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THE LONDON BOROUGH  
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DATE: 24 September 2013

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

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

A meeting of the Plans Sub-Committee No. 1 will be held at Bromley Civic Centre on  
**THURSDAY 3 OCTOBER 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**

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

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

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

## A G E N D A

- 1 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 **DECLARATIONS OF INTEREST**
- 3 **CONFIRMATION OF MINUTES OF MEETING HELD ON 8 AUGUST 2013**  
(Pages 1 - 10)
- 4 **PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
<b>NO REPORTS</b>			

### SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.1	Plaistow and Sundridge	11 - 28	(13/00905/OUT) - 25 Scotts Road, Bromley.
4.2	Bromley Town	29 - 34	(13/01416/FULL2) - 26 The Mall, Bromley.
4.3	Penge and Cator	35 - 40	(13/01433/MATAMD) - Garage Compound Rear of Benwick Court, Croydon Road, Penge.
4.4	Hayes and Coney Hall	41 - 52	(13/01670/FULL1) - 1 Chilham Way, Hayes.
4.5	Bromley Common and Keston	53 - 60	(13/02237/FULL1) - McDonalds, 113 Hastings Road, Bromley.
4.6	Bromley Town	61 - 64	(13/02421/FULL2) - 21A The Mall, Bromley.
4.7	Bromley Town	65 - 70	(13/02441/FULL6) - 74 Coniston Road, Bromley.
4.8	Farnborough and Crofton	71 - 78	(13/02483/FULL1) - 68 Lovibonds Avenue, Orpington.

4.9	Farnborough and Crofton	79 - 82	(13/02515/FULL6) - 5 Lewing Close, Orpington.
4.10	Cray Valley West	83 - 88	(13/02625/FULL6) - 42 Clarendon Way, Chislehurst.
4.11	Farnborough and Crofton	89 - 92	(13/02626/FULL6) - 5 Lewing Close, Orpington.

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

Report No.	Ward	Page No.	Application Number and Address
4.12	Copers Cope	93 - 96	(11/02100/AMD) - Land rear of 86-94 High Street, Beckenham.
4.13	Cray Valley West	97 - 102	13/00792/FULL1) - 75 Clarendon Green, Orpington.
4.14	Bromley Town	103 - 110	(13/01708/FULL1) - 23A Hayes Lane, Hayes.
4.15	Darwin	111 - 116	(13/01925/FULL3) - The Larches, Sevenoaks Road, Orpington.
4.16	Darwin	117 - 120	(13/01926/LBC) - The Larches, Sevenoaks Road, Orpington.
4.17	West Wickham	121 - 124	(13/01931/FULL6) - 116 Hayes Chase, West Wickham.
4.18	Hayes and Coney Hall	125 - 130	(13/02190/FULL1) - 16 Farleigh Avenue, Hayes.
4.19	West Wickham	131 - 136	(13/02258/FULL6) - 49 Hayes Chase, West Wickham.
4.20	Petts Wood and Knoll	137 - 140	(13/02435/FULL1) - Crofton Junior School, Towncourt Lane, Orpington.
4.21	West Wickham	141 - 144	(13/02533/FULL6) - 35 Croft Avenue, West Wickham.

4.22	Penge and Cator Conservation Area	145 - 148	(13/02600/FULL6) - 27 Kings Hall Road, Beckenham.
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**SECTION 4** (Applications recommended for refusal or disapproval of details)

Report No.	Ward	Page No.	Application Number and Address
4.23	Kelsey and Eden Park	149 - 156	(13/01448/FULL1) - Land rear of 107-111 Monks Orchard Road, Beckenham.

**5 CONTRAVENTIONS AND OTHER ISSUES**

Report No.	Ward	Page No.	Application Number and Address
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**6 TREE PRESERVATION ORDERS**

Report No.	Ward	Page No.	Application Number and Address
	<b>NO REPORTS</b>		

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

NO REPORT

# Agenda Item 3

## PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 8 August 2013

### Present:

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

### Also Present:

Councillors Peter Dean and Russell Mellor

## 5 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

There were no apologies for absence; all Members were present.

## 6 DECLARATIONS OF INTEREST

Councillor Harry Stranger declared a Personal Interest in Item 4.17, (minute 8.17); he left the room for the debate and vote.

## 7 CONFIRMATION OF MINUTES OF MEETING HELD ON 13 JUNE 2013

**RESOLVED** that the Minutes of the meeting held on 13 June 2013 be confirmed and signed as a correct record.

## 8 PLANNING APPLICATIONS

### SECTION 1

(Applications submitted by the London Borough of Bromley)

### 8.1 CRAY VALLEY WEST

**(13/01744/FULL1) - Riverside School, Main Road, St Pauls Cray.**

Description of application – 2 lean-to canopies with railings and 1 access ramp to rear of school building. Landscaping works to south-eastern edge of site including new tarmac road, 1.2m high fencing, external lighting, vehicle turning area and new planting.

Comments from English Heritage were reported. 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.

## 8.2 CLOCK HOUSE

### **(13/01800/FULL1) - Churchfields Primary School, Churchfields Road, Beckenham.**

Description of application amended to read, "Alterations to 6 windows on south east facing (rear) elevation and installation of toilet unit for a one year temporary period."

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 an amendment to condition 3 to read:-

"3. The toilet building hereby permitted shall be removed, and the use discontinued, and the land reinstated to its former condition on or before 31st August 2014.

REASON: In order that the situation can be reconsidered in the light of the circumstances at that time in the interest of the amenities of the area."

## 8.3 PENGE AND CATOR

### **(13/01897/FULL1) - Malcolm Primary School, Malcolm Road, Penge.**

Description of application – Single storey toilet block.

It was reported that the application had been amended by documents received on 22 July and 1 August 2013.

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.

## 8.4 COPERS COPE

### **(13/01898/FULL1) - Worsley Bridge Junior School, Brackley Road, Beckenham.**

Description of application - Erection of single storey temporary classroom building with canopy and link walkway to main school building.

Oral representations from Ward Member, Councillor Russell Mellor, 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 informatives set out in the report of the Chief Planner with the deletion of condition 1.

**8.5  
CHISLEHURST**

**(13/02039/FULL1) - Red Hill Primary School, Red Hill, Chislehurst.**

Description of application – Erection of free standing canopy in playground.

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 an amendment to condition 2 to read:-

“2. Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details. REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.”

**SECTION 2**

(Applications meriting special consideration)

**8.6  
SHORTLANDS  
CONSERVATION AREA**

**(13/00531/FULL6) - 20 Malmaims Way, Beckenham.**

Description of application – First floor side/rear extension with juliet balcony.

Oral representations in objection to and in support of the application were received at the meeting. It was reported that comments from the neighbour at 18 Malmaims Way had been received together with a daylight assessment submitted on their behalf that was of material consideration.

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

**8.7  
DARWIN**

**(13/01521/FULL6) - 39 Cudham Lane North, Orpington.**

Description of application - Two storey rear and single storey front extensions and conversion of garage/annexe to form two storey granny annexe and garden.

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

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

**8.8  
CRAY VALLEY EAST**

**(13/01609/FULL1) - 222 Cray Avenue, Orpington.**

Description of application - Demolition of existing warehouse and erection of two storey car servicing, MOT and sales complex including Class B1(c) workshop, Class B1(a) offices, Class B8 parts store, sui generis showroom, associated display area, car parking and ancillary staff facilities.

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

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

**8.9  
KELSEY AND EDEN PARK**

**(13/01684/RECON) - Land rear of 426-428 Upper Elmers End Road, Beckenham.**

Description of application – Removal of condition 1 (which restricts the planning permission to Mr Ellis) and Condition 2 (which requires the use of the premises to cease when Mr Ellis ceases to occupy the premises) from planning permission ref. 05/00042 granted for continued use of the buildings for the servicing of motor vehicles.

Oral representations from Ward Member, Councillor Peter Dean in support of the application were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED** that the application **BE DEFERRED** without prejudice to any future consideration, to seek an amendment to the application in relation to a potential new operator and, if appropriate, for the application to be considered by the Chief Planner under his Delegated Powers.

**8.10  
CRYSTAL PALACE**

**(13/01742/FULL1) - Paxton Arms, 52 Anerley Hill, London, SE19 2AE**

Description of application – Construction of mansard roof, roof terrace, elevational alterations and



conversion into part class A1 retail in basement and ground floor, 3 one bedroom and 4 two bedroom flats with associated parking, access, cycle and refuse storage.

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.

**8.11  
ORPINGTON**

**(13/01774/FULL1) - Land at Birchington Close, Orpington.**

Description of application – Erection of two 2 storey dwellings and one single storey flat, with associated garden, landscaping and parking.

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:-

“20. The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

REASON: Section 91, Town and Country Planning Act 1990.”

**8.12  
COPERS COPE**

**(13/02016/FULL6) - 2 The Drive, Beckenham.**

Description of application – First floor side and rear extension to incorporate enlargement of existing roof.

Oral representations from Ward Member, Councillor Russell Mellor, 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 the addition of a further condition and Informative to read:-

“11. 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 of the dwelling hereby permitted without the prior approval in writing of the

Local Planning Authority.

REASON: To prevent overdevelopment of the site, in the interests of the visual amenities of the area and neighbouring amenity, and to accord with Policies BE1 and H8 of the Unitary Development Plan.

INFORMATIVE: You are advised that the additional accommodation hereby permitted may only be used by members of the household occupying the dwelling at 2 The Drive, and may not be severed to form a self-contained unit. The subdivision of the dwelling to form self-contained units would require the benefit of planning permission.”

### **SECTION 3**

(Applications recommended for permission, approval or consent)

#### **8.13 CHELSFIELD AND PRATTS BOTTOM**

#### **(13/01573/FULL1) - Bramleigh, Chelsfield Hill, Orpington.**

Description of application – Demolition of existing dwelling and erection of detached two storey 5 bedroom dwelling incorporating habitable accommodation with the roofspace and attached double garage, together with formation of 2 new vehicular accesses.

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 with a further condition to read:-  
“15. Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences and the development shall be completed strictly in accordance with the approved levels.

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

#### **8.14 SHORTLANDS CONSERVATION AREA**

#### **(13/01598/FULL1) - 49 Shortlands Road, Bromley.**

Description of application – Single storey side/rear extension, and conversion of lower ground floor flat to provide 1 two bedroom and 1 one bedroom flats.

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

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

**BE DEFERRED TO DEVELOPMENT CONTROL COMMITTEE** without prejudice to any future consideration, as Members were unable to reach a majority decision to support any tabled motion in respect of this application.

**8.15  
WEST WICKHAM**

**(13/01662/FULL6) - 40 Stambourne Way, West Wickham.**

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

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

**8.16  
HAYES AND CONEY HALL**

**(13/01716/FULL6) - 48 Kingsway, West Wickham.**

Description of application – Two storey side and rear extension plus single storey gym.

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.

**8.17  
DARWIN**

**(13/01829/FULL1) - Foal Farm, Jail Lane, Biggin Hill.**

Description of application - Demolition of existing unit and erection of canine special care and hydrotherapy unit.

It was reported the Environmental Health had no objection to the application.  
Members having considered the report, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner.

**8.18  
COPERS COPE**

**(13/02082/RESPA) - 242 High Street, Beckenham.**

Description of application - Change of use of first floor of 240 - 242 High Street, Beckenham from Class B1(a) office to Class C3 dwellinghouses to form two self contained one bedroom 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).

It was reported that the recommendation on page 119 of the Chief Planner's report should have stated, "PRIOR APPROVAL IS NOT REQUIRED". It was also reported that Highways Division had no objection to the application.

Oral representations from Ward Member, Councillor Russell Mellor, were received at the meeting.

Members having considered the report and representations, **RESOLVED THAT PRIOR APPROVAL NOT BE REQUIRED** as recommended, subject to an Informative to read:-

"INFORMATIVE: You are advised that this prior approval relates only to the conversion of the building and does not constitute a grant of planning permission for any other works to the building and its associated land, which may require the submission of a separate planning application."

#### **SECTION 4**

(Applications recommended for refusal or disapproval of details)

#### **8.19 COPERS COPE**

#### **(13/01526/FULL1) - 32 Church Avenue, Beckenham.**

Description of application – Erection of detached 3 bedroom house on land behind 32 Church Avenue, Beckenham.

Oral representations from Ward Member, Councillor Russell Mellor, in objection to the application were received at the meeting. He referred to the objections received from London Fire Brigade with regard to vehicle access. It was reported that a letter from Planning Development Associates had been received. Members having considered the report, objections and representations, **RESOLVED** that **PERMISSION BE REFUSED** as recommended, for the following reasons:-

1. The proposal, by reason of its size and siting, would constitute an inappropriate form of backland development within a protected woodland, thereby contrary to Policies BE1, H7 and NE7 of the Unitary Development Plan.
2. The proposed development does not provide adequate servicing of the site by all vehicles including service and emergency vehicles, contrary to Policy T17 of the Unitary Development Plan.

**8.20  
CHISLEHURST**

**(13/01691/FULL6) - High Ridge, Walden Road,  
Chislehurst.**

Description of application – Single storey side and rear extension incorporating enlargement of existing dwelling together with provision of swimming pool, plant room, gym, sauna and changing area.

Oral representations in objection to the application were received at the meeting. It was reported that the area towards the rear of the site contained a large oak tree within the rear garden of “W yngates” in Willow Grove that was not subject to a tree preservation order. Initial objections to the application in respect of the tree had been withdrawn.

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

The Meeting ended at 9.00 pm

Chairman

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## SECTION '2' – Applications meriting special consideration

**Application No :** 13/00905/OUT

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

**Address :** 25 Scotts Road Bromley BR1 3QD

**OS Grid Ref:** E: 540066 N: 170025

**Applicant :** South East Living Group

**Objections :** YES

### **Description of Development:**

Redevelopment of commercial premises at Nos. 24, 24A and 25 Scotts Road with part two/three storey block and three storey block comprising 755sqm office floorspace (use Class B1) and 4 one bedroom, 31 two bedroom and 3 three bedroom flats with 36 car parking spaces, bicycle parking and refuse storage

Key designations:

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

### **Proposal**

Outline planning permission (including approval of layout and access) is sought for the redevelopment of commercial premises at Nos. 24, 24a and 25 Scotts Road with a part two/three storey block and a three storey block comprising 755sqm office floorspace (Use Class B1) and 4 one bedroom, 31 two bedroom and 3 three bedroom flats with 36 car parking spaces, bicycle parking and refuse storage.

The scheme will provide 5 office units (between 142m<sup>2</sup> and 160m<sup>2</sup> GIA). The residential component of the scheme will be provided as follows:

- 6 two bedroom affordable rent flats
- 6 two bedroom shared ownership flats
- 4 one bedroom private flats
- 31 two bedroom private flats
- 3 three bedroom private flats.

The indicative elevation plans show buildings of a traditional design with brickwork, pitched tiled roofs and glass frontages to the offices.

The proposal will result in the loss of 1,422m<sup>2</sup> Use Class B1(c) light industrial floorspace and the provision of 755m<sup>2</sup> Use Class B1(a) office floorspace. The net loss of business floorspace will be -677m<sup>2</sup>. The application states that the site presently supports 6 full time and 1 part time jobs and the proposed office development will support 60 full time jobs.

Three previous applications for 100% residential developments have been refused planning permission and the two most recent applications have been dismissed on appeal. The current application seeks to respond to the Inspector's comments through the provision of office accommodation.

The application is accompanied by a Design and Access Statement which addresses the site history and marketing of the existing premises and includes the following points:

- 24 Scotts Road has been unoccupied since 2005 and one building is completely dilapidated and has been de-rated by the Valuations Office Agency whilst the remaining building is now being used by a local mechanic for a nominal rent - site has been marketed for rent and for sale since April 2008 and there has been no significant interest
- 24A Scotts Road has been marketed since it was vacated in February 2006, however restrictions on opening hours and opposition from local residents to changes of use to suit potential tenants have thwarted attempts to let the property - site has been let to a local business on a nominal rent for the storage of a caravan and cars since 2011
- 25 Scotts Road is designated for residential use in the UDP and is currently used by a printing company, however the characteristics of the building and advances in printing technology mean that the firm are looking to relocate to smaller premises as soon as possible.

The application is also accompanied by marketing evidence for the site and a confidential Economic Viability Assessment.

A previous application was accompanied by a geotechnical and geo-environmental desktop study which recommends further investigative works but states that remediation measures can be taken to address any contamination on the site. The application refers back to this document.

A Preliminary Energy Assessment and Energy Efficiency Measures statement has been submitted which sets out how the development will achieve a 20% reduction in carbon dioxide emissions.

## **Location**

The application site is currently occupied by a mixture of one and two storey light industrial buildings, some of which are in poor condition. It is accessed via Scotts Road and between Nos. 28 and 30 Mooreland Road. Surrounding development predominantly comprises Victorian style terraced housing and there are business units fronting Farwig Lane to the south and southwest of the site. Nos. 24 and 24A Scotts Road lie within the Farwig Lane Business Area.



## Comments from Local Residents

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

- overdevelopment
- overlooking / loss of privacy
- loss of light
- loss of outlook / overbearing impact
- increased traffic
- inadequate parking / increased demand for on-street car parking
- detrimental impact on highway and pedestrian safety
- noise and disturbance from construction activity
- second access should be provided
- access from Mooreland Road should be restricted
- use of Mooreland Road by construction traffic would be inappropriate
- damage to foundations of houses on Mooreland Road and to services between 28 and 30 Mooreland Road from construction traffic
- increased dirt and litter
- already adequate supply of offices in the area
- loss of business land.

Representations have been received from a local businessman which can be summarised as follows:

- inadequate supply of warehouses and industrial units in the area
- proposal will further prevent growth of employment and industry
- site is designated for business use and is in desperate need of refurbishment - it should be used for the development of 6, 12 or 18 smaller units for retail use (e.g. plumbers merchants, electrical distributors, small scale manufacturing, etc.)
- Aylesbury Studios at No. 1 Scotts Road already provides approx. 12 small offices and there is no need for more office development in this area
- I am interested in purchasing all three sites and the finance is in place for a warehouse redevelopment which would generate significant employment
- the Council are invited to visit a warehouse scheme in Camberwell to understand the potential alternative to the applicant's proposed housing / office scheme
- attempts to purchase 24A Scotts Road and dealings with Colliers estate agents were frustrating because Colliers were not getting a clear indication from the vendor regarding the price of the site - with a possibly more lucrative offer on the table from South East Living there may have been a strategic incentive not to give a firm commitment to sell the site
- 24 Scotts Road has been the subject of low profile marketing, possibly to prove a lack of demand, particularly as there is a dilapidation order and little or no rates being paid
- demonstrating a lack of interest from commercial developers creates a more compelling argument for residential redevelopment

- owner of 24 Scotts Road has concluded that if South East Living fail to obtain planning permission for housing then warehouse redevelopment would make sense and owners of the 24A and 25 Scotts Road may agree
- decision should be deferred for consideration of an alternative warehouse scheme.

A copy of email correspondence with Colliers commercial agents has been provided.

The applicant has provided a response to these comments as follows:

- Baxter Phillips (the commercial agents marketing No. 24) have no record of any enquiries from the objector
- Colliers commercial agents followed up initial interest with no response
- objectors interest appears to have been to occupy No. 24A for a joinery / air conditioning business and there was no discussion regarding redevelopment of No. 24A and the adjoining sites
- the properties have been marketed by commercial agents and there have been willing sellers - the opportunity to pursue any interest in acquiring one or all of the properties has been readily available
- financial viability of objector's proposed warehousing scheme is questioned as it has been demonstrated within the application that redevelopment of the site for 100% commercial use is not viable - there must be concerns over the deliverability of the scheme and the demand, experience and funding for such a speculative proposal
- proposed mixed use development will deliver the following benefits:
  - new modern B1 office units within the business area
  - increase in quality employment floorspace within the business area
  - economic growth as a result of a significant increase in the potential for employment in the business area compared to the last 7 years
  - early economic growth as a result of both the residential and commercial development
  - windfall of additional housing stock in the borough
  - windfall of much needed affordable housing in the borough
  - resolution of past conflicts between residents in Scotts Road / Mooreland Road with incompatible industrial uses on the site
  - resolution of problems associated with industrial traffic on Scotts Road and Mooreland Road.

### **Comments from Consultees**

There are no objections in terms of housing.

The Metropolitan Policy Crime Prevention Design Adviser has commented that the proposed development will offer limited natural surveillance of some of the car parking. However, this concern could be addressed through access control. It is suggested that the Secured by Design condition is attached to a planning permission.

There are no objections from the Council's in-house drainage consultant.

There are no objections from an Environmental Health point of view.

There are no objections in terms of waste collection arrangements.

English Heritage have no objections to the proposal in terms of archaeology.

There are no objections in terms of highways, subject to conditions.

In terms of sustainable development and renewable energy, the applicants report refers to out of date policies. A condition is recommended to secure measures to comply with the London Plan (July 2011).

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

### **Planning History**

Planning permission was refused in September 2000 for 7 two bedroom terraced houses and 14 car parking spaces at No. 25 Scotts Road (ref. 00/01275). The grounds of refusal related to overdevelopment and the impact of the use of a proposed access from Mooreland Road. A subsequent appeal was dismissed after the Inspector concluded that the proposal would be an overdevelopment and would result in dangerous vehicle manoeuvres.

Outline planning permission was granted in January 2002 for 4 semi-detached and one detached house with 6 garages and 4 car parking spaces at 25 Scotts Road (ref. 01/02045). Two of the houses would have been accessed via Mooreland Road. The permission was never implemented.

Outline planning permission was refused in July 2009 for a part two/three storey block and three storey block comprising 16 one bedroom/ 15 two bedroom/ 12 three bedroom/ 3 four bedroom flats with access from Scotts Road to 10 car parking spaces and from Mooreland Road to 18 car parking spaces (ref. 09/00664). The grounds of refusal related to overdevelopment, inadequate car parking and conflict with Policy EMP4 which seeks to safeguard a supply of business land in the Borough to provide for the growth and development of business and industry.

Outline planning permission was refused in December 2009 for the erection of 3 three storey blocks comprising 38 flats (1 one bedroom, 15 two bedroom, 16 three bedroom and 6 four bedroom) with access from Scotts Road (ref. 09/02461). The ground of refusal was as follows:

'Part of the site is located in a Business Area in the Unitary Development Plan and the proposal would be contrary to Policy EMP4 which seeks to safeguard a supply of business land in the Borough to provide for the growth and development of business and industry.'

A subsequent appeal was dismissed in July 2010 and the following is an extract from the Inspector's report:

'The recent Economic Development and Employment Land Study approved by the Council indicates a possible demand for a significant increase of employment land in the future and recommends strengthening policies to protect allocated employment sites. It also recommends that, before permitting a change of use, site development appraisals should be carried out demonstrating that redevelopment for employment use would be financially unviable and evidence of marketing should show the site cannot be disposed of on the open market.

The Council accepts that some uses currently permitted have the potential to be unneighbourly, and in that respect I acknowledge that while the site has been vacant in recent years, there have been some complaints in the past, particularly from residents of Scotts Road. However, the use of the site as offices would be appropriate and compatible with the surrounding residential development and Policy EMP4 allows for office development. The London Borough of Bromley Business Areas Monitoring Report, February 2010, occupancy list indicates a high level of occupancy of offices and at the Hearing the Council confirmed that there is limited office space and a demand for offices in the area. While some large offices in the centre of Bromley are vacant, this is due to the current economic climate and that these are unsuitable for modern use. However, the Council expects these to be occupied as demand increases over the next few years.

A marketing exercise has been carried out over the past 4 years, albeit with some incorrect details. Although a number of enquiries were received and the site has been let intermittently, the marketing has been substantially unsuccessful due to the constraints of the site in terms of poor access and the condition of the buildings, also some uncertainty over the lawful use of the site.

The properties have been marketed for light industrial/storage use although there is some mention of offices in the details for 24a. While not extensive the marketing exercise demonstrates there is little interest in the site in its current condition.

There remains the possibility of redeveloping the site for employment use. While the appellant has expressed concern over the access to the site and the constraints imposed by the surrounding residential development, no reasonable appraisal has been submitted showing redevelopment of the site for business use would be unviable.

I accept that the site is not a key employment site, is effectively separate from the rest of the Farwig Lane Business Area and makes a small contribution to the amount of employment land in the borough. However, this is an argument that could be repeated often and the cumulative effect would be detrimental.

I conclude that there is a demand for good quality employment sites and that while the existing buildings are of poor quality, the sustainable location of the site indicates it has the potential to be a good quality employment site. It has not been demonstrated that the site is unsuitable for employment use or that suitable redevelopment would not be financially viable and therefore I see no reason for there to be an exception to the requirements of UDP Policy EMP4.

While London Plan policies and national guidance encourage the efficient use of land and advise that where there is no reasonable prospect of economic use alternative uses should be considered, I do not consider this has been demonstrated in this case. The proposal would result in a reduction in the availability of good quality sites for modern business development and conflicts with Policy EMP4 of the UDP.

The site currently has the potential to be used for operations that would require heavy goods vehicles and commercial vehicles and the proposal would remove this possibility from Scotts Road and Moorelands Road. Also there would be improvements to residents' living conditions by the removal of industrial buildings and uses that currently exist along most of the perimeter of the site. The appellant has also referred to the effective and efficient use of a brownfield site and maximising the potential of sites in accord with London Plan policies and national guidance.

There would undoubtedly be benefits associated with this scheme and I am mindful of the advice to consider proposals for housing favourably. However, it is also clear that there is a need for local employment sites which it is possible the site could help to meet. On balance I do not consider the benefits described to be sufficient to outweigh the harm arising from the loss of the employment land and the conflict with the development plan that I have identified.'

Planning permission was refused in July 2011 for a part two/ three storey block and three storey block comprising 4 one bedroom, 39 two bedroom and 4 three bedroom flats with 38 car parking spaces on the same ground as previously. A subsequent appeal was dismissed in January 2012 and the following is an excerpt from the Inspector's report:

The Economic Development and Employment Land Study (EDEL) undertaken for the Council by GVA Grimley and intended to underpin the Local Development Framework (LDF), notes a possible demand for a significant increase of employment land across Bromley to 2026 and recommends that the Council "Adopt strong policies to protect existing employment land from development for other uses.....". It also recommends that any 'de-allocations' from the existing plan should be compensated with the allocation of new sites within the LDF.

In addition to the EDEL study my attention has been drawn to a Council commissioned Business Survey which notes that "On balance, commercial businesses are predicting a growth in workforce, turnover and floor space

over the next 5 years" as well as to a working paper produced by the Mayor of London entitled 'Borough employment projections to 2031' which indicates that an additional 8,000 jobs will be created in the Borough over the next 20 years. These are all matters indicative of a demand for employment land in Bromley and must weigh in favour of retaining the site for employment purposes.

However, notwithstanding these general predictions of employment growth, the Council was unable to provide a clear exposition of the likely demand for employment land compared to the anticipated or existing supply. I also note that much of the growth anticipated by the 'Borough employment projections to 2031' is predicted to occur between 2026 and 2031. In fact the projected employment levels in 2026 are shown as being only marginally higher than they were in 2007. In any event the extended timescales must add considerable uncertainty to the projected figures and as such must temper any weight assigned to retention of the site for employment uses.

The site's suitability for employment use is in any case limited by the nearby residential development and particularly by the prospect of traffic serving the site along Scotts Road. However, whilst I acknowledge that previous activities on site have given rise to complaints I see no reason to believe that all employment uses on the site would be unacceptable. Indeed, whilst the previous Inspector acknowledged that there was little interest in the site in its current condition, the Inspector did consider that it would be possible to redevelop the site for employment uses - explicitly considering that office development would be appropriate and compatible with the surrounding residential development. The Inspector further noted that no reasonable appraisal had been submitted to show that redevelopment of the site for business use would be unviable.

This appeal has been supported by a number of appraisals and valuations. According to the valuation from Sinclair Jones dated 20 January 2011 the market value of Nos 24 and 24a, assuming planning consent for B1 units, is some £460-£470k. Including the site at No 25 (outside the Business Area) would increase the total market value to £580-£600k.

The Appellant has compared this to an 'existing use valuation' (EUV) of Nos. 24 and 24a by Baxter Philips (letter dated 25 January 2011) indicating that the combined value of Nos 24 and 24a is some £944k. (Including No 25 gives an EUV for the whole site of around £1.6m). The Appellant concludes that on the basis of these figures there would be no reasonable justification for a landowner or developer to engage in the costs and uncertainty of a detailed design of a redevelopment scheme for business use or to seek planning permission.

However, it is worth examining the figures in more detail. Firstly, whilst the Baxter Philips valuation has taken account of recent lettings in the area, it is based on the properties being in a tenatable/saleable condition (further confirmation in Baxter Philips letter of 23 September 2011). Baxter Philips' letter of the 18 February 2010 acknowledges that marketing has been on

the basis of a ".....token rent due to the poor standard of accommodation available which at best is extremely basic storage" and it is therefore clear that the Baxter Philips EUV does not reflect the current condition of the properties. Consequently, it does not reflect the true value of the site to its landowners - which is likely to be considerably lower than the calculated EUV.

It therefore seems to me that the figures do not demonstrate that there is no reasonable justification for a landowner or developer to engage in the costs and uncertainty of a redevelopment scheme; instead they simply show that redevelopment of the site for B1 uses is unlikely to produce a residual value higher than the EUV of the existing units in a tenanted condition.

The Appellant's Economic Viability Assessment (EVA) dated February 2011 concludes at para 4.9 that the residual value associated with a modern B1 office redevelopment as assessed by Sinclair Jones would be insufficient to acquire the site given its EUV and a vendor's incentive. However, the EUV adopted in the EVA is that provided by Baxter Philips - which as noted earlier assumes the properties to be in a tenanted condition.

Sinclair Jones were also asked to consider what basic enhancements would be required to get the buildings into a 'tenanted' condition. Their letter of 7 September 2011 advises an approximate cost of £273k for Nos 24 and 24a, a figure which would bring the realistic EUV closer to the market value of Nos 24 and 24a assuming planning consent for B1 units. However, even if redevelopment of the site for B1 use was still not seen as a particularly attractive option compared to realising the existing use value of the site, the submitted valuations suggest that both refurbishment of the existing units and redevelopment of the site for B1 uses would produce a positive market value. Consequently, unlike the Appellant, I see none of the submitted valuations as demonstrating that use of the site for business purposes would be unviable.

