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DATE: 11 February 2014

To: Members of the
PLANS SUB-COMMITTEE NO. 2

Councillor Russell Jackson (Chairman)
Councillor Richard Scoates (Vice-Chairman)
Councillors Kathy Bance MBE, Lydia Buttinger, Peter Dean, Nicky Dykes,
Charles Joel, Gordon Norrie and Tom Papworth

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 20 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 12 DECEMBER 2013**
(Pages 1 - 8)
- 4 PLANNING APPLICATIONS**

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

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NO REPORTS

SECTION 2 (Applications meriting special consideration)

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4.1	Darwin	9 - 20	(13/03699/FULL2) - Old Hill Farm, Old Hill, Orpington.
4.2	Copers Cope	21 - 26	(13/04099/FULL1) - St Michael's Court, 81 Foxgrove Road, Beckenham.
4.3	Cray Valley East	27 - 36	(13/04147/FULL1) - Lower Hockenden Farm, Hockenden Lane, Swanley.
4.4	Mottingham and Chislehurst North	37 - 52	(13/04160/FULL1) - The Porcupine, 24 Mottingham Road, Mottingham.
4.5	Shortlands Conservation Area	53 - 56	(13/04185/FULL6) - 7 Wickham Way, Beckenham.
4.6	Penge and Cator	57 - 64	(13/04218/FULL1) - 2A Kingswood Road, Penge.
4.7	Chislehurst	65 - 68	(13/04236/VAR) - Rivendale, The Drive, Chislehurst.
4.8	Cray Valley East	69 - 76	(13/04252/FULL1) - Lower Hockenden Farm, Hockenden Lane, Swanley.

4.9	Kelsey and Eden Park	77 - 82	(14/00044/FULL6) - 25 Oakfield Gardens, Beckenham.
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SECTION 3 (Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.10	Copers Cope Conservation Area	83 - 88	(13/03073/ELUD) - North Dene, Beckenham Place Park, Beckenham.
4.11	Shortlands	89 - 92	(13/03966/FULL6) - 17 Celtic Avenue, Shortlands.
4.12	West Wickham	93 - 98	(13/04032/FULL2) - Global House, Rear of 38-40 High Street, West Wickham.
4.13	Petts Wood and Knoll	99 - 104	(13/04079/FULL6) - 12 Great Thrift, Petts Wood.
4.14	Mottingham and Chislehurst North	105 - 108	(13/04096/FULL1) - 54 - 56 Mottingham Road, Mottingham.
4.15	Copers Cope	109 - 114	(13/04100/FULL6) - 1 The Gardens, Beckenham.
4.16	Farnborough and Crofton	115 - 120	(13/04103/FULL1) - Darrick Wood Secondary School, Lovibonds Avenue, Orpington.
4.17	Kelsey and Eden Park	121 - 124	(13/04106/FULL6) - 91 Abbots Way, Beckenham.
4.18	Copers Cope	125 - 130	(13/04115/FULL2) - 182A High Street, Beckenham.
4.19	Petts Wood and Knoll	131 - 134	(13/04151/FULL6) - 44 Towncourt Crescent, Petts Wood.
4.20	Chislehurst Conservation Area	135 - 140	(13/04186/FULL6) - One Oak, Southill Road, Chislehurst.
4.21	Copers Cope	141 - 146	(13/04217/FULL1) - 182A High Street, Beckenham.

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

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

5 CONTRAVENTIONS AND OTHER ISSUES

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

6 TREE PRESERVATION ORDERS

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NO REPORTS

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

NO REPORT

8 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

Report No.	Ward	Page No.	Application Number and Address
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PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 12 December 2013

Present:

Councillor Richard Scoates (Vice-Chair, in the Chair)
Councillors Kathy Bance MBE, Peter Dean, Nicky Dykes,
Roxhannah Fawthrop, Simon Fawthrop, Julian Grainger,
Charles Joel and Tom Papworth

Also Present:

Councillors Alexa Michael, Peter Morgan and Sarah Phillips

16 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Russell Jackson, Lydia Buttinger and Gordon Norrie. Councillors Simon Fawthrop, Julian Grainger and Roxhannah Fawthrop attended as their substitutes.

17 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

18 CONFIRMATION OF MINUTES OF MEETING HELD ON 17 OCTOBER 2013

RESOLVED that the minutes of the meeting held on 17 October 2013 be confirmed and signed as a correct record. Councillor Peter Dean updated Members with regard to Minute 14.12, (13/02432/FULL1) – Clare House Primary School, Oakwood Avenue, Beckenham. Councillor Dean had been requested by the Ward Member for Copers Cope, Councillor Russell Mellor, to obtain an explanation why a retrospective planning application had been submitted on behalf of the School from the Portfolio Holder for Education, Councillor Stephen Wells. Councillor Dean reported that he had received a letter on 11 December 2013 and he would circulate a copy of it to the regular Members of Plans Sub-Committee 2.

19 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

19.1 PENGE AND CATOR

(13/01872/FULL1) - Oakfield Centre, Oakfield Road, Penge.

Description of application – 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

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

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

**19.2
PETTS WOOD AND KNOLL**

**(13/03592/FULL1) - Crofton Infant School,
Towncourt Lane, Petts Wood.**

Description of application – Replacement boundary fence and gates.

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.

SECTION 2

(Applications meriting special consideration)

**19.3
BROMLEY TOWN**

**(13/00431/FULL6) - Old Mission Hall, 87D
Beckenham Lane, Bromley.**

Description of application – Two storey side extension to include alterations to roof to provide habitable accommodation within roof space and front and rear dormers.

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

“4. Before the development hereby permitted is first occupied the proposed windows to the northern and southern first floor elevations shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any openings shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details. In the interests of the privacy of adjoining properties any openings should be at high level.

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

**19.4
DARWIN**

(13/02996/FULL1) - 115 Leaves Green Road, Keston.

Description of application - Demolition of existing dwelling and erection of single storey detached dwelling.

Oral representations in support of the application were received at the meeting. It was reported that on page 37 of the Chief Planner’s report, the first sentence under the heading, ‘Proposal’, should be amended to read, “The proposal consists of a replacement single storey dwelling.”

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

**19.5
CLOCK HOUSE**

(13/03082/FULL1) - St Michael and All Angels Church, Ravenscroft Road, Beckenham.

Description of application – Demolition of church hall, reconfiguration of access to the church of St. Michaels and All Angels with new glazed screen and improved access ramp together with the erection of a terrace of 4 dwellings fronting Birkbeck Road and a terrace of 3 dwellings fronting Ravenscroft Road with associated car parking spaces and cycle space.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Sarah Phillips in favour of the application being deferred 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 removal of one dwelling to both Birkbeck Road and Ravenscroft Road (two in total) with proposed floor plans showing greater detail.

**19.6
PENGE AND CATOR**

(13/03158/FULL1) - 12 Percy Road, Penge.

Description of application – Single storey side and rear extension to form nursery for 3-5 year olds (use class D1).

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

**19.7
BROMLEY COMMON AND
KESTON**

(13/03276/FULL1) - 43 Chatterton Road, Bromley.

Description of application - Part one/two storey front/side and rear extension with roof alterations to create additional A1 retail space at ground level with working bakery to rear (use class B1(c)), and provide 2 x residential units (1 x one bedroom flat and 1 x split level one/two bedroom flats) including accommodation in the roofspace.

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

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

SECTION 3

(Applications recommended for permission, approval or consent)

**19.8
CRAY VALLEY EAST**

(13/02288/FULL6) - 6 Cambray Road, Orpington.

Description of application – Single storey front/side and first floor rear extension.

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

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

1. The proposal, by reason of the excessive depth of the first floor rear extension, would result in an unacceptable impact upon the daylight received and residential amenity enjoyed by the residents of 4 Cambray Road, contrary to Policies BE1 and H8 of the Unitary Development Plan.

**19.9
CHISLEHURST**

(13/02659/FULL6) - 6 Westhurst Drive, Chislehurst.

Description of application – Raised decking, steps and balustrade to rear and to change position of solar panels on first floor rear elevation.

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

**19.10
BICKLEY**

(13/02721/FULL6) - Broadway, 10 Westleigh Drive, Bromley.

Description of application – First floor side and rear extension, front porch, pitched roof to existing garage and elevational alterations.

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

**19.11
PLAISTOW AND
SUNDRIDGE**

(13/03020/FULL6) - 70 Park Road, Bromley.

Description of application – Two storey rear extension.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Peter Morgan, objected to the application. He said it would be imposing structure with double the footprint that could set a precedent and spoil the neighbouring amenity. Members having considered the report, objections and representations, **RESOLVED** that **PERMISSION BE REFUSED**, for the following reason:-

1. The proposed two storey rear extension would, by reason of its excessive bulk, mass and design, result in a detrimental impact upon the residential amenity presently enjoyed by the residents of 72 Park Road contrary to Policies BE1 and H8 of the Unitary Development Plan.

**19.12
PETTS WOOD AND KNOLL**

(13/03090/FULL6) - 3 St Francis Close, Petts Wood.

Description of application – Single storey rear extensions to Numbers 3 and 5 St Francis Close.

Oral representations in objection to the application were received at the meeting. Comments from the Agent were reported.

Members having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with two further conditions to read:-
“5. Notwithstanding the provisions of the Town and

Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Classes A and B of Part 1 of Schedule 2 of the 1995 Order (as amended), shall be erected or made within the curtilages of the dwellings without the prior approval in writing of the Local Planning Authority.

REASON: In the interests of preventing an overdevelopment of the site and in the interests of the amenities of neighbouring residents and to accord with Policies BE1 and H8 of the Unitary Development Plan.

6. Details of any necessary boundary screening to minimise any potential overlooking between the site and 1 St Francis Close shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The agreed scheme shall be implemented prior to first use of the extensions hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To prevent overlooking in the interests of the amenities of the neighbouring property and to accord with Policy BE1 of the Unitary Development Plan.”

**19.13
COPERS COPE**

**(13/03103/FULL1) - 67 Westgate Road,
Beckenham.**

Description of application – Erection of two storey dwelling house at land adjacent to 67 Westgate Road.

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

**19.14
BICKLEY**

(13/03307/VAR) - 64A Hill Brow, Bromley.

Description of application – Variation of condition 13 of permission reference 12/01201 granted for demolition of existing bungalow and erection of two storey 5 bedroom detached dwelling to allow additional rooflights in the rear elevation.
RETROSPECTIVE APPLICATION.

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

conditions and informative set out in the report of the Chief Planner.

**19.15
CRAY VALLEY EAST**

(13/03370/DET) - Oak View, Crockenhill Road, Orpington.

Description of application – Single storey extensions to hospital, including re-building of existing single storey buildings and two storey extension to provide lift access to first floor (minor material amendment to permission ref. 12/00837 to allow elevational alterations to windows and doors, minor changes to central roof and minor changes to footprint).

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.

**19.16
PETTS WOOD AND KNOLL**

(13/03492/FULL6) - 2 Towncourt Crescent, Petts Wood.

Description of application – Outbuilding and car port to rear PART RETROSPECTIVE.

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

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

REASON: In the interests of preventing an overdevelopment of the site and in the interests of the amenities of neighbouring residents and to accord with Policies BE1 and H8 of the Unitary Development Plan.”

20 TREE PRESERVATION ORDERS

The Chairman moved that the attached report, not included in the published agenda, be considered a matter of urgency on the following grounds:-

“If not confirmed, the order will expire on 4 January 2014 and this is the last Plans Sub-Committee scheduled before that date.”

**21 (Supplementary Item)
CHISLEHURST**

(DRR/13/152) - Objections to Tree Preservation Order 2558 at 51 Marlings Park Avenue, Chislehurst.

Members having considered the report **RESOLVED that TREE PRESERVATION ORDER NO 2558** relating to 1 cypress tree **BE CONFIRMED**, as recommended in the report of the Chief Planner.

The Meeting ended at 9.00 pm

Chairman

SECTION '2' – Applications meriting special consideration

Application No : 13/03699/FULL2

Ward:
Darwin

Address : Old Hill Farm Old Hill Orpington BR6
6BN

OS Grid Ref: E: 545288 N: 163624

Applicant : Mr Bill Heaseman

Objections : YES

Description of Development:

Change of use of existing building to mausoleum with associated landscaping, elevational alterations, hardstanding and parking for 25 cars.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Local Distributor Roads
Sites of Interest for Nat. Conservation

Proposal

The application relates to the conversion of two existing buildings, currently in a business use, into a mausoleum for the internment of the deceased; no ceremonial activity is proposed. The existing curtilage would be landscaped to provide car parking facilities and alterations to the soft landscaping. No further hardstanding would be created and no additional buildings are proposed.

Use

A Planning Statement has been submitted that outlines the proposed use. The two existing buildings would be re-clad utilising the existing structures. The internal layout comprises a central access with a crypt area featuring burial vaults. Building 1 would be capable of storing 360 caskets and building 2 a maximum of 435 (a total of 795; the original Planning Statement listed a storage capacity of 'up to 1000 crypts' and clarification of this figure was provided on 14th January). The mausoleum would be non-denominational.

The proposed mausoleum would operate between the hours 9.30am to 4.30pm Monday to Friday and 10.00am to 4.00pm on Saturdays, Sundays and Bank Holidays with a stated number of staff of between eight and ten. 25 car parking

spaces are provided which includes 5 disabled spaces (3) and hearse parking (2). 15 overflow spaces were added to the south of the site along the access road on 20th January. Cycle storage is also proposed.

Design

The submitted Design and Access Statement sets out that the buildings would be re-clad in timber and sand stone with green walls and roofs. Soft landscaping is proposed to the existing grassed area of the site with the introduction of shrubs and trees to the west of the buildings with a steel mesh walkway through to the buildings from the car park. However, the rear of the site would have the hardstanding removed and trees and soft-landscaping introduced.

Location

The site is located to the eastern edge of Old Hill with the residential areas of Beechwood Avenue (accessed from Shire Lane) to the north and Old Hill to the south. Shire Lane is to the north, the A21 is to the east. The application site itself measures 0.97 hectares although surrounding land is within the applicant's control.

The site comprises two single storey buildings currently in use by Westland Estates, a residential and commercial garden maintenance company. The site is enclosed by woodland to each side with an opening to Old Hill, south of the buildings is an open grassed area of some 0.4 hectares although this falls outside of the application site.

The site is within the Green Belt with the surrounding woodland being subject to a blanket Tree Preservation Order (TPO).

Comments from Local Residents

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

- there will be an increase in through traffic
- shrubs and trees should not be removed to allow for this
- the tranquillity of the area would be harmed and may encourage anti-social behaviour
- a more central location should be chosen
- would the rate payers be expected to pay for maintenance
- pressure to widen Old Hill in the future
- other buildings may be proposed on the site if this is permitted
- this is not a typical Green Belt use
- the High Elms nature reserve is nearby
- the distances quoted are misleading
- parked cars restrict the width of Old Hill to the south
- parking is insufficient
- cars will park on Old Hill
- limited expertise of operating mausoleums in the UK

- inappropriate close to a residential area
- harmful to the amenities of residents
- the traffic survey is misleading and inaccurate
- devaluation of house prices
- soil contamination
- the smells emitted would be harmful and unacceptable
- possible health risk from leakage and heavy rainfall
- dangers to pedestrians on Old Hill
- the footpaths are not suitable for use with the proposal
- out of character with the area
- there will be long term maintenance issues
- the mausoleum will not generate funds after it is full
- health and safety issues of such a use in this location
- will cryogenics be practised at the site?
- the exterior is bland
- there will be an increased risk of foxes
- this will harm the adjacent country park

Downe Residents Association have objected on the grounds of the Green Belt use of the proposal and that such land should be free of light industrial uses

In support of the application the applicant has commissioned a review of the proposal from a planning consultant. This concludes that the proposal is compliant with local and national policies. A copy can be found on the application file.

Members should note that a number of objections have been received citing the involvement of Dignity Funerals Limited. A letter has been submitted by this company stating that Dignity Funerals Limited are in no way involved in the site or the application.

Comments from Consultees

Environmental Health have raised no objection subject to a condition requiring details of the proposed vault sealing, ventilation system (to discharge above eaves level), and vault drainage.

Highways have raised no objection, commenting that it is understood that the applicant is willing to accept a condition that there will be no more than 1 internment per day with a start time between 10am and 2pm in order to overcome concerns at the number of vehicles to the site at any one time.

It is noted that the site has an existing access from Old Hill. It is proposed to improve the visibility by cutting back the vegetation to the south of the site. This area is maintained by the Council, although not under the highway maintenance contract. If it is maintained by Parks and Green Space, their comments should be sought and this has been done. Any comments received will be reported verbally.

Drainage have raised no objection, clarifying that soakaways would be needed for surface water drainage and referring the application to the Environment Agency

The Environment Agency have raised no objections subject to conditions regarding land contamination and surface water drainage. The site is above a principle aquifer and within a groundwater protection zone, however given the limited range of ground works and the existing use of the buildings no objection is raised in accordance with the requested conditions.

From a Trees perspective this site is covered by TPO 172 but no significant trees would be affected by this proposal.

Thames Water have raised no objections

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
- C1 Community Facilities
- C2 Community Facilities and Development
- ER7 Contaminated Land
- G1 The Green Belt
- NE7 Development and Trees
- NE12 Landscape Quality and Character
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T18 Road Safety

London Plan:

- 5.13 Sustainable Drainage
- 5.14 Water Quality and Wastewater Infrastructure
- 7.4 Local Character
- 7.14 Improving Air Quality
- 7.16 Green Belt
- 7.21 Trees and Woodland
- 7.23 Burial Spaces

The National Planning Policy Framework, with which the above policies are considered to be in accordance

Planning History

Application ref. 99/03751 granted permission for the change of use of the barns and pasture land to a tree nursery, arboricultural and landscape contractors.

Application ref. 01/01113 sought to vary condition 2 of this permission to allow the use of barn 2 for storage of horticultural trade supplies. This was refused on the grounds that:

"The use of Barn 2 for storage and distribution unconnected with the permitted use will be detrimental to the openness and amenities of the Green Belt by reason of increased activity, noise and disturbance and additional outside storage. The proposal is thereby contrary to Policy G.2 of the Unitary Development Plan 1994, Policy G4 of the first deposit draft Unitary Development Plan (March 2001) and PPG2 (Green Belts)."

However, this was subsequently overturned at appeal with the Inspector commenting that the Green Belt location of the site was of little direct relevance as the intentions of the Green Belt would not be prejudiced by the proposed use and that no loss of openness would result from a use that is not inappropriate.

The Inspector attached several conditions in allowing the appeal, of particular relevance are condition 2 which restricted the hours of operation to 0730 to 1900 Monday to Saturday (excluding Sundays, Bank Holidays, Christmas Day and Good Friday); and condition 6 which required details of a scheme to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions from the plant and machinery in use.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, the openness and character of the Green Belt, the implications for highway and pedestrian safety, the impact that it would have on the amenities of the occupants of surrounding residential properties and environmental health matters,

Green Belt

Green Belt policy seeks to protect the openness within the Green Belt although this is not specifically defined, but can be taken to mean the absence of visible development. The effect of a development on the openness of the Green Belt is primarily a matter of its nature, scale, bulk and site coverage (including any associated external activity, e.g. storage or parking). That is to say its physical effect on the application site rather than any visual or other impact on its surroundings.

The proposal should be considered under paragraph 90 of the NPPF and Policy G1 of the UDP. The proposal is stated as being the re-use of the existing buildings and this is considered to be not inappropriate development within the Green Belt provided the buildings are of permanent and substantial construction and the development does not harm the openness of the Green Belt or conflict with the purposes of including land within it.

The proposal would re-use the existing buildings and would have no further impact upon the openness of the Green Belt. The amount of hardstanding on the site is considered to be significantly reduced with the introduction of soft-landscaping. As such it is considered that the proposal would not be inappropriate development within the Green Belt and would not harm the openness or character of the Green Belt.

Highways

The proposal would result in vehicles visiting the site for the purposes of internment as well as those for use by the eight to ten staff employed. The parking provision of 20 parking spaces with 15 overflow spaces and an additional 3 disabled spaces for visitors and staff is considered to be adequate, together with 2 spaces for hearses.

A number of concerns have been raised with regard to excessive vehicle numbers leading to dangerous conditions to Old Hill, however the limitation by condition of one internment per day with a start time between 10am and 2pm is considered to significantly reduce the number of vehicles to the site at any one time and Members will note that the proposed use is solely for internment and that no ceremonial activity forms part of the scheme. The ceremonial service would take place elsewhere, with the casket then being transferred to the site for internment.

The proposal provides for 35 parking spaces with 3 disabled spaces and provision for the hearses that would be in use (40 spaces in total) and this is considered to be more than sufficient for the majority of internments that would take place. Whilst it is accepted that traffic data for mausoleums is limited due to the limited number in the UK, the Transport Assessment provided monitors trips generated at non-ceremonial sites and these uses are not considered to be hugely dissimilar. The trips recorded are well below the parking provision proposed as a whole, whilst the one outlier of 40 vehicles would still be accommodated.

As such it is considered that the highways concerns raised have been overcome by way of the revised parking provision and the condition limiting the number of internments to one per day outside of busy traffic hours.

Environmental Health

The Council's Environmental Health officer has reviewed the application and has raised no objections to the development subject to conditions relating to ventilation and drainage of the crypts and caskets.

In a letter dated 21st January, the applicant's agent explains that the basic principles of a mausoleum are to entomb a body above ground within a casket, which in turn stored in a sealed vault. The main concern is the leakage of decomposing matter in the form of fluid or odour. For Member's information two methods of internment have been listed within this letter and that the final details of how this would be implemented are to be dealt with by condition. In summary, Option 1 is for the casket to be welded and gas sealed which is then placed within a vault which is also sealed. Option 2 utilises a non-sealed casket within a lined vault where a one way pressure valve to the rear allows gasses to escape; this allows for a natural decomposition and according to the agent is common in America.

It is considered that the environmental health implications of the proposal are dealt with under relevant legislation and by the officers of the Council's Environmental

Health team. In planning terms a condition is suggested that is considered to overcome the objections raised.

Other Matters

Objections have been raised regarding the impact of the proposal upon residential amenities and upon the character of the area.

The nearest properties to the northern building are located to the southern end of Beechwood Avenue to a distance of some 55m to 60m, with the remaining properties to that road being set further north. A substantial, mature and protected wood is set between the two areas - Ramus Wood - and this encloses the site. Given the distance involved and the level of screening between the southern properties of Beechwood Avenue and the northern tip of the site, it is not considered that there will be any impact upon the visual or residential amenities of those properties. Additionally, given the different highway arrangement for the site (onto Old Hill then north to Shire Lane) and Beechwood Avenue (one of a series of cul-de-sacs accessed from Shire lane) it is not considered there would be any harm resulting from highways matters.

Objections have also been received from residents of Old Hill to the south. The nearest property to the site, No.44, is some 210m from the southern building with the southern area of Ramus Wood between the two boundaries. In addition there is the large grassed area to the south of the site that is within the applicant's control. The remainder of the dwellings are set due south of this property with the furthest at some 400m away. Given the scale of the separation between the application site and the residents of Old Hill, with the highway itself and the wood present between them, it is not considered that there would be any impact from the development upon the visual or residential amenities of those residents.

Concerns have also been raised regarding the impact of traffic to Old Hill and in particular the junction to the south. However, the existing use has a large number of vehicles in the early morning and late afternoon/early evening from the existing operation and the condition to limit the proposal to one interment per day between 10.00am and 2.00pm is considered sufficient to mitigate any additional harm, which in itself is considered minimal in terms of additional traffic over and above the existing use.

With regard to future maintenance issues and the funding of the mausoleum once capacity is reached, this has been referred for a legal opinion and will be reported to Members verbally.

Conclusions

It is considered that the proposed re-use of the existing buildings would not be an inappropriate use in the Green Belt and would not harm the openness of the Green Belt. The landscaping proposed is considered to be of a high standard and will result in a net decrease to the amount of hardstanding within the site, whilst representing an improvement in the visual qualities of the proposed use. It is not considered that a detrimental impact would occur to the character of the area by

the re-use of existing structures and that no harm would result to residents in the area. No in-principle objections have been raised by Environmental Health, Highways or the Environment Agency subject to conditions as stated above.

On balance and subject to any legal advice on future maintenance arrangements it is recommended that planning permission be granted.

Background papers referred to during production of this report comprise all correspondence on the file ref. 13/03699, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 20.01.2014 21.01.2014

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 ACA07 Boundary enclosure - no detail submitted
 ACA07R Reason A07
- 4 ACB01 Trees to be retained during building op.
 ACB01R Reason B01
- 5 ACB03 Trees - no bonfires
 ACB03R Reason B03
- 6 ACB04 Trees - no trenches, pipelines or drains
 ACB04R Reason B04
- 7 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 8 ACK01 Compliance with submitted plan

Reason: In order to comply with Policies BE1 and G1 of the Unitary Development Plan and in the interest of the appearance of the development, the openness and character of the Green Belt and the visual amenities of the area.

- 9 ACD04 Foul water drainage - no details submitt
 ADD04R Reason D04
- 10 ACD06 Sustainable drainage system (SuDS)
 ADD06R Reason D06
- 11 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 12 ACH22 Bicycle Parking
 ACH22R Reason H22
- 13 ACI18 No additional hardstanding
 ACI18R I18 reason
- 14 The use shall not operate before 9.30am or after 4.30pm Monday to Friday,
 or before 10.00am or after 4.00pm on Saturdays, Sundays and Bank
 Holidays.
 ACJ05R J05 reason BE1

15 Details of vault sealing, ventilation system (to discharge above eaves level), and vault drainage shall be submitted to and approved in writing by or on behalf of the Local Planning Authority. The approved details shall be implemented before the use hereby permitted commences and shall be permanently maintained as approved thereafter.

Reason: In order to prevent harm to human health and pollution of the environment, in accordance with Policy BE1 of the Unitary Development Plan, Policies 5.14 and 7.14 of the London Plan and the National Planning Policy Framework.

16 No more than one internment per day shall take place and not before 10.00am or after 2.00pm on any given day.

Reason: In order to comply with Policies T3, T18 and BE1 of the Unitary Development Plan and in the interests of the amenities of the area and highway safety.

17 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, verified and reported to the satisfaction of the Local Planning Authority.

ACK09R K09 reason

18 Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason: To prevent the increased risk of flooding, and to improve and protect water quality and in order to comply with Policies 5.13 and 5.14 of the London Plan.

