail: buildingcontrol@bromley.gov.uk

Application:13/02885/CAC

Address: Lake Cottage Oakwood Close Chislehurst BR7 5DD

Proposal: Demolition of existing dwelling
CONSERVATION AREA CONSENT



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

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SECTION '2' – Applications meriting special consideration

Application No : 13/02986/FULL1

Ward:
Chislehurst

Address : Perry Street Service Station Perry Street
Chislehurst BR7 6HA

OS Grid Ref: E: 545562 N: 170815

Applicant : Miss Rebecca Gunn

Objections : YES

Description of Development:

Provision of replacement sales building alterations to forecourt including provision of additional car parking and alterations to existing boundary enclosure.

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads

Proposal

It is proposed to replace the existing sales building with a larger structure in order to accommodate an enlarged retail facility. The new building will be approximately 216 sq metres (gross). The existing car wash and car valet will be removed and the replacement structure will project closer to the eastern site boundary. The existing petrol pump islands and canopy line will be retained.

The application is accompanied by a supporting letter and a Design and Access Statement.

An accompanying application for Conservation Area Consent to demolish the existing building is also considered, under ref. 13/02987/CAC.

Location

The site is situated along the northern side of Perry Street which forms part of the A222 route. It falls within the Chislehurst Conservation Area. A car retailer is situated to the western side of the site and a residential property at "Alva Glen" adjoins the site along its northern boundary.

Comments from Local Residents

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

- concerns regarding noise and disturbance. Existing operation causes disturbance and this could increase with this proposal
- neighbouring car retailer shares a vehicle access from the main road and confirmation is sought that there will not be any restrictions as a result of the works, to avoid major disruption to the business

Comments from Consultees

No technical Highways objections have been raised.

No objection raised by Transport for London.

No objection raised by Environmental Health, subject to noise level restrictions

No objection raised by the Advisory Panel for Conservation Areas

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
S7 Retail and Leisure Development
T3 Parking
T18 Road Safety

The National Planning Policy Framework is also relevant

Planning History

In 1998 under ref. 98/01508, a proposal for the redevelopment of the petrol filling station was approved.

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 the impact that it would have on the amenities of the occupants of surrounding residential properties.

This proposal involves an enlargement of the existing retail facility. Whilst this involves a sizeable enlargement, this is considered acceptable in principle, given the nature of the existing use and the nature of surrounding development.

The existing facility comprises a large petrol filling station and an associated store fronting Perry Street which forms part of the A222 trunk road. The surrounding development is quite sparse with limited surrounding development. However, the residential property at "Alva Glen" is situated to the north of the site and following discussions with the Agent, revised boundary details have been submitted. In addition, mitigating conditions are included to deal with noise abatement.

No technical objections have been raised by the Council's Highways Engineers who consider that adequate parking will be provided; furthermore, no objections have been raised by Transport for London. It is therefore considered that the site is capable of accommodating an enlarged sales building without resulting in harm to the surrounding area.

The proposed building is of simple design, although it includes some limited relief. However, given the use of the site and its location it is not considered that this will harm the character and appearance of the Conservation Area, or appear any more dominant than the existing building.

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 Chislehurst Conservation Area.

Background papers referred to during production of this report comprise all correspondence on file refs: 98/01508, 13/02986 and 13/02987, excluding exempt information.

as amended by documents received on 23.10.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACC01 Satisfactory materials (ext'nl surfaces)
ACC01R Reason C01
- 3 At any time the combined noise level from all refrigeration and air conditioning plant at this site in terms of dB(A) shall be 10 decibels below the relevant minimum background noise level, LA90(15mins) measured at any noise-sensitive building. If the plant has a distinctive tonal or intermittent nature the predicted noise level of the plant shall be increased by a further 5dBA. (Thus if the predicted noise level is 40dB(A) from the plant alone, and, the plant has a tonal nature, the 40dB(A) shall be increased to 45dB(A) for comparison with the background level. Also the L90 spectra can be used to help determine whether the plant will be perceived as tonal.

Reason: In the interest of the amenities of neighbouring residents and to comply with Policy BE1 of the Unitary Development Plan.

- 4 No shop deliveries shall take place before 07:00 or after 21:00 on any day, and no fuel deliveries shall take place before 07:00 or after 02:00 on any day.

Reason: In the interest of the amenities of neighbouring residents and to comply with Policy BE1 of the Unitary Development Plan.

- 5 Details of the sound deadening to the boundary fencing shall be submitted to and approved in writing by the Local Planning Authority and shall be permanently retained as such unless otherwise agreed in writing.

Reason: In the interest of the amenities of neighbouring residents and to comply with Policy BE1 of the Unitary Development Plan.

- 6 ACK01 Compliance with submitted plan
ACC01R Reason C01

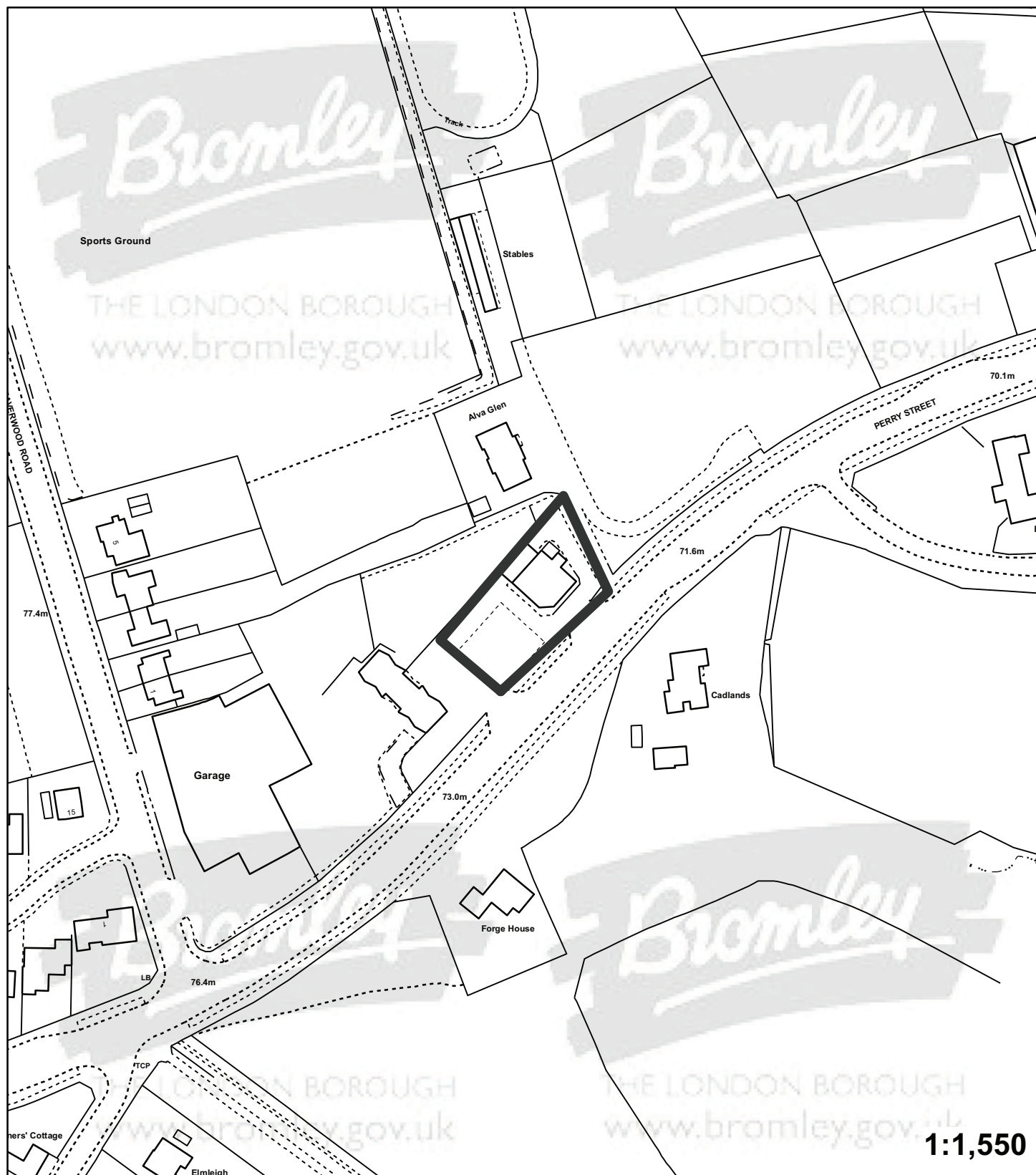
INFORMATIVE(S)

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

Application:13/02986/FULL1

Address: Perry Street Service Station Perry Street Chislehurst BR7 6HA

Proposal: Provision of replacement sales building alterations to forecourt including provision of additional car parking and alterations to existing boundary enclosure.



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SECTION '2' – Applications meriting special consideration

Application No : 13/02987/CAC

Ward:
Chislehurst

Address : Perry Street Service Station Perry Street
Chislehurst BR7 6HA

OS Grid Ref: E: 545562 N: 170815

Applicant : Miss Rebecca Gunn

Objections : YES

Description of Development:

Demolition of existing sale building
CONSERVATION AREA CONSENT

Key designations:

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

Proposal

This application has been submitted in association with planning application ref. 13/02986 concerning the redevelopment of the existing sales building. Conservation Area is sought to demolish the existing sales building.

Location

The site is situated along the northern side of Perry Street which forms part of the A222 route. It falls within the Chislehurst Conservation Area. A car retailer is situated to the western side of the site and a residential property at "Alva Glen" adjoins the site along its northern boundary.

Comments from Local Residents

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

- neighbouring car retailer shares a vehicle access from the main road and confirmation is sought that there will not be any restrictions as a result of the works, to avoid major disruption to the business

Comments from Consultees

No objection raised by the Advisory Panel for Conservation Areas

Planning Considerations

The application falls to be determined in accordance with S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that conservation area. The following policy of the Unitary Development Plan is relevant:

BE11 Conservation Areas

Planning History

In 1998 under ref. 98/01508, a proposal for the redevelopment of the petrol filling station was approved.

Conclusions

The main issue relating to this application is the effect that the demolition of the building would have on the character and appearance of the conservation area.

Having had regard to the above it was considered that the existing building has no particular architectural merit and in light of the permission granted for development under ref. 13/02986 the loss of the building would not have a significantly harmful impact on the character of the Chislehurst Conservation Area.

Background papers referred to during production of this report comprise all correspondence on files refs. 98/01508, 13/02986 and 13/02987, excluding exempt information.

RECOMMENDATION: GRANT CONSERVATION AREA CONSENT

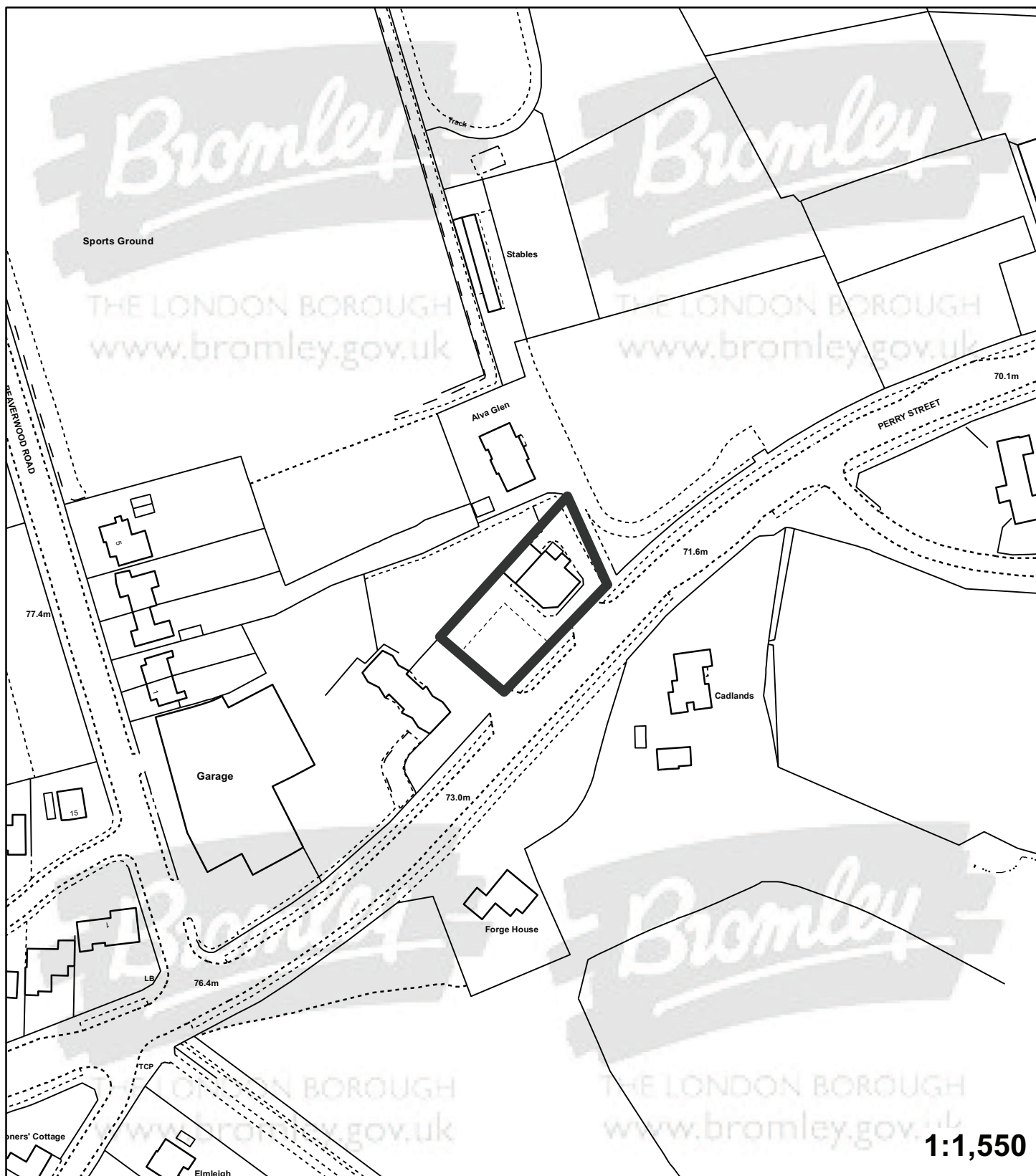
subject to the following conditions:

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

Application:13/02987/CAC

Address: Perry Street Service Station Perry Street Chislehurst BR7 6HA

Proposal: Demolition of existing sale building
CONSERVATION AREA CONSENT



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

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SECTION '2' – Applications meriting special consideration

Application No : 13/03066/FULL6

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

Address : 80 Ridgeway Crescent Orpington BR6
9QP

OS Grid Ref: E: 545275 N: 165117

Applicant : Mr Anthony Buss

Objections : NO

Description of Development:

Part one/two storey front, side and rear extension
(Revision to permission ref. 09/03388 to incorporate minimum 0.8m separation to north-west boundary) RETROSPECTIVE APPLICATION

Key designations:

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

Proposal

The Council granted planning permission (under ref. 09/03388) for an extension to the side and rear of the host dwelling in March 2010. At the side the extension would be two storeys in height, maintaining a minimum 1 metre separation to the NW flank boundary (with the side space separation increasing further at the rear). The rear part of the extension would project approximately 3.2m at two storey height beyond the rear building line of the original dwelling with a 1.5m separation maintained to the adjoining semi at No. 78 at first floor level. The dwelling would project a further 3.0m at ground floor level beyond the two storey element along its northern side.

