



THE LONDON BOROUGH
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DATE: 28 January 2014

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 6 FEBRUARY 2014 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

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

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

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

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

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 28 NOVEMBER 2013**
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PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 28 November 2013

Present:

Councillor Alexa Michael (Chairman)
Councillor John Ince (Vice-Chairman)
Councillors Douglas Auld, Katy Boughey, Lydia Buttinger,
John Carvin, Peter Fookes, Mrs Anne Manning and
Harry Stranger

Also Present:

Councillor Colin Smith

13 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Samaris Huntington-Thresher and Councillor Lydia Buttinger attended as her substitute.

14 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

15 CONFIRMATION OF MINUTES OF MEETING HELD ON 3 OCTOBER 2013

RESOLVED that the Minutes of the meeting held on Thursday, 3 October 2013, be confirmed and signed as a correct record.

16 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

16.1 ORPINGTON

(13/03422/FULL1) - Goddington Park, Goddington Lane, Orpington

Description of application – Erection of secure metal storage building beside existing pavilion and steel fencing to surround storage building and pavilion.

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:-

“4. Details of measures to screen the storage building shall be submitted to and approved in writing by the Local Planning Authority before commencement of the development hereby permitted. The approved measures shall be implemented within two months of the completion of the storage building and shall be permanently retained thereafter unless otherwise agreed in writing by the Local Planning Authority.
REASON: In the interest of the openness and character of the Green Belt and the area in general and to accord with Policies BE1 and G1 of the Unitary Development Plan.”

SECTION 2

(Applications meriting special consideration)

16.2 BROMLEY COMMON AND KESTON

(13/01136/FULL1) - 137 Hastings Road, Bromley

Description of application – Single storey rear extension for use as a separate shop (A1 use class) and installation of associated shop front.

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:-

“4. The external areas that form part of the use hereby permitted shall not be used for the purposes of storage at any time.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in the interests of the amenities of adjoining residents and the character of the area.”

16.3 BICKLEY

(13/02565/FULL6) - 11 Mavelstone Close, Bromley

Description of application – Single storey rear extension to be used as therapy centre.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Colin Smith were received at the meeting. Whilst Councillor Smith appreciated the intended use for the proposed development he objected to its size and bulk. The Chief Planner’s Representative reported that the size of the garden incorporated in the application site shown on the Ordnance Survey map on page 26 of

the Agenda was incorrect, and he advised Members of the correct boundary.

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

1. The proposal would, due to its scale, height, bulk and proximity to the boundary, be harmful to the amenities currently enjoyed by the residents of 12 Mavelstone Close, by reason of an unacceptable visual impact and of loss of prospect, contrary to Policies BE1 and H8 of the Unitary Development Plan.

**16.4
HAYES AND CONEY HALL**

(13/03420/FULL1) - 53 Kechill Gardens, Hayes

Description of application - Erection of two storey dwelling with garage and additional attached garage to serve 53 Kechill Gardens on land adjacent 53 Kechill Gardens.

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

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

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

1. The proposal represents an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policies BE1 and H9 of the Unitary Development Plan and Policy 7.4 of the London Plan.

SECTION 3

(Applications recommended for permission, approval or consent)

**16.5
DARWIN**

(13/01925/FULL3) - The Larches, Sevenoaks Road, Pratts Bottom

Description of application – Part change of use of building from office to residential (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.

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

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

1. The proposed first floor rear extension would result in an unacceptable and detrimental loss of amenity and visual impact to the occupier of the first floor residence of the care home to the western boundary, contrary to Policy BE1 of the Unitary Development Plan.

**16.6
DARWIN**

(13/01926/LBC) - The Larches, Sevenoaks Road, Pratts Bottom

Description of application – 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 CONSENT.

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**, without prejudice to any future consideration, to seek the withdrawal of the application in light of the refusal of application reference 13/01925/FULL3.

**16.7
BROMLEY COMMON AND
KESTON
CONSERVATION AREA**

(13/02230/FULL1) - Furzefield, Holwood Park Avenue, Orpington

Description of application - Two storey side and rear extension, first floor rear extension over existing garage to create granny annexe. Single storey rear extension for conservatory, porch and creation of basement.

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:-

“5. Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with

others of similar size and species to those originally planted.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.”

**16.8
CRAY VALLEY EAST**

**(13/02654/VAR) - Compost Site on Land off
Cookham Road, Swanley**

Description of application – Variation of Condition 2 of permission 09/03618 granted for composting facility buildings for reception of food and green waste, anaerobic digestion process, digestate maturation process and conversion of methane gas to electricity together with liquid feed tanks, bays/structures to store finished products, biofilters beds, car parking, improvements to existing secondary vehicular access a existing hard surfaces (to replace existing open window composting facility) to amend the type of buildings proposed for the reception and maturation process and the addition of a gas flare and overground pipework.

Members having considered the report and objections, **RESOLVED** that **PERMISSION BE GRANTED, SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT** to incorporate this application into the original Agreement attached to planning permission 09/03618 dated 30 March 2012 as recommended, for the reasons and subject to the conditions and informatives set out in the report of the Chief Planner with an amendment to condition 10 to read:-
“10. Prior to commencement of the development hereby approved details of means of connection to the National Grid, together with the details of all related pipework and machinery (including the gas flare) shall be submitted to and approved in writing by the Local Planning Authority. Prior to the commencement of the use of the Anaerobic Digestion Plant this development shall be carried out in accordance with the details so approved and to enable compliance with the heat plan approved under Condition 9.

REASON: In order to ensure that the physical measures to export heat are implemented and ensure that the Anaerobic Digestion Plant is operated efficiently in accordance with the requirements of Policy 5.17 the London Plan 2011.”

**16.9
BROMLEY COMMON AND
KESTON**

**(13/02970/FULL6) - Dell View, Westerham Road,
Keston**

Description of application – Two storey front, side and rear extension and single storey rear extension and increase in roof height to incorporate front and rear dormer extensions.

Members having considered the report and objections, **RESOLVED** that the application **BE DEFERRED**, without prejudice to any future consideration, to seek the reduction in the overall development and the removal of the third storey element.

**16.10
FARNBOROUGH AND
CROFTON**

**(13/03121/FULL6) - 164 Tubbenden Lane,
Orpington**

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

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

Members having considered the report, objections and representations, **RESOLVED** that the application **BE DEFERRED**, without prejudice to any future consideration, to seek the stepping in of the extension from the flank wall to No.162 and to provide further details of the possible loss of light to that property.

**16.11
CHISLEHURST
CONSERVATION AREA**

**(13/03389/FULL6) - 19 Poyntell Crescent,
Chislehurst**

Description of application – Single storey rear extension.

Oral representations in objection to the application were received at the meeting. It was reported that a late letter had been received from the Applicant.

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

1. The proposal would, by reason of its siting and excessive depth, result in a detrimental impact upon the residential visual amenities of the adjoining residents at No.17 Poyntell Crescent contrary to Policies BE1 and H8 of the Unitary Development Plan.

**16.12
PETTS WOOD AND KNOLL**

**(13/03442/FULL6) - 37 Petts Wood Road, Petts
Wood**

Description of application – Part one/two storey side and rear extension and front elevational alterations.

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

The meeting ended at 8.24 pm

Chairman

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

Application No : 12/02798/FULL1

Ward:
Penge And Cator

Address : Land Rear Of 190 To 200 Kings Hall
Road Beckenham

OS Grid Ref: E: 536697 N: 170282

Applicant : London Borough Of Bromley

Objections : YES

Description of Development:

Extension to existing car park to provide an additional 64 car parking spaces; associated landscaping

Update

This application was last considered on the 11th July 2013. The application was deferred by Members resolved that the application deferred without prejudice to any future decision to seek the following:-

- details of the proposed lighting scheme
- a reduction in the number of car parking spaces proposed from 67 to 65
- an amendment to the plan to provide a landscaping buffer adjacent to Kings Hall Road boundaries
- a parking survey to assess the demand for parking in the local highway network.

Revised Plans have been submitted and 64 spaces are now indicated.

A statement has been provided in support of the application by the Highways Department

This application was deferred in order for residents' concerns to be more fully addressed. Proposed mitigation measures to address these concerns include; tree planting, a reduction in the number of bays, the use of energy efficient lighting, the installation of acoustic fencing, and consideration of parking capacity, groundwater and cycling issues.

Air Quality - The site is within an Air Quality Management Area. The revised design mitigates air pollution by the species and number of trees planted. A total of 21 London Planes will be planted on two sides: at the back of gardens on Kings Hall Road; and at the back of Bridgelands Close. This species (sometimes known as the 'lungs of London') has been chosen specifically for its ability to absorb pollution - including from vehicles. They are tolerant of most soil types. Pyracanthas will also

be planted between the trees, which will enhance visual amenity and also deter pedestrians from going too close to the fencing into private gardens.

This is a long stay car park for commuters; therefore vehicle movements are largely just at peak times with little vehicle movement outside those hours, unlike short stay car parks.

Additional signage implemented around both sides of the station will encourage drivers to switch off engines when waiting to collect people.

The previous application had 67 vehicle bays, which had already been reduced from 70 in the previous application. This has now been further reduced to 64 bays for conventional vehicles and 2 bays with electric charging points. As demand increases for electric vehicles, provision will be made for 4 additional bays. This will come from adjacent bays to the two indicated on the drawing, thus the 64 could reduce to 60 bays for conventional vehicles in due course.

Lighting and Security - Residents were concerned about the issue of lighting. Some Borough surface car parks are not lit, however on balance it was decided that lighting was appropriate here to encourage as many drivers currently parking on-street as possible to use the new facility. Three columns are to be installed; detail is shown on the lighting drawing. They will be low energy LED columns. Standard detail is also provided alongside the main layout drawing. A light footprint is also included, showing that the light is mainly directed within the car park area, with little light spill into neighbouring gardens or the railway land. Lamps will also be fitted with shields where necessary and, in keeping with current policy, will be dimmed from midnight until dawn. The existing car park has a 'Safer Car Parking' award from the British Parking Association, which we will seek to extend to the new facility.

Noise pollution - has been addressed in this revised design by increasing the size of the separation and buffer area to the flank boundary on the Kings Hall Road side. An acoustic fence will also be installed along the Kings Hall Road boundary, as this has the least separation from vehicles using the car park. This will not only minimise noise from the new development but reduce noise from the existing car park and railway.

Need for facility - Whilst not a material planning consideration, the need for more parking space was questioned by residents. The Council receives regular complaints from residents in surrounding roads about the amount of on street parking, mainly by commuters, but also nearby schools. Kent House rail station is also nearby to New Beckenham rail station of course. Officers have conducted surveys of the current car park and also surrounding roads. The current car park, with only 54 spaces is regularly at capacity, being full by 8.00 am most working days. Thus after the car park is full, vehicles have to drive around the area to find somewhere else to park, which creates pollution. Vehicles then park in Kings Hall Road, Lennard Road, Aldersmead Road, Reddons Road, Bridge Road and Kent House Station Approach.

Rain Water - The site is located over a Secondary Aquifer and within a groundwater Source Protection Zone (SPZ2). The revised design now includes a larger area for rainwater absorption. SUDS is the preferred method to drain surface rain water and this was what was previously proposed and approved. However, the addition of 21 London Planes will also greatly increase the amount of water taken out of the ground, which is an additional benefit, along with improved air quality and sound reduction. A 'deep root ' rainwater irrigation design was considered for this site, however officers were advised this would not be required due to the proposed amount of planted space in the design. Detailed calculations have previously been provided from soakage tests and the current design approved.

Cycle routes and current provisions - There are currently 32 parking spaces for cycles at the rail station. This is considered to be sufficient for current demand. The Bromley to Crystal Palace Park Cycle route is aligned via New Beckenham Rail station, via Park Road / Lennard road. It is LCN + route number 27. Improvements to this route will be considered in line with the Council's cycling improvements programme.

The previous report is repeated below subject to updates:

Proposal

This application was withdrawn from the agenda for Committee on 13th June 2013 to revise the report following receipt of additional objections in response to the revised plans submitted. These comments have been amalgamated into the 'Comments from Local Residents' section.

This application was deferred without prejudice from Plans Sub Committee 3 on 21st March 2013 to seek the reorganisation of the car parking layout away from neighbouring residential properties, and to increase the buffer zone to properties in Bridgelands Close.

To this end revised plans were received on 1st May 2013 which increased the distance from a minimum of 38.5m from the rear elevation of properties on Kings Hall Road to the nearest car parking space to a minimum of 42m. The nearest car parking space would remain 14m from the rear elevations of Nos. 7 and 8 Bridgelands Close with a 7m buffer zone provided. The proposed amendments would result in a reduction in the number of car parking spaces from 70 to 67. Prior to this the planning application was deferred without prejudice on 21st February 2013 for a Members site visit which took place on 9th March 2013.

Concerns have been raised by local residents that the provision of electric charging points will not result in a reduction in emissions. In response to these concerns a further consultation was undertaken with the Environmental Health Division who state that concentrating an additional 67 car parking spaces in one location within an Air Quality Management Area is likely to increase Nitrogen oxide (NOx) emissions. The Environmental Health Pollution Division state the long stay nature of the car park will mitigate this impact to some extent. Members may wish to consider whether the imposition of a condition requiring the provision of an electric charging points would adequately overcome these concerns.

Additional concerns have been raised by adjoining owners in respect of flood water at the underpass from New Beckenham to Park Road which the local resident believes demonstrates ground water level is high in the area around New Beckenham Station. However, investigations by the Highways Drainage Division have found this flooding has been an issue since approximately 2006 and has been attributed to rainwater (rather than groundwater) entering this below ground level underpass. This rainwater cannot soakaway due to the impermeable nature of the surface and ancient drainage system which is now failing. Discussions are underway between Network Rail and the Local Authority with regards to the installation of a new drainage system to ameliorate the rainwater flooding in this location.

Revised Plans increase the buffer zone between the car parking spaces and the properties in Kings Hall Road. This area will be planted with trees and landscaping. The details of which could be approved by condition if the application is regarded as acceptable.

This proposal is for an extension to existing car park at New Beckenham Station to provide an additional 64 car parking spaces and associated landscaping.

Revised plans have been received which reconfigure the layout of the car park increasing the separation from the car parking spaces to flank boundaries with properties along Kings Hall Road. A buffer zone between the application site and Nos. 5 - 8 Bridgelands Way will also be provided resulting in the loss of a turning circle to the southern edge of the site which was originally proposed.

Location

The application site would be accessed via the existing commuter car park which leads onto Lennard Road in close proximity to the junction with Kings Hall Road. The application site is currently undeveloped and backs onto the rear gardens of Nos. 190 - 200 Kings Hall Road and Nos. 5 - 8 Bridgelands Close. To the west of the site is a railway line operated by Network Rail.

Comments from Local Residents

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

- site at present very green with several mature trees along railway line and backing onto Kings Hall Road, vital these are maintained as much as feasibly possible.
- it is crucial parking will be permeable to prevent increased rainwater run off.
- increased noise pollution and excessive vibrations already generated from train line which runs adjacent to rear garden of No. 196a Kings Hall Road.
- large quantity of mature trees have recently been removed which previously reduced noise and vibrations from trains.
- were proposal to be granted would wish re-introduction of a line of mature trees to separate residential gardens from new car park to obscure view

from 2nd and 3rd floor windows of houses on Kings Hall Road and reducing noise, fumes and vibrations from cars and trains.

- such urban developments step in wrong direction for the area.
- concerns about lack of distance between car park/turning circle and rear boundary of No. 8 Bridgelands Close.
- concerns in terms of security due to recent burglaries to properties in the area, trespassing and break-ins to cars in the station car park. Proposed car park would make it easy to jump garden fence with ease and create an easy and convenient escape route.
- in terms of privacy gardens of Bridgelands Close are only 20ft long making it easy to see into bedrooms of these properties.
- understand need for additional parking however, concerns over turning closest to Bridgelands Close would prefer a compromise of this being replaced with thick trees and shrubs to provide security and privacy together with reduced noise.
- there is already controlled parking zone along Kings Hall Road to junction with Bridge Road while commuters already park along Lennard Road to junction with Aldersmead Road and as such little incentive for users to pay extra parking charge as such concerns that this will not lead to relief of car parking pressure in adjacent streets as argued.
- contrary to paragraph 3.4 there has been no upkeep, repair or restoration by the Council of the fencing bordering the railway or backing onto the houses on Kings Hall Road. Council have failed to maintain any part of the woodland.
- concerns as the cost of the proposal would be £100,000 with little benefit for residents or commuters in financially constrained times.
- no direct access point to the site at present. Car park is unsupervised and station unoccupied and unstaffed beyond morning rush hour which would allow scouting of the vulnerable backs of houses during evening and night.
- an empty concrete car park will increase noise pollution compared to unkempt vegetation, undergrowth and trees at present which act as an acoustic barrier from noise of passing trains.
- unused land currently home to many species of bird species, insects, squirrels and urban foxes with a number of trees including walnut trees with preservation orders. Pockets of nature in suburban Beckenham should be preserved instead of levelling and concreting of site. Removal of trees and vegetation at the site has affected wildlife.
- detrimental effect on value of houses neighbouring railway due to loss of aspect and outlook.
- require appropriate buffer zone between properties at Bridgelands Close and end of car park to ensure fences do not get damaged/vandalised, property remains secure and continues to enjoy some privacy.
- concerns in relation to flooding as ground of site and surrounding area including rear gardens of Kings Hall Road are low lying with mostly clay subsoil. No. 190 Kings Hall Road has a damp cellar susceptible to regular flooding and garden liable to becoming water logged during periods of excessive rain with high water table level. Most of the trees have now been felled on the site which acted as a natural solution to control water table in the past.

- Council carried out water survey to examine water table with bore hole drilled after 5 months of drought conditions and close to three remaining trees which was not considered to have been undertaken diligently.
- extending car parking will attract more cars to the area which already has major unresolved traffic problems.
- concerns as to where lights would be installed or how they would be angled or whether additional trees would be planted to obscure lighting and noise of trains.
- access to car park is narrow and hazard to pedestrians and safe access to drive of No. 207 Lennard Road. Slowing traffic entering and existing car park needs to be considered.
- lighting to car park is poor and need to be improved in extension to ensure security and safety to cars and pedestrians.
- suggest CCTV be used to act as a deterrent to people visiting car park late at night driving recklessly and at speed and to provide additional security provisions.
- traffic calming measures would also provide significant benefit to pedestrian safety.
- turning circle is superfluous given three alternative cut-through planned and buffer zone should be installed instead.
- complaints as to the removal of mature trees and abundant flora and fauna at the site without notifying local residents.
- concerns vibrations of trains have caused cracks in neighbouring properties which needs to be investigated.
- concerns as to where further ticketing machines would be located.
- concerns as to whether new car park would be at same ground level as existing car park excavation may be required in this case.
- in terms of financial viability concerns on-going costs caused on to residents.
- already underused pay and display bays in the area, query the need for the scheme which will not alleviate problems experienced by local residents.
- consider responsibilities under Human Rights Act particular Protocol 1, Article 1 which states a person has the right to peaceful enjoyment of all their possessions which includes the home and other land which would be compromised by extension of car park.
- entrance to existing car park crosses cycle routes and pedestrian access. An increase in vehicles crossing this will endanger pedestrian and cyclist safety.
- proposal against Borough and Government policies to try to discourage car use and promote healthier greener modes of transport.
- site is host to many mature trees, plants and wildlife. One of the conditions on planning application for original car park was to "ensure that as many trees as possible are preserved at this stage in the interests of the amenity".
- concern regarding lack of public information about proposal.
- require monitoring of traffic in area.
- concern regarding trees already removed from site.
- concerns regarding air quality as site is in AQMA.
- concerns revised plans do not appear to have taken concerns raised previously.

The full text of correspondence received is available to view in the file.

Any additional comments will be reported verbally

Comments from Consultees

The Council's Highways Drainage Division were consulted who state that there is no public surface water sewer near to the site, surface water will therefore have to be drained to soakaways. The 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. The site is within the area in which the Environment Agency Thames Region require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries. There is no groundwater flooding recorded in the area and the fact that the proposed soakaway will be built at 1.5m above groundwater will make the proposal acceptable. No objections are raised subject to conditions including the installation of petrol/oil interceptor prior to discharge of surface water run-off to the soakaway. In light of concerns raised from local residents the Highways Drainage Division stated the information provided was based on the data produced by British Geological Survey (BGS) which shows groundwater at this location likely to be less than 3 m below the ground surface for at least part of the year. In respect of the survey undertaken by the Environment Agency this is dependant on the time of year when the survey was undertaken. If this was undertaken in the dry season than the likely 6m to 8m below ground level would be correct and if the survey was carried out this year (the second wettest year in record) than a higher water table would be predicted.

The Environment Agency have been consulted and state the site is located over a Secondary Aquifer and within a groundwater Source Protection Zone (SPZ2). They state that the planning application form indicates that land contamination is neither known nor suspected, but no evidence has been produced to support this. They also state from the form that a sustainable drainage system is proposed for surface water.

The Environment Agency hydrogeological mapping indicates groundwater between 6m and 8m below ground level (bgl), although the drilling logs The Council has sent information to the EA Groundwater & Contaminated Land Officer which show groundwater at around 3.5m bgl. Given that the soakaway is proposed to be at approximately 2m bgl, this is only just acceptable from the perspective of protection of Controlled Waters. The site is located within a groundwater Source Protection Zone, SPZ2, and the EA would want an absolute minimum of 1m between the soakaway and the groundwater level. The site currently appears to be undeveloped land and the EA would wish to see an appropriate oil-water interceptor (which should be adequately inspected, cleaned and maintained) installed prior to discharge of surface water run-off to the soakaway. Several conditions are recommended.

Thames Water raise no objections in terms of water infrastructure at the site.

The Council's Highways Division state the site is accessed from Lennard Road utilising the existing vehicular access arrangement. No objections are raised subject to conditions.

The Metropolitan Police Crime Prevention Design Advisor states that this is an extension to the Lennard Road Car Park run by the Borough, the existing car park has a Safer Car Parking award from the British Parking Association. The Metropolitan Police would expect the principles and standards of the Safer Parking scheme to be adopted to the extended car park if permission is granted in respect of this application.

The Council's Environmental Health Division states use of the proposed extended car park may increase noise for residents and lead to some loss of amenity, particularly for the houses on Bridgelands Close which are closest to the new spaces and will not benefit from the same acoustic attenuation over long gardens as the houses on Kings Hall Road.

The car park lies within the Council's Air Quality Management Area declared for NOx. Concentrating an additional 70 car parking spaces in one location within the AQMA is likely to increase NOx emissions in this area. The increase may be both through greater concentration of traffic at a location within the AQMA and by encouraging car use through increasing convenience and availability of parking spaces. Initially the Environmental Health Officer advised that there had been no attempt to mitigate the likely pollution impact (for example through provision of electric charging points - see NPPF para 35). In addition to these, concerns have been raised relating to the loss of amenity from artificial lighting although this could be controlled by a condition. In response to the revised plans received on 18.02.13 the Council's Environmental Health Division stated the updated proposal showed improvements. The distance to residential facades on Bridgelands Close has been approximately doubled which should lead to a 3dB reduction in specific noise level although some of the acoustic gain from this may be offset by the increased number of spaces on this boundary versus the previous proposal. A condition to require acoustic fencing of at least 2m in height along the southern boundary and south eastern corner of the site would achieve additional acoustic attenuation of up to 5dB at the first floor façade and greater in the gardens which would have no line of sight. It is presumed this is a 'long stay' car park but if not making the southern section 'long stay' would reduce vehicle movements and so to a small extent reduce loss of amenity from noise as well as slightly reducing the air quality impact.

Network Rail were consulted on this proposal and raise no objections subject to a number of conditions.

From a trees perspective concerns relate to the trees in the middle of the site and the potential impact of the construction works on their root systems. This can be overcome by using a no dig method of construction. If permission is to be recommended conditions are recommended.