Whilst recommending the adoption of strong policies to protect existing employment land, the EDEL study also recommends, with caveats, the inclusion of demand criteria to ensure that the Council does not retain land that is unnecessary or for which there is a lack of demand. The study notes that the approach of market testing is increasingly becoming recognised as an effective method for assessing the market viability of sites.

I note that the appeal site has been marketed unsuccessfully over a number of years. Whilst the Council saw that the marketing campaign was focussed on short term lets (although some adverts do also refer to sale) and considered that the terms may not have proven particularly attractive to some potential tenants, the lack of substantive responses to the campaign must nevertheless weigh in favour of using the site for alternative purposes. However, like the previous Inspector I am conscious that the marketing has demonstrated that there is little demand for the site in its current condition. It does not necessarily show a lack of interest in the site for employment

purposes per se, a factor which must be taken into account when considering the weight to be given to the lack of market interest.

The Appellant considers that economic growth is more likely to be secured through residential development on the site than through employment development. The Ministerial statement on 'Planning for Growth' is clear that significant weight should be attached to the need to secure economic growth and employment and the consultation draft of the National Planning Policy Framework (NPPF) puts forward a presumption in favour of sustainable development - albeit at this stage of its development only limited weight can be attached to the NPPF.

The Appellant considers the proposed development to be sustainable and in terms of its location and transport links I see no reason to disagree. However, in describing the concept of sustainability, Planning Policy Statement 1: Delivering Sustainable Development (PPS1) notes the importance of the needs of future generations as well as present needs.

I accept that the appeal proposal may be more likely to secure early economic growth than a proposal for employment use. However, it would do so at the expense of an identified employment site and as an argument the early delivery of growth through residential use could be repeated too many times to the detriment of future employment provision. Indeed there is an emphasis in the NPPF on the importance of meeting development needs through plans and the need to approve proposals quickly where they are in line with those plans.

I have already established that the proposed development would not accord with the plan and therefore whilst it may deliver economic growth earlier than a proposal for employment use I give this, at best, limited weight.

The proposal would result in the loss of an employment site and would be contrary to the development plan. Studies commissioned by the Council indicate that there is likely to be a continuing demand for employment land across Bromley and the EDEL study is clear in recommending that existing employment land should be protected. Notwithstanding that the site has limitations I agree with the previous Inspector that it would be possible to redevelop the site for employment use.

Weighed against this loss of employment land is the fact that the proposed development would deliver both market and affordable housing. Albeit that the Council maintains that it is delivering sufficient housing to meet its targets this must weigh in favour of the proposal. I also accept that marketing of the site in its current condition has failed to attract any significant interest and the prospects for earlier economic growth as a result of the proposal must also attract limited weight. Clearly the matter is one of balance and judgement. The Appellant considers that the starting point in this appeal should be the previous appeal and I agree that it is an important material consideration that should be examined.



The previous Inspector was concerned that no reasonable appraisal had been submitted showing that redevelopment of the site for business use would be unviable. Despite the various valuations and appraisals submitted with this appeal I find this still to be the case.'

The Inspector also considered that the contribution to the borough's housing supply was a benefit of the scheme.

### **Planning Considerations**

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

#### **UDP**

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T7 Cyclists
- T18 Road Safety
- H1 Housing Supply
- H2 Affordable Housing
- H5 Accessible Housing
- H7 Housing Density and Design
- BE1 Design of New Development
- BE2 Mixed Use Developments
- EMP4 Business Areas
- EMP5 Development Outside Business Areas
- ER7 Contaminated Land
- IMP1 Planning Obligations.

#### **London Plan:**

- 2.6 Outer London: Vision and Strategy
- 2.7 Outer London: Economy
- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.6 Children and Young Peoples Play and Informal Recreation Facilities
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 3.11 Affordable Housing Targets
- 3.13 Affordable Housing Thresholds
- 4.1 Developing London's Economy
- 4.12 Improving Opportunities for All
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.6 Decentralised Energy in Development Proposals
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage

- 6.1 Strategic Approach
- 6.3 Assessing the Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.5 Public Realm
- 7.6 Architecture
- 8.2 Planning Obligations
- 8.3 Community Infrastructure Levy.

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

- Affordable Housing SPD
- Planning Obligations SPD.

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

- The Mayor's Economic Development Strategy
- Housing Supplementary Planning Guidance
- Providing for Children and Young People's Play and Informal Recreation Supplementary Planning Guidance (SPG)
- Housing Strategy
- Accessible London: achieving an inclusive environment
- The Mayor's Transport Strategy
- Mayor's Climate Change Mitigation and Energy Strategy
- Sustainable Design and Construction SPG.

Policy EMP4 of the Unitary Development Plan states that designated business areas are only suitable for Class B1, B2 and B8 use. The subtext at Paragraph 10.18 states that:

'the Business Areas consist largely of land with established light industrial and warehousing uses. The Council wishes to safeguard a supply of such land in the Borough to provide for the growth and development of business and industry. Consequently, proposals in the Business Areas for uses not within Use Classes B1 to B8 will not normally be permitted.'

No. 25 Scotts Road falls outside of the Farwig Lane Business Area and Policy EMP5 of the UDP states that:

'The redevelopment of business sites or premises outside of the Designated Business Areas will be permitted provided that: (i) The size, configuration, access arrangements or other characteristics make it unsuitable for uses Classes B1, B2 or B8 use, and (ii) Full and proper marketing of the site

confirms the unsuitability and financial non-viability of the site or premises for those uses.'

Policy 8.2 of the London Plan is concerned with planning obligations and the Community Infrastructure Levy. It states that affordable housing and supporting the funding of Crossrail and other public transport improvements should be given the highest importance. Importance should also be given to tackling climate change, learning and skills, health facilities and services, childcare provisions and the provision of small shops.

Policy 4.4 of the London Plan is concerned with managing industrial land and premises and states that the Mayor will work with boroughs and other partners to:

- 'a) adopt a rigorous approach to industrial land management to ensure a sufficient stock of land and premises to meet the future needs of different types of industrial and related uses in different parts of London, including for good quality and affordable space
- b) plan, monitor and manage release of surplus industrial land where this is compatible with a) above, so that it can contribute to strategic and local planning objectives, especially those to provide more housing, and, in appropriate locations, to provide social infrastructure and to contribute to town centre renewal.'

It is the Council's aim to safeguard a supply of land in the Borough to provide for the growth and development of business and industry. The findings of the GVA Grimley Economic Development and Employment Land study (2010) and DTZ Retail, office, Industry and Leisure Study (2013) and the Mayor of London's projections for job creation in the Borough emphasise the importance of ensuring a supply of business sites to meet future need. The Council's evidence base highlights a forecasted falling requirement for industrial space and a significant requirement for office space.

Bromley is ranked within the London Plan as 'restricted' for the transfer of industrial land to other uses. Boroughs in this category typically have low levels of industrial land relative to demand (particularly for waste management or land for logistics) and/or low proportions of industrial land within the Strategic Industrial Land framework. Boroughs in this category are encouraged to adopt a more restrictive approach to transfer. However, the proposed new office floorspace contributes to the emerging Local Plan's objectives of providing B1 floorspace to support the economic growth of the Borough. The redevelopment of the site does not involve the loss of prime Strategic Industrial Land.

The National Planning Policy Framework states at paragraph 22 that:

"planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits."

The scheme includes 12 affordable units (6 units for shared ownership and 6 units for Affordable Rent) and the affordable housing provision equates to approx. 32% by units and approx. 32% by habitable rooms. The proposal is therefore not in compliance with the Council's affordable housing policy. The applicants have submitted a financial viability appraisal to seek to demonstrate that any higher provision of affordable housing contribution would render the development unviable. Officers subsequently commissioned external expert advice from consultants to review the appraisal. The final advice received indicates that additional affordable housing to reach 35% would render the development not financially viable to proceed. On this basis, the affordable housing provision, although below the level sought under policy, is considered acceptable. However the advice also suggests that a form of review mechanism be required, subject to any delay of implementation beyond a certain point. This will be included within the terms of a Section 106 legal agreement to secure the affordable housing.

The proposal equates to a residential density of 95 dwellings per hectare.

## **Conclusions**

Previous applications were for solely for residential development. The current scheme seeks to respond to the previous refusals and appeal decisions by providing a mixed use scheme comprising B1 office units along with an enabling residential component. Nos. 24 and 24A Scotts Road lie within a designated business area and Policy EMP4 states that sites in Business Areas must be retained for business use. The main issues to be considered in this case are the acceptability of a mixed use residential and Use Class B1 office scheme in a designated business area and the impact of the proposal on the character and the residential amenities of the area.

The following can be concluded from the planning history including the Inspector's reports:

- existing uses have potential to be incompatible with surrounding residential development
- site currently has potential to be used for operations that would require heavy goods vehicles and commercial vehicles
- site has potential to be a good quality employment site
- office development would be appropriate and compatible with the surrounding area
- site has been marketed unsuccessfully over a number of years demonstrating that there is little demand for it in its current condition
- lack of interest in site weighs in favour of using the site for alternative purposes but does not necessarily show a lack of interest in the site for employment purposes per se
- it has not been demonstrated that redevelopment of the site for business use is unviable
- site is not a key employment site and is separate from the Farwig Lane Business Area
- 25 Scotts Road lies outside of the business area and has previously been considered suitable for residential redevelopment

- market value of Nos. 24 and 24A Scotts Road, assuming a planning consent for B1 office use is £460,000 to £470,000 whilst existing use value of 24 and 24A Scotts Road (including cost of restoring buildings to a tenable condition) is £671,000 (Inspector's report dated 4 January 2012) - redevelopment of the site for B1 office use is unlikely to produce a residual value higher than the existing units in a tenable condition
- residential development would provide some benefits in terms of housing supply and in terms of securing early economic growth
- outline applications refs. 09/02461 and 11/00781 were for buildings of the same bulk and massing and these were not refused on grounds of harm to character or residential amenity - the scheme can be considered acceptable in terms of the impact of bulk and massing of the buildings.

The scheme has the potential to deliver increased employment as office floorspace can support a higher employment density than industrial floorspace. The application states that the proposal will support 60 jobs whilst the site currently supports 6 full time jobs and one part time job. The redevelopment would result in quality new modern employment floorspace close to Bromley town centre, thereby contributing to town centre renewal. The office floorspace would not be viable without an enabling residential component. It can be considered that the benefits of the proposal are sufficient to outweigh the harm resulting from non-compliance with the requirements of Policy EMP4.

In terms of the impacts on the surrounding area, the scheme has not changed significantly from the previous proposals which were considered acceptable in this regard. According to the indicative elevations there will now be full length glazing to the ground floor office accommodation but this is not considered to result in any significant impact. The scheme will provide 38 residential units, which is 9 less than proposed under the previous application. It is considered that any increase in activity resulting from the office units will be offset by the reduction in the number of residential units.

An objection is detailed above which has been received from a local businessman regarding interest in redeveloping the site to provide 6-12 warehouses for light industrial or retail use. At this stage no application has been received for an alternative scheme and this current application must be assessed on its merits. The objector has expressed concern regarding the marketing of the sites for business use. Members will note the conclusions drawn from the planning history above and the applicant's response to the objection, in particular the points regarding the desirability of offices to support employment on this site.

On balance, it is considered that the application overcomes the previous grounds of refusal and the proposal is considered acceptable.

as amended by documents received on 19.07.2013

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

and the following conditions:

- 1 ACA02 Details req. pursuant outline permission appearance,  
landscaping and scale  
ACA02R Reason A02
- 2 ACA03 Compliance with landscaping details  
ACA03R Reason A03
- 3 ACA07 Boundary enclosure - no detail submitted  
ACA07R Reason A07
- 4 ACC01 Satisfactory materials (ext'nl surfaces)  
ACC01R Reason C01
- 5 ACC03 Details of windows  
ACC03R Reason C03
- 6 ACD02 Surface water drainage - no det. submitt  
ADD02R Reason D02
- 7 ACD06 Sustainable drainage system (SuDS)  
ADD06R Reason D06
- 8 ACH03 Satisfactory parking - full application  
ACH03R Reason H03
- 9 ACH16 Hardstanding for wash-down facilities  
ACH16R Reason H16
- 10 ACH18 Refuse storage - no details submitted  
ACH18R Reason H18
- 11 ACH22 Bicycle Parking  
ACH22R Reason H22
- 12 ACH29 Construction Management Plan  
ACH29R Reason H29
- 13 ACH32 Highway Drainage  
ADH32R Reason H32
- 14 ACH33 Car Free Housing  
ACH33R Reason H33
- 15 ACI20 Lifetime Homes Standard/wheelchair homes  
ADI20R Reason I20
- 16 ACI21 Secured By Design  
ACI21R I21 reason
- 17 ACK01 Compliance with submitted plan  
ACC01R Reason C01
- 18 ACK05 Slab levels - no details submitted  
ACK05R K05 reason
- 19 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. 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.  
ADL01R Reason L01

INFORMATIVE(S)

- 1 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.
- 2 There is a Thames Water main crossing the development site which may/will need to be diverted at the Developer's cost, or necessitate amendments to the proposed development design so that the aforementioned main can be retained. Unrestricted access must be available at all times for maintenance and repair. Please contact Thames Water Developer Services, Contact Centre on Telephone No: 0845 850 2777 for further information.
- 3 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**Application:**13/00905/OUT

**Address:** 25 Scotts Road Bromley BR1 3QD

**Proposal:** Redevelopment of commercial premises at Nos. 24, 24A and 25 Scotts Road with part two/three storey block and three storey block comprising 755sqm office floorspace (use Class B1) and 4 one bedroom, 31 two bedroom and 3 three bedroom flats with 36 car parking spaces,



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



## SECTION '2' – Applications meriting special consideration

**Application No :** 13/01416/FULL2

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

**Address :** 26 The Mall Bromley BR1 1TS

**OS Grid Ref:** E: 540360 N: 168958

**Applicant :** Mr Tim James

**Objections :** NO

### **Description of Development:**

Change of use of units 26-32 from retail (class A1) to mixed retail restaurant (class A1/A3) use (including lower ground floor at No. 32 and first floors at Nos 26 - 30)

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Bromley Town Centre Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Secondary Shopping Frontage

### **Proposal**

The application is speculative and it is proposed to allow flexibility for each of the four units ( 2 singles 26 & 32 and 1 double, 28-30) to either change use to a Class A3 restaurant / café or remain in Class A1 retail use or be a mix of both. At one extreme this could potentially result in one very large restaurant / cafe, 4 individual restaurant / cafes or a mix of both. The more unlikely scenario is that of all the units would remain in Class A1 use.

Due to the speculative nature of the application there are no details submitted at this time with regards to proposed hours of operation or technical ventilation system details.

As well as the ground floor units of Nos. 26-32, the proposal also includes the basement floor of No.32 and the first floors of Nos. 26-30.

### **Location**

The units fall within an area of Bromley Town Centre designated as secondary frontage. They are located towards the western end of The Mall just to the south of The Glades between the High Street and Elmfield Road. Nearby units include KFC, Argos and Poundland.

The planning application forms and accompanying documents indicate that Nos. 26 & 32 have been vacant since 1st April 2013 and that Nos. 28-30 are due to become vacant at the end of April. It is however noted that the double unit (Nos. 28-30) is currently occupied, the agent has advised that this is a short term lease.

The predominant uses in The Mall are retail with the closest food and drink uses being a café at No. 20-22 and KFC a double units which fronts No.73 High Street.

### **Comments from Local Residents**

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

### **Comments from Consultees**

Highways - The site is within the inner area of the Bromley Town Centre controlled parking zone Also the site is located within a high PTAL area. Furthermore there are public car parks at Simpsons Road and Elmfield Road which are within walking distance of the development.

It is considered that the development would not have a significant impact on the parking demand and traffic generation within the surrounding road network, consequently no objections are raised to the proposal.

No objections are raised 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 and the London Plan:

S2 Secondary Frontages  
S9 Food and Drink Premises  
ER9 Ventilation

#### **Bromley Town Centre Area Action Plan**

Policy S2 sets out that the Council will normally permit changes of use from retail (Class A1) to other uses provided that:

- (i) the use provides a service that complements the shopping function of the town centre;
- (ii) there is no adverse impact upon residential amenity

Proposals for Class A3, A4 or A5 will also have to comply with Policy S9.

Policy S9 will only allow additional restaurants and cafes where;

- (i) there is no adverse impact upon residential amenity

- (ii) the proposal would not cause undue traffic congestion or be detrimental to the safety of other road users and pedestrians
- (iii) the proposal would not result in an overconcentration of food and drink establishments out of character with the retailing function of the area.

Policy ER9 requires the submission of details of a ventilation system where such a system would be necessary in order that the small, noise and visual impact of the system on its surroundings can be properly considered.

With regards to Town Centres The London Plan states that proposals should sustain and enhance their viability.

Amongst the core principles of the National Planning Policy Framework (NPPF) is:

- Promotion of mixed use developments
- Proactively drive and support sustainable economic development
- Promotion of the vitality of main urban areas

### **Planning History**

Under planning ref. 00/02494, planning permission was refused for change of use of basement, ground and first floors from retail shop (Class A1) to food and drink (Class A3) at 24-32 The Mall. The grounds for refusal are as follows:

The proposal will result in an unacceptable break in the retail frontage and the loss of existing retail units contrary to Policies B/S5 and B/S2 of the Unitary Development Plan and as such would be harmful to the future vitality and viability of The Mall.

The proposal will result in an unacceptable impact of the residential amenities that adjacent residential properties situated in Elizabeth Wheeler House could reasonably expect to be able to continue to enjoy contrary to Policy S.6 of the Unitary Development Plan.

### **Conclusions**

With regards to the previous refusal relating to this site, it should be noted that this application was prior to current Unitary Development Plan and also the 2005 changes to Use Classes Order which differentiated between Class A3 restaurants/ cafes, Class A4 Public House and Class A5 hot food takeaways. The refused proposal prospective occupier was a wine bar and the impact of a use of this kind is considered to be different to a smaller café / restaurant use.

The recent changes to Permitted Development rights which came into effect at the end of May 2013 allows for a change of use from Class A1 to Class A3 for up to 2 years without the need to apply for planning permission. However, this would not apply to the current application in its entirety as at 532 sq.m it exceeds the upper floorspace threshold of 150 sq. m. The single units at Nos. 26 & 32 could technically benefit from this change.

There are no technical objections to this proposal from a highways and Environmental Health point of view subject to a condition being attached requiring submission of ventilation details, although it is noted that no ventilation details were submitted.

Policies S2 and S9 are relevant. Part (iii) of Policy S9 states that the Council will only permit restaurants and cafes where the proposal would not be out of character with the retailing function of the area. A survey of units in The Mall shows that of the 32 units, 31 lie within Class A1 use whilst one is Class A3 (No.22 - Nicks Café) nearby KFC a double unit at No,73 High Street has its return frontage in The Mall and would bring the total number of non-retail units in this location to only two.

The agent has stated that the units at Nos. 26 & 32 have been vacant since April, the double unit (Nos. 28-30) was (during a site visit) seen to be occupied at the end of June. The applicant's agent has confirmed that Nos. 28-30 have been occupied again since the application was submitted but that this is on a short term lease at a non-competitive rent with a break clause after the Christmas period. It is also stated that the current retail occupation demonstrates that the applicant is trying to secure retail uses and that the units will not necessarily be lost to Class A3 use if the application is approved. However, no long term vacancy of the units has been clearly demonstrated other than the agent stating that "letting the units for A1 purposes has been difficult."

Changing the use to a flexible one could lead to all four units being turned into restaurants which may be considered to be out of character with the other units in The Mall but would also restrict pedestrian footfall and activity during the day. In this instance it is considered that the changes to a flexible Class A1 / A3 use could be to the detriment of the shopping function of the centre which would be contrary to Policy S9 (iii).

This approach needs to be assessed against:

- the recent changes to legislation which allow greater flexibility and permitted changes from Class A1 to Class A3 uses,
- the need to stimulate the current economic climate
- the fundamental objectives of the NPPF and the London Plan and emerging legislation which seek to promote and sustain vitality and viability of the town centres and encourage mixed uses.

On balance it is considered that the proposal could lead to an overconcentration of Class A3 Uses in this location particularly in light of the inclusion of some lower ground and first floor accommodation as a part of the proposal.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/01416, excluding exempt information.

## **RECOMMENDATION: PERMISSION BE REFUSED**

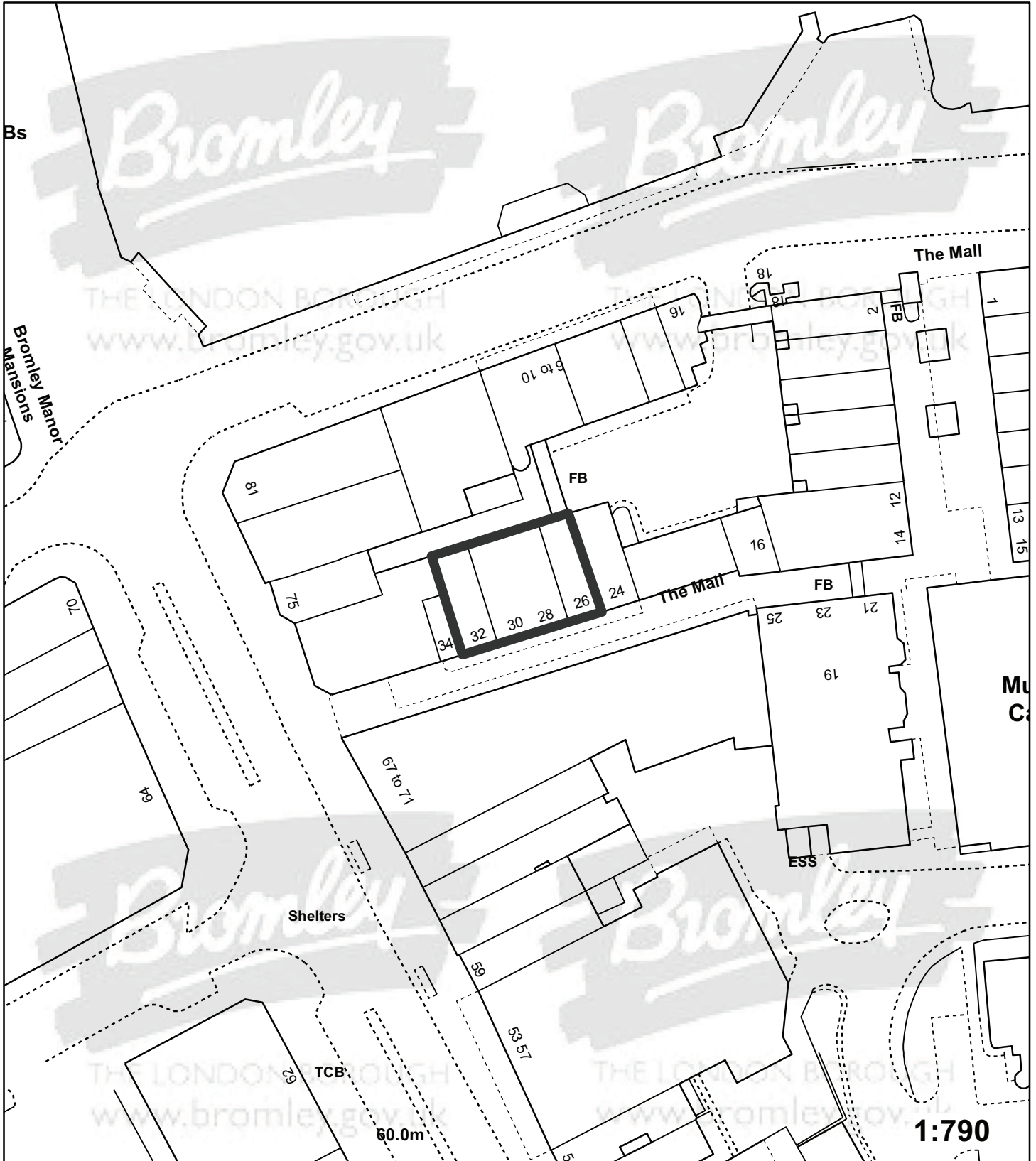
The reasons for refusal are:

- 1 The proposal could result in an overconcentration of food and drink establishments out of character with the retailing function of the area and therefore harmful to the vitality and viability of Bromley Town Centre and The Mall, contrary to Policy S9 (iii) of the Unitary Development Plan.

**Application:**13/01416/FULL2

**Address:** 26 The Mall Bromley BR1 1TS

**Proposal:** Change of use of units 26-32 from retail (class A1) to mixed retail restaurant (class A1/A3) use (including lower ground floor at No. 32 and first floors at Nos 26 - 30)



"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 :** 13/01433/MATAMD

**Ward:**  
Penge And Cator

**Address :** Garage Compound Rear Of Benwick  
Court Croydon Road Penge London

**OS Grid Ref:** E: 535232 N: 169568

**Applicant :** The Court Group Of Companies

**Objections :** NO

### **Description of Development:**

Minor material amendment to approval ref 10/02612/FULL1. (Demolition of existing garages and erection of 7 no two storey three bedroom houses with accommodation in the roof space with 9 no car parking spaces and 8 no garages at the rear, under ref 10/02612/FULL1). Amendments include the reduction of parking spaces from 17 to 16 involving the replacement of garages with open parking spaces, alterations to the overall site boundary, alterations to internal layouts of the units, the addition of FFL's to the site plan, altered ground floor depths to all units, alterations to side dormer positions, and other elevational alterations.

Key designations:

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

### **Proposal**

This application seeks permission for a Minor material amendment to approval ref 10/02612/FULL1. (Demolition of existing garages and erection of 7 no two storey three bedroom houses with accommodation in the roof space with 9 no car parking spaces and 8 no garages at the rear, under ref 10/02612/FULL1). Amendments include the reduction of parking spaces from 17 to 16 involving the replacement of garages with open parking spaces, minor alterations to the overall site boundary, alterations to internal layouts of the units, the addition of FFL's to the site plan, altered ground floor depths to all units, alterations to side dormer positions, and other elevational alterations.

### **Location**

The area is predominantly residential in character the application site is some 0.23 hectares in size. The site is accessed through a covered entrance way from

Croydon Road. This entrance currently serves the parking area to Benwick Court which currently consists of 17 surface parking spaces and 3 blocks of 46 single storey garages.

The site is located towards the rear of the existing four storey block of flats known as Benwick Court. Towards the south and west of the site there are two storey terraced houses which front Oak Grove Road. These properties have large rear gardens some 25 to 30 metres in depth, towards the end of these gardens adjacent to the application site there are a number of single storey sheds and garages beyond which are a tall row of trees and boundary vegetation which run parallel to the proposed development.

The site is in an area of public transport accessibility Level (PTAL) 4.

### **Comments from Local Residents**

No representations received.

### **Comments from Consultees**

Highways - No objection subject to conditions.

### **Planning Considerations**

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

- H1 Housing Supply
- H7 Housing density and Design
- T3 Parking
- T6 Pedestrians
- T11 New Accesses
- T12 Residential Roads
- T18 Road Safety
- BE1 Design of New Development

London Plan:

- 3A.3 Maximising the Potential Of Sites
- 4A.3 Sustainable Design and Construction
- 4B.1 Design principles for a compact city
- 4B.8 Respect local context and communities

Government guidance, and that contained within the London Plan, require Councils to maximise the best use of urban land where appropriate when considering new residential developments, but also to retain development that makes a positive contribution to an area.

### **Planning History**



In addition to the approved scheme this application relates to, the relevant planning history is as follows:

Under planning application ref. 09/00562, permission was dismissed at appeal for the demolition of existing garages and erection of a terrace of 8 part two/three storey 3 bedroom houses with rear second floor balconies, 9 car parking spaces and 8 garages.

Under planning application ref. 09/02248, permission was dismissed at appeal for the demolition of existing garages and erection of a terrace of 8 part two/three storey three bedroom houses with rear second floor balconies and 1 two storey end of terrace two bedroom house with 9 car parking spaces and 8 garages.

Both of the above mentioned applications were considered by the Appeal Inspector to result in an over-intensive and cramped, visually intrusive and harmful to the character and appearance of the area. The full details of the Inspectors comments relating this application will be available for Members.

## **Conclusions**

The main issues in this case are the impact of the revised proposals on the local streetscene, and on the amenities of nearby residents.

### Design:

The amendments to the site boundary, floor levels, side dormer positions and elevational alterations, including details of materials to be used, are all considered to be relatively minor and will not adversely impact on the streetscene or the character and appearance of the application site, and are therefore acceptable in this instance.

The amendments to the internal layouts on the floor plans are considered to be acceptable as they broadly comply with London Plan standards.

The alterations to the parking arrangements, in particular the reduction of parking spaces by 1 is considered acceptable, especially in light of the relatively high PTAL rating of 4. The Council's Highways officer commented that the provision of 16 spaces is an over provision of spaces. Whilst this is not necessarily considered to be a positive it is less of an over provision than the approved scheme.

### Amenity:

The alterations as outlined above are considered minor, and do not adversely impact on the amenity of nearby residential properties above and beyond the impact created by the development already permitted.

Background papers referred to during production of this report comprise all correspondence on file ref. 10/02612, excluding exempt information.

## **RECOMMENDATION: MINOR MATERIAL AMENDMENT APPROVED**

Subject to the following conditions:

1 The development to which this permission relates must be begun not later than the 24th June 2014.

**Reason:** To comply with the provisions of Section 91, Town and Country Planning Act 1990.

2 ACA04 Landscaping Scheme - full app no details

ACA04R Reason A04

3 ACA07 Boundary enclosure - no detail submitted

ACA07R Reason A07

4 ACC01 Satisfactory materials (ext'nl surfaces)

ACC01R Reason C01

5 ACD02 Surface water drainage - no det. submitt

ADD02R Reason D02

6 ACD04 Foul water drainage - no details submitt

ADD04R Reason D04

7 ACH03 Satisfactory parking - full application

ACH03R Reason H03

8 ACH23 Lighting scheme for access/parking

ACH23R Reason H23

9 ACH29 Construction Management Plan

ACH29R Reason H29

10 ACI01 Restriction of all "pd" rights

**Reason:** In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interests of the residential amenities of the adjacent properties.