In June 2013, the Council became aware that the completed extension, which was substantially complete, did not accord with the application permitted under ref. 09/03388, on the basis that the boundary line illustrated in the 2009 application was incorrect (that it is, in fact, tapered rather than straight) and that, as a result, the side space separation between the front part of the two storey side element and the flank boundary was reduced to 0.8m, and that the initial 3.4m of the extension (closest to the frontage) maintained a separation of less than 1 metre. Beyond that point, the extension maintained a wider separation to the flank

boundary which increased to 1.0 metres. In other aspects the extension accords with the approved plans.

Location

The application dwelling forms one half of a pair of two storey semi-detached houses fronting the eastern side of Ridgeway Crescent. The surrounding area is residential in character.

Comments from Local Residents

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

Comments from Consultees

No technical Highways objections raised.

Planning Considerations

Policies BE1, H8 and H9 of the Unitary Development Plan apply to the development and should be given due consideration.

With regard to Policy H9, this states that when considering applications for new residential development, including extensions, the Council will normally require for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site should be retained for the full height and length of the flank wall of the building.

Planning History

Under ref. 09/03388, planning permission was granted for a part one/two storey front, side and rear extension. The works have been completed.

Conclusions

The main issues relating to the application are the effect that it has on the character of the area, with specific regard to the degree of side space separation.

As Members will note the extension was agreed in principle, subject to the provision of a 1 metre side space separation to the flank boundary. Whilst it is evident that the extension maintains a narrower separation along its frontage than 1 metre, it is considered that there are mitigating factors to support the grant of retrospective approval. These include the tapered NW boundary line which results in a substantially greater separation between the rear part of the extension and the flank boundary; the difference in ground level between Nos. 80 and 82 meaning that a terracing effect is unlikely to result; and the existing configuration of No. 82 whose southern part is single storey in height. Accordingly, it is considered that the proposal can be supported, albeit as an exception to Policy H9 of the UDP.

Background papers referred to during production of this report comprise all correspondence on files refs. 09/03388 and 13/03066, excluding exempt information.

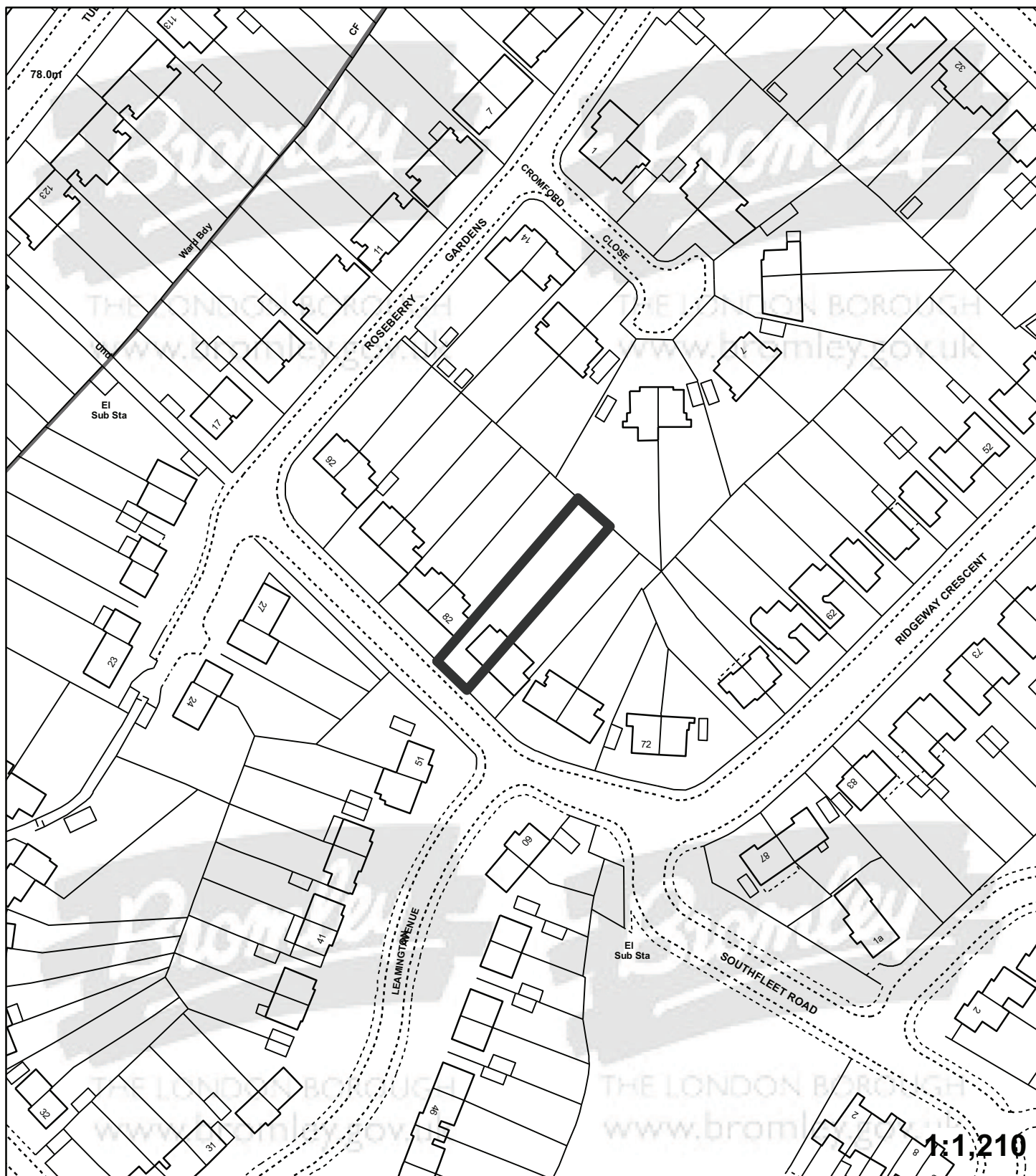
RECOMMENDATION: PERMISSION

Subject to the following conditions:

Application: 13/03066/FULL6

Address: 80 Ridgeway Crescent Orpington BR6 9QP

Proposal: Part one/two storey front, side and rear extension
(Revision to permission ref. 09/03388 to incorporate minimum 0.8m separation to north-west boundary) RETROSPECTIVE APPLICATION



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

SECTION '2' – Applications meriting special consideration

Application No : 13/03154/VAR

Ward:
Copers Cope

Address : Sunnyfields Day Nursery 19 Bromley
Grove Shortlands Bromley BR2 0LP

OS Grid Ref: E: 538882 N: 169019

Applicant : Mrs Anna Bailey

Objections : YES

Description of Development:

Variation of condition 1 of planning permission 12/01693 to remove 'for a limited period ending 31st October 2013' in order to allow not more than 45 children between the ages of 3 months and 7 years to be accommodated at any one time in the day nursery/playgroup, between the hours 07.30 and 18.30 Monday to Friday.

Key designations:

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

Proposal

This application seeks to vary Condition 1 of planning permission ref. 12/01693 to remove 'for a limited period ending 31st October 2013' in order to allow not more than 45 children between the ages of 3 months and 7 years to be accommodated at any one time in the day nursery/playgroup, between the hours 07.30 and 18.30 Monday to Friday.

Location

The site is a detached building with nursery accommodation to the ground and first floor and is located on the south side of Bromley Grove.

Comments from Local Residents

- concerns that the nursery is seeking to raise the number of children allowed for 32 to 62
- excessive number of children for accommodation
- concerns that cars are left parked outside the residential flats all day

- rubbish cannot be collected from the flats opposite the site due to parents dropping off their children and blocking the access
- concerns that amount of parking on both sides of the road restricts emergency and council vehicles
- white lines across entrance but cars still park over it thus restricting access
- trial period of increased numbers has seen problems of rubbish collection continue
- suggestion to apply parking restrictions outside the nursery will help alleviate the rubbish collection problems
- concerns over noise increase in garden area
- there is a nursery 'Little Cherubs' in Shortlands Road and so locally there is already considerable noise from both nurseries
- safety concerns over privately rented flats within the nursery building

Comments from Consultees

No technical Highway objections are raised to the proposal; the surveys carried out on 9th and 10th September 2013 at 7:45- 8:30am and 5:30 - 6:15pm indicate modes of transport to the nursery. The latter survey showed that 4 parents arrive by car at any one time. Additionally the parking stress reveals an average of 41% parking stress within 200m of the site during the nursery's peak hours allowing adequate parking spaces within the vicinity. The new survey confirms that the residual level of traffic generation would not have a significant impact on the local traffic flows and parking demand. It is also noted that only 2 out of 10 (20%) staff members drive to site. Conditions are suggested in the event of a planning permission.

Comments received from Education and Care Services, Early Years note that the applicant is 'an established childcare provider in the borough, running two provisions and at their last inspection in March 2013 this nursery was rated Outstanding by OfSTED'. Early Years state their support for the application and comment that 'full day care in the borough remains insufficient and with the increase in government funding for two year olds, childcare provision for this age group is in demand. Mrs Bailey has addressed local and national childcare developments and the proposed increase of numbers will offer places in an area that is limited of full-time childcare and support locally, the government's commitment to families'.

Environmental Health raise no objections to the proposed variation and advise that they have no noise complaints on file since the previous application.

Comments from Cleansing advise that they have had no on-going problems with collections due to parked cars.

Planning Considerations

The application falls to be determined in accordance with the National Planning Policy Framework (NPPF), the London Plan and the following policies of the Unitary Development Plan:

BE1 Design of New Development
BE11 Conservation Areas
C7 Educational and Pre-School Facilities
T1 Transport Demand
T2 Assessment of Transport Effects
T18 Road Safety

Planning History

There is an extensive planning history relating to the site with the most relevant applications detailed below:

97/03152/FUL - Change of use from nursing home to day nursery. Permission granted subject to conditions.

99/00775/VAR - variation of condition 03 of permission ref. 97/3152 granted for use as day nursery to increase number of children from 20 to 28. Permission granted subject to conditions.

11/02839 - Side dormer extension and conversion of second floor from one 3 bedroom residential unit associated with nursery to one 1 bedroom and one 2 bedroom self contained units not associated with nursery in order to remove Condition 2 of permission ref. 01/03390.

01/03390/VAR - Variation of Condition 04 of permission ref. 99/00775 granted for use as day nursery which limits number of children to 28 and their ages to between 3 months and 7 years with the use being restricted to between 0800 and 1800 Mondays to Fridays, to permit 33 children between the ages of 3 months and 7 years with the additional uses of after school club in school terms between 1500 - 1800 and holiday club in school holidays between 0800 - 1800 for 12 children aged 4 to 11 years. Permission granted subject to conditions.

12/00441 - Variation of condition 3 of permission ref. 01/03390/VAR to increase the number of children, aged between 3 months and 7 years, attending the day nursery to 62, with the use being restricted to between 07:30 and 18:30 Monday to Friday. This was refused due to detrimental impact on neighbouring amenities and detrimental impact resulting from increased vehicle movements. As well as the refusal of the application authorisation for enforcement action was given to regularise the number of children currently using the day nursery to be in accordance with permission ref. 01/03390.

12/01693 - Variation of Condition 3 of planning permission ref. 01/03390 to increase the number of children aged between 3 months and 7 years attending the day nursery from 33 children to 45 with the use being restricted to between 0730 hours and 1830 hours Monday to Friday. This was granted permission subject to Conditions. Condition 1 (copied below) is the subject of this variation application:

Condition 1

a) The children attending the day nursery/play group shall be between the ages of 3 months and 7 years and not more than 45 children shall be accommodated at any one time for a limited period ending 31st October 2013.

b) The use of the premises for the purpose permitted shall be limited to Mondays to Fridays inclusive between the hours of 0730 and 1830 for a limited period ending 31st October 2013.

Reason: In order that the impact from the increased number of children can be fully assessed and to comply with Policy C7 of the Unitary Development Plan and in the interest of the amenities of the area.

Conclusions

Condition 1 of planning permission ref. 12/01693 was attached in order that the impact from the increased number of children could be fully assessed over a one year period. The main issues for consideration are the impact of the proposal on traffic and parking and its effect upon residential amenity.