Any additional comments received from Consultees will be reported verbally.

Planning Considerations

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

- BE1 Design of New Development
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

Supplementary Planning Guidance (SPG) 1 General Design Principles

- 2.8 Outer London: Transport
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.13 Parking
- 7.3 Designing out crime
- 7.13 Safety, Security and Resilience to Emergency
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.19 Biodiversity and Access to Nature
- 7.21 Trees and Woodlands

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

Planning History

In 1988 under planning ref. 88/03282, permission was granted for the laying out of commuter car park at New Beckenham Station.

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.

Given its location to the rear of an existing car park and residential gardens the application site is not highly visible in the streetscene. There are a number of mature trees located on the site which add to the visual amenities of the area and were permission to be granted their retention would be secured by way of conditions. Overall the proposal is not considered to result in an unduly harmful impact upon the character of the area.

To the east of the site is a railway line resulting in a considerable separation between the application site and residential properties along Copers Cope Road and as such this application shall be primarily concerned as to the implications on the residential amenities of Nos. 188- 200 Kings Hall Road, No. 207 Lennard Road and Nos. 5 - 8 Bridgelands Close.

Nos. 188- 200 Kings Hall have rear gardens of a considerable depth of approximately 36m and although the outlook of these properties will be altered

given the considerable distance which would be retained between the rear elevations of these properties to the application site this is not considered to result in a significant detrimental impact on the residential amenities of these properties.

The flank boundary of No. 7 Lennard Road abuts the existing car park and although this property may be somewhat affected as a result of the additional vehicles entering and exiting the site again this could be satisfactorily overcome by appropriate conditions.

The properties most impacted by this proposal would be Nos. 5 - 8 Bridgelands Close as these properties have rear gardens which are considerably smaller than those on Kings Hall Road with the result that the rear elevations of these properties would be sited a minimum of 7m from the boundary with the application site. To overcome concerns in relation to these properties revised plans have been received which propose an approximately 7m buffer zone within the southernmost section of the application site with the result that the nearest car parking space would be a minimum of 14m from the rear elevations of these properties. Although the residential amenities of these properties may be somewhat affected by the proposal it is considered that on balance given the revisions which have been made these could be satisfactorily overcome through the imposition of a number of conditions.

The applicant confirmed that they intend to erect a 1.8m high boundary fence which would be located within the curtilage on the site. It is considered that the provision of a boundary fence with sound reducing properties would provide an adequate level of screening and security for neighbouring properties, although the Local Planning Authority would encourage this to be a minimum of 2m in height which were permission to be granted could be secured by way of a condition. The Metropolitan Police Crime Prevention Design Advisor has been consulted who stated that the existing car park has a Safer Car Parking award from the British Parking Association. Were permission to be granted a condition would be attached to ensure the application complies with the principles of Secure By Design to limit the potential detrimental impact on the security of neighbouring residential properties.

Concerns have been raised by neighbouring properties in relation to drainage at the application site. Neighbours have stated the area is subject to flooding with cellars being regularly flooded as is the underpass at New Beckenham Station and also the area has a high water table. Local residents also raised concerns that the proposal would remove a significant amount of vegetation and trees which absorb a high proportion of rainwater at present and that were the area to be covered in hardstanding this would be liable to flooding and may also adversely affect the adjoining railway lines which are located on a lower ground level. The applicant has provided detailed calculations in terms of the soakage tests undertaken at the site and both the Council's Highways Drainage Advisor and Environment Agency are satisfied that the proposal will not result in a significant detrimental impact from a drainage perspective.

In terms of potential light pollution for neighbouring residential properties, the applicant has yet to finalise the lighting arrangements at the site but has stated that

part of the design will be to minimise light pollution, this could be secured by way of a condition.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 12/02798, excluding exempt information.

as amended by documents received on 07.12.2012 18.02.2013 01.05.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
ACA04R Reason A04
- 3 ACB03 Trees - no bonfires
ACB03R Reason B03
- 4 ACB04 Trees - no trenches, pipelines or drains
ACB04R Reason B04
- 5 ACB16 Trees - no excavation
ACB16R Reason B16
- 6 ACB19 Trees - App'ment of Arboricultural Super
CB19R Reason B19
- 7 ACD02 Surface water drainage - no det. submitt

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

- 8 ACD06 Sustainable drainage system (SuDS)

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

- 9 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 10 ACH32 Highway Drainage
ADH32R Reason H32

- 11 ACI21 Secured By Design

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

- 12 Prior to commencement of works on site details of an oil-water interceptor shall be submitted to and approved in writing by the Local Planning Authority. This should include details as to the how the oil-water interceptor shall be inspected, cleaned and maintained. The scheme shall be implemented, maintained and managed in accordance with the approved details

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

13 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved and reported to the satisfaction of the Local Planning Authority.

Reason: There is the potential for unexpected contamination to be identified during groundworks. The Environment Agency should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.

14 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

15 Before the external illumination becomes operational the detail of the type, orientation and screening of the lights shall be submitted to and approved by the Local Planning Authority, and, shall be permanently maintained as such thereafter. These details shall include measures to minimise the potential light pollution for the adjoining residential properties on Kings Hall Road and Bridgelands Close.

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

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

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan.

17 Before the car parking hereby approved is first used a suitable screen to protect the adjacent properties from noise of a height and type to be approved in writing by the Local Planning Authority shall be erected in such a position along the boundary of the site as shall be agreed by the Authority and shall be permanently retained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to ensure a satisfactory standard of residential amenity.

18 Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains except by agreement with Network Rail. Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property. Proper provision must be made to accept and continue drainage discharging from Network Rail's property; full details to be submitted for

approval to the Network Rail Asset Protection Engineer. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Soakaways, as a means of storm/surface water disposal must not be constructed near/within 10 – 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. After the completion and occupation of the development, any new or exacerbated problems attributable to the new development shall be investigated and remedied at the applicants' expense.

Reason: In order to ensure the continuous safe operation of the railway.

19 Where trees/shrubs are to be planted adjacent to the railway boundary these shrubs should be positioned at a minimum distance greater than their predicted mature height from the boundary. Certain broad leaf deciduous species should not be planted adjacent to the railway boundary as the species will contribute to leaf fall which will have a detrimental effect on the safety and operation of the railway. We would wish to be involved in the approval of any landscaping scheme adjacent to the railway. Where landscaping is proposed as part of an application adjacent to the railway it will be necessary for details of the landscaping to be known and approved to ensure it does not impact upon the railway infrastructure. Any hedge planted adjacent to Network Rail's boundary fencing for screening purposes should be so placed that when fully grown it does not damage the fencing or provide a means of scaling it. No hedge should prevent Network Rail from maintaining its boundary fencing. Lists of trees that are permitted and those that are not permitted are provided below and these should be added to any tree planting conditions:

Permitted: Birch (Betula), Crab Apple (Malus Sylvestris), Field Maple (Acer Campestre), Bird Cherry (Prunus Padus), Wild Pear (Pyrus Communis), Fir Trees – Pines (Pinus), Hawthorne (Cretaegus), Mountain Ash – Whitebeams (Sorbus), False Acacia (Robinia), Willow Shrubs (Shrubby Salix), Thuja Plicatata "Zebrina"

Not Permitted: Alder (Alnus Glutinosa), Aspen – Poplar (Populus), Beech (Fagus Sylvatica), Wild Cherry (Prunus Avium), Hornbeam (Carpinus Betulus), Small-leaved Lime (Tilia Cordata), Oak (Quercus), Willows (Salix Willow), Sycamore – Norway Maple (Acer), Horse Chestnut (Aesculus Hippocastanum), Sweet Chestnut (Castanea Sativa), London Plane (Platanus Hispanica).

Reason: In order to ensure the continuous safe operation of the railway.

20 In view of the nature of the development, it is essential that the developer provide (at their own expense) and thereafter maintain a substantial, trespass proof fence along the development side of the existing boundary fence, to a minimum height of 1.8 metres. The 1.8m fencing should be adjacent to the railway boundary and the developer/applicant should make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein, be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed. Any fencing installed by the applicant

must not prevent Network Rail from maintaining its own fencing/boundary treatment.

Reason: In order to ensure the continuous safe operation of the railway.

21 Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway. The developers should obtain Network Rail's Asset Protection Engineer's approval of their detailed proposals regarding lighting prior to the installation of lighting on the site.

Reason: In order to ensure the continuous safe operation of the railway.

22 The development must ensure any future maintenance can be conducted solely on the applicant's land. The applicant must ensure that any construction and any subsequent maintenance can be carried out to any proposed buildings or structures without adversely affecting the safety of, or encroaching upon Network Rail's adjacent land and air-space.

Reason: In order to ensure the continuous safe operation of the railway.

23 A minimum of two fixed charging points with dedicated spaces shall be provided for electric vehicles. Details of the power supply and charging points shall be submitted to the Local Planning Authority for approval prior to the use commencing and shall be maintained as approved and in full working order thereafter. Provision of electric charging points shall be increased in future in line with demand for the facility at this location.

Reason: To minimise the Nitrogen oxide emissions in the area which is designated as an Air Quality Management Area, in line with the NPPF and Policy 7.14 of the London Plan.

INFORMATIVE(S)

1 If the applicant (and any future resident) needs to utilise Network Rail land and air-space to facilitate works. The applicant / resident would need to receive approval for such works from the Network Rail Asset Protection Engineer, the applicant / resident would need to submit the request at least 20 weeks before any works were due to commence on site and they would be liable for all costs (e.g. all possession costs, all site safety costs, all asset protection presence costs). However, Network Rail is not required to grant permission for any third party access to its land.

2 Where a proposal calls for hard standing area / parking of vehicles area near the boundary with the operational railway, Network Rail would recommend the installation of a highways approved vehicle incursion barrier or high kerbs to prevent vehicles accidentally driving or rolling onto the railway or damaging lineside fencing.

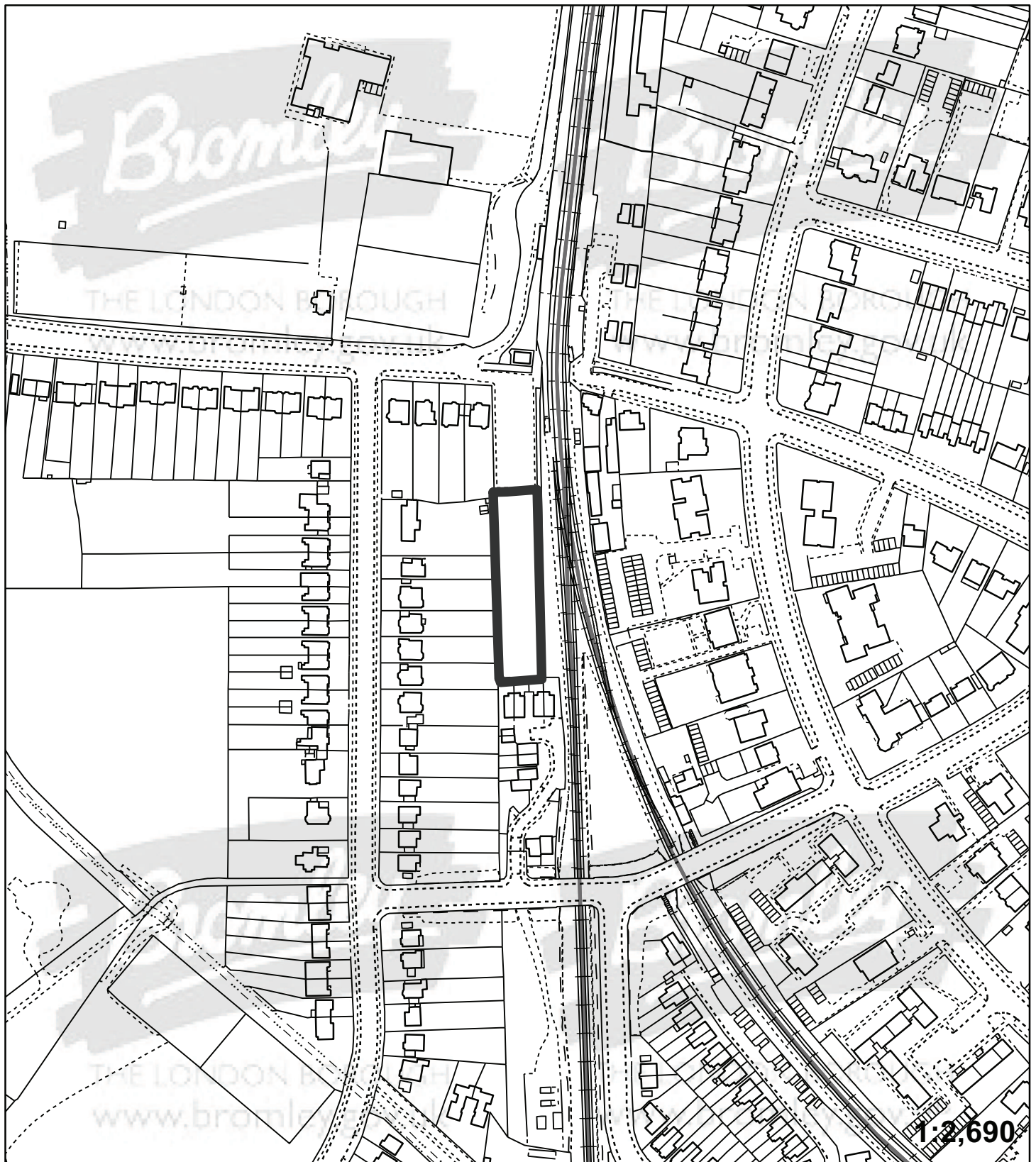
3 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution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

- 4 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

Application:12/02798/FULL1

Address: Land Rear Of 190 To 200 Kings Hall Road Beckenham

Proposal: Extension to existing car park to provide an additional 64 car parking spaces; associated 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"

Agenda Item 4.2

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

Application No : 13/01872/FULL1

Ward:
Penge And Cator

Address : Oakfield Centre Oakfield Road Penge
London SE20 8QA

OS Grid Ref: E: 534829 N: 170126

Applicant : London & Quadrant Housing

Objections : NO

Description of Development:

Demolition of existing buildings and erection of 8 terraced houses (6x3 bed; 2x4 bed) and a 4 storey building comprising 24 flats (9x1 bed; 15x2 bed) together with new vehicular access to Oakfield Road, 32 car parking spaces, bicycle parking, refuse and recycling provision and landscaping

Key designations:

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

This planning application was submitted to Plans Sub-Committee 2 on 12th December 2013 where it was deferred, without prejudice to any future consideration, to seek a reduction in the number of units proposed, to revise and improve the proposed design and to review the number of parking spaces allowed with no fewer than currently allocated.

An appeal against the non-determination of the application has now been lodged with the Planning Inspectorate. In the grounds of appeal, the appellant states that the appeal is against the failure of the Council to determine the application within the statutory deadline despite being taken to the Planning Committee with a recommendation for approval.

RECOMMENDATION: MEMBERS VIEWS ARE SOUGHT AS TO WHETHER TO CONTEST THE APPEAL.

The report on the scheme that was presented to Members on 12th December is repeated below. No changes have been made to the original report. The officer's recommendation and conditions remain as per the original report.

Proposal

Permission is sought for the demolition of the existing buildings on the 0.32ha site and the erection of a terrace of 8 x 2 storey houses (6x3 bed and 2x4 bed with accommodation in the roof space) on the south west side of the site and a part 3/part 4 storey block containing 24 flats on the north east side of the site (9x1 bed and 15x2 bed).

The development will comprise a row of 2 storey terraced houses with private gardens on the south west side of the houses. The houses will back on to existing residential properties in Roswell Close and there will be a back to back separation of approximately 21m. There will be a 1m separation to the western boundary which has a similar terrace beyond in Lakefield Close. The separation between the houses and Oakfield Road is approximately 8.5m

On the north east side of the site will be a 4 storey block providing 24 flats with the upper floor accommodation partly in the roofspace of the 4th floor. The front of the flats will face into the site and the rear will face Limes Avenue. The separation to the western boundary is 2.7m and the flank elevation of the block will be 15m from the front elevation of the nearest properties in Lakefield Close. The separation to Oakfield Road is approximately 5.5m.

In terms of amenity space for the flats, communal gardens will be provided. In addition there will be a small private patio for the ground floor flats and balconies for the flats on the upper floors. Refuse/recycling stores and cycle stores for the flats are provided in this area.

A total of 32 car parking spaces will be provided between each 'block' of development with a new vehicular access to Oakfield Road (the existing access to Limes Avenue will be closed) in the centre of the site.

In line with Policy H2 of the Unitary Development Plan, the applicant is committed to securing 35% of the development through a Section 106 legal agreement. As such the draft S106 identifies 11 affordable housing units, 5 houses and 6 flats, including 1 wheelchair flat. Seven units would be affordable rent and 4 would be shared ownership. This represents 35% units/37% habitable rooms of the total accommodation proposed. It should be noted that the applicant wishes to provide a 100% affordable housing scheme subject to the availability of funding and grant.

The applicant advises that the units will meet Lifetime Homes standards. In addition the aim of the applicant is to provide an exemplar environmentally responsible 'Passihaus' development. The applicant's energy statement advises that this requires a rigorous design to minimise the amount of heat loss through high levels of insulation.

There are no protected trees on the site but there is a protected tree at the rear of 1-3 Roswell Close and there are large street trees along the Oakfield Road frontage.

The site is currently owned by the London Borough of Bromley.

The applicant has submitted the following supporting documents; Planning Statement, Design and Access Statement, Financial Viability Appraisal, Draft S106 Heads of Terms, Energy Statement, Code for Sustainable Homes Pre Assessment, Drainage Strategy, Transport Assessment, Statement of Community Involvement, Extended Phase 1 Habitat Survey, Revised Tree Survey, Code for Sustainable Homes Ecological Assessment and Initial Bat Survey.

Location

The site lies at the junction of Oakfield Road and Limes Avenue with Lakefield Close on the north-west side of the site and the rear gardens of properties in Rosewell Close on the south west side of the site.

The area is a mix of commercial and residential uses. There are a mixture of 2 and 3 storey residential properties on the north west, the south east sides and opposite the site. There are 3 commercial uses on the north east side of the site (a vacant unit, WC Evans Engineering and Jewsons).

Comments from Local Residents

Nearby properties were notified and no representations have been received to date.

Comments from Consultees

The Council's Highways Officer raises no objections.

The Council's Drainage Officer raises no objections.

The Council's Environmental Health Officer raises no objections.

Thames Water raise no objections.

The Metropolitan Police Crime Prevention Design Adviser raises no objection

Refuse and recycling provision is acceptable.

Planning Considerations

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

- H1 Housing Supply
- H2 Affordable Housing
- H7 Housing Density and Design
- H9 Side Space
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility

- T7 Cyclists
- BE1 Design of New Development
- C1 Community Facilities
- IMP1 Planning Obligations

Supplementary Planning Guidance for Affordable Housing and Planning Obligations

In strategic terms 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
- 3.8 Housing Choice
- 3.11 Affordable Housing Targets
- 3.12 Negotiating Affordable Housing on individual private residential and mixed use schemes
- 3.13 Affordable Housing Thresholds
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 6.13 Parking
- 8.2 Planning Obligations

London Plan Housing SPG

National Planning Policy Framework 2012.

From an arboricultural and ecological point of view, no objections are raised to the proposal.

Planning History

The site is currently occupied by a vacant building that was previously used as a day care centre and has been the subject of several minor applications relating to the this use.

In addition planning permissions have recently been granted for the following development in the vicinity of the site:

Penge Clinic, 17-19 Oakfield Road - Demolition of 17 and 19 Oakfield Road and erection of 2 storey building (with accommodation space in the roof) for use as a medical centre and associated pharmacy together with closure of existing vehicular accesses, creation of new vehicular access to Oakfield Road, 10 car parking spaces, cycle parking and refuse facilities. Approved under ref. 13/00167 in April 2013.

7-15 Oakfield Road - Construction of detached building to accommodate church and meeting hall (Class D1) with 44 car parking spaces to rear and new vehicular access from Cambridge Road together with associated landscaping bicycle and bin storage. Approved under ref. 12/02307 in November 2012.

Conclusions

The main issues to be considered are loss of community facility, impact on the character and appearance of the area, the impact on the amenity of nearby residents and the acceptability of the S106 contributions offered by the applicant.

Loss of community facility

Policy C1 states that 'Planning permission will not be granted for proposals that would lead to the loss of community facilities unless it can be demonstrated that there is no longer a need for them or alternative provision is to be made in an equally accessible location.

A report to the Executive and Resources PDS Committee in December 2011 advised Members that the site was previously occupied by the Shaw Trust as a training centre for adults with learning disabilities and the site supported a 'Tuck by Truck' service, a free newspaper distribution base and a wood recycling business. The Shaw Trust vacated the site in December 2011 and it has been vacant since that time. The uses previously undertaken at the site have been relocated to premises in Penge and Bromley.

On this basis it is considered that due to the relocation of the previous uses on the site to premises in Penge and Bromley, the proposed change of use complies with Policy C1 and is considered acceptable on this basis.

Impact on the character and appearance of the area

The surrounding area consists of a variety of 2, 3 and 4 storey buildings that vary in height with mainly 2 and 3 storey residential units in Roswell Close, Lakefield Close and the nearest parts of Oakfield Road. The commercial unit at Jewsons is approximately 8.5m high.

The development is set back from the back edge of pavement in Oakfield Road by a minimum of 5.5m giving a generous clearance in this location. The clearance to the boundary in Limes Avenue is 2.5m and to Lakefield Close is 2.7m.

The 2 storey element of this proposal reflects the scale of buildings in this area. The higher block of flats is taller than other development in the immediate area but there are examples of 4 storey buildings close by. To minimise the impact of the height and massing of this building, part of the accommodation in the upper floor is within the roof space making use of dormers and rooflights. A pitched and gabled roof is set behind a parapet.

The proposed vehicular access sits between the frontage trees. Highways raise no objections to the position of the access. A total of 32 car parking spaces are shown on the plan, including 2 spaces for disabled residents. This equates to 1 space per unit. The car parking is aligned along a central internal access road.

As previously stated the site lies in an area classified as PTAL 4 in terms of public accessibility. The overall density of development is 97 units/315 habitable rooms

per hectare. The site can be classified as an urban site and the London Plan indicates that a density ranging from 200 to 700 habitable rooms per hectare may be acceptable.

In summary it is considered that the scale, height and massing of the proposed development and the separation of buildings to the site boundaries results in development that reflects the character and appearance of the area. The proposed density of development is within the density range for this area and the vehicular access is acceptable. As such Members may consider that the development would not have an adverse impact on the character and appearance of this mixed use area.

Impact on the amenity of nearby residents

The nearest residential properties are in Lakefield Close and Rosewell Close. There are also houses on the opposite side of Oakfield Close but it is considered that there would not be an undue impact on the amenities of these residents due to separation between the site and these properties.

With regard to Rosewell Close the separation between habitable room windows is approximately 21m which is generally considered acceptable. In addition the proposed buildings are 2 storeys and while there are rooms in the roof the rooflights face into the site. It is considered that the proposed dwellings would not result in an undue visual impact on these properties or a loss of amenity.

The flank elevation of the proposed houses would continue from the existing terrace at 6-11 Lakefield Close. The height of the buildings is similar and there will be a 2m separation between the proposed and existing flank walls. On this basis it is considered that there will not be an undue impact on the occupants of these properties.

With regard to the impact of the block of flats the closest residential properties are Nos 1-5 Lakefield Close. Concerns were raised by officers regarding the impact of the original submission and the applicant amended the scheme to help minimise its impact. The proposed flank wall of the block of flats will now be approximately 10m to the eaves and 13.8m high to the ridge (from existing ground level) and will be 15m from the front elevation of Nos 1-3, the building will be set slightly lower than the existing land levels, the height has been reduced, the building has been set further away from the boundary, the eaves height has been reduced and planting will be provided between the building and the boundary. In addition there are no windows in this elevation.