11 ACI21 Secured By Design

ACI21R I21 reason

12 ACK01 Compliance with submitted plan

**Reason:** In order to comply with Policies BE1 and H7 of the Unitary Development Plan and in the interests of the residential amenities of the adjacent properties.

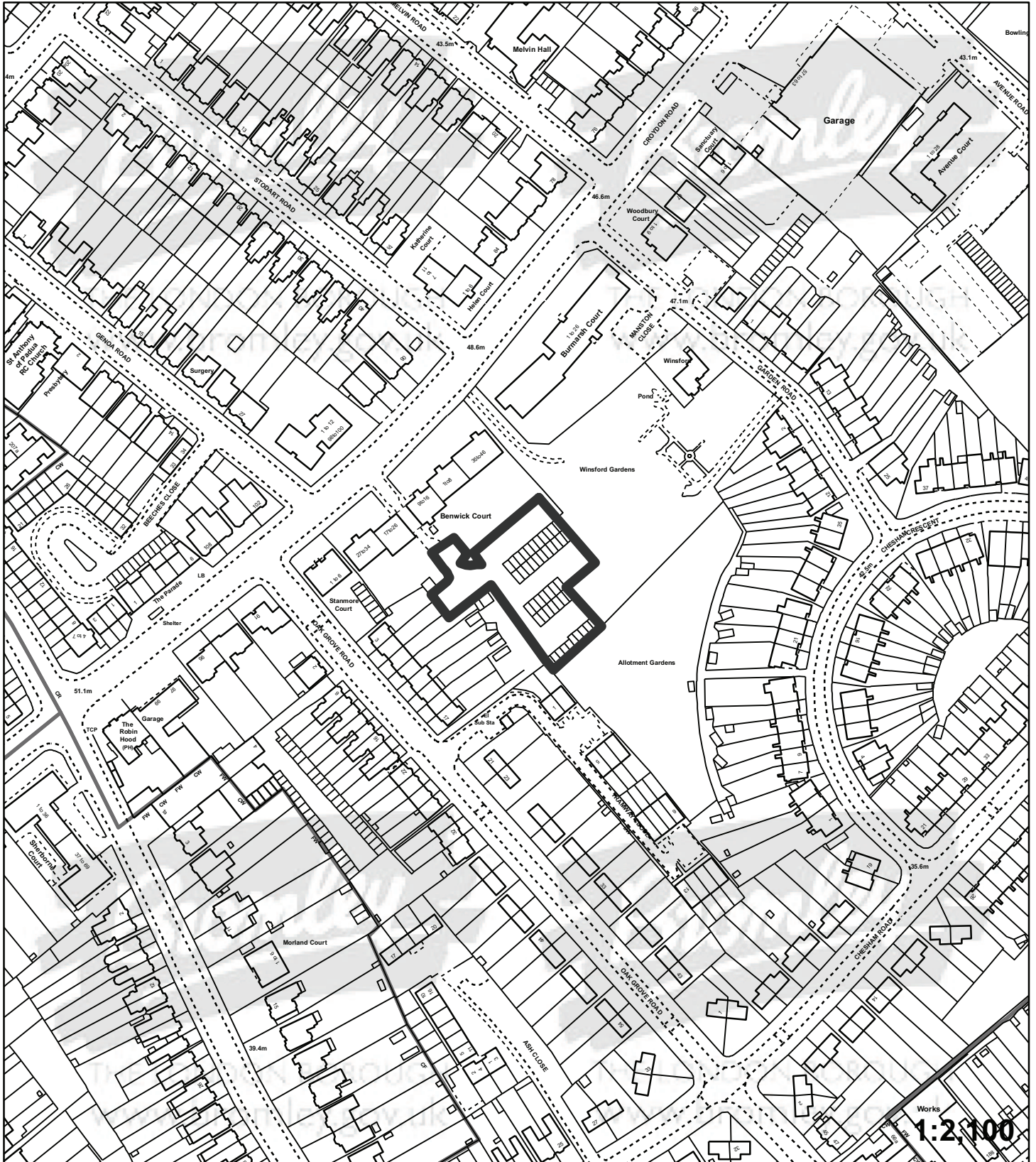
13 ACK09 Soil survey - contaminated land

ACK09R K09 reason

**Application:**13/01433/MATAMD

**Address:** Garage Compound Rear Of Benwick Court Croydon Road Penge London

**Proposal:** Minor material amendment to approval ref 10/02612/FULL1. (Demolition of existing garages and erection of 7 no two storey three bedroom houses with accommodation in the roof space with 9 no car parking spaces and 8 no garages at the rear, under ref 10/02612/FULL1).



"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 :** 13/01670/FULL1

**Ward:**  
Hayes And Coney Hall

**Address :** 1 Chilham Way Hayes Bromley BR2 7PR

**OS Grid Ref:** E: 540078 N: 166906

**Applicant :** Affinity Sutton Homes Ltd

**Objections :** YES

### **Description of Development:**

Demolition of existing sheltered accommodation and erection of 26 two storey semi-detached houses (2 two bedroom, 18 three bedroom and 6 four bedroom) and 1 two storey block comprising 4 one bedroom and 4 two bedroom flats with estate road and 54 car parking spaces

Key designations:

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

### **Proposal**

It is proposed to demolish the existing sheltered housing on the site to provide a residential development comprising the following:

- 4 four bedroom semi-detached private sale houses
- 16 three bedroom semi-detached private sale houses
- 2 two bedroom semi-detached private sale houses
- 2 three bedroom semi-detached shared ownership houses
- 2 four bedroom semi-detached affordable rent houses
- 4 two bedroom affordable rent flats
- 4 one bedroom affordable rent wheelchair accessible flats.

The flats will be provided within a two storey V shaped block at the corner of Mounthurst Road and Chilham Way. There will be 6 pairs of semi-detached houses fronting Chilham Way and 7 pairs fronting a new one-way shared surface access road adjacent to the urban open space.

The development will feature two types of brickwork cladding, white render, slate roofing and zinc clad entrance canopies.

A previous application (ref. 11/02475) was refused on grounds of overdevelopment and the current scheme seeks to respond to this refusal through the following revisions:

- number of dwellings reduced from 41 to 34
- massing of houses reduced - all houses two storey with no rooms in the roof
- number of car parking spaces reduced from 70 to 54
- all houses are now semi-detached removing the need for rear access lanes
- car parking has been located to the sides of the houses where possible to allow more landscaping to the front of the dwellings
- refuse storage for flats integrated into the building or moved to the rear of flats, away from the street frontage
- comprehensive new landscaping introduced.

The application is accompanied by the following:

- Arboricultural Impact Assessment
- Sustainability and Energy Statement for Planning
- Transport Statement
- Planning Statement including a Statement of Community Involvement
- Financial Viability Assessment
- Design and Access Statement
- Affordable Housing Statement
- Landscape Management and Maintenance Plan / Specification
- Code for Sustainable Homes Report.

### **Location**

- 0.78 ha application site is located between Chilham Way, Bourne Vale, Mounthurst Road and Farleigh Avenue
- site currently comprises 47 sheltered units arranged around a private courtyard identified by the applicant as being of an inadequate standard to meet the needs and expectations of their residents and unsuitable for refurbishment
- surrounding area comprises a mixture of predominantly semi-detached and terraced houses and there is an area of designated Urban Open Space immediately to the south of the site
- site has a low Public Transport Accessibility Level (PTAL) of 1b.

### **Comments from Local Residents**

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

- overdevelopment / excessive density
- out of character
- increased traffic and congestion
- inadequate car parking / increased demand for on-street parking

- inadequate access arrangements, particularly for larger vehicles and emergency vehicles / roads are too narrow
- detrimental impact on highway and pedestrian safety
- Transport Statement is unrealistic / understates predicted car movements / overstates car parking in the area / traffic survey should have been carried out when TLT Academy was in session / bus service information is misleading / vehicle tracking diagram illustrates difficulty of manoeuvring a car onto Chilham Way
- double yellow lines at corners of the site would improve safety
- barrier should be provided to prevent car parking on the grassed area fronting Bourne Vale
- increased pressure on local infrastructure and services, particularly healthcare and education
- noise and pollution from construction works
- insufficient information provided by applicant during pre-application community consultation
- site is ideally suited for accommodation for the elderly and should be retained for this use
- existing buildings are in good condition and have recently been upgraded / existing development should be refurbished and retained for the elderly
- increased noise and disturbance
- loss of mature trees
- culverted stream crosses site and could cause flooding
- inadequate children's play space
- inadequate amount of affordable housing
- Hayes needs more affordable housing, flats and accommodation for the elderly
- bonfires should be banned during construction period
- existing development is an eyesore
- proposal is driven by profit
- energy statement does not account for energy used in demolition and construction.

Several local objectors have suggested that the on-street car parking in the surrounding area has been overstated in the Transport Statement. Additional information has been submitted by the applicant to address the fact that due to the introduction of new crossovers it may not be possible to park on both sides of the road in some locations. The additional information has been considered by the Council's Highways Engineer.

Local residents have commented that a barrier should be erected to prevent car parking on the grassed area fronting Bourne Vale. It should be noted that this is Council owned land that does not fall within the site.

### **Comments from Consultees**

The Metropolitan Police Crime Prevention Design Adviser has no objections subject to a standard Secured by Design condition.

There are no objections from the Council's in-house drainage consultant.

There are no objections in terms of waste collection arrangements.

There are no objections in terms of highways, subject to conditions.

Thames Water have no objections.

The proposal is considered acceptable in terms of sustainable development and renewable energy.

In terms of housing, concern has been expressed regarding the loss of the existing sheltered accommodation. The following statement has been received from the Council's Housing Division:

'The Council's Assistant Director (Housing Needs) is supportive of the affordable housing proposals. Whilst the original site was an affordable sheltered housing scheme, Affinity Sutton are not proposing to re-provide sheltered housing as part of the redevelopment. The current demand for existing affordable sheltered housing properties available within the Borough is low, whilst there is an acute shortage of rented general-needs properties of all bed sizes (particularly 2 bedroom properties). Since the recession and the introduction of welfare reforms, there is a lack of 'churn' in affordable housing stock as households do not have the means to move through the sector into private rent or home-ownership. Therefore, it is the view of the Assistant Director (Housing Needs) that general-needs housing on this site would be more useful in terms of meeting local demand and the Council's statutory housing duties.

In terms of planning policy, Bromley does not currently have a specific policy resisting the net loss of older persons' accommodation. Although none of the new properties proposed on the Hayes Place site would be specifically designated for older people in planning terms, all residents were given the opportunity by Affinity Sutton of re-housing in the new development and one resident is anticipated to return.'

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

## **Planning History**

Outline planning permission was refused in November 2011 for the demolition of the existing sheltered accommodation and erection of two storey block comprising 4 one bedroom and 4 two bedroom flats, and 18 semi-detached and 15 terraced houses (9 two bedroom, 20 three bedroom and 4 four bedroom), with estate road and 70 car parking spaces (ref. 11/02475). The grounds of refusal were as follows:

'The proposal, by reason of the type and number of units proposed and the amount of site coverage by hard surfaces, is an overdevelopment of the site out of character with the surrounding area thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.



The proposal constitutes a cramped form of development with excessive hardstanding with a "sea of parking", lacking adequate open and amenity space, and devoid of adequate landscaping, as such conflicting with the provisions of Policies BE1 and H7 of the Unitary Development Plan.'

## **Planning Considerations**

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

UDP:

- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T7 Cyclists
- T12 Residential Roads
- T18 Road Safety
- H1 Housing Supply
- H2 Affordable Housing
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and trees
- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- IMP1 Planning Obligations

London Plan

- 2.7 Outer London Economy
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and Young Peoples Play and Informal Recreation Facilities
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.13 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.14 Affordable housing thresholds
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's neighbourhoods and communities
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.21 Trees and Woodland

## 8.2 Planning Obligations.

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

- Affordable Housing SPD
- Planning Obligations SPD.

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

- Housing Supplementary Planning Guidance
- Providing for Children and Young People's Play and Informal Recreation Supplementary Planning Guidance (SPG)
- Housing Strategy
- Accessible London: achieving an inclusive environment
- The Mayor's Transport Strategy
- Mayor's Climate Change Mitigation and Energy Strategy
- Sustainable Design and Construction SPG.

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

The proposal equates to a residential density of 44 dwellings per hectare.

As part of the application process, it was necessary for the Council to give a Screening Opinion 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 1999. 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 development would not be likely to have significant effects on the environment by virtue of factors such as its nature, size and location. This opinion was expressed taking into account all relevant factors including the information submitted with the application, advice from technical consultees, the scale/characteristics of the existing and proposed development on the site.

The affordable housing provision equates to approx. 35% by units but approx. 27% by habitable room and approx. 29% by floor area. The proposal is therefore not in compliance with the Council's affordable housing policy. The applicants have submitted a financial viability appraisal to seek to demonstrate that any higher provision of affordable housing contribution would render the development unviable. Officers subsequently commissioned external expert advice from consultants to review the appraisal. The final advice received is that the level of affordable housing proposed, in addition to a healthcare and education infrastructure payment of £335,362, is considered to be the maximum level of contributions that could viably be provided. On this basis, the affordable housing provision, although below the level sought under policy, is considered acceptable.

The breakdown of the healthcare and education infrastructure contributions is as follows:

<u>Education:</u>	
Pre-School	£26,936.94
Primary	£106,846.52
Secondary	£106,549.88
Further Ed	£42,713.57
Total	£283,046.92

Health: £52,315

The affordable housing and healthcare and education infrastructure contributions will be secured through a Section 106 legal agreement.

## Conclusions

The main issues to be considered in this case are the impact of the proposal on the character of the area and on the residential amenities of the occupants of nearby dwellings. Particular consideration should be given to whether the revised scheme addresses the previous grounds of refusal regarding overdevelopment.

The proposal involves two storey semi-detached houses and a two storey block of flats which is broadly consistent with the type of development in the surrounding area. The design and materials will complement the appearance of nearby development. The rear gardens to the houses provide sufficient back-to-back separation and the private amenity space to the flats is considered limited but adequate. Given the nature and scale of the development, it is not considered that there will be any undue harm to the living conditions of the occupants of nearby residential dwellings.

The scheme has been significantly reduced in terms of the amount of development compared with the 2011 proposal. The number of dwellings has been reduced from 41 to 34 and roofspace accommodation has been removed. The number of car parking spaces has been reduced from 70 to 54 resulting in a welcome reduction in hard surfaces. The development will have a more spacious appearance and the application includes a comprehensive soft landscaping plan which will improve the setting and visual appearance of the scheme. It is considered that the proposal represents a significant improvement over the earlier scheme and members may agree that the previous grounds of refusal have now been addressed.

Background papers referred to during the production of this report comprise all correspondence and other documents on files refs. 11/02475 and 13/01670, excluding exempt information.

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

and the following conditions:

- |   |        |  |
|---|--------|--|
| 1 | ACA01  | Commencement of development within 3 yrs |
|   | ACA01R | A01 Reason 3 years                       |

2	ACA05	Landscaping scheme - implementation			
	ACA05R	Reason A05			
3	ACA07	Boundary enclosure - no detail submitted			
	ACA07R	Reason A07			
4	ACB01	Trees to be retained during building op.			
	ACB01R	Reason B01			
5	ACB02	Trees - protective fencing			
	ACB02R	Reason B02			
6	ACB03	Trees - no bonfires			
	ACB03R	Reason B03			
7	ACB04	Trees - no trenches, pipelines or drains			
	ACB04R	Reason B04			
8	ACC01	Satisfactory materials (ext'nl surfaces)			
	ACC01R	Reason C01			
9	ACC03	Details of windows			
	ACC03R	Reason C03			
10	ACD06	Sustainable drainage system (SuDS)			
	ADD06R	Reason D06			
11	ACH02	Satisfactory parking - no details submit			
	ACH02R	Reason H02			
12	ACH10	Provision of sight line (3 inserts) 2.40m by 40m			new
		access road junction with Mounthurst Road 1.05m			
	ACH10R	Reason H10			
13	ACH12	Vis. splays (vehicular access) (2 in) 3.3m x 2.4m x			
		3.3m 1m			
	ACH12R	Reason H12			
14	ACH16	Hardstanding for wash-down facilities			
	ACH16R	Reason H16			
15	ACH17	Materials for estate road			
	ACH17R	Reason H17			
16	ACH18	Refuse storage - no details submitted			
	ACH18R	Reason H18			
17	ACH22	Bicycle Parking			
	ACH22R	Reason H22			
18	ACH23	Lighting scheme for access/parking			
	ACH23R	Reason H23			
19	ACH29	Construction Management Plan			
	ACH29R	Reason H29			
20	ACH32	Highway Drainage			
	ADI15R	Reason I15			
21	ACI01	Restriction of all "pd" rights			
	<b>Reason:</b> To safeguard the character and amenities of the area and to comply with Policies BE1 and H7 of the Unitary Development Plan.				
22	ACI20	Lifetime Homes Standard/wheelchair homes			
	ADI20R	Reason I20			
23	ACI21	Secured By Design			
	ACI21R	I21 reason			
24	ACI22	Affordable Housing			
	ACI22R	Reason I22			
25	ACK01	Compliance with submitted plan			

- 26 ACK01R K01 reason (insert reason)
- ACK05 Slab levels - no details submitted
- ACK05R K05 reason
- 27 ACL03 Site wide Energy statement
- ACL03R Reason L03
- 28 No loose materials shall be used for surfacing of the parking and turning areas hereby permitted.

**Reason:** In order to provide suitable materials for the hardstanding that will not adversely affect the highway and to comply with Policy T18 of the UDP.

INFORMATIVE(S)

- 1 Before the use commences, the applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 2 You are advised that it is an offence under Section 137 of the Highways Act 1980 to obstruct "the free passage along the highway" (which includes the footway i.e. the pavement). This means that vehicles parked on the forecourt should not overhang the footway and therefore you should ensure that any vehicle is parked wholly within the site.
- 3 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 4 Any repositioning, alteration and/or adjustment to street furniture or Statutory Undertaker's apparatus considered necessary and practical to facilitate the forming of the vehicular access hereby permitted shall be undertaken at the cost of the applicant.
- 5 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

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

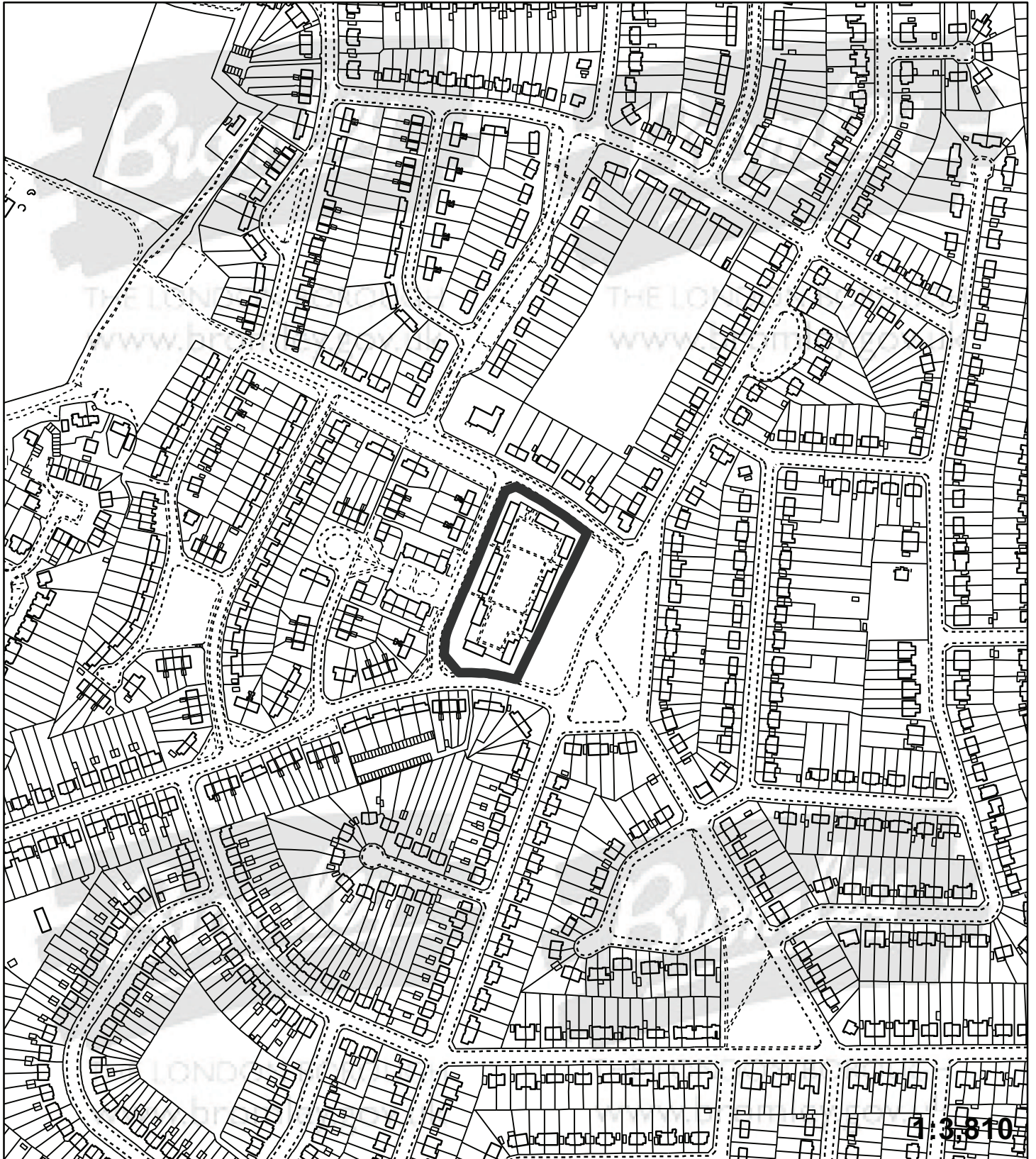
notice to prohibit further development on the site and/or take action to recover the debt.

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

**Application:**13/01670/FULL1

**Address:** 1 Chilham Way Hayes Bromley BR2 7PR

**Proposal:** Demolition of existing sheltered accommodation and erection of 26 two storey semi-detached houses (2 two bedroom, 18 three bedroom and 6 four bedroom) and 1 two storey block comprising 4 one bedroom and 4 two bedroom flats with estate road and 54 car parking spaces



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

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## SECTION '2' – Applications meriting special consideration

**Application No :** 13/02237/FULL1

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

**Address :** McDonalds 113 Hastings Road Bromley  
BR2 8NH

**OS Grid Ref:** E: 542414 N: 166027

**Applicant :** McDonalds Restaurant Ltd

**Objections :** YES

### **Description of Development:**

Alterations to the site layout with the inclusion of a drive-thru lane. Refurbishment of the existing building including two drive thrus booths on the southern elevation. Replacement boundary fencing.

Key designations:

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

### **Proposal**

This application proposes alterations to the existing restaurant building, alterations to the carpark layout, replacement boundary fencing and the installation of a 'drive thru' lane. The alterations include new shop front panels, two drive thru windows to the south flank, a small single storey extension and customer order display (COD) units to the proposed drive thru lane. New soft and hard landscaping is proposed with the introduction of a patio area to the front.

New signage relating to the drive-thru is also proposed and is the subject of application ref. 13/02273.

### **Location**

The site is located to the east side of Hastings Road (A21), which forms part of the Transport for London Road Network (TLRN). It hosts a detached building which was historically a public house and is currently occupied by a McDonalds

restaurant/take-away. The immediate vicinity is mixed commercial/residential; sited directly to the north is a bus depot and to the south, west and east residential.

### **Comments from Local Residents**

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

- amount of noise generated will be unbearable
- idling cars will further sacrifice air quality
- increased litter
- further devalue property
- dangerous - busy road increased traffic and queuing will increase road hazard
- reduced parking - even with current parking a vehicle has crashed through the boundary fence
- reduced parking - local concerns that this will increase parking on nearby roads
- unsatisfactory circulation within the car park
- safety issues re the position of the disabled parking space
- query single space for parent/child parking
- concerns with Goods Delivery - request for a delivery tracking diagram
- overall detrimental impact on health and safety of nearby occupiers

### **Comments from Consultees**

Transport for London (TfL) were consulted as the site is located on the A21 which forms part of the Transport for London Road Network (TLRN), for which TfL are the highway authority. They are concerned about any proposal which may affect the performance and/or safety of the TLRN. Subject to existing on-street restrictions, relevant parking and cycle space provision and clarification on management measures to be adopted to ensure queuing does not take place on Hastings Road should the restaurant experience exceptional demand, no objections are raised to the proposal. In the event of a planning permission appropriate conditions can be imposed. Any additional comments will be reported verbally to Committee.

Highways comments note that there are no proposals to alter existing access arrangements.

The creation of the drive thru lane would reduce the total number of car parking spaces from 53 customer spaces to 27 customer spaces, including one space for disabled customers, one parent and child space and two grill spaces for drive thru customers. The existing parking space within the McDonald's car park for the resident of adjacent property 121 Hastings Road would be retained.

An assessment of the capacity of the site access has been undertaken for both the existing and proposed situations in opening year 2014, for both the Friday and Saturday peak periods. The results demonstrate that the maximum Reserve Flow Capacity (RFC) would be 0.43 at the site access during both the Friday and

Saturday peak periods, which is below the recommended 0.85 RFC value which indicates that there is adequate capacity in the existing access arrangements to accommodate the proposed additional traffic.

The proposal for 27 spaces accords with the LB Bromley's parking standard of 29 spaces. The maximum parking demand recorded at McDonald's Broomwood was 24 spaces, therefore, the level of parking proposed is considered acceptable to serve the proposal.

The drive thru lane can accommodate 14 vehicles. The side by side ordering facilities operate simultaneously allowing customer orders to be processed quicker than a traditional single drive thru lane. The proposed drive thru facility is considered to be sufficient to accommodate the expected level of demand.

On the basis of these considerations no Highway objection is raised to the proposal.

Concerns are raised from an Environmental Health (EHO) point of view in respect of noise, in particular from the intercoms and the volume from car stereos, and it is considered that the proposal could cause serious loss of amenity. Given the intercoms are within the control of McDonalds staff this element of noise could be reduced if managed properly. It is the case that noise from car stereos is outside of McDonalds staff control. Conditions are suggested in the event of a planning permission.

### **Planning Considerations**

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

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

- SPG1
- SPG2

London Plan Policies include 5.3, 6.11, 6.13, 7.3, 7.4, 7.14 and 7.15 which outline the need to ensure that proposals are considered carefully in terms of their overall appearance and layout and their potential impact to the character and appearance of the area. They also consider noise impacts, air quality, highway safety and parking implications as a result of development.

### **Planning History**

The planning history includes planning permission ref. 98/00330 for Alterations and Extensions to Existing Car Park. This permission was subject to planning conditions including condition 03 relating to acoustic fencing to the rear boundary, Condition 04 requiring the car park extension to be permanently laid out in accordance with the agreed details and Condition 05 stating there shall be no

facility at the premises to allow customers to pick up hot food or drinks without leaving their vehicle.

Application ref. 98/00332 (and 98/00333 duplicate application) for 'Alterations and single storey side extension to provide 3 drive thru booths each with canopy and formation of drive thru lane access' were withdrawn, and application ref. 02/02880 for 'single storey side and rear extensions, alterations to car park and formation of a 'drive-through' facility' was received but never progressed.

## **Conclusions**

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

In support of the application the planning statement references NPPF requirements of the need to support economic growth through the planning system. Whilst this legislation was only in draft form at the time of the McDonald's Broomwood (Sevenoaks Way, Orpington) decision the Inspector opined that 'The considerations in favour of the development include the creation of 65 full and part time jobs and employee training and education. Such considerations add weight to my decision to allow the appeal'. It should be noted that the existing number of employees at McDonalds Hastings Road is 30 full-time and 35 part-time (equivalent number of full-time = 45). The current drive-thru proposal identifies the proposed employees to be 10 full-time and 15 part-time (equivalent number of full time = 50).

The application site is an existing commercial site and it may be considered that the extent of the built development proposed by this scheme is unlikely to have a detrimental impact on the character of the area.

It is noted that neighbour objections have been raised in respect of parking, traffic and road safety issues. No objections have been raised by TfL, subject to certain management measures, nor by Highways Planning. Following receipt of neighbour objections additional Highways comments and clarification were sought in relation to the issues raised. Clarification is given by Highways as follows:

### Reduction in Number of Parking Spaces:

A beat survey of the car park (including staff and customer vehicles) was undertaken in 15 minute intervals during the survey periods. The survey indicates that the maximum parking demand recorded was:

- Friday 33 vehicles
- Saturday 36 vehicles
- The existing parking provision of 53 spaces is well in excess of the peak level of demand.

### Vehicular Circulation:

- A TRACK analysis is presented in Appendix 11.2 which illustrates a vehicle circulating the drive thru lane see Transport Assessment report prepared by ADL Traffic.

#### Disabled Parking:

- The position of the disabled bay is close to the main building and drivers can manoeuvre in and out of the parking space in a safe and convenient manner.

#### Parent & Child:

- There is no requirement to provide more Parent & Child spaces.

#### Goods Delivery:

- Martin Bower is McDonald's sole distributor for all its products. Martin Bower use multi temperature vehicles which allow all of the restaurants requirements for frozen, chilled and ambient products to be delivered in one visit. This reduces the number of deliveries each restaurant receives. The proposal would not alter the frequency or size of service vehicles visiting the site. This is because the vehicle which currently delivers would provide slightly more products to accommodate the additional demand; deliveries would occur from within the customer car park as existing. TRACK analysis illustrating a service vehicle accessing and circulating the site is included see Track Analysis Appendix 11.1 of Transport Assessment.
- The proposal is for a drive thru facility with side by side ordering facilities and a small extension of 3sq.m. to provide a cash booth. The drive thru lane would reduce the parking provision from 53 to 27 spaces. There are no proposals to alter the existing access arrangements. Capacity analysis of the site access junction has demonstrated that there is adequate capacity to accommodate the additional traffic generation. The drive thru lane can accommodate 14 vehicles. The side by side ordering facilities operate simultaneously allowing customer orders to be processed quicker than a traditional single Customer Order Display drive thru lane. The proposed drive thru facility is considered to be sufficient to accommodate the expected level of demand.