INFORMATIVE(S)

1 For information registered public footpath 250 runs along the boundary of the application site. It is outside of the site and should not be affected by any granting of planning permission. However, due to its close proximity to the development, the applicant should be made aware, by means of an informative attached to any permission, of the need to safeguard pedestrians using the route, and that it must not be damaged or obstructed either during, or as a result of, the development.

2 The Environment Agency would like to offer the following advice with respect to surface water drainage and pollution prevention: We support sustainable surface water drainage systems. The collection and dispersal of clean surface water to ground to recharge aquifer units and prevent localised drainage or surface systems flooding in heavy rainfall is encouraged. However, dispersal into the ground through soakaways will always require a site specific investigation and risk assessment.

Generally, we would accept roof drainage going to soakaway, but other surface drainage may need to go through treatment systems or to foul main, for instance vehicle parking. Surface drainage from car parking for less than 20 private cars is normally acceptable, provided there are suitable pollution prevention measures in the system prior to the discharge point and the groundwater is greater than 10 metres below final discharge level. We would not accept any vehicle parking drainage going to ground in an SPZ1.

The detailed design at any site can be negotiated on a site specific basis dependant on environmental setting and drainage design proposals. Pollution prevention We have produced advice and guidance to prevent pollution.

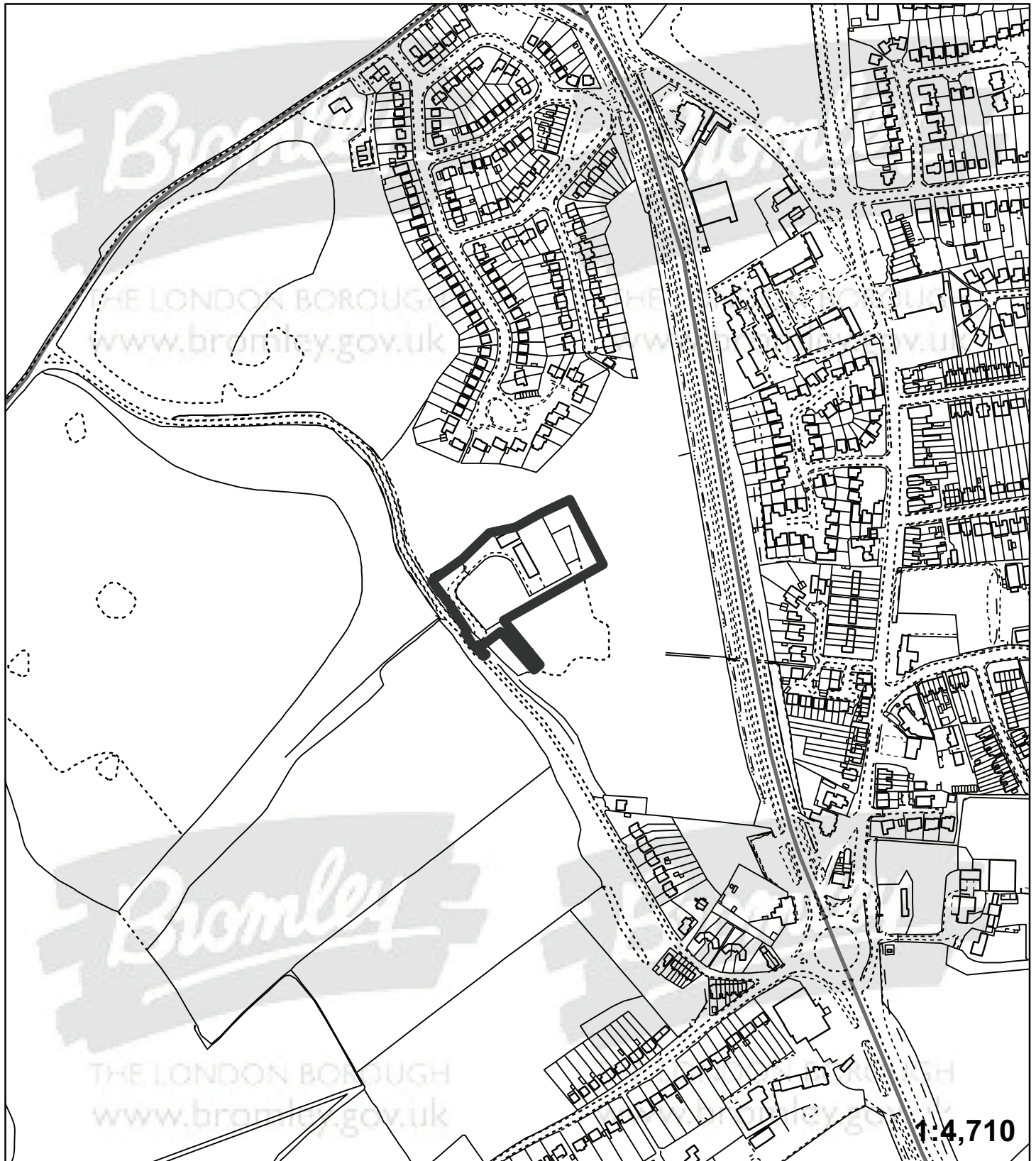
Please click on the following link for more information:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Application:13/03699/FULL2

Address: Old Hill Farm Old Hill Orpington BR6 6BN

Proposal: Change of use of existing building to mausoleum with associated landscaping, elevational alterations, hardstanding and parking for 25 cars.



"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 : 13/04099/FULL1

Ward:
Copers Cope

Address : St Michaels Court 81 Foxgrove Road
Beckenham BR3 5DA

OS Grid Ref: E: 538175 N: 170052

Applicant : Mrs M Begg

Objections : NO

Description of Development:

Two storey side extension to provide 2 x two bedroom flats (following permission granted on appeal under ref: 12/04040/FULL1) plus 2 x one bedroom flats within new and existing roofspace, with associated landscaping and parking

Key designations:

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

Proposal

The proposal is for a two storey side extension to provide 2 x two bedroom flats (previously granted on appeal under ref. 12/04040) plus 2 x one bedroom flats within new and existing roofspace with associated landscaping and parking.

Location

The application site is located on the eastern edge of junction of Foxgrove Road with Westgate Road and comprises a detached building arranged as two flats. Vehicular access and parking is arranged via Foxgrove Road. A large sycamore and cedar tree are located on the site boundaries; these are not covered by a Tree Preservation Order.

Comments from Local Residents

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

Comments from Consultees

Highways - there is associated parking for the additional two bedroom units. No objection raised.

Thames Water raise no objection with regard to sewerage infrastructure and water infrastructure.

Drainage - no objection subject to conditions.

Environmental Health (Housing) - dormer windows would be preferable to the velux windows proposed.

Trees - no objection subject to conditions.

Planning Considerations

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

- BE1 Design of New Development
- H7 Housing Density and Design
- H8 Residential Extensions
- H9 Side Space
- T3 Parking
- T18 Road Safety

The above policies are considered consistent with the NPPF.

Planning History

In terms of planning history, under ref. 12/04040, an application for a two storey extension comprising two 2 bedroom flats with associated landscaping and parking was refused by the Council for the following reason:

"The proposals, by reason of their excessive forward projection of the Foxgrove Road building line would result in an intrusive and overly dominant impact, harmful to the character of the streetscene and contrary to Policies BE1 and H7 of the Unitary Development Plan".

Planning permission was subsequently granted for the proposal at appeal in November 2013.

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 main bulk of the proposal (the two storey side extension has already been agreed with the granting of permission at appeal under ref. 12/04040).

Regard must therefore be had as to the impact of the two additional one bedroom units within the new and existing roofspace, as well as the impact from a highways perspective.

The London Plan (2011) and Housing SPG set out minimum space standards for new residential development, with the minimum GIA for a 1bedroom 2person unit being 50m². The submitted drawings indicate that the resultant one bedroom apartments will be well above this minimum (53m² and 55m²).

Each unit will be served by a series of velux windows allowing natural light to each room, with each unit also having a 'cabrio' roof window to each living room. This will be faced towards Westgate Road and Foxgrove Road respectively, and there are no overlooking or loss of privacy issues considered to result from the additional units.

Each new unit will have a designated parking space, and no objection is raised by the Council's Technical Highways department.

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

Having had regard to the above it was considered that the provision of two additional units within the new and existing roofspace is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area or the surrounding highway network.

In the interest of consistency, the planning conditions attached to the previous permission granted at appeal should be repeated as part of this new permission.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACB01
ACB01R | Trees to be retained during building op.
Reason B01 |
| 3 | ACB02
ACB02R | Trees - protective fencing
Reason B02 |
| 4 | ACB03
ACB03R | Trees - no bonfires
Reason B03 |
| 5 | ACB04
ACB04R | Trees - no trenches, pipelines or drains
Reason B04 |

- 6 ACC08 Satisfactory materials (all surfaces)
ACC08R Reason C08
- 7 ACD02 Surface water drainage - no det. submitt
ADD02R Reason D02
- 8 Before the commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use.
- Reason:** In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.
- 9 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:13/04099/FULL1

Address: St Michaels Court 81 Foxgrove Road Beckenham BR3 5DA

Proposal: Two storey side extension to provide 2 x two bedroom flats (following permission granted on appeal under ref: 12/04040/FULL1) plus 2 x one bedroom flats within new and existing roofspace, with associated landscaping and parking



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

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SECTION '2' – Applications meriting special consideration

Application No : 13/04147/FULL1

Ward:
Cray Valley East

Address : Lower Hockenden Farm Hockenden
Lane Swanley BR8 7QH

OS Grid Ref: E: 549405 N: 168960

Applicant : Garnet Properties

Objections : YES

Description of Development:

Demolition of buildings 7, 10 and 11 and erection of part one part two storey building for Class B1, B2 and B8 use

Key designations:

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

Proposal

This application seeks permission for the erection of a part one part two storey building for Class B1, B2 and B8 use. The proposal also involves the demolition of three existing buildings which will be replaced.

The new building would comprise three units with a single floor. The building would feature a shallow pitched roof and be constructed with box profile sheeting on the walls and roof, with three full height access doors and three smaller personnel doors. The office areas will benefit from ground floor windows.

The application documents state that proposed building would have a footprint of 454 sqm and total floor area of 628 sqm. The height will be 5.76m to the ridge and 4.72m to the eaves. The applicant advises that the units were designed on advice from commercial agents who recommended a minimum clear space to the underside of the haunches. This allows for storage for B8 uses and also for storage in connection with other business uses. They advise that units below this size lack the flexibility required by occupiers.

Location

The site is a former farm yard with access onto Hockenden Lane located within the Green Belt. Buildings at the site benefit from permission for Class B1, B2 and B8 use, and the surrounding land is open, with the exception of Meadow House, which is a listed residential property and its curtilage to the north east also fronting Hockenden Lane.

Comments from Local Residents

Objections have been received from a number of local residents raising the following points:

- footpaths around the site have been disregarded by the applicant
- it is not safe to walk to the site
- additional traffic on Hockenden Lane causing danger
- noise and disturbance from vehicles and machinery
- usage will be increased and so therefore will traffic
- recent flooding has been worsened by building work at this site
- site is already an eyesore and this will make it worse

A detailed objection has also been received from consultants acting on behalf of the residents of Meadow House adjacent to the site. This raises the following issues:

- conditions on previous planning permissions have been ignored
- existing buildings could meet an agricultural requirement for the site
- no toilet or rest room facilities have been provided for the employment uses
- increase in height of the building is between 22 and 40% which is significant and offends Green Belt policy
- the height of the building suggests a first floor will be introduced
- it has not been demonstrated that the proposed B1 use will not adversely affect the amenities of residents or the setting of the adjacent listed building
- B2 and B8 uses are inappropriate in a residential area
- Building 7 becomes enclosed on all sides and will be taller and wider
- applicant has failed to consider public footpath to the south or views from highway
- adverse impact on Green Belt and is not sustainable, contrary to national policy
- there is concern regarding flooding following recent storms
- proposal is not sustainable development and fails Green Belt policy criteria
- applicant is seeking to wear down the Council's resistance to the proposal

Comments from Consultees

The Highway Engineer has no objections.

The Environmental Health Officer (EHO) commented on the previous similar application that he had no objections, but requested that conditions from the previous planning permission should be reapplied if necessary. Any further comments will be reported verbally.

Thames Water have no objection, and the Council's Drainage Consultant requests standard conditions and reference to the Environment Agency.

The Environment Agency have no comment on the application

The Highway Drainage Engineer requests conditions to require submission of drainage details

Planning Considerations

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

BE1 General design of development
BE3 Buildings in rural areas
T3 Parking;
EMP2 Office Development;
EMP6 Development outside Business Areas;
G1 Green Belt

The most relevant London Plan (2011) policies are:

6.13 Parking;
7.4 Local character
7.14 Improving air quality;
7.15 Reducing noise and enhancing soundscapes
7.16 Green Belt

The National Planning Policy Framework 2012 (NPPF)

Planning History

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

Permission was granted under reference 09/03041 for the retention of car parking / manoeuvring space to serve existing business and agricultural uses.

Permission was granted under reference 10/02752/FULL2 for Change of use of existing buildings from mixed use for car repairs, storage and maintenance of tree care equipment and other non-agricultural equipment and storage and maintenance of non-agricultural equipment to mixed Class B1 (light industrial/office), Class B2 (general industrial and Class B8 (storage and distribution).

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

Application 13/00330/FULL1 was subsequently refused for a detached agricultural building as the barn approved under 11/03498 was not constructed in accordance with the approved plans. A current application is under consideration for a revision to this building (13/04252/FULL1).

Application 12/03308/FULL1 was refused for a similar but larger building to that proposed in this application. The reasons for refusal were:

The proposed building would constitute inappropriate development in the Green Belt and no very special circumstances have been provided which would outweigh the harm caused, and it is therefore contrary to Policy G1 of the Unitary Development Plan and the National Planning Policy Framework 2012.

The proposed building, by reason of its height, size and design would be harmful to the openness and character of the Green Belt and this rural location in general, contrary to Policies BE1, BE3, and G1 of the Unitary Development Plan and the National Planning Policy Framework 2012.

Conclusions

The primary considerations in this case are whether the proposed building is appropriate development in the Green Belt, and whether the use and building will cause any harm to openness or character, whether the proposal will impact on the amenities of local residents, and whether it will affect highway safety. It is necessary to consider whether the revisions compared to the previously refused application overcome the grounds of refusal for that application.

Proposed Uses

It is unclear as to whether the permission granted under reference 10/02752 for change of use of the existing buildings at the site has been implemented, however their previous lawful uses were for car repairs, body shop, storage and parts distribution. The permitted uses are for B1/B8 (Buildings 7 and 10) and B1/B2/B8 (Building 11). On this basis the principle of a new building falling within use classes B1 and B8 may be considered acceptable,. With regard to the Class B2 element, this can involve uses not acceptable in a residential area and the proximity of Meadow House is a concern, however the fallback position set out in the lawful development certificate 08/00718 means that uses similar to B2 could go in Building 10, closest to Meadow House. In this regard, the proposal results in this use being moved further away from Meadow House, into a new building, which with reference to uses alone, may be considered beneficial. In addition conditions could be imposed to help reduce any impact.

Although Policy EMP6 requires that business uses outside designated Business Areas should not cause any adverse impact on the amenity of surrounding properties. Although the uses proposed could give rise to harm to nearby

residential properties, in this case given the existing and lawful uses at the site it would be difficult to object to the proposal for this reason.

Amount of Development

With regard to the buildings to be replaced, Building 7 is a warehouse type building open on two sides and approximately 4.5m to the ridge, Building 10 is a low single storey enclosed building just over 3m in height, and Building 11 is an enclosed pitched roof building, approximately 5m to the ridge. All of the existing buildings have a single floor.

The existing footprint of Buildings 7, 10 and 11 is given as 560 sqm in the application documents, however previous applications and a scaled measurement from the Ordnance Survey map indicate that this footprint is 513 sqm and this latter figure is used for consideration of the proposal. The volume is given as 2187 cubic metres.

The proposed building is 5.76m to the ridge and has a footprint and floorspace of 454sqm. This equates to an overall decrease of 11%. The proposed building is higher than all of the buildings to be demolished and the overall increase in volume is approximately 9%. The consolidation of the three buildings does give rise to an overall increase in size and bulk. The overall size of the building also gives rise to the possibility of additional floorspace being easily created at first floor level in the future, although conditions can be imposed to require consideration of this at a future date.

The NPPF allows replacement buildings provided that they are not materially larger than the building that they replace. In existing Unitary Development Plan policy the Council considers that an increase of less than 10% can in general not be considered to be material. At 9% it may be considered that the proposed building is not materially larger than what it replaces.

Although there is an increase in volume, this is limited to under 10%, and there is a decrease in footprint. Members will wish to carefully consider whether the consolidation of these buildings will result in greater harm to the Green Belt and on balance it is suggested that the proposal complies with relevant policy in the NPPF.

Openness and character and appearance

With regard to the character and appearance of the building, this is not entirely appropriate in this rural Green Belt location. The bulk and design of the building are more akin to that found on an industrial estate in an urban location, and although the existing buildings are not of high quality design, they retain a lower key appearance that is commonly found in a rural farm yard. The height and bulk of the building means it will be visible from a wide area including the public footpath to the south. However, although there may be some harm to openness, character and appearance by virtue of the increase in size and bulk of development at the site, the overall height and size of the proposed building is reduced compared to the previous proposal. Although finely balanced, this may be considered to overcome the previous refusal ground relating to this.

With regard to the impact on the setting of the adjacent listed building, the separation would be sufficient to avoid any unacceptable harm.

Although the building will be visible from the upper floors of Meadow House, this visual impact would not be serious enough to warrant refusal on this ground alone.

There are no concerns in respect of highway safety and there is considered to be sufficient parking and turning area on the site.

Although this proposal remains finely balanced with regard to whether the increased building is materially larger and whether would have a harmful impact on the openness and character of the Green Belt and area in general, Members may agree that this proposal is acceptable for the reasons set out above, subject to suitable conditions. In particular a condition is suggested to limit the Class B2 general industrial floorspace to the current lawful floorspace in the buildings to be demolished to limit any harm to neighbouring properties.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
 - 2 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
 - 3 ACA07 Boundary enclosure - no detail submitted
 ACA07R Reason A07
 - 4 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
 - 5 ACD02 Surface water drainage - no det. submitt
 ADD02R Reason D02
 - 6 ACH02 Satisfactory parking - no details submit
 ACH02R Reason H02
 - 7 ACH29 Construction Management Plan
 ACH29R Reason H29
 - 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the application site without the prior approval in writing of the Local Planning Authority.
- Reason:** In the interests of the openness and character of the Green Belt and the amenities of nearby residential properties with regard to Policies G1 and BE1 of the Unitary Development Plan.
- 9 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in any elevation(s) of the building hereby

permitted, without the prior approval in writing of the Local Planning Authority.

ACI17R 117 reason (1 insert) BE1

- 10 The building hereby permitted shall only be used for purposes within Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) and no more than 75 square metres of the total floorspace within the building shall be used for purposes within Class B2.

Reason: In the interests of the openness and character of the Green Belt and the amenities of nearby residential properties with regard to Policies G1 and BE1 of the Unitary Development Plan.

- 11 ACK01 Compliance with submitted plan
ACK05R K05 reason

- 12 The buildings shown to be removed on the approved plans shall be completely demolished and resulting materials removed from the site before any use or occupation of the building hereby permitted.

Reason: In the interests of the openness and character of the Green Belt and the amenities of nearby residential properties with regard to Policies G1 and BE1 of the Unitary Development Plan.

- 13 ACK05 Slab levels - no details submitted

Reason: In the interests of the openness and character of the Green Belt and the amenities of nearby residential properties with regard to Policies G1 and BE1 of the Unitary Development Plan.

- 14 No external plant or machinery shall be installed on the exterior of the building without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the openness and character of the Green Belt and the amenities of nearby residential properties with regard to Policies G1 and BE1 of the Unitary Development Plan.

- 15 No outside storage of equipment, goods, materials, packaging, machinery or vehicles awaiting servicing, collection or repair and no industrial processes, servicing, testing or repair of vehicles shall take place outside the walls of the buildings hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In the interests of the openness and character of the Green Belt and the amenities of nearby residential properties with regard to Policies G1 and BE1 of the Unitary Development Plan.

- 16 The uses hereby permitted shall not operate and no vehicles movements shall take place at the site on any Sunday or public holiday, nor before 08:00 or after 18:00 Monday to Friday nor before 08:00 or after 14:00 on Saturday.

Reason: To protect the amenities of nearby residential properties and in the interests of the openness and character of the Green Belt and to accord with Policies EMP6 and G1 of the Unitary Development Plan.

- 17 There shall be no floodlighting or other external lighting at the site without the approval in writing of the Local Planning Authority. Any approved lighting shall be retained in accordance with the approved details.

Reason: To protect the amenities of nearby residential properties and in the interests of the openness and character of the Green Belt and to accord with Policies EMP6 and G1 of the Unitary Development Plan.

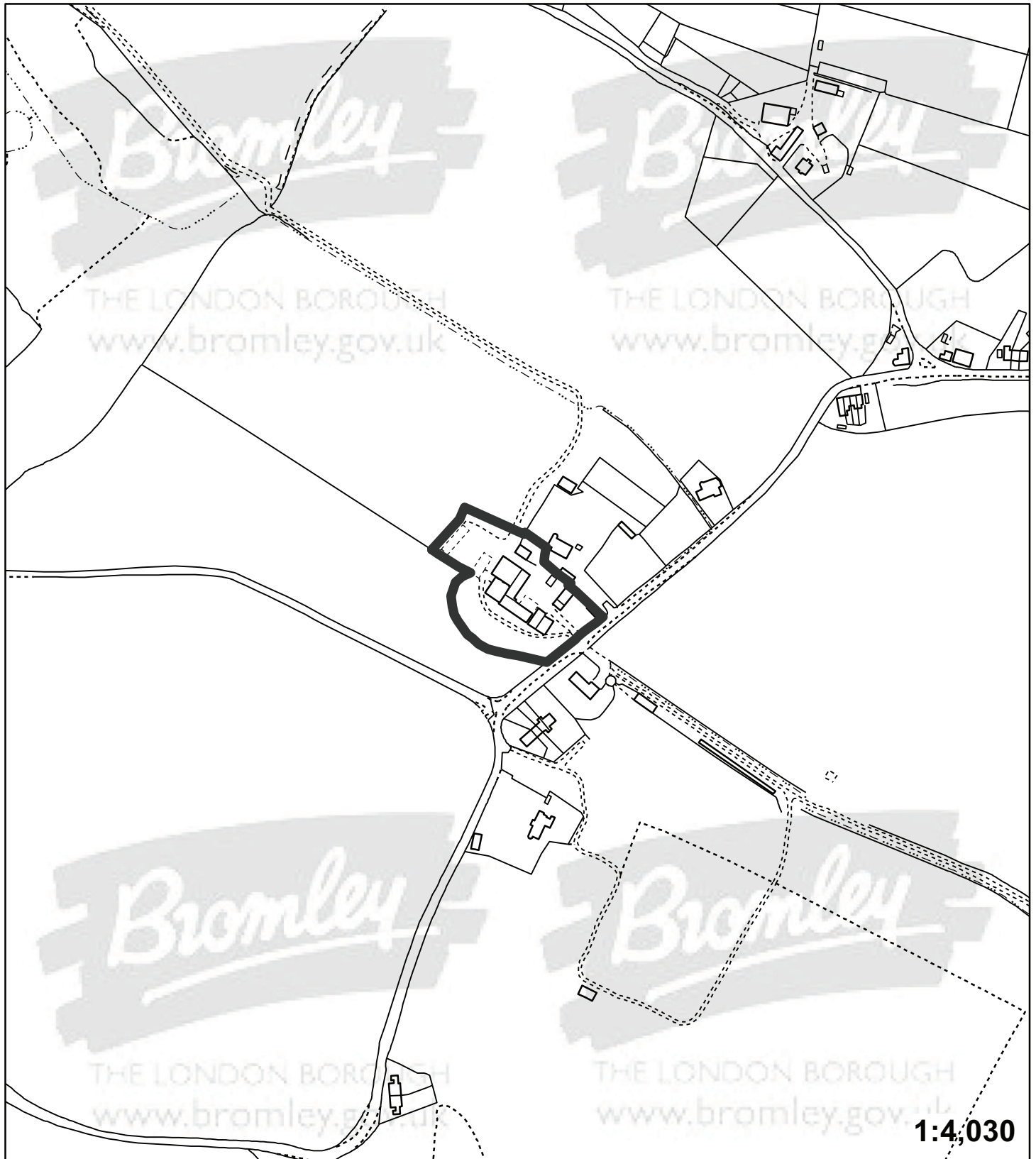
INFORMATIVE(S)

- 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

Application:13/04147/FULL1

Address: Lower Hockenden Farm Hockenden Lane Swanley BR8 7QH

Proposal: Demolition of buildings 7, 10 and 11 and erection of part one part two storey building for Class B1, B2 and B8 use



"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 : 13/04160/FULL1

Ward:
**Mottingham And Chislehurst
North**

Address : The Porcupine 24 Mottingham Road
Mottingham London SE9 4QW

OS Grid Ref: E: 542105 N: 172890

Applicant : Lidl UK

Objections : YES

Description of Development:

Demolition of the Porcupine public house and erection of a two storey building to provide a retail foodstore comprising 800sqm sales area with ancillary storage, office, servicing area and 35 car parking spaces

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads
Retail Shopping Frontage
Tree Preservation Order

Proposal

This application proposes demolition of the existing Porcupine public house and the erection of a 1200sqm food retail store over two storeys, with an 800sqm sales area. The building will be situated towards the road and the northern side of the site and is designed with a shallow pitched roof with dormer features. There are no windows proposed at first floor level. 35 car parking spaces and a servicing area will be provided to the rear and southern side of the site. The northern vehicular access will be closed and the southern access redesigned.

Landscaping strips are proposed along the western boundary and the front part of the southern boundary. The sole customer entrance is to the front of the building adjacent to a trolley bay. The front elevation will be glazed at ground floor level and the building will be primarily face brick and render with a clay tiled roof.

Supporting documentation has been submitted with the application including the following:

- Planning Statement
- Statement of Community Involvement
- Transport Statement, Travel Plan and Road Safety Audit
- Sustainability and Energy Statement
- Environmental Noise Report
- Land Surveys
- Arboricultural and Landscape Impact Assessment Report
- Design and Access Statement

To outline the case made for the applicant, the conclusions of the Planning Statement can be summarised as follows:

- The proposal will meet an identified retail need for convenience floorspace, increasing competition and choice in a town centre location
- The proposal will secure employment and the redevelopment of a vacant site
- The public house closed as it was not viable and there is no prospect of it reopening. Although concern is acknowledged regarding its loss, there are other community venues and public houses in the vicinity which are accessible
- Appropriate landscaping is proposed which will replace the two lost TPO trees
- Layout and design have been considered so as to reduce any impact on the amenity of neighbouring properties
- The proposal represents sustainable development in an accessible location
- The proposal accords with national and local planning policy

The applicant has also submitted a letter addressing issues raised by consultees and local residents in response to the application, and the contents of this have been considered in the report below.