It is considered that the measures proposed improve the relationship between the proposed and existing buildings to an acceptable level.

S106 contributions

The submitted accommodation schedule demonstrates that the scheme will provide 37% habitable rooms of affordable housing, with a mixture of social rented

and shared ownership accommodation. This exceeds the requirement for 35% that is set out in Policy H2 of the Unitary Development Plan (UDP).

In addition the applicant has agreed to meet the contributions required for health and education.

In this instance it is considered that the policy requirements set out in the UDP have been met.

Summary

The scheme proposes a mix of residential flats and houses to replace the vacant day care facility that previously occupied the site. It is considered that the scale and massing of the proposed buildings reflect the character and appearance of the immediate and wider area. The development will have an impact on the residential amenities of residents in properties adjoining the site but it is considered that this will not be significant and that the applicant has undertaken steps to minimise this impact.

The development meets the Council's policy requirements in terms of the provision of affordable housing and health and education payments and these will be secured through a S106 legal agreement.

In view of the above it is considered that the development is acceptable and it is recommended that permission be granted.

Background papers referred to during the production of this report comprise all correspondence on file ref. 13/01872, excluding exempt information.

as amended by documents received on 12.09.2013 16.10.2013 31.10.2013

RECOMMENDATION: PERMISSION BE GRANTED (SUBJECT TO PRIOR COMPLETION OF A SECTION 106 AGREEMENT relating to affordable housing, health and education)

and 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 | ACH03 | Satisfactory parking - full application |

- ACH03R Reason H03
- 8 ACH10 Provision of sight line (3 inserts) 43m x 2.4m x 43m 1m
- ACH10R Reason H10
- 9 ACH16 Hardstanding for wash-down facilities
- ACH16R Reason H16
- 10 ACH22 Bicycle Parking
- ACH22R Reason H22
- 11 ACH23 Lighting scheme for access/parking
- ACH23R Reason H23
- 12 ACH27 Arrangements for construction period
- ACH27R Reason H27
- 13 ACH29 Construction Management Plan
- ACH29R Reason H29
- 14 ACH32 Highway Drainage
- ADH32R Reason H32
- 15 ACI21 Secured By Design
- ACI21R I21 reason
- 16 ACK05 Slab levels - no details submitted
- ACK05R K05 reason
- 17 ACK09 Soil survey - contaminated land
- ACK09R K09 reason

18 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwellinghouses on the south west side of the side hereby permitted without the prior approval in writing of the Local Planning Authority.

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

19 Before any work on site is commenced, a site-wide energy strategy assessment and strategy for reducing carbon emissions shall be submitted to and approved by the Local Planning Authority. The results of this strategy shall be incorporated into the final design of the buildings prior to first occupation. The strategy shall include measures to allow the development to achieve an agreed reduction in carbon dioxide emissions of at least 40% better than Building Regulations. The development should also achieve a reduction in carbon emissions of at least 20% from on-site renewable energy generation. The final designs, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.

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

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

Reason: In the interest of the visual and residential amenities of the area and in order to comply with Policies BE1, NE3 and NE7 of the Unitary Development Plan.

21 Details of electric car charging points shall be submitted to and approved in writing by the Local Planning Authority and the charging points shall be installed in accordance with the approved details prior to first occupation of any of the residential units hereby permitted, unless otherwise agreed in writing by the Local Planning Authority and shall be permanently retained in working order thereafter.

Reason: In the interests of promoting more sustainable means of car travel and to comply with Policy 6.13 of the London Plan.

22 Details of proposals to provide dwellings capable of occupation by wheelchair users (including related car parking spaces) in accordance with the South East London Partnership guidance shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted. Details shall also be submitted to and approved in writing by the Local Planning Authority of proposals for the construction of all the dwellings hereby permitted as "Lifetime Homes" in accordance with the criteria set out in Supplementary Planning Guidance to the London Plan "Accessible London: achieving an inclusive environment" (April 2004) prior to commencement of the development hereby permitted. The dwellings shall be constructed in accordance with the approved details.

Reason: In order to comply with Policy 3.8 of The London Plan.

23 The application site is located within an Air Quality Management Area declared for NOx: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh.

Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area and to comply with National Planning Policy Framework paragraph 124 and Policy 7.14 of the London Plan.

INFORMATIVE(S)

1 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 regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk

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

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

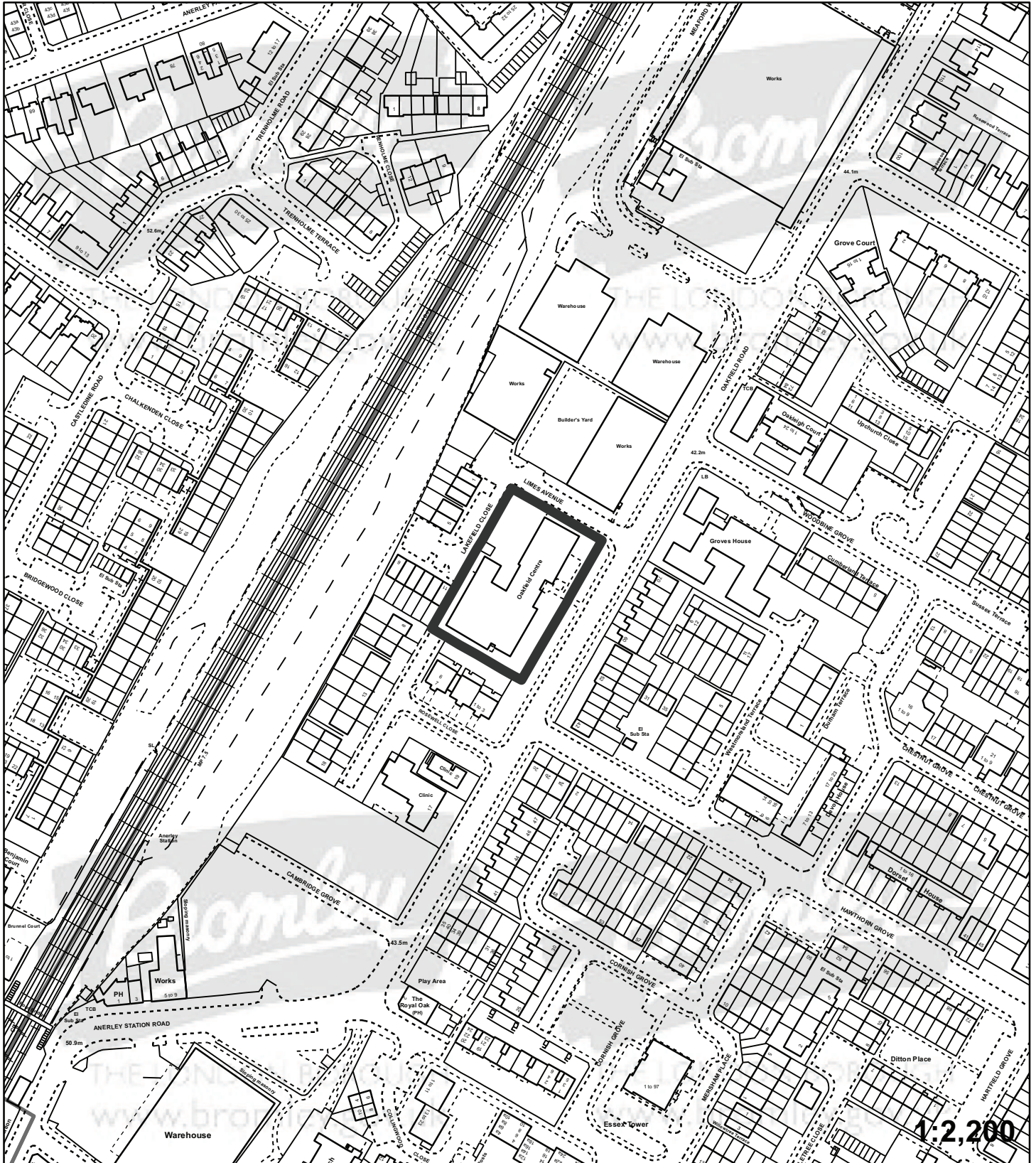
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 3 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 4 There is a Thames Water main crossing the development site which may/may not need to be diverted at the developers cost, or necessitate amendments to the proposed 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 Customer Services centre on 0845 850 2777 for further information.
- 5 Thames Water will aim to provide customers with a minimum pressure of 10m per 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:13/01872/FULL1

Address: Oakfield Centre Oakfield Road Penge London SE20 8QA

Proposal: Demolition of existing buildings and erection of 8 terraced houses (6x3 bed; 2x4 bed) and a 4 storey building comprising 24 flats (9x1 bed; 15x2 bed) together with new vehicular access to Oakfield Road, 32 car parking spaces, bicycle parking, refuse and recycling provision and



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

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Agenda Item 4.3

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

Application No : 13/04129/FULL3

Ward:
Penge And Cator

Address : Ground Floor 46 Green Lane Penge
London SE20 7JX

OS Grid Ref: E: 535626 N: 170124

Applicant : S Goodburn

Objections : NO

Description of Development:

Change of use from Class A1 Retail to Library with replacement shopfront to include internal illumination and lattice style shutters, air conditioning and gates to service yard

Key designations:

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

Proposal

The proposal includes the change of use of the ground floor from a Class A1 Retail unit to use as a local library. Elevational alterations propose the installation of a new shop front, with disabled access; new illuminated fascia signage is also proposed to this front elevation as an integral part of the new shop front. Air conditioning units are proposed to the rear of the site as well as associated parking and replacement gates. Cycle parking is proposed to the front of the site on the public highway. Members will note that this is a replacement facility for the existing library/community facility at 186 Maple Road, Penge.

Location

The site is the ground floor of number 46 which is located on the south side of Green Lane, within Penge High Street town centre. It is located in secondary shopping frontage, close to the junction with the High Street. Access to the unit is from Green Lane and also from the rear of the site with access from Cottingham Road, which is a primarily residential street of terraced housing. The Old Police Station is located opposite the site and is a Locally Listed Building.

Comments from Local Residents

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

Comments from Consultees

No Highways objections are raised. Highways comments note that the site is located in an area with high PTAL rate of 5 (on a scale of 1 - 6, where 6 is the most accessible). They comment that the cycle parking indicated on the plan outside the development on public highway is acceptable in principle. Additionally the proposed replacement gates on Cottingham Road are acceptable in principle. Conditions are suggested in the event of a planning permission.

Environmental Health comments in respect of the proposed air-conditioning units will be reported verbally to Members at Committee.

Planning Considerations

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

BE1 Design of New Development
BE19 Shopfronts
BE20 Security Shutters
S2 Secondary Frontages
S10 Non-Retail Uses in Shopping Areas
C1 Community Facilities

London Plan Policies, including 4.6 and 4.7 will be of relevance

Planning History

The planning history of the site includes planning application ref. 11/01811 which sought the Change of Use of the ground floor from A1 (Retail) to D1 (Gym) and although refused by the Council was subsequently allowed on appeal.

The Council's refusal grounds were:

1. The proposed development would be lacking in adequate on-site car parking provision to accord with the Council's standard and if permitted would place an unacceptable strain on the existing on-street parking in surrounding roads and is therefore contrary to Policy T3 of the Unitary Development Plan.
2. The proposal would have a detrimental impact on nearby residential amenities that nearby residential properties could expect to continue to enjoy including excessive parking within the immediate area, contrary to Policy L9 of the Unitary Development Plan.

The decision was overturned within the appeal process. There was no planning objection in respect of the loss of retail.

Conclusions

Key planning considerations will include consideration of the loss of an A1 unit, the impact on the amenities of neighbouring properties and impact on the character of the area generally.

In respect of the loss of the A1 unit, Policy S2 advises that change of use from retail (A1) will be permitted to other uses provided that the use provides a service that complements the shopping function of the town centre and that there is no adverse impact on residential amenity. It is considered that the proposed use of the site as a library complements the shopping function of the town centre; additionally the planning history reveals that no planning objection was previously raised to the loss of retail in this specific location.

Policy BE19 advises on shopfronts and requires that the proposal is well-related to its context whether this is the host building, parade or wider street scene as a whole. It states that stallrisers should be provided and are well-related in scale and height to the host and, where appropriate, neighbouring properties. There is no stall riser proposed to the new shopfront; there is a nominal one to the adjacent site. It may be considered that the proposed design relates well to the host building and is appropriate within its wider context and that the level of proposed illumination is not inappropriate in this location.

The design solution to incorporate the box shutters within the frontage and the use of lattice style shutters as shown within the submitted plans is considered acceptable.

The public access to the library will be from Green Lane, away from the residential units in Cottingham Road. Subject to the submission of detailed information in respect of the proposed air conditioning units and Environmental Health comments thereon it is not considered that the use of the site as a local library will have such a detrimental impact on neighbouring amenities to warrant a planning refusal. No neighbour objections have been received at the time of writing the report.

Members may therefore consider that, having regard to the above, the use of the site as a local library is acceptable in that it would not result in a significant loss of amenity to local residents and will provides a service that complements the shopping function of the town centre.

Background papers referred to during production of this report comprise all correspondence on files refs. 13/04129 and 11/01811, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

1	ACA01	Commencement of development within 3 yrs
	ACA01R	A01 Reason 3 years
2	ACC07	Materials as set out in application
	ACC07R	Reason C07
3	ACK01	Compliance with submitted plan
	ACC01R	Reason C01
4	ACH03	Satisfactory parking - full application
	ACH03R	Reason H03
5	ACH22	Bicycle Parking
	ACH22R	Reason H22
6	ACH32	Highway Drainage
	ADH32R	Reason H32

Application:13/04129/FULL3

Address: Ground Floor 46 Green Lane Penge London SE20 7JX

Proposal: Change of use from Class A1 Retail to Library with replacement shopfront to include internal illumination and lattice style shutters, air conditioning and gates to service yard



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

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Agenda Item 4.4

SECTION '2' – Applications meriting special consideration

Application No : 13/03355/VAR

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

Address : **Orpington Sports Club** **Goddington**
 Lane Orpington BR6 9SX

OS Grid Ref: **E: 547318 N: 164861**

Applicant : **Mr Paul Cavalli**

Objections : YES

Description of Development:

Variation of condition 8 of permission reference 13/02314 to enable opening hours to be extended from 10:00 to 20:00 Monday - Friday; 10:00 to 22:00 on Saturdays; and 09:00 to 17:00 on Sundays and Bank holidays to 08:00 to 23:30 Monday - Thursday; 08:00 to 00:30 Friday and Saturdays; and 08:00 to 23:00 on Sundays.

Key designations:

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

Proposal

Permission is sought to vary the opening hours of the proposed replacement clubhouse permitted at the Planning Sub Committee which convened on 5th September 2013. This is on the basis that there was an error in the original application in respect of the proposed opening hours, which were subsequently adopted in the conditions imposed by the Council.

The approved opening hours are:

Mon - Fri:	10:00 - 20:00
Sat:	10:00 - 22:00
Sun & Bank Holidays:	09:00 - 17:00

The proposed opening hours are:

Sun - Thu	08:00 - 23:00
Fri & Sat	08:00 - 00:30

A Supporting Statement (received by email 3.1.14) sets out procedures to deal with noise abatement in relation to Goddington Lane.

Location

The site of the proposed clubhouse building is at the western side of Orpington Sports Club which mainly comprises of open playing fields. It adjoins Goddington Park along its northern boundary. The proposed clubhouse would be served by a car park accessed via Goddington Lane. The opposite side of Goddington Lane (to the car park entrance) is occupied by a number of detached houses, the closest of which would be situated within approximately 60 metres of the proposed clubhouse building and 20 metres of the car park.

Westcombe Park and Orpington Sports Club is a multi-sport site situated within the eastern edge of Orpington. It accommodates 2 football pitches, 2 cricket pitches in the summer, 6 tennis courts, hall, clubhouse, changing block, modular changing rooms and storage buildings

The site is situated within the Green Belt.

Comments from Local Residents

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

- proposal would increase the scope for anti-social behaviour and car parking difficulties in a very narrow road
- concern that the club is trying to become a full entertainment venue, particularly with the forthcoming building development
- this variation should be refused on the grounds that this is a quiet residential area which is quite unsuited to these long opening hours.
- concern that there will be an increase in traffic, parking problems and late night noise from visitors to the club.

Any further comments will be reported verbally at the meeting

Comments from Consultees

From an Environmental Health perspective, following the submission of a Supporting Statement (received by email 3.1.14) initial objections relating to the hours of operation have been withdrawn. Although it would have been preferable to see the proposals packaged as a "Noise Management Plan" or similar it is considered that the document covers all of the points raised and that the residents will be adequately protected. Accordingly, no objections are raised.

Planning Considerations

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

Planning History

The planning history for the site primarily relates to the existing buildings.

A 300 capacity seating grandstand adjacent to rugby pitch granted permission in February 2005 (ref. 04/04404).

Under ref. 10/03255, outline planning permission was granted in March 2011 for the demolition of part of the existing sports and social facilities, and for the erection of two storey building comprising changing rooms, social facilities, gym and ancillary facilities which would have been built to the south of the existing changing pavilion. It would have incorporated a footprint measuring approximately 450sq m and a floorspace of 912sq m. That scheme has not been implemented.

Under ref. 13/02314, planning permission was granted for a replacement clubhouse incorporating changing facilities, multi-purpose hall and social rooms (including bar). In contrast to application ref. 10/03255, the siting of the building was revised so that it occupied much of the area of the existing building.

Conclusions

The main issue relating to the application is the impact that it would have on the amenities of the occupants of surrounding residential properties. As noted above, under ref. 13/02314, planning permission was granted for a replacement clubhouse. The replacement building will incorporate an enlarged bar area.

The key consideration in this application relates to the opening hours of the clubhouse which will be available for use for social functions. In essence it is proposed to open up to two hours earlier (from 08:00 daily); and to stay open until 23:00 between Sunday and Thursday and until 00:30 on Friday and Saturday.

The replacement clubhouse will incorporate a substantially larger bar area (measuring 243 sq metres) comprising of two bar areas.

Policy S9 of the UDP relates to Food and Drink Premises. Under the terms of that policy the Council will seek to ensure that proposals would have no adverse impact on residential amenity; and would not cause undue traffic congestion or be detrimental to the safety of other road users and pedestrians.

It is considered that the approved hours which were initially sought by the Agent (in respect of application ref. 13/02314) are somewhat restrictive, although given the primary function of the clubhouse as a sports complex the social provision may be considered to be secondary. In considering the increased hours of use, the relationship to surrounding residential properties fronting Goddington Lane represents an important material consideration, particularly in respect of potential disturbance generated in the late evening. Whilst the clubhouse will maintain a minimum separation of approximately 60 metres to the nearest residential

properties, the car park is situated within much closer proximity. Following the submission of a Supporting Statement (received by email 3.1.14) from the Agent, it is considered that adequate measures are in place to ensure adequate noise abatement in respect of the proposal.

Background papers referred to during production of this report comprise all correspondence on files refs: 04/04404, 10/03255, 13/02314 and 13/03355, excluding exempt information.

RECOMMENDATION: APPROVAL

subject to the following conditions:

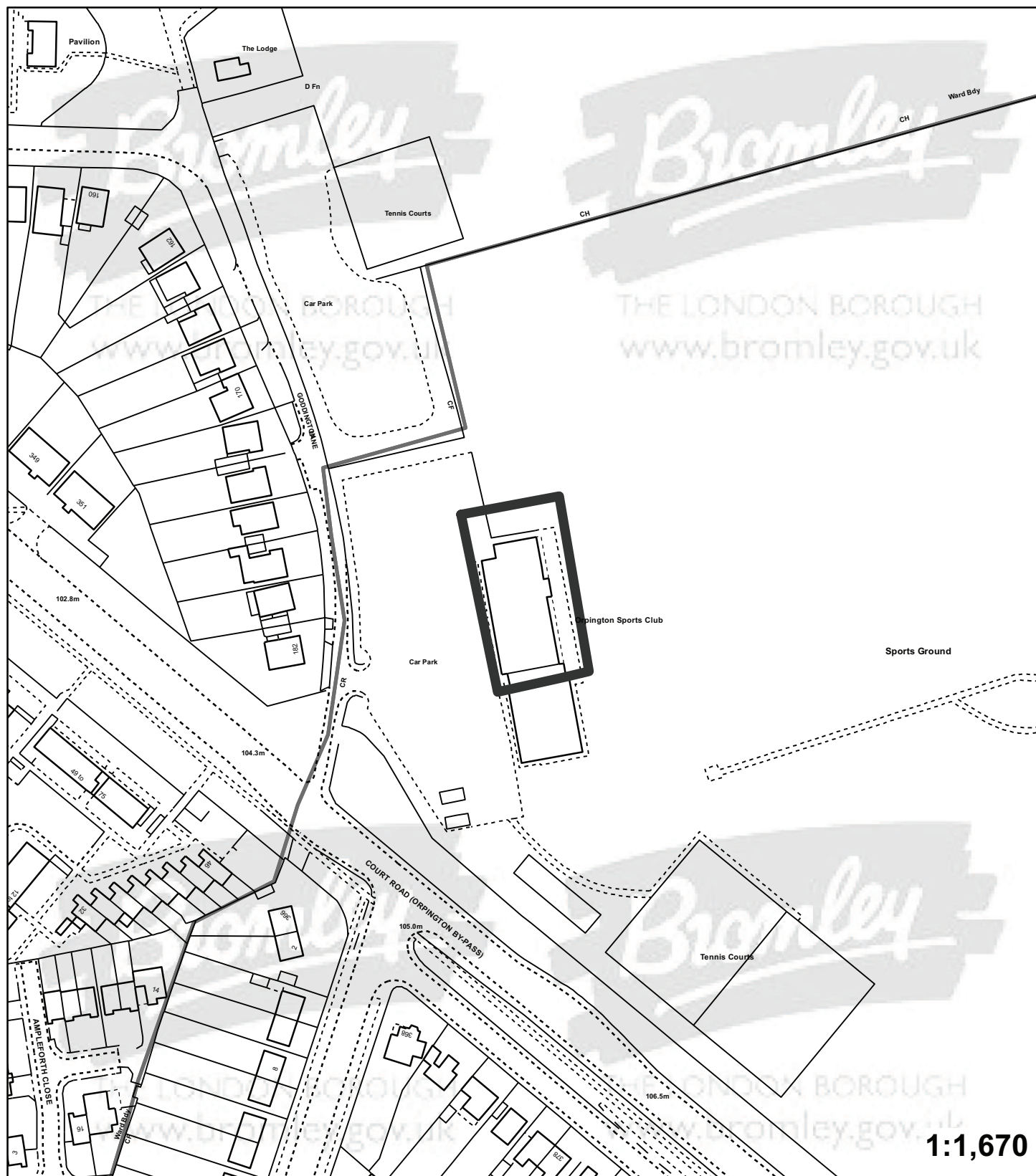
- 1 Customers shall not be admitted to the premises before 08:00 and after 23:30 Sunday to Thursday, nor before 08:00 and after 00:30 on Fridays and Saturdays, unless otherwise agreed in writing by the Local Planning Authority.

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

Application:13/03355/VAR

Address: Orpington Sports Club Goddington Lane Orpington BR6 9SX

Proposal: Variation of condition 8 of permission reference 13/02314 to enable opening hours to be extended from 10:00 to 20:00 Monday - Friday; 10:00 to 22:00 on Saturdays; and 09:00 to 17:00 on Sundays and Bank holidays to 08:00 to 23:30 Monday - Thursday; 08:00 to 00:30 Friday



"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 : 13/03646/FULL1

Ward:
Bickley

Address : Red Tree Cottage Bickley Park Road
Bickley Bromley BR1 2BE

OS Grid Ref: E: 543006 N: 169024

Applicant : Mr Neal Penfold

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of detached two storey building with accommodation in roofspace comprising of 5 two bedroom flats with 5 car parking spaces, cycle and refuse stores, and front and rear balconies and terrace.

