



THE LONDON BOROUGH
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DATE: 24 February 2015

To: Members of the
PLANS SUB-COMMITTEE NO. 4

Councillor Richard Scoates (Chairman)
Councillor Peter Dean (Vice-Chairman)
Councillors Vanessa Allen, Nicky Dykes, Simon Fawthrop,
Samaris Huntington-Thresher, Russell Mellor, Melanie Stevens and Michael Turner

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on
THURSDAY 5 MARCH 2015 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

<http://cds.bromley.gov.uk/>

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 8 JANUARY 2015**
(Pages 1 - 10)
- 4 PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
4.1	Hayes and Coney Hall	11 - 22	(14/04198/FULL1) - Hayes Primary School, George Lane, Hayes.

SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.2	Kelsey and Eden Park	23 - 28	(14/04503/FULL1) - 33 Upper Elmers End Road, Beckenham.
4.3	Crystal Palace Conservation Area	29 - 46	(14/04557/FULL2) - 25 Church Road, Anerley.
4.4	Farnborough and Crofton Conservation Area	47 - 58	(14/04849/FULL1) - Land opposite 1-4 Tye Lane, Orpington.
4.5	Bickley	59 - 62	(14/04911/FULL6) - 17 Cloisters Avenue, Bickley.
4.6	Plaistow and Sundridge	63 - 68	(14/04952/VAR) - 1 Plaistow Lane, Bromley.
4.7	Hayes and Coney Hall	69 - 74	(14/04970/FULL1) - Hillcrest House, West Common Road, Hayes.
4.8	Bromley Town Conservation Area	75 - 82	(14/05001/FULL1) - Wyn House, 211-213 High Street, Bromley.

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

Report No.	Ward	Page No.	Application Number and Address
4.9	Darwin	83 - 88	(14/03187/ELUD) - Yonder Farm, Orange Court Lane, Downe.
4.10	Darwin	89 - 92	(14/03188/ELUD) - Yonder Farm, Orange Court Lane, Downe.
4.11	Chislehurst Conservatiion Area	93 - 98	(14/04375/FULL1) - Chislehurst School for Girls, Beaverwood Road, Chislehurst.
4.12	West Wickham	99 - 104	(14/04753/FULL6) - 42 Barnfield Wood Road, Beckenham.
4.13	Cray Valley East	105 - 108	(14/04830/FULL1) - 23 Chalk Pit Avenue, Orpington.
4.14	Bickley	109 - 114	(14/04851/FULL1) - Lauriston House Nursing Home, Bickley Park Road, Bickley.
4.15	Bickley	115 - 118	(14/04927/FULL6) - 34 Parkside Avenue, Bickley.
4.16	Biggin Hill	119 - 122	(14/04965/FULL6) - 11 Allenby Road, Biggin Hill.
4.17	Copers Cope	123 - 130	(15/00037/FULL1) - Two Elms, Beckenham Place Park, Beckenham.
4.18	Crystal Palace	131 - 134	(15/00201/FULL4) - Bigsworth Court, 2 Betts Way, Penge.
4.19	West Wickham	135 - 138	(15/00217/FULL6) - 7 Oaklands Avenue, West Wickham.

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PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 8 January 2015

Present:

Councillor Richard Scoates (Chairman)
Councillor Peter Dean (Vice-Chairman)
Councillors Vanessa Allen, Nicky Dykes, Simon Fawthrop,
Samaris Huntington-Thresher, Russell Mellor, Melanie Stevens
and Michael Turner

Also Present:

Councillors Douglas Auld, Alan Collins, Ian Dunn and Stephen Wells

24 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

No apologies for absence were received.

25 DECLARATIONS OF INTEREST

No declarations of interest were reported.

26 CONFIRMATION OF MINUTES OF MEETING HELD ON 6 NOVEMBER 2014

RESOLVED that the Minutes of the meeting held on 6 November 2014 be confirmed and signed as a correct record.

27 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

27.1 WEST WICKHAM

(14/03876/FULL6) - 40 Stambourne Way, West Wickham

Description of application - Part one/two storey rear extension, conversion of garage to habitable accommodation and to provide habitable accommodation in roofspace.

It was reported that the application had been amended by the submission of a revised existing plan. Members having considered the report and objections, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to seek to resolve breach of side space policy.

27.2
KELSEY AND EDEN PARK

**(14/04290/FULL1) - Harris Academy Beckenham,
Manor Way, Beckenham**

Description of application - Erection of 2 temporary buildings to provide primary school accommodation for 60 pupils plus staff until September 2016, together with associated hardstanding and landscaping works and 7 additional car parking spaces.

Oral representations in objection to and in support of the application were received. Oral representations from the Portfolio Holder for Education, Councillor Stephen Wells in support of the application were also received at the meeting.

The first sentence under the heading 'Impact on the designated Urban Open Space (UOS) and trees' (page 11) was amended to read:- 'Policy G8 of the UDP permits built development on Urban Open Space where it is related to the existing use, is small scale or supports the outdoor recreational uses or children's play facilities on site or any replacement buildings do not exceed the site coverage of existing development on the site.'

It was reported that the map on page 19 of the report did not accurately reflect the current site plan.

Correspondence from the Mayor of London and the Bromley Council Executive Director Education Care and Health Services in support of the application had been received. A further five letters in support and 41 letters in objection to the application had also been received.

In regard to the current appeal for the previously refused application, the Chief Planner informed Members that the Inspector was due to visit the site during the week beginning 12 January 2015 and the target date for completion of the Inspector's decision was estimated to be before early March 2015 .

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to await the outcome of the pending appeal.

SECTION 3

(Applications recommended for permission, approval or consent)

**27.3
CLOCK HOUSE**

(14/03341/FULL1) - LEB Depot, Churchfields Road, Beckenham

Description of application - Standby electricity generating plant.