Location

The site is situated on the western side of the Mottingham Road (B226 London Distributor Road) close to the War Memorial roundabout. The area is commercial with residential beyond the main frontage, and towards the western edge of Mottingham Local Centre. Specifically there are a number of residential properties situated behind and above the mostly frontage commercial uses on Mottingham Road including around the south and western edge of the site. Properties beyond those immediately fronting the eastern side of the road are within the Royal Borough of Greenwich.

The site is a public house with a car park to the front and large garden to the rear. The existing pub is a part one part two storey building rendered with a tiled roof. The pub is closed and the site is currently enclosed by a hoarding.

To the north of the site is a vehicle sales and repair garage. To the south are the rear gardens of properties in Devonshire Road. A further residential property flanks the site at its western end.

Consultations

Representations:

A substantial number of objections have been received in respect of this proposal including specifically from the Mottingham Residents Association, the Eltham Society, CAMRA and additionally from in excess of 250 local residents within Bromley and Greenwich Boroughs.

Representations have also been received from Bob Neill MP for Bromley and Chislehurst, who makes the following points:

- the application does not adequately demonstrate that the proposal will be appropriate to the size of the centre
- scale and massing are inappropriate for this location
- the proposal will result in a community facility that has been designated an Asset of Community Value
- employment generation will be very low
- parking provision is insufficient and will result in tailbacks, congestion and additional on street parking to the detriment of local residents and businesses
- HGV movements in and around the site could be hazardous and difficult and will impact on parking spaces. Delivery times would need to be controlled
- there is potential for pedestrian / vehicles conflicts in the car park
- the building's roof design is welcomed however the materials are unsuitable and there is insufficient landscaping
- security has not been properly considered and noise impacts on adjacent residential properties insufficiently addressed
- the applicant has not properly considered local representations

Objections have also been received from the local Ward Member and Greenwich Council Ward Members representing the wards in the Royal Borough of Greenwich which are located beyond the eastern side of Mottingham Road.

An objection has been received from the Bromley Branch of the Campaign for Real Ale (CAMRA) pointing out the following: The pub has potential to thrive and is a community asset. Other pubs in the area do not fulfil the same purpose as The Porcupine. National and local planning policy supports the retention of such valuable community assets. The applicants have not demonstrated that the pub is not viable. Falling trade can reflect management and ownership rather than unviability. The pub was not marketed openly. Employment numbers in this pub are likely to mean that any employment benefit would be at best marginal.

Other objections raise the following summarised issues:

Objections to Loss of Public House:

- pub should be retained as it has been widely used by the community
- pub is a community facility that should be reopened

- there has been a pub in the village for hundreds of years
- pub is a valuable community asset and meeting place
- pub is a landmark and will never return if demolished and replaced
- pub has been added to the register of Assets of Community Value
- there is nowhere suitable to meet at certain times of day since the Porcupine closed
- alternatives suggested by the applicant are different from this pub - the Prince of Wales is a sports bar and the Royal Tavern offers adult entertainment and are both outside the centre of Mottingham
- other facilities such as church halls are only available for specific events
- a public house has existed on the site since 1688 and if the pub is demolished it should be properly recorded
- loss of an attractive building
- other public houses such as the Ivy House in Nunhead and the Dutch House on the A20 have been saved from demolition. The Baring Hall in Catford has reopened after being saved

Objections to Lidl Food Retail Store:

- would be out of character
- would impact unacceptably on local shops - potentially 5 or 6 vacancies which will impact on the viability of Mottingham centre
- is too large for Mottingham
- foodstore is not wanted or needed
- Mottingham already has two small supermarkets
- will result in a loss of 'night-time economy' for Mottingham
- comparison to other centres such as Biggin Hill and Chislehurst are flawed due to their size and catchment
- impact on Co-op store at Kimmeridge Cross would be unacceptable as the area is deprived. This store also has 50 parking spaces which are often full
- proposal is not a 'top-up' store as Lidl suggest and the shop will attract business from a wide area
- a petition seeking support which was placed in the Eltham Lidl has not been mentioned by the applicant presumably because it did not support Lidl's case

Objections to Design and Appearance:

The proposed building will be:

- industrial and intrusive in its design
- overdominant and represents an overdevelopment of the site
- forward of the existing building line
- harmful to the setting of the attractive village entrance and war memorial
- excessive compared to the existing building which is respectfully designed
- the canopy and trolley bays would also be intrusive and will encroach onto the pavement
- out of character with the war memorial

- result a loss of greenspace

Objections to Traffic and Highways:

- a consultant on behalf of The Mottingham Residents Association has submitted a traffic report which makes the following points:
- the transport statement should reflect a generic 800sqm retail store and not this specific occupier.
- it over relies upon PTAL outputs and does not consider peak hour traffic conditions.
- there will be a step change in right turns in and out of the site making the submitted traffic modelling unreliable.
- an upgraded pedestrian crossing should be funded by the development
- delivery frequency is underestimated and there are inconsistencies between the noise and transport reports in relation to delivery times
- the form of access proposed is inappropriate and potentially hazardous to pedestrians and cyclists.
- methodologies in the statement result in conflicting estimates of trip generation
- there is no reference to achieving an appropriate visibility splay looking right out of the site
- traffic surveys were carried out in summer school holiday and combined with uncertainty of trip forecast accuracy places conclusions in doubt
- Mottingham Road is narrow and unsuitable for HGV movements
- traffic survey was undertaken in holiday time and is not accurate
- pollution from additional vehicles
- parking on site is not sufficient and will spill into residential areas
- there is already severe parking pressure in the area and many residents have to rely on on-street spaces being available
- impact on War Memorial roundabout and traffic safety
- increased risk of accidents due to traffic movements around the site
- there is no pedestrian pathway through the site
- disturbance to residents from additional vehicles including HGVs
- proximity of junior school and possible conflict with vehicles
- travel plan only makes reference to staff travel which will not be significant
- Eltham College and Dorset Road Schools are nearby and the highway safety issues could detrimentally impact on childrens' safety. There is also a nursery in West Park
- an improved pedestrian crossing should be sought as part of the proposal

Objections to Effect on Adjacent and Nearby Residential Properties:

- noise and disturbance from additional traffic
- previously noise to adjacent residents was human sounds, conversation and children playing
- vehicle movements and activity will severely impact on adjacent residents
- additional noise from cars, lorries, car doors, plant, unloading and manoeuvring

- close boarded fencing will not be adequate to protect residents
- views will be available from lorries into gardens and houses adjoining the site as well as the vehicles being highly visible
- unacceptable visual impact from development and lorries
- indiscriminate parking in nearby roads which will result in blocked drives
- 26 Devonshire Road is immediately adjacent to the site and is home to vulnerable residents who will be affected by the proposal both during development and once complete

Other Objections:

- there are many ways the pub can be made viable
- site is currently used for Remembrance Ceremony
- no provision has been made for site security which leaves surrounding properties vulnerable
- no consideration has been given to appropriate lighting for the site. Too much lighting could adversely impact on surrounding properties
- loss of trees on the site would be unacceptable and replacements are inadequate
- loss of vegetation already felled is regrettable and has been carried out without regard for adjoining residents
- proposed landscaping near the petrol station has not been properly considered
- insufficient use has been made of alternative energy such as solar panels
- increased hardstanding is not environmentally friendly and could impact on run-off and cause flooding
- no application has been made for advertisements which could be more harmful
- concern that Lidl ignored residents

Comments in Support:

A comparatively small number of representations in support of the proposal were received from local residents:

- a foodstore would help older people in the area without a car with shopping
- Lidl would not be a traffic hazard
- pub was not popular enough to prevent it closing
- the proposal will provide a much needed food retail store in Mottingham
- new jobs will be provided
- discount retailer is welcomed
- site will remain derelict for a long time if this proposal is unsuccessful and suggestions of its reuse are unrealistic
- existing pub has been reinvented unsuccessfully a number of times and hasn't been suitably supported to make it work commercially
- pub was no longer a family pub and will not be a loss
- the building is out of keeping and run down
- a modern store would be an improvement providing and encouraging investment in a slightly run down area

Consultee Responses

The Highway Engineer considers that the proposed access has substandard visibility and the information supplied does not give confidence that there is an adequate level of car parking proposed. There are also factors such as the servicing, pedestrian access to the site and junction operation that need further investigation. Consequently I would recommend refusal of the application as it would be detrimental to conditions of safety in the highway and free flow of traffic contrary to Policy T18 of the UDP 2006.

The Metropolitan Police Designing Out Crime Officer comments that there is no record of the applicant or agent seeking any advice and the application does not set out any measures to meet Secured By Design standards to reduce and prevent criminality. Concerns are raised that if the site is not secured and gated out of hours, the car park will be subject to anti-social behaviour and the security of the building will be compromised. This site is in an area that has historically suffered from high levels of anti-social behaviour and crime as can be seen from the crime statistics. These statistics are for a relatively small area within a radius of approximately 150m around the site over the past eight months shows 81 recorded crimes including anti- social behaviour, theft, burglary and drugs.

This particular proposal for the site would result in a situation where there is no natural surveillance of the rear of the site creating an area that will attract crime and criminality and the proposal for the site now opens access to the rear gardens of the houses on Devonshire Road making them vulnerable. Easy access to the rear of a property greatly increases the risk of burglary.

Increasing the lighting on the site will not deter crime if there are areas where criminals can hide from view, which is the case here. The provision of CCTV if installed correctly can indeed be a good investigative tool but in this case would not be sufficient to mitigate the crime risk of leaving access to the site open and uncontrolled. Therefore having looked at the crime risk for this location the application would not be able to meet the requirements of Secured by Design and demonstrate how it meets the relevant requirements of local policy BE1.

The Environmental Health Officer has no objection subject to all of the mitigation measures set out in the submitted noise report being implemented in full and a condition being imposed to provide details of the acoustic boundary treatment.

The Highways Drainage Officer requests that conditions be imposed to require the submission of detailed drainage information and calculations.

Thames Water has no objection to the application and recommends an informative

The adjoining Royal Borough of Greenwich objects to the application on the basis of the loss of the public house.

Planning Considerations

The application falls to be considered with regard to the following policies:

The National Planning Policy Framework 2012 (including specifically paragraph 216 which sets out weight to be given to emerging policies)

Saved Policies from the Unitary Development Plan 2006:

- T1 Transport Demand
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T17 Servicing of Premises
- BE1 General Design of Development
- NE7 Development and Trees
- S6 Retail and Leisure Development
- C1 Community Facilities

Appendix II - Parking Standards

Policies from the London Plan 2011:

- 2.15 Town Centres
- 3.16 Protection and enhancement of social infrastructure
- 4.6 Support for and enhancement of arts, culture, sport and entertainment provision
- 4.7 Retail and town centre development
- 4.8 Supporting a successful and diverse retail sector

Chapter 5 - London's response to climate change

- 6.13 Parking
- 7.3 Designing out crime
- 7.4 Local character
- 7.21 Trees and woodland

Recently published Draft Alterations to the London Plan (January 2014), in particular Policy 4.8, are also relevant and include enhanced reference to protecting public houses.

There is an emerging Local Plan, which is soon to be published for consultation, including an Options and Preferred Strategy document (March 2013) and the Local Plan Draft Policies and Designations which is due to be published in February 2014. This emerging plan carries limited weight in the determination of a planning application at this stage.

Planning History

Single storey extensions to the existing public house were permitted in 1987 and a freestanding hot food building was refused in 1989. Canopies for the rear seating area were permitted in 2007. An application for prior notification for demolition was refused in 2013 and there is a current application to retain the hoarding around the site.

Conclusions

Principle of development of a retail store

The site falls within the retail frontage of Mottingham Local Centre as designated in the UDP and is therefore an appropriate location for retail use. UDP Policy S6 requires retail developments to be appropriate to the size of the centre and not to harm the viability or vitality of other nearby centres, either by itself or in conjunction with other proposals.

The applicant has set out that there is no evidence that there will be any jobs lost from other businesses in the area as a result of this proposal and emphasize that they consider that the store will enhance Mottingham centre.

Other Local Centres in the Borough have accommodated similar size retail stores and at present there is no larger retail space in Mottingham. The applicant strongly argues that the proposal meets an identified need and that the site's location within a town centre makes it appropriate for a retail use. The Council's Borough-wide Retail, Office, Industry and Leisure Study from March 2012 identified that there was sufficient expenditure capacity in the Borough's Local Centres for an additional 1,500sqm convenience floorspace and 900sqm comparison floorspace up to 2016.

There are five Local Centres identified in the UDP and only Mottingham and Hayes do not include similar size stores. This would suggest that these two Centres could have the capacity for a larger footprint store such as that proposed in this application. Although the store would effectively take up a large proportion of the identified floorspace, there are no other significant schemes in these centres outstanding that have any prospect of being constructed before 2016.

Objectors have raised concerns about the impact on existing smaller shops in the retail centre. Whilst these concerns are acknowledged, there is no substantive evidence to support this claim. The applicant argues that to the contrary the store will support the town centre and encourage visitors, fulfilling an identified need. Further evidence has been provided to demonstrate that the store would not have any significant adverse impact on any other nearby town centres. As Lidl do not provide many of the additional services that larger supermarkets do, including fresh food counters, pharmacy, film processing, post office, café, mobile phone shop, this will also reduce any possible negative impact on local shops and could be controlled by condition if necessary. On balance the proposal is considered to accord with Policy S6.

Loss of the community facility

The public house is considered to be a community facility for planning purposes, and it has also been included on the Council's register of Assets of Community Value.

UDP (2006)Town Centres objective 2 and 5 are:

- 2) To sustain and promote the vitality and viability of town centres and ensure that the range and level of facilities are appropriate to the role and function of each centre in the hierarchy; and
- 5) To support local shopping areas by maintaining provision of local shops and services adequate to meet the day-to-day needs of all local users.

UDP 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." The applicant suggests that the policy may not relate to public houses, however it is clear that the list of facilities in Policy C1 is not exhaustive and does include facilities that meet a social need.

Furthermore, the NPPF clearly regards public houses as community facilities (paragraph 70). The emerging Local Plan Options and Preferred Strategy document (March 2013) indicates that strategic options would be supported by a range of development management policies, likely to include specific protections for facilities important to local communities, including pubs. The Local Plan Draft Policies and Designations is published for consultation Feb 2014 and includes a new draft Community Facilities policy and a specific draft pubs policy

The applicant has provided examples of decisions made within Bromley involving the loss of public houses where UDP Policy C1 has not been introduced; however these decisions were all taken prior to the publication of the NPPF, which provides strong support for the retention of public houses as community facilities. The relevance of Policy C1 will also depend on the specific circumstances of each application site.

The applicant argues that there is no longer a need for a public house community facility in this location as there are alternative public houses and community facilities within an accessible distance of this site and that the pub closed as it was no longer viable. Information is provided regarding declining trade and six failed tenancies in the last 8 years at the Porcupine which it is stated indicate it was not viable. This includes confirmation that the failed landlord tenancies were effectively the landlord's business thus they would have had an incentive to make the pub viable. Because it is argued that there is no longer a need for the facility, the applicant does not consider that any replacement provision is necessary.

The applicant further considers that the lack of demand and usage of the pub when it was trading cannot be regarded as a 'defined need' to retain the facility, with particular regard to the draft amendments to London Plan policy 4.8 as this policy requires sufficient evidence of need and viability for a pub use before Boroughs should impose public house protection policies. It is further pointed out that no such policy exists in Bromley at this time.

It is difficult to regard the evidence submitted regarding viability as conclusive with regard to whether there is a need for the facility; it could be considered that the fact that 6 tenants have come forward over the last 8 years indicates that there continues to be interest in running the pub. It is difficult to be certain as to whether the business could be viable as it does not seem that there has been any

significant investment in the premises. In fact from its appearance and comments from local residents, the premises seem to have been allowed to decline. Additionally, representations from local residents seem to indicate that if the premises had been maintained well or improved, custom may have increased rather than declined. Members may consider that the closure of the public house cannot be decisive in determining whether there is no longer a need, and must be balanced with other considerations which also indicate need.

It must be recognised that public houses provide a specific type of walk-in community facility providing flexibility and opening hours which are not directly comparable to a church hall or other facility where booking is normally required. Pubs operate as an impromptu and regular meeting place for the community, particularly in the evening, as well as for pre-arranged functions.

The proposal involves the loss of the sole public house within a district centre. The nearest alternative pubs are:

- The Prince of Wales, just over 500m from the site (some 280m south of the shopping frontages)
- The Royal Tavern over 650m from the site (some 440m east of the shopping frontages).

Neither is located within Mottingham centre and arguably therefore they are not in an equally accessible location with regard to Policy C1, and the loss of the Porcupine would deprive Mottingham centre of its only public house.

It is also of note that permitted development rights exist at present to change the use of the building to Class A1, A2 or A3 (retail, financial and professional services or restaurant) without the need for planning permission, which the applicant sets out as a fallback position that would also result in the loss of the public house. However, given the format and size of the store proposed, this may not be a realistic fallback position for this particular applicant.

The applicant also suggests that because the public house has closed, that there is no use to protect or retain and therefore the policy in this regard is not relevant, and cites a previous appeal elsewhere in relation to this. It is not considered that this is a sound argument however, as it would make circumventing any policy easy by simply closing the relevant business.

The Policy C1 test is whether there is any longer a need for the community facility and if there is, whether there is an equally accessible alternative. It is considered on balance that there is a need for a public house in this location to serve Mottingham centre, and that there are no comparable alternatives in an equally accessible location within Mottingham centre. The strong desire of the community to retain this facility is evident from the public interest and representations made to this application and its loss will deprive Mottingham centre of a suitable range and level of facilities. On balance, it is considered that the proposal does not comply with Policy C1 or town centre objectives 2 and 5.

Design

With regard to Policy BE1, the proposed design of the building is relatively sympathetic to the location and the pitched roof and use of more traditional materials in part does provide a more attractive development than some other typically utilitarian retail buildings. The building is set relatively far forward on the site, much further than the existing public house, and this will impact upon the streetscene. However, although this is a subjective point, given the pitched roof and design of the building, this change is not considered so objectionable as to warrant refusal.

The building will present a greater built form closer than the existing building when viewed from the rear of properties in Devonshire Road, however given the separation of minimum 20m and the overall height of the proposed building of between 8m and 9.8m, and the lack of any windows at first floor level, the relationship is on balance considered acceptable.

The design and layout of the scheme does leave minimal space for landscaping and will result in a significant proportion of the site being developed with buildings and hard surfaces. Compared to the amount of landscaped area at present this is a detrimental change and the site will be intensively developed. Members will wish to carefully consider whether the amount of development proposed is appropriate for this site with regard to Policy BE1.

Amenities of neighbouring properties

The relationship of the site with adjoining properties will alter significantly as a result of this proposal and there is concern about the impact of this change, in particular the close proximity of vehicle movements to the rear gardens of properties in Devonshire Road, which were previously only affected by disturbance at times when the pub garden was in use. The applicant has pointed out that the previous use attracted anti-social behaviour and crime and undoubtedly had an impact on neighbouring properties.

It is considered that as a consequence of the layout of the access road and car parking, the noise from car movements, customer activity and deliveries in the parking area would be audible to adjoining residents. However, the submitted acoustic report concludes that noise levels would be acceptable if noise reduction measures in the form of an acoustic boundary treatment are installed. There is no evidence that this would not be the case despite the change in the relationship which would be created by the development. The Council's Environmental Health Officer considers that the impact would be acceptable from a technical noise aspect provided the conclusions of the noise report are adhered to, and a condition is recommended should permission be granted.

Although concerns are raised in objections regarding overlooking from delivery vehicles, deliveries are stated to be normally one per day and maximum two per day at peak times. Any impact would therefore not be significant and the number of deliveries could be the subject of a planning condition if permission were to be granted.

Crime Prevention

Policy BE1 requires that security and crime prevention measures should be included in the design and layout of building and public areas. The Crime Prevention Officer raises concerns that the development will not be suitably secure outside opening hours given that no measures are proposed to secure the car park. This may also impact on the security of residential properties surrounding the site which will now be far more exposed than from the pub garden which was secured from being readily entered outside of opening times. It is stated that CCTV will be installed; however this is not always a successful deterrent.

The applicant has proposed a physical barrier is installed to prevent access to the car park when the store is closed, however it is not clear whether this could be successfully achieved both in terms of the visual appearance of such a barrier and in operational terms given the access and parking layout. On balance the proposal fails to comply with this part of Policy BE1 as it fails to include suitable measures to prevent crime and antisocial behaviour.

Highways and parking

Concerns are raised regarding the new access relating to the achievable sightlines and pedestrian safety as a result of the size of the access. Given the nature and location of the access it is considered that it should meet the necessary criteria and it does not, meaning the proposal is contrary to Policies T6 and T18 of the UDP.

With regard to servicing, it is stated that Lidl only normally make one visit per day, however this may be more at peak times of year. This would be difficult to control effectively by condition, and must be considered in light of the fact that some parking spaces would need to be coned off to satisfactorily service the building. This may lead to deliveries outside store opening which may be more harmful to neighbouring properties. Additionally the swept path of the delivery vehicle shows it going across both carriageways of Mottingham Road. The servicing arrangements are therefore considered unsatisfactory and contrary to Policy T18 of the UDP.

In respect of parking spaces, the site is in a low PTAL area and there are 3 bus routes in the area although none pass the site. The provision of parking is below the Council's maximum standard which is between 43 and 65 spaces. The proposal falls below the lowest maximum standard and given the layout proposed, the proximity of the roundabout, the lack of any public car park nearby and the pressure on street parking in the vicinity of the site, it is questionable whether a lower standard would be acceptable in this location if demand for parking at the store was high.

Additionally cars manoeuvring into space 35 will hold up any following vehicle which will be unable to clear Mottingham Road. The parking spaces are the maximum which can be provided on the site but this should not lead the parking provision and, together with the arrangements for the servicing, would indicate there is not enough space on the site for this proposal. The applicant has pointed out that Lidl would not seek to develop a site which included inadequate car parking as this would deter customers, however the parking does appear to be less than adequate given the circumstances of the site.

Overall there remain concerns about the parking, servicing and junction arrangements for this proposal both in respect of vehicle and pedestrian safety, and also the impact on the surrounding area in terms of additional parking pressure. The proposal is therefore contrary to Policy T18 of the UDP.

Trees and landscaping

There are two trees on the site which are the subject of Tree Preservation Orders. The applicant has provided supporting information which states that one tree is not worthy of retention and that the other is of a lower quality than the Council considers. Notwithstanding the applicant's submission, the removal of both of these trees is considered unacceptable and the conclusions of the applicant's arboricultural report are not considered accurate.

To offset the loss of these trees and to provide an attractive setting for the development, some limited landscaping is proposed, however this is a relatively small proportion of the site. Off-site planting is also suggested in the application, however at the time of reporting no confirmation had been received that this was acceptable to the Local Highway Authority on whose land the planting would be carried out. Unless the off-site planting can be demonstrated to be deliverable, it would not be appropriate to consider it in the determination of the application.

The applicant has commented on the Council's views on the trees and landscaping scheme and is concerned that the information submitted with the application has not been properly considered. It is reiterated that the proposed landscaping scheme is considered to more than adequately remedy the loss of two TPO trees which the applicant's consultant does not consider worthy of retention.

Overall, the landscaping proposals are considered inadequate both for the purposes of 'offsetting' the loss of the protected trees and in providing a suitable setting for the development, contrary to Policies BE1 and NE7 of the UDP.

Sustainable Development and Renewable Energy

The London Plan provides the policy framework in respect of sustainable construction and renewable energy, and information has been submitted with the application to demonstrate compliance with the relevant policies.

Conclusion

Although a retail store of this size in Mottingham in policy terms may enhance the vitality and viability of the centre by way of linked trips and by complimenting the existing retail offer, the loss of the existing public house community facility at the site is a significant concern and for the reasons set out above is considered to conflict with local, regional and national existing and emerging policies.

The appearance of the building is not unacceptable although the proposed layout of the site will alter the relationship with neighbouring properties and significantly increase the amount of built development at the site. The proposed layout will also give rise to concerns about security and crime prevention.

There remain outstanding concerns surrounding the junction and access arrangements, the parking provision at the site, and also the loss of trees which have been considered worthy of retention and subject to a Tree Preservation Order. The proposals to offset the loss of trees on site are limited and there appears to be no certainty regarding any offsite landscaping provision.

Taking all of the above into account, the restricted parking provision and layout, the potential conflicts of different vehicles and pedestrians, the limited space for landscaping and the overall amount of built development proposed may indicate that the proposal represents an overdevelopment of the site.

On balance, refusal is recommended for the reasons set out below.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed junction access, servicing and parking arrangements do not meet necessary criteria and will give rise to unsatisfactory vehicle and pedestrian conflicts, detrimental to conditions of safety in the highway and free flow of traffic and contrary to Policy T18 of the Unitary Development Plan
- 2 The proposed development would result in the unacceptable loss of two statutorily protected mature trees which would have a detrimental impact on the character and appearance of the area, contrary to Policy NE7 of the Unitary Development Plan.
- 3 The proposed development would not incorporate adequate security and crime prevention measures in the design and layout of building and public areas, and would therefore be contrary to Policy BE1 of the Unitary Development Plan.
- 4 The proposed development by reason of the amount of buildings and hardstanding, limited landscaping and the resulting potential vehicle and pedestrian conflicts would constitute an overdevelopment of the site, harmful to the character and appearance of the area and adjacent residential properties, contrary to Policy BE1 of the Unitary Development Plan.
- 5 The proposal results in the loss of a public house and community facility, detrimental to the quality and range of services within Mottingham Centre available to visitors and local residents, contrary to Policy C1 and objectives 2 and 5 of Chapter 11 of the Unitary Development Plan, draft alterations to Chapter 4.8 of the London Plan and the National Planning Policy Framework 2012.