The applicant has submitted a supporting statement to the proposal which highlights that the day nursery has been operating on the site since October 1998 (15 years). The submission refers to traffic and highways issues and highlights that there are no associated traffic movements when the nursery is closed before 7.30am and after 6.30pm weekdays or at any time at the weekend; there is also limited traffic movement between 9.30am and 4.30pm. With regard to noise, it highlights that they have a garden rota allowing each of the three classrooms 2 x 45 minute garden slots a day between 9.30am and 4pm and no associated noise, again, when the nursery is closed before 7.30am and after 6.30pm weekdays or at any time at the weekend.

The same statement highlights that the residential element on the top floor is not tied to the nursery and is accessed separately. Objections continue to be raised with safety concerns for children with privately rented flats within the nursery building; planning permission reference 11/02839 gave consent for residential units not associated with the nursery. Additionally the nursery is subject to OfSTED inspections.

Local objections continue to be raised in respect of parking, access and collection of refuse problems. No technical Highways objections are raised and the surveys indicate adequate parking spaces within the vicinity. Comments from Cleansing advise that they have had no on-going problems with collections due to parked cars. There are no on-street parking restrictions in this location.

Concerns continue to be raised in respect of the noise levels of children playing in the garden area. As noted above the Council's Environmental Health section raise no objections to the proposed variation and advise that they have no noise complaints on file since the previous application.

Planning Policy C7 advises that applications for extensions to existing pre-school facilities will be permitted provided that they are located so as to maximise access by means of transport other than the car. The policy seeks to give appropriate support to the Council's wider objectives for education, including its early years' strategy. It recognises that pre-school facilities will often be provided in residential properties and seeks appropriate safeguarding of amenities.

Early Years have advised that childcare provision for this age group is in demand, with insufficient full day care in the Borough and that the proposed increase of numbers will offer places in an area that is limited of full-time childcare and support locally the government's commitment to families. They also highlight the provision received an outstanding Ofsted report in March 2013.

Given the objections received local concerns continue to be raised with the nursery use and the impact of the increased number; some of the objections raised in respect of the refuse collection indicate that restricted parking may help to alleviate some of the problems. It is noted that there are no parking restrictions currently in place.

In the light of Planning Policy a balance has to be sought between the extension of the existing pre-school facility, the Council's wider objectives for Early Years' Strategy and safeguarding nearby residential amenities. It would appear that the facility has been operating with up to 45 children since the afterschool and holiday clubs ceased in 2008. The proposal is supported by the Council's Early Years Team and no Environmental Health objections are raised. There are no technical highways objections to the proposal and although objections received indicate refuse collection issues Cleansing have advised that they have had no on-going problems with collections due to parked cars.

Whilst there are on-going impacts on residential amenity, as seen by the local objections received, careful consideration must be given, in the light of Planning Policy, as to whether the impacts are so significant as to warrant a planning refusal. Given that there is an existing use at the site, that the premises is a large detached property, that no technical objections have been received and no complaints recorded, Members may on balance consider that the increase number of children, by 12, from 33 to 45 will not cause such significant harm to nearby residential amenity as to warrant a planning refusal.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/03154, 12/01693, 12/00441, 01/03390, 11/02839, 99/00775 and 97/03152, excluding exempt information.

RECOMMENDATION: APPROVAL

subject to the following conditions:

- 1 (a) The children attending the day nursery/play group shall be between the ages of 3 months and 7 years and not more than 45 children shall be accommodated at any one time.
(b) The use of the premises for the purpose permitted shall be limited to Mondays to Fridays inclusive between the hours of 0730 and 1830.

Reason: In the interest of the amenities of the area and to comply with Policy C7 of the Unitary Development Plan.

- 2 The premises shall be used for a children's day nursery and for no other purpose (including any other purpose in Class D1 of the schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision

equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.

Reason: In order to comply with Policies BE1 and C7 of the Unitary Development Plan and in the interest of the amenities of nearby residential properties.

Application:13/03154/VAR

Address: Sunnyfields Day Nursery 19 Bromley Grove Shortlands Bromley BR2 0LP

Proposal: Variation of condition 1 of planning permission 12/01693 to remove 'for a limited period ending 31st October 2013' in order to allow not more than 45 children between the ages of 3 months and 7 years to be accommodated at any one time in the day nursery/playgroup, between the



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SECTION '2' – Applications meriting special consideration

Application No : 13/03335/FULL6

Ward:
Hayes And Coney Hall

Address : 33 Cheriton Avenue Bromley BR2 9DL

OS Grid Ref: E: 539922 N: 167627

Applicant : Mr Andrew Larkam

Objections : NO

Description of Development:

Part one/two storey side/rear and single storey front extensions and elevational alterations

Key designations:

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

Proposal

The proposal is to demolish the existing garage and erect a two storey front/side extension to create a store room to the front with a new downstairs WC, and to rebuild the kitchen away from the shared boundary for the majority of the depth, abutting the boundary beyond the main house. Upstairs, two new bedrooms will be created.

No new windows are proposed for the new first floor side or ground floor side elevation towards No.31. The front elevation will retain double garage doors on the ground floor with a new window in the front elevation at first floor level.

The proposed front extension will cover the space between the proposed WC and store with entrance porch with a pitched roof, incorporating two velux rooflights. This extension would mirror the existing forward projection of the WC (2.0m).

Location

The host dwelling is a detached house at the western end of Cheriton Avenue, Bromley. The area is residential in nature characterised by post-war dwellings with characteristic open frontages. The houses in the immediate area are largely of the same type and style, gable ended with garages pulled forward of the main front building line.

Comments from Local Residents

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

Comments from Consultees

From a Technical Highways perspective, the development will result in loss of one parking space by conversion of the garage to habitable accommodation. However, there are spaces available within the site's curtilage which would be utilised for parking. Therefore, on balance, no objection is raised subject to a standard planning condition.

In terms of Trees and Landscaping, no significant trees would be affected by the proposal.

Planning Considerations

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

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

Planning History

13/00845/FULL6 - an application for a two storey front and first floor side extension, two storey front extension with front canopy, single storey rear infill extension and elevational alterations was refused. The proposal was deemed to constitute an over dominant addition, out of character with the area.

The applicants lodged an appeal with the Planning Inspectorate in respect of this decision, which was dismissed.

13/02097/FULL6 - a revised application for a part one/two storey front, side and rear extension and front porch was granted planning permission.

This current application seeks to make revisions to this approved development in respect of the front entrance porch and the width of the rear extension.

Conclusions

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

The proposal is largely similar to that granted planning permission under ref. 13/02097/FULL6, and incorporates some design changes in respect of the proposed front porch, and seeks to increase the width of the rear extension at ground floor level. The ground floor window in the flank elevation permitted previously has also been removed from this revised proposal.

The previous approved development included the conversion of an existing downstairs WC into an entrance way. This forward projection at ground level is evident in the area and is a feature of the original dwellings. Therefore, this element was not considered to create an overly dominant feature when viewed from the streetscene, in line with Policy H8 and the Council's SPG guidance. The current application seeks to revise the design of this front extension to 'infill' the space between the WC and proposed 'store' area with a pitched roof with two velux rooflights. This change would not add any additional forward projection, and in effect would continue the line of the pitched roof over the 'store' area to cover the front WC area, and create a slightly larger internal hallway.

This change is not considered to detract from the streetscene to such an extent as to warrant refusal of planning permission, and is therefore considered acceptable on balance.

The original application submitted by the applicants (ref. 13/00845/FULL6) failed to comply with Policy H9 in respect of side space provision for the full height and length of the proposed extension, and was subsequently refused planning permission by the Council. The applicants submitted an appeal to the Planning Inspectorate under ref: APP/G5180/D/13/2200694. Although ultimately dismissing the appeal, in paragraph 8 of his report the Inspector noted the following:

"...Policy H9 states that for proposals two or more storeys in height a minimum separation width of 1m from the site boundary, for the whole extension should be provided. In this instance the existing single storey garage is currently built up to the boundary with No.31 although the proposal would pull the new two storey element back 1m from the boundary. The existing single storey kitchen/breakfast room addition, abutting the boundary, would remain, but as this lies behind the proposed extension I find no conflict with the aims of Policy H9".

The current proposal would set the extension in by the requisite minimum 1.0m for the majority of the length of the side elevation for the full two storey height, but would abut the boundary at the rear beyond the main bulk of the two storey addition. The element that adjoins the boundary with No.31 would be set back from the front building line by around 6.5m, and would mirror the existing relationship at the site.

Although a technical breach of the Council's side space policy, in light of the visual appearance of the proposed extension and the comments of the previous Inspector, it is not felt that the overall impact of the proposal would be detrimental to the spatial standard evident in the area, or result in a development with a cramped appearance. On balance, the revised design is considered acceptable.

Having had regard to the above it was considered that the siting, size and design of the proposed extension is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. In the interest of consistency, the same conditions that were attached to permission ref. 13/02097 should be attached to any permission granted. The

condition relating to the obscurity of the proposed ground floor window in the flank elevation is no longer relevant and as such has been omitted.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/03335, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

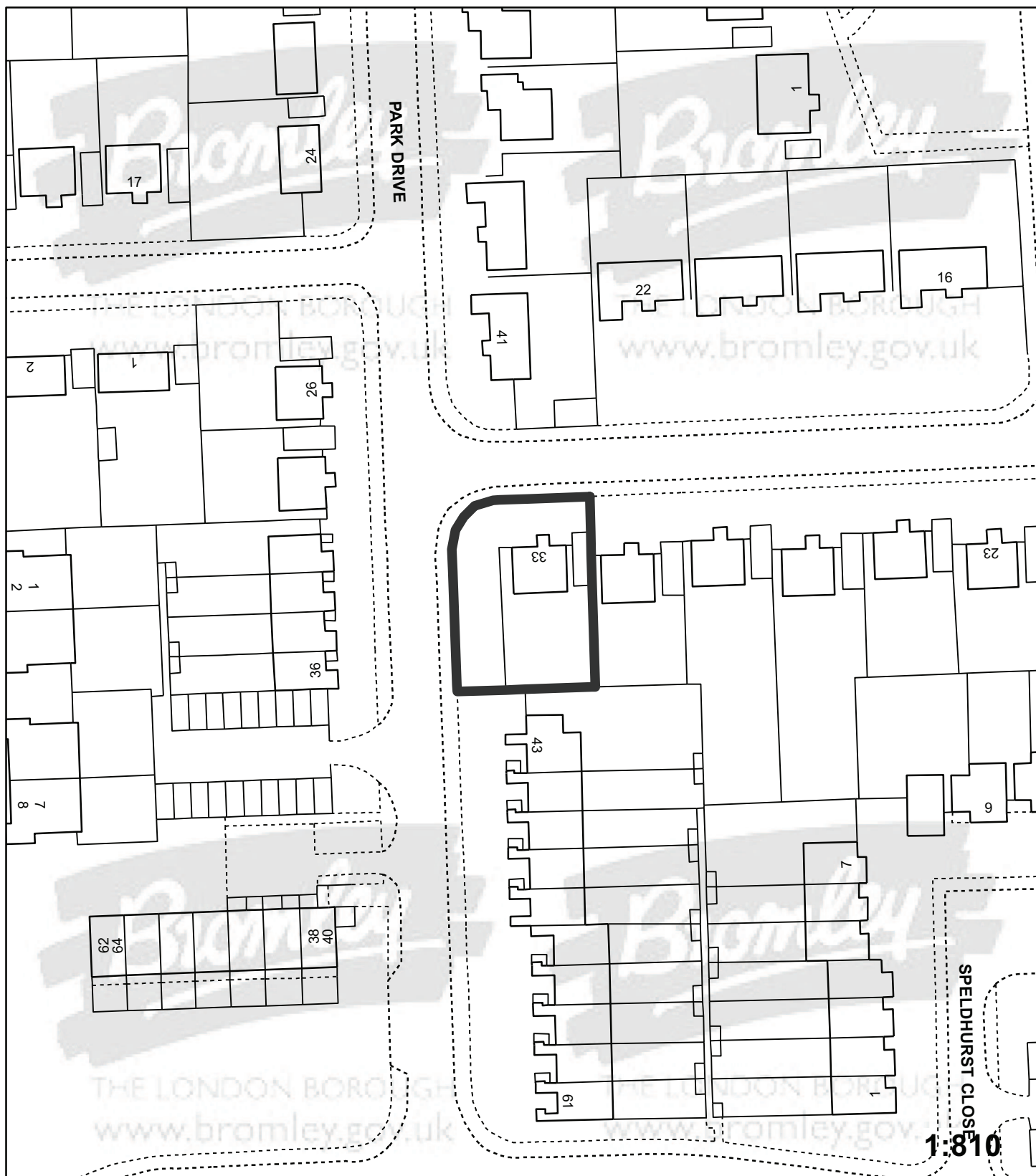
- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
 ACC04R Reason C04
- 3 ACI13 No windows (2 inserts) ground and first floor side
 extension
 ACI13R I13 reason (1 insert) BE1 and H8
- 4 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 5 ACK01 Compliance with submitted plan

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

Application:13/03335/FULL6

Address: 33 Cheriton Avenue Bromley BR2 9DL

Proposal: Part one/two storey side/rear and single storey front extensions and elevational alterations



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

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

Application No : 13/02377/FULL6

Ward:
West Wickham

Address : 18 The Crescent West Wickham BR4
0HE

OS Grid Ref: E: 539253 N: 167325

Applicant : Mr Kam-Choi Lau

Objections : YES

Description of Development:

Raised timber decking, balustrade and steps to rear

Key designations:

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

Proposal

The decking is proposed over an area of raised stone patio (approx. 0.55m above ground level) to provide an easier transition from the house to the garden which are on different levels. Windows in the rear elevation have been replaced by patio doors beyond which are 2 steps which lead to a decked area measuring 3.6m (d) x 5m (w) x 1.04m (h).

On two sides of the decking there is a balustrade extending to approx. 2.1m above ground level. To the south-western side of the main decked area there are steps down to an area of lower decking and then further steps in to the rear garden.