Oral representations from Ward Member Councillor Ian Dunn in support of the application were received at the meeting.

One further letter in support and one in objection to the application had been submitted.

It was reported that no objections to the application had been received from the Environment Agency.

Members were advised that should the application be granted, an informative concerning vehicle drop-off times should be added and condition 3 should be amended.

Committee Member and Ward Member Councillor Allen submitted comments in support of the application (see Appendix 1 attached).

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, for the applicant to clarify hours of operation and provide more information in respect of air quality effects arising from operation of the plant. The applicant should also make a commitment to monitor noise levels after operation and supply data to the Council; this should be controlled by condition. Members emphasised the importance of providing an enhanced cycle route through the site and this should be discussed further with the applicant and secured by way of a Section 106 condition. It was strongly suggested that the applicant/agent attends the next meeting in order for queries to be addressed.

**27.4
COOPERS COPE
CONSERVATION AREA**

(14/03384/FULL1) - 83 Copers Cope Road, Beckenham

Description of application - Demolition of existing buildings and erection of 8 five bedroom houses with associated works relating to a private road, parking and landscaping.

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

It was reported that further objections to the application had been received together with comments from Network Rail.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to reduce the density of the proposal and increase garden space.

**27.5
FARNBOROUGH AND
CROFTON**

**(14/04163/FULL6) - 54 Lansdowne Avenue,
Orpington**

Description of application - Part one/two storey side, single storey rear and first floor front extensions.

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.

**27.6
PETTS WOOD AND KNOLL**

**(14/04401/FULL6) - 29 Rolleston Avenue, Petts
Wood**

Description of application - Single storey rear extension and roof alterations comprising gable end/rear dormer extension and front roof lights.

Oral representations in objection to the application were received. Oral representations from Ward Member Councillor Douglas Auld in objection to the application were also received (see Appendix 2 attached).

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 set out in the report of the Chief Planner with the addition of a further two conditions to read:-
5 Construction works may not be carried out other than between the hours of 0900 hrs-1730 hrs Mondays-Fridays unless approved in writing by the Local Planning Authority.

Reason: In the interest of protecting residential amenity during the construction works.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no building, structure or alteration permitted by Class A, B, C, or E of Part 1 of Schedule

2 of the 1995 Order (as amended), shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

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

**27.7
BROMLEY COMMON AND
KESTON**

(14/02872/FULL1) - 32 Mons Way, Bromley

Description of application - Two storey detached house.

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.

**28
PLAISTOW AND
SUNDRIDGE**

(14/03102/FULL1) - Parish School, 79 London Lane, Bromley

Description of application - Demolition of 4 classroom buildings and erection of detached single storey building comprising 12 classrooms, toilet block, group room, entrance lobby and associated landscaping to provide accommodation to expand to a 3 form entry. Oral representations in support of the application were received at the meeting.

It was reported that correspondence from the Director of Education in support of the application had been received.

No objections were received from the Tree Officer. Members having considered the report and objections and representations, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with the addition of a further condition to read:-

11 If any trees are felled in order to implement the development hereby permitted, trees of a size and species to be agreed in writing by the Local Planning Authority shall be planted as replacements in such positions as shall be agreed by the Authority in the first planting season following completion of the development. Any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

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Reason: In order to comply with Policy NE8 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

The meeting ended at 8.55 pm

Chairman

Item 4.3 – (14/03341/FULL1) – London Electricity Board Depot, Churchfields Road, Beckenham

Comments from Committee Member and Ward Member Councillor Vanessa Allen

Comments/questions/conditions

1. I do have concerns about noise. It is difficult to know what 35dB sounds like. I note that the background noise measurements were taken on a Friday in August which would be considered a quiet time due to holidays etc. However the Churchfields Road waste depot does emit noise from time to time during the working day, intermittently and randomly, and I asked the planning office for information on what these noise levels may be. The information was not available.

There are houses around the proposed plant. I will declare an interest as a resident of Clock House Road, but not in the specific area of concern. The nearest houses in Clock House Road are approximately 40m away and a number were written to as part of the notification process. Other houses in Churchfields Road, Clement Road, Seward Road etc are slightly more distant and were not written to.

A number of factors affect the noise issue. The noise impact assessment report covers the subject in some depth but we should also note the following points:

- The plant is more likely to be operating on a winter evening when people have their windows shut.
- I would ask for a condition stating that further noise monitoring will take place when the plant is running and that if noise levels exceed those specified, then more attenuation will be added.
- The agent provided information to the planning officer concerning noise levels and stated that the proposed level is lower than a standard industrial level. But this is not a standard industrial area, it is a normal London residential area with houses, school, open spaces, railway and refuse depot.
- I ask the committee to consider a limit on times of operation. Comments from the EHO support this and a curfew at 11pm seems reasonable, so can this be a condition?

2. Air quality during the construction period seems to be covered by condition 6 but I would also like to see an ongoing compliance condition covering air quality during operation. This will help to ensure the plant is well maintained so that emissions do not get worse over time, with the option for the Council to request further monitoring by UKPR if complaints or problems arise.

3. I would like to see conditions on construction traffic, specifically around school start and finish times, say for one hour in the morning and at least one hour in the afternoon.

I would further request that during construction, as well as the dust management plan, there are obligations for wheel washing when necessary.

4. Finally, I fully support the request for the Waterlink Way cycle route link and ask the Committee to ensure this is a condition of permission, and is covered by an appropriate legal agreement, to cover provision and ongoing maintenance and access.

In conclusion, subject to agreement of the points above, I am happy to accept the planning officer's recommendation that permission to be granted for this development.

Item 4.6 – (14/04401/FULL6) – 29 Rolleston Avenue, Petts Wood**Comments from Ward Member Councillor Douglas Auld**

You have already heard from Mr Caple of the objections to this application from local residents. These residents include those who live at numbers 27 and 31 Rolleston Avenue on either side of the application's property. It will become apparent that I will also be opposing this application.