Application:13/04160/FULL1

Address: The Porcupine 24 Mottingham Road Mottingham London SE9 4QW

Proposal: Demolition of the Porcupine public house and erection of a two storey building to provide a retail foodstore comprising 800sqm sales area with ancillary storage, office, servicing area and 35 car parking spaces



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

SECTION '2' – Applications meriting special consideration

Application No : 13/04185/FULL6

Ward:
Shortlands

Address : 7 Wickham Way Beckenham BR3 3AA

OS Grid Ref: E: 538090 N: 168522

Applicant : Mr G Henderson

Objections : NO

Description of Development:

Single storey rear extension

Key designations:

Conservation Area: Park Langley

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

Local Distributor Roads

London Distributor Roads

Proposal

The proposal is for a single storey rear extension which will adjoin the existing kitchen extension at the rear. The extension will project 10.9m to the rear along the boundary with No. 1 Hayes Way with a width of 6.018m. The extension will have a glazed pitched roof with a maximum height of 3.85m and an eaves height of 2.8m. It will be 18.1m from the boundary with No. 5 Wickham Way and will abut the side boundary with No. 1 Hayes Way with the main roof being set approximately 0.5m away from the boundary to enable a gutter.

Location

The application site is a large detached two storey property on the northern side of Wickham Way close to the junction with Hayes Way. The property sits within a large plot and lies within the Park Langley Conservation Area.

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

This application has not been viewed by APCA.

From a heritage perspective it is considered that there would not be a negative impact on the character of the conservation area.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
BE11 Conservation Areas

Supplementary Planning Guidance 1 General Design Guidance
Supplementary Planning Guidance 2 Residential Design Principles
Supplementary Planning Guidance Park Langley Conservation Area

The London Plan and National Planning Policy Framework are also key considerations in determination of this application.

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework.

Planning History

Various planning applications have been permitted at the property including the following relevant applications:

- 73/03359 - Single storey rear extension (living room and kitchen) (outline)
- 77/01326 - Replacement of boundary fence with brick wall 7'6"
- 78/00098 - Two storey side extension to dining room with bathroom/sauna over; detached garage/garden store
- 78/02639 - Two storey side extension and detached garage with formation of access onto classified road

Conclusions

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

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

The proposed extension is to the rear of the property and will not be visible from the streetscene. The design of the proposed extension is considered to be in keeping with the host dwelling and given the size of the rear garden is not considered to cause any harm to the amenities of the host dwelling. As such Member's may consider that the proposal would not have an adverse impact on the character of the Park Langley Conservation Area or host dwelling.

The main consideration with regards to the proposal is the impact on the residential amenities of the neighbouring properties in particular No. 1 Hayes Way. The extension will project 10.9m along the side boundary with No. 1 Hayes Way. It will be 18.1m from the boundary with No. 5 Wickham Way and as such is not considered to cause any impact on the amenities of the residents of this adjoining site. The extension will abut the side boundary with No. 1 Hayes Way with the main roof being set approximately 0.5m away from the boundary to enable a gutter. The extension will have a glazed pitched roof with a maximum height of 3.85m and an eaves height of 2.8m. The existing side boundary wall has a height of 2.3m and as such the proposed extension will extend 0.5m to the height of the eaves above the existing boundary wall. Whilst the proposed extension is substantial in depth, Members may consider that given the layout and orientation of the application site and adjoining site at No. 1 Hayes Way, the extension would not significantly harm the amenities of the adjoining property in terms of loss of light, outlook or privacy.

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

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, 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
ACC07R | Materials as set out in application
Reason C07 |
| 3 | ACK01
ACK05R | Compliance with submitted plan
K05 reason |

Application: 13/04185/FULL6

Address: 7 Wickham Way Beckenham BR3 3AA

Proposal: Single storey rear extension



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

SECTION '2' – Applications meriting special consideration

Application No : 13/04218/FULL1

Ward:
Penge And Cator

Address : 2A Kingswood Road Penge London
SE20 7BN

OS Grid Ref: E: 535175 N: 170528

Applicant : Mr Chris Walker

Objections : NO

Description of Development:

Demolition of existing industrial building and ancillary offices and erection of a two storey building providing four 2 bedroom flats with associated landscaping, parking, cycle and bin storage.

Key designations:

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

Proposal

The proposal is to demolish the existing industrial buildings on the site and erect a two storey development of 4 x two bedroom apartments. Each apartment would have its own parking space. Flats 1 and 2 on the ground floor would have private outside amenity areas, with Flats 3 and 4 on the first floor having a recessed balcony.

The application is accompanied by various supporting documents including:

- Marketing information relating to the existing building
- An appraisal of the structural condition of the existing building
- A photo survey illustrating the dilapidated state of the existing premises
- An Environmental Screening Report
- A Statement of Community Involvement detailing the public consultation on the proposal that has been undertaken

Location

The application site currently comprises a derelict industrial building on the eastern side of Kingswood Road, located close to Penge High Street to the south. The area has a PTAL rating of 4.

The existing building itself is located to the rear of No.2, 2A and 4 Kingswood Road, covering the site almost in its entirety. Although currently vacant, the building housed ancillary offices associated with the industrial works to the rear. The property is currently in a very poor state of repair and has been the subject of vandalism and criminal activity in recent times.

Comments from Local Residents

Nearby owners/occupiers were notified of the application. At the time of writing, 4 letters of support were received which made the following points:

- the need for a change of use is accepted
- the proposal would be a great improvement on what is on site at the moment
- new housing stock is supported
- parking provision is sufficient
- the existing building attracts squatters and therefore the re-development is supported
- the view from Mosslea Road will be improved
- there will be no overlooking due to the proposed high-level windows
- the area is predominantly residential and the scheme fits into the space comfortably

Comments from Consultees

Technical Highways comments were received which raise no objection, subject to planning conditions.

The Council's drainage team raise no objection subject to conditions.

Thames Water raise no objection with regard to sewerage infrastructure and water infrastructure.

From an Environmental Health perspective, there are no objections in principle. A condition relating to soil conditions on site is suggested. With regard to Environmental Health (Housing), at the time of writing no comments were received.

The Council's Design out Crime Officer has suggested a planning condition be attached to any permission that may be granted in order for the applicant to indicate how measures to meet Secured by Design standards can be incorporated into the scheme.

Planning Considerations

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

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

ER4 Sustainable and Energy Efficient Development
ER7 Contaminated Land
EMP5 Development Outside Business Areas
T3 Parking
T18 Road Safety.

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

The Council's SPG guidance is also a consideration.

Planning History

The site has a long history relating to unsuccessful planning applications for development proposals, which include:

- a development of 2 two storey semi-detached houses (refused under ref. 07/02879);
- a three storey block comprising 2 one bedroom and 4 two bedroom flats (refused under ref. 08/03173 and subsequently dismissed at appeal under ref. APP/G5180/A/08/2093293);
- a three storey block comprising 4 two bedroom flats with four undercroft parking spaces, cycle and refuse storage (refused under ref. 10/01250).

Conclusions

As can be seen from the sites planning history, the principle of residential development was broadly accepted by the Inspector who considered a previous scheme, stating that the proposal "would result in the more efficient use of well-located previously-developed urban land, in line with national policy in PPS1 and PPS 3 for that objective". While the legislation highlighted by the Inspector has been subsequently replaced by the National Planning Policy Framework (NPPF), his comments remain a material consideration in the determination of any future planning applications that may be submitted at the site.

After considering the refusal grounds of previous applications, and in particular the comments of the Planning Inspector who dismissed the appeal for a three storey block of 6 flats (ref. 08/03173), the main issues relating to the application are the extent to which the loss of the identified business premises on site has been justified; the impact the proposal would have on the amenities of the occupants of surrounding residential properties; and the provision of adequate amenity space on site for future occupiers of the proposed units.

In respect of the loss of the commercial premises, one of the key objectives of Policy EMP5 of the adopted UDP is to retain a range of accommodation for different business uses. The most recent tenant at the site - whilst purporting to operate an engineering business - had in fact adapted the premise for use as an illegal cannabis farm before vacating leaving substantial rent arrears. The site has remained vacant since October 2012.

The Council requires applicants to provide evidence that the site has undergone 'full and proper marketing' to demonstrate that criteria (ii) of Policy EMP5 has been met. The application is supported by two marketing reports from established local agents, detailing the marketing of the premises dating back to August 2006. No firm or suitable interest has been expressed during the time since the site was vacated. As can be seen from the schedule of photos, and after undertaking a site inspection, it is clear that the commercial space at the site is sub-standard, and would require significant investment to bring it up to modern expectations. Indeed, the applicant has provided a structural appraisal of the building which concludes that the premises, having also been subjected to significant vandalism, are now beyond economic repair. With the above in mind, and given that the site is not a Strategic Industrial Location, it is not considered that there is sufficient value in the protection of a business use at the site.

When considering the amenity and privacy of surrounding residents, it is noted that the proposed scheme represents a reduction in overall scale compared to previous applications at the site. The existing relationship between the commercial premises and surrounding properties is far from ideal, therefore a view must be taken as to whether the proposal represents an improvement over the current set-up. The applicant has undertaken significant pre-application consultation in the local, with the proposal garnering general support locally.

It is considered that the current proposal overcomes any previous overlooking issues by obscure glazing the majority of windows proposed in the rear and flank elevations and placing them at a high level. Any windows not obscure glazed would serve internal circulation space or landings. To a large extent, this is considered to mitigate the potential for any overlooking issues to arise from the proposed side and rear windows.

The front elevation will contain a series of windows to serve the proposed kitchens and living rooms of the units. With the removal of No.2 Kingswood Road as part of the scheme Flats 2 and 4 will be facing the street, with a large separation. The windows in the front of Flat 1 (ground floor) and Flat 3 (first floor) and will face the rear elevation of No.4 Kingswood Road, with a separation of around 6.0m. Whilst this relationship is not considered to be ideal, when noting the current outlook from the rear windows of No.4, and the extent to which the proposal would represent an improvement, the resulting impact is seen as acceptable.

Regarding amenity space for the proposed development the Inspector, when considering the previously dismissed scheme highlighted that "the ability to sit outside in conveniently accessed private amenity area is, in my judgement, an important part of a decent living environment and an integral part of a well-designed residential scheme". This is a view shared by the Council and as such Policy H7 of the Unitary Development Plan expects all new housing developments to include adequate private or communal amenity areas to serve the needs of the particular occupants.

Flats 1 and 2 on the ground floor will have access to private outside space of around 22m², with Flats 3 and 4 on the first floor having access to private balconies. These balconies have been recessed back from the front elevation in

order to prevent any substantial overlooking or perceived loss of privacy at surrounding properties.

From a Technical Highways perspective, the gated access road and provision of one parking space per unit is acceptable, subject to standard planning conditions.

In summary, the proposal is considered to represent an appropriate re-use of a brownfield site, in line with national guidance. The current proposal is a general reduction in scale and bulk over previously refused schemes, and a significant reduction in the nature of the built form on site. The proposal is considered to improve the character and appearance of the streetscene without resulting in a significant loss of amenity to local residents.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 3 ACD02 Surface water drainage - no det. submitt
 ADD02R Reason D02
- 4 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 5 ACH18 Refuse storage - no details submitted
 ACH18R Reason H18
- 6 ACH22 Bicycle Parking
 ACH22R Reason H22
- 7 ACH29 Construction Management Plan
 ACH29R Reason H29
- 8 ACH32 Highway Drainage
 ADH32R Reason H32
- 9 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

Reason: In the interest of the residential amenities of the surrounding area.

- 10 Before the development hereby permitted is first occupied, the proposed windows in the rear and flank elevations (as indicated on the approved plans) shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and shall subsequently be permanently retained as such.

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

- 11 ACI21 Secured By Design
 ACI21R I21 reason
- 12 ACK01 Compliance with submitted plan

- ACK05R K05 reason
- 13 ACK09 Soil survey - contaminated land
ACK09R K09 reason
- 14 The application site is located within an Air Quality Management Area (AQMA) 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: In order to minimise NOx emissions within a designated Air Quality Management Area in line with paragraph 124 of the NPPF and Policy 7.14 of the London Plan.

INFORMATIVE(S)

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

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

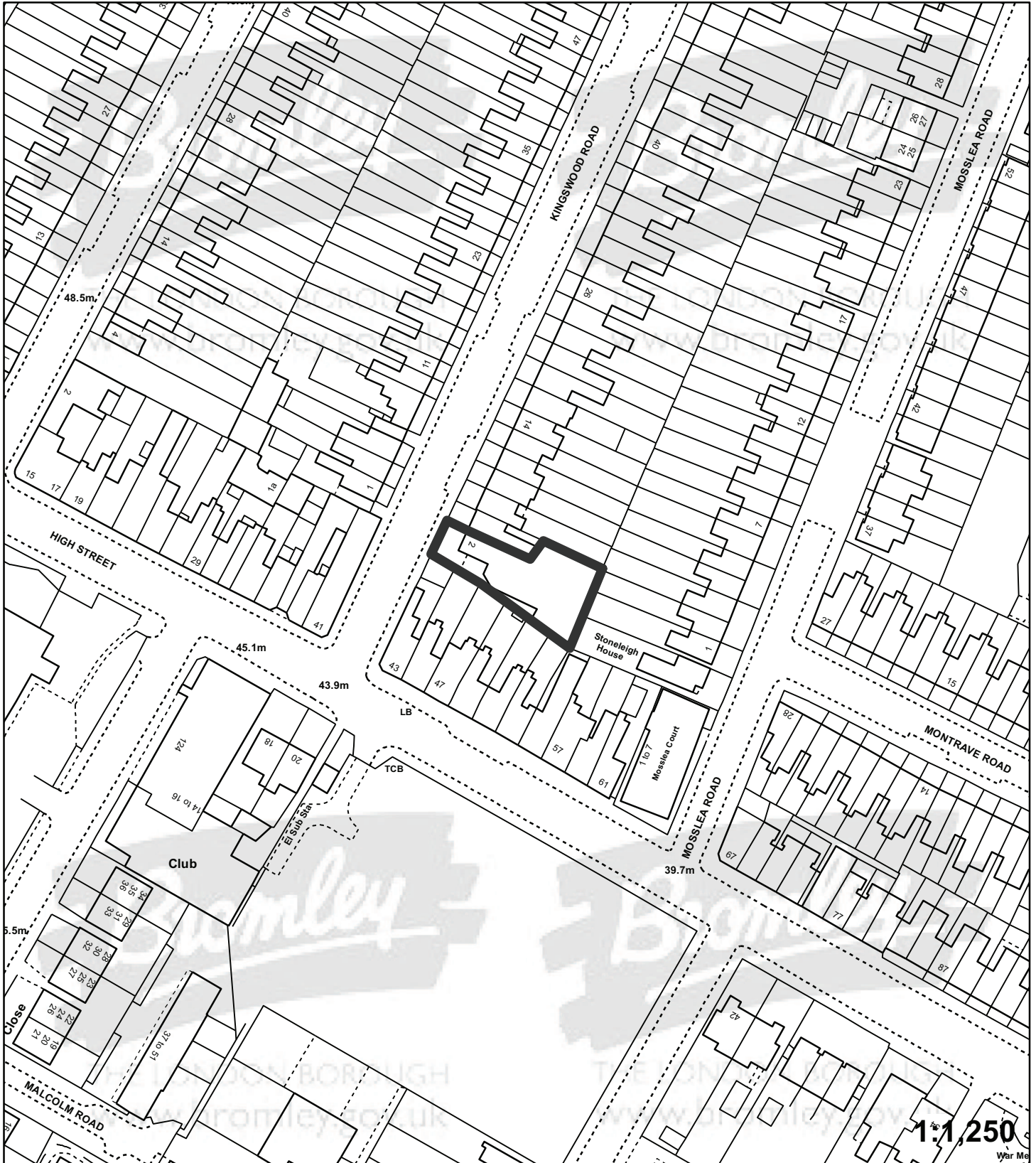
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 2 Before the works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 3 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of 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.

Application:13/04218/FULL1

Address: 2A Kingswood Road Penge London SE20 7BN

Proposal: Demolition of existing industrial building and ancillary offices and erection of a two storey building providing four 2 bedroom flats with associated landscaping, parking, cycle and bin storage.



"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 : 13/04236/VAR

Ward:
Chislehurst

Address : Rivendale The Drive Chislehurst BR7
6QS

OS Grid Ref: E: 545504 N: 168944

Applicant : Mrs Bernadette Kleine Deters

Objections : YES

Description of Development:

Variation of conditions 7, 8 and 10 of permission reference 12/00267 to enable revised landscaping/hardstanding layout.

RETROSPECTIVE APPLICATION

Key designations:

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

Proposal

Retrospective permission is sought to vary the landscaping and boundary treatment within the front garden area of the application dwelling, in order to provide additional off-street parking towards the south of the site, comprising of a gravel area.

Location

The application site is situated within what previously formed part of the garden of Lyridon, along the western side of The Drive, and approximately 30 metres north of its junction within Leasons Hill. The application dwelling forms one of two detached houses which have recently been constructed within that site.

Comments from Local Residents

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

- contravention of planning permission granted for this development
- gravel parking area is an eyesore

- this additional parking area will lead to conflict between the owners of the application dwelling and that at Redwood

Comments from Consultees

No technical Highways objections have been raised.

Planning Considerations

BE1 Design of New Development

Planning History

Under ref. 90/02423, planning permission was granted for two detached bungalows. However, these were not implemented. Subsequently, under ref. 00/01900 a scheme for three detached houses was refused and dismissed at appeal on the basis that the proposed development would intensify the use of the junction of The Drive with Leasons Hill and in the absence of adequate sight lines at the junction, would lead to conditions prejudicial to the free flow and general safety of traffic along these roads. Subsequent applications for two detached houses (ref. 01/03084) and a single detached house (ref. 04/04079) were refused on similar grounds, the latter also being dismissed at appeal.

Under ref. 11/00621 a proposal for two detached houses of similar design and siting to those now proposed was refused by the Council on the following ground:

"The proposed development would intensify the use of the junction of The Drive with Leasons Hill and in the absence of adequate sight lines at the junction, would lead to conditions prejudicial to the free flow and general safety of traffic along these roads, thereby contrary to Policy T18 of the Unitary Development Plan."

The 2011 application was dismissed at appeal; however, in reaching his conclusion the Planning Inspector (in Para. 32) came to the following conclusion:

"... the proposal would be satisfactory in highway terms if the improved visibility splay was secured such that it was permanently retained. However the unilateral undertaking would not achieve its stated objective and does not provide any guarantee that the improved splay would be provided or permanently retained. Neither would a Grampian condition be satisfactory for the reasons outlined. In these circumstances I must conclude that the proposal would be harmful to road safety at the junction of The Drive with Leasons Hill contrary to UDP policy T18. As such the appeal must be dismissed."

Subsequently, under ref. 12/00267, planning permission was granted for two detached houses, subject to a legal agreement regarding highway sight lines. In addition, the Council imposed a condition requiring adherence to the landscaping and boundary treatments drawings illustrated on the approved plan. The two houses are now substantially complete.

Conclusions

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

Policy BE1, Design of New Development, advises that all development proposals will be expected to be of a high standard of design and layout. To those ends, proposals will be expected to meet various criteria, including that development should be imaginative and attractive to look at, and should complement the scale, form, layout and materials of adjacent buildings and areas; that development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features; and that space about buildings should provide opportunities to create attractive settings with hard or soft landscaping.

In comparison to the landscaping scheme approved as part of application ref. 12/00267, part of the landscaped area to the south of the site comprising mainly of grassland, has been made over to an area of gravel parking measuring approximately 10m in length and 5m in width. A protected sequoia tree situated between the original drive and the gravel area remains in situ.

Although the front garden area will be less verdant than illustrated on the previous landscaping scheme, overall it is considered that the gravel drive will not diminish from the overall character of the area which will continue to be characterised by low lying shrubs and larger trees which are situated along this part of The Drive. Furthermore, as the new planting matures, the existing landscaping will become more pronounced.

From a highways perspective, it is not considered that local road conditions will be adversely affected.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00267 and 13/04236, excluding exempt information.

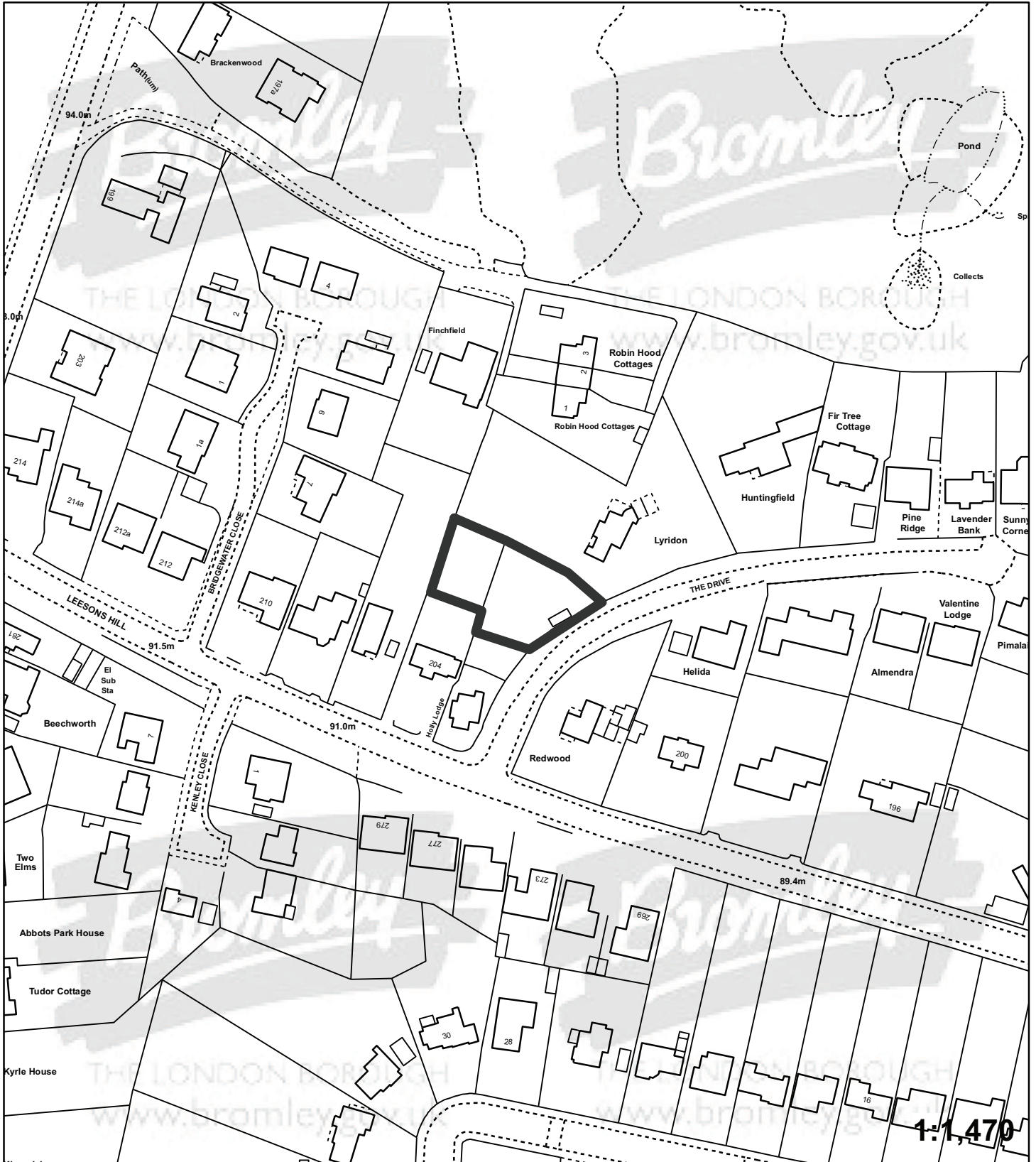
RECOMMENDATION: APPROVAL

subject to the following conditions:

Application:13/04236/VAR

Address: Rivendale The Drive Chislehurst BR7 6QS

Proposal: Variation of conditions 7, 8 and 10 of permission reference 12/00267 to enable revised landscaping/hardstanding layout.
RETROSPECTIVE APPLICATION



SECTION '2' – Applications meriting special consideration

Application No : 13/04252/FULL1

Ward:
Cray Valley East

Address : Lower Hockenden Farm Hockenden
Lane Swanley BR8 7QH

OS Grid Ref: E: 549405 N: 168960

Applicant : Garnet Properties Ltd

Objections : YES

Description of Development:

Detached agricultural building (PART RETROSPECTIVE incorporating elevational alterations)

Key designations:

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

Proposal

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

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

On the application, further information was requested. The agent provided information as follows:

- a plan showing the extent of the holding (on file)
- confirmation that the holding has no buildings other than this one

- during the period since 2010 the land has been used for growing cereals and pictures of the the 2012 crop in the barn are provided
- the yield from the farm amounts to 790 tonnes of wheat at 7.9 tonnes per hectare being an average yield.
- the gross margin is £673 per hectare meaning this is a significant agricultural business
- the farm has been operated on a share farming basis by the tenant in partnership with a local farmer, currently Mr A Vale who has a farm at Charton Vale in Farningham. His buildings there have no additional capacity.
- Weald Granary could accept the crop but is too far away and not convenient
- a tonne of wheat has a volume of 1.3 cubic metres and therefore the requirement is 1027 cubic metres, which this building meets
- the building will be available after harvest for storage of agricultural machinery

Location

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

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

Comments from Local Residents

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

The letter makes the following points about the application:

- it does not adequately detail the applicants background or tenure to support his intention
- it does not adequately demonstrate the proposal is required for agricultural purposes
- the red line application site area is well beyond any reasonable need for the holding
- it does not demonstrate the full extent of the holding or its operations
- it does not adequately consider other properties or locations on the holding that could be more appropriate
- it is not suitably built for agricultural purposes
- it is not vermin proof and there is no facility to clean and dry the corn

- it fails to consider the heritage asset adjacent (Meadow House)
- it has an adverse impact on the openness of the Green Belt and is contrary to policy
- no notice is served on a tenant and insufficient information regarding the agricultural tenancy is provided
- inconsistent figures are provided for the size of the holding in all recent applications
- land at the farm was not cultivated in January 2014
- conflict of access with the business uses at the site
- previous landscaping schemes have not been implemented
- a review of alternative properties should be carried out to demonstrate a genuine need
- no objections were received in relation to the agricultural prior notification as no publicity is carried out for this type of application.
- there is no agricultural requirement and in any case the proposed building is inappropriate due to its location, size, appearance, access and form

Objections have also been received from other local residents raising the following points:

- the site was agricultural and is now an industrial centre
- heavy lorries cause disruption on the lane
- buildings erected previously have not complied with permissions granted
- reassurance is required that any permission granted would be adhered to
- the site is a mess and this will worsen the situation
- why are more buildings required when the existing buildings are not being used
- there are often large fires on the site which affect residents

Comments from Consultees

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

The Environment Agency have no objections.

The Highway Engineer has no objection to the application.