To the north-eastern boundary with No.16 a trellis has been put up above the height of the fence to provide additional screening to a height of approx. 2.6m 6ft.

It is noted by the agent within the planning statement that accompanied the current application that there are some inaccuracies in the original drawing owing to the fact that a survey of the rear elevation of the property was not carried out at that time.

Location

The application property is a semi-detached house located towards the northern end of The Crescent. The road is residential in character and made up of mainly semi-detached and to a lesser extent detached houses set back from the road and contained within in long rear gardens.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and one letter of objection was received from the owner of the neighbouring property at No.16 which can be summarised as follows:

- overlooked at close proximity within a previously private area of my home
- 50% of our dining room is on view
- the room which is overlooked is the biggest room in the house and is used for eating, socialising, exercising and accommodating guests
- my daughters first floor room is overlooked from decked area
- noise and disturbance from use of the decked area every day from early till late
- reduced height of decking isn't sufficient to ensure adequate privacy
- the Ivy used to screen the boundary is causing my fence to lean inward
- if fence is made to 2m high with added trellis this would render my window redundant
- safe access to the garden could be achieved without the need for such a large structure
- first floor bedroom window closest to the boundary is vulnerable to being "overly viewed" at close proximity from the decking
- have enjoyed light and views from the windows that are now overlooked so reluctant to make fence any higher

Planning History

Planning permission was previously refused under planning ref. 12/02896 for a similar scheme [albeit on a larger scale] comprising raised timber decking incorporating store room under, balustrade and steps. In this scheme the raised decking measured approx. 3.6m in depth, 5.24m in width and was 1.6m above ground level. This application was retrospective and upon refusal enforcement action was also authorised to secure its removal.

A subsequent appeal was dismissed the Inspector considered the main issue to be the effect of the decking upon the living conditions of the existing and future occupants of No.16 The Crescent. Whilst appreciative of the applicants desire to facilitate better access to the garden from the house the Inspector concluded as follows:

"On behalf of the appellant it is suggested that a condition could be imposed to require a trellis fence or planting. At the time of my site visit a trellis was in situ and, as described above, there is some vegetation which provides a partial screen. I also noted, given the form of surrounding development, that

it is possible for overlooking of rear gardens to occur from first floor windows.

Notwithstanding these comments the close juxtaposition of the raised decking to the common boundary with no. 16, combined with the unusual fenestration of that property, has created an unsatisfactory relationship between the two.

I therefore find on the main issue that the decking as constructed in terms of its overall width, its height above ground level and its proximity to the common boundary with 16 The Crescent has an unacceptable impact upon the living conditions of existing and future residents of that property contrary to "saved" Policy BE1 (v) of the London Borough of Bromley UDP".

The enforcement action has been held in abeyance pending the outcome of the current application.

Planning Considerations

The current application calls to be determined in accordance with the following policies of the Unitary Development Plan, the London Plan and the National Planning Policy Framework:

BE1 Design of New Development
H8 Residential Extensions

The Council's adopted supplementary planning guidance is also a consideration.

The main differences between the previously refused application and the current application are:

- two steps introduced leading from the patio doors resulting in a reduction of 0.56m in the height of the main decked area from 1.6m to 1.04m
- reduction in the overall extent of decked area by stepping the fence attached to the decking away from the sensitive boundary with No.16 by 0.45m
- increase in height of fencing to side of decking from 1.8m to 2.6m including trellis

The side window at No.16 that would be most affected by the proposal faces out at an unusual angle towards the decked area. Having viewed from inside the dining room area at No.16 it is clear that there would be some intervisibility between the decked area and the living / dining room. This was to a certain extent screened by the [early October] boundary vegetation. Looking across to the other side at No. 14 where there is an apparently long standing raised patio in place there are also views possible into the kitchen area of No.16. The fencing and trellis proposed on the boundary together would extend to approx. 2.6m in height and this would most likely together with the reduction in the height of the decking significantly reduce the amount of intervisibility possible. However, in attempting to devise a scheme that adequately protects privacy in

this manner the open views and outlook from this secondary living room window inevitably be reduced.

Conclusions

On balance whilst this proposal undoubtedly impacts upon the level of amenity enjoyed by occupants of No.16 prior to the decking being installed. It is considered that the changes proposed would result in a development that would adequately protect residential amenity. Importantly the decking would accord with paragraph 17 of the National Planning Policy Framework which suggests that planning should... "not simply be about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives." Furthermore it is considered that the impact of the proposed decking upon residential amenity would not be so harmful as to warrant refusal of the application on this basis.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/02896 and 13/02377, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

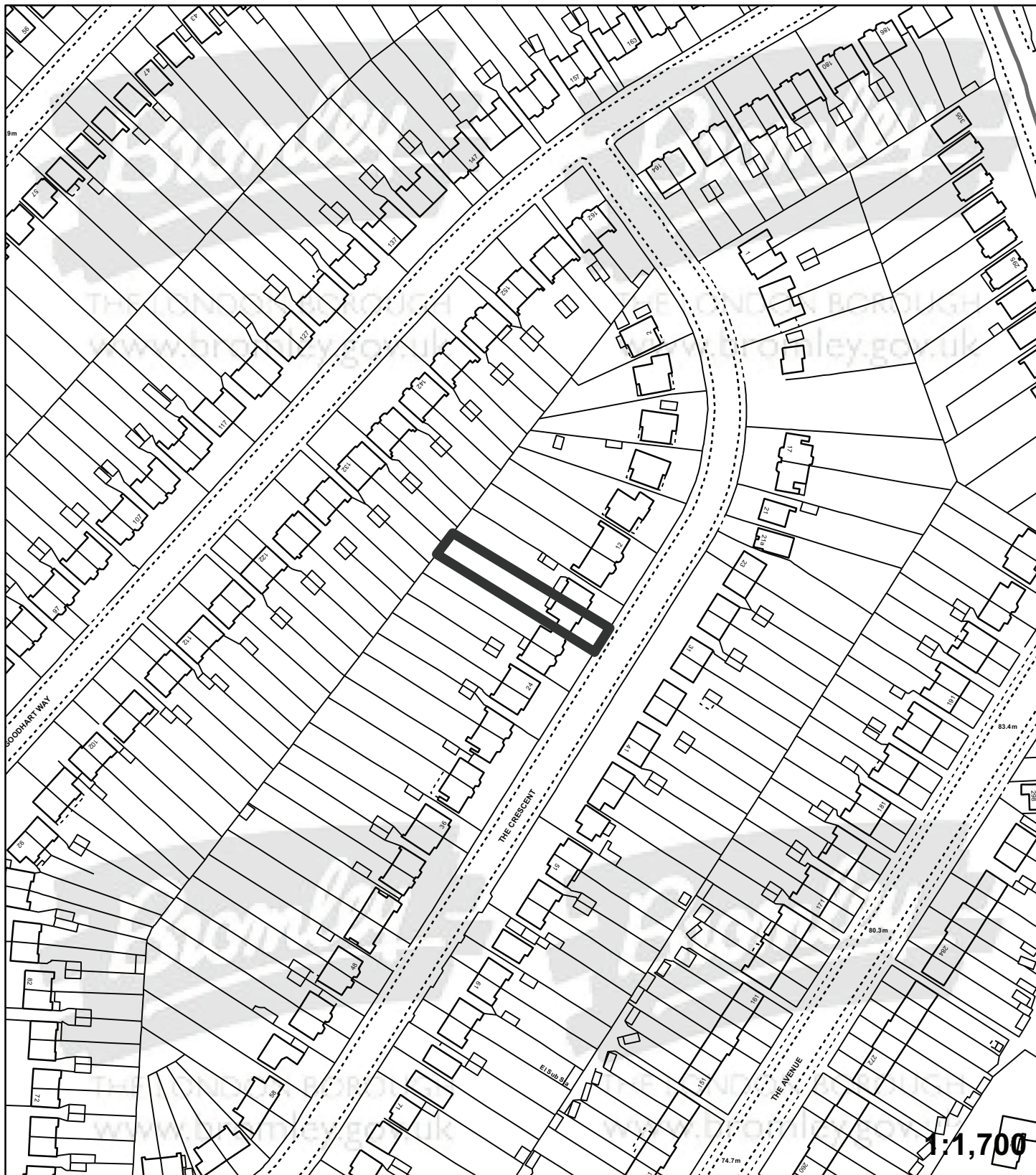
- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
 ACC04R Reason C04
- 3 ACK01 Compliance with submitted plan

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

Application:13/02377/FULL6

Address: 18 The Crescent West Wickham BR4 0HE

Proposal: Raised timber decking, balustrade and steps to rear



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

Application No : 13/02384/FULL1

Ward:
Kelsey And Eden Park

Address : David Lloyd Leisure Stanhope Grove
Beckenham BR3 3HL

OS Grid Ref: E: 536713 N: 167877

Applicant : David Lloyd Leisure Ltd

Objections : NO

Description of Development:

Inflatable seasonal tennis court covering over existing double external tennis courts

Key designations:

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

Proposal

- Erection of a temporary airdome winter covering for existing external double tennis court
- airdome will have a footprint of approx. 33 x 37m and will be approx. 9m high at the highest point
- airdome consists of a clear polythene fabric stiffened with encapsulated wires which is kept in place through a continuous fan
- covering can be dismantled and stored during the summer months when outdoor play is possible - the applicant has indicated that they will be willing to accept a condition restricting the use of the airdome to October through to April.

The application is accompanied by a Planning Statement which includes the following points:

- current tennis programme offered by David Lloyd is limited by the lack of indoor space in poor weather - a full tennis programme at the club would include:
 - Junior squads and All Stars programme
 - Adult coaching
 - Social mixers
 - Member bookings

- Schools programme
- Community special needs programme
- Internal ladders
- Inter-club matches
- proposal will significantly improve the current tennis programme David Lloyd Beckenham is able to offer and would ensure that the club remained one of the top providers of racquet activities and tennis facilities within the borough
- need for the development in light of the national health agenda and the objectives of the Lawn Tennis Association to increase opportunities to play tennis should add significant positive weight to the consideration of this proposal.

Location

- 3.3 ha site is located on the west side of Stanhope Grove and is designated Urban Open Space
- leisure club building is sited to the north and west of the tennis courts and there is car parking to the south and east
- there is a railway line to the south of the site with residential development beyond and there is residential development fronting Stanhope Grove to the east and north - nearest residential properties are approximately 95m from the tennis courts
- there are open playing fields to the north, west and immediately to the east
- club's current racquet facilities include 5 indoor tennis courts, 2 outdoor tennis courts, badminton courts, squash courts, gym, aerobic studios, two swimming pools, on-site café bar, crèche, and sports shop.

Comments from Local Residents

Nearby residents were notified of the application and no representations were received.

Comments from Consultees

Environmental Health has no objections to the proposal, subject to conditions.

Planning Considerations

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

UDP

- BE1 Design of New Development
- G8 Urban Open Space
- L9 Indoor Recreation and Leisure

London Plan

- 3.19 Sports Facilities
- 7.4 Local Character

7.6 Architecture

7.15 Reducing Noise and Enhancing Soundscapes

Policy G8 of the Unitary Development Plan states that:

Proposals for built development in areas defined on the Proposals Map as Urban Open Space (UOS), will be permitted only under the following circumstances:

- (i) the development is related to the existing use (in this context, neither residential nor indoor sports development will normally be regarded as being related to the existing use); or
- (ii) the development is small scale and supports the outdoor recreational uses or children's play facilities on the site; or
- (iii) any replacement buildings do not exceed the site coverage of the existing development on the site. Where built development is involved; the Council will weigh any benefits being offered to the community, such as new recreational or employment opportunities against a proposed loss of open space. In all cases, the scale, siting, and size of the proposal should not unduly impair the open nature of the site.

As part of the application process, it was necessary for the Council to give Screening Opinions as to whether an Environmental Impact Assessment was required. The proposal constitutes Schedule 2 development within the meaning of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. After taking into account the selection criteria in Schedule 3 of the Regulations and the terms of the European Directive, it was considered that the proposed developments would not be likely to have significant effects on the environment by virtue of factors such as their nature, size and location. This opinion was expressed taking into account all relevant factors including the information submitted with the applications, advice from technical consultees, the scale/characteristics of the existing and proposed development on the site. The applicants have been advised accordingly.

Conclusions

The airdome will be located at least approx. 95m from the nearest residential properties and it is considered that there will be no unduly harmful impacts upon the amenities of the occupants of these properties. The main issue to be considered in this case is the impact of the proposal on the character of the area, including the acceptability of the proposal in terms of the Urban Open Space designation of the site.

The proposal will provide an indoor sport facility for 7 months of the year and is related to the existing indoor sports use of the site. However, Policy G8 (i) precludes indoor sports development and therefore the proposal is not entirely compliant with this part of the policy. It is therefore necessary to weigh the benefits of a year round tennis facility against any harm to the openness of the Urban Open Space. The airdome will be a significant structure which will be visible from

Stanhope Grove and which will affect the openness of the Urban Open Space. The site is currently occupied by hard tennis courts enclosed within a boundary fence and the leisure centre building is located to the north and west whilst there is car parking to the south and east. The structure will not be permanent and any harm to openness will only occur for part of the year. The proposal will result in improved sporting facilities and the applicant has detailed community sporting benefits within the proposed tennis programme.

It may be considered that, on balance, there will be no unduly harmful impact on the openness of the Urban Open Space and the harm that will occur is outweighed by the sporting and community benefits of the proposal.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACC01 Satisfactory materials (ext'n'l surfaces)
ACC01R Reason C01
- 3 The airdome shall be removed by 1st May each year and shall not be reinstated before 1st October each year.

Reason: In order to comply with Policies BE1 and G8 of the Unitary Development Plan and in the interest of the visual amenities of the area.