The proposal is to construct a 3.5m deep single storey rear extension, along with roof extensions comprising a partly hipped side gable extension, two rear dormers, front roof lights and a first floor flank window. It is the roof aspect in particular to which I will be objecting.

This roof extension will effectively convert the current semi-detached bungalow into a two storey dwelling and, as accepted by the planning officer, would affect the symmetrical appearance of this pair of semi-detached bungalows. Surely these are undesirable changes. This would undoubtedly set a precedent in this avenue of houses which have largely remained unaltered since they were built probably fifty years ago or more.

Members you have read the officer's report. I would like to comment on a few matters contained in it:-

1. Under the heading 'Location' the last line states 'the road as a whole contains a mix of housing types'. It does not! The road in fact consists of fifty-six semi-detached bungalows interspersed with a smaller number of semi-detached houses. Nos. 2-18 and 1-35 are a slightly older design of semi-detached bungalows and houses of compatible and similar design, while nos. 20-80 and 37-87 are the same types of dwellings but of a slightly more recent design. There are a number of single storey side garages and two or three single storey side extensions. There are no two storey extensions in the whole length of Rolleston Avenue, this is especially relevant to the bungalows. Certainly none of the bungalows have an extension anything like that proposed.
2. Under the heading 'Planning History' you will have noted that an earlier application for a similar rear extension but with slightly larger roof extensions was withdrawn prior to determination. The withdrawal followed a meeting between the applicant and the planning officer. The revised application now has a partly hipped side gable facing no. 27. This is a marginal reduction to the withdrawn scheme.
3. Under 'Conclusions', the officer states that the proposals are not considered to significantly unbalance the pair. I totally disagree. If built this extension as viewed from the street scene would stick out like a sore thumb.
4. Mention is made of the proposed first floor flank window having obscure glazing. As an addition to that condition, should this application be successful, I would ask that the window should be permanently fixed shut.

For the reasons mentioned above, I believe this proposal if permitted would be detrimental to the character of Rolleston avenue.

Policy BE1 of the Unitary Development Plan states that all development proposals, including extensions to existing buildings, will be expected to be of a high standard of design and layout. To those ends, proposals will be expected to meet ALL of the following criteria. These criteria include:-

- 1) Development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. (The result of this application would not be attractive to look at, eg symmetry and would not complement the scale, form, layout of adjacent buildings and the immediate area).
- 2) Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landmark features. (This development would be detrimental to the existing street scene.)
- 3) The development should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing. (This development would result in a loss of privacy to the occupants of the houses on either side by overlooking from the two proposed rear dormer windows and loss of natural light to the rear rooms, to the conservatory of one and to the patios of both these properties in the afternoon and evening.)

Policy H8 states the design and layouts of proposals for the alteration or enlargement to residential properties will be required to satisfy ALL of the following criteria:-

- 1) The scale, form and material of construction should respect or complement those of the host dwelling and be compatible with developments in the surrounding area. In this instance the development is not in the scale of the host building and not in the scale or form of developments in the surrounding area).

In conclusion this proposed extension is an over development and is out of scale with the host building and the houses in the immediate vicinity. As such it would be out of character in this location.

Further if built it would result in loss of amenity, in particular to the occupiers of the adjoining houses by reasons of loss of privacy/overlooking and loss of light and to other residents in the vicinity by reason of the appearance of this house in the street scene if the extension were to be built.

Members I ask that you refuse this application on the grounds of Policies BE1 and H8 as mentioned above.

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

Application No : 14/04198/FULL1

Ward:
Hayes And Coney Hall

Address : Hayes Primary School George Lane
Hayes Bromley BR2 7LQ

OS Grid Ref: E: 540917 N: 166336

Applicant : Mr N Vitarana

Objections : YES

Description of Development:

Construction of a single storey early years/reception block extension comprising three classrooms with enclosed play areas and external canopy to the west side of the existing school buildings, landscaping and associated external works.

Key designations:

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

Proposal

Planning permission is sought for the construction of a single storey early years/reception block extension comprising three classrooms with enclosed play areas and external canopy to the west side of the existing school buildings, landscaping and associated external works.

The proposal will not involve the expansion of the school which will remain a three form entry school for 3 to 11 year olds. In summary this will involve the addition of three classrooms in order to rationalise and improve the spaces available for the early years/reception classes.

This will comprise a single storey building located on the west side of the existing building complex extending from the isolated building arm currently used as the 'rabbit' classroom. The building will extend south over the existing tarmac play area with a maximum footprint extent of approximately 34m by 21m with a maximum height of 6.2m to the ridge point of three hipped pyramid style roof structures. The building footprint will be staggered incorporating two contained covered external play areas, one open external play area and a canopy structure facing internally into the building complex to Breakout Area 1.

As part of the proposal a new entrance will be created on the north side of the site as part of the extension building. Other internal alterations will take place within the northern arm of the existing building to create a resource centre and staff facilities.

Materials are indicated to be brick and render with the roof formed of a standing seam metal finish. Windows are to be anodised aluminium.

Location

The school is located to the south side of George Lane, leading off Hayes Lane, with residential properties to the north and west of the site. Extensive car parking is located to the east and north of the school site. The school buildings are located on the edge but within the Green Belt boundary.

Comments from Local Residents

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

- concerns regarding the increase in traffic flow over the years due to parents pick up/ drop of activity. This results in limited free parking.
- concerns regarding congestion at certain times and constant expansion of the school.

Comments from Consultees

Environmental Health: I have looked at this application and visited the premises, and would have no objections to permission being granted.

Highways Officer: The development is in an area with low PTAL rate of 1b (on a scale of 1 - 6, where 6 is the most accessible). The site is fronting the south side of George and the east side of Hayes Wood Avenue. The school comprises of 21 classrooms; there are currently 640 pupils. Access & Parking - There are currently 38 staff car parking spaces provided.