The Council instructed an independent Agricultural Consultant to consider the previous application under ref. 13/00330 (for the building as constructed). His initial comments were that although it would be reasonable to provide grain storage facilities at the site, the building that has been constructed does not appear to be designed to serve this purpose. Amongst his concerns were that:

- one bay does not include grain walling
- the building although larger than the prior approval building has less useable storage due to the location of the door in the side elevation
- the useable floor area for grain storage is probably around 378sqm compared to 450sqm previously

- the location of the door does not optimise the floor area for grain storage or make best use of the ridge height for tipping grain trailers and makes loading and unloading awkward. This is not a design previously seen for grain storage
- grain storage is normally Aug/Sept/Oct but in September there was barely any grain in the building in early September 2013 when you would expect it to be full
- the design of the building with gaps would allow rats and birds into the grain
- the building is not well designed as a grain store (for the reasons set out above)
- does not agree with the calculations as an output of 790 tonnes would require 1066 cubic metres of storage but the design of the building means it could only accommodate around 750 cubic metres.
- the building cannot hold the grain that would be produced by the holding

Clearly some of these issues have been addressed in the current application including the location of the door and available area.

Planning Considerations

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

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

The most relevant London Plan (2011) policies are:

6.13 Parking
 7.4 Local Character
 7.16 Green Belt

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

Planning History

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

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

Permission was granted under ref. 10/02752 for Change of use of existing buildings from mixed use for car repairs, storage and maintenance of tree care equipment and other non-agricultural equipment and storage and maintenance of non-agricultural equipment to mixed Class B1 (light industrial/office), Class B2 (general industrial and Class B8 (storage and distribution).

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

Application ref. 12/03308 was refused for a replacement commercial building within the business area of the site.

A previous application under ref. 13/00330 for this building as constructed was refused for the following reason:

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

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

Conclusions

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

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

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

whether it is appropriate development in the Green Belt. In comparison to the building as constructed, this application seeks permission for altered elevations to move the access door to the south-eastern end of the building.

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

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

In summary, taking into account the advice from the Council's agricultural consultant on the previous application and that submitted on behalf of the neighbour, despite the elevational alterations proposed, there remains significant doubt in this case as to whether this building is genuinely required or intended for agricultural purposes. Although the design is more suitable for such purposes, site visits over the past year and information regarding the use of the site and the land do not support the case that there is a need for an agricultural building or that the existing building has been necessary for that purpose. There is little evidence of any part of the yard including the area around the building being used in connection with farming, and until recently there was an array of plant, machinery and materials spread across the open yard, and some within the building itself. Very limited supporting information has been provided in terms of evidence of an agricultural business and need and given that the existing building has been in situ for over a year, it would be expected that clear evidence of its use during that period for agricultural purposes could be submitted with the application, which it has not.

The applicant has stated in the flood risk assessment that the building is a replacement building for that for which prior approval was granted under ref. 11/03498, however since that building was never constructed, this cannot be the case.

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

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

RECOMMENDATION: PERMISSION BE REFUSED

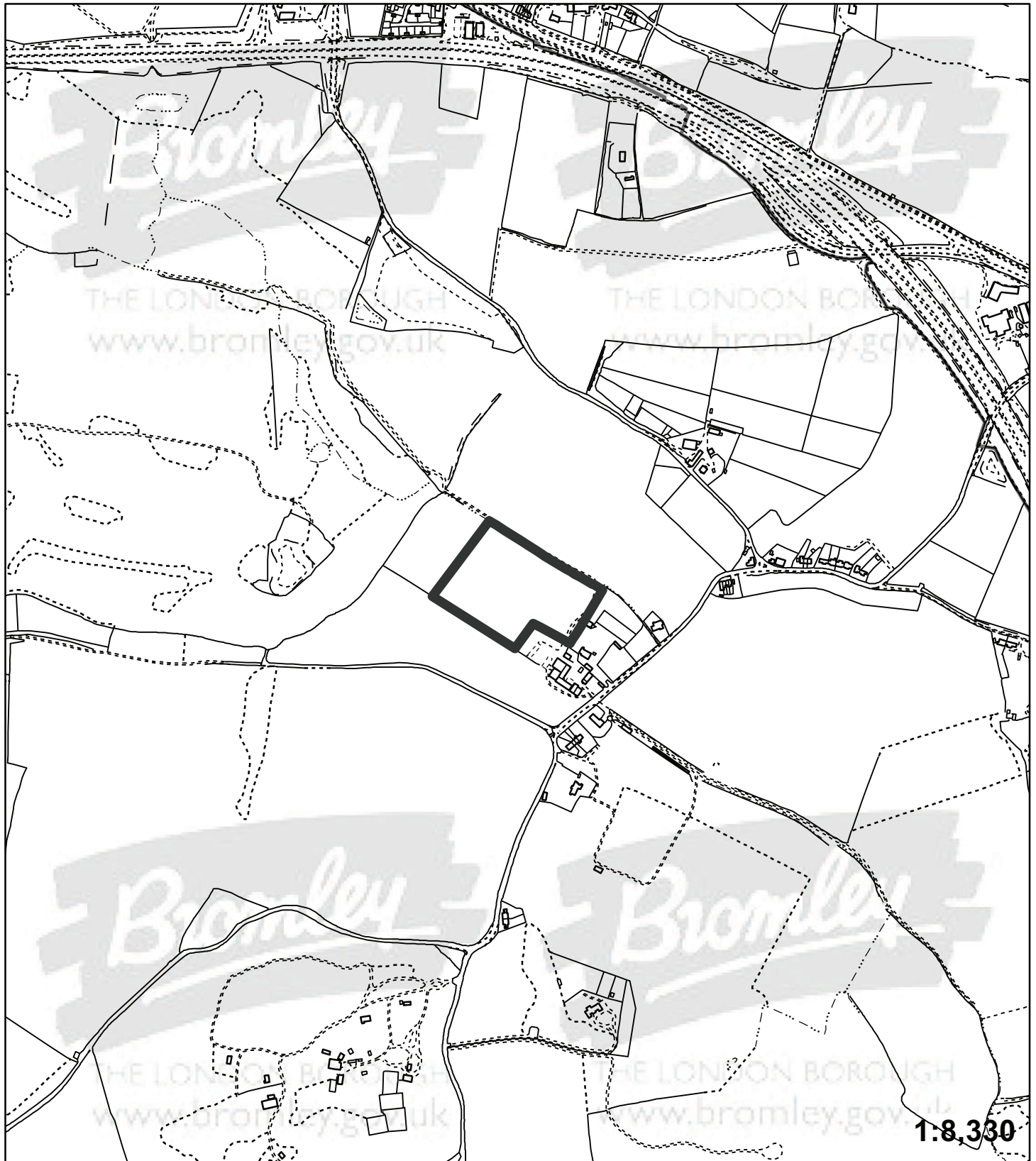
The reasons for refusal are:

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

Application:13/04252/FULL1

Address: Lower Hockenden Farm Hockenden Lane Swanley BR8 7QH

Proposal: Detached agricultural building (PART RETROSPECTIVE incorporating elevational alterations)



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

SECTION '2' – Applications meriting special consideration

Application No : 14/00044/FULL6

Ward:
Kelsey And Eden Park

Address : 25 Oakfield Gardens Beckenham BR3
3AY

OS Grid Ref: E: 537443 N: 167591

Applicant : Mr Jasper Bell

Objections : NO

Description of Development:

First floor side extension and elevational alterations

Key designations:

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

Proposal

The proposal is for a first floor side extension with a pitched roof and elevational alterations to the side and rear. The extension will project 2.83m to the side above an existing attached garage and will retain a side space of 0.925m at the front increasing to 2.69m to the rear with the side boundary. One large first floor window is proposed in the western flank elevation to serve a shower room. The elevational alterations proposed to the side include the removal of a ground floor window and door and the insertion of a new window to serve a utility room. At the rear of the property the existing french doors are to be replaced with new French doors.

Location

The application site is a two storey end of terrace property located on the southern side of Oakfield Gardens, Beckenham. The property abuts a wide alleyway to the side boundary which leads to Eden Park Station.

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
H9 Side Space

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

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 refused under ref. 13/03586 for a 'First floor side extension and elevational alterations' for the following reasons:

1. The proposal does not comply with the Council's requirement for adequate side space to be maintained to the flank boundary in respect of a two-storey development in the absence of which the extension would constitute a cramped form of development, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and detrimental to the visual amenities of the street scene thereby contrary to Policies H9 and BE1 of the Unitary Development Plan.
2. The proposed side extension with its flat roof would be detrimental to the appearance of the dwelling and the street scene in general. thereby contrary to Policy H8 of the Unitary Development Plan.'

Conclusions

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

The 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 current application is a re-submission of a similar scheme following a refusal under ref. 13/03586. The reasons for the refusal of application ref. 13/03586 were in respect of the flat roof and side space. The revised scheme submitted under ref. 14/00044 has sought to address the matter of the flat roof by incorporating a pitched roof designed to mirror the existing main slope. The proposed roof of the extension is set below the main roof line and set back from the front building line, thus being subservient to the main dwelling. Members are asked to consider that this revised design overcomes this reason for refusal and is considered acceptable, in that it would not detrimentally impact the character of the area or host building.

The proposed elevational alterations at ground floor level are considered to be minor changes to the property and would not harm the amenities of the neighbouring properties or character of the area. With regards to side space the revised scheme submitted under ref. 14/00044 has not addressed this matter and a side space of 0.925m at the front increasing to 2.69m to the rear to the western boundary has been retained. However, this is due to the proposed first floor extension sitting atop an existing single storey extension and as such it is not possible to achieve a minimum of 1m side space at two storey level expected in respect of Policy H9, due to this existing structure. It is also noted that the western boundary abuts a wide alleyway which leads to Eden Park Station, and as such a further separation of approximately 2m is achieved between the western side boundary and the adjacent property at No. 27, thus reducing both the impact on the neighbouring property and on the streetscene. A window is proposed in the first floor western flank elevation which serves a bathroom and it is reasonable to condition this window to be obscure glazed to protect the privacy of the host dwelling and neighbouring property.

Having regard for the additional separation between the proposed extension at No. 25 and the neighbouring property at No. 27 due to the alleyway, and the increase in side space to the rear of the extension to 2.69m, Members may consider given the revised subservient design of the proposed extension that, on balance, the scheme may not cause such harm to the character of the area as to warrant a planning refusal. Furthermore, Members are asked to consider that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

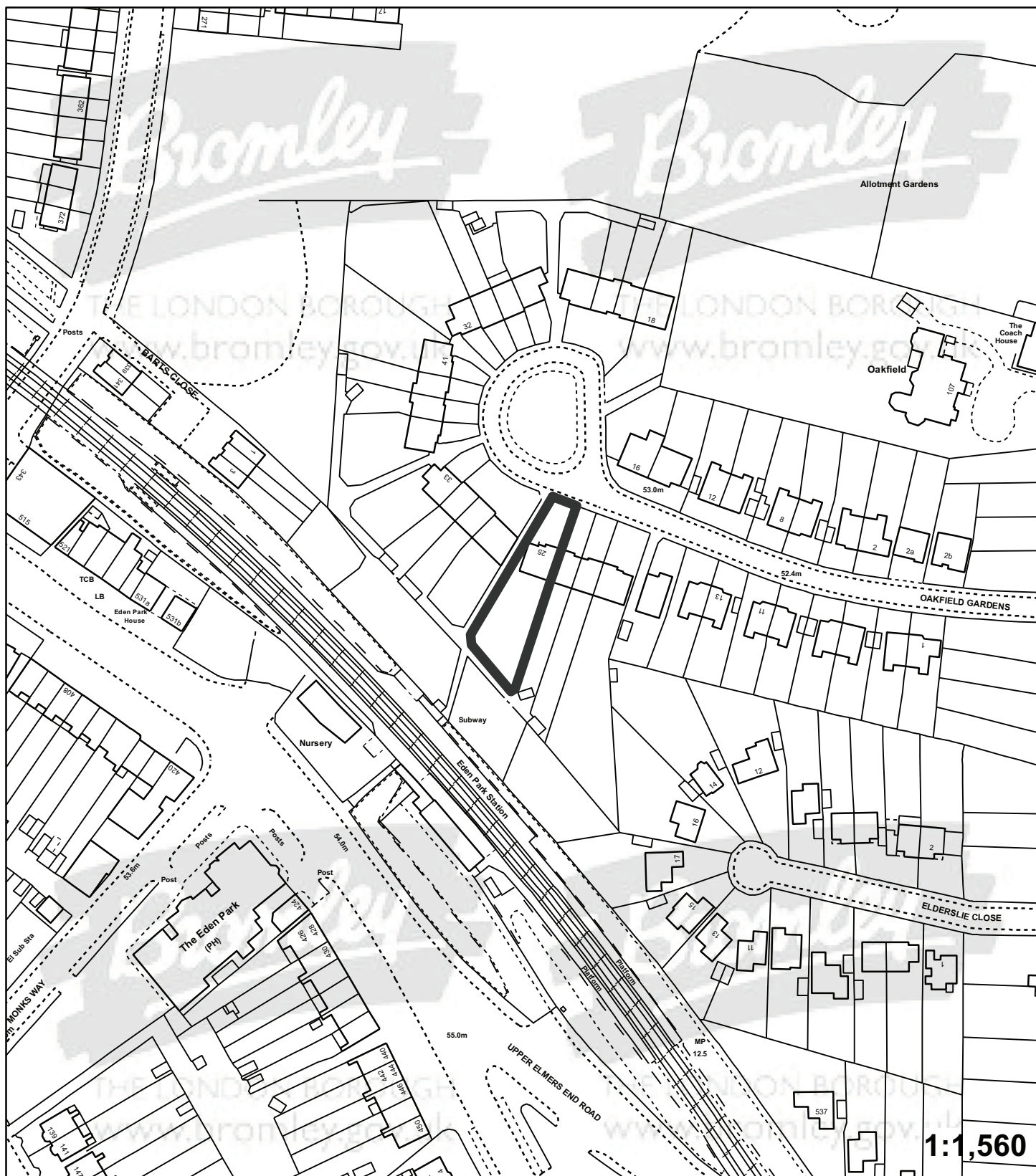
- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |

- | | | |
|---|--------------------|---|
| 3 | ACI12
elevation | Obscure glazing (1 insert) in the first floor western flank |
| | ACI12R | I12 reason (1 insert) BE1 |
| 4 | ACI17
extension | No additional windows (2 inserts) first floor western flank |
| | ACI17R | I17 reason (1 insert) BE1 |
| 5 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

Application:14/00044/FULL6

Address: 25 Oakfield Gardens Beckenham BR3 3AY

Proposal: First floor side extension and elevational alterations



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

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

Application No : 13/03073/ELUD

Ward:
Copers Cope

Address : North Dene Beckenham Place Park
Beckenham BR3 5BS

OS Grid Ref: E: 537871 N: 170346

Applicant : Mr G Kiourkzids

Objections : YES

Description of Development:

Conversion and use as 5 self - contained flats
CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT

Key designations:

Conservation Area: Beckenham Place Park
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 seeks to establish the lawful use of the property as five self-contained flats.

Location

The site is a detached, imposing period building located within Beckenham Place Park Conservation Area and to the north side of Beckenham Place Park. It is set within a generous plot surrounded by a mature, and in places somewhat overgrown, landscape.

Comments from Local Residents

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

- lived in Beckenham Place Park for 35+ years and have never seen the house developed into flats.
- gates have been chained up for more than 3 years
- North Dene has been derelict and empty for more than 10 years

- voters register shows no evidence of occupation for many years
- been into house once about 21 years ago and once about 4/5 years ago after a burglary. The property was the same layout both times - believe that it was originally 6 flats but cannot confirm this - the property was definitely partitioned off on the ground floor with a flat either side and a long corridor from the front door to the rear staircase; believe each floor was converted into a flat either side
- North Dene has been unoccupied and effectively abandoned for the past decade or more, and therefore has not been used, or 'operated', in this way in the past 4 years, continuously or at all
- it is understood a few years ago the property was raided by thieves without raising alarm; this would have been impossible had the house been occupied, particularly as 5 self-contained flats
- North Dene does not seem to have been used as self-contained flats since 1981 or thereabouts - 1970s electoral register records various voters in up to 5 separately identified flats; none are recorded between 1982 and 1987 or after 2002. Latter entries listings are simply against North Dene and not listed as individual separate flats.
- owner has always subscribed to the local amenity society's road maintenance fund as a single household
- number of residents observed over time and those publicly recorded are too few to 'operate' 5 self-contained flats
- insufficient documentation to support the application
- any past use as flats has long since lapsed

Planning Considerations

This Lawful Development application is to be considered under Section 191 of the Town and Country Planning Act 1990.

Planning History

The planning history of the site includes planning refusal for three storey block comprising 21 flats with associated parking under ref. 04/04114 (and associated Conservation Area Consent ref. 04/04115).

Conclusions

The Town and Country Planning Act 1990, section 191 provides for consideration of a Certificate of Lawfulness of existing use or development if any person wishes to ascertain whether any existing use of buildings or other land is lawful.

For the purposes of the Act uses and operations are lawful at any time if:

- (a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason);

If, on an application under this section, the local planning authority are provided with information satisfying them of the lawfulness at the time of the application of

the use, operations or other matter described in the application, or that description as modified by the local planning authority or a description substituted by them, they shall issue a certificate to that effect; and in any other case they shall refuse the application.

To assess the Lawfulness of the use applied for the supporting documentation, local comments received and any other evidence must be carefully considered.

As part of the supporting documentation copies of the following documents have been submitted:

1. Memorandum of agreement - for the tenancy of Flat No 4 North Dene, Beckenham Place Park, Beckenham, Kent dated 7th September 1934, from Mrs E M Hare and F B E Hare, Esq to G M Tchoudakoff, Esq
2. Copy of conveyance between The National Trust for Places of Historic Interest or Natural Beauty and G Kiourtzideis Esq - dated 11th January 1984;
3. Extract from The London Gazette, 31st May 1968 indicating an address of '5 North Dene...'
4. Extract from the London Gazette, 18th October 1979 indicating an address of 'Flat 5, North Dene...'
5. Extract from The London Gazette, 20th March 1953 indicating an address of '1, North Dene...'
6. Extract from The London Gazette, 24th June 1947 indicating an address of 'Flat no. 4, North Dene...'
7. Photos have been submitted to show individual entrance doors, door knockers and some original flat numbers. Also adjacent to the main entrance door to the front there are five bell points (photo available). Plans to show the floor layouts have been submitted.

The application form section 9 states the grounds for application for a Lawful Development Certificate as 'The use began more than 10 years before the date of this application' (the application form is dated 10/9/2013). In answer to further question under section 9 of the application 'Please state why a Lawful Development Certificate should be granted' it is stated 'as the use of the property has clearly been subdivided into 5 flats in accordance with the attached information approval is sought to regularise this'.

Section 10 states that 'the use begun in 1934 and that Flat 2 has been occupied in constant use since 1950s. Information on all other tenants provided with historic references which are attached.'

The site visit established access to the entire site. There was evidence of 5 bell pushes, set to the main entrance way on the front elevation of the building. An

inspection of the interior of the building revealed individually numbered front doors leading to individual units of living accommodation within the building, each with allocated kitchen and bathroom areas. The layout of the interior suggests the use of the site as flats; additionally there are two separate fire escapes to the exterior of the building, to the upper floor. Although currently disused, the overall interior layout of the building revealed the function of flatted accommodation. Relevant photos are available on file.

Local comments received in respect of the use at the site indicate it has appeared derelict and empty for many years and that the voters register for North Dene indicates it does not seem to have been used as self-contained flats since 1981 or thereabouts - 1970s electoral register records show various voters in up to 5 separately identified flats; none are recorded between 1982 and 1987 or after 2002. Latter entries listings are simply against North Dene and not listed as individual separate flats.

Local comments also state that the owner has always subscribed to the local amenity society's road maintenance fund as a single household, that insufficient documentation has been submitted to support the application and that any past use as flats has long since lapsed.

Local comments received reveal that the layout to the ground floor was the same 4/5 years ago as it was about 21 years - 'the property was definitely partitioned off on the ground floor with a flat either side and a long corridor from the front door to the rear staircase. I believe each floor was converted into a flat either side'

The Memorandum of Agreement dated 1934 refers: '... the rooms constituting Flat No.4. being the First Floor of North Dene Beckenham Place Park In common with the Landlords and the tenants and occupiers for the time being of the other portions of the building of which the flat forms part over the entrance hall staircases and landings for the purpose only of access to and egress from the said first floor flat....!'

The Conveyance record of 11th January 1984 refers to the property as a private dwellinghouse.

The evidence submitted shows that in 1934 there was a Flat 4; from 1968 -1979 there was a Flat 5.

Information has been submitted and the site visit has revealed evidence for the use of North Dene as flats. Information relating to latter years may indicate that the flats have not been lived in, apart from flat 2 by Mr George Kiourtzidis. Council Tax records indicate that Mr George Kiourtzidis has been liable for Council Tax from 01/04/93; Council Tax has been paid as a single dwelling based on the banding of the property.

The Council's legal team have advised that the argument for abandonment is not a sustainable contention; evidence has been submitted to show the existence of flat 4 in 1934 - it would seem that in 1947 (relevant date in that this precedes the Planning Act 1948) there is evidence for one flat (i.e. flat 4). Additionally whilst

there is some evidence to show payments for Council Tax and local road maintenance fund as a single household this does not necessarily demonstrate or provide evidence that there has been a new chapter in the planning history of the site particularly given the existing (and historical) layout of the building as flatted accommodation.

The onus of proof in an application for LDC is firmly on the applicant. Furthermore, the burden of proof is on the applicant whereby the relevant test of the submitted evidence is on 'the balance of probability'. Whilst in latter years the flats do not appear to have been inhabited, equally North Dene does not appear to have been and set up to be used as a single dwelling-house. On the evidence submitted it seems that the lawful use, more likely than not, remains for the use of the accommodation as five flats.

RECOMMENDATION: EXISTING USE/DEVELOPMENT IS LAWFUL

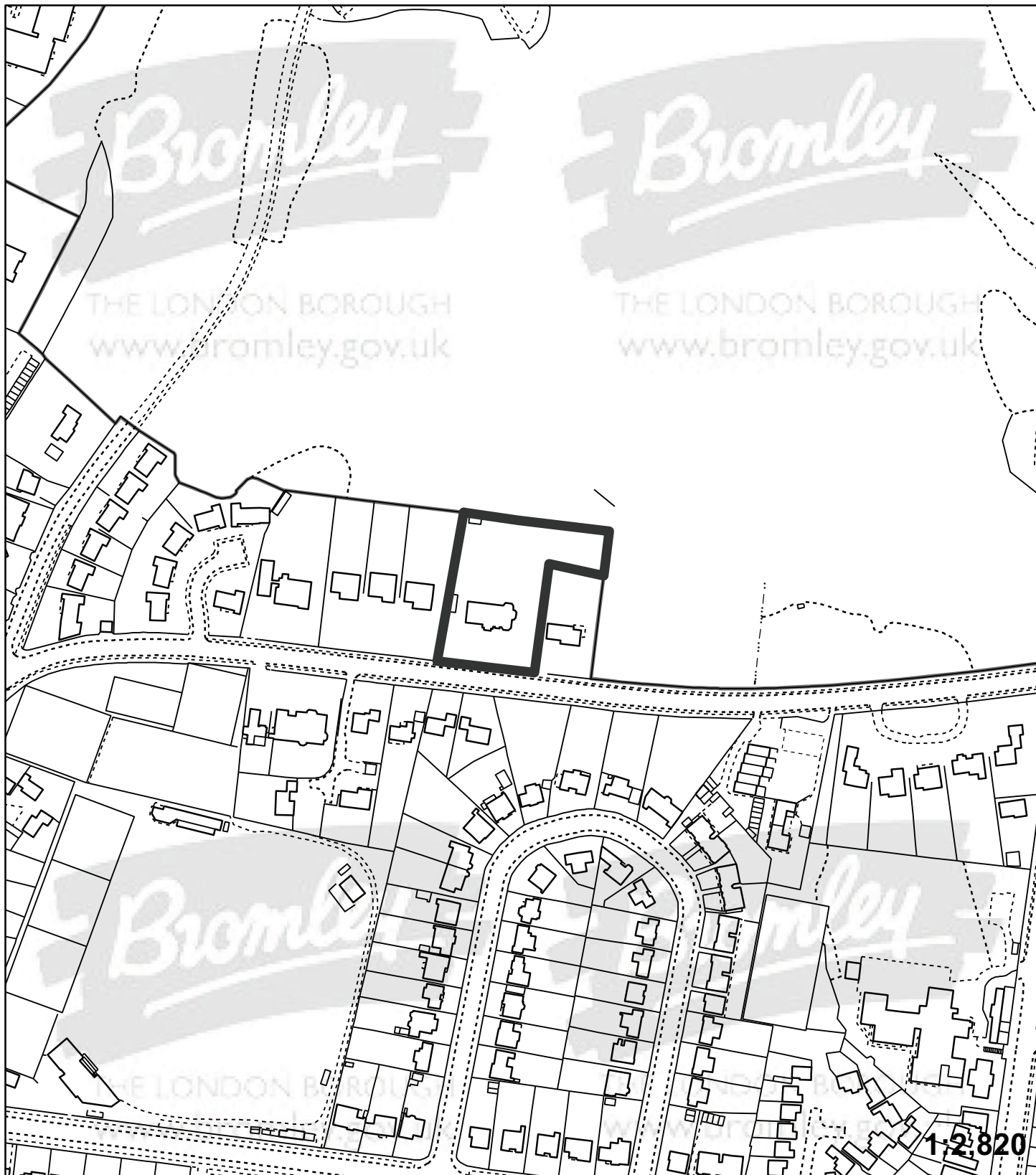
- 1 On the balance of probabilities, North Dene has been used as five self-contained flats since 1968 for a period of at least 4 years without any other subsequent use. The use of the premises as five self-contained flats, on the balance of probability, is therefore considered to be lawful.

Application:13/03073/ELUD

Address: North Dene Beckenham Place Park Beckenham BR3 5BS

Proposal: Conversion and use as 5 self - contained flats

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 : 13/03966/FULL6

Ward:
Shortlands

Address : 17 Celtic Avenue Shortlands Bromley
BR2 0RU

OS Grid Ref: E: 539233 N: 168600

Applicant : Ms L Wilson

Objections : YES

Description of Development:

Two storey rear extension and elevational alterations

Key designations:

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

Proposal

Planning permission is sought for the erection of two storey rear extension and the insertion of windows within the northeastern flank elevation. The proposed rear extension will be the full width of main building (6.65m wide), 3.5m deep and 5.1m high (to the eaves). It will replace an existing single storey rear extension that measures 5.7m wide, 2.5m deep and 2.7m high (to the top of the pitch).