- 4 At any time during the daytime (07.00-23.00) the combined noise level from all air dome fans and associated plant in terms of dB(A) shall be 10 decibels below the relevant minimum background noise level (LA90 15mins) measured at any noise-sensitive location. If the plant has a distinctive tonal or intermittent nature the noise level of the plant shall be increased by a further 5dBA for comparison with the background level. Thus if the noise level were 40dB(A) from the plant alone and the plant had a tonal nature, the 40dB(A) shall be increased to 45dB(A) for comparison with the background level. The L90 spectra can be used to help determine whether the plant will be perceived as tonal.

Reason: In order to comply with Policy 7.15 of the London Plan and in the interests of the residential amenities of the occupants of nearby residential properties.

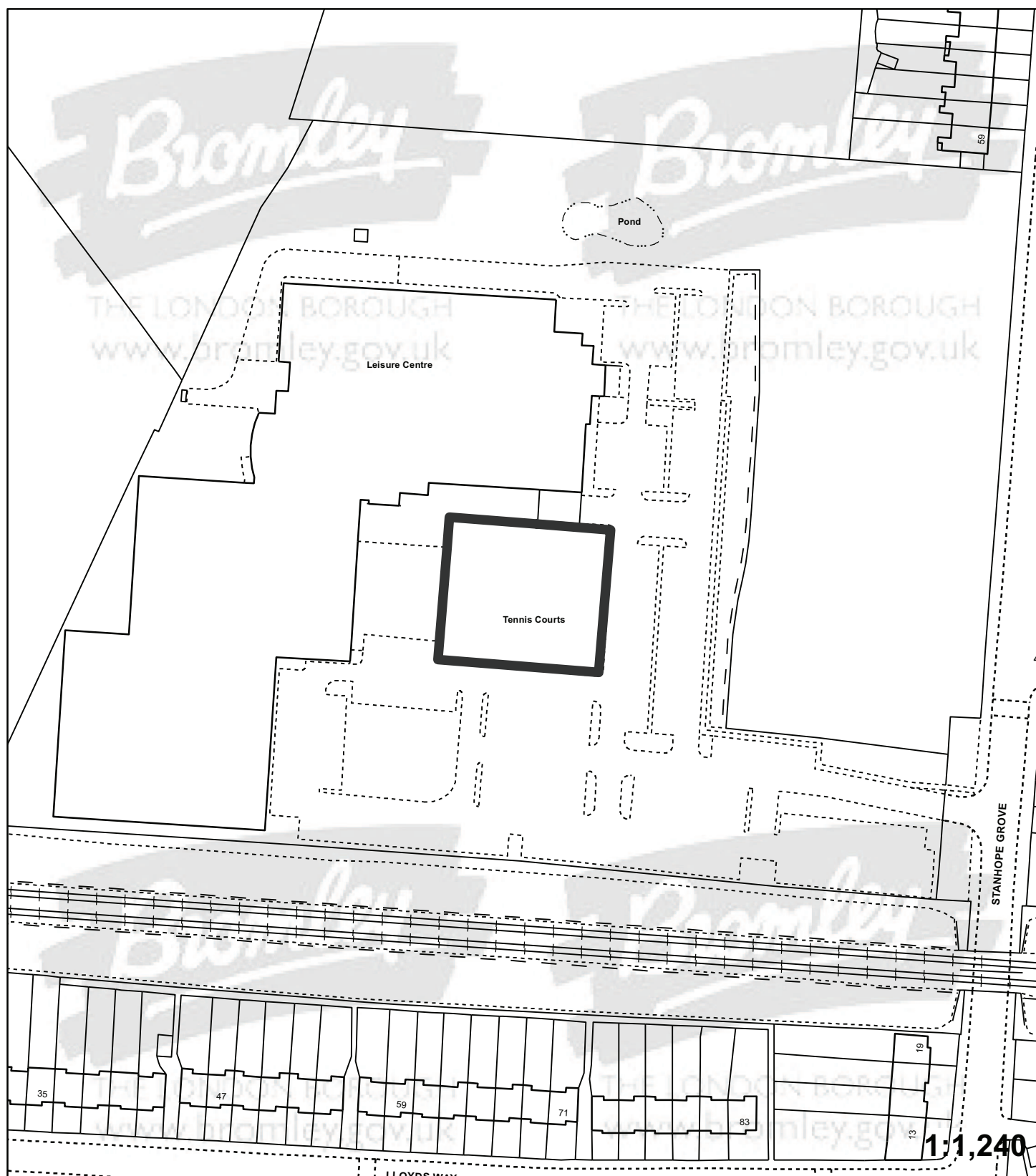
- 5 At any time during the night-time (23.00-07.00) the combined noise level from all air dome fans and associated plant shall not exceed 25dB LAeq (5mins) measured at any noise-sensitive location. If the plant has a distinctive tonal or intermittent nature the noise level from the plant shall not exceed 20dB LAeq (5mins) measured at any noise-sensitive location. The L90 spectra can be used to help determine whether the plant will be perceived as tonal.

Reason: In order to comply with Policy 7.15 of the London Plan and in the interests of the residential amenities of the occupants of nearby residential properties.

Application:13/02384/FULL1

Address: David Lloyd Leisure Stanhope Grove Beckenham BR3 3HL

Proposal: Inflatable seasonal tennis court covering over existing double external tennis courts



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

Application No : 13/02442/FULL6

Ward:
Kelsey And Eden Park

Address : 12 Ronald Close Beckenham BR3 3HX

OS Grid Ref: E: 536878 N: 167977

Applicant : Mr And Mrs Dooley

Objections : YES

Description of Development:

Part one/two storey rear and first floor side extension

Key designations:

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

Proposal

The proposal seeks to extend the property along the eastern flank elevation with a first floor side extension. The side extension will continue upwards the line of the ground floor flank elevation and then pitch back adjoining the roof set down from the existing ridgeline.

The proposal also includes a full width ground floor rear extension with a part width first floor extension above. Given the staggered existing rear building line, the extensions will project between 3.5 metres and 1.5 metres deep. The first floor rear extension will be separated from the adjoining semi-detached property (no. 10) by a minimum of 3 meters.

Location

The application property is a two storey semi-detached dwellinghouse located on the southern side of Ronald Close. The application site is neither listed nor within a conservation area or an area of special residential character.

The surrounding area is character by similar style and vintage residential properties.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and one representation was received. The following concerns were raised:

- the depth of the first floor rear extension will look out of character with the style of the property as well having a significant impact on the level of natural light to adjoining properties on both sides.

Comments from Consultees

No internal or external consultation required.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

The following Council adopted SPG guidance is also a consideration:

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

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

Planning History

No 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 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.

Design and Visual Amenity

The surrounding area is characterised by several properties that have been subject to a varying types of extensions.

The proposed side extension is a relatively common type of extension and furthermore, will be set down from the ridgeline therefore, maintaining an element of subservience to the main dwellinghouse. It is also noted that the adjoining semi (no. 10) has a first floor side extension and therefore, granting permission for the current application would result in a balanced appearance for the pair of semi-detached properties as a whole.

Many of the surrounding properties have some form of rear extension be it ground floor or a combination of ground and first floor as at the adjoining semi (no. 10). Concern has been raised by the sole objector at no. 10 that the first floor rear extension projects too far and should be limited in depth to the line of the existing rear projection, having a depth of no more than approximately 2 metres so as not to be out of character with the style of the property or result in a loss of light to adjoining properties. With regard to impact on neighbouring residential amenity, this is considered below. With regard to the potential impact on character and appearance, it is considered that on balance, the overall difference in depth, being approximately 1.5 metres, is not so great as to be considered harmful to the host building or the surrounding area, particular as it is to the rear, will be largely unsighted from the public realm and is neither listed nor located within either a conservation area or an area of special residential character.

Residential Amenity

With regard to the residential amenities enjoyed by the occupiers of the adjoining property to the west (no. 10), the ground floor rear extension will project no further than that property's existing rear extension and will therefore have no harmful impact on light, outlook or sense of enclosure. The first floor rear extension will be sufficiently separated (a minimum of 3 metres) so as not to result in any harmful loss of light or outlook or increased sense of enclosure. A condition restricting installation of any windows in the western flank elevation of the first floor rear extension is recommended to ensure no loss of privacy for or overlooking of no. 10 occurs. The remainder of the proposal, being the first floor side extension will not be viewable by the occupiers of no. 10 as it will be shielded by the bulk of the main dwellinghouse and will therefore have no harmful impact of their residential amenities.

With regard to the residential amenities enjoyed by the occupiers of the adjoining property to the east (no. 14), the first floor side extension will extend no further outward than the existing ground floor flank elevation and will be viewed in the context of the existing building envelope as a backdrop. Furthermore, it is noted that no.14 has a large first floor side dormer extension spanning the full depth of the roofslope. Given the separation distance, that the part width two storey rear extension will project approximately 1.5 metres beyond the existing single storey rear extension, the presence of garages on either side of the boundary and the height of the pitched roof single storey rear extension at no. 14, the two storey rear extension will not result in a harmful loss of light or outlook or harmful increased sense of enclosure. To ensure privacy is maintained, conditions are recommended that require the proposed upper floor windows to be obscure glazed and fixed shut with details to be submitted and approved as well as no additional opening inserted at that level without prior approval. Given that the only habitable room window at

the upper level will be secondary, it is not considered that the requirement to obscured glaze it will result in a harmful loss of light or amenity.

Having had regard to the above it was considered that the siting, size and design of the proposed extensions are acceptable in that they would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/02442, excluding exempt information.

as amended by documents received on 24.10.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 4 ACI11 Obscure glaz'g/details of opening (1 in) in the first floor
 eastern flank elevation
 ACI11R Reason I11 (1 insert) BE1
- 5 ACI13 No windows (2 inserts) western flank first floor rear
 extension
 ACI13R I13 reason (1 insert) BE1
- 6 ACI17 No additional windows (2 inserts) first floor eastern flank
 extension
 ACI17R I17 reason (1 insert) BE1
- 7 ACI14 No balcony (1 insert) the ground floor rear extension
 ACI14R I14 reason (1 insert) BE1

Application:13/02442/FULL6

Address: 12 Ronald Close Beckenham BR3 3HX

Proposal: Part one/two storey rear and first floor side extension



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

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

Application No : 13/02593/FULL1

Ward:
Chislehurst

Address : Coopers School Hawkwood Lane
Chislehurst BR7 5PS

OS Grid Ref: E: 544319 N: 169675

Applicant : Coopers College

Objections : YES

Description of Development:

Demolition of music and LINC blocks and erection of two storey creative arts block to provide accommodation for music, art, dance, drama and dining

Key designations:

Conservation Area:

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

Green Belt

London City Airport Safeguarding

London City Airport Safeguarding Birds

Joint report with application ref. 13/02594

Proposal

- Demolition of the existing Music (270m²) and LINC (190m²) Blocks and the erection of a new two-storey Creative Arts building with a footprint of 858m² on an existing area of hardstanding adjacent to the Science Block
- Creative Arts Block will provide improved music, art, dance and drama departments within a centralised Creative Arts Faculty as follows:
- Music Department - larger classrooms, acoustically insulated practice rooms, resource areas with computers and a recording studio
- Art Department - larger classrooms, dark room, storage and a new art gallery
- Dance and Drama - two studios and changing facilities
- relocation of the art department from the English Block to the proposed Creative Arts Block will create a space in the English building for a new library and resource area
- café with a large seating area to create a social space for break times - it is the College's future intention to demolish the existing Canteen Block

- Block will feature a double height glazed entrance and external doors to ground level classrooms to allow direct access/egress and avoid congestion in the main entrance
- materials will include white and grey render, red brick, extensive vertical glazing and coloured cladding between windows
- new 'square' will be provided in the area cleared by the demolition of the Music and LINC Blocks - this will function as an informal social space for students and will feature hard and soft landscaping
- wider community can be given access to the building to make use of outside of schools hours
- proposal will not result in an increase in pupil numbers.

The application is accompanied by a Design and Access Statement which explains the key issues that will be addressed through the proposal:

- Arts Faculty is currently housed in 4 separate buildings on different parts of the site making circulation on the school grounds quite involved
- existing Music Block, LINC Block and Canteen (Snack Shack) are close to the end of their physical life and need to be demolished
- two practice rooms in the Music Block are small and do not provide students with adequate practice area - resource area for Music is small with few computers and there is little modern equipment
- Art department is housed on ground floor of the English Block and Art classrooms are small and cramped and lack the recommended storage area - student work is displayed in a narrow corridor and a dedicated display area is required
- library space / learning resource area is seriously under-provided - former staff room is used as a reading area / library but it is not large enough
- students have expressed frustration at how crowded Snack Shack gets and how difficult it can be to eat standing up
- number of toilets on the site is below recommendations, particularly in this part of the site
- absence of social space on the school grounds means that older students spend break times on nearby streets causing some frustration amongst local residents
- linear development of school has led to narrow pathways and an absence of larger informal spaces for socialising.

The application is accompanied by a Planning Statement which addresses the Green Belt designation of the site as follows:

- application site comprises an area of brownfield, hardstanding within the College campus
- it is proposed to demolish two existing buildings to make space for the proposed block and the 'square'
- proposal comprises "infilling" of the existing college campus and is considered to be partial redevelopment of the brownfield site - proposal should therefore be considered in line with para. 89 of the NPPF which states:

"limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development."

- buildings to be demolished occupy a footprint of 460m² and new building will occupy a footprint of 858m² - whilst the new block represents a 54% increase in footprint on the site, para. 89 of the NPPF allows partial/complete redevelopment of brownfield sites in the Green Belt providing there is no greater impact on openness
- application site is well-related to the existing College buildings and within the current developed extent of the College Campus - proposal comprises infilling of this site and will not have a greater impact on the openness of the Green Belt.