Key designations:

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

Proposal

It is proposed to demolish the existing chalet bungalow on this site and erect a detached two storey building with accommodation in the roof space comprising 5 two bedroom flats, widen the existing access onto Bickley Park Road, and provide 5 car parking spaces and a refuse store on the frontage.

Location

This detached chalet bungalow is located on the northern side of Bickley Park Road, close to the junction with Blackbrook Lane, and lies within Bickley Area of Special Residential Character. The site measures 0.115 hectares and has a frontage of 23m to Bickley Park Road. The site is bounded to the east by a recently built replacement dwelling at Lane End, and to the west by an access road which leads to a detached dwelling at the rear of the site known as Elmhurst.

Comments from Local Residents

A letter of objection has been received from the occupiers of Elmhurst to the rear, and the main concerns raised are summarised as follows:

- overlooking from rear balconies
- overintensive use of the site
- noise and disturbance from future occupiers
- inadequate parking provision
- traffic hazard from cars entering and leaving the site on this busy road
- a single replacement dwelling would be more in keeping with the surrounding area.

Comments from Consultees

The Council's Highway Engineer raises no objections with regard to the parking layout and widened access, but has some concerns regarding the location of the refuse store which appears too far from the road, and the access to it appears too close to parking bay 2 and may not be wide enough to manoeuvre a Eurobin.

With regard to trees on the site, the only significant tree is a plane tree which is graded A and is covered by a TPO. This tree would not be directly affected by the proposals, but standard tree protection conditions are suggested.

No objections are raised from an environmental health point of view, and Thames Water have no concerns.

No objections are raised in principle from a drainage point of view, subject to the submission of further details of surface water drainage, including the potential for using a sustainable drainage system.

With regard to crime prevention issues, further details should be submitted by way of a condition in order to address crime prevention.

Planning Considerations

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

- BE1 Design of New Development
- H7 Housing Density & Design
- H9 Side Space
- H10 Areas of Special Residential Character
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

Planning History

Permission was refused in January 2013 (ref.12/02816) for the erection of a detached two storey building with accommodation in the roof and basement

comprising a total of 8 two bedroom flats, with eight parking spaces provided at the front. It was refused on the following grounds:

- 1 The proposed block of flats would constitute an overdevelopment of the site by reason of the number of dwellings proposed, the amount of site coverage by buildings and hard surfaces and the lack of adequate amenity space, and would result in an overintensive use of the site which would be out of character with this part of Bickley Area of Special Residential Character, thereby contrary to Policies H7, H10 and BE1 of the Unitary Development Plan.
- 2 The proposals would result in an unsatisfactory standard of accommodation in relation to the basement flats which do not provide adequate natural lighting to nor outlook from the bedroom windows of these flats, and there is inadequate provision for external recreational space visible from within the basement flats, and as such the proposals are contrary to Policies H7 and BE1 of the Unitary Development Plan.

The subsequent appeal was dismissed in August 2013 on grounds relating to overintensive use of the site, excessive hardstanding and parking on the frontage which would be out of character with the area, substandard basement accommodation, and lack of adequate amenity space for the occupiers of the flats.

An application for a single replacement dwelling (ref.13/00781) was allowed on appeal in December 2013 (the applicant appealed against non-determination and the Council subsequently determined not to contest the appeal as the proposals were considered acceptable).

Conclusions

The main issues relating to the application are whether the proposals would constitute an overintensive use of the site, the effect on the character and appearance of Bickley Area of Special Residential Character and the amenities of the occupants of nearby residential properties, and the impact on traffic generation and road safety in the highway.

Policy H7 of the UDP allows for the redevelopment of older, lower-density properties, but stresses that such development should be sympathetic to and complement the surrounding residential area. It recognises that many residential areas are characterised by spacious rear gardens and well-separated buildings, and that developments which would undermine this character or would be harmful to residential amenity will be resisted.

Policy H10 of the UDP requires proposals to respect and complement the established and individual qualities of each Area of Special Residential Character. In this regard, the character of Bickley ASRC is "essentially that of spacious inter-war residential development, with large houses in substantial plots adjacent to the Conservation Areas of Chislehurst and Bickley."

This part of Bickley Park Road is generally characterised by detached dwellings set within generous plots, and the adjoining plot was recently developed with a larger detached dwelling (Lane End). An exception to this is a development of terraced townhouses which lies opposite the site (Reynard Close), while further to the east lies a 1960s development of terraced houses in Wellsmoor Gardens (outside the ASRC). The nearest flatted development along Bickley Park Road is a large converted property called Farrants Court which is set back from the road, and lies within a substantial plot approximately 80m away from the site.

The current scheme differs from the flatted development which was dismissed on appeal under ref.12/02816 in the following main ways:

- the number of flats has been reduced from 8 to 5
- no basement accommodation is now proposed
- a reduced area of hard surfacing and parking is now provided
- the overall height of the building has been reduced by 0.5-1m.

In the previous appeal for a block of 8 flats, the Inspector considered that although the proposed building would be larger in height and width than the existing bungalow, it would be comparable in scale with other buildings in the vicinity, and would appear in the street scene as a large detached house. She therefore concluded that the building would not harm the character and appearance of the Area of Special Residential Character.

The current proposals are for a slightly smaller building (in height), with comparable separation distances to the boundaries, therefore, the revised proposals are not considered to have a harmful impact on the character or spatial standards of the ASRC.

However, the previous Inspector was concerned about the intensification of the development which would require a significant amount of hardstanding at the front of the site in order to accommodate parking for 8 flats. She considered that this would be out of keeping with the maturely landscaped front gardens which are characteristic of the area.

The current proposals for 5 flats would require a significantly reduced area of hardstanding for parking and would remove the lightwells previously required for the basement accommodation, thus allowing a greater area for landscaping to be provided at the front of the site (greater than currently exists), which would be more in keeping with surrounding properties. Although there would still be parking for 5 cars on the site, this is not considered to be unduly intensive nor would appear out of character with the surrounding area.

The Inspector in the previous appeal was also concerned about the lack and unsuitability of some of the private amenity areas, particularly in relation to the basement flats, and considered that the 15-16m deep communal rear garden area was inadequate for a development of 8 two bedroom flats.

In the current proposals, the size of the communal rear amenity area would be increased to 21m in depth due to the removal of the basement areas and related

terracing, and given that the flats would also have private amenity areas in the form of balconies and terraces, the revised proposals are considered to provide adequate amenity space to meet the needs of this smaller development of 5 flats.

The previous application for the larger block of 8 flats was not considered either by the Council or the Planning Inspectorate to have a detrimental impact on the amenities of neighbouring properties, and similar considerations would apply to the current scheme. Durley Lodge to the west is separated from the site by the access road to Elmhurst, and the dwelling is set further back in its site than Red Tree Cottage, therefore, any impact resulting from the current proposals would be very limited. Likewise with Elmhurst which is situated a significant distance to the rear, and has a garage/store building adjacent to the rear boundary of the application site, thus reducing any impact.

However, the occupiers of Elmhurst have raised concerns about the current proposals in relation to overlooking from rear balconies, and noise and disturbance from future occupiers. Two small first floor balconies and a roof terrace are proposed at the rear of the building, but given the distance to the property at Elmhurst, this is not considered to cause either significant overlooking of this property or undue noise and disturbance from residents to warrant a refusal.

The rear balconies and roof terrace which may result in some overlooking of the neighbouring property at Lane End, however, a 2m high obscure glazed screen is proposed to the eastern side of the nearest balcony which would limit any overlooking of the rear of Lane End. Additionally the roof terrace should be provided with similar screening, and a condition can be imposed to this effect. The windows in the proposed eastern flank elevation would be obscure glazed, thus protecting privacy.

The occupiers of Elmhurst also raised concerns about the overintensive use of the site (which has already been addressed), inadequate parking provision, and potential traffic hazards from cars entering and leaving the site. The Council's highway engineer has confirmed that the parking and access arrangements are acceptable.

Having had regard to the above, it is considered that the current proposals have addressed previous planning objections and are acceptable in that they would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of Bickley Area of Special Residential Character.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/02816, 13/00781 and 13/03646, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to 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	ACA08	Boundary enclosures - implementation
	ACA08R	Reason A08
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	ACB16	Trees - no excavation
	ACB16R	Reason B16
9	ACC01	Satisfactory materials (ext'nl surfaces)
	ACC01R	Reason C01
10	ACD02	Surface water drainage - no det. submitt
	ADD02R	Reason D02
11	ACD06	Sustainable drainage system (SuDS)
	ADD06R	Reason D06
12	ACH03	Satisfactory parking - full application
	ACH03R	Reason H03
13	ACH18	Refuse storage - no details submitted
	ACH18R	Reason H18
14	ACI12	Obscure glazing (1 insert) in the eastern flank elevation
	ACI12R	I12 reason (1 insert) BE1
15	ACI17	No additional windows (2 inserts) eastern flank building
	ACI17R	I17 reason (1 insert) BE1
16	ACI21	Secured By Design
	ACI21R	I21 reason
17	ACI24	Details of means of screening-balconies
	ACI24R	Reason I24R
18	ACK01	Compliance with submitted plan
	ACK05R	K05 reason
19	ACK05	Slab levels - no details submitted
	ACK05R	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

Application:13/03646/FULL1

Address: Red Tree Cottage Bickley Park Road Bickley Bromley BR1 2BE

Proposal: Demolition of existing dwelling and erection of detached two storey building with accommodation in roofspace comprising of 5 two bedroom flats with 5 car parking spaces, cycle and refuse stores, and front and rear balconies and terrace.



"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 : 13/03790/FULL6

Ward:
Copers Cope

Address : 45 Beckenham Place Park Beckenham
BR3 5BS

OS Grid Ref: E: 537734 N: 170353

Applicant : Mr C Nixon

Objections : YES

Description of Development:

Front boundary metal railings/electric gates and side boundary metal railings/gate max height 1.675m

Key designations:

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

Proposal

This application proposes metal railings with electric gates with a maximum railing height of 1.675m. The proposed fencing will be to the front and side of the property with a grassed area remaining between the railings and the road way to the front.

Location

The site is a detached dwelling house located within an Area of Special Residential Character (ASRC), adjacent to Beckenham Place Park Conservation Area (CA), opposite Urban Open Space (UOS), on a prominent corner plot, to the north side of Beckenham Place Park and the east of Dura Den Close.

Comments from Local Residents

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

- deeds should be checked as there are restrictive covenants
- missing documents from the agent's submission
- visual/planning considerations should have priority over security concerns raised by the applicants

- security could be improved to a reasonable extent by other, less visually drastic means
- open frontage and coherent treatment are a large part of distinctive character
- destroy visual coherence of Dura Den Close
- urbanise entry to highly rural conservation area
- imposing an alien aesthetic on an exceptionally exposed and prominent site within an ASRC characterised by its generally open, quasi-rural aspect

Comments from Consultees

No objections are raised from a Highway's point of view given the boundary fence is to the front and side of the residential unit and will have no impact on sightlines and visibility splays.

Concerns are raised from a Conservation point of view in that there is an open aspect to this area and the erection of high boundary treatments would have a negative impact.

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
- BE13 Development Adjacent to a Conservation Area
- H10 Areas of Special Residential Character

Appendix 1 Areas of Special Residential Character

- SPG1
- SPG2

Planning History

The planning history includes a single storey rear extension under ref. 06/04231; the original development was given permission under ref. 71/02280.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area.

Appendix 1 advises that developments likely to erode the individual quality and character of the ASRCs will be resisted. In respect of Beckenham Place Park planning policy notes that the western end is a pleasant residential area comprising some post-war housing which although are of no particular architectural merit are in a good setting. The significance of adjacent open spaces and fine street trees are noted which provide most of the area's character of remoteness.

Policy BE13 expects a development proposal adjacent to a conservation area to preserve or enhance its setting and not detract from view into or out of the area.

Local objections have been raised (summarised above with full text available to view on file) primarily raising concerns with visual impact and impact on the openness of the area. It is noted that attention is drawn to potentially restrictive covenants, however covenants are a private matter between the two parties concerned rather than comprising a planning consideration. A supporting statement has been received from the applicants which draws attention to other similar boundary treatments within the area; it also states that the openness has been created by removal of overgrown shrubbery and the introduction of more formal landscaped gardens since their purchase of the property in 2006. The statement is accompanied by an appendix setting out the extent of vandalism that has occurred at the property from June 2007.

The application site is directly adjacent the Conservation Area, with the adjacent property 'The Park' hosting railing boundary enclosure, similar to that proposed by this application. There is chain link style fencing opposite the site (approximately 2.5/3m high) enclosing the recreational facilities within the UOS. For the most part, in the vicinity, this has vegetation growing either adjacent to and/or through the chain link.

Number 1 Dura Den Close, opposite the site to the west, has an open aspect to the front of the Close and the return onto Beckenham Place Park with some soft landscaping but no boundary fencing. Because Number 1 Dura Den Close faces into the Close the rear garden is enclosed by brick wall and piers with inserted fence panels offering a height of approximately 1.8m high. The most part of this faces onto the highway of Beckenham Place Park.

Within the proximity of the site there are clearly examples of high boundary fencing onto the highway. However, to consider the effect of the proposed boundary fencing, the subject of this application, on the character of the area it is noted that upon approaching the site although the application site is the only house of this development which faces onto Beckenham Place Park, due to the design of the houses and the layout of this particular development it is readily identifiable as part of the Dura Den Close Development. Careful consideration therefore needs to be given as to how the proposed railings relate to their context and their impact on the character of the ASRC and the adjacent CA.

Policy considerations note that the setting of existing development is a particular feature of the ASRC; the application site relates strongly to its setting within Dura Den Close and given the openness that the two 'entrance' properties (number 1 Dura Den close and number 45 Beckenham Place Park) contribute to this specific location and the lead into the adjacent Conservation Area it may, on balance, be considered that to introduce boundary treatment of the height proposed (although the use of open railings is proposed which allow views into and out of the site), would compromise the openness of the area which makes a valuable contribution to the character of the ASRC.

In respect of the site's relationship to the adjacent CA, whilst there are railings to the first site within the CA the character is influenced by the mature landscape setting. It may be considered that the openness of the application site and surrounds currently offers a softness of view into the CA area whereas the introduction of railings at the height proposed would introduce a level of built development which would not preserve or enhance views into and out of the area.

Whilst no Highway objections are raised, concerns have been raised from a Conservation point of view in that there is an open aspect to this area and the erection of high boundary treatments would have a negative impact.

The issues relating to vandalism as raised within the supporting statement are noted but, as regrettable as these are, are not considered sufficient to put aside usual policy considerations in respect of the development proposed.

On balance, Members may consider that the height of the fencing proposed is not acceptable in that it would result in a detrimental impact on the character of the area.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/03790, excluding exempt information.

as amended by documents received on 23.12.2013

RECOMMENDATION: PERMISSION BE REFUSED

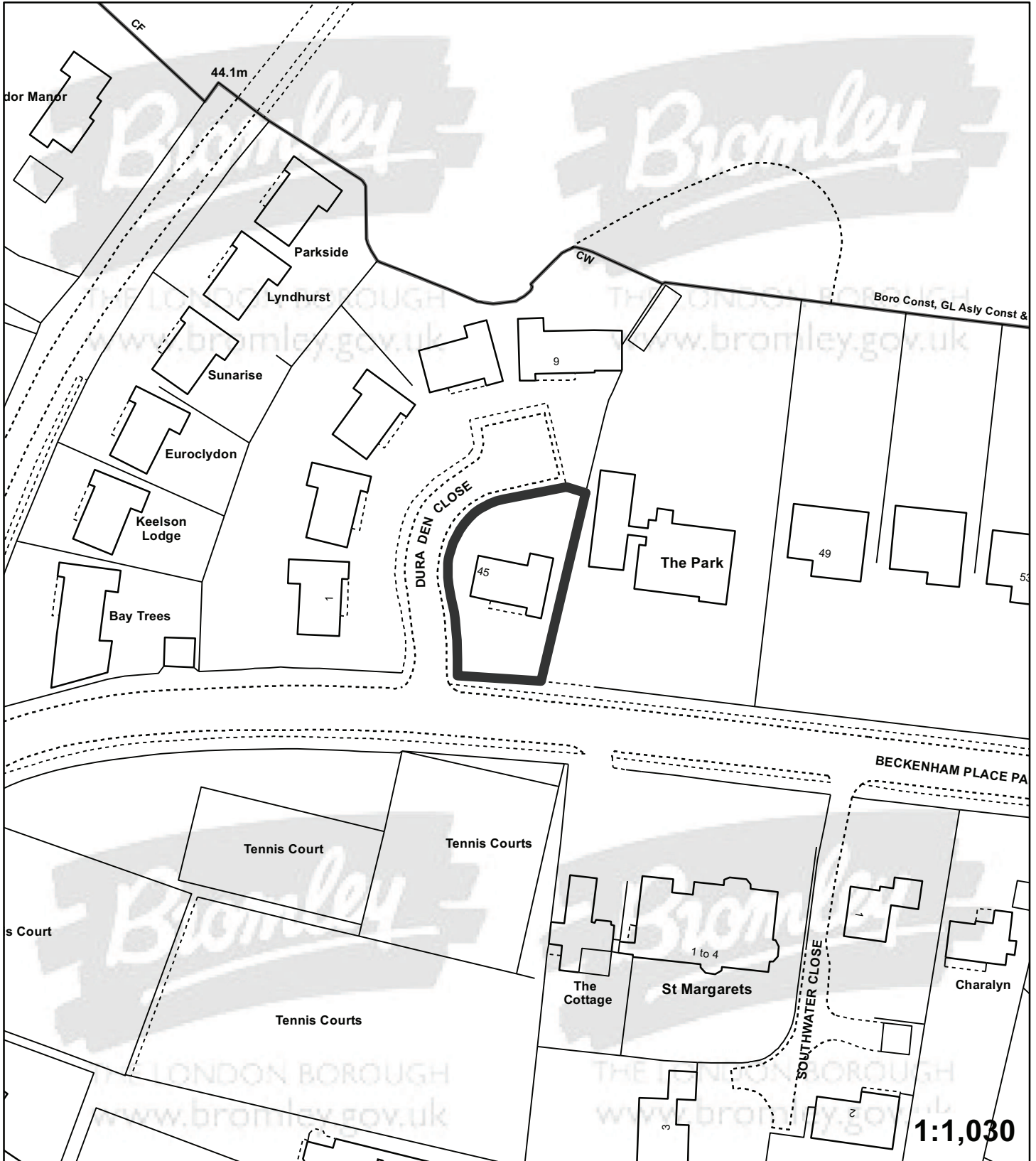
The reasons for refusal are:

- 1 The proposed development, by way of the height of the railings, would be detrimental to the visual amenities of the street scene within this Area of Special Residential Character and adjacent to Beckenham Place Park Conservation Area thereby contrary to Policies BE1, BE13 and H10 of the Unitary Development Plan.

Application:13/03790/FULL6

Address: 45 Beckenham Place Park Beckenham BR3 5BS

Proposal: Front boundary metal railings/electric gates and side boundary metal railings/gate max height 1.675m



"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 : 13/01251/ELUD

Ward:
Bromley Town

Address : The Ravensbourne School Hayes Lane
Hayes Bromley BR2 9EH

OS Grid Ref: E: 540682 N: 168046

Applicant : Mrs Cathy Whiting

Objections : YES

Description of Development:

Retention of 2 screens adjacent to hard surfaced sports pitch (CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT).

Key designations:

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

Proposal

This Certificate of Lawfulness application concerns the retention of 2 screens affixed by means of cable ties to the outside [on 2 sides] of an existing wire mesh fence. The fence surrounds a hard surfaced sports pitch measuring approx. 24m x 39m within the school grounds. The fence extends up to approximately 3.1m in height. The screens are blue in colour and made from a tarpaulin type material and have been introduced by the school in order to provide privacy for pupils engaged in sport, to help them focus on the activity, and also to act as a windbreak.

The Certificate of Lawfulness application has been made having regard to Section 55 of the Town and Country Planning Act 1990 (as amended). It is the applicant's contention that the attachment of the screens to the existing fence does not involve a material change of use of any building or other land and does not involve alterations that would affect the external appearance of a building, being affixed solely to an existing means of enclosure.

Reference is also drawn to the definition of a building set out in section 336 (1) of the Act which includes any structure or erection of any part of a building as so defined. It is stated that there is nothing within the definition to establish that the

screening would amount to development and on this basis it is requested that the certificate of lawfulness be granted.

Location

The site is located towards the eastern end of Hayes Lane within the grounds of Ravensbourne School. The hard surfaced sports pitch is located behind existing buildings and oblique views of the fencing and screens are possible from Hayes Lane. Views are also possible from residential properties with gardens backing onto the site including those in Cromwell Close and Cromwell Avenue, although these are a minimum of around 150m away with playing fields in between.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 2 representations were received including Ravensbourne Residents Association which can be summarised as follows:

- why is the issue of advertising not being addressed in the Certificate of lawfulness application
- the screened fence is a building and therefore development
- the clear display of the words "The Ravensbourne School" which is visible from several points including a public footpath should mean that the screen should be subject to the control of advertisement regulations

Comments from Consultees

Legal advice is that the screens do not amount to development.

Planning History

An enforcement complaint was received in November 2012 regarding the retention of 2 screens adjacent to the sports pitch at Ravensbourne School. The matter was due to be reported to Plans Sub Committee on 21st March 2013 in a contravention report, with a recommendation that no further action be taken. However, it was withdrawn from the agenda in order to suggest to the applicant that a certificate of lawfulness be submitted to establish formally whether the screens constitute development which requires planning permission. The applicant responded by submission of this current application.

Planning Considerations

The sole consideration for this application is for the Council to consider whether the screens require planning permission. In this regard it is necessary to consider firstly whether they constitute development and if they do, then whether this is development which requires planning permission.

Residents have raised the issue of whether the screens constitute an advertisement. This point cannot be considered as part of a certificate of lawfulness application as the relevant legislation for advertisements is the

Advertisement Regulations 2007 and not the Town and Country Planning Act under which a certificate of lawfulness is considered. Since there is no equivalent of a certificate of lawfulness in relation to advertisements, this matter will be addressed separately.

Section 55 of the Town and Country Planning Act 1990 (as amended) describes the meaning of "development" as follows:

"(1)Subject to the following provisions of this section, in this Act, except where the context otherwise requires, "development," means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land."

Conclusions

The attaching of the screens to the fence by means of cable ties is not a building, engineering or mining operation, nor a material change of use. It is left therefore to consider whether the screens constitute "other operations". A similar case involved hanging sheets on the sides of an existing awning which, despite its effect on the external appearance of the building in question, was held not to involve development and was judged to be beyond planning control. As there is no clear definition of "other operations" it is helpful to consider factors that would normally indicate whether something constitutes development. These would include size, degree of permanence and method of attachment.

In this instance the screens are simply attached to the existing structure (fencing) and do not add to the physical size of the structure. They can be readily moved or removed and therefore do not have any significant degree of permanence.

This application seeks the Council's formal decision as to whether the screens are lawful. On the basis of the assessment above, it is concluded that the screens are not development as defined in Section 55 of the Town and Country Planning Act 1990 (as amended) and therefore planning permission cannot be required for their retention. It is recommended that a certificate of lawfulness be granted.