Location

The application property comprises a detached two-storey single dwellinghouse located on the northern side of Celtic Avenue and is neither listed nor located within a conservation area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and two representations were received. The following concerns were raised:

- loss of light (and right to light however, this is dealt with under common not planning law) to neighbouring properties;
- loss of privacy for neighbouring properties;

- proportionality and lack of subservience to main building;
- loss of garden and increased density;
- weakening of neighbouring foundations (not generally a planning consideration);
- loss of property value (not generally a planning consideration).

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

The following Council adopted SPG guidance is also a consideration:

Supplementary Planning Guidance 1 General Design Guidance

Supplementary Planning Guidance 2 Residential Design Principles

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

Planning History

No relevant planning history.

Conclusions

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

Whilst the proposed two storey extension will not be set down from the ridgeline of the existing building it will have a pitched roof and be to the rear. Furthermore, whilst using some of the rear garden area, the overall plot size is sufficient to accommodate the extension and still provide an adequate garden area. Therefore, on balance, the proposal is considered acceptable with regard to subservience and the effect it will have on the streetscene and the character of the area.

The proposed extension will not result in any unduly harmful loss of outlook or increased sense of dominance or enclosure for the occupants of the adjoining residential property to the southwest (#15). This is because the rear extension will only project approximately 150mm past the existing single storey extension of #15, there are no windows serving habitable room windows in the flank elevation of #15,

the first floor windows in the rear elevation of #15 are sufficiently separated and the roof light in the ground floor rear extension of #15 is secondary and again, sufficiently separated.

The proposed extension will not result in any unduly harmful loss of outlook or increased sense of dominance or enclosure for the occupants of the adjoining residential property to the northeast (#19). This is because there are no windows serving habitable room windows in the flank elevation of #95 and the windows in the rear elevation of #15 are sufficiently separated.

With regard to loss of privacy, no unduly harmful overlooking of habitable rooms would result. In terms of neighbouring gardens, mutual overlooking already exists so it is not considered reasonable to refuse the application on such grounds. With regard to the proposed flank windows, any potential for overlooking and loss of privacy can be safeguarded by the use of planning condition.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC07 Materials as set out in application
 ACC07R Reason C07
- 3 ACK01 Compliance with submitted plan

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

- 4 Before the development hereby permitted is first occupied the proposed first floor window in the northeastern flank elevation shall be obscure glazed to a minimum of privacy level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and shall subsequently be permanently retained in accordance as such.

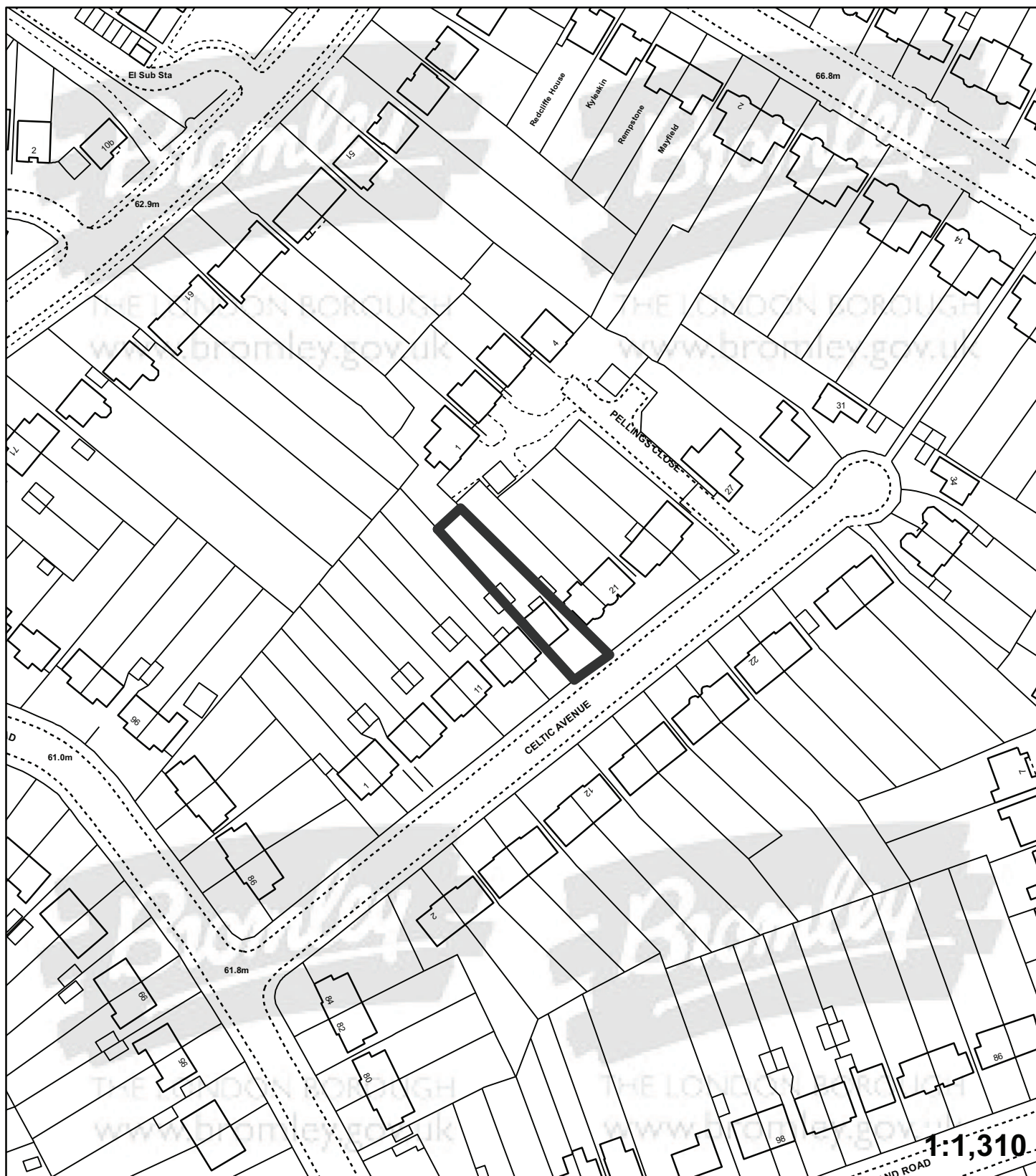
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 5 ACI13 No windows (2 inserts) northeastern and southwestern
 flank two storey rear extension
- ACI13R I13 reason (1 insert) BE1

Application:13/03966/FULL6

Address: 17 Celtic Avenue Shortlands Bromley BR2 0RU

Proposal: Two storey rear extension and elevational alterations



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

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

Application No : 13/04032/FULL2

Ward:
West Wickham

Address : Global House Rear Of 38 - 40 High
Street West Wickham BR4 0NJ

OS Grid Ref: E: 538150 N: 166005

Applicant : Mr J Gandhi

Objections : YES

Description of Development:

Change of use from class B1A (office) to use class C3 (residential) to create a 2 one bedroom flats and 3 one bedroom flats with study, external alterations to building including new doors, windows and alteration to external finishes.

Key designations:

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

Proposal

The proposal is for the change of use of Global House, located to the rear of 38-40 High Street West Wickham from Class B1A (Office) to Use Class C3 (Residential). The proposal will create 2 one bedroom flats and 3 one bedroom flats with a study. External alterations to the building are also proposed including new doors, windows and alterations to the external finishes.

In terms of materials, the existing brick façade will be maintained. Timber cladding and additional glazing will be incorporated into the existing north façade.

Two off-street car parking spaces will be provided to the front of the building as part of the development, one will be designed to be accessible for disabled users.

Pedestrian access is from Ravenswood Avenue and this will not be changed from the existing.

The application includes a parking assessment (that has been carried out in accordance with the Lambeth Methodology). The outcome of the assessment

indicates that kerb side car parking within the proximity of the proposal is well within its maximum capacity and that, based on the results of the car parking survey, the impact of the development on existing parking stress is expected to be immaterial.

A letter from Stuart Edwards Fullermoon (Commercial and Residential Estate Agents), has also been provided. This states that the office market for premises in West Wickham is limited as West Wickham is not considered to be a major office centre, particularly as the accommodation is situated to the rear of the retail premises in the High Street with limited car parking. It suggests that demand for the premises is likely to be poor and advises that the majority of tenants are looking for open plan office accommodation on single floors with cooling and handling facilities incorporated within the accommodation.

Location

The site is located to the rear of Units 38-40 High Street which are on the north side of the High street. The site has a rear access from an alleyway off Ravenswood Avenue and backs on to Sainsbury's car park.

Comments from Local Residents

One letter of representation has been received from the occupiers of No.42A High Street, the comments contained in this letter are summarised as follows:

- the proposal results in overlooking - 42A falls within the 45 degree angle used in the applicants assessment. The angle shown on the plan has been taken from the wrong position as it does not accurately show the viewing angle of all windows of the property;
- there are views from 42A directly into several of the Global House windows;
- the proposal for car parking should be reviewed against land registry deeds;
- the assessment of car parking availability (using the Lambeth methodology) during the hours of 0030-0530 does not accurately show the impact of additional vehicles to roads already over-used by workers, shoppers and commuters.
- the validity of the recycling and waste collection facilities is questioned.

Comments from Consultees

Highways - No objection subject to conditions

Thames Water - No objections

Transport for London comments to be reported verbally at the meeting

Environmental Health - No objections

Housing - No comments

Planning Considerations

BE1 Design of New Development
H7 Housing Density and Design
T1 Transport Demand
T3 Parking
T18 Road Safety
H12 Conversion of Non-Residential Buildings to Residential Use
EMP5 Development Outside Business Areas

Other planning considerations include the London Plan including the Mayors Supplementary Planning Guidance on the quality of housing design and the National Planning Policy Framework.

Planning History

- 92/01535 Planning permission was granted for alterations to the external appearance of the building.
- 86/03176 Planning permission was refused for a third floor extension to the building
- 83/02799 Planning permission was granted for a first floor rear extension to provide additional office accommodation (details pursuant application ref. 84/00143)
- 83/01730 Outline permission was granted for an extension to provide additional office accommodation.

Conclusions

The proposed development comprises the conversion of the building from B1a Offices to 5 residential units. In terms of the principle of the change of use, Policy EMP5 states that the redevelopment of business sites or premises outside of the Designated Business Areas will be permitted provided that; i) the size, configuration and access arrangements or other characteristics make it unsuitable for use classes B1, B2 or B8, and ii) full and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for those uses.

Under Policy H12 the Council will also permit the change of use of genuinely redundant and other non-residential buildings to residential use, subject to achieving a satisfactory quality of accommodation and amenity.

The applicants have advised that the B1 office market in the area is currently experiencing a difficult period. All of the existing leases either have expired or will expire in the first half of 2014 and "the tenants are already seeking alternative accommodation which better meets the modern need for open plan working". Tenants now favour open plan office accommodation on single floors with cooling facilities incorporated in the accommodation.

The applicants have advised that "with no prospective tenants the building is likely to be left unoccupied making it harder to maintain". They suggest that other offices in the area are already significantly underutilised. A statement has been provided from the applicants commercial estate agents (as set out above) indicating that the

condition of the building hampers its letting potential for offices in what is already a challenging market.

It is also noted that the Government introduced changes to the General Permitted Development Order that came into force in May 2013. One of the changes that was introduced at this time was to allow changes of use from office (Use Class B1(a)) to dwellinghouse (Use Class C3) subject to a prior approval process (until 30 May 2016).

The prior approval process requires the developer to apply to the local planning authority for a determination as to whether the prior approval of the authority will be required only in respect of the following issues:

- The transport and highways impacts of the development;
- The contamination risks on the site; and
- Flooding risks on the site.

Therefore the developer could have sought prior approval from the Council in respect of whether the proposed development is permitted development.

Whilst limited material has been provided to demonstrate that the premises has been marketed and the non-financial viability of the site, it is considered that, on balance, taking into consideration the fact that the applicant could have sought the prior approval of the Council for this development under the new provisions contained in the GPDO, the evidence supplied is sufficient to support the principle of the change of use in this case.

In terms of the design of the scheme, it is noted that the occupiers of No.42A have objected to the proposal on the grounds of overlooking. Whilst it is accepted that there will be additional fenestration on the western flank elevation of the building it is considered that sufficient separation exists from No.42A and the other surrounding residential properties to ensure that unacceptable levels of overlooking do not occur.

In view of the location of the building and its separation from adjoining residential properties the proposed elevational alterations are considered acceptable and will not be detrimental to the streetscene or the occupiers of surrounding residential properties.

It is noted that the application refers to three of the flats as having one bedroom with study and that it is possible that the studies in these flats could be used as a single bedroom once the proposal is implemented. The floor area of the studies is 7.5m², which is 0.5m² above the minimum floor area for a 1 person bedroom as set out in the GLA's Housing Space Standards.

In terms of highways and car parking issues, Bromley Council standards require that 5 car parking spaces should be provided, but only two spaces are provided as part of the scheme. However, the applicant has undertaken two car parking stress surveys indicating that there are on-street car parking spaces available during the hours of maximum residential car parking demand. On the basis of the evidence

provided Highways has no objection to the proposal subject to conditions being imposed should the application be granted planning permission. The level of car parking provision is therefore considered to be acceptable.

It is noted that the site is within a low PTAL area, and therefore residents are likely to own their own cars. Transport for London has therefore been consulted and its comments will be reported verbally at the meeting.

The provision of the waste and recycling facilities is considered sufficient to service this development.

The change of use of this B1a office accommodation to residential is considered to be appropriate in this location and will not result in a detrimental impact on the visual amenities of the area or the amenities of the occupiers of surrounding residential properties.

Background papers referred to during production of this report comprise all correspondence on file ref. 13/04032, excluding exempt information.

RECOMMENDATION: PERMISSION

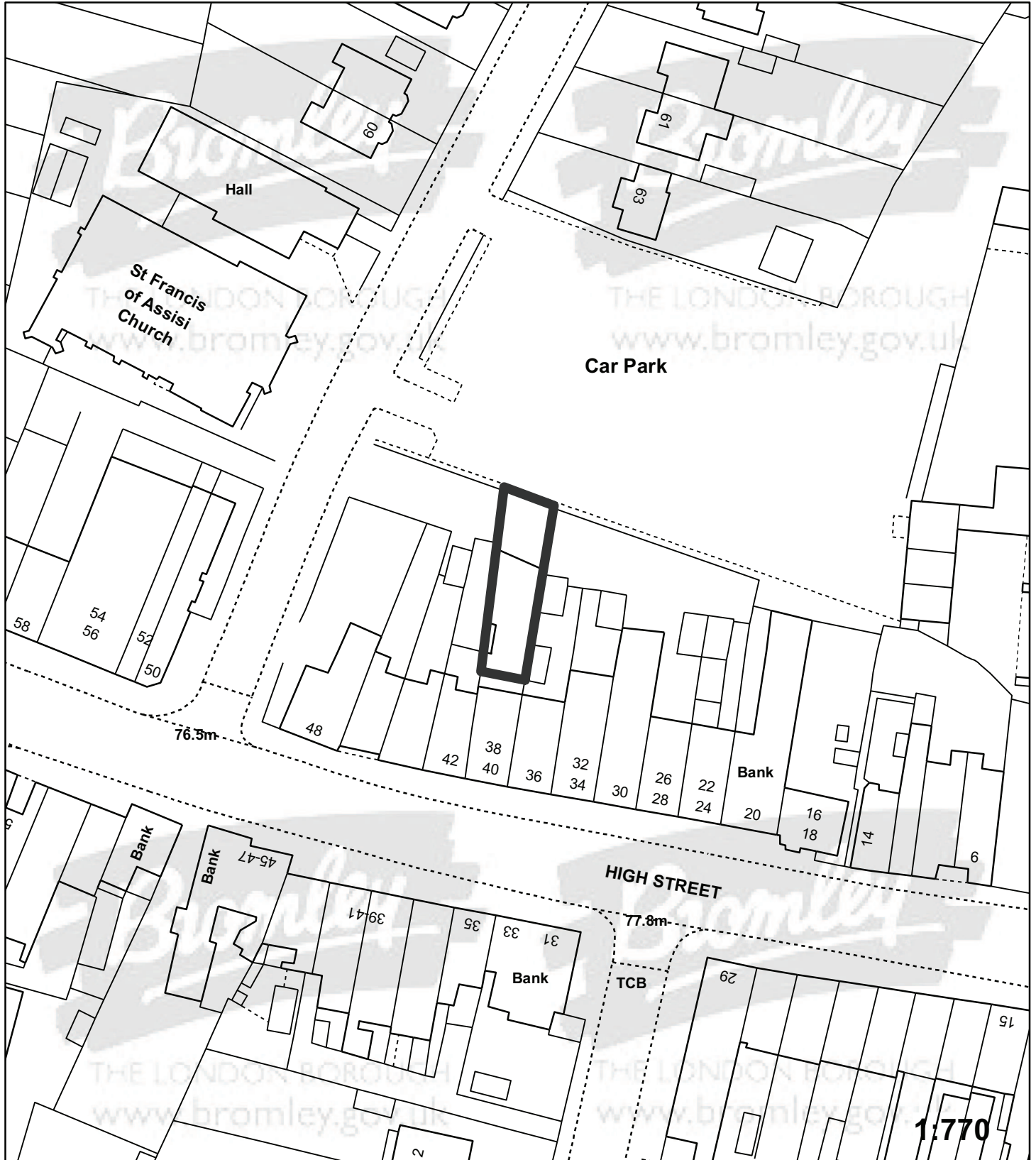
Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 3 | ACK01 | Compliance with submitted plan |
| | ACC04R | Reason C04 |
| 4 | ACH01 | Details of access layout (2 insert) |
| | ACH01R | Reason H01 |
| 5 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 6 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |

Application:13/04032/FULL2

Address: Global House Rear Of 38 - 40 High Street West Wickham BR4 0NJ

Proposal: Change of use from class B1A (office) to use class C3 (residential) to create a 2 one bedroom flats and 3 one bedroom flats with study, external alterations to building including new doors, windows and alteration to external finishes.



"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 : 13/04079/FULL6

Ward:
Petts Wood And Knoll

Address : 12 Great Thrift Petts Wood Orpington
BR5 1NG

OS Grid Ref: E: 544193 N: 168133

Applicant : Mrs Helen Russell

Objections : YES

Description of Development:

Part one/two storey side/rear extension, front dormer extension and elevational alterations to front

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

Planning permission is sought for:

- a single storey rear extension projecting 3m to the rear
- a part one/two storey side extension
- a front dormer extension (set back 0.9m from the eaves)
- elevational alterations to the front

This application follows the refusal of a similar application under ref. 13/02391, which was refused at Plans-Sub Committee on 19th September 2013. The current application now only proposes the front dormer to be slightly set back from the front (by an additional 0.5m) with the rest of the scheme remaining as the previous application.

The Agent has submitted a statement to support the application which is summarised as follows:

- the current application follows the originally refused scheme (ref. 13/01415) which included 2 front dormers which was later dismissed at appeal. A subsequent application (ref. 13/02391) which removed one of the dormers

was refused at PSC this application addresses the comments made by the Planning Inspector

- the Inspector had no objection in principle to the scheme but had concerns about the 2 front dormers
- the current application removes the large front dormer and sets the smaller dormer attached to gable further back from the eaves to match Nos. 23 and 25

Location

This proposal is to a semi-detached property located on the eastern side of Great Thrift, Petts Wood, Orpington. The site also lies within the Petts Wood Area of Special Residential Character (ASRC).

Comments from Local Residents

Nearby neighbours were notified of the proposal. Six letters of objection were received and the responses received (including from the Petts Wood & District Residents' Association) are summarised as follows:

- overdevelopment
- unattractive design particularly with regard to the front elevation
- cramped form of development
- loss of open aspect and spaciousness
- front elevation no difference
- two storey development out of character
- unbalance symmetry with No,10
- outlook between 12 and 14 will be affected
- do not address previous concerns
- harmful upon the Area of Special Residential Character
- concerns about 3m single storey rear extension on No.10
- fourth bedroom will cut out light
- concerns about structure of rear walls - structural damage to properties
- flood in roof a few years ago

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

Comments from Consultees

No consultations were made regarding the application.

Planning Considerations

The main policies relevant to this case are:

- H8 Residential Extensions
- BE1 Design of new development
- H10 Areas of Special Residential Character which relate to the design of residential extensions and development in general.

Planning History

Planning permission was refused under ref. 13/01415 for a single storey rear and part one/two storey side extension, two front dormer extensions and elevational alterations to front. The grounds of refusal were as follows:

"The proposal, introducing two dormers to the front roofslope, would be out of character with this Area of Special Residential Character and detrimental to the architectural integrity and symmetrical appearance of this pair of semi-detached houses."

This application was later dismissed at appeal (decision notice dated 3rd December 2013). The planning Inspector concluded that the two proposed dormers would cause unacceptable harm to the appearance of the existing building and detract from the character of the ASRC.

Planning permission was also refused under ref. 13/02391 for a similar application at Plans-Sub Committee on 19th September 2013 for the following reason:

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

Conclusions

The main issues to be considered in this case are the impact of the proposal on the amenities of adjoining neighbours, the impact of the extensions on the host building and wider street scene within the ASRC.

In respect of amenities, the proposed extension would project a maximum of 3m from the rear of the dwelling at single storey level. Members will note that the extension at No. 10 projects approximately 2m resulting in a 1m projection beyond this building line. It is noted that there have been concerns raised from adjoining residents and careful consideration must be given to the impact upon residential amenities. However, it is noted that the Planning Inspector did not feel that the extension would intrude unacceptably upon the outlook from the rear of No.10 and therefore Members may consider that, given the scale of the proposal, its siting and orientation, there will not be sufficient harm to the amenities of neighbouring residents to warrant refusal of planning permission in this case.

In terms of design, the first floor element of the extension would continue the existing roof ridge, with the proposed roof extension retaining the existing slope angle at the front. There is also a front dormer extension proposed adjacent to the existing front gable, which has now been set back in additional 0.5m from the eaves to provide a total of 0.9m. Given the Planning Inspector's concerns regarding the 2 previously proposed dormers and the decrease in the size of the front dormer previously refused under ref.13/02391, Members may consider that the current application addresses the previous grounds of concern.

It is noted that there are other examples of front dormers permitted along the road, notably recent planning permissions granted at No.s 23 and 25, although the other roof enlargements do vary from that proposed in this case. Although the property is located within an Area of Special Residential Character, it is not considered that the proposed extension would have a detrimental impact upon the character of the area given its scale and design.

Background papers referred to during production of this report comprise all correspondence on the file ref. 13/04079, set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

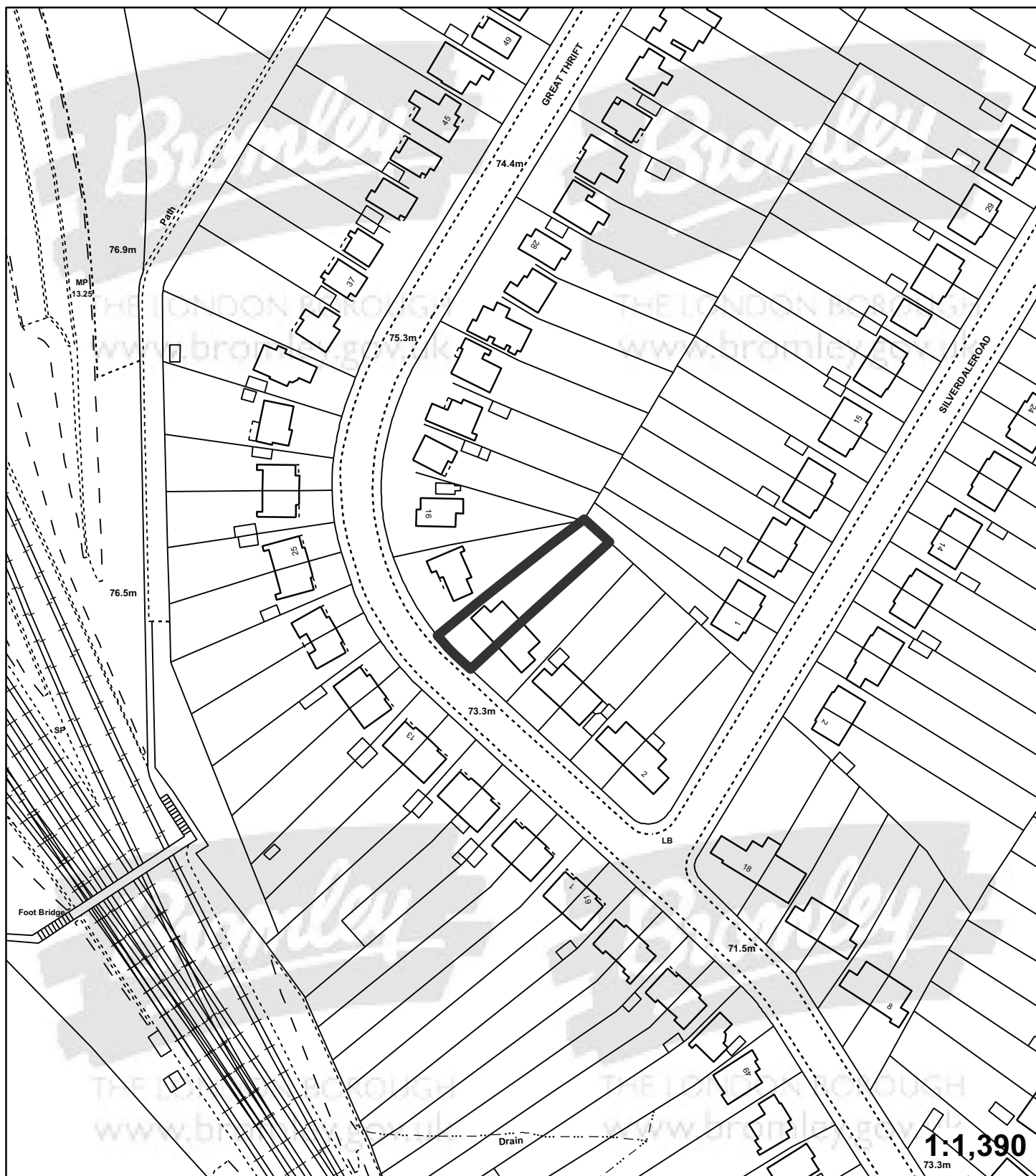
- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
 ACC04R Reason C04
- 3 ACI12 Obscure glazing (1 insert) in the first floor flank elevation of
 the extension
 ACI12R I12 reason (1 insert) BE1
- 4 ACK01 Compliance with submitted plan

Reason: In the interest of the visual and residential amenities of the area.