The applicant has acknowledged Officer's views expressed at pre-application stage that the proposal will be inappropriate development in the Green Belt and set out an argument demonstrating very special circumstances to justify inappropriate development in the Green Belt as follows:

- some of the existing teaching accommodation at the College is inadequate as it is in poor condition and the Creative Arts department is spread across the College site which is inefficient
- new block will deliver much needed modern and high quality facilities to enhance teaching and learning at the College
- majority of the college site is well developed and the location of the Marjorie McClure School within the Campus limits opportunities in the central area of the site - application site is an existing area of hardstanding adjacent to buildings which are inadequate and require demolition - proposed location is the most appropriate site for the development
- new Creative Arts Block will enable the college to generate additional revenue by creating a multi-purpose building that has the facilities to enable wider community use out of school hours
- proposal has sustainability benefits as the new modern building will be more efficient to run compared the existing 1940s Music and LINC Blocks and it also includes photovoltaic panels to reduce carbon dioxide emissions
- high quality building will also improve the visual impact of the College Campus which is currently poor quality in areas due to the dated buildings.

The application is accompanied by a Heritage Impact Report which concludes that the proposals will not result in any harm to the identified significance of the listed Mansion House or the Chislehurst Conservation Area. The new Creative Arts Block will be a high quality addition to the College campus and the wider Conservation Area.

The application is also accompanied by the following:

- Energy Strategy Report

- Arboricultural Report & Impact Assessment
- Surface Water Drainage Assessment
- Landscape Design Document.

13/02594 - Demolition of music and LINC blocks (Conservation Area Consent)

Location

Coopers School is situated on the south-east side of Hawkwood Lane within the Metropolitan Green Belt and Chislehurst Conservation Area, and the main school building (Mansion House) is Grade II listed. The area to the north and east of the site is predominantly residential. The Hawkwood Estate is located beyond the playing fields to the south, whilst there are a number of residential properties and a church to the west.

The existing 'Tin Hut' comprises a metal sheet clad single storey building which the application states is dilapidated and unfit for use.

The existing Music and LINC Blocks were erected in the 1940s and the application states that they are close to the end of their physical life.

Comments from Local Residents

A representation has been received from the Petts Wood and Hawkwood Committee which can be summarised as follows:

- existing music and LINC blocks are no longer fit for purpose and demolition is appropriate
- it is accepted that the replacement accommodation is required
- it would be preferable if the building embraced more of the two existing footpaths (roughly parallel with Hawkwood Lane/Botany Bay Lane) and so retain a more open aspect of the built site - however, it is recognised that the creation of a quadrangle may be more desirable to the school
- white rendered wall and 'autumnal' coloured cladding should be changed to match the beige/stone colour of the adjoining red brick built classrooms
- loss of existing hard play area could lead to a loss of grassed area
- extension of hard play area to south of the new building is strongly opposed- it would be unsightly and have an adverse impact on the visual amenity of the adjoining National Trust land and would cause run-off to the already wet bridleway, public footpaths and Botany Bay Lane.

Comments from Consultees

Metropolitan Police Crime Prevention Design Adviser - no objections subject to Secured by Design conditions

Environmental Health - no objections

Advisory Panel for Conservation Areas - no objections

English Heritage (Archaeology) - no comments

Thames Water - no objections.

Any further responses to consultations, including Greater London Authority comments, will be reported verbally at the meeting.

Planning Considerations

The applications fall to be determined in accordance with the following policies:

Unitary Development Plan

- BE1 Design of New Development
- BE11 Conservation Areas
- NE7 Development and Trees
- G1 The Green Belt
- C1 Community Facilities
- C2 Community Facilities and Development
- C7 Educational and Pre-School Facilities
- C8 Dual Community Use of Educational Facilities

London Plan

- 2.6 Outer London: Vision and Strategy
- 3.18 Education Facilities
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.21 Trees and Woodland.

The proposals are considered acceptable in terms of impact on trees.

There is an extensive planning history relating to the existing development of the school.

Conclusions

13/02593 - Demolition of music and LINC blocks and erection of two storey creative arts block to provide accommodation for music, art, dance, drama and dining

The main issues relating to this application are as follows:

- impact of the proposal on the character and appearance of Chislehurst Conservation Area
- impact of the proposal on the setting of the Grade II listed Mansion House
- whether the proposal is appropriate development in the Green Belt
- impact of the proposal on the openness of the Green Belt
- impact of the proposal on the amenities of the occupants of nearby residential properties.

The applicant has asserted that the proposal is appropriate development in the Green Belt by virtue of it representing the partial redevelopment of a previously developed site which has no greater impact on the openness of the Green Belt. This argument is not accepted as the proposed block will be significantly larger than the buildings to be demolished and it will be located closer the open part of the school site. It is considered that the block will therefore have a greater impact on the openness of the Green Belt. The applicant must therefore demonstrate very special circumstances that outweigh the harm in Green Belt terms. The applicant has set out a case as follows:

- inadequacy, poor condition and inefficient location of existing teaching accommodation
- block will deliver modern and high quality facilities to enhance teaching and learning
- proposed location is the most appropriate site for the development
- block can generate additional revenue through community use
- sustainability benefits
- visual benefits.

It is considered that the arguments around the inadequacy and the poor condition of the existing accommodation and the educational benefits of the proposed accommodation carry significant weight, whilst the remaining arguments can all be accepted. It is considered that very special circumstances have been demonstrated to outweigh the harm to the Green Belt.

The proposal involves the demolition of the Music and LINC blocks which have no particular architectural merit and the erection of a new block which will complement the existing school buildings. The proposed block will be mainly visible from the public footpath to the south of the site and it can be considered that the scheme will maintain or enhance the character and appearance of the Chislehurst Conservation Area.

The proposal will not affect the setting of the Grade II listed Mansion House and will not result in harm to the residential amenities of the occupants of nearby properties.

The proposal is considered acceptable.

13/02594 - Demolition of Music and LINC blocks (Conservation Area Consent)

The Music and LINC block have little architectural merit and their demolition and replacement with the proposed Creative Arts Block is considered acceptable.

Background papers referred to during the production of this report comprise all correspondence and other documents on files refs. 13/02574 and 13/02593, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
- 3 ACB01 Trees to be retained during building op.
 ACB01R Reason B01
- 4 ACB02 Trees - protective fencing
 ACB02R Reason B02
- 5 ACB03 Trees - no bonfires
 ACB03R Reason B03
- 6 ACB04 Trees - no trenches, pipelines or drains
 ACB04R Reason B04
- 7 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 8 ACC03 Details of windows
 ACC03R Reason C03
- 9 ACD02 Surface water drainage - no det. submitt
 ADD02R Reason D02
- 10 ACI21 Secured By Design
 ACI21R I21 reason
- 11 ACK01 Compliance with submitted plan
 ACC01R Reason C01
- 12 ACK05 Slab levels - no details submitted
 ACK05R K05 reason
- 13 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 20% from on-site renewable energy generation sufficient to provide 20% of the predicted energy requirements of the dwellings; 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.
Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 4A.7 of The London Plan and the aims of Policy ER4 of the Unitary Development Plan.
- 14 ACN10 Bat survey
 ACN10R Reason N10

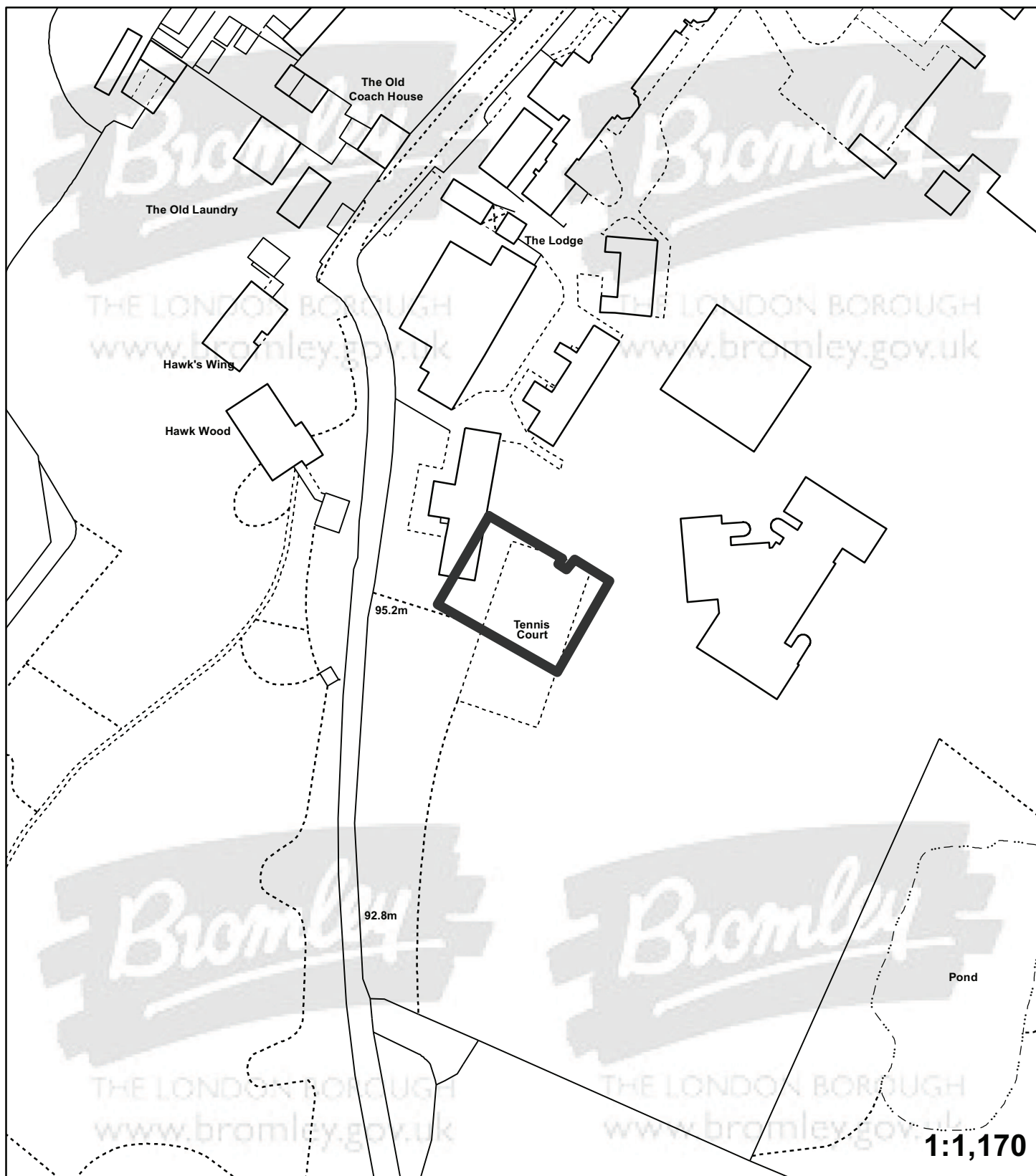
INFORMATIVE(S)

- 1 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 2 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 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.

Application:13/02593/FULL1

Address: Coopers School Hawkwood Lane Chislehurst BR7 5PS

Proposal: Demolition of music and LINC blocks and erection of two storey creative arts block to provide accommodation for music, art, dance, drama and dining



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

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

Application No : 13/02594/CAC

Ward:
Chislehurst

Address : Coopers School Hawkwood Lane
Chislehurst BR7 5PS

OS Grid Ref: E: 544319 N: 169675

Applicant : Coopers College

Objections : YES

Description of Development:

Demolition of music and LINC blocks
(Conservation Area Consent)

Key designations:

Conservation Area: Chislehurst

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

Green Belt

London City Airport Safeguarding

London City Airport Safeguarding Birds

Joint report with application ref. 13/02593

RECOMMENDATION: GRANT CONSERVATION AREA CONSENT

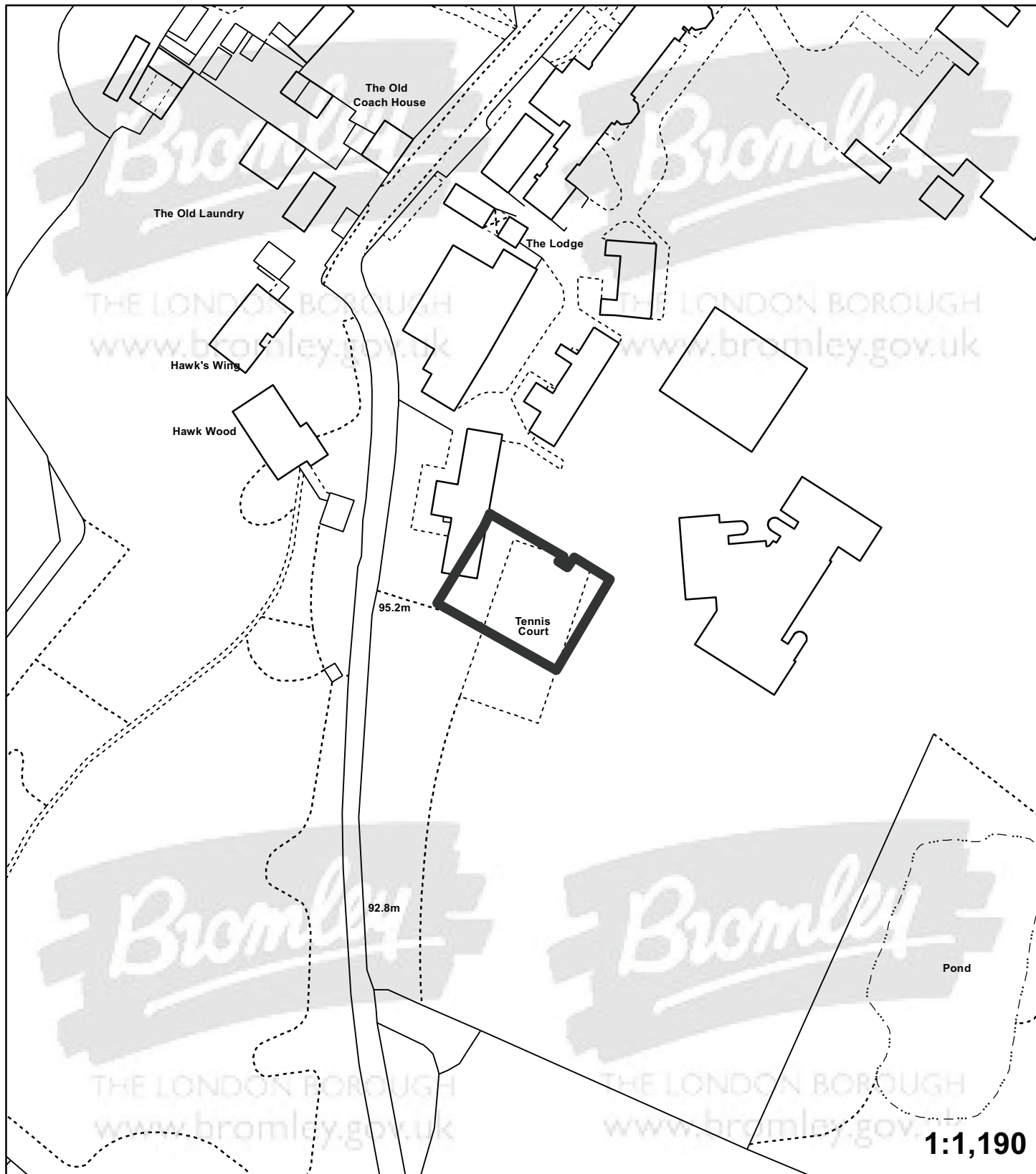
subject to the following conditions:

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

Application:13/02594/CAC

Address: Coopers School Hawkwood Lane Chislehurst BR7 5PS

Proposal: Demolition of music and LINC blocks
(Conservation Area Consent)



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

Application No : 13/02601/FULL6

Ward:
Darwin

Address : 34 Beechwood Avenue Orpington BR6
7EY

OS Grid Ref: E: 545206 N: 163892

Applicant : Mr Jonathan Steel

Objections : NO

Description of Development:

Single storey rear extension
RETROSPECTIVE APPLICATION

Key designations:

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

Proposal

The application is effectively to "square off" the NW corner of the dwelling in line with an existing single storey rear extension. The extension projects 3.3m in depth and incorporates a flat roof.