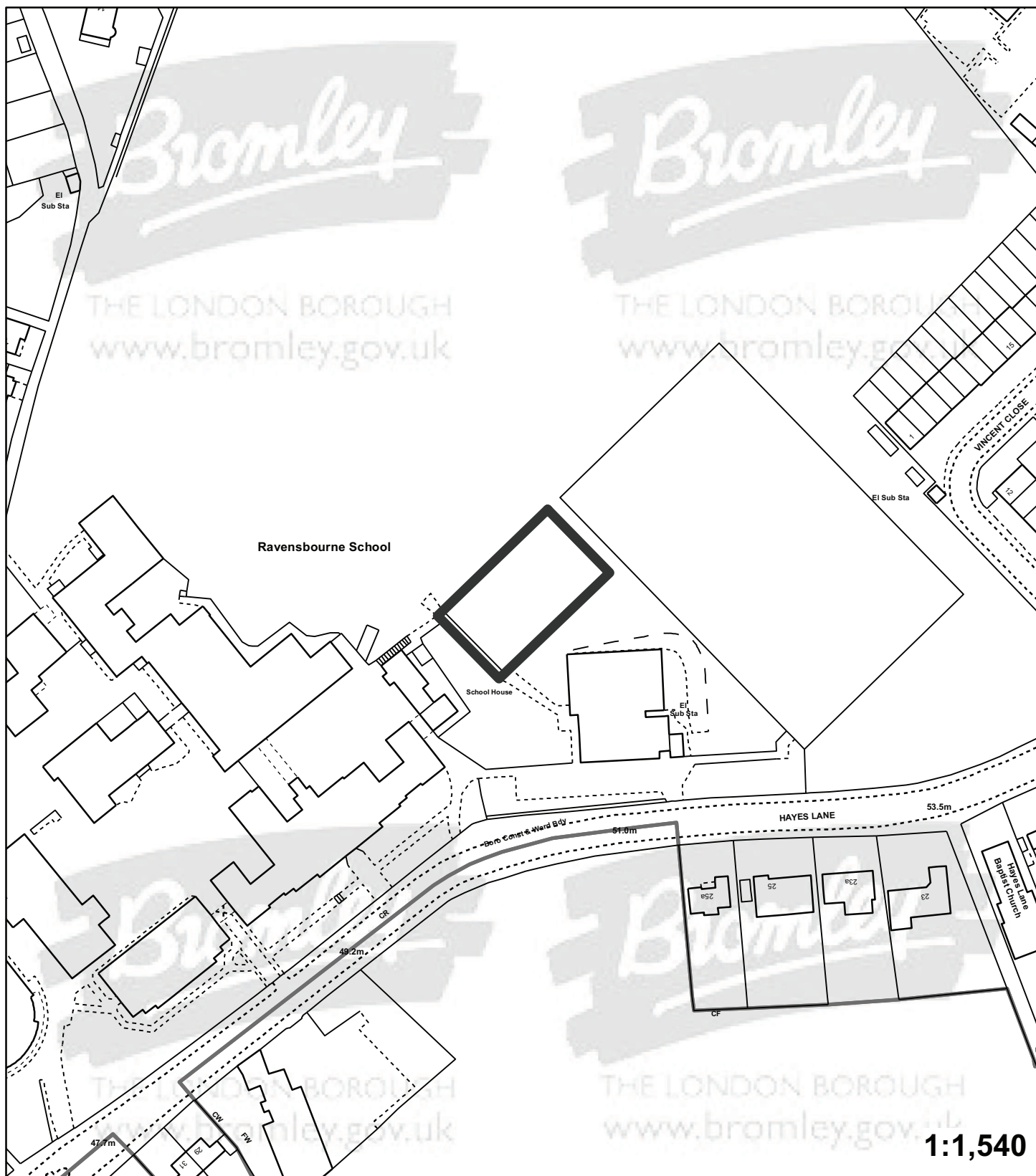
Background papers referred to during production of this report comprise all correspondence on file ref. 13/01251, excluding exempt information.

RECOMMENDATION: EXISTING USE/DEVELOPMENT IS LAWFUL

Application:13/01251/ELUD

Address: The Ravensbourne School Hayes Lane Hayes Bromley BR2 9EH

Proposal: Retention of 2 screens adjacent to hard surfaced sports pitch (CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT).



"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 : 13/02970/FULL6

Ward:
Bromley Common And
Keston

Address : Dell View Westerham Road Keston BR2
6HH

OS Grid Ref: E: 542078 N: 164788

Applicant : Mr J Hughes

Objections : YES

Description of Development:

Two storey front, side and rear extension and single storey rear extension and increase in roof height to incorporate front and rear dormer extensions

Key designations:

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

Proposal

The proposal is for a two storey front, side and rear extension. The height of the roof will also be increased and front dormer extensions are proposed. A single storey extension (orangery) is also proposed to the rear of the property.

This application was previously deferred from Committee on 28 November 2013 to seek a reduction in the overall development and the removal of the third storey element.

In response to the Committee's comments the applicant has made the following revisions to the scheme:

- the height of the roof has been lowered by 0.5m;
- the rear dormers have been removed and have been replaced with velux windows;
- the depth of the building has been reduced by 0.75m;
- the width of the building has been reduced by 0.5m, creating a minimum side space of 2m between the flank elevations and boundaries of the property.

The overall depth of the property (when compared to the existing building) will now increase from 8.8m to 14.85m (including 3.6m at single storey level), height from approx. 6.6 m to approx. 9.7 m. A 2m side space is maintained between the flank elevations of the property and the boundaries with the adjoining properties.

No garage is provided as part of the proposals.

Location

The property is located on the east side of Westerham Road, approximately opposite the junction of Westerham Road with Beechwood Drive.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and two letters of objection were received which are summarised follows:

- the revised scheme includes only very minor changes to the plans.
- whilst the property needs tidying up, three storeys are too much and this is out of keeping with all of the other houses in the immediate vicinity. The development should be limited to two storeys.
- if natural light is necessary in the bathroom the velux window should be made obscure glazed and non-opening.

The case officer visited the occupiers of 30 Longdon Wood, to view the site from their property. Photographs taken are available on the file.

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
BE11 Conservation Areas

Planning History

No relevant planning history on the site

Conclusions

The main issues relating to the application are the impact of the proposal on the streetscene and the adjoining Conservation Area, and the amenities of the surrounding residential properties.

Whilst the proposals represent a significant increase to the size and floorspace/footprint of this detached dwelling, the property is located on a large plot, and there is considered to be adequate separation to the boundaries of the

property with the adjoining dwellings. 2m side space is maintained between the flank elevations and the flank boundaries of the property.

As stated above, the proposal will increase the overall depth of the property from 8.8m to 14.85m (including 3.6m at single storey level). However, due to the level of separation between the application site and the adjoining dwellings, this is not considered likely to be detrimental to the residential amenities of the adjoining properties.

The property is well screened from properties to the rear of the site by existing vegetation. The applicant has also agreed to erect a 2m high closeboard fence around the perimeter of the site and surrounding gardens which will improve the security of the site and further reduce the potential for overlooking

In response to the Committee's comments the applicant has reduced the height of the roof by 0.5m, and removed the rear dormers, and instead introduced velux windows. It is considered that the height of the proposal and the presence of velux windows on the rear roof slope will not result in an unacceptable level of overlooking or loss of privacy to 30 Longdon Wood (which has been visited by the case officer) or other surrounding residential properties.

The site is adjoining a Conservation Area (located to the rear). As indicated above, the application site is well screened from the properties to the rear by existing vegetation and the proposed 2m high close board fencing and no unacceptable impacts on the Conservation Area are considered likely as a result of this proposal.

The applicant has reduced the depth width and height of the dwelling in response to the Committee's comments and it is considered that this brings the impacts associated with the proposal within acceptable levels. The size of the plot and the relationships with the adjoining dwellings are such that, the proposal is considered to comply with all relevant policies as identified above, and is therefore recommended for planning permission.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/02970, excluding exempt information.

as amended by documents received on 29.10.2013

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
 ACC04R Reason C04
- 3 ACK01 Compliance with submitted plan
 ACC04R Reason C04
- 4 Before the development hereby permitted is first occupied, the proposed window(s) at first floor level on the northern and southern flank elevations of

the extension hereby permitted shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

- ACI12R I12 reason (1 insert) BE1
- 5 ACI17 No additional windows (2 inserts) flank extensions
- ACI17R I17 reason (1 insert) BE1

Application:13/02970/FULL6

Address: Dell View Westerham Road Keston BR2 6HH

Proposal: Two storey front, side and rear extension and single storey rear extension and increase in roof height to incorporate front and rear dormer extensions



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

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Agenda Item 4.9

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

Application No : 13/03278/FULL6

Ward:
Bromley Town

Address : 52 Forde Avenue Bromley BR1 3EX

OS Grid Ref: E: 541100 N: 169017

Applicant : Mr Ray Guthrie

Objections : YES

Description of Development:

Two storey side extension

Key designations:

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

Proposal

The proposal is for a two storey side extension to this semi-detached property.

The proposal includes the rebuilding of the existing garage up to the boundary of the property with the adjoining alleyway and the conversion of the garage to a habitable room. The extension will run the full length of the property (in front of and above the existing single storey element that is currently used as the kitchen/breakfast room). The extension will project approx. 1.9m to the rear of the original rear elevation of the property.

The property is located adjacent to an alleyway that provides access to the rear of a number of the adjacent houses located in Forde Avenue.

The application is being reported to Plan Sub Committee as it does not incorporate the 1m side space required by Policy H9.

Location

The property is located on the east side of Forde Avenue.

Comments from Local Residents

Two letters of representation have been received from No.s 48 and 50 Forde Avenue.

The letters confirm that the occupiers of these properties do not have any objection to the proposal provided that the drive next to No.52 is only used for access during the construction works and that the drive will not be blocked either by building materials/scaffolding/vehicles, or overnight, during the course of the works.

Comments from Consultees

Highways highlights that one car parking space will be lost as a result of this proposal due to the fact that the garage will be converted to a habitable room. As there will not be sufficient space for the applicant to park two cars, it is suggested that the applicant should create an additional car parking space as part of 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
H8 Residential Extensions
H9 Side Space

The proposal is also determined in accordance with the NPPF and relevant Supplementary Planning Guidance.

Planning History

No relevant planning history.

Conclusions

The proposal has been reported to Committee as it does not incorporate the 1m side space required by Policy H9 of the UDP.

The property is located adjacent to an alleyway that provides access to the rear of the site and a number of other adjacent properties in Forde Avenue. Whilst the proposed extension will be built up to the boundary and not incorporate any side space it is considered that, as a result of the presence of the alleyway, the proposal will not result in unrelated terracing or an unacceptable lowering of spatial standards that would be detrimental to the streetscene or the visual amenities of the occupiers of the surrounding residential properties.

Highways has suggested that the applicant considers whether it would be possible to create another car parking space to replace the one lost as a result of the conversion of the garage to a habitable room. However, the applicants retain one car parking space on their driveway and it is considered that this is not materially different to the level of provision provided by other properties in the vicinity of the

site, many of which provide only one or no car parking spaces. In addition, the length of the drive (as scaled from an Ordnance Survey extract) is approx. 8m. Whilst it might not be long enough to accommodate two large cars on the existing driveway, it is considered that it may be possible to accommodate two small cars.

In summary, it is considered that the proposal, does not result in a retrograde lowering of spatial standards and, on balance, despite the loss of one car parking space, it is considered that the development in the manner proposed is acceptable and 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. 13/03278, 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 | ACI17 | No additional windows (2 inserts) southern flank extension |
| | ACI17R | I17 reason (1 insert) BE1 |
| 4 | ACI12 | Obscure glazing (1 insert) in the southern flank elevation |
| | ACI12R | I12 reason (1 insert) BE1 |
| 5 | ACK01 | Compliance with submitted plan |
| | ACC04R | Reason C04 |

Application:13/03278/FULL6

Address: 52 Forde Avenue Bromley BR1 3EX

Proposal: Two storey side extension



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

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

Application No : 13/03601/FULL6

Ward:
Cray Valley West

Address : 29 Broomwood Road Orpington BR5
2JH

OS Grid Ref: E: 546851 N: 169181

Applicant : Mrs Leome Achurch

Objections : YES

Description of Development:

Increase in roof height to provide habitable accommodation in roofspace, single storey front/side/rear extension, elevational alterations and detached garage to rear

Key designations:

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

Proposal

It is proposed to add a single storey front, side and rear extension to the western side of this bungalow which would be set back at least 1.5m from the side boundary with No.31, and would project 1.8m to the rear. It is also proposed to add first floor accommodation within the roof space which would necessitate an increase in the height of the roof of approximately 1.1m.

A detached garage is also proposed to be located at the far end of the garden, and would measure 6m x 3.1m in area, with a height to the flat roof of 2.4m. It would be accessed via the existing private rear service road.

Location

This detached bungalow is located between a pair of semi-detached bungalows to the west (Nos.31 and 33), and a detached bungalow to the east (No.27). All have low-level hipped roofs with forward projecting gables.

Comments from Local Residents

Letters of objection have been received from local residents, and the main points of concern raised are summarised as follows:

- overlooking of neighbouring properties and rear gardens from roof lights
- accessing the proposed garage could cause problems to existing garages
- proposals would still increase the height of the roof and would be out of character in the street scene
- loss of light to windows at No.27
- noise and disturbance during building works
- detrimental impact on foundations of neighbouring property.

Comments from Consultees

From a highways point of view, the proposed garage is of a good size, and would be accessed from the private rear service road, therefore, no concerns are seen to the proposals.

With regard to the trees on the site, the proposals would result in the loss of 3 conifers in the rear garden, but they are not suitable for a TPO, and no objections are raised to their loss.

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

Planning History

Permission was refused in December 2012 (ref. 12/03115) for extensions to this property to form a two storey dwelling along with a detached garage at the rear on grounds relating to the overall size of the extensions which would be detrimental to the character of the surrounding area, and loss of light and prospect to neighbouring properties.

Permission was then refused in April 2013 (ref.13/00486) for similar proposals on the following grounds:

1. "The proposed development, by reason of its overall height and design, would be seriously out of character and scale with the host dwelling and surrounding area and contrary to Policies H8 and BE1 of the Unitary Development Plan.
2. The proposed development, by reason of its overall size and design, would be overbearing and harmful to the amenities of the adjoining residential property at No.27, resulting in a harmful visual impact, contrary to Policies H8 and BE1 of the Unitary Development Plan."

The subsequent appeal was dismissed in September 2013 on grounds relating to the detrimental impact on the character and appearance of the host dwelling and the surrounding area. The Inspector did not, however, consider that the proposals would have a detrimental impact on the amenities of neighbouring properties.

Conclusions

The main issues in this case are the impact of the proposals on the character and appearance of the host dwelling and the surrounding area, and on the amenities of neighbouring properties.

The previous proposals, which were dismissed on appeal, involved bringing the front elevation forward in line with the existing front projection (which was considered to be a distinctive feature of these bungalows), and along with the increase in height, bulkier roof form and the insertion of windows in the front elevation of the building, the proposals were considered to fundamentally change the character and appearance of this traditionally designed bungalow, and result in a development that would appear out of scale and character with the surrounding area, and would fail to integrate effectively into the street scene.

The current proposals would still result in an increase in the height of the roof, but would not include the bulky front and rear gable roof extensions, whilst the hipped front roof slope would not contain any windows. Furthermore, the front elevation would not be extended right up to the existing front projection but would be set back 1.2m, thus largely retaining this distinctive feature, and giving a more subservient appearance to the extension.

The proposals are therefore considered to adequately overcome the previous Inspector's concerns with regard to the size, bulk and design of the extensions.

In the previous appeal, the Inspector did not consider that the proposed scheme would have an adverse impact on residential amenity, whilst the current proposals have reduced the overall size of the extensions, and are not, therefore, considered to result in undue loss of light, privacy or prospect to neighbouring properties.

The proposed garage at the far end of the rear garden is typical of other similar buildings found to the rear of these properties, and would not appear out of character with the area.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/03115, 13/00486 and 13/03601, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC07 | Materials as set out in application |

- 3 ACC07R Reason C07
 ACK01 Compliance with submitted plan
 ACK05R 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

Application:13/03601/FULL6

Address: 29 Broomwood Road Orpington BR5 2JH

Proposal: Increase in roof height to provide habitable accommodation in roofspace, single storey front/side/rear extension, elevational alterations and detached garage to rear



"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 : 13/03761/FULL6

Ward:
Chislehurst

Address : Willow View 16 Oakwood Close
Chislehurst BR7 5DD

OS Grid Ref: E: 542919 N: 170689

Applicant : Ms Lucy Brooks

Objections : YES

Description of Development:

Part one/two storey rear and single storey side extensions, pitched roof to front, conversion of garage to habitable room and elevational alterations, porch and extension to raised terrace at rear

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency

Proposal

- Ground floor rear extension measuring approximately 3.1m in depth from the existing building
- First floor extension above measuring approximately 4.6m in depth from the existing building
- Ground and first floor extensions would extend back in line with the outermost building line at the existing dwelling
- Single storey side extension to north-west flank abutting the side boundary of the site
- Demolition of existing single storey conservatory to south-east flank
- Hipped roof extension at front over existing flat roofed area, level with main ridge height
- Extension of existing raised patio area at rear
- Front porch
- Conversion of garage to habitable room.

Location

The application site comprises of a detached property with an L-shaped rear building line.

The site falls within the Chislehurst Conservation Area.

Comments from Local Residents

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

- side extension abuts boundary and juts out in front of house, blocking out significant light
- Willow View is at a higher level than neighbouring property
- wall of new extension will be about 1m above fence
- loss of light and outlook
- not in keeping with road as no houses have living space right up to boundaries
- should be a gap to boundary
- bathroom window should be obscure glazed
- rear extension is large and will jut out beyond neighbouring house
- drawings are incorrect
- object to first floor bedroom bay window which will take away privacy as will be overlooking outdoor seating area and garden
- new terrace appears to be very high
- will overlook kitchen and decking
- windows on south east flank will overlook glass roof of kitchen/dining/family room a No.15
- will give views into a bedroom
- proposed rear elevation at Willow View will sit forward of the back of No.15 taking away privacy which will be amplified by the proposed bay window
- out of keeping with other houses which are stepped back at the rear
- boundary line shown is incorrect.

Comments from Consultees

The Council's Highways Development Engineers have raised no objections to the proposal.

The Advisory Panel for Conservation Areas have raised no objections.

Planning Considerations

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

- BE1 Design of New Development
- BE11 Conservation Areas
- H8 Residential Extensions
- T18 Road Safety

SPG1 General Design Principles
SPG2 Residential Design Guidance
SPG - Chislehurst Conservation Area

Planning History

90/01390 - Single storey rear extension - PERMITTED
98/03231 - Single storey and first floor rear extensions - PERMITTED
02/03668 - Swimming pool at rear - PERMITTED

Conclusions

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

With regard to the visual impact on the street scene, the main alterations at the front would be the forward extension of the main roof and the side extension. The roof extension over the existing flat part of the roof would be hipped to match the main roof. It would appear to balance out the front façade and appear more sympathetic to the main roof design. There is an existing single storey side extension to the south-east flank which would be demolished and it is not considered that the proposed extension would have a significant detrimental impact on the character of the host building or the visual amenities and spatial standards of the street scene. The pitched roof over the existing garage will be extended to form a porch canopy over the front door and the garage is to be converted to habitable accommodation with a window replacing the garage door. Overall, all of the above alterations are considered acceptable in terms of the impact on the character and appearance of the Conservation Area.

To the rear the stepped building line would be squared-off by a double storey extension which has been designed to mirror the right-hand side elevation with a first floor bay window and ground floor patio doors. As the height of the extension would be subservient to that of the main ridgeline and the extension would project no further to the rear than the existing building, it is considered that the extension would be compatible with the scale and form of the host dwelling.

With regard to the impact that the proposal would have on the amenities of the occupiers of neighbouring buildings, concerns have been raised by the owners/occupies of No.17, which is located to the north-west of the application site, over the height and proximity to the boundary of the single storey side extension. The proposed extension would have flat roof and would measure around 2.6m high. Whilst it is noted that the neighbouring property is on a lower ground level than the application site, the scale and height of the extension proposed is considered modest and, while visible from the adjacent site, it is unlikely to lead to a significant loss of lighting or have a detrimental visual impact.

Concerns have also been raised in relation to overlooking to No.17 from the corner of the proposed bay window. In order to relieve these concerns the applicants have submitted revised drawings amending the corner of the bay to a

'dummy' window. The owners/occupiers of No.15 have also expressed concern about increased overlooking from the first floor extension, however, given that the extension would be on the opposite side of the house to the neighbouring site, it is unlikely to give rise to any more views into the neighbouring site than are currently obtainable from the first floor.

Two additional flank windows are proposed to the south-east first floor elevation which would face No.15 and the owners/occupiers of this property have commented that the windows would overlook the glass roof of their kitchen/dining/family room. There are also concerns about overlooking into a rear facing bedroom window. The proposed windows would be sited in the 'main' part of the building towards the middle of the house and very limited overlooking into the rear bedroom at No.15 would therefore be possible. With regards to the kitchen/dining/family room, while some views down into the room may be possible, the likelihood of this leading to a serious privacy issue is considered unlikely and refusing the application on this basis is considered unreasonable, particularly as there are already 2 windows existing in this elevation.

It is also proposed to extend the existing terrace back approximately 4.3m at one corner to finish in line with the existing terrace. Due to the drop in ground height towards the rear of these properties, the terrace is at a significantly higher level than the garden of neighbouring No.17, adjacent to which the terrace would be extended. However, following revised drawings being submitted which show the extended part of the terrace to be separated from the party boundary by between 1.6 and 3.3 metres, it is not considered that significant overlooking into the neighbouring site would occur, particularly given the conifer tree screening between the two sites.

The proposal would involve the loss of the existing garage through conversion into habitable accommodation; however, as there is space to park a number of vehicles on the site's frontage, no significant impact on parking or road safety is predicted.

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, and the character and appearance of the Chislehurst Conservation Area would be preserved.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/03761, excluding exempt information.

as amended by documents received on 24.12.2013

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 north-west flank
- ACI12R I12 reason (1 insert) BE1
- 4 ACK01 Compliance with submitted plan

Reason: In order to comply with Policies BE1, BE11 and H8 of the Unitary Development Plan, and in the interest of the appearance of the building, the character and appearance of the Conservation Area and the residential amenities of the area

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

Application No : 13/03870/FULL6

Ward:
Shortlands

Address : 29 Woodmere Way Beckenham BR3 6SJ

OS Grid Ref: E: 538754 N: 167710

Applicant : Mr Martin Double

Objections : NO

Description of Development:

Roof alterations to incorporate rear dormer extension to provide habitable accommodation in roof space

Key designations:

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

Proposal

The proposal consists of roof alterations which include a rear dormer, a hip-to-gable extension to the south-east roof slope, rise in the roof height of part of the main roof and a side dormer extension in the north west roof slope. No windows are proposed in the side elevations.

Location

The application site is a two storey detached property on the north-eastern side of Woodmere Way, Beckenham. The surrounding properties are predominantly residential and of similar size and design. The property lies in an Area of Special Residential Character.

Comments from Local Residents

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

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

Comments from Consultees

There were no external or internal consultations made on this application.

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
- H10 Areas of Special Residential Character

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

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

Planning permission was granted under ref. 10/00177 for a 'one/two storey side and rear extension. There is no other planning history at this 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 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 proposal consists of roof alterations which include a rear dormer, a hip-to-gable extension to the south-east elevation and a side dormer extension and raise in roof height to the north west roof slope. The side and rear dormer are relatively small in size and are unlikely to cause any additional opportunities for overlooking than those which already exist from the upper windows of the property. No additional windows are proposed on the side elevations. As such Member's may consider that the proposal would not cause any significant harm to the amenities of the adjoining properties in terms of loss of privacy or outlook.

The hip-to-gable extension will sit between the existing roofslope and chimney and will be set back from the front building line. The side dormer will be partially visible from the streetscene due to the current layout of the roof with an increase in roof height to part of the existing main roof further masking the view of the side dormer.