Application:13/04079/FULL6

Address: 12 Great Thrift Petts Wood Orpington BR5 1NG

Proposal: Part one/two storey side/rear extension, front dormer extension and elevational alterations to front



"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 : 13/04096/FULL1

Ward:
Mottingham And Chislehurst
North

Address : 54 - 56 Mottingham Road Mottingham
London SE9 4QR

OS Grid Ref: E: 542195 N: 172818

Applicant : Mr Barry ALBIN

Objections : NO

Description of Development:

Single storey rear extension

Key designations:

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

Proposal

The proposed extension will be built to the rear of the double-fronted shop unit at 54-56 Mottingham Road. It will project up to 8.3m in depth and rise to a maximum height of 3.7m (as scaled from the submitted plan). It will slope downward in the direction of the northern boundary to a height of approximately 2.5m (where it adjoins a rear garden which serves a first floor residential flat above).

Location

The site comprises a double-shop unit situated by the corner of Mottingham Road and Dorset Road.

Comments from Local Residents

No comments were received from local residents at the time that this report was compiled.

Comments from Consultees

Not applicable.

Planning Considerations

Planning Considerations

Relevant Unitary Development Plan Policy:

BE1 Design of New Development

Planning History

Under ref. 13/03153, an application for a single storey rear extension was refused on the following ground:

"The proposed extension, by reason of its depth of projection, height and siting would seriously prejudice the amenities associated with the adjoining residential garden by reason of overshadowing, loss of light and visual impact, contrary to Policy BE1 of the Unitary Development Plan."

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties, in particular the residential garden which adjoins the proposed extension along its NW boundary which serves the flat situated above the application premises.

In comparison to the proposal refused under ref. 13/03153 the roof design has been amended so that it is substantially lower along its northern side (adjoining the rear garden area) than previously proposed. The height has been reduced from approximately 3.1m to 2.4m along the NW boundary, as scaled from the submitted plans. The raised parapet wall previously proposed along that side has been removed and the plane of the pitched roof has been moved further away from this boundary. The result is now an asymmetrical roof in cross section. This results in a much lower profile for the proposal adjacent to this boundary, even beyond that achieved by the omission of the parapet alone.

On balance it is considered that this revised scheme satisfactorily overcomes the previous ground of refusal and that it will appear less visually dominant and enable more light to enter the adjoining garden. The extension will appear less dominant and there will be somewhat less overshadowing.

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

Background papers referred to during production of this report comprise all correspondence on files refs. 13/03153 and 13/04096, 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 |
| | ACC03R | Reason C03 |

Application:13/04096/FULL1

Address: 54 - 56 Mottingham Road Mottingham London SE9 4QR

Proposal: Single storey rear extension



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

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

Application No : 13/04100/FULL6

Ward:
Copers Cope

Address : 1 The Gardens Beckenham BR3 5PH

OS Grid Ref: E: 538525 N: 169516

Applicant : Ms Rhona Beechinor

Objections : YES

Description of Development:

Part one/two storey front/side extension with front dormer and single storey rear extension and elevational alterations

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 seeks permission for a part one/two storey front/side extension with front dormer extension, single storey rear extension and elevational alterations.

There is an existing single storey detached garage to the east of the host dwellinghouse. As part of the proposal this will be demolished and replaced with a two storey front/side extension. A separation of 1 metre will be provided between the flank elevation of this extension and the property boundary. At ground floor level, the extension will project beyond the front elevation of the host dwellinghouse by 1.3 metres, and beyond the rear elevation of the host dwellinghouse by 1 metre to be in line with the rear elevation of the adjacent property, 27 The Gardens. At first floor level the rear elevation will match the ground floor, projecting beyond the rear elevation of the host dwelling by 1 metre, yet at first floor level there will be a catslide roof with front dormer feature introduced, so that the front elevation at first floor level will effectively be in-line with the front elevation of the host dwellinghouse, with the exception of the front dormer feature which will protrude by approximately 0.7 metres.

There is an existing single storey rear addition to the dwelling, which is to be replaced as part of the current proposal. The dimensions of the replacement addition will occupy the footprint of the existing structure.

In terms of the elevation alterations, 4 new rooflights are to be inserted into the rear roofslope of the original and resulting roof space, one new window is to be inserted into the first floor rear elevation of the host dwellinghouse in the centre of two existing windows, and new aluminium framed sliding glass doors are to be inserted into the rear elevation of the host dwellinghouse at ground floor level.

Location

The application site is located on the northern side of The Gardens and hosts a two storey detached dwellinghouse.

Comments from Local Residents

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

- the proposal breaks the established building line which sets the character of The Gardens;
- proposed development would build a wall within 200mm of Number 27 (guttering depicted on plans as touching the boundary);
- spatial standards in The Gardens will be compromised;
- over-development of the plot;
- impact upon light (especially evening light) upon Number 27 to front and rear;
- development would be over-dominant to Number 27;
- building forward of the front building line would result in impact upon aesthetics of the road;
- loss of amenity for neighbours due to building forward;
- loss of prospect - building forward would mean looking out onto a brick wall;
- thought a double storey extension closer than one metre is not acceptable?
- building a metre away would be more suitable;
- concerns that increased footprint would mean less space to park cars.

Members are requested to note that the comments received and listed above were received prior to the revised plans being submitted by the applicant. At the time of writing the report, no further comments had been received from local residents following the re-notification of adjoining owners after receipt of the revised plans.

Any further comments received will be reported verbally.

Comments from Consultees

Highways stated that although the development will result in the loss of one parking space by conversion of the garage to a habitable accommodation, there are spaces available within the site's curtilage which would be utilised for parking. Therefore on balance as it is a small development no objection is raised with regard to this proposal.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

SPG 1 and 2

NPPF

Planning History

There is no planning history at this property.

Conclusions

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

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.

Policy H9 of the Unitary Development Plan (UDP) states in effect that for proposals of two or more storeys, a minimum 1 metre separation from the flank property boundary to the flank elevation of the extension should be retained for the full height and length. This is to ensure adequate separation, to prevent unrelated terracing, and to safeguard the amenity and privacy of adjoining residents.

Revised plans were received which provide a 1-metre separation between the flank elevation of the side extension and the eastern property boundary shared with Number 27 The Gardens. Whilst it is appreciated that this element of the proposal will result in a built form closer to Number 27 The Gardens than at present exists, it is evident that it complies with Policy H9 of the Unitary Development Plan regarding side space. The spatial standards of the area will be respected by the retention of the 1-metre separation, and Members may therefore consider that this element of the scheme is acceptable.

Members may agree that the rearward projection of the proposed extension is not detrimental to the amenities of neighbouring properties, as the dimensions of the proposed single storey replacement extension will not differ from the existing addition and as such the impact upon the amenities of the adjacent property will not differ. In terms of the rearward projection of the side extension, it is noted that the rear elevation will match the rear elevation of Number 27, and as such will not impact upon the outlook, daylighting or prospect of this property.

Turning to the forward projection of the side extension, it should be noted that whilst it will extend forward beyond the existing front elevation of the host dwellinghouse by 1.3 metres, this will be at ground floor only and the front dormer feature at first floor would be in line with the main front elevation of the host dwelling. There are a number of properties along The Gardens which have similar features to the front elevation, and whilst these properties are further along the road Members may consider that the introduction of this type of feature at Number 1 would therefore not be out of keeping in the streetscene.

The elevation alterations in the form of replacement sliding doors and a new window to be inserted into the rear elevation at first floor are not considered to have an impact upon neighbouring properties, nor will these new features have a detrimental impact upon the character of the host dwellinghouse.

Having had regard to the above, Members may consider that the development in the manner proposed is acceptable. The proposal complies with the Council's requirement for a minimum separation of 1 metre between the flank elevation and property boundary in respect of two storey development, the introduction of a front dormer extension within a catslide roof would be of a similar appearance to a number of other properties in the road, and the single storey rear extension would have no further impact than the existing structure to the rear of the host dwellinghouse has upon the amenities of the adjacent property.

Background papers referred to during production of this report comprise all correspondence on the file ref. 13/04100, as set out in the Planning History section above, excluding exempt information.

as amended by documents received on 20.01.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|---|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC04
ACC04R | Matching materials
Reason C04 |
| 3 | ACI13
ACI13R | No windows (2 inserts) eastern flank extension
I13 reason (1 insert) BE1 |
| 4 | ACK01
ACC01R | Compliance with submitted plan
Reason C01 |

Application:13/04100/FULL6

Address: 1 The Gardens Beckenham BR3 5PH

Proposal: Part one/two storey front/side extension with front dormer and single storey rear extension and elevational alterations



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

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

Application No : 13/04103/FULL1

Ward:
Farnborough And Crofton

Address : Darrick Wood Secondary School
Lovibonds Avenue Orpington BR6 8ER

OS Grid Ref: E: 543971 N: 165093

Applicant : Mrs Jane Hewitt

Objections : YES

Description of Development:

Refurbishment of artificial turf pitch with replacement 4.5m high perimeter fencing and refurbished floodlighting, and increased hours of use.

Key designations:

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

Proposal

Permission is sought for the refurbishment of the existing artificial turf pitch at Darrick Wood School which would include replacement surfacing, replacement luminaires to the six existing floodlights, and replacement 4.5m high ball-stop fencing.

It is also proposed to increase the hours of use of the artificial pitch and floodlighting from the permitted 09.00- 21.30 hours on Mondays to Fridays, to 08.00-22.00 hours on those days, along with additional weekend opening between 09.00-20.00 hours on Saturdays, and 09.00-18.00 hours on Sundays and Bank Holidays.

Location

This secondary school site is located to the rear of properties fronting Lovibonds Avenue, whilst the southern part of the site lies adjacent to Darrick Wood Primary School. The site is designated as Urban Open Space within the UDP.

Comments from Local Residents

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

- noise and disturbance from extended hours of use
- proposals are not for the benefit of the local community as Bromley My Time is no longer involved
- do not believe that there is a shortage of such facilities in the area
- should be restrictions on light levels
- there are only 6 floodlights at present, whereas the proposed plans show 8 (the agent has confirmed that the lighting scheme is based on the existing 6 floodlighting columns only - there are no new floodlighting columns proposed, only new luminaires)
- floodlights should be turned off when not in use
- increased traffic later into the evening
- increased anti-social behaviour from people using the facilities later in the evening.

Letters in support of the proposals have also been received from the Football Association, Charlton Athletic, Age UK, Bullers Wood School, Darrick Wood Junior School and The British American Football Association.

Comments from Consultees

The Council's Environmental Health Officer comments that the proposal to operate at the weekends would result in some loss of amenity to neighbouring residents, but considers that this would be mitigated to a certain extent by the introduction of a small number of luminaires which would result in less light spillage at all times. No objections are therefore raised from an environmental health point of view.

Planning Considerations

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

BE1 Design of New Development
G8 Urban Open Space
C8 Dual Community Use of Educational Facilities
ER10 Light Pollution

Planning History

Permission was granted in 1996 (ref. 95/01435) for the construction of this all-weather synthetic grass sports pitch with perimeter fencing, subject inter alia to a condition restricting the use of the pitch on a Sunday to between 09.00-13.00 hours. No restrictions were placed on the hours of use between Mondays and Saturdays.

Permission was granted in 2005 (ref. 05/03480) for the erection of six 12m high floodlights to the all-weather pitch, subject inter alia to a condition preventing the

use of the floodlights on Saturdays, Sundays and Bank Holidays, and restricting their use on Mondays to Fridays to between 09.00-21.30 hours.

Conclusions

The main issues in this case are the impact of the proposals on the designated Urban Open Space, and on the amenities of neighbouring residential properties.

The site is currently being used as an all-weather sports pitch, and its continued use, albeit for extended hours, would not impair the predominantly open nature of the site, and would thus comply with Policy G8 of the UDP which allows for outdoor recreational uses within areas designated as Urban Open Space.

The proposed replacement luminaires atop the 6 existing floodlighting columns would provide an improved system which would result in less light spillage than currently exists, and would therefore comply with Policy ER10 of the UDP which relates to light pollution.

Use of the pitch and floodlighting for an extra hour in the morning and half an hour in the evenings on weekdays is not considered to be unduly harmful to the amenities of nearby residents. With regard to the use of the pitch at weekends and Bank Holidays, the pitch can currently be used (without floodlighting) on Saturdays and between 09.00-13.00 hours on Sundays. Although the proposed use of the pitch until 20.00 hours on Saturdays and 18.00 hours on Sundays with or without floodlighting may result in some additional impact on the amenities of nearby residential properties, this is not considered to be so great to warrant a refusal.

These proposals are also supported by Policy C8 of the UDP which encourages the dual use of educational facilities (including playing fields) in order to provide additional facilities for the local community, so long as the privacy and amenities of adjoining properties are adequately safeguarded, and there would be no detrimental impact on on-street parking or highway safety.

In conclusion, the proposals are not considered to have a detrimental impact on the open nature of the Urban Open Space, nor on the amenities of neighbouring residential properties, subject to safeguarding conditions.

Background papers referred to during production of this report comprise all correspondence on files refs. 95/01435, 05/03480 and 13/04103, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACK01
ACK05R | Compliance with submitted plan
K05 reason |

- 3 The artificial turf pitch and refurbished floodlighting hereby permitted shall not operate before 08.00 hours and after 22.00 hours on Mondays to Fridays, nor before 09.00 hours and after 20.00 hours on Saturdays, nor before 09.00 hours and after 18.00 hours on Sundays and Bank Holidays.
ACJ06R J06 reason (1 insert) BE1

Application:13/04103/FULL1

Address: Darrick Wood Secondary School Lovibonds Avenue Orpington
BR6 8ER

Proposal: Refurbishment of artificial turf pitch with replacement 4.5m high perimeter fencing and refurbished floodlighting, and increased hours of use.



"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 : 13/04106/FULL6

Ward:
Kelsey And Eden Park

Address : 91 Abbots Way Beckenham BR3 3SE

OS Grid Ref: E: 536016 N: 167805

Applicant : Mr Leslie Griggs

Objections : NO

Description of Development:

Two storey side extension

Key designations:

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

Proposal

Planning permission is sought for the erection of a two storey side extension.

The proposed two storey side extension will be 7.5m wide, the full depth of the main dwelling (extending 1.6m past the rear building line) and 6m high to the eaves and 9.1m high to the ridgeline. The extension will replace an existing single storey side extension (garage) that measures 2.8m wide, 6.7m deep and 3m high (to the top of the pitch).

Location

The application property comprises an end of terrace two-storey single dwellinghouse located on the southern side of Abbots Way and is adjoined to the immediate west by the Abbots Way Allotment Gardens. The site is neither listed nor located within a conservation area.

Comments from Local Residents

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

Comments from Consultees

No internal or external consultation required.

Planning Considerations

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

- BE1 Design of New Development
- H8 Residential Extensions
- H9 Side Space
- G8 Urban Open Space

The following Council adopted SPG guidance is also a consideration:

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

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

Planning History

No relevant planning history.

Conclusions

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

The proposed side extension will not provide a minimum 1 metre space from the side boundary of the site as required by Policy H9 of the UDP. However, the adjoining site to the west is designated Urban Open Space and in use as the Abbots Way Allotment Gardens and therefore highly unlikely to be developed or built upon in close proximity to the application site.

Therefore, it is considered that the aim of the policy will still be met in that there will be retention of space around the residential building to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. Furthermore, a cramped appearance and unrelated terracing will be prevented and the high spatial standards and level of visual amenity which characterise many of the Borough's residential areas will be maintained.

Given the above, on balance, the proposal is considered acceptable with regard to the effect it will have on the streetscene and the character of the area.

As noted above, there are no adjoining residential properties to the west of the application site as this is urban open space in the form of Abbots Way Allotment Gardens.

With regard to the adjoining residential property to the east (#89), the majority of the proposed side extension will be screened from view by the main building. The element of the extension that will be visible, being the first floor projecting 1.5m from the rear building line, is sufficiently separated so to not result in any unduly harmful loss of outlook or increased sense of dominance or enclosure for the occupants of that adjoining residential property (#89). In addition, no overlooking or loss of privacy will result as no windows are proposed in the flank elevation of the extension facing #89. A condition is recommended to ensure no windows are inserted in this first floor flank elevation without further permission.

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

Background papers referred to during production of this report comprise all correspondence on the file ref. 13/04106, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

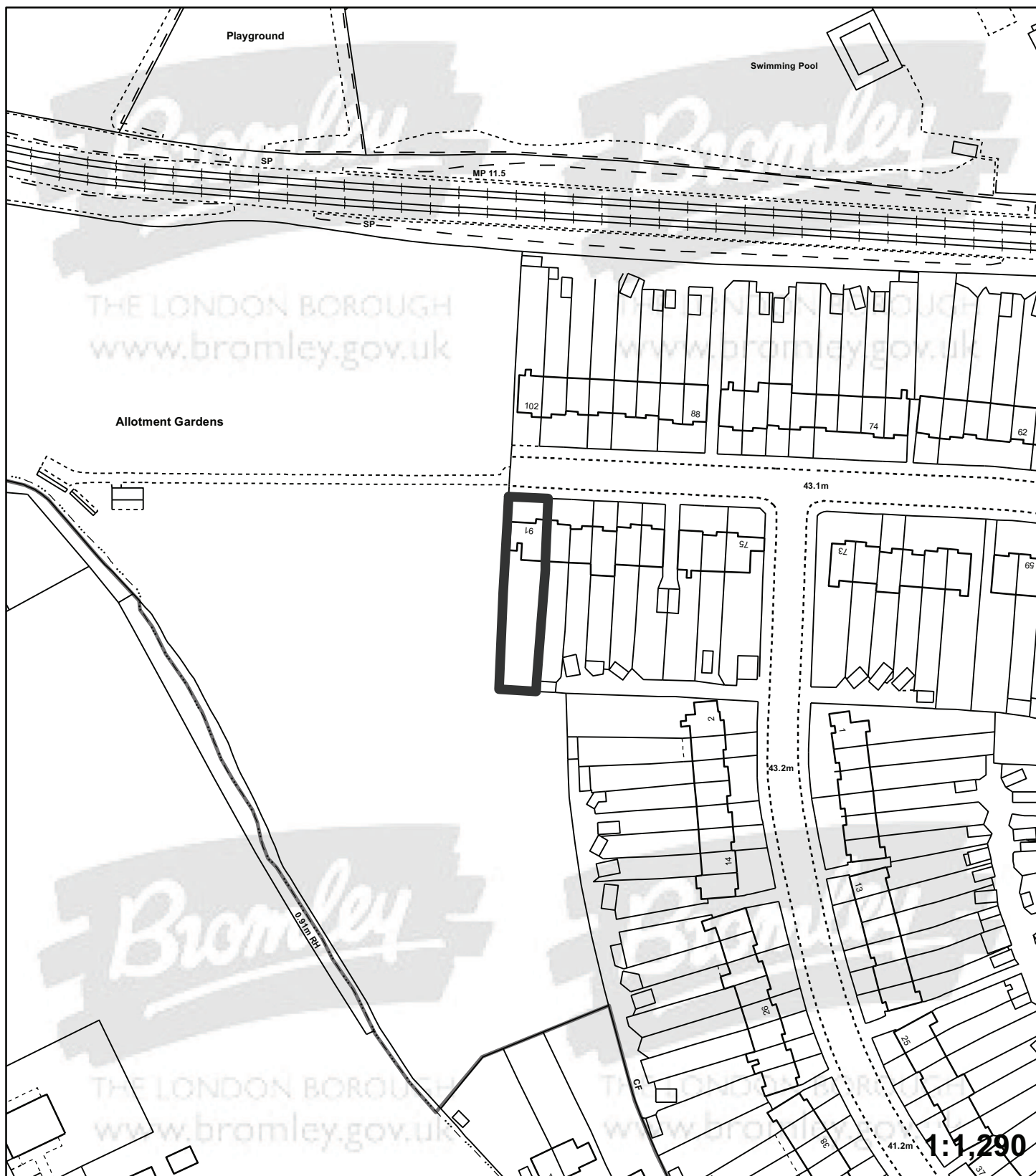
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

- 4 ACI13 No windows (2 inserts) first floor eastern flank
 extension
- ACI13R I13 reason (1 insert) BE1

Application: 13/04106/FULL6

Address: 91 Abbots Way Beckenham BR3 3SE

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"

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

Application No : 13/04115/FULL2

Ward:
Copers Cope

Address : 182A High Street Beckenham BR3 1EW

OS Grid Ref: E: 537221 N: 169412

Applicant : Ayerst Environmental Ltd

Objections : YES

Description of Development:

Change of use to a mixed use of B1 and B8

Key designations:

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

Proposal

This application seeks to use the site for mixed B1 and B8 without restriction as previously conditioned under planning permission ref. 81/01037.

The supporting statement advises that the applicants are an asbestos consulting company who advise on the safe clearance of asbestos produces. The office accommodation will be shared by their 'sister' company Arque who are an accountancy practice. The two companies are primarily office based which will occupy 90% of the building. Part of the remaining 10% will be used by the Applicants as a laboratory for the testing of asbestos samples in a controlled environment under HSE requirements with a small storage area utilising part of the ground floor. The statement advises that they are local companies who are moving into larger premises more suited to their operations.

There are approximately 50 employees of which 50% work on site and visit the office periodically for supplies and materials, therefore there will be approximately 25-30 people working in the building at any one time.

Hours of operation are proposed as 0800 - 1800 hours Mondays to Fridays and 0800 - 1300 Saturdays. Some occasional access may be required on a Sunday.

It is proposed to operate a one way system within the site with access to the site gained from the High Street and egress via the Drive.

Location

The site is a large two storey building situated to the rear of High St, Beckenham within an area of Archaeological Significance. To its east and south sits the Primary Frontage to the High Street (with some residential above) and to its west sits residential property. The immediate vicinity to the north hosts 182B High Street, Beckenham which is now used as a dance studio (Use Class D2).

Comments from Local Residents

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

- insufficient parking
- unsuitable location for distribution centre in respect of constant flow of commercial vehicles
- unsuitable to have asbestos with residential one side and food outlets the other
- insufficient information regarding the asbestos use which may be B2
- concerns for future potential of overlooking
- don't know impacts especially for weekend working - could be noisy - not enough information; therefore non-office activities should be prohibited over the weekend
- extent of laboratory testing and storage be limited by planning condition

Comments from Consultees

Transport for London (TfL) note the site is accessed from Beckenham High Street which forms part of the Strategic Road Network (SRN). No objections are raised from their point of view due to the scale and nature of the application it is unlikely to have any significant adverse impacts on traffic flow on the SRN.

Highways comments note that the development is located to the west of High Street, Beckenham. High Street, Beckenham (A222) is a London Distributor Road (LDR). There are Pay & Display parking bays in proximity of the premises, also there is a car park close by and the site is located within a high PTAL area of 4. On the basis that there is no intensification of the use of the building no Highways objections are raised. The parking bays indicated on the submitted drawing are sub-standard although some parallel bays could be provided. Relevant conditions could be considered appropriate in the event of a recommendation for permission.

No objections are raised from an Environmental Health (pollution) point of view.

No comments are raised by the Greater London Archaeological Advisory Service (GLAAS).

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

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

Planning History

The planning history of the application site as a whole is extensive; of particular relevance is application ref. 81/01037 which granted planning permission for a two storey side extension for use as store and internal staircase, subject to conditions.

Condition ii of this permission states:

' the premises shall be used for an electrical goods warehouse and for no other purpose (including any other purpose in Class X of the schedule of the Town and Country Planning (Use Classes) Order 1972)'.

NB: Class X - Use as a wholesale warehouse or repository for any purpose

The more recent planning history of the site includes refusals under refs. 11/02995 and 12/00896 for mixed use at the site including A3/A4 use.

An additional application has been received under ref. 13/02417, which seeks general refurbishment, extension and alterations to the building, for consideration.

Conclusions

Given that the current planning use of the building is B1/B8 the main issues relating to the application are the effect that the proposal to continue the use of the building for B1/B8 purposes without the restriction to electrical goods (ref. 81/01037) 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.

Local concerns are raised over any future potential for overlooking. These concerns will be addressed within the separately submitted application ref. 13/04217.

The proposed floor plans indicate a greater proportion of office to storage than the existing. Local concerns raise disturbance as a potential problem however there is an existing B1/B8 use to the site and given the greater proportion of proposed office use will likely result in less disturbance from deliveries and the associated loading/unloading. Given the existing use of the site no Highway objections are raised to the proposal although relevant conditions relating to parking spaces and cycle parking are suggested.

Concerns are also raised regarding the asbestos testing; the supporting statement advises that 10% of the space will be given over to storage and laboratory for the testing of asbestos samples and additional information supplied advises that '...by law we are not allowed to undertake the removal of any asbestos materials, other than for sampling'. Comments from the Council's Environmental Health state 'I understand the concern of residents, given the level of publicity given to asbestos these days, but am confident that the testing poses no risk to residents and consequently can confirm that I would have no objections to permission being granted'. It seems that the Council have used Ayerst for many years to test their own samples and are familiar with their operation. Environmental Health additionally comment that 'on the premises, essentially they just stain small suspected asbestos samples and look at them under microscopes to see whether they are asbestos and what type. The activities are all contained within the lab and strictly regulated by health and safety law. Deviation from safe procedures would also mean risking their UKAS accreditation which is essential to the business'.

With regard to the impact of the proposed use to the amenities of neighbouring residents, there does not seem to be so much concern raised over the office use of the site rather the implications of the introduction of asbestos sampling into the vicinity. This is a commercial site; it may be considered that: given the limited extent of the area given over to the testing and storage of asbestos; that the extent of the area can be conditioned in the event of a planning permission; that the testing is carried out in fume cabinets under stringent legislation; that quality procedures are administered in accordance with the current Health and Safety Executive (HSE) regulations; that no concerns have been raised from an Environmental Health point of view and that the company is an established company with 30 years of experience in this particular field, the use will not have such a detrimental impact on neighbouring amenities as to warrant a planning refusal.