Neighbour objections also highlight that there has been a recent fatality near to the site. Additional comments in respect of this from Road Safety will be reported verbally to Committee.

In respect of local objections raised regarding an increase in litter the planning statement indicates that the restaurant has a litter patrol scheme. It states that following the consultation meeting on 25/9/12 the litter plan has been reviewed. It also highlights that the store does not have a history of anti-social behaviour but that the inclusion of the 'drive thru' will remove any potential for this type of behaviour as vehicles and pedestrians will have access to all parts of the site.

Neighbour objections are raised regarding the increase in noise levels. Planning policy is concerned that development should not harm neighbouring amenities by noise and disturbance. A Noise Impact Assessment has been submitted in support of the application. The assessment found that 'the specific noise from both drive-thru traffic and the COD units are predicted to have no significant impact on the quietest ambient noise levels measured. The primary noise source - traffic driving around the drive-thru lane - is the same in character as the ambient noise. Noise from the COD has a different character but is low enough generally to be inaudible above the ambient noise'. In respect of vehicle noise the report notes (para7.7) as there are no noise data available as yet for drive-thru traffic at the application site it was deemed reasonable to utilise data for a similar site where the drive-thru is already in operation. The full report is available to view on file.

Environmental Health comments indicate that, in principle, the noise level predictions are fairly realistic. However, findings taken from monitoring at McDonalds, Broomwood (Sevenoaks Way, Orpington) indicate significant variations during the course of the day, with a continuous line of cars at peak times which may last for several hours. Of significance is that the intercom is at times clearly audible in the gardens, with some staff much louder and clearer than others. There is also significant variation in the volume of car stereos.

It is therefore the EHO view that the proposal could cause serious loss of amenity although the impact would be much reduced if managed properly. They comment 'Whether or not this impact is acceptable or not is hard to predict'.

EHO further comment 'Given that the noise from the intercom is totally within the control of McDonalds staff, this only leaves the noise from the car stereos and the cars themselves. Notices displayed requesting drivers to have consideration for neighbours may or may not be effective, but if not then another solution may be for a member of staff to be in the car park at the most noise-sensitive times ensuring that drivers are considerate. A system for recording and responding to neighbour complaints is also important'.

If Members are satisfied, given the findings discussed above, that the effect that the proposal would have on the character of the area and the effect on highway safety are acceptable the main planning concern turns to the impact that it would have on the amenities of the occupants of surrounding residential properties. Although it is noted that the Noise Impact Assessment report concluded that no mitigation measures were deemed necessary for the installation of the drive-thru facility, the findings of the monitoring at the McDonalds, Broomwood Site seem to indicate otherwise.

In order to help further understand the predicted noise (and behaviour) from the proposed use it may be useful to note the Inspector's comments when considering the Broomwood site regarding McDonalds, Wickham Road (Croydon) 'From my observations at the MacDonald's Wickham Road drive through, people did not sound horns, slam doors, play car radios loudly or shout into the COD. I see no reason for them to do so and consider it unlikely behaviour as it would affect their ability to successfully place an order. Whilst vehicle movements are likely to increase from that of current levels, I conclude that the increase in noise above the

ambient background noise likely to be experienced by local residents and those adjacent to the site would be within acceptable tolerance levels'.

Whilst concerns are raised in respect of impact on neighbouring amenity given the technical data provided in support of the application and the actual behaviour patterns noted at two McDonald Drive-thru sites (Broomwood, Orpington and Wickham Road, Croydon) Members may consider that subject to planning conditions relating to noise mitigation measures and management of noise, and on the basis that the current hours of operation of 5am to 11pm are to remain, on balance, the impacts of the proposed use may not be so great as to warrant a planning refusal.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/02237 and 10/02456, 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      ACH22      Bicycle Parking  
ACH22R      Reason H22
- 4      ACJ06      Restricted hours of use on any day      5am    11pm  
ACJ06R      J06 reason (1 insert)      BE1
- 5      ACK01      Compliance with submitted plan  
ACC01R      Reason C01
- 6      Details of management measures to be adopted to ensure queuing does not take place on Hastings Road should the restaurant experience exceptional demand shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced and shall be permanently retained thereafter.

**Reason:** In order to comply with Policy T18 of the Unitary Development Plan and in the interest of the road safety and traffic management.

**Application:**13/02237/FULL1

**Address:** McDonalds 113 Hastings Road Bromley BR2 8NH

**Proposal:** Alterations to the site layout with the inclusion of a drive-thru lane. Refurbishment of the existing building including two drive thrus booths on the southern elevation. Replacement boundary fencing.





## SECTION '2' – Applications meriting special consideration

**Application No :** 13/02421/FULL2

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

**Address :** 21A The Mall Bromley BR1 1TR

**OS Grid Ref:** E: 540405 N: 168920

**Applicant :** Mr S Carey

**Objections : NO**

### **Description of Development:**

Change of use to provide a mixed use comprising shop (A1) and cafe (A3)

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Bromley Town Centre Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds

### **Proposal**

Change of use from retail (Use Class A1) to provide a mixed use comprising shop (A1) and cafe (A3). The premise would be used as a charity shop/café, with a focus on supporting those living with dementia and their carers.

### **Location**

The application site is located within The Mall shopping centre with the frontage facing Elmfield Park. The premises fall within the boundaries of the Bromley Town Centre and adjoin but do not fall within a designated Secondary Shopping Frontage. The unit has an approximate floor space of 172sqm and is currently vacant.

### **Comments from Local Residents**

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

### **Comments from Consultees**

Environmental Health - no objection subject to condition

### **Planning Considerations**

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

EMP6 Development outside Business Areas

S2 Secondary frontages

T3 Parking

At strategic level, the most relevant London Plan policies are:

4.2 Offices

4.7 Retail and town centre development

The National Planning Policy Framework 2012.

### **Planning History**

None.

### **Conclusions**

The main issues relating to the application are the effect of the proposed change of use on the vitality and viability of the town centre and the impact that it would have on the amenities of the occupants of surrounding residential properties.

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

Policy EMP6 provides that where outside of the designated business areas (as is the case here) non-conforming business uses may be acceptable provided there is no significant adverse impact on the amenity of the surrounding properties.

In this instance it is proposed to change a vacant retail unit into a dual use A1/A3. Although located within the shopping parade, the application site has no designation under the UDP. The applicant claims that the unit has been vacant for the period exceeding 18 months. It is considered that the lack of interest in the unit for A1 purposes could be, in part, due to poor location at the very back of the centre as well as the segregation from all of the other A1 units by a large entrance to a residential tower block. The use in the manner proposed would retain an active frontage and an element of retail within the premise. It is also considered that an A3 use would not be out of place in a shopping centre location.

The surrounding area has a high PTAL rate and the unit is accessible from High Street, Elmfield Road and Elmfield Park and the surrounding area encompasses a variety of land uses with offices being predominant uses along Elmfield Park. As such, it is considered that the proposed introduction of A2/B1 Uses would not be at odds in this particular location and acceptable in land use terms.

The proposed development would be retained within the envelope of the existing building and consequently no impact to adjoining residences in terms of access to sunlight/daylight or outlook is anticipated. Given the location of the application site, the character of the surrounding area as well as the nature of the surrounding land uses it is considered that any potential impact on the living conditions of the adjoining and neighbouring occupiers in terms of noise, disturbance and traffic movements would not be materially harmful, hence would not conflict with the aims of UDP Policy EMP6 and Policy 4.2 of the London Plan.

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

Having had regard to the above it was considered that the proposed change of use is acceptable in that it would not unacceptably undermine the vitality and viability of the Bromley Town Centre.

#### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACA01          Commencement of development within 3 yrs  
ACA01R      A01 Reason 3 years
- 2      The use hereby permitted shall operate only in accordance with the layout approved on the approved floor plan, received on 01 August 2013. Any changes from this layout and design will require submission of a formal planning application.

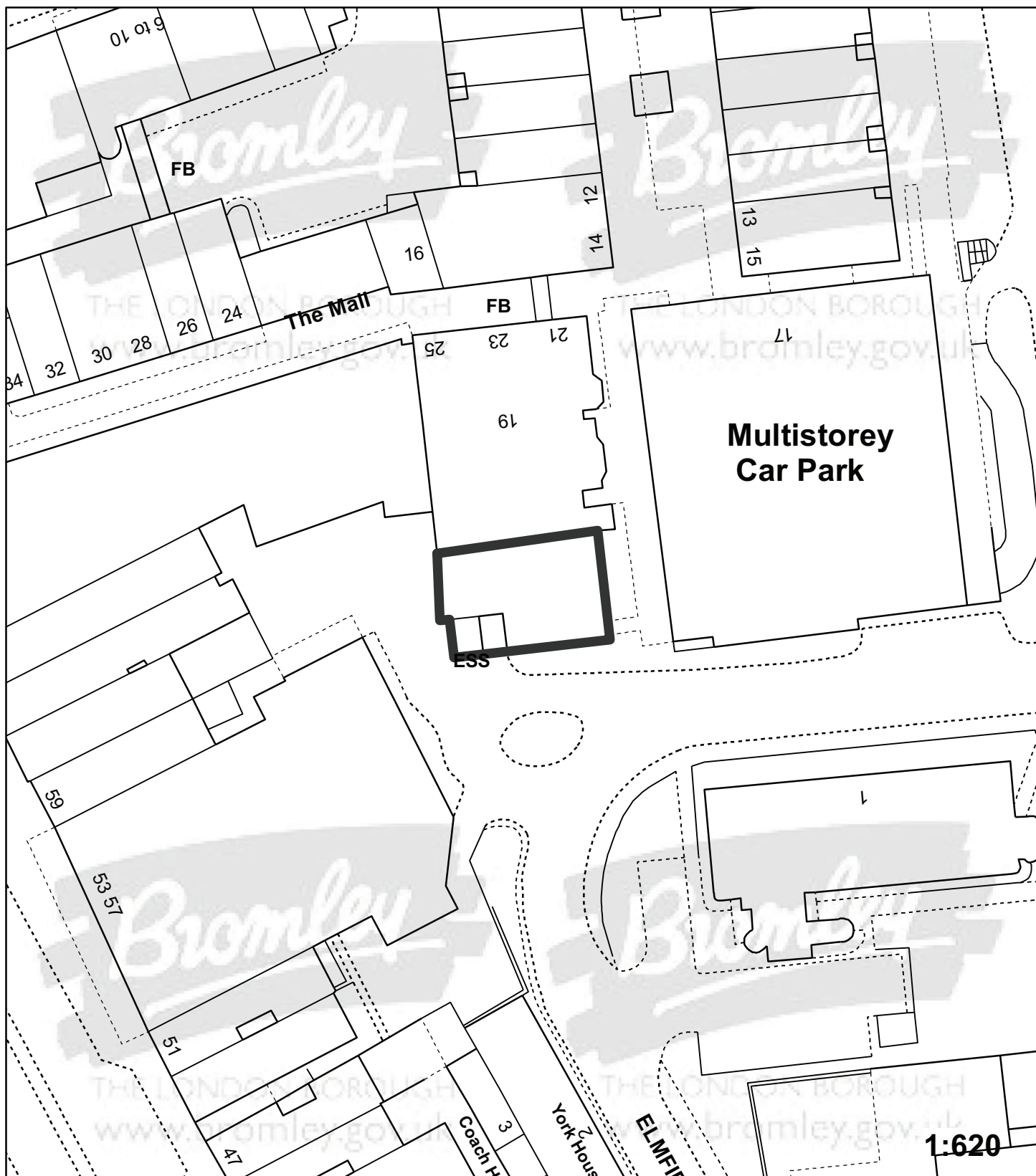
**Reason:** To protect the vitality and vibrancy of the shopping centre, in accordance with policy S2 of the Council's UDP.

- 3      ACK01          Compliance with submitted plan  
ACK05R      K05 reason

**Application:**13/02421/FULL2

**Address:** 21A The Mall Bromley BR1 1TR

**Proposal:** Change of use to provide a mixed use comprising shop (A1) and cafe (A3)



"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 :** 13/02441/FULL6

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

**Address :** 74 Coniston Road Bromley BR1 4JB

**OS Grid Ref:** E: 539254 N: 170595

**Applicant :** Mrs K Thandi

**Objections :** YES

### **Description of Development:**

Part one/two storey rear, single storey side, first floor front/side extensions and roof alterations

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Tree Preservation Order

### **Proposal**

The site hosts a detached, two storey single family dwellinghouse. This scheme proposes a part one/two storey rear extension, single storey side extension, first floor front extension and roof alterations to include rear dormer. The rearward projection of the single storey element is 5m and the first floor element 2.5m. The two storey element will be a minimum of 1m from any boundary.

### **Location**

The site is located on the south side of Coniston Road. The levels in the vicinity slope downwards from east to west resulting in the dwelling to the west (72) being at a lower level than the application site. There are a number of protected trees in the vicinity.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and objections were received, as summarised below (the full objections are available to view on file):

- unacceptable over-shadowing resulting in loss of daylight

- extension will be over bearing resulting in a loss of amenity - especially because of the proposed gabled roofs which only go to increase the mass and bulk of the new additions
- because plans do not show the neighbouring properties the drawings do not show accurately how the proposed extensions would affect the neighbouring properties
- proposal conflicts with Planning Policy BE1

### **Comments from Consultees**

Whilst there are protected trees on the site it is noted that no significant trees would be affected by this proposal.

### **Planning Considerations**

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

BE1 Design of New Development  
 H8 Residential Extensions  
 H9 Side Space

SPG1  
 SPG2

### **Conclusions**

The main issues relating to the application are the effect that the proposal 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 respect of the first floor front extension it seems unlikely that this element would have a detrimental impact on neighbouring amenities but careful consideration will need to be given as to impact on the street scene; while this element will make for a more imposing façade, on balance, it may be considered that it would not create such a negative impact on the street scene as to warrant a planning refusal.

Objections received from the occupiers of number 72 major around two issues 1) loss of light and 2) visual impact. There is an existing single storey rear extension to number 72 which has the benefit of roof lights. Specific concerns include the impact that the proposed extension would have on light from this source (which helps to bring light into the original part of the living area which has a darker nature due to the single storey rear extension).

A 5m rearward projection is considered to be quite substantial and consideration must also be given in respect of the raised height of the roof within the first floor element, when compared to the existing gables; the impact on neighbouring amenities therefore requires careful consideration. Following objections a site visit was made in order to view the application site from the neighbours at number 72.

There is an obscure glazed flank window to number 72 which serves the living area and two rearward facing windows (the smaller being of stained glass - photos are available on file). There are also roof light windows. The application site sits at a higher level than the property at 72.

It is likely there will be some impact on the daylighting reaching to the flank window of number 72 and the extent of the impact from the proposed development on this flank window and the rooflights requires careful consideration. The extent of the two storey projection is 2.5m and 5m for the single storey therefore the proposed single storey element will project beyond the existing extension to number 72.

The rear gardens are of a south, south-westerly orientation; the separation from the flank wall of number 72 will be in the region of 2m (1m to the boundary); there are a number of windows which serve the living area. Given the combination of these elements it may be considered, on balance, that adequate light will remain and the impacts arising from the proposed development in this respect may not be so sufficiently detrimental to justify a planning refusal.

Given existing development (and taking into account the existence of the roof lights), siting and orientation it may be that in this particular instance the projection proposed may not be unacceptable and the roof alterations to the rear, the rear dormer and the proposed 2.5m rearward projection at first floor level are not considered to have such an untoward visual impact to raise a planning objection.

Extensions and work to number 76 are currently being undertaken. This includes a single storey staggered rear element. It is likely that the single storey rear element currently under construction will help to off-set some of the impacts from the proposed extension to the application site. Additionally, there is approximately a 2m side space allowed to this boundary and no neighbour objections have been received from number 76.

Whilst there are protected trees on the site it is noted that no significant trees would be affected by this proposal.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 13/02441, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACC04<br>ACC04R | Matching materials<br>Reason C04                               |
| 3 | ACI12           | Obscure glazing (1 insert) to the west flank roof slope        |

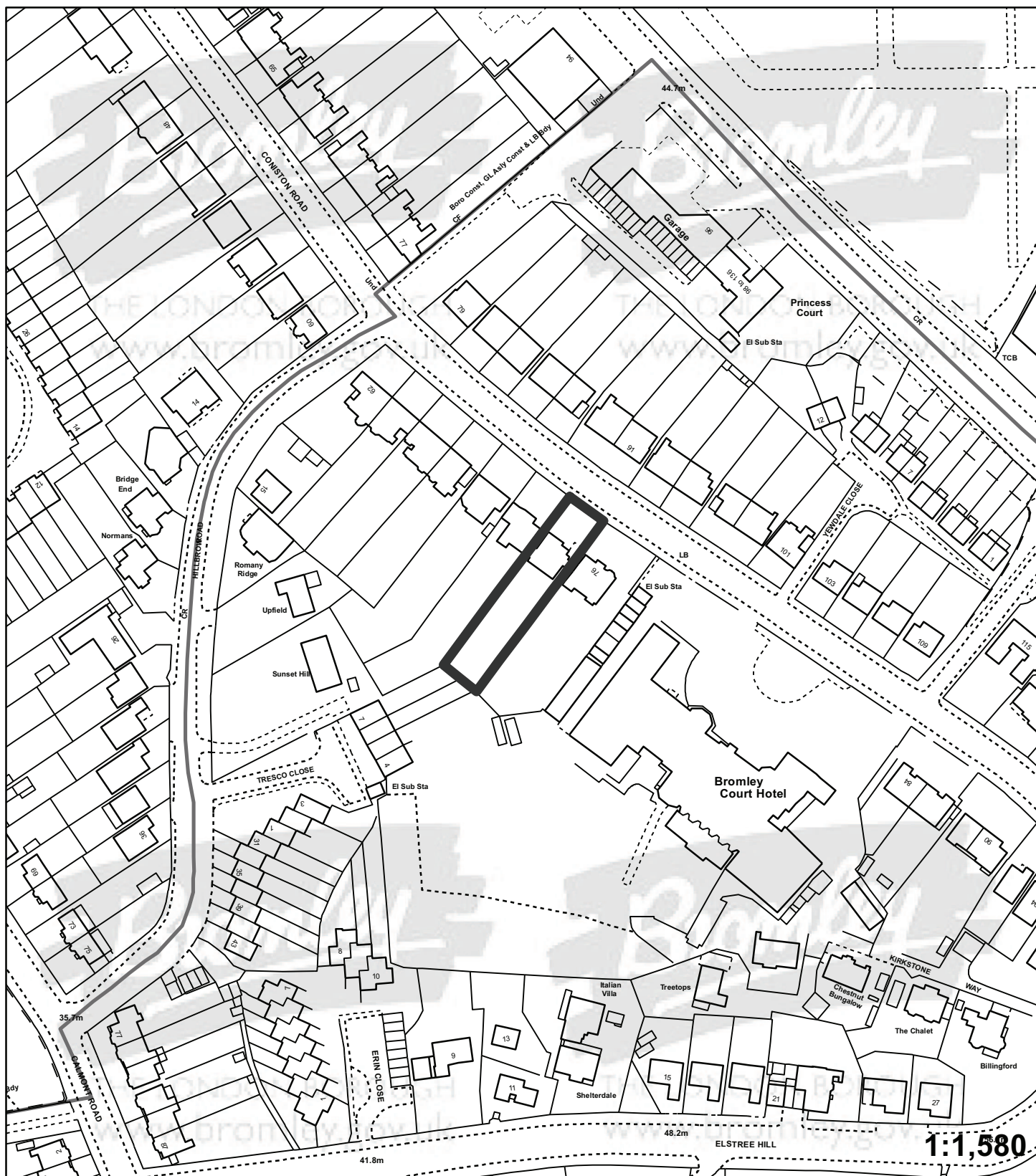
4      ACI12R      I12 reason (1 insert)    BE1  
      ACK01      Compliance with submitted plan  
      ACC01R      Reason C01



**Application:**13/02441/FULL6

**Address:** 74 Coniston Road Bromley BR1 4JB

**Proposal:** Part one/two storey rear, single storey side, first floor front/side extensions and roof alterations



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

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## SECTION '2' – Applications meriting special consideration

**Application No :** 13/02483/FULL1

**Ward:**  
Farnborough And Crofton

**Address :** 68 Lovibonds Avenue Orpington BR6  
8EW

**OS Grid Ref:** E: 543870 N: 165225

**Applicant :** Mr D Watson

**Objections :** YES

### **Description of Development:**

Construction of a detached four bedroom two storey detached dwelling with associated parking access and landscaping.

### **Proposal**

- It is proposed to construct a detached four bedroom two storey detached dwelling
- with associated parking access and landscaping.
- The dwelling will have a height of 8.0m, a width of 10.7m and a depth of 14.5m.

### **Location**

The application site is set to the south eastern edge of Lovibonds Avenue and comprises a large detached two storey dwelling set on a wide plot.

### **Comments from Local Residents**

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

- application is not unexpected and is essentially a rehash of the previous refusal
- streetscene drawing is misleading
- Lovibonds Road is a busy traffic carrying road
- reduced bulk and scale of dwelling, but it remains considerably larger than either
- No. 68 or 64.
- loss of amenity and light to No. 64
- increase in side space is not sufficient
- impact on parking and highway safety

## **Comments from Consultees**

Environmental Health is satisfied with the proposals subject to informatives.

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

No technical highways objections are raised subject to conditions.

From a legal perspective, the proposed imposition of a S106 legal agreement is considered acceptable and suitable in this case.

## **Planning Considerations**

Policies relevant to the consideration of this application are BE1 (Design of New Development), G8 (Urban Open Space), H7 (Housing Design and Density), T3 (Parking), T18 (Road Safety) and NE7 (Development And Trees) of the adopted Unitary Development Plan.

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

## **Planning History**

Permission has been refused for the extension and conversion of the existing rear garden outbuildings and subdivision of the plot to create a new detached dwelling with associated access, parking and landscaping under reference 11/00623/FULL1.

A preceding application for similar development under 11/00571/FULL1 was withdrawn.

Permission has been refused for the demolition of the existing garages and erection of a two storey detached dwelling with associated access, parking and landscaping under reference 12/02097/FULL1. The reasons for refusal were:

'The proposal, by reason of the excessive depth and angled positioning of the dwelling beyond the rear elevation of No. 68 Lovibonds Avenue, would be over-dominant and detrimental to the amenities of the occupants of that property, contrary to Policy BE1 of the Unitary Development Plan.

The proposal, by reason of its width, scale and mass would result in an overdevelopment of the site, out of keeping with the character and appearance of this part of Lovibonds Avenue, contrary to Policies BE1 and H7 of the Unitary Development Plan.'

Planning permission was refused under ref. 12.03594 for construction of a 4 bedroom, two storey detached dwelling, with associated parking, access and landscaping. The refusal grounds were as follows:

'The proposals, by reason of the excessive forward projection of No. 64 Lovibonds Avenue would appear excessively bulky and contrary to the spacious character of Lovibonds Avenue, contrary to Policies H9, BE1 and H7 of the Unitary Development Plan.

The proposals, by reason of the dwellings excessive rearward depth beyond the existing rear elevation of No. 68 Lovibonds Avenue, would be over-dominant and detrimental to the amenities of the occupants of that property, contrary to Policy BE1 of the Unitary Development Plan.'

Planning permission was refused under ref. 13/00688 for construction of a detached four bedroom two storey detached dwelling with associated parking access and landscaping. The refusal grounds were as follows:

'The proposal, by reason of the dwelling's excessive rearward depth beyond the existing rear elevation of No. 68 Lovibonds Avenue, would result in an over-dominant form of development that would be detrimental to the amenities of the occupants of that property by way of a harmful visual impact and loss of outlook, contrary to Policy BE1 and H7 of the Unitary Development Plan.'

## **Conclusions**

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

This application is a resubmission of refused applications 12/02097, 12/03594 and 13/00688. The dwelling is of the same traditional mock-Tudor style as previously proposed incorporating front gable projection with timber cladding, and the use of brick and render. No objection was previously raised with regard to the design of the dwelling.

The proposal will continue to provide a 1.5m side space to the southern boundary, however the side space to the northern boundary (adjoining No. 68) has been reduced to 1.0m as the dwelling will be 0.5m wider than the previous refused scheme. The result will be a closer proximity to the dwelling at No. 68. Despite this, subject to a legal agreement to construct the extension to No. 68 simultaneously with the new dwelling, this relationship is considered acceptable.

The plot is comparable in size with those in the locality. The dwelling has been re-designed to site the dwelling in line with No. 68 and there would be a forward projection of 4m forward of No. 64. A part of the front elevation has been removed so that the dwelling will step back to respect the building line of No. 64. Lovibonds Avenue has a consistent building line, with the exception of this plot, which fronts the curve in the road, meaning that Nos. 64 and 68 are staggered. However, given their spacious separation this does not appear incongruous in the setting, with the side space of No. 68 (presently occupied by single storey garages) adding to the spatial quality of the area.

With regard to amenity, previously proposals had an unacceptable rearward projection beyond the host dwelling, No. 68 Lovibonds Avenue. In an attempt to address this issue, in addition to the previously refused revisions, the rear projection under ref. 13/00688 had been reduced in respect to No. 68 by 1.1m by removing a section at the rear of the house. This reduced rear projection remains under the current application and the house will extend beyond the existing rear building line of No. 68 by 7.5m.

The two storey rear extension to No. 68 has been approved under reference 12/03280/FULL6 and the plans submitted illustrate the relationship between the extended host dwelling and new proposed dwelling, which appear to extend to a similar rearward point. However, this extension has not been constructed, and therefore the applicant has voluntarily suggested a legal agreement to cover this issue. On this basis, it is considered that the rearward projection beyond the proposed rear wall of No. 68 would be acceptable, removing the amenity impact previously considered unacceptable.

With regard to No. 64, there would be a projection of 1.8m rearward of this dwelling. This is considered acceptable and the resulting rearward projection beyond this neighbour would not be considered harmful to outlook or light.

The proposals provide an integral garage and off street parking, accessed by an existing vehicular crossover. This raises no objection from a highways perspective.

A S106 legal agreement is recommended to ensure that the previously approved extension to No. 68 is constructed simultaneously with the dwelling hereby permitted or prior to the occupation of the new dwelling..

Having had regard to the above it was considered that the proposal is acceptable in that it would not impact harmfully on the amenities of neighbouring properties and would not impact detrimentally on the character of the area. No impact on highway safety would result from the proposal. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/03280, 12/03594, 13/00688 and 13/02483, excluding exempt information.

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

and the following conditions:

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACA04<br>ACA04R | Landscaping Scheme - full app no details<br>Reason A04         |
| 3 | ACA07<br>ACA07R | Boundary enclosure - no detail submitted<br>Reason A07         |
| 4 | ACC07           | Materials as set out in application                            |

- 5 ACC07R Reason C07  
 ACD02 Surface water drainage - no det. submitt  
 ADD02R Reason D02
- 6 ACH03 Satisfactory parking - full application  
 ACH03R Reason H03
- 7 ACH29 Construction Management Plan  
 ACH29R Reason H29
- 8 ACI02 Rest of "pd" Rights - Class A, B,C and E

**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in order to prevent the overdevelopment of the site.

- 9 ACI12 Obscure glazing (1 insert) in the first floor flank elevation  
 ACI12R I12 reason (1 insert) BE1
- 10 ACI17 No additional windows (2 inserts) first floor flank development  
 ACI17R I17 reason (1 insert) BE1
- 11 ACK01 Compliance with submitted plan

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

- 12 ACK05 Slab levels - no details submitted  
 ACK05R K05 reason
- 13 A side space of 1.0m shall be provided between the northern flank wall of the development hereby permitted and the northern flank boundary of the property, and a minimum side space of 1.5m shall be provided between the southern flank wall of the development and the southern flank boundary of the site.

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

INFORMATIVE(S)

- 1 In order to check that the proposed storm water system meets our requirements, we require that the following information be provided:
- A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.
  - Where infiltration forms part of the proposed storm water system such as soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
  - Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.
- 2 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.
- 3 Before the use commences, the applicant is advised to contact the Pollution Team of Public Protection regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.

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

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

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



**Application:**13/02483/FULL1

**Address:** 68 Lovibonds Avenue Orpington BR6 8EW

**Proposal:** Construction of a detached four bedroom two storey detached dwelling with associated parking access and landscaping.



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

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## SECTION '2' – Applications meriting special consideration

**Application No :** 13/02515/FULL6

**Ward:**  
Farnborough And Crofton

**Address :** 5 Lewing Close Orpington BR6 8RA

**OS Grid Ref:** E: 545060 N: 166398

**Applicant :** Mr Jonathan Parkhurst

**Objections :** YES

### **Description of Development:**

Two storey side, first floor side and rear extensions

Key designations:

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

### **Proposal**

- The proposed side extension will have a width of 2.8m and a length of 5.3m, retaining a 1m side space to the side boundary and incorporating a hipped roof.
- The proposed first floor rear extension will have a rear projection of 1.9m and a width of 8.7m (the full width of the house). The extension will be constructed above the existing ground floor section at the back of the house and will have a hipped roof.
- A porch canopy is also proposed to the front elevation of the house.

### **Location**

The property is located on the southern side of Lewing Close. The site currently comprises a detached two storey dwelling. The area is characterised by a mix of housing types. To the front of the house is a shared access and communal parking area.

### **Comments from Local Residents**

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

- overdevelopment
- out of character

- loss of light and privacy - overlooking
- parking issues
- structural stability concerns
- lack of site notice
- prominent structure within the street scene

### **Comments from Consultees**

Technical highways objections were initially raised on the basis that Lewing Close is unadopted and the originally proposed porch may push cars further out into the driveway, creating a parking issue within the close. The proposed garage was also of a sub-standard size. Amended plans have been received which enlarge the garage and remove the porch, and no highways objections are subsequently raised.

### **Planning Considerations**

Policies relevant to the consideration of this application are BE1 (Design of New Development), H8 (Residential Extensions), H9 (Side Space), T3 (Parking) and T18 (Road Safety) of the adopted Unitary Development Plan.