Vehicular access - Access is provided from a dedicated gated access road at the east end of George Lane. A separate gated pedestrian access is provided on George Lane to the north west of the school. School Keep Clear markings are on George Lane. Also 30 cycle parking spaces are provided. Development Proposal comprises a new classroom block of 350sqm;

Modernised entrance area; Level access at all main entrances and new WC facilities.

The applicant is not increasing the number of the pupils and members of teaching staff, therefore I raise no objection to the proposal.

Drainage Officer: This site is within the area in which the environment agency - Thames

Region require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries. As no details of the foul water drainage system have been submitted, impose standard condition. This site appears to be suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water. Impose standard condition.

Thames Water: No objections raised.

Planning Considerations

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

- BE1 Design of New Development
- NE7 Development and Trees
- G1 Green Belt
- C1 Community Facilities
- C7 Educational and Pre School Facilities
- C8 Dual Community Use of Educational Facilities
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T6 Pedestrians
- T7 Cyclists
- T18 Road Safety
- ER7 Contaminated Land

Bromley's Draft Local Plan: Policies and Designations Document has been subject to public consultation and is a material consideration (albeit it of limited weight at this stage). Of particular relevance to this application are policies:

- 6.5 Education
- 6.6 Education Facilities
- 7.1 Parking
- 7.2 Relieving congestion
- 7.3 Access to services for all
- 8.14 Green Belt

London Plan:

- 3.18 Education facilities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable Design and Construction.
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 6.3 Assessing effects of development on transport capacity

- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road network capacity
- 6.13 Parking.
- 7.2 An Inclusive Environment.
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.21 Trees and woodlands
- 8.3 Community infrastructure levy

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

The Councils adopted SPG design guidance is also a consideration.

Planning History

98/02755/FULL1: Single storey extensions comprising 12 classrooms, toilets headmasters office store main hall and kitchen and car parking area. Approved 18.02.1999

99/01050/FULL1: Detached single storey mobile building for 2 classrooms. Approved 02.06.1999

05/00501/FULL1: Single storey extension for music/practice rooms. Approved 14.04.2005

10/01387/EXTEND: Extension of time limit for implementation of permission ref 05/00501 granted for single storey extension for music/practice rooms. Approved 09.07.2010

11/03199/FULL1: Installation of 22 solar panels onto roof. Approved 06.12.2011

11/03151/FULL1: Single storey extension, canopies adjacent to main building and relocation of existing detached canopy. Approved 09.01.2012

14/02103/FULL1: Installation of 4 Louvres to western Elevation and 4 to Southern Elevation for ventilation systems. Approved 22.07.2014

Conclusions

The main planning considerations relevant to this application are:

- The principle of the proposed additional classroom buildings and extensions.

- The design and appearance of the proposed scheme and the impact of these alterations on the character and appearance of the existing school buildings and the locality as an area on the fringe of the Green Belt.
- The impact of the scheme on the residential amenity of neighbouring properties.
- Traffic, parking and servicing.
- Sustainability and Energy.
- Ecology and Landscaping.

Principle of Development

UDP Policy C7, London Plan Policy 3.18 and paragraph 72 of the National Planning Policy Framework set out requirements for the provision of new schools and school places.

The NPPF, para 72 states that:

The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen the choice in education. They should:

- give great weight to the need to create, expand or alter schools; and
- work with schools promoters to identify and resolve key planning issues before applications are submitted

London Plan Policy 3.18 encourages new and expanding school facilities particularly those which address the current predicted shortage of primary school places.

Draft Policy 6.5 of the emerging Local Plan defines existing school sites as 'Education Land.' Policies 6.5 and 6.6 of the Draft Local Plan support the delivery of education facilities unless there are demonstrably negative impacts which substantially outweigh the need for additional education provision, which cannot be addressed through planning conditions or obligations. In the first instance opportunities should be taken to maximise the use of existing Education Land. Paragraph 216 of the NPPF enables due weight to be given to emerging policies depending on their degree of consistency with the policies in the Framework. In this instance it is considered that there is significant compliance with existing policies and so greater weight can be given to the emerging policies.

Policy C1 is concerned with community facilities and states that a proposal for development that meets an identified education needs of particular communities or areas of the Borough will normally be permitted provided the site is in an accessible location.

Policy C7 is concerned with educational and pre school facilities and states that applications for new or extensions to existing establishments will be permitted

provided they are located so as to maximise access by means of transport other than the car.

Policy C8 is concerned with dual use of community facilities and states that the Council will permit proposals which bring about the beneficial and efficient use of educational land and buildings for and by the community, provided that they are acceptable in residential amenity and highways terms. The subtext at paragraph 13.27 states that the Council wishes to encourage schools and other educational establishments to maximise the contribution their buildings and grounds can make to the local community.

The addition of and use of the new extension buildings to enhance the existing teaching facilities at the school is therefore in line with policy. The use should also be located in an appropriate place that both contributes to sustainability objectives and provides easy access for users.

Policy G1 states that within the Green Belt permission will not be given for inappropriate development unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. The construction of new buildings or extensions to buildings on land falling within the Green Belt will be inappropriate, unless it is for other uses of land which preserve the openness of the Green Belt and do not conflict with the purposes of including land in it.

The main issues to be considered are the impact of the proposed additional extension building on the openness of the Green Belt. Policy G1 also identifies appropriate uses within the Green Belt and educational use does not fall within the recognised categories. Therefore it is necessary to consider whether there are very special circumstances that can be demonstrated that would outweigh the harm by reason of inappropriateness.