Location

The application dwelling forms a chalet-style bungalow which is flanked at either side by detached houses of similar form. The site fronts the western side of Beechwood Avenue.

Comments from Local Residents

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

Comments from Consultees

Not applicable

Planning Considerations

Policies BE1 and H8 of the Unitary Development Plan apply to the development and should be given due consideration.

Planning History

Under ref. 95/01513, planning permission was granted for single storey and roof extensions.

Under ref. 13/00259, an application for a single storey rear extension and for roof alterations to incorporate side dormers was refused on the following grounds:

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

The proposed side dormer windows would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of Nos. 32 and 36 Beechwood Avenue, thus contrary to Policies BE1 and H8 of the Unitary Development Plan.

The proposal, by reason of its first floor rearward projection, would have a seriously overbearing impact on No. 32 Beechwood Avenue, contrary to Policy H8 of the Unitary Development Plan."

A subsequent appeal was dismissed, the Planning Inspector reaffirming the Council's concerns.

Most recently, under ref. 13/03030, an application for a Lawful Development Certificate in respect of two side dormers was refused on the basis that exceeded the volume of roof extension permissible under permitted development; and in the absence of information to show that its windows would be suitably obscured.

Conclusions

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

The extension is considered to be modest in scale and not harmful to the character of the host dwelling. From a neighbouring amenity perspective it is not considered that the extension appears overbearing or adversely affects visual amenity.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 95/01513, 13/00259, 13/02601 and 13/03030, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

Application:13/02601/FULL6

Address: 34 Beechwood Avenue Orpington BR6 7EY

Proposal: Single storey rear extension
RETROSPECTIVE APPLICATION



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

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

Application No : 13/02700/FULL6

Ward:
Bromley Town

Address : 36 Stanley Road Bromley BR2 9JH

OS Grid Ref: E: 541070 N: 168404

Applicant : Mr J Lister

Objections : YES

Description of Development:

Single storey rear extension

Key designations:

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

Proposal

The application property is a modest semi-detached house with a ground floor footprint measuring 14.5m x 4.3m. It is proposed to extend this property at ground floor level to the rear. The extension would feature a flat roof and would extend to a maximum height of 2.7m, the depth of the extension would be 6m it would extend across the full 4m width of the house.

There is currently a small single storey extension that has a max height of 2.45m and a small brick built outbuilding to the rear both of which would be demolished to make way for the proposal.

Location

The locality is mainly residential in character with some low key commercial elements close by. The adjoining house at No.37 has also been extended at single storey level to the rear and projects beyond the existing rear extension at the application property to a depth of just over 3m.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and one letter of objection was received from the owner of the neighbouring property which can be summarised as follows:

- the proposals appear to be acceptable however we are keen to ensure that the proposals do not exceed the height of the existing small extension which we believe to be no more than 3m in height.
- the proposed maximum height of the extension should be stated on the drawing and scaled drawing should not be relied upon to determine the maximum construction height .

Planning History

Under planning ref. 13/01793, planning permission was refused for a similar proposal for the following reason:

"The proposed extension due to its height and excessive rearward projection would be unduly harmful to the residential amenities that occupants of the adjoining dwelling might reasonably expect to be able to continue to enjoy by reason of visual impact and loss of light thereby contrary to Policies BE1 and H8 of the Unitary Development Plan."

The main change to the current application relates to the roof treatment. Previously a sloping roof was proposed which had a maximum height of approx. 3.4m adjacent to the boundary with No.37. The current proposal indicates a flat roof and at max. height of 2.7m which is some 0.70m lower.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions

The Council's adopted supplementary planning guidance is also a consideration.

Conclusions

The main issue in this case is the depth of the extension proposed. At 6m this far exceeds the depth of extension that is normally considered acceptable, particularly for a property of this type. It is also noted that the reason for refusal refers to both the height and depth of the extension as being excessive.

Notwithstanding the above, the extension has now been reduced significantly in height by 0.70m to a maximum height of just 2.7m. The applicant's agent has also provided confirmation by e-mail dated 24.10.2013 that the height of the extension will be 2.7m.

Furthermore the existing extension and adjoining outbuilding extend to approx. 4m in depth along the flank boundary with No.37. Finally, in view of the modest height proposed it is considered that the proposal would not be unduly harmful to the adjoining property or the character and appearance of the original house.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/01793, excluding exempt information.

as amended by documents received on 24.10.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
 ACC04R Reason C04
- 3 ACI13 No windows (2 inserts) northern and southern
 extension
 ACI13R I13 reason (1 insert) BE1
- 4 ACK01 Compliance with submitted plan

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

Application: 13/02700/FULL6

Address: 36 Stanley Road Bromley BR2 9JH

Proposal: Single storey rear extension



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

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

Application No : 13/02751/FULL6

Ward:
Plaistow And Sundridge

Address : 23 Edward Road Bromley BR1 3NG

OS Grid Ref: E: 541030 N: 170474

Applicant : Mr And Mrs Ben Tan

Objections : YES

Description of Development:

Single storey side and rear extension

Key designations:

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

Proposal

A single storey rear/side extension is proposed. The extension would span 10.6m in width, would be a maximum of 5.4m in depth and would host a flat roof with height of 3.1m.

Location

The application property is a two storey property located on the north-western aspect of Edward Road.

The surrounding area is predominantly residential in character.

The host property is not listed and is not within a conservation area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and one representation was received. This was concerning the potential loss of light to the neighbouring property at 25a Edward Road.

Planning Considerations

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

BE1 Design of New Development

H8 Residential Extensions

Conclusions

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

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

The proposed extension would have a visually lightweight appearance and would be subordinate to the host property. Whilst it is acknowledged that the proposal is considerable in depth and width, it is noted that the proposed extension would not extend beyond the extension of the neighbouring property. Additionally, this property has a number of flank windows at ground floor level although these are mostly obscure glazed. Photographs were taken from within the neighbouring property, and it is noted that while the extension would have an impact on light to the obscure glazed side window this would be relatively unsubstantial, especially in light of the roof lantern and largely glazed rear elevation that exists. As such, it is considered that there would be no significant impact on residential amenity.

The existing garage would be extended forward by 3 metres and this would be close to a non-obscure glazed window to the neighbouring property, 25A Edward Road. Again, photos were taken from the location of this window(outside). It is evident that there is already limited light to this window due to the boundary fence and the flank wall of the host property. While it is accepted that the proposal would have an impact on the light to the neighbouring property it is felt that it would not be significantly worse than the existing position.

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.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |

3 ACC04R Reason C04
 ACK01 Compliance with submitted plan
 ACK03R K03 reason

Application:13/02751/FULL6

Address: 23 Edward Road Bromley BR1 3NG

Proposal: Single storey side and rear extension



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

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

Application No : 13/02936/FULL2

Ward:
Orpington

Address : 313 High Street Orpington BR6 0NN

OS Grid Ref: E: 546133 N: 165923

Applicant : Anytime Fitness (Mr Chana Dhaliwal) **Objections :** YES

Description of Development:

Change of use from approved restaurant use (Class A3) to gymnasium use (Class D2) within part of ground floor.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
Open Space Deficiency

Proposal

The proposal relates to the use of ground floor premises to accommodate a 24-hour gym. The premises form part of a five storey block comprising restaurant (Class A3) on ground floor; a community hall (Class D1) at first floor level; and 19 flats within the upper floors. The ground floor remains partly occupied with part of this area being occupied by a learning centre (Class D1) and the remaining approved restaurant area being vacant.

The application is supported by a Planning Statement and a marketing statement. This advises that the gym will not be staffed 24 hours a day; security access system will be used when the building is unstaffed.

This advertisement consent application accompanies this proposal (ref. 13/02939/ADV)

Location

The premises are situated within south-eastern corner of Orpington High Street (within the Secondary Frontage) and forms part of a five storey block comprising

restaurant (Class A3) on ground floor; a community hall (Class D1) at first floor level; and 19 flats within the upper floors. It replaced the former Orpington Halls which were demolished to accommodate this existing building.

Comments from Local Residents

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

- proposal could accentuate noise disturbance
- sound disturbance
- proposal could increase anti-social behaviour in the area
- gym should close at 10pm

Comments from Consultees

No technical Highways objections have been raised.

No objections have been raised by the Environmental Health division, subject to conditions.

Planning Considerations

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

- BE1 Design of New Development
- S2 Secondary Frontages
- S6 Retail and Leisure Development
- S10 Non-Retail Uses in Shopping Areas

The National Planning Policy Framework is also relevant

Planning History

Under ref. 07/04544, outline permission was granted for the five storey block comprising the application unit. Permission was granted for a restaurant (Class A3) at ground floor level; a replacement community hall (Class D1) at first floor level; and 19 flats on upper floors.

Under ref. 12/01682, planning permission was granted for a change of use of part of the ground floor from the approved restaurant (Class A3) use to an "explore learning centre" (Class D1), including alterations to the shopfront.

Conclusions

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

As noted above the site is situated within the Secondary Frontage of Orpington High Street and the existing unit appears to have remained vacant since the building was completed.

Policy S6 of the UDP concerning Retail and Leisure Development advises that proposals for retail or leisure development on sites identified in the Schedule of Proposal Sites or within town centres, district centres, local centres or neighbourhood centres and parades will be permitted provided that:

- (i) the scale of the proposal will be appropriate to the size of the centre within which it is to be located, and;
- (ii) it will not harm the viability or vitality of other nearby centres, either by itself or in conjunction with other proposals.

Policy S10 of the UDP regarding Non-Retail Uses in Shopping Areas advises that in retail frontages the Council will not normally permit uses that do not offer a service to visitors unless:

- (i) there has been long term vacancy and a lack of demand for a retail or service use can be proven; and
- (ii) the proposed use is in premises where it would not undermine the retail viability of the centre.

In view of the above policies the proposal is, in principle, considered acceptable. The site in question has historically comprised a community facility (this having now been relocated to the first floor). Although there is an extant permission for a restaurant to operate at ground floor level, this area has remained vacant (apart from the part-use of this floor to form a learning centre), and it is not considered that the provision of a gym at this location will adversely affect the retail character of Orpington Town Centre. It is considered that the proposed use could complement the shopping function of the town centre.

With regard to neighbouring amenity, it is not considered that this use will generate additional disturbance over and above what may be considered acceptable in this town centre location. Information provided by the Agent suggests that the number of patrons will be substantially reduced outside peak hours. Subject to conditions restricting noise emissions from within the building this proposal is considered acceptable from an amenity perspective.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 07/04544, 12/01682 and 13/02936, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACJ01 Restriction on use (2 inserts) a gymnasium D2
ACJ05R J05 reason S2
- 3 Details of the design and acoustic properties of the wall between the application site and the adjoining learning centre shall be submitted to the Local Planning Authority for written approval prior to the use commencing and once approved shall be permanently maintained as such thereafter.
ACJ05R J05 reason S2
- 4 A fixed in-line noise limitation device shall be installed, set and sealed so as to ensure that music levels do not exceed 70dB(A) internally within the application site.
ACJ05R J05 reason S2
- 5 No music shall be played (excluding through personal headphones) during hours when the Gym is unstaffed.
ACJ05R J05 reason S2
- 6 All equipment shall be mounted in such a way as to prevent structural transmission of sound through the building.
ACJ05R J05 reason S2
- 7 No sound system shall be used at the premises between 23:00 and 06:00 on any day.
ACJ05R J05 reason S2

Application:13/02936/FULL2

Address: 313 High Street Orpington BR6 0NN

Proposal: Change of use from approved restaurant use (Class A3) to gymnasium use (Class D2) within part of ground floor.



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

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

Application No : 13/02939/ADV

Ward:
Orpington

Address : 313 High Street Orpington BR6 0NN

OS Grid Ref: E: 546133 N: 165923

Applicant : Mr Chana Dhaliwal

Objections : NO

Description of Development:

- i) Internally illuminated fascia sign
- ii) Internally illuminated projecting sign
- iii) lettering to 3 no external pillars

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
London Distributor Roads
Open Space Deficiency
Secondary Shopping Frontage

Proposal

This application has been submitted in association with application ref. 13/02936/FULL2 concerning the use of the ground floor premises as a gym.