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

### **Planning History**

A planning application is currently under consideration under ref. 13/02626 for rear boundary fence max height 2.7m.

### **Conclusions**

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

The proposed side extension will provide a continuation of the existing two storey side section of the house and will retain a 1m side space to the flank boundary, thereby complying with Policy H9. The roof will be hipped and will reflect the character of the main house. The extension to the side of the house will not impact harmfully on the street scene or the character of the area. The extension will not project in advance of the building line and will preserve the space to the side of the house. The proposed front porch canopy will not project significantly to the front of the house and has a low bulk, therefore it is considered that this would not appear excessively intrusive within the street scene.

To the rear of the house, the proposed extension would be complementary to the design of the house, with a hipped roof. The extension will retain a large rear garden and is considered not to overdevelop the site.

The proposed side extension will impact upon a side window at No. 4. This window is obscurely glazed and serves a bathroom. The side to side relationship between the buildings will be typical of a suburban area and the impact is not considered significant, given the bathroom use of the room. To the rear of the house, the proposed first floor extension will project 2m to the rear of neighbouring properties and will be separated by 2m from each neighbouring house. This relationship is considered suitable to avoid undue loss of outlook or visual impact. The houses are in relatively close proximity and the modest rear projection of 2m and hipped roof is considered to keep bulk to a minimum. Therefore the proposal is considered to have an acceptable relationship with the neighbouring properties and will not impact harmfully on light and outlook.

Amended plans have been received dated 06/09/13 indicating the removal of the front porch and its replacement with a canopy, along with the widening of the garage.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a loss of amenity to local residents and would result in a harmful impact on the character of the area. No impact on highway safety would result. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/02515 and 13/02626, excluding exempt information.

as amended by documents received on 06.09.2013

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

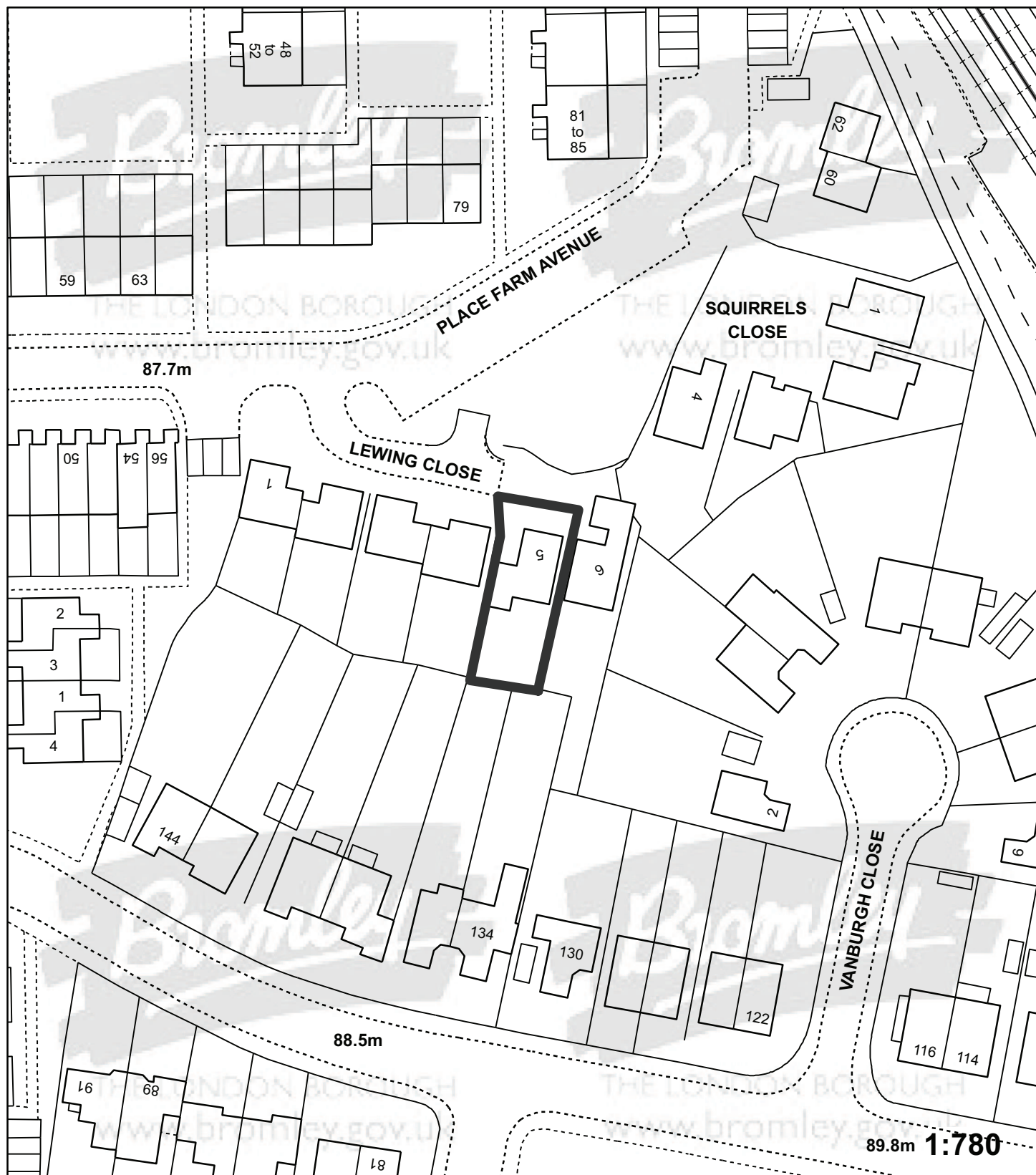
- 1     ACA01        Commencement of development within 3 yrs  
      ACA01R      A01 Reason 3 years
- 2     ACC04        Matching materials  
      ACC04R      Reason C04
- 3     ACI12        Obscure glazing (1 insert)    in the first floor flank elevation  
      ACI12R      I12 reason (1 insert) 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

**Reason:** In order to comply with Policies BE1 and H8 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:**13/02515/FULL6

**Address:** 5 Lewing Close Orpington BR6 8RA

**Proposal:** Two storey side, first floor side and rear extensions



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

## SECTION '2' – Applications meriting special consideration

**Application No :** 13/02625/FULL6

**Ward:**  
Cray Valley West

**Address :** 42 Clarendon Way Chislehurst BR7 6RF

**OS Grid Ref:** E: 546016 N: 168603

**Applicant :** Mr I Sukevicius

**Objections :** YES

### **Description of Development:**

Single storey rear extension including steps, and side and rear elevational alterations PART RETROSPECTIVE APPLICATION

Key designations:

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

### **Proposal**

Planning permission is sought for the following:

- single storey rear extension with a rearward projection of 4.2m and height of 3m
- side and rear elevational alterations
- revised drawings received 11th September 2013 show the addition of steps down from the rear extension

From visiting the site, it is apparent that the majority of the works are complete. The front boundary previously included in the application has been removed from the current proposal and will be the subject of a separate application in due course.

### **Location**

Site relates to a two storey detached property located on south side of Clarendon Way. Detached properties of similar size but of varying design characterise the area.

### **Comments from Local Residents**

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

- previous application dismissed and Inspector raised concerns including that the extension dominates views the adjoining properties and overbearing
- welcome higher 2m fence but will not cure problem (No.44)
- concerns about outbuilding in garden that has been constructed
- loss of light to patio and north west ground windows to No.44
- air-conditioning units have been installed on east facing wall
- loss of outlook
- loss of light to No.40
- potential intrusion of privacy
- misleading information on forms
- discrepancies in ground levels
- do not accept higher fence (No.40)
- no benefit in including obscure end panels

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

### **Comments from Consultees**

None.

### **Planning History**

The planning history is summarised as follows:

12/03522- Part/one two storey rear extension and front porch. This application was refused and dismissed at appeal (although the front porch was allowed)

12/03518 - Front boundary wall, piers, railings and sliding gates (maximum height of 2m)was refused for the following reason:

"The proposal, by virtue of its height and design, would be incongruous and detrimental to the visual amenities of the streetscene and therefore contrary to Policy BE1 and BE7 of the Unitary Development Plan."

13/00155 - planning permission was refused for the retrospective works at the site, including a single storey rear extension, front entrance porch, and side and rear elevational alterations for the following reason:

"The single storey rear extension, by reason of its excessive rearward projection, has a seriously detrimental impact on the visual amenities to No.40 Clarendon Way and the prospect which the occupants of this dwelling might reasonably expect to be able to continue to enjoy, contrary to Policies BE1 and H8 of the Unitary Development Plan."

This most recent application was also dismissed on appeal. The Planning Inspector stated that the main issues surrounding the case were the effect on the living conditions of the residents of 40 and 44 Clarendon Road regarding privacy and outlook.



## Conclusions

The main issues relating to the application are the impact the rear extension has on the character of the area and the amenity of the neighbouring properties 40 and 44 Clarendon Way.

Members will be aware that there is a planning history at the site, which includes a single storey rear extension measuring 4.2m, being refused and dismissed at appeal. This application attempts to overcome the previous grounds of concern raised by the Council and the Planning Inspector by reducing the overall height of the extension. This means that the height of the extension is now reduced from 3.3m to 3m (i.e. by 0.3m). The raised decking area that was also indicated on the previous plans has been removed. Members will need to consider whether these changes now warrant the granting of planning permission for the single storey extension constructed at the site.

Reference has been made in to the previous applications that the 'fall back' position of the extension would be to revert to the permitted development allowance of a 4m rear extension. However, from looking at the Council's planning archives, it is also evident that the original dwelling has previously been extended at the rear. Permission was granted in 1981 for a first floor extension over an existing ground floor extension (granted in 1970). Therefore the argument that the extension is close to permitted development dimensions is irrelevant as an extension would not be considered lawful at 4m given that it has been constructed to the rear of an existing extension.

From visiting the application site, the orientation of the dwellings to the south suggests that there is unlikely to be an undue loss of light resulting from the single storey rear extension on the adjoining properties. No.40 is located to the west of the application site and is sited some 8m forward of No.42. This results in an existing poor relationship to the rear with No.40 presented with the flank of No.42. No. 40 benefits from a large open garden and southerly aspect that provides views across the garden from the large kitchen window and patio area. In terms of No.44 to the east, the property follows a similar building line to the application site and the relationship between the two is better. However, the key issues raised by the Inspector in the most recent appeal decision were the outlook and visual impact that the extension has on Nos. 40 and 44. The Inspector raised concerns that the extension would be overbearing on both these neighbours.

In terms of overlooking, there would appear to be minimal impact given the removal of the raised decking. The Applicant has also indicated that once the bi-folding doors are fully open, the view would be restricted through the glass. It has also been suggested by the Applicant that the final panel of glass be obscure glazed should concerns remain.

Concerns were previously raised over the use of the roof of the single storey extension as a balcony. This is not indicated on plan but can be controlled by condition if necessary. It is noted that elevational alterations have been made to the rear of the house by replacing first floor windows with inward opening doors. Should Members be minded to grant planning permission, a condition could be

added for railings to be placed in front of these doors to further restrict access to the roof.

On balance, it is recommended that permission be granted.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/00155, 12/03518 and 12/03522, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1      ACK01          Compliance with submitted plan  
         ACK05R        K05 reason
- 2      ACI14            No balcony (1 insert)                  single storey rear extension  
         ACI14R        I14 reason (1 insert)      BE1
- 3      The end panels of the doors nearest to the adjoining properties shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the property.  
         ACI12R        I12 reason (1 insert)      BE1
- 4      Details of railings to be attached to the first floor rear windows shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the property.  
         ACI14R        I14 reason (1 insert)      BE1

**Application:**13/02625/FULL6

**Address:** 42 Clarendon Way Chislehurst BR7 6RF

**Proposal:** Single storey rear extension including steps, and side and rear elevational alterations PART RETROSPECTIVE APPLICATION



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

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## SECTION '2' – Applications meriting special consideration

**Application No :** 13/02626/FULL6

**Ward:**  
Farnborough And Crofton

**Address :** 5 Lewing Close Orpington BR6 8RA

**OS Grid Ref:** E: 545060 N: 166398

**Applicant :** Mr Jonathan Parkhurst

**Objections :** YES

### **Description of Development:**

Rear boundary fence max height 2.7m  
RETROSPECTIVE APPLICATION

Key designations:

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

### **Proposal**

The fencing is erected along the rear boundary of the site and has a total length spanning the entire width of the garden. The overall height is 2.7m.

### **Location**

The property is located on the southern side of Lewing Close. The site currently comprises a detached two storey dwelling. The area is characterised by a mix of housing types. To the front of the house is a shared access and communal parking area.

### **Comments from Local Residents**

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

- excessive height
- impact on visual amenities
- contrary to policy for boundary enclosures - does not fit with the local context in regards to height and materials
- restrictive covenant exists on the land

## **Comments from Consultees**

None.

## **Planning Considerations**

Policies relevant to the consideration of this application are BE1 (Design of New Development), BE7 (Railings, Boundary Walls And Other Means Of Enclosure) and NE7 (Development And Trees) of the adopted Unitary Development Plan.

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

## **Planning History**

A planning application is under consideration under ref. 13/02515 for a two storey side, first floor side and rear extensions.

## **Conclusions**

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

The proposed fencing is sited at the rear of the site, spanning the entire rear boundary. The fencing is considered to be a suitable distance from all neighbouring properties to prevent a harmful loss of light or a visual impact. To the rear, the garden of the house adjoining is at a higher level, with vegetative boundary screening which exceeds the height of the fence, therefore the fencing does not result in a harmful visual impact to properties to the rear.

The fencing is wooden and not harmful in appearance, with planting in front of it that will grow over time to conceal it further. On balance, the fencing is not considered to impact detrimentally on the character of the area.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it does not result in a significant loss of amenity to local residents and does not impact detrimentally on the character of the area. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/02515 and 13/02626, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

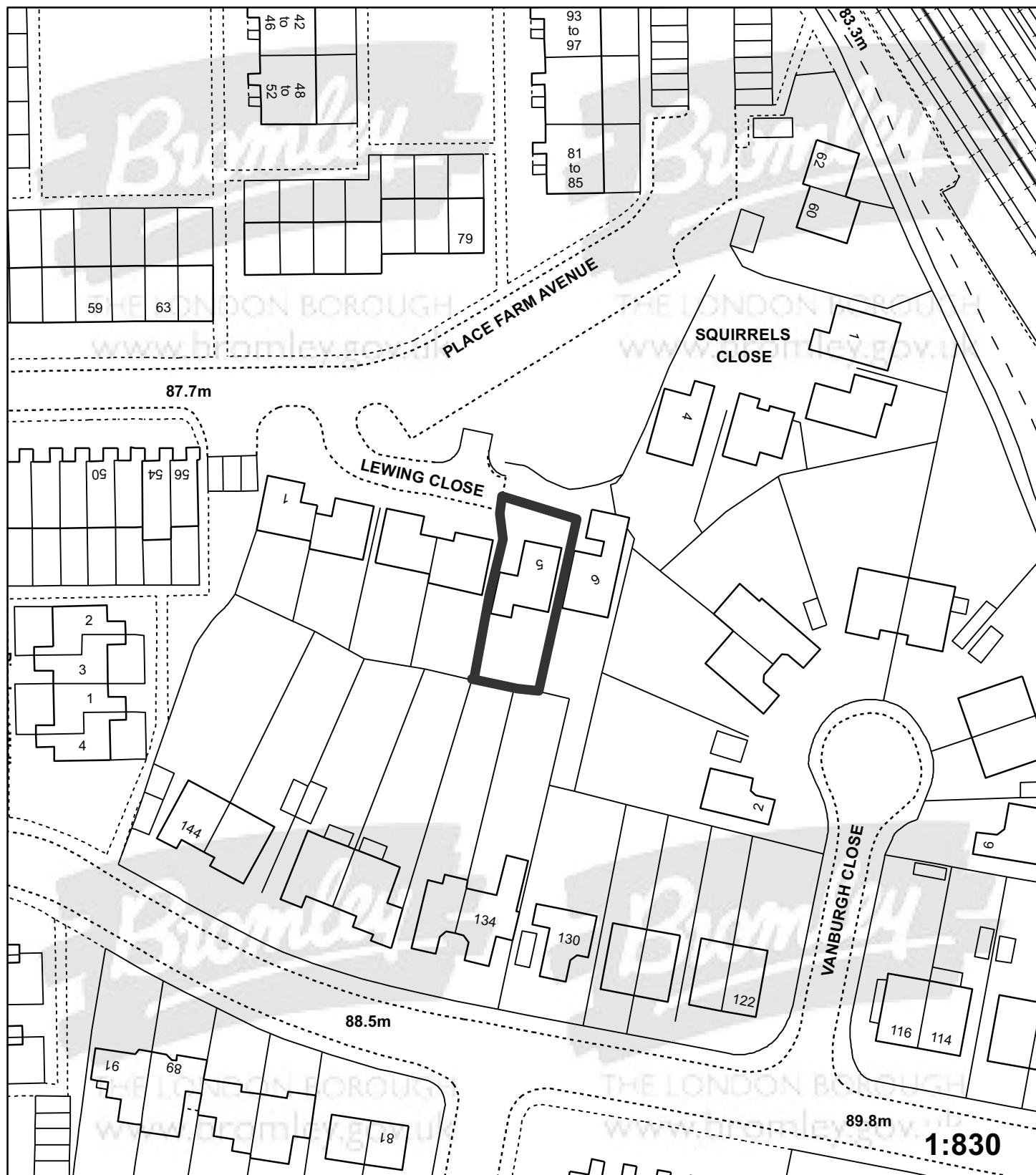
1 The fencing hereby permitted shall be permanently retained in complete accordance with the plans approved under this planning permission, unless previously agreed in writing by the Local Planning Authority.

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

**Application:**13/02626/FULL6

**Address:** 5 Lewing Close Orpington BR6 8RA

**Proposal:** Rear boundary fence max height 2.7m  
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 :** 11/02100/AMD

**Ward:**  
Copers Cope

**Address :** Land Rear Of 86 To 94 High Street  
Beckenham

**OS Grid Ref:** E: 537366 N: 169537

**Applicant :** London And Quadrant Housing Trust      **Objections :** YES

**Description of Development:**

Non-material amendment - Additional windows to first, second and third floor to the south elevation of Building C

**Proposal**

Planning permission was granted at appeal under ref. 11/02100 for 3 four storey blocks comprising 9 one bedroom, 32 two bedroom and 3 three bedroom flats, with 37 car parking spaces, bicycle parking, landscaping and access. The application seeks a non-material amendment to the approved scheme to introduce three additional windows to the south elevation of building C. There will be one additional window on each of the first, second and third floors. The windows will face the blank flank elevation of Block B.

There is no requirement to consult nearby residents following applications for non-material amendments. However, representations have been received which can be summarised as follows:

- increased overlooking
- development will be far removed from original plans.

A representation from the Central Beckenham Residents Association has also been received which can be summarised as follows:

- lack of detail regarding proposed changes
- increased overlooking of properties on Church Avenue
- no structural justification for additional windows
- residents were promised there would not be further changes.

The application has been submitted under Section 96A of the Town and Country Planning Act 1990 which allows a non-material amendment to be made to an existing planning permission via a simple application procedure. Government guidance published within the document 'Greater Flexibility for Planning

Permissions (October 2010) states that there is no statutory definition of 'non-material'. It states that this is because it is so dependent on the context of the overall scheme - what may be non-material in one context may be material in another. The local planning authority must be satisfied that the amendment sought is non-material in order to approve an amendment having regard to the effect of the change, together with any previous changes made under this section, on the planning permission as originally granted.

The principle of development in the manner proposed has been accepted under planning permission reference 11/02100 granted at appeal. The main issues to be considered are as follows:

- whether the proposed changes differ in substance from the development that was granted planning permission
- whether acceptance of the proposed changes as non-material amendments would deprive those who should have been consulted from additional consultation (i.e. if the proposed amendment was submitted during the process of a planning application, would it have been necessary to re-notify the neighbours and other consultees)
- whether the cumulative impact of a series of non-material amendments result in a development that is quite different from the original permission?

The alterations proposed are considered to be minor in their nature, comprising the addition of three windows. The bulk and character of the development would remain consistent with the approved scheme.

The proposed additional windows to Building C will face onto the flank wall of Building B and will not result in a loss of privacy or impact on the amenities of nearby residents. It is considered that the amendment would not require the re-notification of neighbouring properties and in this case can be considered non-material.

There have been no previous amendments to the appearance of the buildings since planning permission was granted. The proposed scheme changes are modest in scale in the context of the overall scheme.

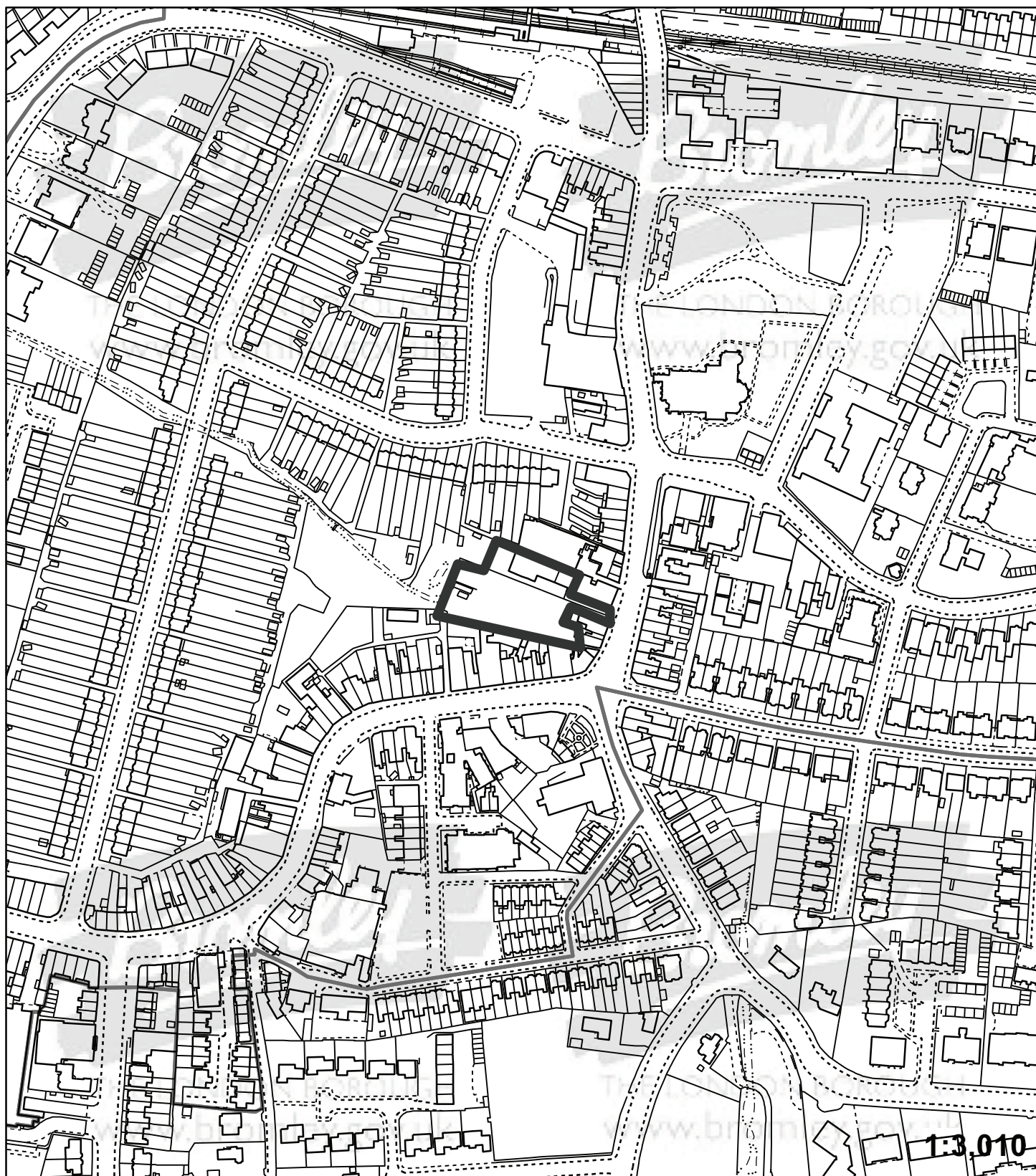
Having had regard to the above it is considered that the alterations proposed can be considered a non-material amendment to the approved scheme and do not require planning permission.

**RECOMMENDATION: NON MATERIAL AMENDMENT APPROVED**

**Application:**11/02100/FULL1

**Address:** Land Rear Of 86 To 94 High Street Beckenham

**Proposal:** 3 four storey blocks comprising 9 one bedroom, 32 two bedroom and 3 three bedroom flats, with 37 car parking spaces, bicycle parking, landscaping and access



"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 :** 13/00792/FULL1

**Ward:**  
Cray Valley West

**Address :** 75 Clarendon Green Orpington BR5 2NZ

**OS Grid Ref:** E: 546163 N: 168492

**Applicant :** Dr Anwar Ansari

**Objections :** NO

### **Description of Development:**

Detached two storey 3 bedroom dwelling with car port on land adjacent to 75 Clarendon Green and to the rear of 45-51 Ravensbury Road.

Key designations:

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

### **Proposal**

It is proposed to construct a detached two storey 3 bedroom dwelling with car port which would be accessed from the parking area, and would back onto the rear gardens of Nos.45-51 Ravensbury Road. The dwelling would be 13m wide, 5m deep, and would have a single storey rear addition across part of the rear elevation which would extend up to the rear boundary. Side and rear amenity space would be provided, although the car port would be open to the rear which would enable a vehicle to park in the rear garden.

The proposals originally included an integral garage, however this was changed to a car port on the advice of the Council's Highway Engineer (revised plans received 28.06.2013).

### **Location**

This site measures 0.02ha and is located to the rear of a parking area containing lock-up garages which lies between Nos.75 and 77 Clarendon Green. The site previously comprised part of the rear garden of The Wanderer Public House which was redeveloped for housing in 2007/2008. The site now backs onto a row of terraced dwellings (Nos.45-51 Ravensbury Road), and is bounded to the west by a public footpath, and to the east by the rear garden of No.75 Clarendon Green. The land level rises towards the rear.

## **Comments from Local Residents**

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

## **Comments from Consultees**

No objections are raised in principle by the Council's highway engineer, and it is considered that the car port gives a better arrangement than the integral garage originally proposed. The two car parking spaces provided would be tight, but there would be an incentive to use them. He does, however, point out that the construction phase could be difficult due to the narrow access to the site, and could be complicated by any access arrangements agreed by the owner of the garage compound. However, this would not warrant a refusal of planning permission.

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

With regard to waste issues, refuse and recycling would need to be left at the junction with Clarendon Green as vehicles cannot enter the site and turn around.

## **Planning Considerations**

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

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

## **Conclusions**

The main issues in this case are the impact of the proposals on the character of the area, the amenities nearby residential properties, and parking in the close vicinity.

The erection of a detached dwelling on this plot may be considered acceptable in principle as there is a variety of housing types and plot sizes within the close vicinity. The position and shape of the plot would result in an unusual form of development, particularly as it would be accessed via a garage compound, and the form and layout of the dwelling would not fit in with the general layout and streetscape of the surrounding area. However, it is considered that the proposals would result in the beneficial re-use of a derelict piece of land which would outweigh concerns about the form of development in this instance.

The proposed dwelling would maintain separations of 1.1-2.4m to the western flank boundary with the footpath, and between 4.8-5.6m to the eastern flank boundary with No.75 Clarendon Green, and would not therefore appear overly cramped

within the street scene, particularly as it would be set back from the general building line in the road.

With regard to the impact on residential amenity, the proposed dwelling would be set at a lower level than the three storey dwellings in Ravensbury Road, and although rear-facing first floor bedroom windows are proposed, they would be set at least 23m away from the rear elevations of properties in Ravensbury Road, which may be considered acceptable in this instance. Some loss of outlook may occur to these properties, but due to the lower level of the application site, may not be too onerous to warrant a refusal.

The adjacent properties at Nos.75 and 77 would be set significantly further forward than the new dwelling, and their outlook and levels of privacy are not considered to be unduly affected.

With regard to parking, the provision of a car port with a further space to the rear is considered acceptable to meet the Council's standards. The use of the rear space may affect the amount of private amenity space available for the new dwelling, but the remaining space is considered acceptable for a property of this size.