The applicant has submitted a statement advising that the brief for the project required a new early/reception classroom block with classes that are more in line with current departmental standards in terms of their size. It was stated that the current classrooms are extremely cramped and unsuitable for modern teaching needs. The school also has a shortage of ancillary or break-out teaching space. The addition of the proposed classroom block will free up existing rooms which can then become much needed resource teaching space. The other key elements of the brief were to improve the school entrance and internal circulation routes.

The new extension would enable the size of the undersized Early Years classrooms to be increased to fully meet curriculum needs. Given the educational needs outlined it is considered that the very special circumstances have been clearly outlined and established.

With regard to the impact on the openness of the Green Belt the building will appear to add to the existing building complex and will not appear as an additional structure that would otherwise harm the vista from the Green Belt from the south, such that their visibility is minimised as much as possible. Therefore, it is considered that the proposal would not affect the purpose of including land in the Green Belt.

Design

Paragraph 63 of the NPPF states that 'in determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area'. Paragraph 131 states that 'in determining applications, local planning authorities should take account of the desirability of new development making a positive contribution to local character and distinctiveness.

Policy BE1 requires that new development is of a high standard of design and layout which complements the surrounding area and respects the amenities of the occupants of nearby buildings.

Policy BE8 states that development involving a listed building or its setting, or for a change of use of a listed building, will be permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting.

In terms of design the proposed building design is contemporary and uses a modern palette of materials with a high quality approach. This approach is supported within this context with the proposed building extensions complementing the design of the existing buildings at the school adding coherence and legibility to the site in general.

Residential Amenity and Impact on Adjoining Properties

Policy BE1 also requires that development should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

In terms of neighbouring residential amenity it is considered that there would be no significant impact on the privacy and amenity of adjoining occupiers in terms of loss of light and outlook, siting and position of the extended buildings.

The new building structure within the scheme is contained within an already built up area of the site with minimal effect to amenity to external residential areas outside of the site at least a minimum distance of 70m to the north and 90m to the west.

Therefore, it is considered that there will not be any loss of privacy or unacceptable overlooking as a result of the proposal in accordance with Policy BE1.

Highways and Traffic Issues

An existing parking area is provided to the north and east of the site accessed from the eastern end of George Lane. The applicant is not increasing the number of teaching staff or pupils. Therefore no objection is raised in principle on highway grounds. It is considered prudent, however to obtain a revised travel plan and cycle parking details by planning condition.

Sustainability and Energy

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime.

The Design and Access Statement details that the proposed development will have a target BREEAM rating of 'Very Good' and will be built with sustainability in mind at every stage. Further measures including renewables in the form of solar hot water heating or photovoltaics will be investigated by the applicant.

For a development of this scale the approach stated is considered acceptable in this case.

Ecology and Landscaping

Minor landscaping works are proposed to the main approach to the school which will integrate with the new modernised entrance area. A tarmac hardstanding surround will also provide a transition from the playing fields to the covered play spaces of the new building.

A single small tree has been identified as requiring removal. A replacement will be sought elsewhere as part of the detailed landscape proposals. A planning condition can ensure protection of trees as necessary on site during construction.

Land Contamination and Site Investigation

A Site Investigation report by Envirep has been submitted to the Council as part of the application. The Environmental Health Officer has reviewed the information and has raised no objection. However, in view of the very sensitive nature of the receptor group utilising this site i.e. young children and the stated limitations of the report; it is suggested that further investigation and delineation is undertaken. In respect of the Standard site contamination condition the submission in terms of a desk top study is acceptable while further information is required if contamination is encountered. An informative is suggested in this regard.

Summary

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.

This application has been considered in the light of policies set out in the development plan and other material considerations

On balance, Officers consider that the proposal represents a sustainable form of development in accordance with the aims and objectives of adopted development

plan policies. The proposed extension building is considered to be of appropriate scale, mass and design and relate well to the context in the locality and on the fringe of the Green Belt. The proposal would provide a good standard of accommodation for the reconfiguration of the school in a suitable location within the existing complex of buildings. It is not considered that the proposal would have an unacceptable impact on visual amenity in the locality or the amenity of neighbouring occupiers and the scheme is therefore considered acceptable.

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 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |
| 3 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 4 | ACB02 | Trees - protective fencing |
| | ACB02R | Reason B02 |
| 5 | ACB03 | Trees - no bonfires |
| | ACB03R | Reason B03 |
| 6 | ACB04 | Trees - no trenches, pipelines or drains |
| | ACB04R | Reason B04 |
| 7 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 8 | ACC03 | Details of windows |
| | ACC03R | Reason C03 |
| 9 | ACD02 | Surface water drainage - no det. submitt |
- Reason:** To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan (2011).
- | | | |
|----|--|--|
| 10 | ACD04 | Foul water drainage - no details submitt |
| | ADD04R | Reason D04 |
| 11 | ACD06 | Sustainable drainage system (SuDS) |
| | AED06R | Reason D06 |
| 12 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 13 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 14 | No development shall commence on site until such time as a Construction Management Plan has been submitted to and approved in writing by the local planning authority. The plan shall cover: | |
- (a) Dust mitigation measures.
- (b) The location and operation of plant and wheel washing facilities

- (c) Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
- (d) Details of construction traffic movements including cumulative impacts which shall demonstrate the following:
 - (i) Rationalise travel and traffic routes to and from the site
 - (ii) Provide full details of the number and time of construction vehicle trips to the site with the intention and aim of reducing the impact of construction related activity
 - (iii) Measures to deal with safe pedestrian movement
- (e) Security Management (to minimise risks to unauthorised personnel).
- (f) Details of the training of site operatives to follow the Construction Management Plan requirements

Reason: In order that the local planning authority may be satisfied that the demolition and construction process is carried out in a manner which will minimise possible noise, disturbance and pollution to neighbouring properties and to comply with Policies BE1, T6, T7, T15, T18 of the Unitary Development Plan (July 2004).