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

as amended by documents received on 22.01.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACH02
ACH02R | Satisfactory parking - no details submit
Reason H02 |
| 3 | ACH22
ACH22R | Bicycle Parking
Reason H22 |
| 4 | ACK01
ACC01R | Compliance with submitted plan
Reason C01 |

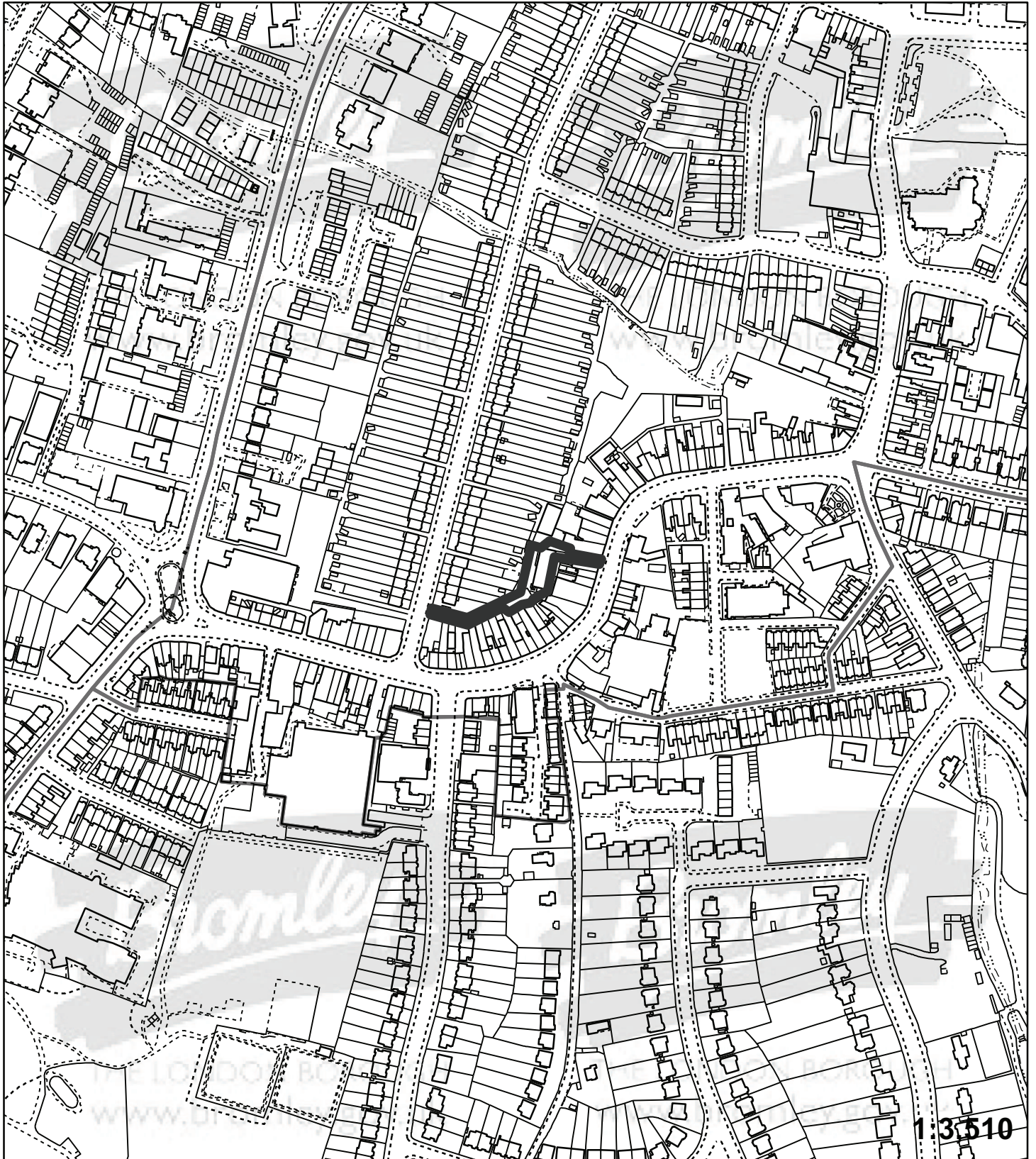
5 No additional floorspace shall be given over to the testing or storage of asbestos samples without the prior written approval of the Local Planning Authority.

Reason: In order to comply with Policies BE1 and EMP6 of the Unitary Development Plan, and in the interest of the residential amenities of the area.

Application: 13/04115/FULL2

Address: 182A High Street Beckenham BR3 1EW

Proposal: Change of use to a mixed use of B1 and B8



"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 : 13/04151/FULL6

Ward:
Petts Wood And Knoll

Address : 44 Towncourt Crescent Petts Wood
Orpington BR5 1PQ

OS Grid Ref: E: 544535 N: 168019

Applicant : Mr Vikram Patel

Objections : YES

Description of Development:

Increased height of the first floor rear flat roof and side parapet wall
RETROSPECTIVE APPLICATION

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
Local Cycle Network
London City Airport Safeguarding
London City Airport Safeguarding
Urban Open Space

Proposal

Permission was granted in September 2012 for a single storey front/side extension, and a part one/two storey rear extension to this property under ref. 12/01455, and this has now been built. However, the extensions have not been built in accordance with the permitted plans in the following ways:

- the flat roofed part of the two storey rear extension extends upwards a further 0.5m so that it projects above the eaves level of the main roof
- the side parapet wall of the single storey side extension has been built up approximately 0.1m higher.

The current application has been submitted in order to retain the extensions as built.

Location

This semi-detached property is located on the south-eastern side of Towncourt Crescent and backs onto the recreation ground. It is located within Petts Wood Area of Special Residential Character.

Comments from Local Residents

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

- the extensions should have been built as permitted
- the design of the revised scheme detracts from the appearance of the building and the surrounding area
- loss of daylight and sunlight to No.42
- detrimental to Petts Wood ASRC
- rear-facing windows comprise a single pane of glass rather than being Georgian in character as approved.

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
H10 Areas of Special Residential Character

This application has been called in by a Ward Member.

Planning History

Permission was refused in April 2012 (ref. 12/00488) for a part one/two storey front/side and rear extension to the property on grounds relating to the detrimental impact on the character of Petts Wood Area of Special Residential Character and on the amenities of neighbouring properties.

A revised scheme was permitted in September 2012 under ref. 12/01455, and has now been built.

Conclusions

The main issues in this case are the impact of the revisions made to the permitted scheme on the character of Petts Wood Area of Special Residential Character, and on the amenities of the occupants of adjacent residential properties.

The increased height of the flat roof over the two storey rear extension does not conform with the uniform rear eaves level of these semi-detached dwellings, and the extension is visible from neighbouring properties, and from the recreation ground to the rear. However, it is not very visible within the street scene, and may not, on balance, be considered to detract from the appearance of the building nor

the character of the ASRC to warrant a refusal and subsequent enforcement action.

The design of the rear windows is considered acceptable, and the increase in the height of the side parapet wall of the single storey side extension is minimal, and is not, therefore, considered to detract from the appearance of the extensions.

With regard to the impact on neighbouring properties, the flat roof which has been raised by 0.5m is set 2.5m away from the boundary with No.42, and 3.7m from the boundary with No.46, and is not considered to unduly affect the outlook from these properties. The occupiers of No.42 have raised concerns about the loss of light to their side kitchen window, however, this is a secondary obscure glazed window, and is set approximately 5m away from the extended flat roof which lies to the north-east of the adjacent property. The extensions as built are not, therefore, considered to have a seriously detrimental impact on the amenities of nearby residents.

Background papers referred to during production of this report comprise all correspondence on files refs. 12/00488, 12/01455 and 13/04151, excluding exempt information.

RECOMMENDATION: PERMISSION

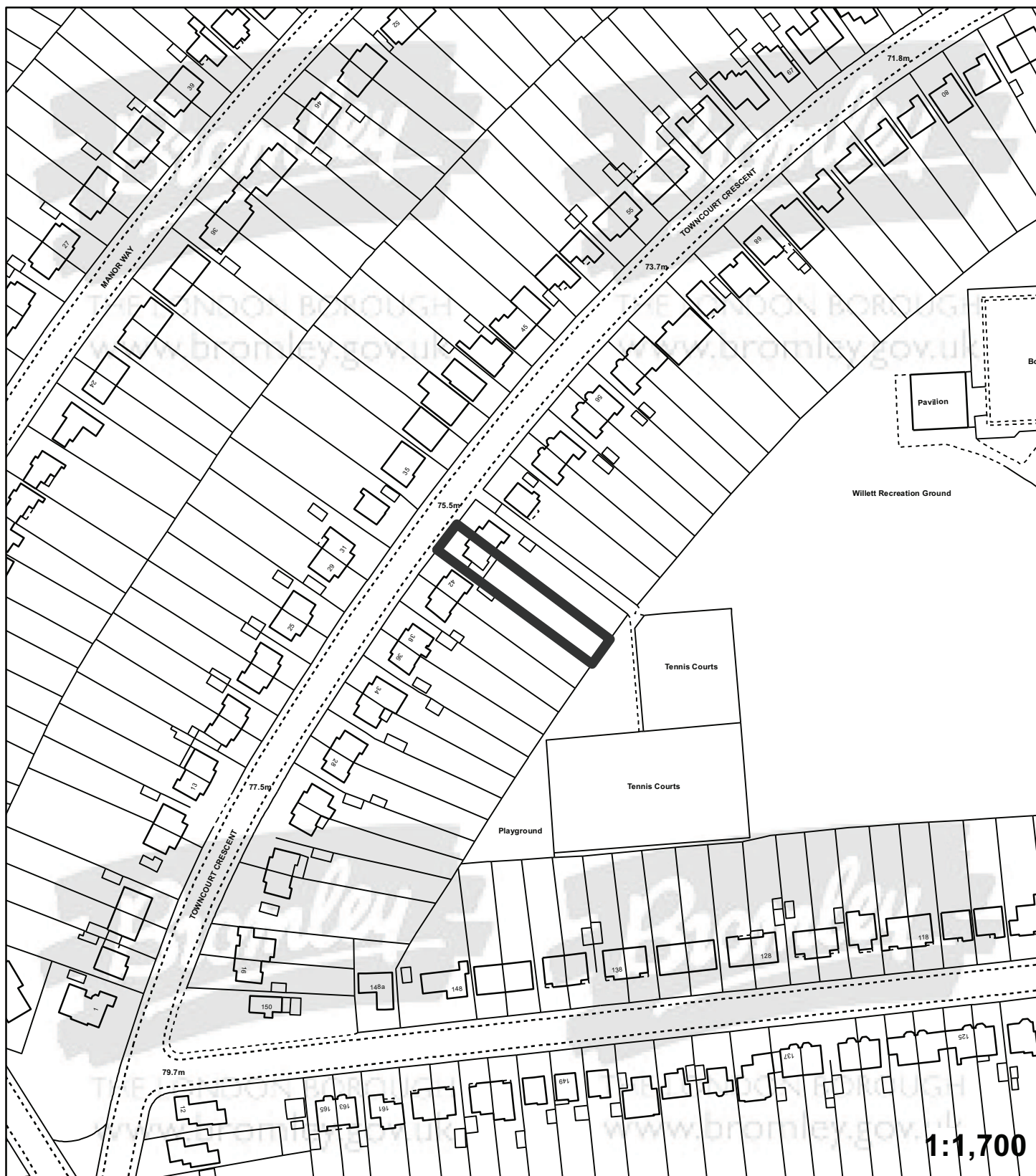
Subject to the following conditions:

Application:13/04151/FULL6

Address: 44 Towncourt Crescent Petts Wood Orpington BR5 1PQ

Proposal: Increased height of the first floor rear flat roof and side parapet wall

RETROSPECTIVE APPLICATION



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

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

Application No : 13/04186/FULL6

Ward:
Chislehurst

Address : One Oak Southill Road Chislehurst BR7
5EE

OS Grid Ref: E: 542426 N: 170483

Applicant : Mr N Cooper

Objections : YES

Description of Development:

Ground floor front and rear extensions and formation of first floor accommodation to form two storey dwelling

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
Sites of Interest for Nat. Conservation

Proposal

This proposal is for a ground floor front and rear extension and the formation of first floor accommodation to the existing bungalow to form two storey dwelling.

The ground floor front extension would project 1.4m forward of the principal elevation to extend the front porch. The ground floor rear extension would project 4.4m beyond the existing rear recessed elevation and would be 7.7m wide with a flat roof. The extension would have French doors and would be used as a lounge.

It is proposed to extend above the entire ground floor including the side garage and the extended rear ground floor to create two double bedrooms with ensuite, one double bedroom with ensuite and dressing room, two double bedrooms and a bathroom. One front first floor bedroom would have a French door and Juliet balcony. The entire first floor would have pitched roofs with a dormer in both the front and rear roof.

The original plans included a rear balcony with access from the bedroom through French doors. Revised plans have now been submitted replacing the French doors with a window and removing the balustrades to the flat roof area.

Location

The property is a single storey 1970 style bungalow which has no significant architectural interest. It is located to the south of Southill Road adjacent to the railway line in an elevated location. Properties in the area differ significantly in terms of their architectural style and scale. The properties to the south of Southill Road mark the beginning of the Chislehurst Conservation Area which is an 18th Century village and affluent Victorian/Edwardian suburb and later low density housing in mature landscapes.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received from the occupiers of Fairview which can be summarised below:

- two storey and roof elevation will impact on light entering garden, siting room and bedroom.
- the proposal would be built on the boundary
- balcony to rear will impact on privacy allowing views into siting room, bedroom, kitchen, cellar and garden (now deleted from the scheme)
- alterations will change frontage considerably in Conservation Area
- unsympathetic to aesthetic Arts and Crafts influence

Comments from Consultees

APCA did not raise objections to the proposals

Highways have no objection to the proposals as the double garage is to be retained. However they are concerned about deliveries to the site during the construction phase, therefore a plan would be required of how they will accommodate construction vehicles. This can be conditioned.

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
BE11 Conservation Areas

Conclusions

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

The property is located within the Chislehurst Conservation Area, within which development would be expected to preserve or enhance the character and

appearance of the conservation area. The Chislehurst Conservation Area requires any extension or addition to reflect the form, materials, textures and finishes of the host building along with the design philosophies underlying its style.

The proposed first floor extension would be constructed with brickwork and tiles to match the main dwelling. The extension would be designed with three pitched roofs two of which are set back. The extension would be set back from the front and has a lower roof line which would appear subservient to the host dwelling. The adjacent dwelling Fairview is a part 2/3 storey Victorian dwelling which has a higher roof line than the proposed roof line. Therefore the proposal would not appear out of character with the area. Many houses in the locality are of 2/3 storey dwellings with higher rooflines. Part of the proposed front extension projects forward of the principal elevation by 1.4m, and would be 3.5m wide at both ground and first floor level with a gable roof. Given the depth of the land to the front of the dwelling this is not considered to impact on the character of the area. Based on the above it is not considered that the formation of the proposed first floor extension would result in any adverse impact on the character and appearance of the existing dwelling, street scene or Chislehurst Conservation Area.

It is proposed to insert two windows to the south east side elevation at first floor level to serve two ensuite bathrooms, both of which are obscure glazed, therefore there would be no loss of privacy to the adjoining occupier at Fairview. No windows are proposed to the south west flank elevation.

The original plans showed a rear balcony, however this element has now been removed and a condition can be imposed to prevent the use of the flat roof as a balcony.

The proposed formation of a first floor extension would strictly speaking contravene the Council's side space policy which requires two storey extensions to be set back a minimum 1m from the side boundary for the full height and length of the flank wall. The extension would retain the original side space of 1.5m to the north east which is consistent with the Council policy. However, the proposed development fails to provide a 1m side space on the south west flank elevation. Given the fact that the south west flank is adjacent to the raised railway line it is considered that the proposal would not result in a cramped form of development nor compromise the spatial standards of the surrounding area in this instance.

With regard to the impact on residential amenity, the proposed extension would be closest to Fairview which is located to the north east. Fairview sits within a large triangular plot of land on two levels which is set back from One Oak. Given the orientation of the dwellings no loss of light is expected to occur. The sitting room, kitchen, bedroom, cellar and garden terrace area of Fairview are set back approx. 10m from the boundary with the application site, therefore it is considered that the impact of the proposed extension on the amenities of Fairview would not fall within unacceptable levels and be so great to warrant a refusal in this instance.

There is a variety of dwelling styles and sizes in the area at present. The proposal, whilst sizeable and significantly altering the appearance of the property, is considered to have been sensitively designed. Part of the scheme would involve

the infilling of part of a recessed area and would not project beyond the rear elevation. The proposed front extension, which would project forward of the principal elevation, is considered acceptable given the depth of the front garden and the lack of a uniform building line within the street scene.

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

Background papers referred to during production of this report comprise all correspondence on the file ref: 13/04186 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 28.01.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|--------|--|----------------------------------|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACC01 | Satisfactory materials (ext'nl surfaces) | |
| | ACC01R | Reason C01 | |
| 3 | ACH03 | Satisfactory parking - full application | |
| | ACH03R | Reason H03 | |
| 4 | ACH16 | Hardstanding for wash-down facilities | |
| | ACH16R | Reason H16 | |
| 5 | ACH27 | Arrangements for construction period | |
| | ACH27R | Reason H27 | |
| 6 | ACI14 | No balcony (1 insert) | the single storey rear extension |
| | ACI14R | I14 reason (1 insert) | BE1 |
| 7 | ACI17 | No additional windows (2 inserts) | north-east extension |
| | ACI17R | I17 reason (1 insert) | BE1 |
| 8 | 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:13/04186/FULL6

Address: One Oak Southill Road Chislehurst BR7 5EE

Proposal: Ground floor front and rear extensions and formation of first floor accommodation to form two storey dwelling



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

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

Application No : 13/04217/FULL1

Ward:
Copers Cope

Address : 182A High Street Beckenham BR3 1EW

OS Grid Ref: E: 537221 N: 169412

Applicant : Mr William Rider

Objections : YES

Description of Development:

General refurbishment (including internal works), mechanical extract and the insulation and render to the external envelope of the entire building. Demolition of existing single storey WC block and erection of two storey extension; formation of new window openings and installation of new windows, doors and replacement fire escape staircase.

Key designations:

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

Proposal

This application proposes general refurbishment (including internal works), mechanical extract and the insulation and render to the external envelope of the entire building. Demolition of an existing single storey WC block will facilitate the erection of a two storey extension; formation of new window openings are proposed with the installation of new windows, doors and replacement fire escape staircase.

A two storey extension is proposed to the south elevation; high level windows are shown to this flank at ground and first floor levels. The plans indicate the existing flank as a provisional location for four air handling units.

To the east (front) elevation windows are proposed at ground and first floor level; there are 3 existing windows to the first floor. The plans show proposed signage to this flank along with boxing to conceal a security shutter.

The existing west (rear) elevation has no windows; this application proposes windows to ground and first floor level. The existing fire escape is to be replaced. Revised plans indicate five high level windows to the first floor on this elevation.

The entire external envelope of the building will be insulated and rendered; the applicant has advised that this is with the view to upgrade and enhance its appearance, similar to the adjacent dance studio.

Location

The site is a large two storey building situated to the rear of High St, Beckenham within an area of Archaeological Significance. To its east and south sits the Primary Frontage to the High Street (with some residential above) and to its west sits residential property. The immediate vicinity to the north hosts 182B High Street, Beckenham which is now used as a dance studio (Use Class D2).

Comments from Local Residents

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

- overlooking - no windows at present (previous planning refusal grounds)
- hours of use
- asbestos testing
- prohibit non-office activities over the weekends
- parking
- current boundary wall needs replacing - concern over short cuts potentially being taken from The Drive

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

SPG1

SPG2

Planning History

The planning history of the application site as a whole is extensive; of particular relevance is application ref. 81/01037 which granted planning permission for a two storey side extension for use as store and internal staircase, subject to conditions.

Condition ii of this permission states:

' the premises shall be used for an electrical goods warehouse and for no other purpose (including any other purpose in Class X of the schedule of the Town and Country Planning (Use Classes) Order 1972).'

NB: Class X - Use as a wholesale warehouse or repository for any purpose

The more recent planning history of the site includes refusals under refs. 11/02995 and 12/00896 for mixed use at the site including A3/A4 use.

An additional application has been received under ref. 13/04115, which is concerned with the use of the building.

Conclusions

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

Given the relationship to surrounding development and the commercial nature of the site no planning concerns are raised in respect of the proposed insulation and render to the external envelope of the building.

No details have been submitted in respect of the proposed air-handling units and in the event of a planning permission relevant conditions should be applied.

It is noted that a separate application, ref. 13/04115, is considering the use of the site as B1/B8 without restriction to white goods. This application, ref. 13/04217, has been submitted for consideration of works to the building; due to the proposed increased floor area for office space a number of windows have been proposed and concerns are raised in this respect, particularly those to the first floor of the building. The planning history reveals that mixed use proposal including A3/A4 was refused at the site with a particular ground of refusal being 'The proposed development would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to nearby occupiers thus contrary to Policy BE1 of the Unitary Development Plan'. There were additional considerations, relating to noise, with that application and the hours and type of use proposed which are not raised by the proposed office use. The introduction of windows to the first floor to both the west and east elevations give rise to planning concerns with overlooking. It may be considered that the revised plans showing a reduced number of windows to the west elevation and to be high level only may go some way to address these specific concerns relating to overlooking.

The windows to the east elevation address a more commercial environment but the relationship to residential flats over the shops will require careful consideration and in the event of a planning permission relevant conditions are proposed to safeguard neighbouring amenity.

The applicants are currently based in Beckenham and need to expand into larger premises. The application form indicates the site has 4 existing employees; the application form states the proposed use will provide 23 full time jobs and 4 part-time. A supporting statement submitted in relation to application ref. 13/04115 states 'There are approximately 50 employees of which 50% work on site and visit the office periodically for supplies and materials, therefore there will be approximately 25-30 people working in the building at any one time'. It is worth

noting that there are NPPF requirements of the need to support economic growth through the planning system.

In summary, the application site is an existing commercial site and it may be considered that the extent of the built development and alterations proposed by this scheme, subject to safeguarding conditions, are unlikely to have such a detrimental impact on the character of the area and nearby residential amenities as to warrant a planning ground of refusal.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, 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 ACC07 Materials as set out in application
ACC07R Reason C07
- 3 ACI12 Obscure glazing (1 insert) to the west elevation
ACI12R I12 reason (1 insert) BE1
- 4 Details of obscure glazing to windows in the first floor east elevation are to be submitted to and approved in writing by or on behalf of the Local Planning Authority before development commences and the scheme shall be fully implemented before first occupation and shall be permanently maintained thereafter.

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

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

- 6 ACI17R I17 reason (1 insert) BE1
ACK01 Compliance with submitted plan
ACC01R Reason C01

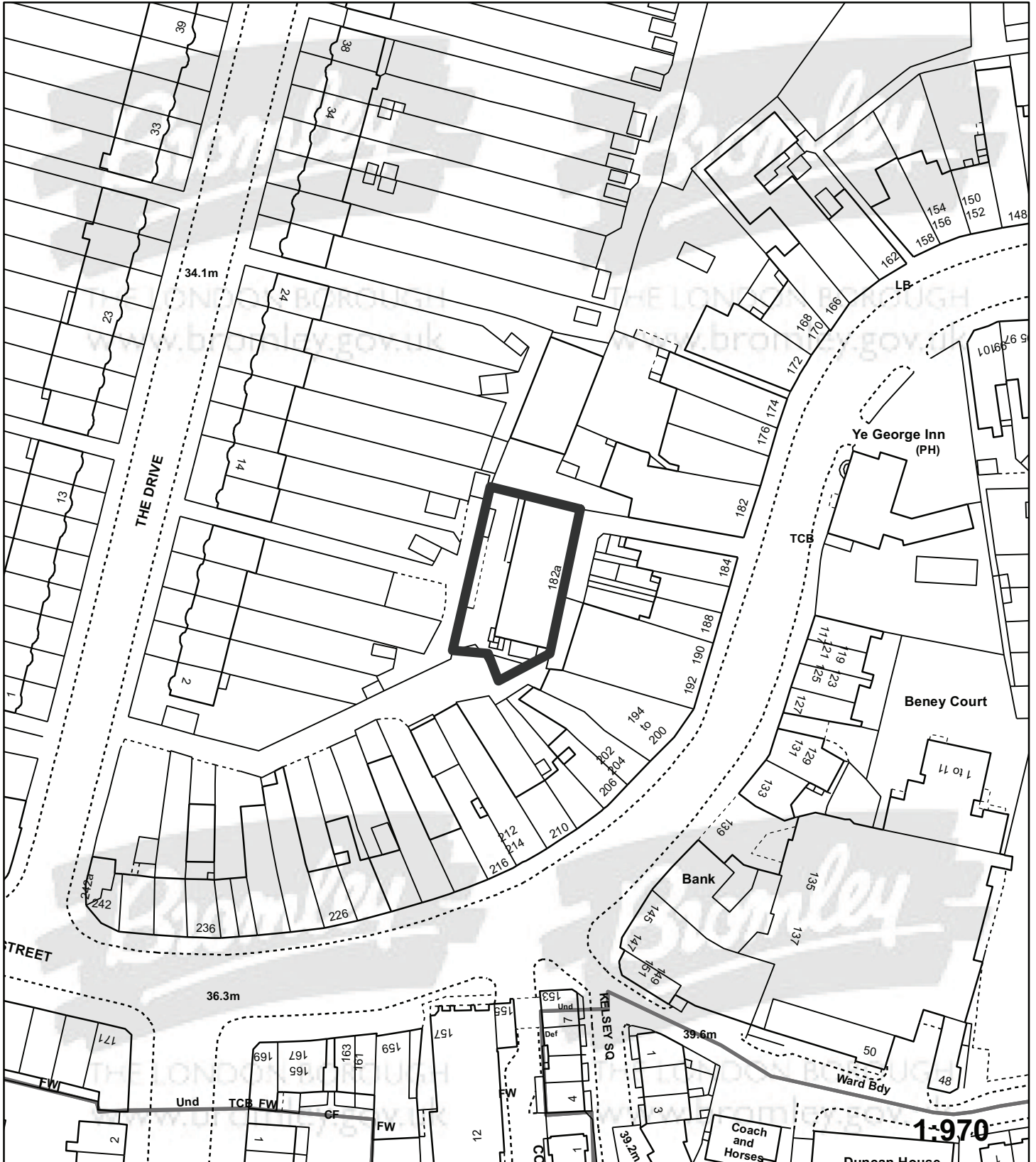
- 7 Details of the air handling units are to be submitted to and approved in writing by or on behalf of the Local Planning Authority before development commences and the scheme shall be fully implemented before first occupation and shall be permanently maintained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan.

Application:13/04217/FULL1

Address: 182A High Street Beckenham BR3 1EW

Proposal: General refurbishment (including internal works), mechanical extract and the insulation and render to the external envelope of the entire building. Demolition of existing single storey WC block and erection of two storey extension; formation of new window openings and installation of



"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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