Having had regard to the above it was considered that the proposals 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. 13/00792, excluding exempt information.

as amended by documents received on 04.09.2013 28.06.2013

## **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     ACC01       Satisfactory materials (ext'nl surfaces)  
      ACC01R     Reason C01
- 4     ACD02       Surface water drainage - no det. submitt  
      ADD02R     Reason D02
- 5     ACH03       Satisfactory parking - full application  
      ACH03R     Reason H03
- 6     ACH29       Construction Management Plan  
      ACH29R     Reason H29
- 7     ACI02       Rest of "pd" Rights - Class A, B,C and E  
      ACI03R     Reason I03
- 8     ACI12       Obscure glazing (1 insert)    at first floor level in the eastern  
      flank elevation  
      ACI12R     I12 reason (1 insert)    BE1

9	ACI17 ACI17R	No additional windows (2 inserts) I17 reason (1 insert) BE1	first floor flank dwelling
10	ACK01 ACK05R	Compliance with submitted plan K05 reason	
11	ACK05 ACK05R	Slab levels - no details submitted K05 reason	

INFORMATIVE(S)

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

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

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

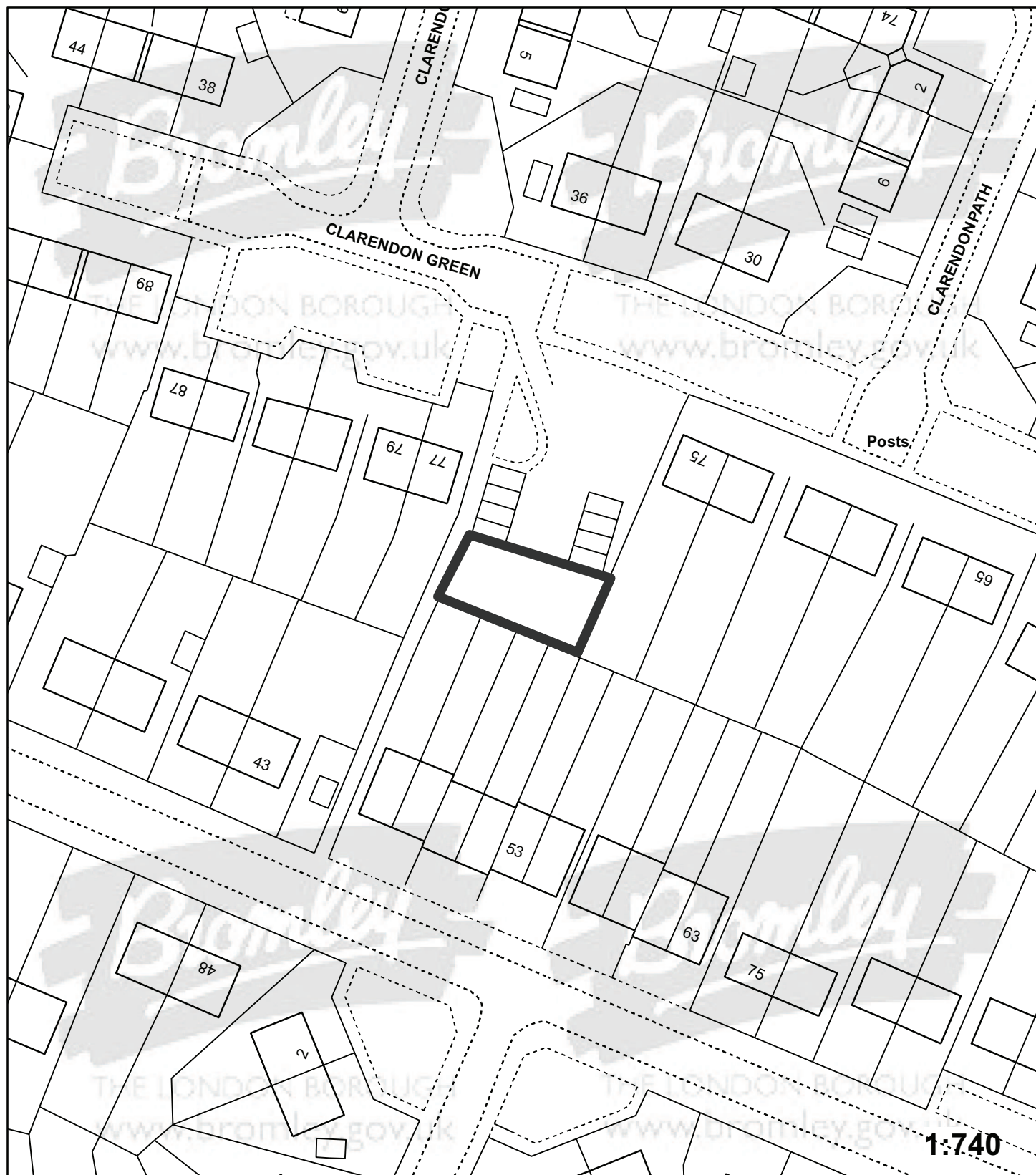
- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: [address.management@bromley.gov.uk](mailto:address.management@bromley.gov.uk) regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at [www.bromley.gov.uk](http://www.bromley.gov.uk)



**Application:**13/00792/FULL1

**Address:** 75 Clarendon Green Orpington BR5 2NZ

**Proposal:** Detached two storey 3 bedroom dwelling with car port on land adjacent to 75 Clarendon Green and to the rear of 45-51 Ravensbury Road.



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

**Application No :** 13/01708/FULL1

**Ward:**  
Bromley Town

**Address :** 23A Hayes Lane Hayes Bromley BR2  
9EA

**OS Grid Ref:** E: 540835 N: 168028

**Applicant :** PJ Supplies Construction Ltd

**Objections :** YES

**Description of Development:**

Subdivision of existing plots and erection of 4 two storey detached five bedroom dwellings each with integral single garage, at No 23A and 25 Hayes Lane.

Key designations:

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

Members may recall this application being deferred without prejudice from Plans Sub Committee on 5th September 2013 for the applicant to consider removing one unit to improve the spatial standards of the proposed development.

A letter dated 11th September 2013 was received from the applicant's agent setting out the reasoning for requesting that the application to be determined as submitted. The main points of this letter are set out below, thereafter the previous report is repeated with the updated parts in italics. The recommendation to grant permission remains unchanged.

- "The spatial standard of the proposed development is virtually identical to that of the scheme on the adjacent site at 23 Hayes Lane where the Inspector raised no to the principle of two dwellings as a replacement for the existing bungalow.
- There has been no material change in planning policy circumstances or any material change to the character of either the site or the surrounding

area to justify a different view being taken regarding the acceptability of comparable spatial standards on the current application site.

- The proposal complies with Policy H9 regarding side space in that a minimum of 1m side space is provided to each dwelling and approximately 1.5m between the flank of Plots 1 and 4 to the neighbouring flank boundaries.
- It is an objective of public policy that there should be consistency of decision making. If the Council has permitted two houses on the adjacent site on comparable plot widths and with comparable separation distances, it would be wholly inconsistent and unreasonable now to seek to assert that the application proposal would be cramped or harmful to the character of the area."

Previous report to Plans Sub Committee repeated below.

### **Proposal**

It is proposed to demolish 2 existing bungalows and erect in their place 4 two storey five bedroom dwellings each with integral single garage.

The proposed dwellings would all differ slightly in height, plot one closest to No.23 c. 8.7m (h), plot two c. 8.45m (h), plot three c. 8.35m (h) and plot four c.8.45m (h). All of the proposed dwellings would have accommodation within the roofspace although no dormers only rooflights are proposed. The side space to be provided between the flank elevation of the end plots 1 and 4 would be 1.5m. The side space between each of the proposed houses would be 1.1m.

The front building line of the properties would be staggered and reflects the difference in the front building line between the neighbouring dwellings at No. 23 and The Meadows at No.25a. The latter being set significantly (approx.8m) further forward.

The proposals would feature 2 designs, the design for plot 1 and 4 would feature timber and rendered front gables whereas the design for plots 2 and 3 would be brick and tile hanging.

The depth of the dwellings are 14.5m and the width is between 8m-8.2m. The rear garden depth of the proposed dwellings would be between 17.5m and 24m in depth.

Each dwelling will have a vehicular access that will allow access and egress in forward gear.

### **Location**

The site has an area of some 0.2ha and consists of 2 detached bungalows which were constructed in the early 1980's. The bungalows are situated on the northern side of Hayes Lane and the approx. dimensions of the existing plots are 46m x 20m.

Opposite the site are the grounds of Ravensbourne School. To the east there is an access drive to the Kingswood Children's Centre and beyond that Hayes Lane Baptist Church. There are mainly detached houses and one pair of semi-detached houses on this side of the road leading up to the junction of Hayes Lane and the A21.

To the west is a detached house at No.25a, there are no windows in the flank elevation of this property. To the east there is currently a detached bungalow, although there is an extant permission for 2 dwellings on this plot.

The site backs onto land that has been designated as Green Belt and Urban Open Space. It is used for grazing horses, there are currently extensive views across the rear gardens of this area.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application and representations were received from No.15 Hayes Lane and Ravensbourne School which can be summarised as follows:

- Hayes Lane is already densely populated and suffers from traffic congestion the proposal will make the problem worse which will impact on safety of students at Ravensbourne School
- overdevelopment of the site
- potential doubling of vehicle movements on an already busy road
- design of the development is incompatible with the properties in the vicinity which is characterised by hipped roof design
- the multiple rooflines for each house comprising hips, gables and flat areas of various height and projections creates awkward looking rooflines
- the description of the proposal is inaccurate as proposal is for 3 storey dwellings and not 2 storey as described

### **Comments from Consultees**

Highways - The development would be utilising the existing vehicular crossovers to the parking areas, although some modification may be necessary.

Each property can accommodate up to 2 vehicles off street which is satisfactory.

Drainage - This site appears to be suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water. Please impose Standard Conditions D02 and D06 on any approval to this application.

Trees - No significant trees would be affected by the proposal.

### **Planning Considerations**

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density & Design
- H9 Side Space
- T3 Parking
- T18 Road Safety
- G6 Land adjoining Green Belt or Metropolitan Open Land

Supplementary Planning Guidance 1 and 2  
London Plan  
National Planning Policy Framework

Government guidance and that contained within the London Plan, require Councils to optimise the best use of urban land where appropriate when considering new residential developments, but also to retain development that makes a positive contribution to an area.

### **Planning History**

Under planning application ref. 12/00670, planning permission was granted for the demolition of an existing bungalow at No. 23 Hayes Lane and the erection of 2 two storey detached four bedroom dwellings with accommodation in the roof space and integral double garage and associated car parking. The proposal was not implemented.

Under planning ref. 13/01624, planning permission was granted on 5th September 2013 for amendments to the to the above-mentioned proposal (12/00670). The main changes comprised:

Elevation alterations, rear dormer, additional windows, increased width of front gable, pitched roof added to front dormer and additional rooflights. There are no substantive changes to the scale of the approved scheme and the distances to flank boundaries were as follows:

- 14m to the western boundary with 23a
- 2m separation between proposed dwellings on plot 1 & 2
- 1(min) separation to the eastern boundary with Hayes Lane Baptist Church

### **Conclusions**

The main issues in this case are whether the development proposals would result in an overdevelopment of the site, whether they would adequately protect the amenities of adjacent residents, whether the proposal would significantly harm the spatial standards of the locality and be in keeping with the character and appearance of the area and street scene in general and whether the development would result in any detrimental harm to pedestrian or vehicular safety.

In terms of the amenity of the local residents the dwellings closest to the site that would be most affected are at 'The Meadows' No. 25a and No. 23. The existing bungalow at No.23 would have a building line set back approx.2.8m from the proposed dwelling at plot 1, and this reflects the stagger of the general building line that is proposed for the remaining dwellings a side space of 1.5 would be retained.

In terms of the positioning of the approved dwelling (at No.23) in relation to that proposed on plot 1, the general building lines are also staggered in a similar fashion with a flank to flank distance of approx. 2.5m. Whilst there are 2 windows shown in the flank elevation of the proposed these serve a garage and a stairwell. The distance is considered to be adequate and would not unduly impact on residential amenity.

The dwelling at plot 4 would be closest to The Meadows at No.25a, the proposed would be set back 1.5m from the flank boundary with this property and whilst No.25a is positioned close to the boundary there are no windows on the flank elevation and no windows serving habitable rooms proposed for the dwelling on plot 4. In addition the building lines are comparable and do not reflect the stagger of the remaining dwellings proposed.

The scheme represents an acceptable design and scale which does not on balance result in any significant harm to the existing street scene and surroundings. It is considered to be a logical form of infill development for these plots, with an acceptable site layout and design.

The proposed development is of an acceptable density, providing adequate amenity space and an appropriate level of parking, sympathetic to and complementing the surrounding environment. The proposed dwelling is considered to maintain acceptable spatial standards, compliant with Policy H9.

Section 7 of the NPPF states the Government attaches a great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. As stated within the NPPF development should optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of developments) and support local facilities and transport networks; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. The application is clearly a case that needs to be assessed in the light of this guidance.

The proposal is considered not to result in any significant harm to the views into or out of the adjoining Green Belt Land.

The proposal creates four new detached dwellings which Members may consider now fits into the site and surroundings without resulting in any significant harm to the spatial standards, the existing street scene and the amenity of surrounding properties.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/01708,13/01624 and 12/00670, excluding exempt information.

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- 1     ACA01        Commencement of development within 3 yrs  
      ACA01R      A01 Reason 3 years
- 2     ACA04        Landscaping Scheme - full app no details  
      ACA04R      Reason A04
- 3     ACA07        Boundary enclosure - no detail submitted  
      ACA07R      Reason A07
- 4     ACC01        Satisfactory materials (ext'nl surfaces)  
      ACC01R      Reason C01
- 5     ACD02        Surface water drainage - no det. submitt  
      ADD02R      Reason D02
- 6     ACD06        Sustainable drainage system (SuDS)  
      ADD06R      Reason D06
- 7     ACH04        Size of parking bays/garages  
      ACH04R      Reason H04
- 8     ACH16        Hardstanding for wash-down facilities  
      ACH16R      Reason H16
- 9     ACH22        Bicycle Parking  
      ACH22R      Reason H22
- 10    ACH29        Construction Management Plan  
      ACH29R      Reason H29
- 11    ACH32        Highway Drainage  
      ADH32R      Reason H32
- 12    ACI02        Rest of "pd" Rights - Class A, B,C and E  
**Reason:** In order to prevent an overdevelopment of the site.
- 13    ACI17        No additional windows (2 inserts) flank dwellings  
      ACI17R      I17 reason (1 insert) BE1
- 14    ACK01        Compliance with submitted plan  
**Reason:** In the interests of the visual amenities of the area and the residential amenities of the neighbouring properties, in line with Policies BE1 of the Unitary Development Plan.
- 15    ACB16        Trees - no excavation  
      ACB16R      Reason B16

## INFORMATIVE(S)

- 1     Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant."
- 2     In order to check that the proposed storm water system meets our requirements, we require that the following information be provided:

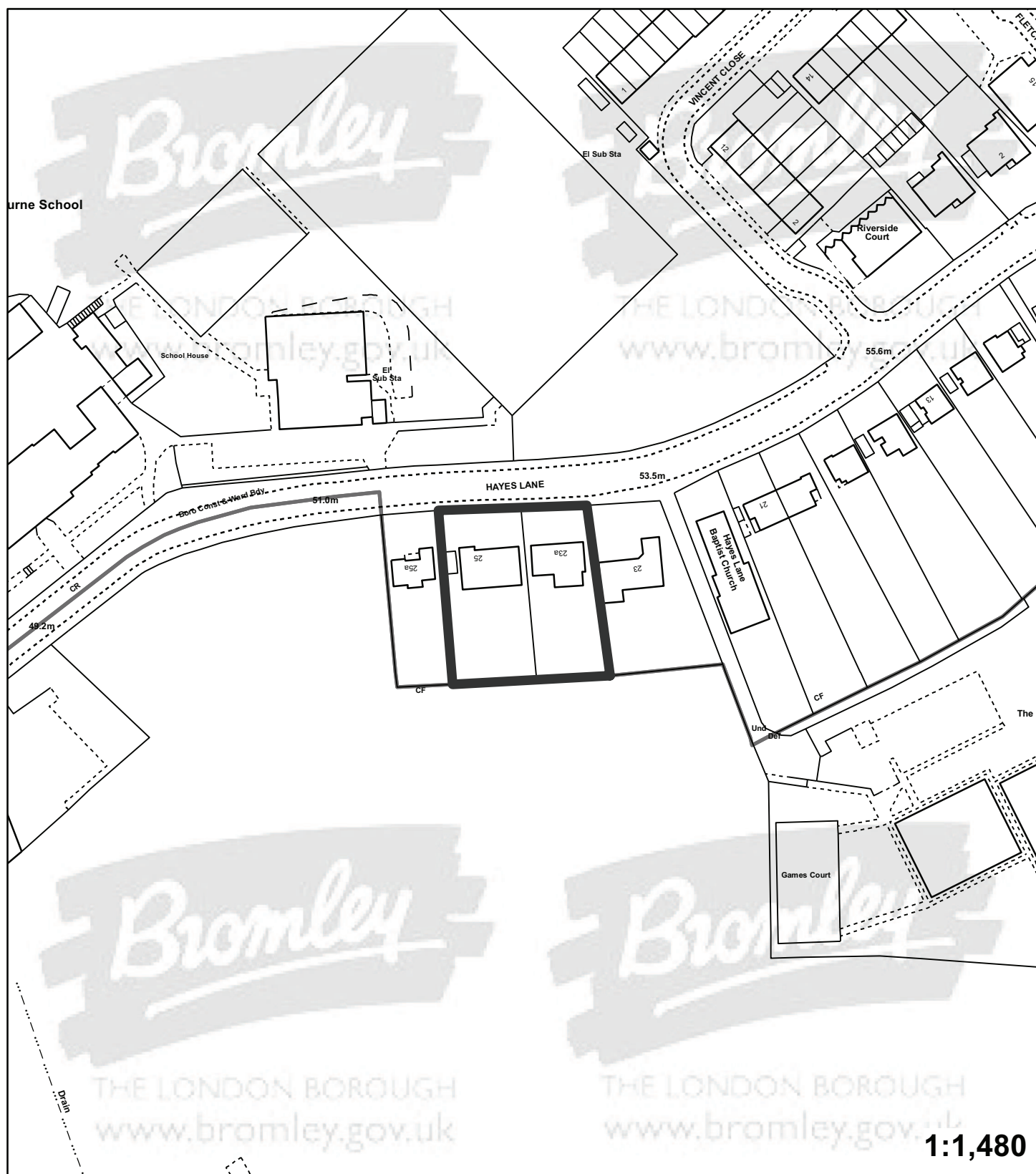


- A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.
  - Where infiltration forms part of the proposed storm water system such as soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
  - Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.
- 3 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**Application:**13/01708/FULL1

**Address:** 23A Hayes Lane Hayes Bromley BR2 9EA

**Proposal:** Subdivision of existing plots and erection of 4 two storey detached five bedroom dwellings each with integral single garage, at No 23A and 25 Hayes Lane.



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

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

**Application No :** 13/01925/FULL3

**Ward:**  
Darwin

**Address :** The Larches Sevenoaks Road Pratts  
Bottom Orpington BR6 7SE

**OS Grid Ref:** E: 545546 N: 163168

**Applicant :** Mr A Thomas

**Objections :** YES

### **Description of Development:**

Part change of use of building from office (Class C3), ground floor side and first floor rear extension, provision of side dormer to southern elevation, two lightwells and railings to front elevation and fenestration and elevational alterations.

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
Flood Zone 3  
London City Airport Safeguarding

### **Proposal**

To be considered jointly with application ref. 13/01926 for Listed Building Consent

The proposal involves the partial conversion of the existing building - a Grade II Statutorily Listed Building, reportedly built in 1820 - back to residential use. It is also sought to construct a first floor addition above the existing ground floor extension with the rear part of the enlarged building (that being the existing single storey rear extension and the proposed first floor addition above, together with part of the rear part of the original part of the building) retained for commercial use.

The proposed works involve the following:

- 9.0m first floor rear extension above the existing single storey rear addition which will be inset by 1.0m in relation to the flank walls of the ground floor element and a ridge height which will align with the original part of the building
- single storey extension to northern side of building to accommodate shower room
- fenestration alterations to flank elevations of the existing building

- lightwells and railings to frontage
- side dormer to southern side of roofslope on original part of the building

The application is accompanied by a Design and Access Statement which also includes background information on this listed building.

### **Location**

The Larches previously formed part of the former Orpington Caravan Centre and fronts the A21 Sevenoaks Road. It adjoins "Bristol Street Motors" along its northern boundary. The existing building benefits from a Class B1 office use. In 2011 the Council granted planning permission for a part two/ three -storey building comprising a recently-completed 84-bedroom care home, which occupies the majority of The Larch's historic grounds and which had previously been used by the caravan centre. That new building lies to the west of The Larches.

### **Comments from Local Residents**

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

- loss of three evergreen trees to the front of the site is regrettable as they formed an attractive feature
- first floor rear extension will adversely affect the amenities of bedroom 58 of the neighbouring care home adjacent to the site, by reason of loss of light and sense of enclosure. The proposed extension should be set a minimum 10 metres away from that neighbouring building
- retained office use should be used as Class B1(a) office use only, and the hours of operation should be controlled - as per the application form
- confirmation sought as to how proposed 8 spaces will be apportioned between office and residential uses
- construction management plan should be required given proximity to care home

### **Comments from Consultees**

No objections have been raised by the Council's Highways Engineers or by the Environment Agency

### **Planning Considerations**

Policies BE1 (Design of New Development), BE8 (Statutory Listed Buildings), EMP7 (Business Support - live/work units), EMP8 (Business Support - business use within dwellinghouses) and T3 (Parking) of the Unitary Development Plan (UDP) are relevant to this proposal, as is Section 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

### **Planning History**

The Larches previously formed part of the former Orpington Caravan Centre. Under ref. 11/00331/FULL1 the Council granted planning permission for a part two/three storey building comprising a recently-completed 84-bedroom care home, which occupies the majority of The Larch's historic grounds. That new building lies to the west of The Larches. Under an accompanying application, ref. 11/00347/LBC, the Council granted Listed Building Consent for the demolition of the single storey rear extension to The Larches, although that element remains in place and forms part of this planning application.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character, setting and special interest of the Listed Building, and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Although its setting has been eroded by more recent development to the north and west the application property forms a distinct local landmark which is most visible from the adjacent Sevenoaks Road. It was originally constructed as a single family residence, reportedly built in 1820, and is described on the English Heritage web site as such:

"2 storeys. 3 windows. Stuccoed. Cornice and parapet. Hipped slate roof. Windows in moulded architrave surrounds with jalousies and glazing bars intact. Those on the 1st floor with cornices and pediments also. Small porch with thin fluted Greek Doric columns. Small porch. Each end of the house is curved."

Aside from the ground floor extension at the rear, the building has largely retained its original form and appearance, and a number of internal original features remain, including the main stairwell and lantern light situated just beyond the entrance hall. The reinstatement of the residential use of the property, albeit in part, is considered appropriate, and the ensuing renovations will help to improve the overall appearance of this listed building, particularly in view of some of the surrounding development which has taken place and which has served to undermine its setting.

The proposed first floor rear extension is considered to be subservient on the basis that its two flank walls will be inset relative to the existing ground floor addition which will help to maintain the prominence and definition of the original part of the building. The proposed lightwell railings to the front are modest and not out of keeping with a building of this age. The dormer window, and shower room extension are also considered to represent modest additions and, taken as part of the overall proposal, are acceptable.

The aforementioned care home has been built within close proximity of The Larches and it is noted that a first floor dormer faces its rear elevation which serves a bedroom. Although the proposed first floor extension will be built within relative proximity of this window, as there will be an appreciable gap between the properties of 8 metres, it is not considered that the presence of the works will be unacceptably oppressive or overbearing, and it is not considered that this matter is sufficiently serious to render the scheme unacceptable.

Taken as a whole it is considered that this proposal will help to restore an important listed local landmark.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/00331, 11/00347, 13/01925 and 13/01926, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

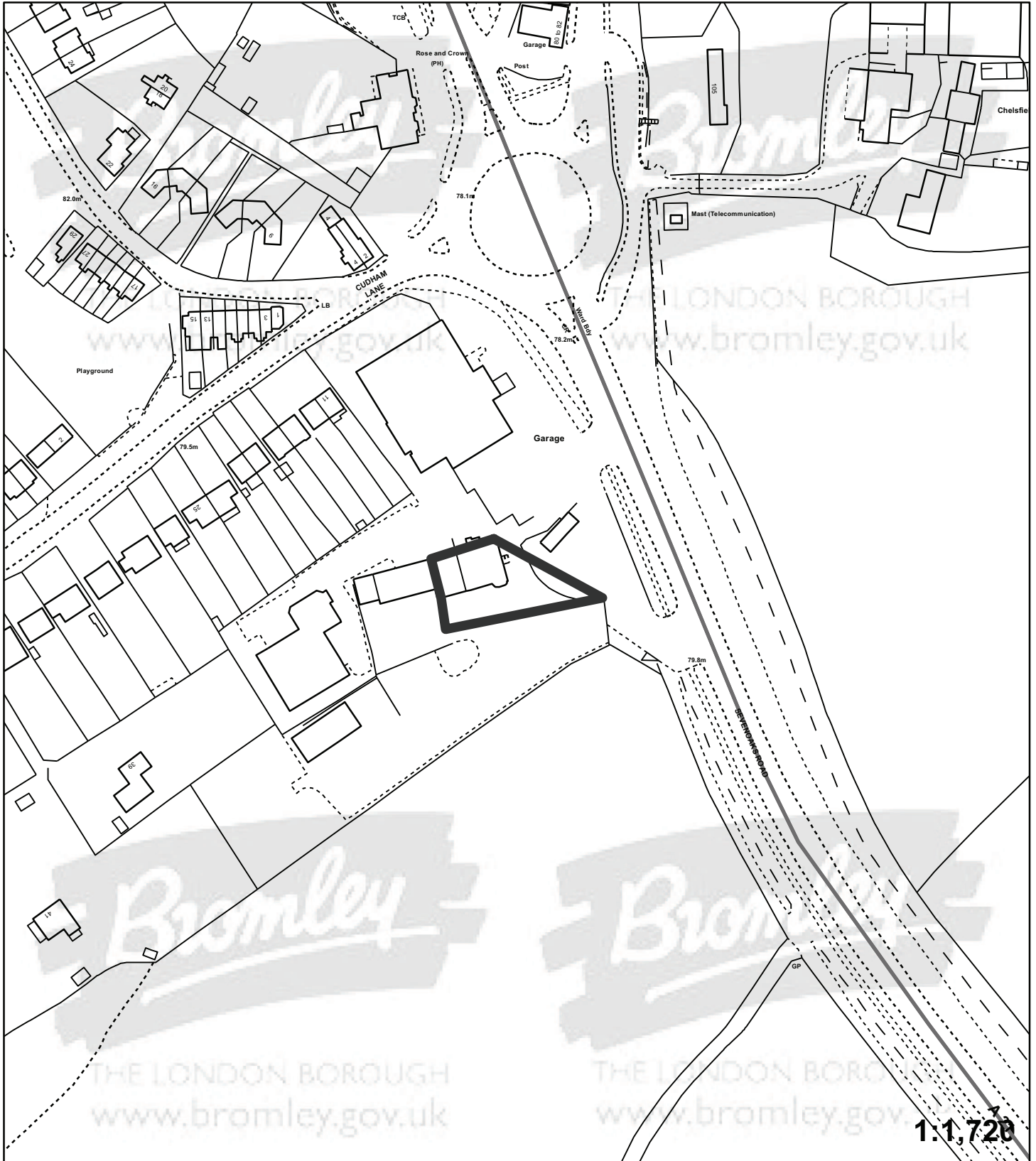
Subject to the following conditions:

- 1     ACA01        Commencement of development within 3 yrs  
      ACA01R      A01 Reason 3 years
- 2     ACA04        Landscaping Scheme - full app no details  
      ACA04R      Reason A04
- 3     ACC01        Satisfactory materials (ext'n'l surfaces)  
      ACC01R      Reason C01
- 4     ACC03        Details of windows  
      ACC03R      Reason C03
- 5     ACG11        Matching internal and external materials  
      ACG11R      Reason G11
- 6     ACH03        Satisfactory parking - full application  
      ACH03R      Reason H03
- 7     Before commencement of the use of the land or building hereby permitted details shall be provided as to how the parking spaces shall be apportioned between the office and residential uses, and the proposal shall be completed in accordance with the approved details and permanently maintained as such.  
      ACH02R      Reason H02
- 8     Only the areas designated as Office on Drawing No 02 ("Floor Plans As Proposed) shall be used as Class B1 office use and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 or in any other provision equivalent to that Class in any statutory instrument revoking and re-acting that Order with or without modification).  
      ACJ05R      J05 reason     BE1
- 9     The office use shall not operate on any Sunday or Bank/Public Holiday, nor before 09:00 and after 17:00 Monday to Friday, or before 09:00 and after 13:00 on Saturday.  
      ACJ05R      J05 reason     BE1

**Application:**13/01925/FULL3

**Address:** The Larches Sevenoaks Road Pratts Bottom Orpington BR6 7SE

**Proposal:** Part change of use of building from office (Class C3), ground floor side and first floor rear extension, provision of side dormer to southern elevation, two lightwells and railings to front elevation and fenestration and elevational alterations.



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

**Application No :** 13/01926/LBC

**Ward:**  
Darwin

**Address :** The Larches Sevenoaks Road Pratts  
Bottom Orpington BR6 7SE

**OS Grid Ref:** E: 545546 N: 163168

**Applicant :** Mr A Thomas

**Objections :** NO

**Description of Development:**

Ground floor side and first floor rear extensions, internal alterations, provision of side dormer to southern elevation; two lightwells and railings to front elevation and fenestration and elevational alterations  
LISTED BUILDING BUILDING CONSENT

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
Flood Zone 3  
London City Airport Safeguarding

**Proposal**

To be considered jointly with application ref. 13/01925 for Planning Permission.

The proposal involves the partial conversion of the existing building - a Grade II Statutorily Listed Building, reportedly built in 1820 - back to residential use, and the construction of a first floor rear extension. Details relating to the external works/extensions are set out in report reference 13/01925.

The internal works which are also subject to Listed Building Consent involve the reinstatement of two walls within the front reception room to form a separate hallway entrance, together with lounges; and the carrying out of various other alterations at ground and first floor levels, primarily to facilitate the conversion of the building to residential use.

The application is accompanied by a Design and Access Statement which also includes background information on this listed building.

## **Location**

See accompanying report reference 13/01925.

## **Comments from Local Residents**

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

## **Comments from Consultees**

See accompanying report reference 13/01925.

## **Planning Considerations**

Policy BE8 (Statutory Listed Buildings) is considered relevant to the determination of this application, as is Section 12 (Conserving and enhancing the historic environment) of the National Planning Policy Framework.

## **Planning History**

See accompanying report reference 13/01925.

## **Conclusions**

The main issues relating to the application are the effect that it would have on the character, setting and special interest of the Listed Building.

Although its setting has been eroded by more recent development to the north and west the application property forms a distinct local landmark which is most visible from the adjacent Sevenoaks Road. It was originally constructed as a single family residence, reportedly built in 1820, and is described on the English Heritage web site as such:

"2 storeys. 3 windows. Stuccoed. Cornice and parapet. Hipped slate roof. Windows in moulded architrave surrounds with jalousies and glazing bars intact. Those on the 1st floor with cornices and pediments also. Small porch with thin fluted Greek Doric columns. Small porch. Each end of the house is curved."

Aside from the ground floor extension at the rear, the building has largely retained its original form and appearance, and a number of internal original features remain, including the main stairwell and lantern light situated just beyond the entrance hall. The reinstatement of the residential use of the property, albeit in part, is considered appropriate, and the ensuing renovations will help to improve the overall appearance of this listed building.