- 15 ACH30 Travel Plan
- ACH30R Reason H30
- 16 ACI21 Secured By Design
- ACI21R I21 reason
- 17 ACK03 No equipment on roof
- ACK03R K03 reason

INFORMATIVE(S)

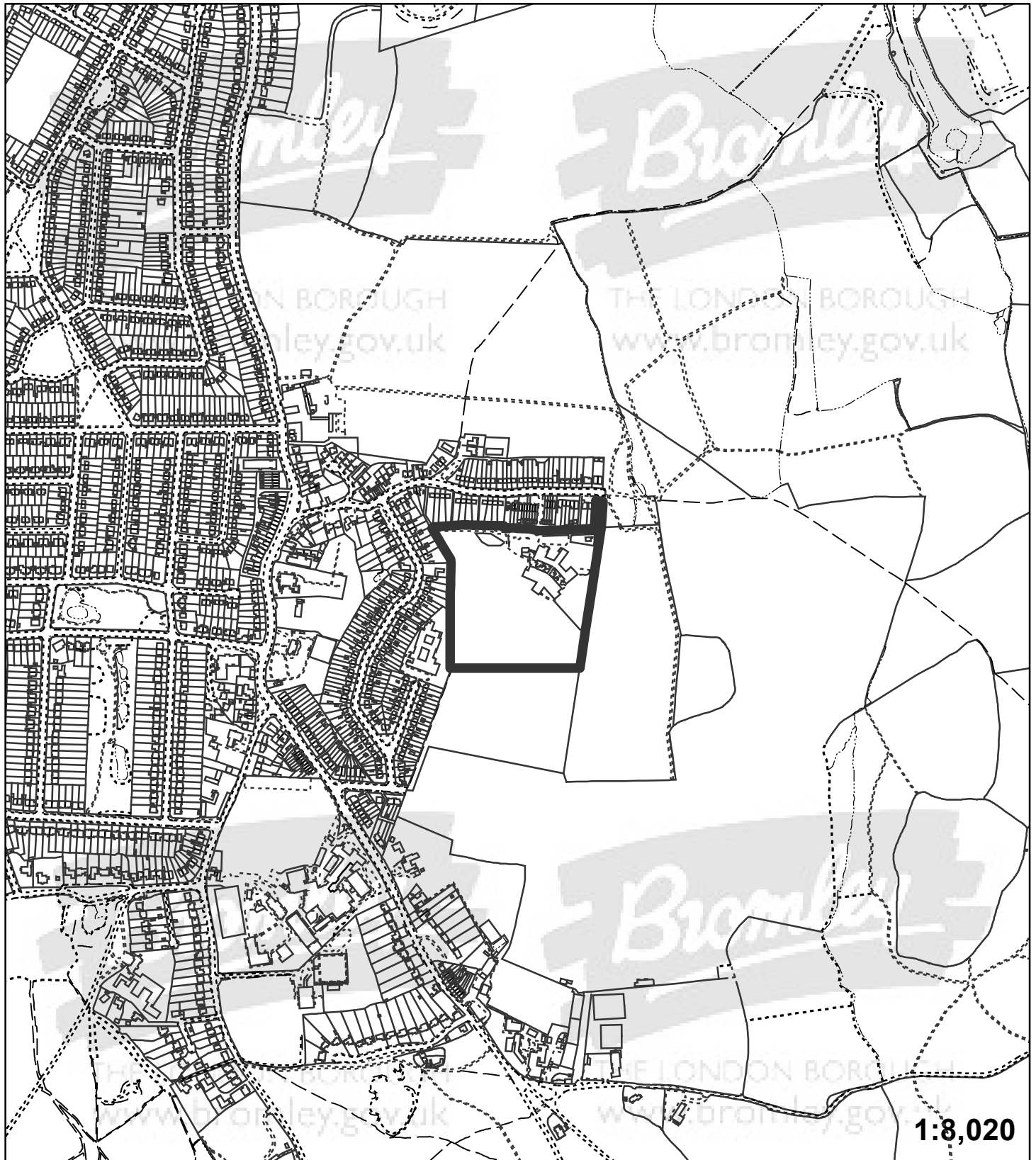
- 1 It is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest 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 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 2 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 3 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site. If during the

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

Application:14/04198/FULL1

Address: Hayes Primary School George Lane Hayes Bromley BR2 7LQ

Proposal: Construction of a single storey early years/reception block extension comprising three classrooms with enclosed play areas and external canopy to the west side of the existing school buildings, landscaping and associated external works.



"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 : 14/04503/FULL1

Ward:
Kelsey And Eden Park

Address : 33 Upper Elmers End Road Beckenham
BR3 3QY

OS Grid Ref: E: 536263 N: 168393

Applicant : Mr Brian Cotton

Objections : YES

Description of Development:

Change of use of land to the rear of Nos. 39 - 57 Upper Elmers End Road from public car park (Sui Generis) to car parking in association with the use of the car showroom at No. 33 Upper Elmers End Road.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 15

Proposal

The application seeks permission for the change of use of land from a public car park (Sui Generis use class) to car parking in association with the use of the car showroom at Nos. 35 - 37 Upper Elmers End Road.

Location

The site is part of the existing public car park, accessed off of Dunbar Road. The car park is owned by the London Borough of Bromley, however from a property point of view it has been agreed to lease the land to Masters Group who operate the business at Nos. 35 - 37 Upper Elmers End Road. The site would be fenced off and incorporated into the existing land to the rear of Nos. 35 - 37 Upper Elmers End Road.

Comments from Local Residents

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

- The original application was for storage only, but part of the car park is used for continual valeting and minor repairs. We would object to any expansion which could lead to a greater nuisance locally.

Comments from Consultees

Parking Services: Fully in support of the proposal.

Highways: I refer to the information received from the Car Park, Facilities & Assets Manager stating that "The car park is rarely half full and on all the occasions I've been there only 6/8 cars have parked there leaving spaces available." Therefore I raise no objection to the proposal.