Whilst the roof alterations will to some degree impact on the appearance of property from the Woodmere Way, Member's may consider that it is not significantly harmful to the character of the area or streetscene in general, to warrant a refusal.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 13/03870, 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 |
| | ACK05R | K05 reason |

Application:13/03870/FULL6

Address: 29 Woodmere Way Beckenham BR3 6SJ

Proposal: Roof alterations to incorporate rear dormer extension to provide habitable accommodation in roof space



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

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

Application No : 13/03920/FULL6

Ward:
Chislehurst

Address : High Ridge Walden Road Chislehurst
BR7 5DH

OS Grid Ref: E: 543314 N: 170639

Applicant : Mrs Shirley Beglinger

Objections : YES

Description of Development:

Single storey side and rear extension incorporating enlargement of existing dwelling together with provision of swimming pool, plant room, gym, sauna

Key designations:

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

Proposal

The proposed extension will be situated adjacent to the SE boundary of the site and be built alongside the existing dwelling, extending to a maximum depth of 20.3 metres beyond the rear elevation of the existing dwelling. A minimum separation of 4.5m will be maintained between the rear elevation of the extension and the rear site boundary. In view of the varied ground level of the site, the height of the extension will decrease to a maximum of 3.3 metres at the rear. The proposed extension will include a 12m-long swimming pool and gym. In addition, a garden store measuring 2.1m in length is proposed along the northern side of the dwelling.

The application is accompanied by a Tree Survey, Arboricultural Impact Assessment & Draft Arboricultural Method Statement.

Location

The site is situated along the eastern side of Walden Road, approximately 25 metres off its junction with Willow Grove. It is surrounded at either side by two storey detached houses within what is a predominantly residential area. The area to the rear of the site contains a large oak tree within the rear garden of "Wyngates" in Willow Grove.

Comments from Local Residents

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

- this revised application does not successfully overcome previous objections raised in respect of application ref. 13/01691
- overbearing and enclosing impact on private garden area of No 2 Walden Road
- loss of light
- noise disturbance and concerns regarding chlorine odour discharge
- proposed flank wall at 2.7m is now higher at the boundary than the dual pitched roof before with its eaves height of 2.3m. This would exceed the height of the 1.62m high existing boundary wall by approximately 1m abutting the party boundary [this relating to the superseded plans]
- no provision for garden landscaping between the proposed extension and the neighbouring property at No 2
- proposal would increase bulk of this large dwelling resulting in a vast increase in the flank elevation and a loss of the ground floor side space between the existing flank elevation and the boundary with No 2. This would be visible within the street scene
- extension would appear over dominant and would not complement the scale of development surrounding the site

The Chislehurst Society has made "observations" relating to possible noise disturbance arising from the operation of the proposed plant room.

Any further local representation will be reported verbally at committee.

Comments from Consultees

No objection was raised by the Council's Drainage Adviser, subject to a surface water drainage condition.

No objection raised by Thames Water.

Planning Considerations

Policies BE1, H8 and NE7 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure that new development does not adversely affect the amenities of neighbouring properties; that it achieves a satisfactory standard of design which complements the qualities of the surrounding area; and to ensure that new development does not lead to the loss of, or undermine the long-term health of trees of importance.

No tree-related objections have been raised.

Planning History

Under ref. 09/02677, planning permission was granted to enlarge and increase the roof height of the main dwelling, for a front portico with canopy, a pitched roof over the existing garage, and for elevational alterations.

Under ref. 13/01691, an application for a single storey side and rear extension incorporating enlargement of existing dwelling together with provision of swimming pool, plant room, gym, sauna and changing area, was refused on the following grounds:

"The proposal would be overbearing and would be detrimental to the amenities that the occupiers of adjoining dwelling at No 2 might reasonably expect to be able continue to enjoy by reason of visual impact, in view of its size and depth of rearward projection, contrary to Policies BE1 and H8 of the Unitary Development Plan."

"The proposed extension, by reason of its excessive depth and scale, will adversely affect the character and appearance of the area, contrary to Policies BE1 and H8 of the Unitary Development Plan."

Conclusions

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

In comparison to the application refused under ref. 13/01691, the overall depth of the proposed rear extension has been reduced by approximately 4.5m, whilst the plant room at the rear of the extension (extending approximately 1.8m in depth) will be built at a level that is substantially lower than the remainder of the rear extension. In addition, the roof design above the actual swimming pool has been revised in the course of this application with an ensuing ridge height of approximately 3.3m and a gable design, rather than the mono-pitch which would have resulted in an increase in the height of the boundary wall adjoining No 2.

It is considered that the scale of the proposal has been substantially reduced, given the decrease in the depth of the proposed extension, and the alterations to the actual design (which incorporates a sunken pool room and a lower roof ridge), so as to satisfactorily address the grounds of refusal issued in relation to the previous planning application. Taking account of the existing boundary enclosure separating "High Ridge" and No 2, it is considered that the visual impact of the pool extension will be limited. The revised design will appear less imposing from the side of No 2. Much of the prospect from the rear garden of No 2 will be retained, whilst concerns relating to potential noise disturbance can be addressed by means of a noise-related condition.

Furthermore, it is considered that the aforementioned revisions address the second ground of refusal relating to the excessive scale and depth of the previous scheme. This proposal is therefore not considered to adversely affect the character and appearance of the area.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 09/02677, 13/01691 and 13/03920, excluding exempt information.

as amended by documents received on 21.01.2014

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 Details of the pool plant and enclosure shall be submitted to the Planning Authority for approval prior to the use commencing. The noise level from swimming pool plant in terms of dB(A) must remain at all times 5 decibels below the relevant minimum background noise level (LA90 15mins) when measured at any location on the curtilage of the property. Should the plant have a distinctive tonal or intermittent nature the plant noise level shall be increased by a further 5dBA for comparison with the background level.

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

- 4 Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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 changes

- ADD02R Reason D02
- 5 ACK05 Slab levels - no details submitted
 ACK05R K05 reason
- 6 ACK01 Compliance with submitted plan
 ACC03R Reason C03

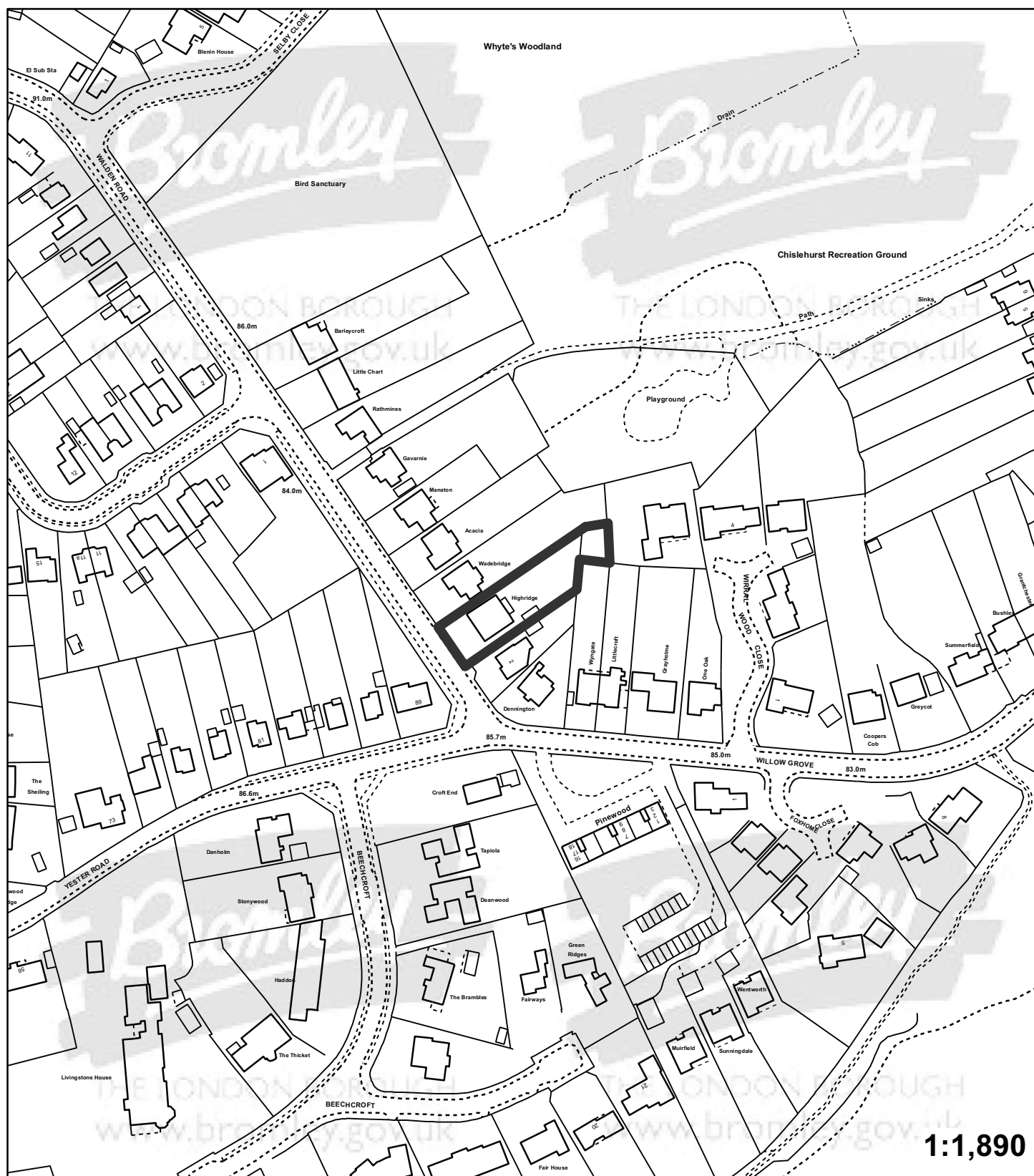
INFORMATIVE(S)

- 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.

Application:13/03920/FULL6

Address: High Ridge Walden Road Chislehurst BR7 5DH

Proposal: Single storey side and rear extension incorporating enlargement of existing dwelling together with provision of swimming pool, plant room, gym, sauna



"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 : 13/03987/FULL3

Ward:
Chelsfield And Pratts
Bottom

Address : 29 Southcroft Road Orpington BR6 9QG

OS Grid Ref: E: 545388 N: 165284

Applicant : Dr R Chelvan

Objections : YES

Description of Development:

Change of use of dwelling from residential (Class C3) use to doctors surgery (Class D1).

Key designations:

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

Proposal

This proposal involves the change of use of a detached bungalow to a doctors surgery (Class D1). It will replace an existing local practice in Tubbenden Lane. The proposed surgery will operate Monday to Friday and incorporate three consultation rooms. The applicant has stated that a maximum of one doctor, one nurse and a receptionist will be based at the practice at any one time. No significant alterations or extensions are proposed to the existing building, although the proposed floor plans show that disabled access will be provided at the main entrance at the front. The site incorporates two off-street parking spaces.

The application is accompanied by a supporting letter which is summarised below:

- the proposed site provides more suitable premises than the existing Tubbenden Lane practice, and may be something of an interim measure until such time that the new "Health and Wellbeing Centre" opens in Orpington
- parking survey previously conducted shows that 56.9% of patients walk to the existing premises; 12.5% travel by public transport; and 30.6% by car
- patients attending the premises do so strictly on an appointment basis
- only 3 staff will work at the premises at any one time (one doctor, one nurse, one receptionist)

Location

The application site is located along Southcroft Road - a residential street - and is situated approximately 150 metres away from the junction with Tubbenden Lane.

Comments from Local Residents

A number of responses have been received both in support of and in opposition to the proposal which can be summarised as follows:

Objections

- residential road unsuitable for a GP practice
- parking restrictions are in place at Southcroft Road
- poor off-street parking facilities at the site
- hazardous incline into the site premises
- parking and traffic problems will be accentuated
- despite existing restrictions, car parking has increased in the road
- uncertainty if/when the proposed health and wellbeing centre will open in Orpington
- existing premises should be upgraded
- town centre location would be more appropriate
- previous application was withdrawn
- disturbance to surrounding residents
- previous application was not supported by the then-NHS primary care premises advisor
- premises are inadequate and do not comply with relevant standards to accommodate a surgery
- existing surgery already meets community requirements
- traffic survey is inadequate
- premises are poorly located

Support

- this surgery is an integral part of the community
- existing premises are of a poor standard
- proposed surgery is conveniently located

Comments from Consultees

No technical highways objections are raised, subject to conditions limiting the number of staff based at the practice.

No Environmental Health objections have been raised.

The following comments summarised below were received from NHS England, the responsible commissioning body:

- existing Tubbenden Lane premises have a number of deficiencies. As such, NHS England has ceased to commission some clinical services from that building, which requires patients registered with the practice to attend their central Bromley surgery for invasive procedures such as minor surgery
- there are a number of deficiencies concerning these proposed premises, including: it will not meet current standards in a number of areas and principally in respect of accommodation and the sizing of clinical rooms
- door and corridor opening should be widened
- NHS England remains committed to considering this application when it is satisfied that the building complies with minimum requirements and subject to planning permission being forthcoming

Planning Considerations

Policies BE1 (Design of New Development), C1 (Community Facilities), C3 (Access to Buildings for People with Disabilities) C4 (Health Facilities), H1 (Housing Supply) and T3 (Parking) of the Unitary Development Plan apply to the development and should be given due consideration.

Planning History

Under ref. 86/02225, permission was granted for a single storey rear extension.

Under ref. 10/03094, a similar application to this application proposing a change of use from residential (Class C3) to doctors surgery (Class D1) was considered by Members at a Planning Sub-Committee in February 2011. The application was deferred by Members and subsequently withdrawn.

Conclusions

The main issues for consideration relate to the contribution that this proposal will provide in respect to health services in the local community, and its impact on neighbouring amenity and parking provision.

Members should consider this proposal on the basis of whether the principle of the change of use is acceptable. Matters relating to the internal configuration, layout and access of the proposed surgery are subject to separate legislation and control, these falling under the remit of building and healthcare regulations.

Policies C1 and C4 of the UDP represent key considerations in assessing this proposal. These seek to ensure that such community-based development meets a specific health need, and that such facilities are accessible by modes of transport other than by car and accessible to members of the community that it is intended to serve.

The proposed general practice will replace an existing local facility whose immediate catchment is based around Tubbenden Lane and several outer-lying residential roads which form a distinct and populous neighbourhood of Orpington (south west of the railway line). Whilst the practice will relocate from Tubbenden

Lane which boasts a local bus service and is located within closer proximity to Orpington railway station, the proposed site will maintain a similar catchment being within 500 metres of the existing site and ensure that local residents continue to benefit from a local and accessible GP presence. In that sense the proposal will assist in meeting an identified health need within more appropriate premises. The need for improved facilities is set out clearly by the applicant and therefore the loss of a residential unit to accommodate these needs would be acceptable under Policy H1 (iii).

With regard to concerns relating to noise and disturbance and parking and traffic congestion, information relating to parking along Southcroft Road indicates that around 4 - 6 vehicles are parked on street at one time which roughly equates to surveys undertaken by the Council. There are waiting restrictions in the road in force at various times of the day, mainly one-hour restrictions to prevent long-term parking. The survey submitted by the applicant of the existing Tubbenden Lane practice shows that about 30% travel to the surgery by car with a maximum of 9 cars in one day. Even allowing for an increase in the number of patients with a new upgraded surgery, the number of car journeys generated is still estimated to be relatively low.

Taking the above matters into account it is not considered that this proposal would cause any harm to conditions in the highway. Furthermore, given the physical constraints posed by the application property, and by means of suggested conditions limiting the number of primary care professionals based in the practice, it is not considered that this proposal would result in a detrimental impact on local traffic and parking conditions. These factors would also be likely to limit the impact of the development in respect of local residents' living conditions, particularly in view the limits placed on the number of health professions and the effect of this on visitor numbers.

Whilst this proposal does not provide for a long-term strategy for healthcare provision in the local area, it is considered that the building at Southcroft Road represents a clear improvement in the standard of accommodation in relation to the existing premises at Tubbenden Lane, and is supported by UDP policies. Furthermore, its impact on neighbouring amenity, or on general highway and parking conditions, is not considered unacceptable, so as to warrant refusal.

Background papers referred to during production of this report comprise all correspondence on files refs. 10/03094 and 13/03987, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 There shall be no patients admitted to the premises before 07:30 or after 19:00 Monday to Friday and not on any Saturday, Sunday or Public/Bank Holiday.

- ACJ05R J05 reason BE1
- 3 No more than 2 primary healthcare professionals (or part time equivalents) shall work at the surgery at any one time.
- ACI12R I12 reason (1 insert) BE1
- 4 ACJ01 Restriction on use (2 inserts) a doctor's surgery D1
- Reason:** To enable the Council to control future changes of use in the interest of neighbouring amenities and to comply with Policy BE1 of the Unitary Development Plan.

INFORMATIVE(S)

- 1 This planning permission relates solely to the change of use of the premises, and not requirements relating to NHS specifications, Building Regulations and the 1995 Disability Act which the applicant is advised to fulfil before the use hereby permitted commences.

Application:13/03987/FULL3

Address: 29 Southcroft Road Orpington BR6 9QG

Proposal: Change of use of dwelling from residential (Class C3) use to doctors surgery (Class D1).



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

Application No : 13/04067/FULL1

Ward:
Bickley

Address : Little Moor Chislehurst Road
Chislehurst BR7 5LE

OS Grid Ref: E: 542487 N: 169691

Applicant : Mr M Paye

Objections : YES

Description of Development:

Demolition of existing buildings and erection of a part two/three storey building comprising 5 three bedroom and 3 two bedroom flats with 16 basement car parking spaces and cycle store.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
Open Space Deficiency
Sites of Interest for Nat. Conservation
Urban Open Space

Proposal

- The proposal seeks to demolish the existing dwelling and outbuilding and erect a two/three storey block comprising 5 three bedroom flats and 3 two bedroom flats
- The two second floor flats will possess an external balcony area at the flank of the building, with the other flats having access to the outdoor amenity area
- The block will have a length of 28.8m (30.5m previously permitted) and a width of 17.7m (16.7m previously permitted). The height will be 9.0m (10.5m previously permitted) incorporating a flat roof and mansard feature housing the second floor flats. The block will be sited 30m back from Chislehurst Road.
- The existing access to the site will be retained and widened to provide a 4.0m wide access onto Chislehurst Road, with a turning area close to the building to allow cars to pass one another within the site.

- The driveway will lead to the front of the block, where an access ramp will provide vehicular access to the basement level where 16 car parking spaces are proposed, along with a bicycle store and additional storage space. Two additional car parking spaces are proposed to the front of the building.
- A refuse store is proposed towards the front of the site, with a height of 1.6m and dimensions of 3.7m by 2.5m.
- An amenity area is proposed to the east and north of the block, and additional landscaping is proposed to provide screening to the east flank boundary.

Location

The site is located on the northern side of Chislehurst Road, with Bullers Wood School sited to the north. The site currently possesses a detached two storey dwelling. To the west, the property at Kingsmere is a two/three storey block of flats. To the east is a bungalow at No. 45.

The area consists of a mix of development density, including detached residential dwellings and the block to the west of the site. To the east of No. 45 is an open area of land forming part of the grounds of Bullers Wood School.

Comments from Local Residents

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

- overdevelopment of the site/excessive height
- highway safety implications
- impact on neighbouring residential amenities
- impact on trees

Comments from Consultees

From an Environmental Health (Housing) point of view, concern is raised over the lack of separation between kitchens and living rooms in the two/three bedroom flats.

The Council's Tree Officer has commented that this application is accompanied by an arboricultural report - it proposes that 15 trees be felled, they are graded C and U. There would be no objections to the loss of these trees. The sweet chestnut at the front of the site is graded B and is the subject of a TPO. The arboricultural report proposes a crown reduction and the applicant must be advised that this work will need to be the subject of a separate application to work on a TPO tree. The proposed pruning is not necessary to implement the permission. If consent is to be recommended standard conditions B16, 18 and 19 should be imposed.

No technical drainage objections are raised subject to standard conditions.

No Thames Water objections are raised subject to informatives.

The Crime Prevention Officer recommends a secure by design condition to be imposed.

Technical highways comments have been received stating that because the previous highways ground of refusal was not upheld at appeal, conditions would be suggested and no principle objection would be raised from a highway safety perspective.

Planning Considerations

Policies relevant to the consideration of this application are BE1 (Design of New Development), H7, (Housing Density And Design), H9 (Side Space), T3 (Parking), T7 (Cyclists), T18 (Road Safety) and NE7 (Development And Trees) of the adopted Unitary Development Plan.

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

Planning History

Planning applications were granted relating to boundary treatments and a roof enlargement to provide first floor accommodation in 1994 and 1995.

Planning permission was refused under ref. 12/00276 for demolition of existing buildings and erection of a two/three storey building comprising 8 three bedroom flats and 16 basement car parking spaces. The refusal grounds were as follows:

'The proposal would lack suitable provision of amenity space for future occupiers and would constitute an overdevelopment of the site, resulting in a detrimental impact upon the spatial standards of the area and an adverse impact upon the street scene, contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposed development would have insufficient parking provision and lack vehicle turning space, contrary to Policies BE1 and T3 of the Unitary Development Plan.'

An appeal relating to application ref. 12/00276 was dismissed on appeal on 21st September 2012. The Inspector states:

'The proposal would comprise the demolition of the house and garage and erection of a predominately 3-storey building comprising 8 large flats. It would be set back from the road with its frontage behind the front building line of Kingsmere and would occupy a large proportion of the rear part of the site. Although it would be similar in height to the rear part of Kingsmere, due to its height, bulk, site coverage and elevation above the road, the proposal would be a more prominent and conspicuous element in the street scene which, in my judgement, would not reinforce local distinctiveness.

I conclude therefore that, due to its height, bulk, siting, design and site coverage, the proposal would have an unacceptable effect on the character and appearance of the street scene and surrounding area. For these reasons it fails to comply with Policies BE1 and H7 of the London Borough of Bromley Unitary Development Plan (2006) (UDP). These policies expect new development to be of a high standard of design and layout that complements the scale, form and layout of adjacent buildings and the qualities of the surrounding area.

Each of the flats would contain 3 double bedrooms thus making the accommodation of a size suitable for families. Whilst all the units would have balconies, most of these would be of inadequate size to meet the amenity needs of families. Due to its awkward shape and size, and the access road and ramp, the garden space surrounding the block would be of limited amenity value for active use by families. This would be compounded by the fact that the more useable parts of the garden would be in close vicinity to ground floor windows and balconies therefore resulting in compromised privacy for the occupiers of ground floor flats.

I conclude therefore that, due to its size, siting and layout the proposal would result in unacceptable living conditions for future occupiers. For this reason it fails to comply with UDP Policy H7 which states that new housing developments will be expected to provide adequate private and communal amenity spaces to serve the needs of the particular occupants.

The flank elevation of the proposal would be a short distance from windows serving kitchens and bedrooms in Kingsmere. I am satisfied that the installation of obscured glazing in proposed windows and screening on the edge of balconies - which could be secured via a planning condition were the development acceptable in other respects - would prevent undue overlooking. However, due to its height and siting, the proposal would result in a significant loss of natural light to, and outlook from, lower level flats in Kingsmere. In my judgement this would have an unacceptable effect on the living conditions of occupiers of these dwellings. The proposal therefore fails to comply with UDP Policy BE1 which, amongst other matters, requires that development respects the amenity of occupiers of neighbouring buildings.

I am satisfied that, due to their distance from the appeal site, other nearby properties, including the school, would retain adequate levels of natural light, outlook and privacy. Although the proposal would result in an increase in the number of vehicles entering and leaving the site, I do not consider that this would lead to an unacceptable level of noise disturbance to the occupiers of 45 Chislehurst Road.

The appeal site has relatively poor public transport accessibility, the area has high levels of car ownership and the proposal would solely comprise large 3- bedroom units. In these particular circumstances I consider that exceeding the Council's maximum standards by the amount proposed is justifiable in the interest of highway safety. However, based on my observations of parking levels in the surrounding area and the amount of

traffic on Chislehurst Road, and all other evidence before me, providing more than the amount proposed is not justifiable. I conclude therefore that, on balance, the proposal provides an acceptable amount of off-street car parking and therefore complies with the aforementioned policies.