The proposed first floor rear extension is considered to be subservient on the basis that its two flank walls will be inset relative to the existing ground floor addition which will help to maintain the prominence and definition of the original part of the

building. The proposed lightwell railings to the front are modest and not out of keeping with a building of this age. The dormer window, and shower room extension are also considered to represent modest additions and, taken as part of the overall proposal, are acceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 11/00331, 11/00347, 13/01925 and 13/01926, excluding exempt information.

### **RECOMMENDATION: GRANT LISTED BUILDING CONSENT**

subject to the following conditions:

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

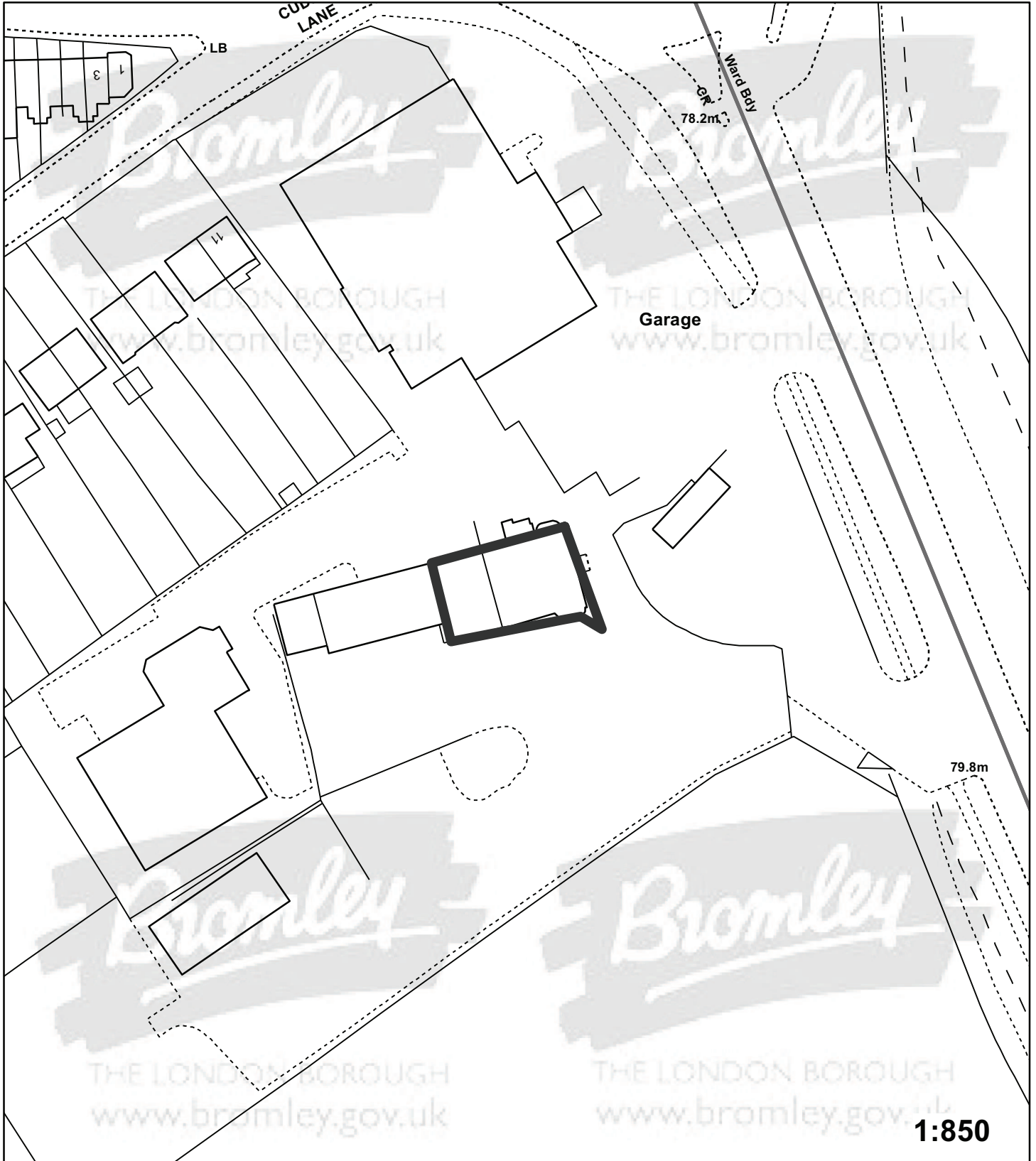
### **INFORMATIVE(S)**

- 1      The applicant is reminded to discharge all pre--commencement conditions set out in accompanying planning application reference 13/01925/FULL3.

**Application:**13/01926/LBC

**Address:** The Larches Sevenoaks Road Pratts Bottom Orpington BR6 7SE

**Proposal:** Ground floor side and first floor rear extensions, internal alterations, provision of side dormer to southern elevation; two lightwells and railings to front elevation and fenestration and elevational alterations  
**LISTED BUILDING BUILDING 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"

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

**Application No :** 13/01931/FULL6

**Ward:**  
West Wickham

**Address :** 116 Hayes Chase West Wickham BR4  
0JB

**OS Grid Ref:** E: 538904 N: 167238

**Applicant :** Mr R McCartney

**Objections :** YES

### **Description of Development:**

Two storey side/rear and single storey side extensions, front porch and elevational alterations

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
London City Airport Safeguarding  
Open Space Deficiency

### **Proposal**

Hayes Chase is an attractive residential road made up of a mix of detached and semi-detached dwellings. The application property is a detached house set within a wider than average plot with generous side spaces maintained to either side. 3.85m (min) to the southern boundary with No.118 and 2.95m to the northern boundary with No.114. The rear garden at over 40m in depth is also ample in size.

It is proposed to extend the existing dwelling as follows:

- Attached single garage to the southern boundary with No.118 extending to within min distance of 1m to the boundary
- Open front porch projecting approx.1.2 forward of the main front wall
- Two storey side / rear extension comprising;
- Side element would maintain the same ridge level as the main roof and projecting approx. 4.95m in width to within 1.5m-1.7m of the flank boundary with No.114. One first floor flank window proposed which would serve a shower room
- Rear element would project 4m in depth

## Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received both in support and raising objections which can be summarised as follows:

- No.116 has a lot of land around it and I'm sure the extensions will blend in very well
- The proposed extension would project 4m beyond the back of our house and block a great deal of sunshine available to us (No.114)

## 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

83/01236/FUL      DETACHED GARAGE      PER      29.06.1983

## 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 extensions are considerable in size and double the floor space of the original house. The single garage is proposed adjacent to the house where at present there is no development. The closest property at No. 118 does have a single storey side extension with 3 windows in the side elevation, none provide outlooks from habitable rooms. Notwithstanding this, it is considered that there is sufficient distance between the properties (approx.. 3.5m) not to warrant any undue concern for visual or residential amenity.

The two storey side / rear extension whilst significant in size is proposed on a site that is wider than average and has considerable spaciousness to both sides. The neighbouring property (No.114) which the two storey side extension would face has raised objections with regard to loss of sunlight. However, the orientation of this property which is due north and the fact that the rear gardens are west facing suggests that occupants of that property are

unlikely to experience any undue loss of sunlight. With regards to loss of daylight the distance between the 2 properties is unlikely to give rise to any undue loss of amenity. There is one obscure glazed first floor window in the side elevation and one small ground floor secondary window. Whilst the proposal will significantly alter the status quo it is considered that there is sufficient distance between the properties well above the minimum standards of Policy H9 to adequately protect visual and residential 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.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

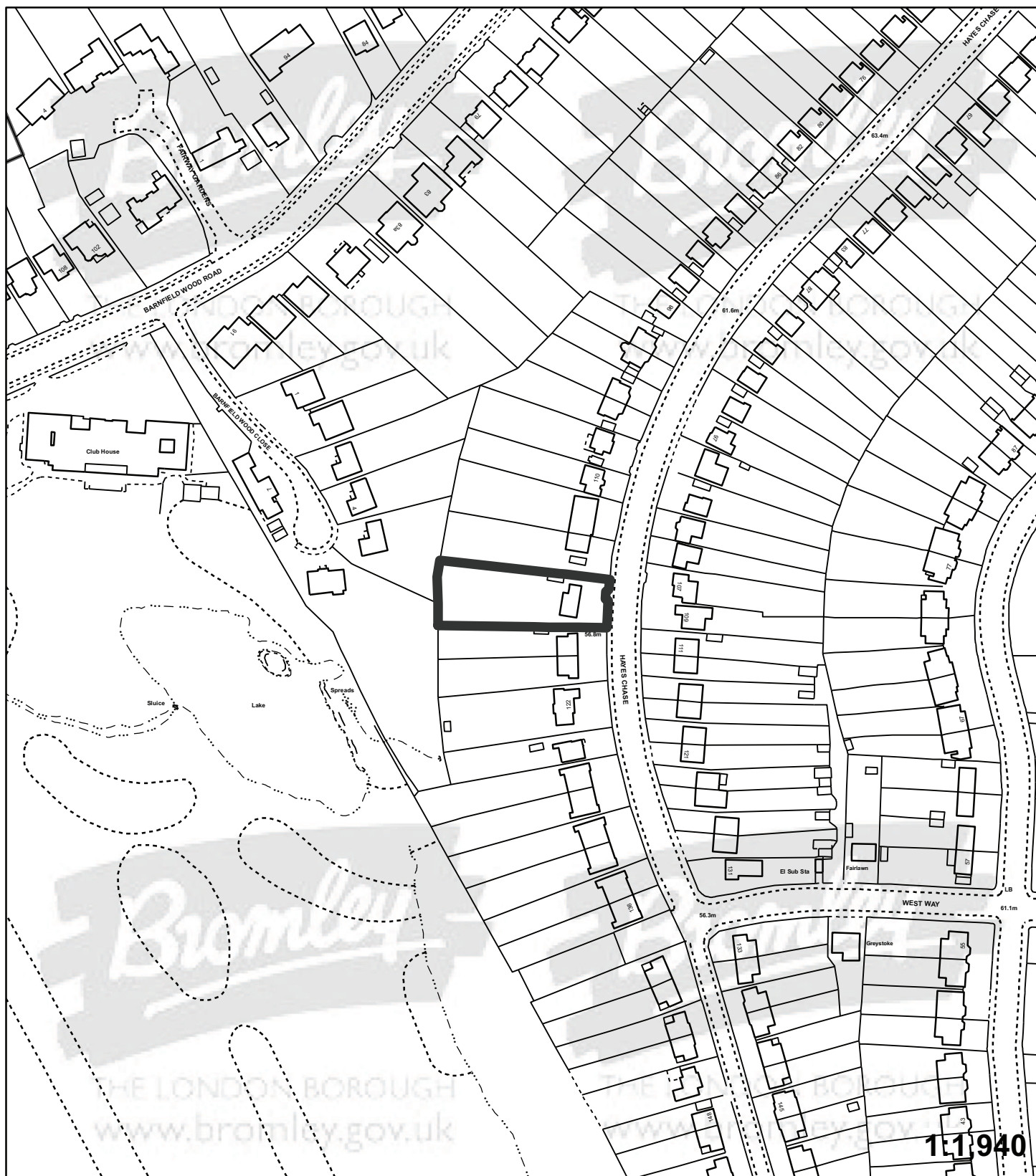
- 1     ACA01        Commencement of development within 3 yrs  
      ACA01R      A01 Reason 3 years
- 2     ACC01        Satisfactory materials (ext'nl surfaces)  
      ACC01R      Reason C01
- 3     ACI17        No additional windows (2 inserts)   northern   and   southern  
      extensions  
  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

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

**Application:**13/01931/FULL6

**Address:** 116 Hayes Chase West Wickham BR4 0JB

**Proposal:** Two storey side/rear and single storey side extensions, front porch and elevational alterations



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



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

**Application No :** 13/02190/FULL1

**Ward:**  
Hayes And Coney Hall

**Address :** 16 Farleigh Avenue Hayes Bromley BR2  
7PP

**OS Grid Ref:** E: 540081 N: 166957

**Applicant :** Miss Mandy Elalfi

**Objections :** YES

### **Description of Development:**

Erection of a two bedroom end of terrace dwelling to Side of No.16 Farleigh Avenue, Hayes

Key designations:

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

### **Proposal**

The proposal is for the erection of a 2 bedroom end of terrace dwelling to the western side of 16 Farleigh Avenue. The existing garage will be demolished to allow for the development.

The front elevation of the new dwelling will be in line with the front elevation of the existing pair of semi-detached dwellings. The rear elevation of the new dwelling will project 2.7m to the rear of No.16 at ground floor level, but is stepped in to approx. 1.3m at first floor level.

A 1m side space is provided between the development and the flank boundary with No.18 Farleigh Avenue. Two windows are proposed on the flank elevation which will be obscure glazed.

Revised plans have been submitted of the car parking layout for the development. The proposal includes the reconfiguration of the front garden of No.16 to provide a car parking space (to serve No.16) and a single car parking space to the front of the new dwelling.

### **Location**

The property is located on the north side of Farleigh Avenue, opposite the junction with Chilham Way. The site is adjacent to the site of the former Beacon Public House which was redeveloped for housing in 2010.

### **Comments from Local Residents**

Nearby owners/occupiers were notified of the application.

One local objection was received, on the grounds that the development represents an overdevelopment of the site. The objector raises concerns about the intensification of the use of this plot, which was originally intended for one dwelling, and the cumulative impact of the development with other nearby developments, including the site of the Beacon Public House which has been developed for housing, and that of Hayes Place, located opposite the site on which new house and flats are proposed. The objector also raises concerns about the appearance of the proposed dwelling, and suggests that if the application is granted it could set a precedent for other similar proposals in the future.

### **Comments from Consultees**

Whilst Highways objected to the original application proposals on the grounds that an additional car parking space was required, and that those shown on the original drawing did not provide adequate manoeuvring space, the applicant has since revised the car parking layout. The front garden of No.16 has been reconfigured to provide a single car parking space (to serve No.16) and a single car parking space will also be provided in front of the new dwelling. Highways has been re-consulted on the revised plan, and advised that; whilst this represents an improvement, three car parking spaces are required, 2 for the donor property and one for the new property.

Thames Water has raised no objections.

Environmental Agency has raised no objections.

Environmental Health has raised no objections but recommended the inclusion of a standard informative.

Drainage raised no objections subject to the inclusion of standard conditions in respect of surface water drainage and SUDS

### **Planning Considerations**

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

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

Supplementary Planning Guidance (SPG) 1 General Design Principles

## Supplementary Planning Guidance (SPG) 2 Residential Design Guidance

At strategic level, the most relevant London Plan policies are:

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

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

### **Planning History**

Planning permission (Ref: 12/02906) for a three bedroom detached bungalow in the rear garden of No.16 was refused in December 2012 on the grounds that the proposed development represented an overdevelopment of the site and would be out of character with the street scene. Additional grounds of refusal concerned inappropriate car parking provision, and insufficient information to demonstrate the welfare of the existing trees. A revised application (Ref: 13/01886) for the bungalow was also recently refused by the Council under delegated powers.

The trees that were located along the rear boundary of the property have been felled.

A two storey side extension was granted planning permission (Ref: 89/01402) in June 1989. The extension was never constructed and the application has now expired.

Planning permission for a detached double garage was granted in 1990 (Ref: 90/00718).

### **Conclusions**

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

The National Planning Policy Framework (NPPF) promotes the efficient and sustainable use of land for housing.

Policy H7 of the UDP outlines the criteria that applications for new housing must meet. It requires the site layout, buildings and level of amenity space to be in keeping with the surrounding area. The explanatory text to Policy H7 (para 4.36 of the UDP) states "many residential areas are characterised by spacious rear gardens and well separated buildings. The Council will therefore resist proposals that would undermine local character or that would be likely to result in detriment to existing residential amenities.

Bromley's Supplementary Planning Guidance No. 2 (Residential Design Guidance) states "local context is of particular importance when adding new buildings to

established areas. Building lines, spaces between buildings, means of enclosure and the use and location of garden or amenity space should all respect the character of the locality".

Whilst the proposed dwelling will project beyond No.16 Farleigh Avenue by 2.7m, this is reduced to approx. 1.3m at first floor level and the impact of this on the visual and residential amenities of No.16 is considered to be within acceptable levels. As the applicant owns the property, an objection from No.16 would not be expected, however, the only local objection to this proposal is from the occupier of a property in Chilham Way, opposite the site. A 1m side space has been maintained for the full length of the flank elevation of the property and it is considered that adequate amenity space is maintained around the proposed dwelling.

Whilst Highways objected to the original application proposals on the grounds that an additional car parking space was required, and that those shown on the original drawing did not provide adequate manoeuvring space, the applicant has revised the car parking layout. The front garden of No.16 has been reconfigured to provide a single car parking space (to serve No.16) and a single car parking space will also be provided in front of the new dwelling. This level of provision is broadly similar to that of other recent developments in the vicinity of the site. Additional unrestricted car parking available on the public highway. It is considered that, on balance, the level of provision is acceptable.

On balance, whilst the proposed dwelling will represent a change from the established pattern of semi-detached dwellings in this location the proposal is not considered to be detrimental to the streetscene or the visual amenities of the area. Whilst the proposal will have some impact on the visual amenities of No.16 Farleigh avenue this is considered to be within acceptable levels. The proposal is not considered to be detrimental to the residential or visual amenities of other properties in the area. The proposal is therefore considered to comply with relevant UDP policies as identified above.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/2190, excluding exempt information.

as amended by documents received on 18.09.2013

## **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

- |   |                 |  |
|---|-----------------|--|
| 1 | ACA01<br>ACA01R | Commencement of development within 3 yrs<br>A01 Reason 3 years |
| 2 | ACC04<br>ACC04R | Matching materials<br>Reason C04                               |
| 3 | ACD06<br>ADD06R | Sustainable drainage system (SuDS)<br>Reason D06               |
| 4 | ACD04<br>ADD04R | Foul water drainage - no details submit<br>Reason D04          |

- |   |        |                                 |               |
|---|--------|---------------------------------|---------------|
| 5 | ACI12  | Obscure glazing (1 insert)      | western flank |
|   | ACI12R | I12 reason (1 insert)           | BE1           |
| 6 | ACK01  | Compliance with submitted plan  |               |
|   | ACK05R | K05 reason                      |               |
| 7 | ACI09  | Side space (1 metre) (1 insert) | western flank |
|   | ACI09R | Reason I09                      |               |

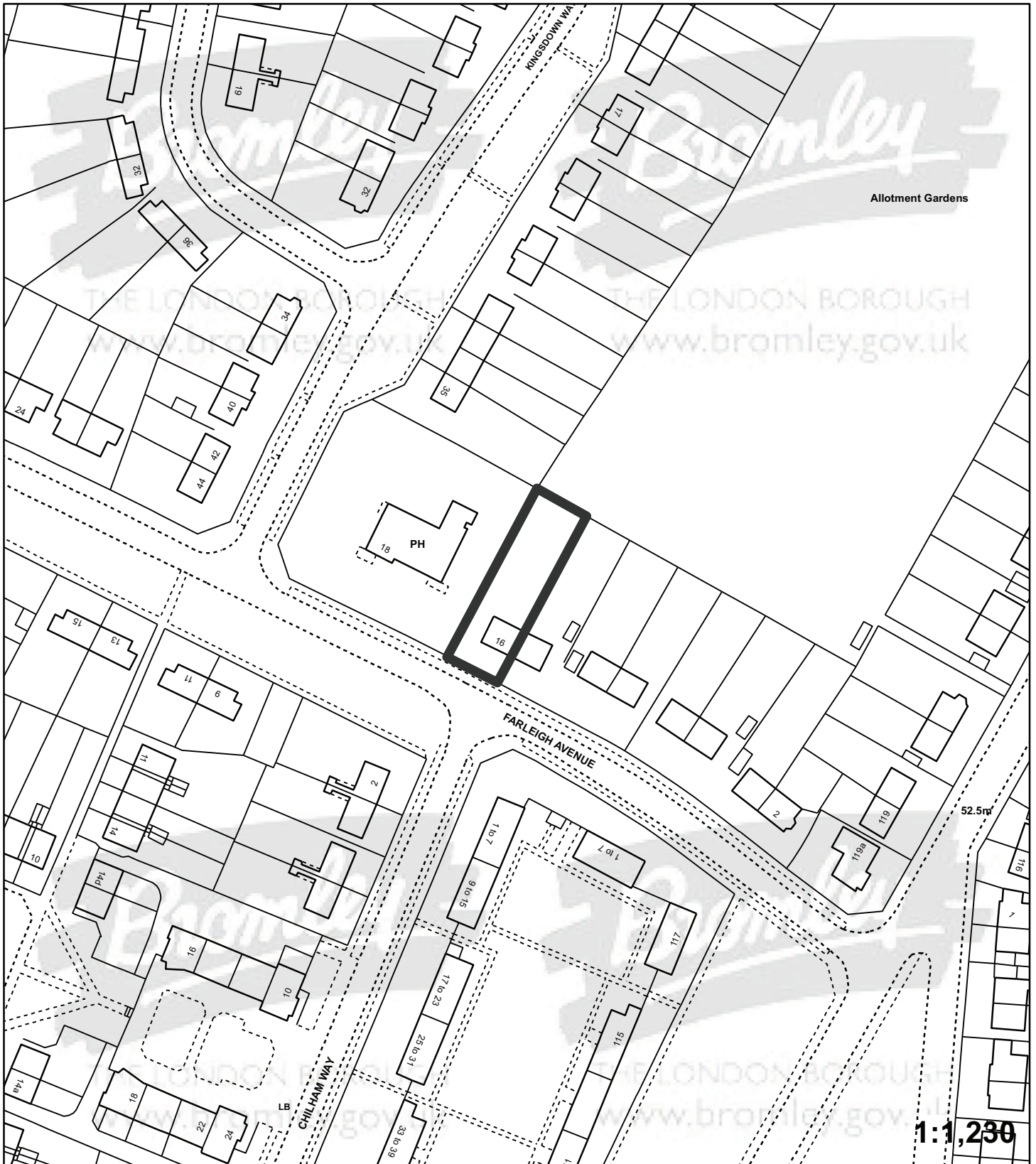
INFORMATIVE(S)

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

**Application:**13/02190/FULL1

**Address:** 16 Farleigh Avenue Hayes Bromley BR2 7PP

**Proposal:** Erection of a two bedroom end of terrace dwelling to Side of No.16 Farleigh Avenue, Hayes



"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 :** 13/02258/FULL6

**Ward:**  
West Wickham

**Address :** 49 Hayes Chase West Wickham BR4  
0HX

**OS Grid Ref:** E: 539115 N: 167485

**Applicant :** Mr Malcolm Lambert

**Objections :** NO

### **Description of Development:**

Part one/two storey front/side and rear 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 northeast flank elevation with a part single/part two storey side extension. The single storey side extension will abut the boundary adjoining no. 47 and the two storey side element will be inset 1.05 metres from the side boundary. The total depth of the side extension is 9.9 metres at a maximum height of 7.1 metres to the ridge of the pitched roof.

The proposal also seeks a single storey rear extension that will have a total width of 7.9 metres, a depth of 3.9 metres and a ridge height of 3.9 metres.

The extensions will be constructed from brick and painted, rendered brickwork.

### **Location**

The application property is a two storey detached dwelling house located on the south eastern side of Hayes Close. The application site is neither listed, within a conservation area nor an area of special residential character.

The surrounding area is character by similar a style and vintage with many properties having been extended in a similar manner to that proposed under this application.

### **Comments from Local Residents**

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

West Wickham Residents' Association: Suggests that a 1 metre gap should be provided on the boundary.

### **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**

June 2013: Planning application (Ref: 13/01581/FULL6) refused for part one/two storey front/side and rear extension. The reason for refusal being:

The proposed two storey side extension would be visually unrelated to the existing building by reason of its flat roof design. The development would therefore be detrimental to the appearance of the dwelling and the street scene in general, contrary to Policies H8 and BE1 of the Unitary Development Plan.

### **Conclusions**

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

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



## DESIGN AND VISUAL AMENITY

The application property is a detached two storey hipped roof dwelling of traditional character and design, located on the southeast side of Hayes Chase. The property is faced in rough cast render and has leaded light windows with a bay window at ground floor level. The surrounding area is predominantly residential in character and comprises two storey detached hipped roof dwellings of identical character, many of which have extended to the side (no's 51, 53 and 57).

The proposed single storey front/side extension is subordinate to the host dwelling and will have a dummy pitch roof, in order to integrate visually with the host dwelling. The extension will project 1.1 metres from the front elevation, to be in line with a ground floor bay window, at a width of 2.8 metres and total ridge height of 3.75 metres. The design and scale of the single storey element is in keeping with the host dwelling and that of the surrounding streetscene.

The two storey side extension will be set back from the front building line as viewed from the streetscene and inset 1.05 metres from the side boundary. Whilst it is noted that there is a very small overlap of the ground and first floor extensions, approximately 0.3 metres, this is not considered to warrant the ground floor element being set in a minimum of 1 metre from the boundary. This is also particularly valid given that the previous application proposed exactly the same overlap arrangement and was considered acceptable. Subsequent to refusal of the previous application, the flat roof has been removed and replaced with a traditional hipped roof and now integrates visually with the host property and the surrounding area, which is characterised by hipped roof dwellings.

The proposed single storey rear extension will project to a total depth of 3.9 metres (as measured off plan although annotated as being 4 metres) under a mono pitch roof at an eaves height of 2.65 metres (as measured off plan although annotated as being 2.75 metres). Although the rear extension is large, it is considered to be an acceptable, scale, form and design in relation to the host dwelling that will have no adverse visual impact on the streetscene.

## RESIDENTIAL AMENITY

The application property has a large rear garden of approximately 45 metres in length and is adjoined on either side by residential properties of similar character and design.

The neighbouring property to the southwest (no. 51) has extended to the rear and side with a part one/two storey side and rear extension that projects beyond the rear elevation of the application property. The proposed rear ground floor extension would be inset 0.955 metres from the flank wall of the neighbour however, the siting and scale of the extension is likely to restrict the daylight to 1 ground floor window in the flank elevation of no. 51. In mitigation, this window is in the north elevation and obscure glazed therefore, refusal based on loss of daylight and outlook is unwarranted.

The proximity of the side extension is likely to restrict the daylight and outlook to 2 ground floor flank windows at no. 47 to the northeast but refusal is unwarranted as these are small, secondary windows.

Side facing windows are to be obscure glazed and fixed shut to a height of 1.7 metres to protect the privacy of the adjoining neighbours.

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.

**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

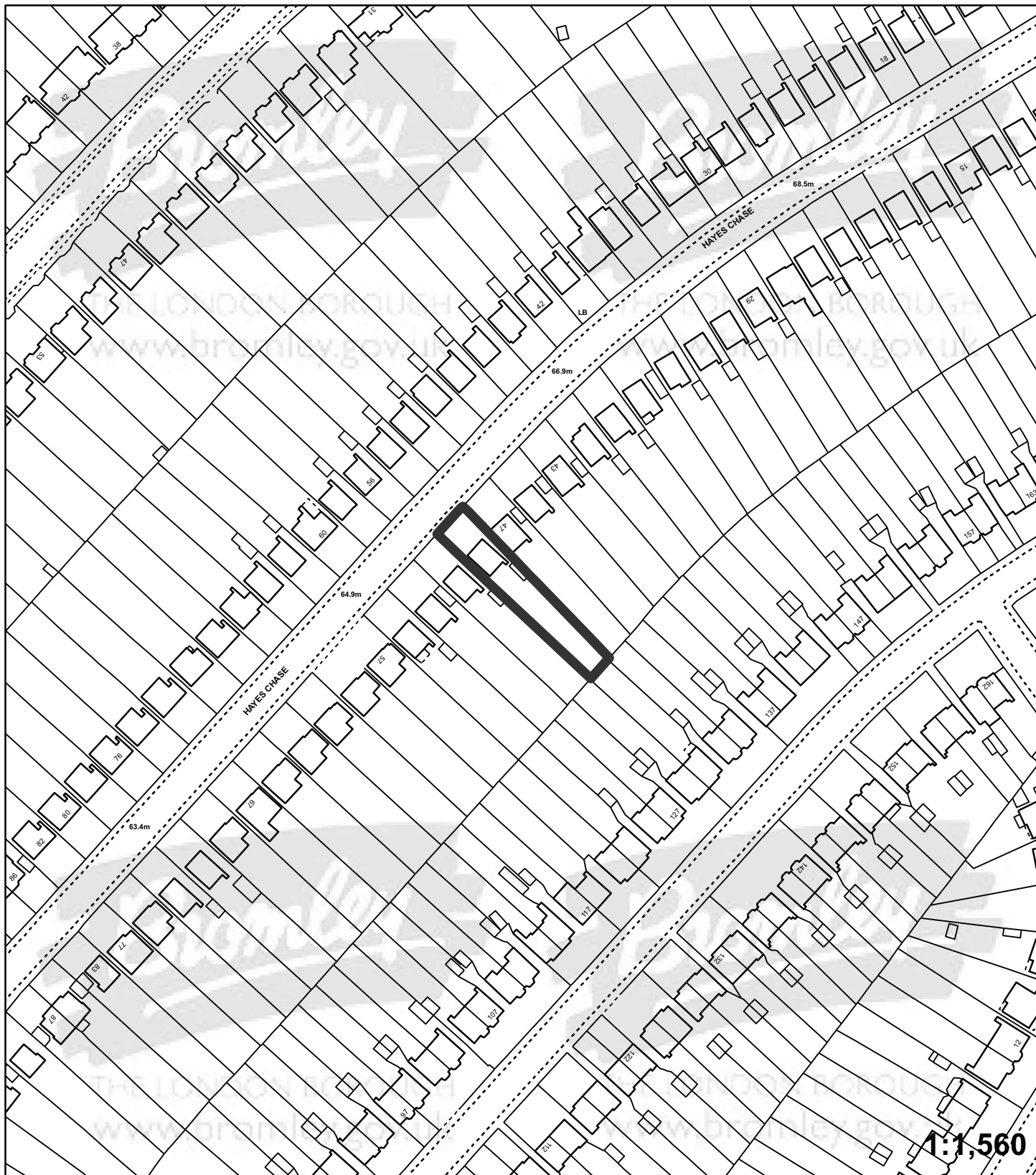
**Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area

- 4     ACI17        No additional windows (2 inserts)   flank   extension  
      ACI17R      I17 reason (1 insert)   BE1

**Application:**13/02258/FULL6

**Address:** 49 Hayes Chase West Wickham BR4 0HX

**Proposal:** Part one/two storey front/side and rear extension



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

**Application No :** 13/02435/FULL1

**Ward:**  
Petts Wood And Knoll

**Address :** Crofton Junior School Towncourt Lane  
Petts Wood Orpington BR5 1EL

**OS Grid Ref:** E: 544621 N: 166870

**Applicant :** Crofton Junior And Infants Schools      **Objections :** NO

### **Description of Development:**

Replacement boundary fence and gates at Crofton Junior and Infants School

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
London City Airport Safeguarding  
Local Distributor Roads  
Open Space Deficiency  
River Centre Line  
Sites of Interest for Nat. Conservation

Urban Open Space

### **Proposal**

It is proposed to erect replacement boundary fences and gates. The Infant School fence will be 2m high and the Junior School fence will be 2.4m high. The fences will feature a meshed design and a green powder coated aluminium finish and are intended to increase security. There will be an approx. 1m gap between the proposed fences and the fences to neighbouring properties which will allow for maintenance.