Planning Considerations

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

BE1 Design of New Development

The following Council adopted SPG guidance are also a consideration:

Supplementary Planning Guidance 1 General Design Guidance

Planning History

96/02267/FULMAJ - Change of use of ground floor of Nos. 11 and 12 Goodwood Parade and building at rear from workshop to car showroom, office and car valeting and demolition of 2 lock-up garages to provide open car parking. Conditional permission. Implemented.

04/03482/FULL2 - Change of use to storage of new and used cars in association with Elmside Garage with primary access from Upper Elmers End Road, 3m high steel palisade fence and 2 CCTV columns. Granted temporary permission until 21.12.2009. Implemented.

Conclusions

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

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 application proposes the change of use of part of a public car park, to car parking used in connection with the business at 35 - 37 Upper Elmers End Road. The agent for the application has confirmed in writing that, at present, part of the rear area of the site is used for car parking of vehicles awaiting sale or repair, although no works take place on this part of the site. For the avoidance of doubt, this piece of the land does not benefit from an extant planning permission for this use, and the current application thus seeks permission for the use of this part of the land, and an additional section of the existing public car park. The agent has confirmed in writing that the additional area of the public car park would not be used for vehicle repairs or servicing and would be used solely for car parking.

Part of the site is already in use in connection with the garage at Nos. 35 - 37 Upper Elmers End Road and, with respect to the impact of this use on the amenities of the neighbouring properties, it is noted that the Council's Environmental Health department has not received any complaints regarding noise or nuisance at the site. Two letters have been received from neighbouring properties in connection with this current planning application, raising concerns about the noise from car valeting and repairs which already take place on the land. However, the existing use of this land in this way does not benefit from planning permission. The application seeks permission for the change of use of the land solely for car parking, as has been confirmed in writing by the agent for the application. As part of any planning permission granted, it would be possible to impose a condition restricting the use of the land and preventing any repairs taking place on the land. Taking into account these restrictions on the use which can be secured by way of a condition and the distance of the neighbouring properties from the site, it is considered that the proposal would not result in any adverse impact upon the amenities of the neighbouring residential properties.

The proposal would result in the loss of approximately 9 car parking spaces from the existing public car park. In this regard, the Council's highways department raises no objection to the loss of these public car parking spaces, as it is considered that the supply of spaces exceeds the demand. Given this, it is considered that the proposal would not have an adverse impact on the local highway network.

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 highway safety.

Background papers referred to during production of this report comprise all correspondence on the files refs. 96/02267 and 04/03482, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 27.01.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 The land shall be used solely for the parking of vehicles in connection with Nos. 35 - 37 Upper Elmers End Road and no car valeting or repair works shall take place on the land at any time.
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the neighbouring properties.
- 3 Vehicles may only gain entry to and exit from the site between the hours of 8.00am and 7.00pm Monday to Friday and 10.00am and 4.00pm on Saturdays, Sundays and Bank Holidays.
Reason: In order to comply with Policy BE1 of the Unitary Development Plan, to avoid an overintensive operation and to protect the amenities of the occupiers of nearby residential properties.
- 4 Details of the fencing to be installed to the northern boundary of the site shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The fence shall be installed in accordance with the approved details and no alterations shall take place to the external appearance of the fence thereafter.
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the neighbouring properties.
- 5 ACK01 Compliance with submitted plan
ACC01R Reason C01

Application:14/04503/FULL1

Address: 33 Upper Elmers End Road Beckenham BR3 3QY

Proposal: Change of use of land to the rear of Nos. 39 - 57 Upper Elmers End Road from public car park (Sui Generis) to car parking in association with the use of the car showroom at No. 33 Upper Elmers End Road.



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

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SECTION '2' – Applications meriting special consideration

Application No : 14/04557/FULL2

Ward:
Crystal Palace

Address : 25 Church Road Anerley London SE19
2TE

OS Grid Ref: E: 533664 N: 170639

Applicant : KICC The Open Door

Objections : YES

Description of Development:

Change of use from Bingo Hall Class D2 to mixed Class D1 (church) and Class D2 (Assembly and Leisure) use

Key designations:

Conservation Area: Crystal Palace Park

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Proposal

Full planning permission is sought for the change of the use of the existing Class D2 (Bingo Hall) building to a mixed Class D1 and Class D2 use.

The proposed Class D1/D2 use would apply to the whole 1,656sqm floor area of the building and have opening hours, as suggested on the submitted application form, of between 08:00-23:00 Monday to Sunday including bank holidays. There would be a total of 8-10 employees. The proposed church services are summarised as follows:

- Sunday 9:00-11.30 (expected congregation size - 350-400).
- Tuesday 18:00-21:00 (expected congregation size 150-250)

Applicant's Submission in Support

In support of the application the applicant has commented that:

- Provide a place of worship for local people for which there is a need
- Meet the needs of a group (the BME community) who are recognised to experience disadvantage through the land use planning system
- Maintain a community use of the building both as a place of worship and importantly, for other non-religious assembly and leisure uses (e.g. concerts, films, conferences etc.)