Following the receipt of revised plans (received 4.1.13) the Agent has confirmed that that aside from the "running man" vinyls placed on the front windows, the windows (fronting the High Street) will be clear glazed and not frosted in any way.

Location

The premises are situated within south-eastern corner of Orpington High Street (within the Secondary Frontage) and forms part of a five storey block comprising restaurant (Class A3) on ground floor; a community hall (Class D1) at first floor level; and 19 flats within the upper floors. It replaced the former Orpington Halls which were demolished to accommodate this existing building.

Comments from Local Residents

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

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:

BE21 Control of Advertisements and Signs

Planning History

See report ref. 13/02936/FULL2.

Conclusions

The main issue in this case is whether the proposed signs would be significantly harmful to the appearance of the host building and the character of the area within which the property lies.

Following the receipt of revised plans (received 4.1.13) the windows (fronting the High Street) will be clear glazed and not frosted in any way (aside from the "running man" vinyls) and it is considered that these will ensure a more active frontage as may be expected in this town centre location. The fascia and projecting signs are considered to be of acceptable design, which would complement the existing building and not adversely affect the character of the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 07/04544, 12/01682, 13/02936 and 13/02939, excluding exempt information.

as amended by documents received on 04.10.2013

RECOMMENDATION: ADVERTISEMENT CONSENT GRANTED

subject to the following conditions:

- | | | | | |
|---|-----------------------------|---------------------------------------|------------|-------------|
| 6 | ACF01 | Standard 5 year period | | |
| | ACF01R | Reason F01 | | |
| 7 | ACF02 | Rest. of luminance-(s) (2 in) | internally | illuminated |
| | fascia sign | 1200 | | |
| | ACF02R | Reason F02 | | |
| 8 | ACF03 | Rest of luminance - proj. sign (2 in) | internally | |
| | illuminated projecting sign | 2000 | | |

ACF03R Reason F03

Application:13/02939/ADV

Address: 313 High Street Orpington BR6 0NN

- Proposal:** i) Internally illuminated fascia sign
ii) Internally illuminated projecting sign
iii) lettering to 3 no external pillars



"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 : 13/03090/FULL6

Ward:
Petts Wood And Knoll

Address : 3 St Francis Close Petts Wood
Orpington BR5 1QF

OS Grid Ref: E: 545317 N: 167216

Applicant : Mr Vallins And Mr Crowe

Objections : YES

Description of Development:

Single storey rear extensions to Nos. 3 and 5 St Francis Close

Key designations:

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

Proposal

This is a joint application. The rear extension will project 5.5m beyond No. 3 and 3.5m beyond No. 5. It will incorporate a wooden frame.

Location

The application properties form one pair of two-storey semi-detached houses fronting the SE side of St Francis Close.

Comments from Local Residents

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

- decking at application site is too high resulting in overlooking
- proposal will lead to further overlooking
- property at No 3 already has a large extension and this will lead to overlooking
- concerns about impact on drainage
- extension is of excessive depth

The above include concerns expressed by No. 5 who are happy with the principle of the extensions, but are not happy with the rearward projection of the extension at No. 3.

Comments from Consultees

Not applicable

Planning Considerations

Policies BE1 and H8 of the Unitary Development Plan apply to the development and should be given due consideration.

Planning History

Under ref. 13/00952, a 5.5m deep single storey extension proposed to the rear of No 3 was refused on the following ground:

"The proposal, by reason of its excessive depth, bulk and proximity to the boundary, will adversely affect the amenities of No 5, by reason of its overbearing appearance and loss of light and prospect, thereby contrary to Policy BE1 of the Unitary Development Plan."

Conclusions

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

In comparison to the application refused under ref. 13/00952, whilst the depth to the rear of No. 3 has not been revised, this proposal now encompasses the adjoining semi at No. 5 which will be extended by 3.5m at the rear. The two adjoining extensions will be of similar design. The ground of refusal in respect of that previous refusal related to the impact on No. 5, and given the nature of this proposal, the projection beyond that neighbouring property will be reduced to 2m (taking into consideration the extension now proposed to the rear of No. 5). Planning permission will be subject to a condition to ensure that the two extensions are built and completed concurrently.

In regard to the amenity of other surrounding properties it is considered that an adequate separation will be maintained between the extensions and neighbouring houses. No additional decking is shown to be included as part of this proposal.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 13/00952 and 13/03090, 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 The extensions hereby permitted at Nos. 3 and 5 St. Francis Close shall only be constructed and completed concurrently.

Reason: In the interest of neighbouring amenity and to comply with Policies H8 and BE1 of the Unitary Development Plan.

- 4 ACK01 Compliance with submitted plan
 ACC03R Reason C03

Application:13/03090/FULL6

Address: 3 St Francis Close Petts Wood Orpington BR5 1QF

Proposal: Single storey rear extensions to Nos. 3 and 5 St Francis Close



Report No
DRR13/139

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PLANS SUB-COMMITTEE NO. 4

Date: Thursday 14 November 2013

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

Title: SHELLEEN VALLEY FARM, LAYHAMS ROAD, KESTON

Contact Officer: Tim Bloomfield, Development Control Manager
Tel: 020 8313 4687 e-mail: tim.bloomfield@bromley.gov.uk

Chief Officer: Chief Planner

Ward: Darwin

1. Reason for report

- 1.1 The site is situated to the east of Layhams Road and south of Layhams Farm. It falls within the Green Belt. The buildings are located close to the western side of the valley with the land running eastward to the valley floor. The site is used for equestrian purposes and historically contained a mobile home whose lawful status has been established.
- 1.2 The site is the subject of an extensive planning history. Of most relevance, under references 08/01729 and 09/00193 Certificates of Lawfulness were granted at appeal in respect of the existing lawful status of the “use of [the] existing mobile home for residential occupation with side and rear extension to mobile home” and for a “replacement mobile home”.
-

2. **RECOMMENDATION(S)**

- 2.1 Enforcement action be authorised to seek removal of:
1. raised platform and blockwork enclosure
 2. second mobile home
 - 3 detached outbuilding;
 - 4 concrete steps to mobile home

3. COMMENTARY

- 3.1 Following recent inspections it is noted that a replacement mobile home has been constructed, to the north-east of the existing cluster of outbuildings occupying the site and over a sloping area of land. A substantial concrete hardstanding has been constructed to provide a level base upon which the mobile home has been placed.
- 3.2 Irrespective of the status of the mobile home, and whether it falls within the legal definition of a caravan, the enabling work which has been undertaken – namely the construction of a raised platform over the sloping land - involves extensive engineering operations which require planning permission, under the terms of the 1990 Planning Act. Whilst a Certificate of Lawfulness has been granted for a replacement mobile home this did not include the carrying out of engineering works which require planning permission. Concerns are raised in respect of the visual impact of the development on the wider Green Belt setting and on local landscape character.
- 3.3 It also appears that the original “mobile” home remains on the site which conflicts with the terms of the Lawful Development Certificate outlined above.
- 3.4 A retrospective application for the operational development has been requested but none has so far been received. In the absence of a planning permission it is considered expedient to pursue enforcement action in respect of the removal of the concrete base and the original mobile home which remains on the site. Other development has been carried out without planning permission including a detached outbuilding and concrete steps which add to the built-up appearance of the site and detract from the rural character of the area and should also be removed.

Agenda Item 6.1

Report No.
DRR/13/135

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PLANS SUB-COMMITTEE NO. 4

Date: Thursday 14 November 2013

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

Title: OBJECTIONS TO TREE PRESERVATION ORDER 2556 AT THE PORCUPINE, 24 MOTTINGHAM ROAD, MOTTINGHAM

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

Chief Officer: Chief Planner

Ward: Mottingham and Chislehurst North;

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 makes an important contribution to the visual amenity of this part of Mottingham and that the order should be confirmed.

3. COMMENTARY

3.1. This order was made on 14th June 2013 and relates to an oak and a hawthorn in the back garden of The Porcupine, 24 Mottingham Road, Mottingham. Objections have been made by a planning consultant on behalf of the new owners of the property. It should be noted that the site has been cleared of all trees apart from the two that are the subject of this TPO.

3.2. They have commented that the oak (T.1) is categorised as moderate quality and value and has been poorly pruned where it overhangs the adjoining property to the north. In respect of the hawthorn(T.2), they comment that this is also categorised as moderate quality and value, it is twin stemmed from the base and has a slightly asymmetric crown. They drew attention to the central government document Tree Preservation Orders, A Guide to the Law and Good Practice which does not define amenity but does state that TPOs should only be used if the removal of a tree would have a significant impact on the area and its enjoyment by the public.

3.3. They then considered the visibility of the trees, their individual impact and also their wider impact.

visibility – they refer to the guidance which states that for a tree to be protected it should provide a reasonable degree of public benefit and should be visible from a public place, such as a road or footpath. They state that the only place that gives views of the oak is from the pavement in front of the motorcycle showroom and from the upper windows of properties on the north side of Devonshire Road. The hawthorn tree is not visible from a public place. In response it was pointed out that the guidance in paragraph 3.2 states that the benefit of trees to be protected may be present or future. As they rightly state the current view of the oak is from Mottingham Road but both trees can be seen from properties in Devonshire Road and as they are the only remaining trees at the site they are important features in the back garden of the building. With the development of the site both trees could become more visible features of the area.

In terms of individual impact they rely on the survey data which describes the trees as moderate quality and value. However it should be noted that the trees have both been graded as B1,2 - the hawthorn is mature, of average physiological condition and moderate structural condition and the oak is an early mature specimen of average physiological condition and moderate structural condition. The grading of the trees is that described in BS5837 (trees in relation to construction). Grade B trees are those of moderate quality with an estimated remaining life expectancy of at least 20 years. Trees within B1 are downgraded from grade A either because of their condition, including unsympathetic past management or because of a life expectancy of less than 40 years. Grade B2 relates to the landscape quality of the trees and in this case because of their contribution to the wider locality. The BS 5837 grading of the two trees is accepted, however the oak tree is a young mature tree and has considerable potential for the future and with continued growth will increase in visibility and therefore it will increase in amenity value. The hawthorn is an attractive tree and as stated above would become of amenity value with a redevelopment of the site.

They consider that neither tree has a strong link to its surroundings and that their retention is not essential to the wider setting of the vicinity. As has been stated above both trees will become more important to the wider setting, the oak with future growth and the hawthorn with a development of the site.

They concluded that neither tree should be included in the TPO as their removal would not have a significant impact on the local environment or their enjoyment by the public. However as previously stated the trees are visible from Mottingham Road and properties in Devonshire and do currently have some amenity value. This will increase with continued growth of the oak tree and a development of the site.

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 TPO will expire on 12th December 2013.

7. PERSONNEL IMPLICATIONS

None.

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

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Report No.
(DRR/13/137)

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PLANS SUB-COMMITTEE NO. 4

Date: Thursday 14 November 2013

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

Title: **OBJECTIONS TO MAKING OF TREE PRESERVATION ORDER
2560 AT SOUTH HOUSE AND MIDDLE HOUSE, OAKLEY
ROAD, KESTON**

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

Chief Officer: Chief Planner

Ward: Bromley Common and Keston;

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 amenity of this part of Chislehurst and that the order should be confirmed.

3. COMMENTARY

3.1. This order was made on 25th June 2013 and relates to a birch tree in the front garden of South House and a plane tree in the back garden of Middle House, both properties being in Oakley Road. Objections have been made by the owners of South House and they have commented about the tree preservation order for both trees and also commented about the cypress trees in the front garden of Middle House which are covered by a separate tree preservation order and where consent was refused to cut back the overhanging branches to the boundary.

3.2. In respect of the birch tree they expressed concern that the tree overhangs their neighbours property and touches their roof, they are also concerned about debris from the tree blocking the gutters and risks of the tree damaging his property. The protection of trees in conservation areas was clarified, all trees in this area are protected by virtue of their location within the conservation area. This means that if any work to trees is proposed, 6 weeks notice in writing should be given to the Council. The Council can either allow the proposed works or make a Tree Preservation Order. It does not have the power to revise the works, and so the only way of controlling tree works which are not considered appropriate is by making a Tree Preservation Order. In this case the application was to crown reduce the birch tree by 30%. Crown reduction is a major operation, which can harm the health of the tree by creating large wounds which act as entry points for decay causing organisms, as well as disrupting the trees internal systems of transportation and growth control. In addition it would harm the amenity value of the tree. Birch trees do not respond well to crown reduction but alternative work, such as lifting the lower canopy and thinning the crown could be achieved without undue harm to the health or amenity value of the tree and this work has been agreed.

3.3. In respect of the plane tree they have commented that the canopy overhangs their garden by more than two thirds and the tree requires urgent attention. They consider that the crown is shapeless and has never been attended to in the last 26 years. It is tall and top heavy and sheds sizeable branches into their garden and has become oppressive to them and their plants. They are concerned that branches could snap off and injure someone in their garden. The application that was made was to reduce by 4 metres three branches of the tree. In response they have been advised that the matter of safety is of course an important one no indication ash been given as to whether the branches that have fallen were dead or alive or their size. The plane tree is in a reasonably healthy condition and the consent of the Council would not be needed for the removal of dead wood from the tree. The proposed work would have been quite extensive and this work would have been inappropriate. Their concerns about low branches overhanging the garden are appreciated and some limited pruning has been agreed. The plane tree is a mature specimen over 20 metres in height and a correspondingly wide spread. It is an attractive feature and makes a positive contribution to the character of the conservation area.

3. POLICY IMPLICATIONS

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

4. FINANCIAL IMPLICATIONS

None.

5. LEGAL IMPLICATIONS

If not confirmed the order will will expire on 25th December 2013.

6. PERSONNEL IMPLICATIONS

None.

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

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