### **Location**

The Infant and Junior schools occupy a 4.55ha site and are surrounded by mainly residential development comprising houses and bungalows.

### **Comments from Local Residents**

Nearby residents were notified of the application and a representation was received stating that the rear boundary fence at 8 Derwent Drive should not be removed.

### **Comments from Consultees**

There are no technical highways objections.

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

### **Planning Considerations**

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and other Means of Enclosure

### **Conclusions**

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

The proposed fencing and gates will be higher than those being replaced and it is stated that this will improve security. Whilst the fencing may appear somewhat institutional it should be noted that this type of fencing is increasingly common in urban areas and is frequently used at schools. The proposed green powder coated finish is considered appropriate. The fencing and gates should not result in undue harm to the character of the area and the security benefits can be viewed positively.

It is considered that there will be no undue harm to the amenities of neighbouring residential properties.

Background papers referred to during the production of this report comprise all correspondence and other documents on file ref. 13/002435, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

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

**Application:**13/02435/FULL1

**Address:** Crofton Junior School Towncourt Lane Petts Wood Orpington  
BR5 1EL

**Proposal:** Replacement boundary fence and gates at Crofton Junior and  
Infants School



"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 :** 13/02533/FULL6

**Ward:**  
West Wickham

**Address :** 35 Croft Avenue West Wickham BR4  
0QH

**OS Grid Ref:** E: 538521 N: 166041

**Applicant :** Peter Clutterbuck

**Objections :** YES

### **Description of Development:**

First floor side and single storey rear extensions

Key designations:

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

### **Proposal**

The proposal is for a first floor side extension above the existing garage and a single storey rear extension. The first floor side extension will have a side projection of 2.5m and will be 4.26m deep. New windows are proposed for the front and rear elevations. The single storey rear extension will be 2.5m deep and 3.5m wide, with a pitched roof with an eaves height of 2.53m and a maximum overall height of around 3.0m. A new window is proposed for the rear elevation of the ground floor extension.

### **Location**

The host property is a semi-detached house on Croft Avenue, West Wickham which is a residential street. Many of the surrounding properties have benefitted from two storey side extensions in the past.

### **Comments from Local Residents**

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

- concerns have been raised from an adjoining property (No.37) over the impact of the single storey rear extension on their outlook, stating that the extension is excessive in scale.

## **Comments from Consultees**

No internal consultations were necessary in order to determine this application.

## **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) and H9 (Side Space).

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

The Councils adopted SPG guidance is also a consideration.

## **Planning History**

There is no planning history at the site.

## **Conclusions**

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

The single storey rear extension will have a relatively modest rear projection of 2.5m, and will be positioned at the boundary with No.37. Whilst the concerns raised by the occupants of No.37 are noted, as the neighbouring property at that boundary is set to the south of the host dwelling, and given the modest rear projection, the impact of the proposed single storey rear element of the proposal on the amenity of the neighbouring properties is considered acceptable.

The general principle of the first side extension is considered acceptable, and similar examples can be seen at the immediately surrounding properties. The proposal will maintain the existing separation from the side boundary of 0.8m, which mirrors the current separation at ground floor level. The proposed side space would follow the arrangement at No.33 Croft Avenue where a two storey side extension was permitted under ref: 98/00870/FUL; No.37 where a two storey extension was permitted under ref: 97/01030/FUL; and No.39 which was granted planning permission for a similar two storey side extension under ref: 88/03285/FUL.

The proposal is not considered to result in a detrimental impact on the streetscene or to result in a cramped appearance, in line with the guidance set out in Policy H9.

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

relevant planning history on the site were taken into account in the assessment of the proposal.

Having had regard to the above, it was considered that the siting, size and design of the proposed first floor side extension and single storey rear extension is acceptable in that it would not result in a detrimental impact on neighbouring amenity or in a harmful impact on the character of the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/02533, excluding exempt information.

### **RECOMMENDATION: PERMISSION**

Subject to the following conditions:

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

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

**Application:**13/02533/FULL6

**Address:** 35 Croft Avenue West Wickham BR4 0QH

**Proposal:** First floor side and single storey rear extensions



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

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

**Application No :** 13/02600/FULL6

**Ward:**  
Penge And Cator

**Address :** 27 Kings Hall Road Beckenham BR3  
1LT

**OS Grid Ref:** E: 536098 N: 170075

**Applicant :** Mr Nick Seaman

**Objections :** YES

### **Description of Development:**

Roof alterations to incorporate rear dormer extension

Key designations:

Conservation Area: Aldersmead Road  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Local Distributor Roads  
Ravensbourne FZ2

### **Proposal**

The proposal is for roof alterations which include a half hip style extension and rear dormer extension. A window is proposed in the flank elevation facing no. 29 Kings Hall Road.

This application follows the refusal of a similar application under ref. 13/01397. The current application has omitted the front rooflights, with the rest of the scheme remaining as the previous application.

### **Location**

This proposal is to a semi-detached property located on the north-east side of Kings Hall Road, Beckenham and lies within the Aldersmead Road Conservation Area. The surrounding area is mainly residential and is characterised by large semi-detached properties.

### **Comments from Local Residents**

Nearby neighbours were notified of the proposal and the responses received are summarised as follows:

- overdevelopment
- visual impact on the streetscene
- previous application at no. 32 should not be used in support of this case

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

### **Comments from Consultees**

No objections are received from Highways.

The proposal was not viewed by APCA.

From a heritage perspective no objections are raised to the rear dormer, however there are some concerns with regards to the roof extension. The Supplementary Planning Guidance (SPG) was written in 2000 but in May 2005 the conservation area was extended to include a part of Kings Hall 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  
 BE11 Conservation Areas

Supplementary Planning Guidance 1 General Design Principles  
 Supplementary Planning Guidance 2 Residential Design Guidance  
 Supplementary Planning Guidance Aldersmead Road Conservation Area

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

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

### **Planning History**

Permission was refused in June 2013 (ref: 13/01397) for Roof alterations to incorporate rear dormer extension and elevational alterations on the following grounds:

"The roof alterations to incorporate rear dormer extension and elevational alterations by reason of their size and incongruous design would be detrimental to the visual amenity of the host building, streetscene and character of the area contrary to Policies BE1, BE11 and H8 of the Unitary Development Plan, and Supplementary Planning Guidance 2"

No appeal has been lodged to date.

## Conclusions

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

The main difference between the current and refused scheme is the removal of the rooflights on the front roof slope, thus lessening the impact on the streetscene. The extension will still consist of a half hip style extension which will be visible from the road.

The southern side of the road has slightly different housing styles and many of the semi-detached houses have half hips. Whilst these properties are on the opposite side of the road, It is noted that no. 32 Kings Hall Road, which is directly opposite no. 27, was granted permission for 'Single storey rear extension and roof alterations incorporating rear dormer extension' under ref: 10/02186/FULL6. This application, although not yet constructed, will achieve a similar style roof extension and should be taken into consideration in the determination of this application.

The proposal is not considered cause any detrimental impact to the adjoining neighbours by way of overlooking or loss of outlook.

In light of the similar style roofs along Kings Hall Road and in particular the permission granted for no. 32 for a similar style extension the revised proposals, which have omitted the front rooflights and therefore reduced the visual impact on the streetscene, are therefore considered to adequately overcome the previous grounds for refusal, and are not considered to have a harmful impact on the character and amenities of Aldersmead Road Conservation Area, nor the amenities of neighbouring properties.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/01397 and 10/0286,, excluding exempt information.

## RECOMMENDATION: PERMISSION

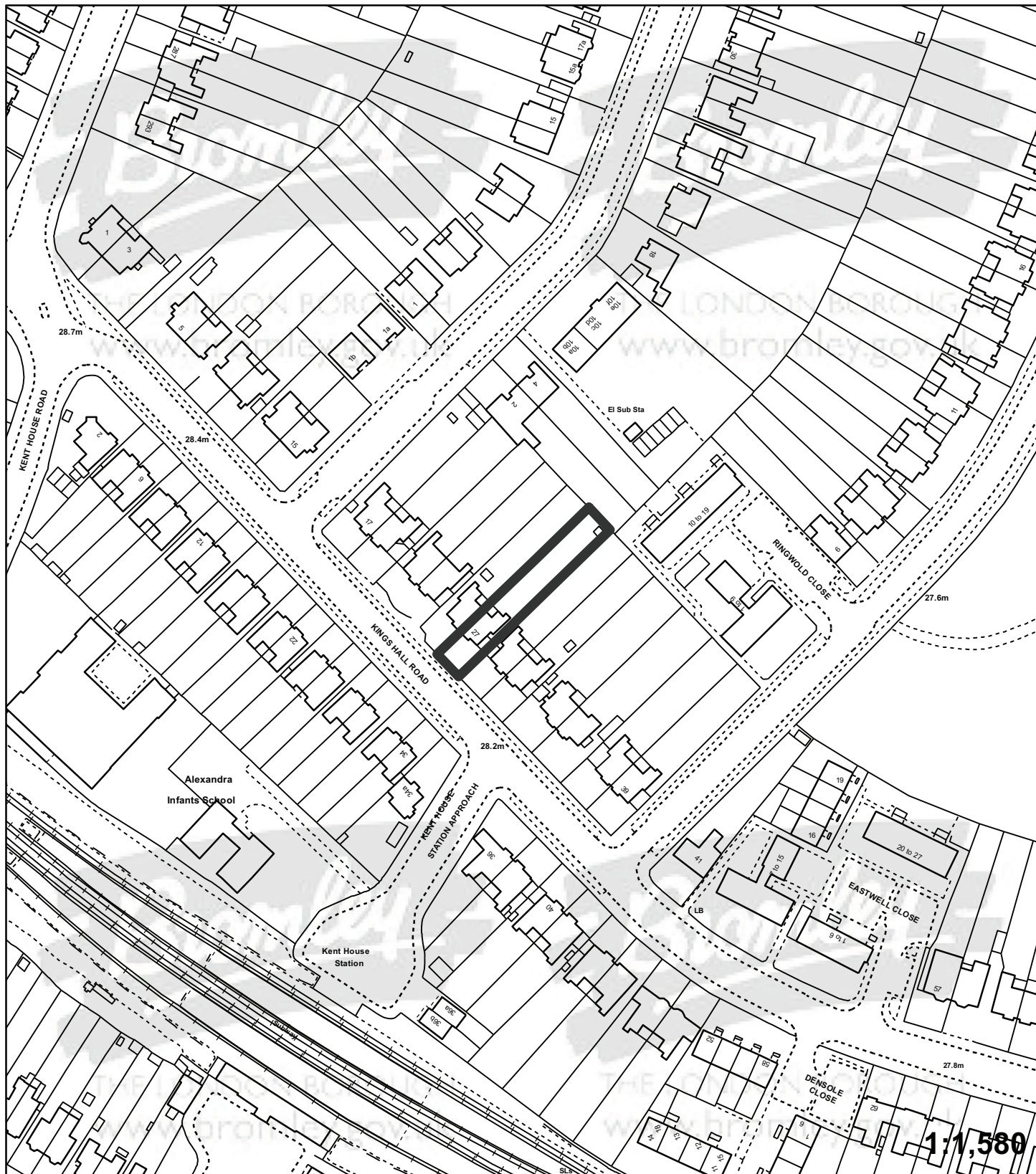
Subject to the following conditions:

- |   |        |   |
|---|--------|---|
| 1 | ACA01  | Commencement of development within 3 yrs          |
|   | ACA01R | A01 Reason 3 years                                |
| 2 | ACC04  | Matching materials                                |
|   | ACC04R | Reason C04  |
| 3 | AC112  | Obscure glazing (1 insert) in the flank elevation |
|   | AC112R | I12 reason (1 insert) BE1                         |
| 4 | ACK01  | Compliance with submitted plan                    |
|   | ACK05R | K05 reason  |

**Application:**13/02600/FULL6

**Address:** 27 Kings Hall Road Beckenham BR3 1LT

**Proposal:** Roof alterations to incorporate rear dormer 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 '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS

**Application No :** 13/01448/FULL1

**Ward:**  
Kelsey And Eden Park

**Address :** Land Rear Of 107 To 111 Monks  
Orchard Road Beckenham

**OS Grid Ref:** E: 537461 N: 166597

**Applicant :** Avakas Holdings Ltd

**Objections :** YES

### **Description of Development:**

Erection of 3 storey detached block comprising 1 x 3 bedroom flat and 7 x 2 bedroom flats; associated car parking, refuse store, bicycle store, landscaping and boundary enclosures on land to rear of Nos. 107 - 111 Monks Orchard Road

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Local Cycle Network  
Flood Zone 2  
London City Airport Safeguarding  
Local Distributor Roads  
Sites of Interest for Nat. Conservation  
Urban Open Space

### **Proposal**

This application proposes the erection of a three storey detached block comprising one x 3-bedroom flat and seven x 2 bedroom flats, with associated car parking, refuse store, bicycle store and boundary enclosures.

### **Location**

The site is located to the east side of Monks Orchard Road and to the north of Eresby Drive. It is situated to the rear of numbers 107-111 Monks Orchard Road with the site accessed between numbers 107 and 109. Residential is located to the north, south and west of the site and to the east is High Broom Wood which is designated Urban Open Space and a Site of Interest for Nature Conservation. The site is within a Flood Zone 2.

### **Comments from Local Residents**

Nearby neighbours were notified of the proposal and representations received can be summarised as follows:

- impede outlook and privacy
- detrimental to the area
- density issues
- traffic and parking issues
- on-going noise and dust pollution
- concerns with mis-management of the site
- no objection to small number of houses granted planning permission - more in keeping with surrounding development
- lack of previous objection to houses did not take into account the piecemeal flattened development on Monks Orchard Road
- tons and tons of building rubble have been dumped on to the site thus raising the site levels considerably - previously they dropped away towards High Broom Wood
- concerns with effect on drainage of rainwater
- flats rather than houses will mean more people and associated noise, parking and traffic

### **Comments from Consultees**

Concerns are raised from a Crime Prevention point of view in that the building to be placed at the rear of existing properties not only makes the proposed development more vulnerable but also exposes the rear gardens of neighbouring properties to crime and criminality. This could be dealt with by restricting vehicular and pedestrian access to the site or with enhanced boundary treatment / defensive planting and physical security measures. In the event of a planning permission a 'Secured by Design' condition is suggested.

With regard to the Environment Agency, the site lies partially within Flood Zone 2 (medium risk flood zone) and within 20 metres of the River Beck. The proposal is therefore considered to be low risk and the Council are referred to the Flood Risk Standing Advice.

Highways considerations note that the site is located in an area with a low PTAL rate of 2. It is noted that the car parking spaces are accessed from Monks Orchard Road via an existing vehicular crossover by the way of a service road 4.10m wide. This is considered to be satisfactory. Of the eight parking spaces provided to the rear the two corner spaces (perpendicular to each other) are difficult to manoeuvre in and out; in the event of a planning permission one bay should be set back by one metre. Nine cycle spaces are required.

It is noted that the refuse store is set too far from the highway and refuse collection arrangements would need to be agreed with the Waste Management team.

On the basis of the information provided no objections are raised by Thames Water in respect of the sewerage infrastructure, surface water drainage or water infrastructure. An informative is suggested in the event of a planning permission.

From an Environmental Health point of view, initial comments suggest that there appear to be issues in respect of limited outlook from roof lights where these are the only natural glazed areas to habitable rooms, (including bedrooms and living rooms) and also that these cannot usually be sources of natural ventilation as in periods of inclement weather would not be openable without possibility of ingress of elements, (wind, rain, snow etc!). Other rooms where only natural light and ventilation is provided by openable French doors are similarly compromised as it would be a security risk to leave doors open to provide adequate natural ventilation and in many of these rooms there are no other openable windows to the affected room. Other issues such as risk of scalding where the only area of recreation/play for children in occupying families is a combined kitchen/lounge area are of concern but any additional detailed comments from an Environmental Health point of view will be reported verbally to Committee.

### **Planning Considerations**

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

BE1 Design of New Development  
H1 Housing Supply  
H7 Housing Density and design  
H9 Side Space  
NE7 Development and Trees  
T3 Parking  
T7 Cyclists  
T18 Road Safety

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

### **Planning History**

There is an extensive planning history relating to this site, summarised below:

Reference 02/03675 - consent refused for two storey block and three storey block comprising 8 one bedroom, 6 two bedroom and 10 three bedroom self-contained and shared key worker flats, with 19 car parking spaces, cycle stores and refuse storage facilities, and including vehicular access from Eresby Drive (105, 107 and 109 Monks Orchard Road)

Reference 03/01798 - permission refused 2 two storey blocks comprising 8 one bedroom, 8 three bedroom and 4 four bedroom self-contained and shared key worker flats with 19 car parking spaces, cycle stores and refuse storage facilities and formation of vehicular access from Eresby Drive (105,107 and 109 Monks Orchard Road)

Reference 05/02899 - permission was initially refused but later allowed on appeal for the demolition of Nos. 105, 107 and 109 Monks Orchard Road and the erection of 3 two storey blocks of self-contained and shared key worker accommodation

with car parking, cycle and refuse storage. This comprehensive redevelopment scheme comprised 2 two storey blocks on the road frontage and 1 two storey block to the rear of the site adjacent to Eresby Drive.

Planning permission was granted under ref. 10/01926 to extend and sub-divide No.109 into two semi-detached houses. A subsequent permission was granted under ref. 10/03160 to sub-divide one of the semi-detached houses into two flats.

Reference 10/02576 - permission was refused and subsequently dismissed on appeal for the construction of an additional block to the side of No.109 to provide 3 two bedroom self-contained flats, car parking, refuse store and cycle store.

Reference 10/03160 - permission was granted for part one/two storey rear extensions with balconies, elevational alterations and conversion into 2 semi-detached houses with residential curtilage and associated parking (amendment to permitted scheme 10/01926 to include increased depth of part one/two storey rear extension along northern flank increased balcony area and the conversion of one semi-detached unit into 2 two bedroom units).

Reference 10/03175 - an application was refused and later allowed on appeal for a two storey side extension to No.109 Monks Orchard Road to form 1 three bedroom self-contained dwelling with associated parking at the rear and residential curtilage which is currently being constructed at the site. Permission was subsequently allowed at appeal for use as 3 flats.

Reference 11/00278 - planning permission was refused and dismissed on appeal for a three storey detached block comprising 4 two bedroom, 2 three bedroom flats with 8 car parking spaces and access road, (Land to the rear of 107 and 109 Monks Orchard Road). The Inspector considered in his conclusions that, given the planning history, the proposal would not have such an effect on the living conditions of neighbours as to cause real harm. However, he considered that the block 'would represent a singular incursion of larger scale built form, a failing not shared in the 'three block' scheme which would have been seen to be a complete, integrated, development rather than the piecemeal now proposed...'. He considered the scheme contrary to policy with regard to quality of housing development and its relationship to its surroundings.

Planning permission was granted in 2011, reference 11/03450/FULL1, for the erection of 3 two storey terraced houses (1 x four bedroom and 2 x three bedroom) with accommodation within roofspace with associated car parking and landscaping at land rear of 107 - 109 Monks Orchard Road.

Following this permission an application, reference 12/03904/FULL1, for the erection of a 3 storey detached block comprising 1 x 3 bedroom flat and 7 x 2 bedroom flats with associated works was refused:

'The proposed development by reason of its size, bulk, height, prominence and amount of site coverage by buildings and hard surfaces would result in a cramped overdevelopment of the site, out of character with the existing

pattern of development thereby contrary to Policies H7 and BE1 of the Unitary Development Plan'.

## **Conclusions**

The main issues for consideration are the effect of the development on the character and appearance of the locality and the effect on the amenity of occupiers of neighbouring buildings and those of future occupants and whether this application has sufficiently addressed the previous grounds of refusal so as to merit a planning permission.

This application has been submitted with a view to address and overcome the previous grounds of refusal relating to application 12/03904 (see planning history above). Paragraph 3 (page 9) of the Design and Access Statement and paragraph 4.4 (page 7) of the planning statement submitted in support of the application purport that the 12/03904 decision established the acceptability of the following principals:

1. The development of flats in this area
2. The internal space provision for the proposed flats
3. The proposed amenity space provisions
4. The mix and range of accommodation provided
5. The overall design approach
6. The access, vehicular turning and parking areas
7. Parking provision
8. That there was no adverse impact on the amenity of neighbouring properties

Given the previous ground of refusal it is important to note that the Local Planning Authority (LPA) do not share the view that that decision established the acceptability of the principals noted above.

The planning statement submitted in support of the application suggests that the planning history establishes that 16 dwellings could be accommodated on the sites of 105, 107 and 109 Monks Orchard Road. It states that the conversion of properties at 105, 107 and 109 have resulted in 5 dwellings currently accommodated on site. It is noted that the current application seeks to replace the 2012 approved terrace of 3 dwellings with a similar built form but comprising 8 residential units.

The planning history identifies that the principle of flatted accommodation was considered acceptable within the comprehensive redevelopment of the site under permission 05/02899, which allowed for a coherent development set within 'well-landscaped, pleasant park-like surroundings'. Given the subsequent piecemeal development that has taken place in the vicinity the Planning Inspector noted in the appeal for 11/00278 (which proposed a larger built form than that currently under consideration) a smaller site, reduced distances to boundaries, over-dominance of hardstanding and out of scale with the Eresby Drive development. In an area of predominantly two storey housing the Inspector stated that the block would represent a singular incursion of larger scale built form and would not be in accord

with planning policy aims of quality housing development and its relationship to surroundings.

Whilst the extent of built development has been reduced to that more in line with planning permission 11/03450, careful consideration is to be made given that that permission was for 3 residential units and the current one is for 8 residential units. Neighbour objections are raised in respect of additional noise and disturbance. When considering the planning history it has been previously acknowledged that this will not be to such a great degree as to warrant a planning refusal. However, this was in respect of a) the more comprehensive redevelopment (with four flats to the rear) and b) a proposal for 6 flats. This current scheme proposes eight flats and it may be considered that the comings and goings associated with this increased number of occupants and the increased number of parking spaces near to the northern boundary which has no or very limited buffer zone will have a detrimental impact on existing residential amenity. The previous planning report (for 12/03904) noted that the Inspector's comments in relation to 11/00278 comments regarding impact on residential amenity were on the basis of 6 flats being located 2.1m from the flank boundary while permission 11/03450 was granted on the basis of a terrace of 3 houses with 1m side space. That report stated 'The level of activity, noise and disturbance associated with 8 flats in close proximity to the flank boundary is considered to be unacceptable ... and is indicative of the cramped nature of the proposal'. In respect of objections relating to privacy and overlooking the use of balcony screens and the proposed siting of the development will help to mitigate against some of the impacts in this respect.

Neighbour objections have also raised concern with the raising of the site levels and comment that '...tons and tons of building rubble have been dumped on to the site thus raising the site levels considerably...', indicating that previously they dropped away towards High Broom Wood. Any information from the applicants regarding this matter will be reported verbally to Committee. In the event of a planning permission an appropriate condition relating to slab levels should be applied.

Highways comments note that some minor revisions would be required to enable satisfactory parking space along with the provision of 9 cycle spaces. In the event of a planning permission appropriate conditions are suggested.

Initial Environmental Health (Housing) comments indicate that the quality of resultant living accommodation is likely to be compromised.

Objections have been raised in respect of the proposed density. It should be noted that Government guidance, and that contained within the London Plan, require Councils to maximise the best use of urban land where appropriate when considering new residential developments. The supporting planning statement calculates the density to be 59 units per hectare which comes within the upper end of London Plan guidance of 35-65 units per hectare for suburban settings (for development of 3.8-4.6 habitable rooms per unit and Public Transport Accessibility Level (PTAL) 2 to 3). However it should be noted that the guidance also advises that development should be sought that allows existing buildings and structures that make a positive contribution to the character of a place to influence the future

character of the area. It also states that development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.

For information a revised Five Year Housing Supply Paper was agreed by DC Committee on 20th June 2013; the Paper concludes that the Borough is able to demonstrate a five year supply of land for housing at this point in time.

In order to overcome previous refusal grounds this scheme presents a built development form that has previously been considered acceptable as 3 dwelling houses. Members may consider that this proposal does not address and overcome previous grounds of refusal and continues to result in a cramped overdevelopment of the site out of keeping with the established character of the area. Additionally, the level of accommodation for future occupiers is compromised and the scheme offers a limited communal area serving flats capable of family accommodation.

In the event of a planning permission it should be noted that the development will be CIL (Community Infrastructure Levy) liable.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/01448, 12/03904, 11/03450, 11/00278 and 05/02899, excluding exempt information.

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

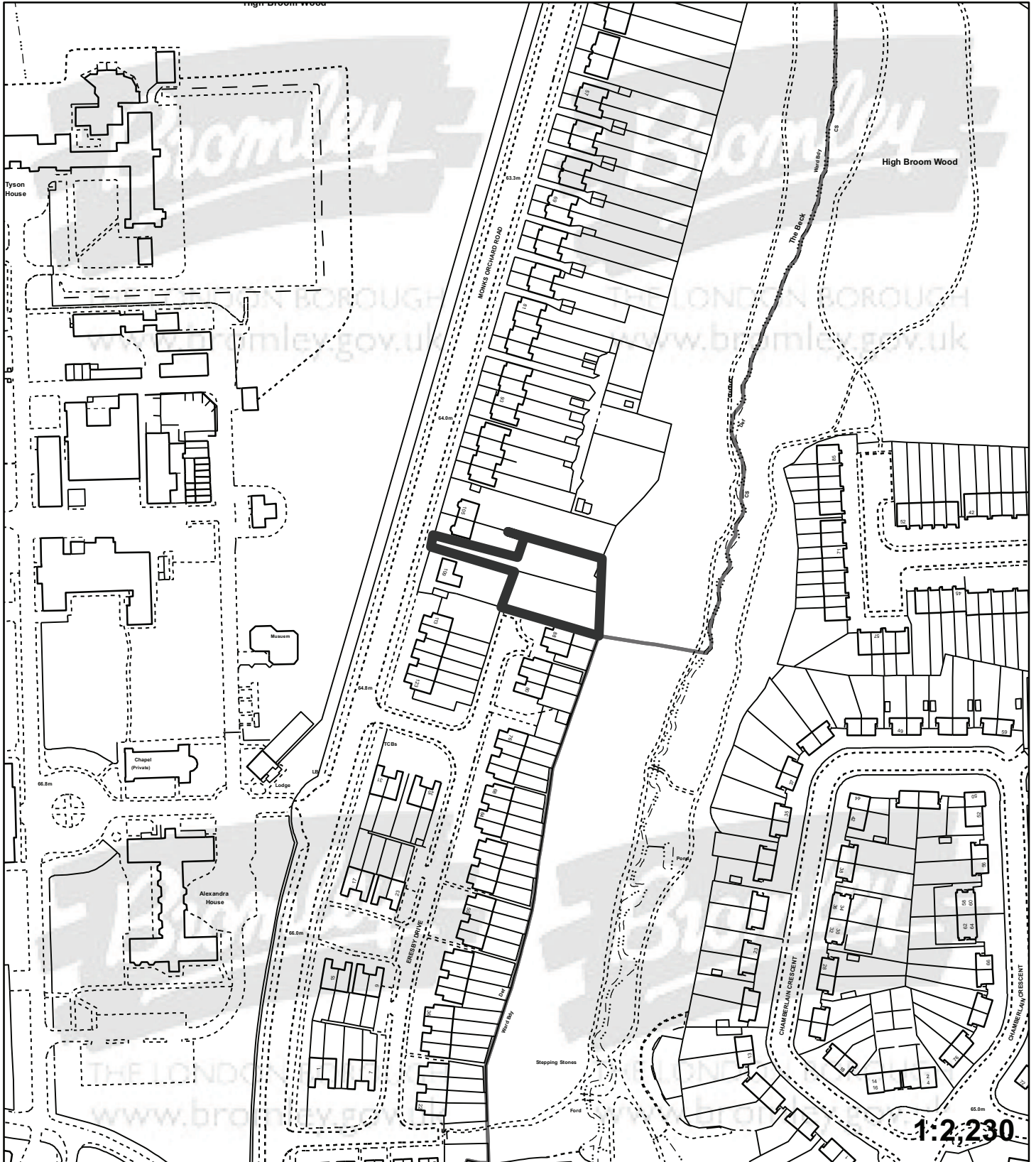
The reasons for refusal are:

- 1 The proposed development, by reason of the type and number of units proposed, would be out of character with the pattern of surrounding development, resulting in a cramped overdevelopment and overintensive use of the site and would therefore be contrary to Policy H7 and BE1 of the Unitary Development Plan.

**Application:**13/01448/FULL1

**Address:** Land Rear Of 107 To 111 Monks Orchard Road Beckenham

**Proposal:** Erection of 3 storey detached block comprising 1 x 3 bedroom flat and 7 x 2 bedroom flats; associated car parking, refuse store, bicycle store, landscaping and boundary enclosures on land to rear of Nos. 107 - 111 Monks Orchard Road



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