Whilst the proposal would result in an increase in vehicular movements, this would be small by comparison to overall traffic levels in the area. For this reason, and taking into full account the congestion caused by the nearby school at peak times during term time, I am satisfied that the increase in vehicular movements to and from the appeal site would not have an unacceptable effect on highway safety in Chislehurst Road.

The proposal would include a turning head at the front of the site immediately next to the entrance. There is no evidence before me to demonstrate whether or not this would be of adequate size to enable refuse collection and delivery vehicles to turn around and leave the site in forward gear. Nor is there any evidence that the basement area would be of adequate size to enable larger vehicles to turn. However, there is also nothing before me to indicate a need for off-street servicing. In this respect the proposal is compatible with criteria (vi) of UDP Policy H7, which states that the layout of housing development should be designed to give priority to pedestrians and cyclists over the movement and parking of vehicles.'

Planning permission was granted under ref. 13/01009 for demolition of existing buildings and erection of a part two/three storey building comprising 3 three bedroom, 4 two bedroom and 1 one bedroom flats with 15 basement car parking spaces and cycle store.

Conclusions

The main issues of consideration in this case are the effect of the proposal on the character of the surrounding area, the impact on the amenities of the occupants of nearby residential properties, the impact on trees, the impact on parking and general highway safety and the standard of the housing accommodation provided.

Following the dismissed appeal in September 2012, application ref. 13/01009 was granted as Members considered this proposal overcame the concerns of the Inspector in several ways. Firstly, the proposed block was reduced in bulk, with its height and length reduced. The larger three bedroom flats were located on the ground floor rather than upper floors, thereby allowing roof bulk to be reduced. The Inspector stated that the bulk of the previous building may be considered harmful to the character of the area and would not reinforce local distinctiveness. It was subsequently considered by Members that the scheme sufficiently addressed the Inspector's concerns. The building remained substantial in its scale, however the design kept a two storey aspect towards the front and this was sited over 30m from the highway. Coupled with the reductions in width and length, the building constituted a less imposing feature than the previously proposed block within the street scene and was considered acceptable on balance.

Following this permission, the current proposal seeks to redesign the development to provide a more traditional design. The footprint of the building will be similar to that previously permitted, however the height has been reduced. The site is flanked to the west by a two/three storey block at Kingsmere which is approximately 11m in height at its highest point. It is considered that the proposal would be lower in height than Kingsmere and will also be sited further from the highway than Kingsmere. Although the current proposal replaces the previously permitted two storey front section of the development with a three storey section, the overall height and bulk will be significantly reduced and therefore it is considered that the alteration to the design would not impact harmfully on the character of the area or the street scene.

To the east, the dwelling at No. 45 is a bungalow which is sited in close proximity to the highway. The block will be clearly visible behind this dwelling when viewed from the highway; however it will also be set back significantly from the road (over 30m back from the highway). With the existence of a similar block in close proximity, it is considered that the street scene would not be harmfully affected, given the alteration to the design and recent planning history. In respect to character, the area is characterised by a mix of development types and therefore the principle of flatted development on the site may not be objected to.

Table 3.2 of Policy 3.4 of the London Plan gives an indicative level of density for housing developments. In this instance the proposal represents a density of 42 dwellings per hectare with the table giving a suggested level of 35-55 dwellings per hectare in suburban areas with a PTAL rating of 1. This figure is consistent with the London Plan Guidance. It should also be considered however that the character of the area and the established pattern of development should be applied to this figure. It is judged in this case that in doing so the development may not compromise the character of the area.

Table 3.3 of Policy 3.5 of the London Plan states that new dwellings of this type should have between 50 and 95 square metres of Gross Internal Area (GIA), depending on the type of flat. In this case, the flats provide this minimum standard. Overall, the proposal would result in an intensity of use of the site that would be consistent with the local area and the London Plan and the 2012 Housing Supplementary Planning Guidance.

The bungalow at No. 45 would be impacted upon to the rear (north) by the presence of a considerably larger structure. Side balconies are also proposed at second floor level which may obliquely overlook the rear garden of No. 45. The site currently contains trees and vegetation in this location, much of which will be retained and the proposal includes the provision of further boundary screening to prevent overlooking. On balance, the relationship may be considered to be acceptable, with loss of light being minimised due to the orientation. Indeed, the issue of overlooking and loss of privacy to No. 45 has previously been considered acceptable by Members.

The flank elevation of the proposal facing Kingsmere will have windows facing Kingsmere which will serve studies/bedrooms. These can be obscurely glazed by condition to prevent overlooking without compromising the standard of

accommodation proposed. No Environmental Health objections are raised in respect to the windows and their obscurity. At appeal, the Inspector raised concerns over this proximity and the resulting loss of light. The block had been reduced in width to increase this separation by 1.5m when compared to the previous application. In the current scheme, much of this flank wall will be moved further from Kingsmere, with a small section to the front being in closer proximity. The minimum separation to Kingsmere will be 9m and this may be considered by Members to be acceptable.

In terms of the visual impact of the block, the separation and significant reduction in height may be considered to be sufficient to prevent any serious loss of outlook from the side windows at Kingsmere. The block will be sited to the north east and therefore no overshadowing and loss of sunlight would result. Daylight will also be retained by this separation. This boundary also possesses some vegetative screening and this is considered to help to reduce the impact and will be retained. To the rear of the block, the proposed flank balconies will be screened from Kingsmere by vegetation, and a landscaping condition can be imposed to provide further boundary screening at this point if necessary. The block will be separated from the dwellings to the rear by almost 40m and this is considered to be sufficient to prevent any harmful impact.

The appeal Inspector also raised concerns over the lack of suitable outdoor amenity space for the family units. The subsequent permitted scheme (ref. 13/01009) was redesigned to place the three bedroom family units on the ground floor so that access will be available to the garden area. The reduction in the footprint of the proposed block has created an enlarged amenity area and this may be considered an improvement, alongside the design changes. Although the redesign will provide three bedroom flats at upper levels, the second floor flat would have a balcony and the first floor ones would have continued access to the outdoor amenity area. On this basis, Members may consider the outdoor amenity area sufficient for the family units.

Although the block will continue to occupy a large amount of the site, it will also sit comfortably within it and may not be considered an overdevelopment. The block will occupy a similar footprint to Kingsmere to the west, which sits on a site of similar dimensions. The amenity area proposed would be somewhat awkward in its shape but may be considered to be adequate in size for the future residents of the block as it will provide amenity area to the side and rear of the building. The site will retain spaciousness to the front which has previously been considered to preserve the open character of the area.

A refuse store will be sited at the front of the site and although prominently sited 6m back from the highway, this store will be modest in scale and will not be sited forward of No. 45. Therefore, its appearance within the street scene may not be considered intrusive or excessively bulky and prominent within the street scene.

The proposed access road will be sited 5-7m away from No. 45. This separation is considered to be acceptable and is not considered to result in significant additional disturbance to that currently experienced from traffic on Chislehurst Road. The provision of landscaping to the flank boundary will further reduce this disturbance

and therefore the relationship of the access road with No. 45 is considered to be acceptable. No concern was raised by the Inspector on this point.

From a highway safety perspective, the proposal will result in the intensification of the use of the access to the site. The area becomes heavily parked during certain times of the day largely due to the school adjacent. The applicant has demonstrated that sightlines can be achieved from the proposed access widening and technical comments have been received from the highways engineer which raises no objection. The increase in vehicular movements at the site was accepted at appeal.

Having had regard to the above Members may consider the development in the manner proposed to be acceptable.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00276, 13/01009 and 13/04067, 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 | ACB16 | Trees - no excavation | |
| | ACB16R | Reason B16 | |
| 5 | ACB18 | Trees-Arboricultural Method Statement | |
| | ACB18R | Reason B18 | |
| 6 | ACB19 | Trees - App'ment of Arboricultural Super | |
| | ACB19R | Reason B19 | |
| 7 | ACC07 | Materials as set out in application | |
| | ACC07R | Reason C07 | |
| 8 | ACD02 | Surface water drainage - no det. submitt | |
| | ADD02R | Reason D02 | |
| 9 | ACD04 | Foul water drainage - no details submitt | |
| | ADD04R | Reason D04 | |
| 10 | ACD06 | Sustainable drainage system (SuDS) | |
| | ADD06R | Reason D06 | |
| 11 | ACH01 | Details of access layout (2 insert) Chislehurst Road, with an appropriate safety audit 1m | |
| | ACH01R | Reason H01 | |
| 12 | ACH03 | Satisfactory parking - full application | |
| | ACH03R | Reason H03 | |
| 13 | ACH15 | Grad of parking area or space(s) (2 in) access road | 1:10 |
| | ACH15R | Reason H15 | |
| 14 | ACH16 | Hardstanding for wash-down facilities | |

- ACH16R Reason H16
- 15 ACH22 Bicycle Parking
- ACH22R Reason H22
- 16 ACH23 Lighting scheme for access/parking
- ACH23R Reason H23
- 17 ACH29 Construction Management Plan
- ACH29R Reason H29
- 18 ACH32 Highway Drainage
- ADH32R Reason H32
- 19 ACI12 Obscure glazing (1 insert) in the first floor western flank elevation
- ACI12R I12 reason (1 insert) BE1
- 20 ACI17 No additional windows (2 inserts) western flank development
- ACI17R I17 reason (1 insert) BE1
- 21 ACI20 Lifetime Homes Standard/wheelchair homes
- ADI20R Reason I20
- 22 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 occupiers of the nearby residential properties.

- 23 ACK05 Slab levels - no details submitted
- ACK05R K05 reason

24 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted, and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition will achieve the "Secured by Design" accreditation awarded by the Metropolitan Police.

Reason: In the interest of security and crime prevention and to accord with Policies H7 and BE1 of the Unitary Development Plan.

- 25 The flat roof area to the western elevation of the second floor shall not be used as a balcony or sitting out area and there shall be no access to the roof area.

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

INFORMATIVE(S)

- 1 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 2 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.

- 3 In order to minimise the impact of the development on local air quality it should be an aim to ensure that any gas boilers meet a dry NO_x emission rate of <40mg/kWh
- 4 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk
- 5 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 groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 6 Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 7 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.
- 8 This proposal also requires approval under the Petroleum (Consolidation) Act 1928 and application must be made to London Fire and Emergency

Planning Authority, 169 Union Street, London, SE1 0LL; telephone 020 8555 1200; e-mail: info@london-fire.gov.uk (service covered: Monday to Friday 8am to 5pm).

(N.B. This informative applies to petrol filling stations and parking areas within buildings which are capable of accommodating 12 or more cars (including basement car parks).

- 9 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.

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

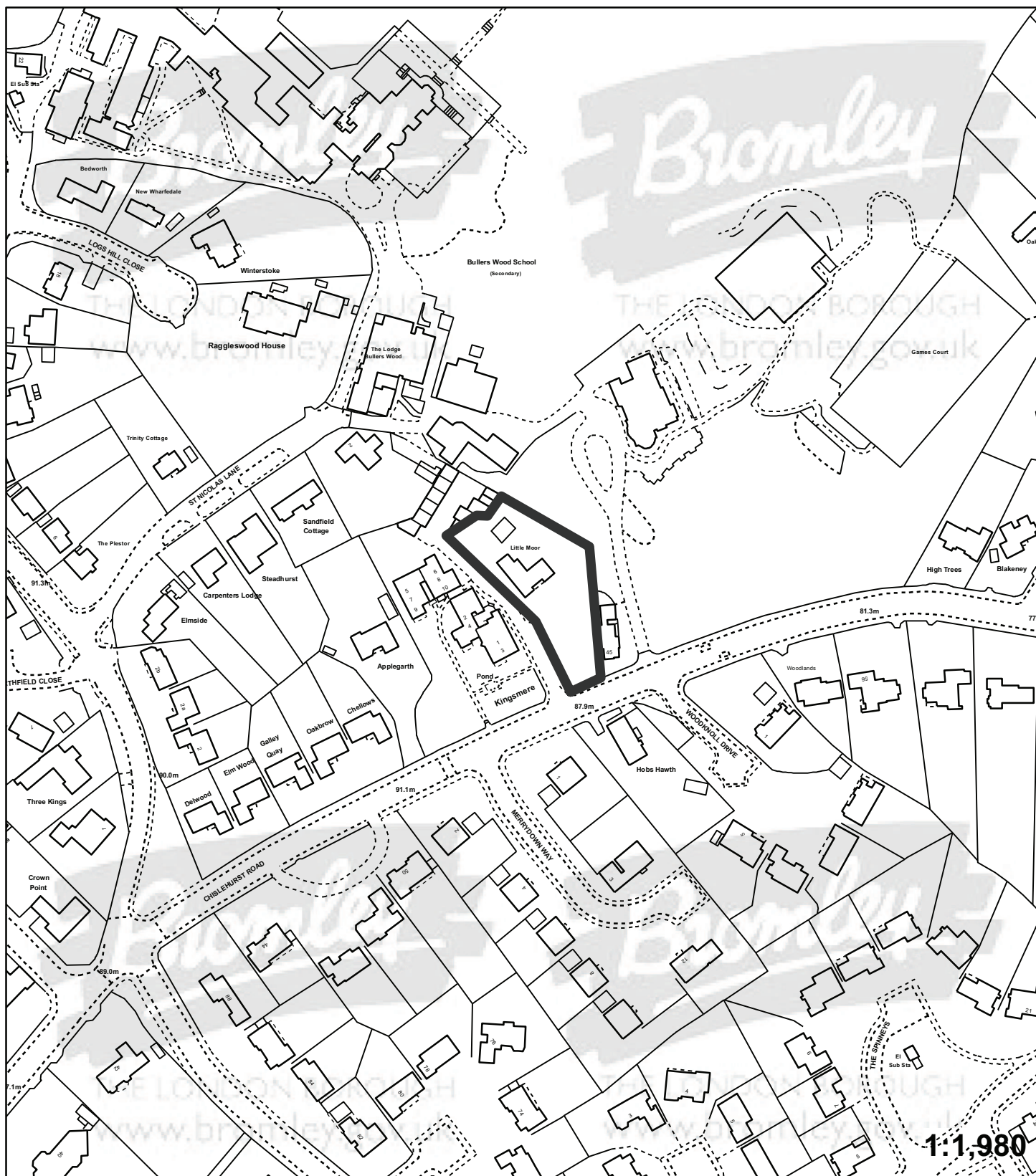
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:13/04067/FULL1

Address: Little Moor Chislehurst Road Chislehurst BR7 5LE

Proposal: Demolition of existing buildings and erection of a part two/three storey building comprising 5 three bedroom and 3 two bedroom flats with 16 basement car parking spaces and cycle store.



"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 : 13/04149/FULL6

Ward:
Chislehurst

Address : 21 Sandy Ridge Chislehurst BR7 5DP

OS Grid Ref: E: 543102 N: 170714

Applicant : Mr D Burman

Objections : YES

Description of Development:

Part one/two storey side and rear extension, part one/two storey side extension with front and rear dormer extensions, roof alterations incorporating front and rear dormer extensions

Key designations:

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

Proposal

It is proposed to demolish the existing side garage and construct a part one/two storey side extension to the western side adjacent to No.23 (a bungalow), a two storey side extension to the eastern side adjacent to No.19, and a single storey rear extension which would project a maximum 3.6m to the rear. Roof extensions are also proposed which would comprise a hipped end extension to the eastern side, a small front dormer and two small rear dormers.

The site currently has vehicular access from Sandy Ridge along the western boundary leading to the existing garage, and the proposals include the creation of an additional vehicular access adjacent to the south-eastern boundary to create an in-out drive.

Location

This detached two storey dwelling is located on a triangular-shaped plot on the south-western side of Sandy Ridge where the road curves round to the west. The plot has an approximate 27m wide frontage to Sandy Ridge, and tapers towards the rear. The surrounding area contains a mixture of detached and semi-detached dwellings and bungalows set within good sized plots.

Comments from Local Residents

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

- overdevelopment of the site
- the roof dormers would create unacceptable overlooking of neighbouring properties
- dormer windows are out of character with the surrounding area.

The application has been called in to committee by a Ward Councillor.

Comments from Consultees

From a highways point of view, no objections are raised to the additional vehicular access as traffic flows and speeds along Sandy Ridge are likely to be low. The replacement garage would be able to accommodate at least one vehicle, and there would be sufficient additional parking on the frontage.

There are no significant trees on the site which would be affected by the proposals, and whilst the proposed in-out drive would result in the loss of an early mature street tree, no objections are raised to this so long as the tree would be replaced by two young trees at the applicant's expense.

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
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

Planning History

Permission was refused in October 2013 (ref.13/02470) for similar extensions to the property on the following grounds:

- 1 The proposed part one/two storey side extension does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two storey development, in the absence of which, the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policy H9 of the Unitary Development Plan.

- 2 The proposed extensions, by reason of their overall size and bulky gable end roof design, would appear overdominant in the street scene, and out of character with the surrounding area, thereby contrary to Policies H8 and BE1 of the Unitary Development Plan.

Conclusions

The main issues in this case are whether the revised proposals have overcome the previous grounds for refusal which relate to the inadequate side space provided to the western flank boundary with No.23, and the overall size and bulky gable end roof design of the extensions which were considered to appear overdominant in the street scene and out of character with the surrounding area.

The main differences between the current and refused scheme are:

- the separation between the western part of the extension and the side boundary with No.23 has been increased from 0.85m to 1m
- the side gable roof extensions have been omitted, with the eastern two storey side extension now designed with a hipped roof
- the amount of roof accommodation has been reduced with a reduction from 3 to 2 dormers within the rear roof slope.

The part one/two storey side extension adjacent to No.23 would now maintain a 1m separation to the western flank boundary which would comply with the Council's side space policy, and would overcome the first reason for refusing the previous scheme.

With regard to the second ground for refusal, the bulky design of the roof extensions has been significantly reduced by the removal of the gable end extensions, and the reduction in the number of rear dormers, and would not now appear overdominant within the street scene nor out of character with the surrounding area. The part one/two storey side extension would be of a subservient design to the main house, and would address the lower level bungalow situated to the west of the property. Although front dormers are not particularly characteristic of the area, the proposed front dormer in the main roof of the house is relatively small and would be positioned centrally within the main roof, and is not, therefore, considered to detract from the appearance of the dwelling.

As with the previous application, the proposed single storey rear extension would project a maximum 3.6m to the rear, but would not project further to the rear than the existing single storey rear extension at No.19. Although the existing property and proposed extensions are angled slightly towards this house, the additional first floor and reduced number of rear dormer windows are not considered to result in undue overlooking of the neighbouring properties and their rear gardens as to warrant a refusal on these grounds.

The side extension adjacent to the bungalow at No.23 would now be set back 1m from the boundary, and would have a lower roofline than the main house in order to reduce the impact on the bungalow. It is not, therefore, considered that any significant loss of light or outlook from this property would result.

The revised proposals have satisfactorily addressed the previous reasons for refusal, and are not now considered to result in a cramped form of development nor would impact detrimentally on the character of the surrounding area.

Background papers referred to during production of this report comprise all correspondence on files refs. DC/13/02470 and 13/04149, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|--------|--|--|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACC07 | Materials as set out in application | |
| | ACC07R | Reason C07 | |
| 3 | ACH03 | Satisfactory parking - full application | |
| | ACH03R | Reason H03 | |
| 4 | ACH32 | Highway Drainage | |
| | ADH32R | Reason H32 | |
| 5 | ACI09 | Side space (1 metre) (1 insert) | western |
| | ACI09R | Reason I09 | |
| 6 | ACI12 | Obscure glazing (1 insert) | in the western roof slope of the main roof |
| | ACI12R | I12 reason (1 insert) | BE1 |
| 7 | ACI17 | No additional windows (2 inserts) | first and second floor flank extensions |
| | ACI17R | I17 reason (1 insert) | BE1 |
| 8 | ACK01 | Compliance with submitted plan | |
| | ACK05R | K05 reason | |

INFORMATIVE(S)

- 1 Before work commences on the extension hereby permitted you should satisfy yourself that the required 1 metre side space to the boundary can be achieved. Failure to comply with the Council's requirements set out in the conditions above may result in enforcement action being authorised.
- 2 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 3 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable

on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

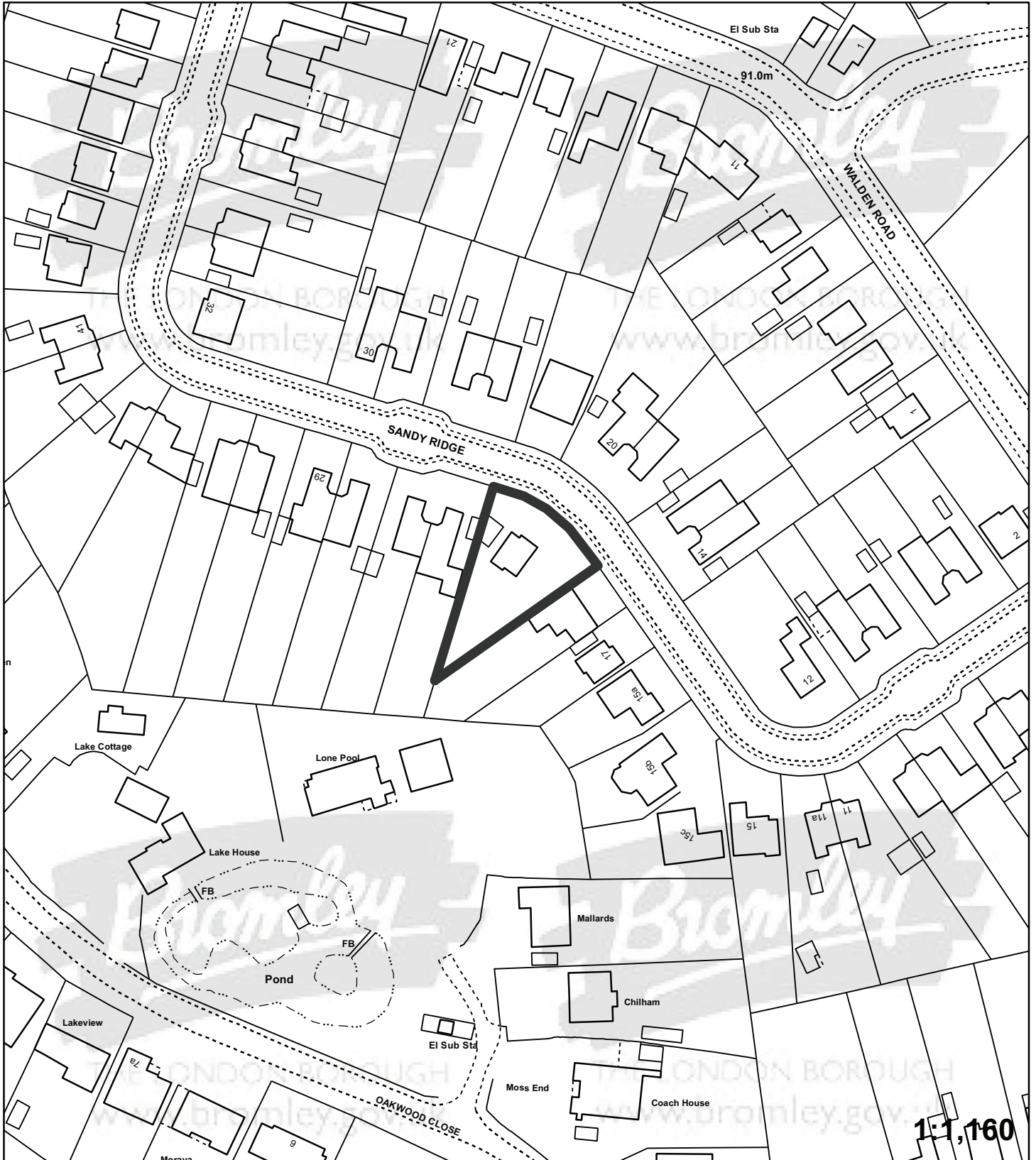
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:13/04149/FULL6

Address: 21 Sandy Ridge Chislehurst BR7 5DP

Proposal: Part one/two storey side and rear extension, part one/two storey side extension with front and rear dormer extensions, roof alterations incorporating front and rear dormer extensions



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

Application No : 13/00267/FULL6

Ward:
West Wickham

Address : 7 Barnfield Wood Close Beckenham
BR3 6SY

OS Grid Ref: E: 538793 N: 167280

Applicant : Mr Danny McCool

Objections : YES

Description of Development:

Detached single storey garage to side

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
London City Airport Safeguarding
Local Distributor Roads
Metropolitan Open Land
Open Space Deficiency

Proposal

Planning permission is sought for the construction of a large single detached garage to the south of the replacement dwelling on the application site.

The garage will have a pitch roof gable design, externally finished with timber garage door, slate tiles and white render to match the host dwelling. The garage will be sited on the southern boundary with No.6, set 1m away from the host dwelling and positioned between 2 - 4m from the back edge of the highway. It will measure 5.2m wide, 5.85m in length, 2.25m to eaves and will have a maximum height of 4.8m to the ridge.

Initially, information was received from the agent for the application stating that there was a discrepancy between the Ordnance Survey submitted with the original application and the actual measured survey carried out by a GPS survey company. It was stated by the agent that the survey was carried out as part of the construction process for the recently constructed replacement dwellinghouse, following planning approval under ref. 11/03853, and the correct boundary line only became evident at this point. The agent stated that discussions had taken place with the residents of No.6 Barnfield Wood Close, and they had agreed to the

measured survey to be correct and that the proposed garage does not fall within land under the ownership of No. 6.

However more recently, it has become clear that the owner of No. 6 has not agreed to this, and has stated that they have not seen the GPS survey document. The resident of No. 6 has apparently sought a conversation with the agent with regard to the location of the property boundary, but it would appear that this has not yet taken place.

Location

The application site lies within a small close of 7 properties, predominantly two storey buildings of traditional design and provide for off street parking. The close does not lie within a conservation area or an Area of Special Residential Character.

The application site comprises a recently constructed replacement dwelling (under planning ref. 11/03853) which lies directly adjacent to the Langley Park Golf Club to the rear. The site has a number of tall mature trees although none are subject to Tree Preservation Orders. The close is narrow with a turning head at the end, opposite No.6 and there is no footway within the Close directly adjacent to the application site.

Comments from Local Residents

A number of letters of objection have been received from residents within Barnfield Wood Close which can be summarised below:

- overdevelopment - the replacement dwelling has 'maxed out' on the plot available having turned the original bungalow with 2668sq.ft of living space into a property of in excess of 4000sq.ft of living space,
- residents were advised that no further garage was to be constructed, but if it was it should have been included in the original design,
- the application and drawings for the garage are misleading about the actual size which is not a single but a double garage,
- there are also concerns whether the original application was actually adhered to - for instance, the front of the house is much closer to the road than the drawings show (estimated: less than 1m, and the curb stones are missing) and altogether the building appears taller in reality than the drawing make it look. - This raises two questions: a) how far is variance from the planning application permitted and where; and b) if the house was built not in accordance with the planning, we cannot rely on the garage plans showing the actual intentions,
- this large house is now very much closer to its opposite neighbours than any other houses in the area - only the width of one narrow pavement and a single lane road separate us. This should be taken into consideration before giving permission for the other side of the road to be converted into a solid block of buildings with no front garden other than a few concrete-lined squares,

- the new dwelling is visually harmful with its vast amount of rendered wall space and resembles the back of three terraced houses. Another building/garage with more render would destroy the outlook of the golf club to the rear and result in yet more rendered brickwork out of character in the close,
- the new garage provides for one car but the permitted plans show off-street parking for 2 cars, concerns that there will be insufficient car parking provision for the house forcing them to park on the road;
- no agreement has been reached regarding the location of the property boundary with Number 6, despite claims by the agent and applicant;
- photographs have been provided by local residents illustrating the on-road parking and issues relating to it;
- the replacement dwelling is much larger than originally thought; further development of this site in the manner proposed would take up almost the entire space between the new house and the boundary to the side;
- proposed garage would obstruct the one green and spacious "window" to that side of the house which breaks up the visual effect of the solid block of building and provides at least a little of the green and open framework which characterises the close elsewhere.

Comments from Consultees

There are a number of trees in proximity to the siting of the proposed garage and advice was sought in respect of technical tree matters. Comments received stated that whilst no significant trees at the site would be affected by the proposal, there are two trees beside the garage of the adjoining property which would be within 2-3 metres of the proposed garage. These two trees are a feature at the head of the cul-de-sac and concerns are raised that the garage would encroach into the root protection area of these trees. A narrower garage would enable a greater separation between the trees and the building.

Planning Considerations

The application falls to be determined in accordance with the following policies of the Unitary Development Plan, The London Plan and National Planning Policy Guidance

BE1 Design of New Development
 H8 Residential Extensions
 T3 Parking
 T18 Road Safety
 NE7 Development and Trees

Supplementary Planning Guidance 1 and 2

National Planning Policy Framework 2012

The site lies within Flood Zone 2 and a flood risk assessment was submitted as part of the original application for a replacement dwelling under ref. DC/11/03853. However for this type of development there is no requirement to consult the

Environment Agency and at the time of writing this report, the flood risk self-assessment form had not been received from the applicants agent.

Planning History

Under planning ref. 11/03853, permission was granted for the demolition of the existing bungalow and erection of a replacement detached three bedroom single storey dwelling with accommodation within the roofspace and associated one bedroom annexe, landscaping, car parking, refuse and cycle store.

Conclusions

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

The application site lies within a predominantly residential area. A detached garage building exists at No. 6 and the proposed garage building will be sited close to it. Concerns relate however to the provision of additional built development on this site which has been recently redeveloped. The new dwelling, built on a similar footprint to the previous bungalow has resulted in development being brought closer to the front and rear boundary in certain places in comparison. The footprint of the previous bungalow (including garages and carport) was 248sq and the replacement dwelling approx. 279sq.m (taken from application drawings submitted under ref. 11/03853). It is also noted that the overall floor space of the new dwelling is a significant increase in comparison with the original single storey bungalow. It is evident that the replacement dwelling is visually dominant within the close which is particularly exacerbated by its white render finish, gabled design, limited detailing to elevations, height and siting in proximity to the road.

The proposed garage is considered to be a large structure situated to the south of the dwelling, on an area originally permitted for surface parking for 2 vehicles. The garage would infill this space, blocking views into the golf club from properties opposite in the close but would also close a significant gap of open space within the street scene. By infilling this gap, it would not only bring together built development within the close but by reason of its size and siting would increase the amount of built development within the application site leading to a cramped form of overdevelopment which would be detrimental to the spatial characteristics of the area and visual amenities of the street scene.

Turning to residential amenity, it is noted that the replacement dwelling compared to the original has resulted in a significant change in the street scene. Whilst neighbouring properties are sufficiently distanced away from the proposed garage to not result in a detrimental impact upon light and privacy for example, the dominance of the building and the cumulative form of built development on the site will impact upon the outlook currently enjoyed by the residents of the close.

With regard to highway matters, the grant of permission for the replacement dwelling included a total of 3 parking spaces; two spaces to the main house and one space to the annexe. The proposed garage will be sited on the permitted area

for two car parking spaces. The provision of a single garage will only allow for the parking of one car (as shown on the submitted drawings) and there is insufficient space between the garage door and back edge of the highway to allow for an additional vehicle to park off road. As such, the proposal would result in a shortfall of one space which would fail to accord with the Council's parking standards for a dwelling of this size in this area with a ptal rating of 1a i.e. low accessibility. The lack of adequate off-street parking would increase demand for parking on the road which, given the narrow width of the close and lack of footway outside of the application site, is likely to give rise to the obstruction of parked cars, detrimental to highway safety and residential amenity.

In the event of planning permission being granted, it is noted that this development would not be CIL liable (Community Infrastructure Levy).

Background papers referred to during production of this report comprise all correspondence on files refs. 11/03853 and 13/00267, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

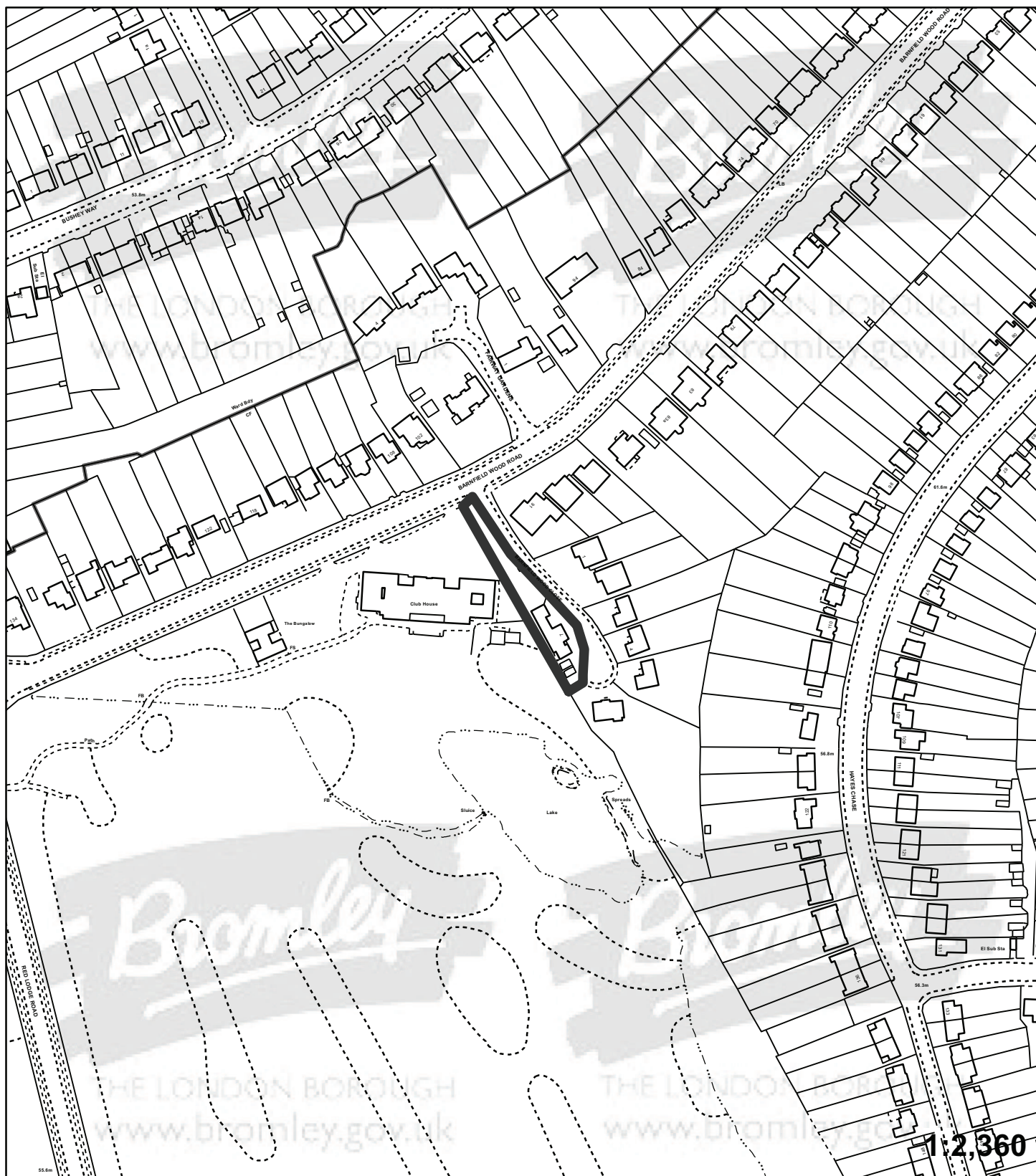
The reasons for refusal are:

- 1 The proposed garage by reason of its size, height and siting on this redeveloped plot of restricted dimensions would result in a cramped overdevelopment of the site which would lead to a retrograde lowering of the spatial standards and character of the area and detrimental to residential and the visual amenities of the street scene contrary to Policies H8 and BE1 of the Unitary Development Plan.
- 2 The proposal does not comply with the Council's standards for off-street car parking provision in that the proposed garage will result in the loss of a space for a dwelling of this size in this area of low accessibility, and insufficient room would be left between the front of the garage and the highway for the satisfactory parking of a car clear of the highway. As such, it is likely that there will be an increased demand for on-street parking which would thus constitute a potential obstruction impacting upon the free flow of traffic within this narrow close, inconvenient to other road users, pedestrians and local residents, contrary to Policies T3 and T18 of the Unitary Development Plan.
- 3 The development would be likely to impact upon the root protection area and therefore prejudice the retention and well-being of the two trees on the adjacent property which are considered to make an important contribution to the visual amenities of the cul de sac and their loss would be detrimental to the amenities of the area as a whole, contrary to Policies NE7 and BE1 of the Unitary Development Plan.

Application:13/00267/FULL6

Address: 7 Barnfield Wood Close Beckenham BR3 6SY

Proposal: Detached single storey garage to side



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

Agenda Item 5.1

Report No.
DRR14/016

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PLANS SUB-COMMITTEE NO. 1

Date: Thursday 6 February 2014

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

Title: **KINGSWAY INTERNATIONAL CHRISTIAN CENTRE,
25 CHURCH ROAD, ANERLEY, SE19**

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

Chief Officer: Chief Planner

Ward: Crystal Palace;

1. Reason for report

To ascertain the views of Members as to whether enforcement action should be taken against KICC for an alleged material change of use of the premises in breach of planning control.

The issue is whether an event which took place at the premises on 31 December 2013 and fell outside of the lawful permitted use constitutes a material change of use of the premises.

2. **RECOMMENDATION(S)**

- 2.1 That it is not expedient or proportionate to take further action based on the use of the site at this stage.
- 2.2 The monitoring of the use be continued with a further report to the committee if circumstances change.
- 2.3 The owners be requested to submit a planning application for intended use.

3. COMMENTARY

- 3.1 Members may be aware of the recent concerns from local residents regarding the “Watchnight” event organised by KICC at 25 Church Road on 31 December 2013. Over 70 complaints were received from local residents.
- 3.2 The relevant background is summarised below.
- 3.3 When the concerns about use of the premises were reported to the Plans Sub Committee on 17 October 2013 two events had been held by KICC at the premises in 2013 – an education conference in February and the ‘Night of Joy’ in July. Council officers attended both events and it was concluded that the first fell within Class D1 (Non-residential Institutions including places of worship) and the second within the lawful Class D2 use (Assembly and Leisure, which includes use as a cinema, bingo hall, concert hall and dance hall).
- 3.4 As the conference was a one-off event it was decided that it did not involve a material change of use. Members of the Sub-Committee resolved to take no further action based on the low level of use and the nature of the events which had so far been held. It was also resolved that the use of the building should continue to be closely monitored.
- 3.5 When details of the “Watchnight” event on 31 December 2013 emerged, KICC claimed that it fell within the lawful Class D2 use. However there were local concerns that the proposed event would take the form of a religious service which would fall within Class D1 and outside the lawful Class D2 use.
- 3.6 In view of the number of local complaints and the lack of information about the format and content of the event a Notice was issued under S330 of the Town and Country Planning Act 1990. This required further information to be provided before the event took place to enable an informed decision to be made as to whether the use was within Class D2.
- 3.7 A response to the S330 Notice was received on 28 December 2013 in which KICC described the event as a New Year celebration including music, dance and drama as well as the countdown to the New Year. They stated that no alcohol would be on sale but snacks and soft drinks would be provided. KICC also confirmed that there would be no preaching at the event and stated that the event would not take the form of a religious service.
- 3.8 Planning officers met with the Council’s solicitors and Licensing Officers before the event to discuss the response to the S330 Notice and the most appropriate course of action. However it was considered that the response to the S330 Notice did not provide any additional evidence that there had been a material change of use. 3.9 Three officers from Planning and Licensing attended the event on 31 December 2013 in order to witness the proceedings at first hand. They were able to assess the extent of any religious content and whether the event satisfied Licensing requirements. The event took the form of a New Year celebration involving song and dance featuring amplified music and a gospel choir, and included praise and worship. A short drama performance was presented by the Children’s Church.
- 3.10 The Head of Licensing was able to confirm that in view of the religious content this was not a licensable event under the Licensing Act. Regulated Entertainment, which includes music, singing dance, is a licensable activity but the Act makes a specific exemption for entertainment provided as part of, or incidental to a religious meeting or service (Para. 9a Schedule 1 Part 2 (Exemptions) Licensing Act 2003). Based on the nature of the words, music and performance observed the Licensing Officers were satisfied that the “Watchnight” event was a form of worship and therefore came within the exemption as being a religious meeting or service.

- 3.11 KICC have also stated their intention to submit a planning application for a mixed D2/D1 use but no further details are known at this stage.
- 3.12 Expediency; Under national guidance and practice, the council needs to consider the expediency of taking planning enforcement action. The site appears to have been used as a place of religious worship on two occasions in 2013. Whether there is a material change of use is a question of fact and degree. In this instance the land still retains its general characteristics in appearance. The extent of the usage is limited, to two days in a year. There is little evidence of harmful noise or disturbance to local residents. Overall there is insufficient evidence of a material change of use that causes harm and it does not appear expedient to take action at this stage. The use should be monitored and the owner invited to submit a planning application.
- 3.13 A legal view has been sought on this matter, the advice given is that the activity in itself did not constitute a material change of use, taking into account the effect of the activity to local amenity and the frequency of the events held at the premises. It is suggested that the owners submit a planning application to deal with on-going issues between themselves and local residents.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	

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Report No.
DRR14/021

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PLANS SUB-COMMITTEE NO. 1

Date: Thursday 6 February 2014

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

Title: FENCING SCREENS AT RAVENSBOURNE SCHOOL

Contact Officer: Tim Horsman, Deputy Development Control Manager (East)
Tel: 020 8313 4956 E-mail: Tim.Horsman@bromley.gov.uk

Chief Officer: Chief Planner

Ward: Bromley Town;

1. Reason for report

Two blue tarpaulin screens with the words 'The Ravensbourne School' have been attached to an existing 3.1m high mesh fencing around a sports pitch at the school site. This report considers whether these screens constitute an advertisement under the Advertisement Regulations 2007 (as amended) and whether they benefit from or require consent under the same regulations.

2. **RECOMMENDATION(S)**

1. **No further action, subject to the reversal of the advertisement on the south-eastern side of the pitch to face inwards towards the pitch.**
2. **The school be advised that after 28 days from the date of this decision, if either of the advertisements are facing outwards, they would be considered to constitute advertisements for which express consent would be required and in the absence of an application for advertisement consent, proceedings under the advertisement regulations will be authorised under delegated powers.**

Corporate Policy

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

Financial

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

Staff

1. Number of staff (current and additional): 1
 2. If from existing staff resources, number of staff hours: None
-

Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): None
-

Ward Councillor Views

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

3. COMMENTARY

Complaints have been received from local residents regarding 2 screens affixed by means of cable ties to the outside [on 2 sides] of an existing wire mesh fence at the Ravensbourne School. The fence surrounds a hard surfaced sports pitch measuring approx. 24m x 39m within the school grounds. The fence extends up to approximately 3.1m in height.

The screens are blue in colour and made from a tarpaulin type material and have been introduced by the school in order to provide privacy for pupils engaged in sport, to help them focus on the activity, and also to act as a windbreak. The screens are attached to existing fencing on the northwest and south-eastern sides of the pitch. At the time of report writing, the north-western screen faces inwards towards the pitch, and the south-eastern is facing outwards.

The site is located towards the eastern end of Hayes Lane within the grounds of Ravensbourne School. The hard surfaced sports pitch is located behind existing buildings and oblique views of the fencing and screens are possible from Hayes Lane. Currently the advertisement on this side is facing outwards and lettering (although not the full wording) can be viewed from a limited part of the public highway in Hayes Lane.

Some glimpses of the screens can be achieved from the public footpath running along the north-western boundary of the site, however where views might be possible, this boundary is predominantly solid and approximately 1.8m high (with the exception of a small lower section and metal gate). As the advertisement facing this direction is reversed and some distance away, it is almost impossible to make out the words where views are available.

Views are also possible from residential properties with gardens backing onto the site including those in Cromwell Close and Cromwell Avenue, although these are a minimum of around 150m away with playing fields in between.

Photographs of the screens from all relevant locations are available on file.

A certificate of lawfulness application is being separately considered in respect of whether the screens constitute development requiring planning permission. This report addresses whether the screens constitute an advertisement and if so whether any consent is required for their continued display.

The legal definition of an advertisement is to be found in sec 336(1) of the Town and Country Planning Act 1990, as amended by section 24 of the Planning and Compensation Act 1991, and is defined as “any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, in the nature of, and employed wholly or partly for the purposes of, advertisement, announcement or direction, and includes any hoarding or similar structure used, or designed or adapted for use, and anything else principally used, or designed or adapted principally for use, for the display of advertisements”.

It is clear therefore that the blue screens, incorporating wording stating the name of the school do constitute an advertisement.

Schedule 1 of the Advertisement Regulations 2007 sets out classes of advertisement which do not require any deemed consent (granted by the Regulations) or express consent (granted by a Local Planning Authority) in order to be displayed. Class A of this schedule is ‘An advertisement displayed on enclosed land’. A condition of this class is that “The advertisement is not readily visible from outside the enclosed land or from any place to which the public have a right of access.”

There is no statutory definition of ‘enclosed land’ or ‘readily visible’ in this context, although examples provided of ‘enclosed land’ include a railway station, bus station and sports stadium.

The advertisements are considered to be displayed on enclosed land since the school site is private land with boundary treatment to all sides. It is therefore necessary to consider not simply whether the advertisements are visible from outside of the school site, but whether they are *readily* visible.

With regard to the screen on the south-eastern side of the pitch, views are possible from Hayes Lane. At present although the wording is facing outwards towards the road, it is not possible to see the full wording of the advertisement due to the limited scope of the views obtainable. However, in its current position it is considered that advertisement consent is required for this screen. Should the screen be reversed to face into the sports pitch, this advertisement may be considered to be not readily visible from outside the enclosed land. A period of 28 days is suggested for either the screen to be reversed, or for an application under the Advertisement Regulations to be submitted. Should no action be taken by the school, it is considered to be an advertisement for which consent is required and action may be taken to secure its removal.

With regard to the screen on the north-western side of the pitch, this has been turned to face towards the pitch and is some distance from public vantage points (primarily a public footpath bounding the school). The footpath benefits from substantial boundary treatment comprising 1.8m close boarded fence for the northern section, and a retaining wall of similar height with mesh fencing on top further towards the school buildings. Although some glimpses are available to users of the footpath, in general specific effort is required to obtain a clear view of the screen. Limited views are available from residential properties to the northwest, predominantly only from upper floors. However, these are also a considerable distance away and views are filtered by existing vegetation. Added to the fact that the screen is reversed, despite it having some transparency, this means that the advertisement is not readily visible from outside the site.

Taking into account the above, and subject to the south-eastern screen being reversed, Members are advised that as a matter of judgement, the advertisements are not considered to be readily visible from outside the enclosed land or from any public vantage point. On this basis they do not require any consent under the Advertisement Regulations and the Council is unable to take any further action. Should the south-eastern screen not be reversed, this constitutes an advertisement for which consent would be required and action can be taken to secure its removal.

4. POLICY IMPLICATIONS

None

5. FINANCIAL IMPLICATIONS

None

6. LEGAL IMPLICATIONS

None

7. PERSONNEL IMPLICATIONS

None

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	Advertisement Regulations 2007