- Support the wider economy of Crystal Palace throughout the daytime and into the evening period by hosting activities and events (both religious and non-religious) which would attract footfall to the locality
- Allow a continued assembly and leisure use of the building consistent with adopted and emerging policy
- Not have any detrimental impact on parking demand or pedestrian safety in the vicinity of the site
- The application site is located within an established commercial area close to the centre of Crystal Palace
- The location of the site benefits from excellent public transport accessibility and has a PTAL rating of 6a
- The site is well located to encourage sustainable travel patterns and is an appropriate location for the proposed use
- The applicants have sought to proactively engage with the local community and key political stakeholders to hear, understand and react to their previous concerns and objections to the earlier application
- Responses to public consultation found that 50.82% of respondents agreed that there was a requirement for a multi-use community venue in Crystal Palace; 41.67% of respondents supported the regeneration work undertaken at 25 Church Road
- A cinema use has not occurred for in excess of 45 years from this location. It is in this context that any objection on the basis of a loss of a leisure/entertainment use should be set
- The submitted Transport Assessment demonstrates the development site is well located to encourage sustainable travel patterns and will not result in a significant adverse impact on the surrounding area
- The application building was designed and built to accommodate large capacity events on a regular basis and maintains the capacity to accommodate events of up to approximately 1,100 people
- Events which fall within the lawful use of the building (i.e. D2) and which attract significant numbers of people can currently operate from the building without the need for planning consent
- The proposals deliver economic development and in doing so help, albeit it in a complementary way, to achieve a strong and responsive economy
- The proposals perform a social role through ensuring the local community has access to a range of cultural, religious and leisure activities within a fit-for-purpose multi-use building
- They perform an environmental role ensuring an important attractive building is protected and enhanced for the benefit and enjoyment of future generations

Location

The application site is located to the western edge of Church Road Anerley and comprises a two storey building that forms part of the wider terraced parade south of the junction with Milestone Road. This part of Church Road is made up of a variety of commercial uses at ground floor level and has a wide variety of building styles and scales, the character is generally of three storey period properties. The

site is within the Crystal Place Park Conservation Area at the southern end, forming the penultimate property within the conservation area.

The application building itself is a large two to three storey Art Deco building that was designed and previously in use as a cinema and more recently until 2009 a bingo hall and as such has an internal configuration of a foyer leading to a large tiered auditorium. The street level of the property is higher than the rear due to the sloping topography downward from west to east.

Church Road is a one way highway heading south with a bus stop set approximately to the front of the site. To the rear access is provided by an access road from Milestone Road which is shared with the residential properties of Patterson Road to the east of the site. The site presents an area to the northern flank elevation for servicing and/or parking onto the access road which is reached by way of a fire escape at the rear of the building. The basement level comprises a number of different rooms, those to the rear of the building are accessed externally at the ground level to the rear of the site.

The application site is listed as an Asset of Community Value. Once an asset is listed the owner must let the authority know if they want to dispose of it. Community groups will then be given 6 weeks to decide if they want to make a bid. If they do, then there will be a 6 month moratorium period during which the owner cannot sell the asset. It is important to note that the owner does not have to sell the asset to the community group. Members will note that the application proposal comprises a mixed Class D1/D2 use and that the aforementioned procedure would not be negated should Members be minded to grant permission.

Comments from Local Residents

Nearby residents were notified of the application and at the time of writing a total of 1091 representations have been received of which 890 are in objection and 200 are in support, which can be summarised as follows:

In objection:

- There are numerous places of worship already in the vicinity which cater for all
- The 6 activities led by KICC between August 2012 - July 2014 made little attempt to involve or publicise these events to local residents
- Duplication of facilities will lead to the building being left empty and underused for the majority of the week
- The current lawful D2 use of the building would be far more appropriate and provide a community facility which would support Crystal Palace's economy, vibrancy and viability throughout the day and the evening
- Church Road cannot cope with the extra traffic
- Meetings so far have not been attended by local people and offers nothing to the vicinity
- Local residents want a cinema on the site
- The parking cannot support the application
- Doubts as to how inclusive the applicant's will be within the community

- The site is more suited to an entertainment venue not a church
- The building should be used as a cinema
- Consultation from the applicant with the community has been window dressing
- The building ought to remain a community asset accessible to all, not just those who subscribe to KICC's way of thinking
- KICC have failed to participate in any community events, notably the Westow Park Festival or Crystal Palace fireworks
- The majority of the congregation will not be Bromley residents and will travel from across London
- The change of use from D1 (Church) to D1 (mixed) is obviously a ruse to get a church in through the back door
- There are numerous other places of worship in the area and it is not appropriate for this building to become another one
- Changing the use of this site to a church benefits no one in the Crystal Palace area
- Repeatedly failed to do anything of any benefit to the local community with the building
- No intention of making the building a place for assembly and leisure for the local community
- The current proposal will signify the loss an important cultural meeting point for Crystal Palace which will affect every resident
- Placing a church in the middle of a vibrant "cool" area sends the wrong message to local businesses who have chosen this rundown area to start businesses that are now benefiting the area
- I have tried to enquire about hiring it on behalf of The Crystal Palace Brass Band and failed to receive a reply
- Earlier objections to the change of use application for 25 Church Road are still valid and have not been resolved
- This location is too important to the triangle to be thrown away we need a large, exclusively D2 venue here
- I live very close to this venue and I see no indicator that this organisation have any real desire to link in with the community
- Given that the current licence for the property already allows for public gathering/entertainment, why is their door not already open?
- Continued use by the KICC would benefit only a tiny minority, their record of allowing use by other community groups is non-existent
- It would benefit the Crystal Palace community as a whole to restore the building to its use as a cinema

A petition in objection by the Picture Palace Campaign has been received with a stated 6,427 signatures

A single delivery of 767 individual objections has been received in the form of postcards citing a range of optional reasons to object.

A petition in objection by the Church Road Traders has been received.

The Crystal Palace Triangle Campaign Group (CPTCG) have submitted objections to the proposal including a number of technical documents relating to the Transport Assessment, these comments include:

- The parking impact of the proposals arising from the Applicant's likely use of 25 Church Road
- The highway impact caused by the Applicant's likely use of 25 Church Road
- The challenges posed by the physical characteristics of the site - including limited front and rear access for parking and the problems posed by passenger drop off from KICC's mini-busses and deliveries to service the building and proposed use
- Incorrect baseline assumptions of D1 use
- Gross underestimate of the likely frequency of large D1 events
- Failure to disclose or apply available data for trip attraction and modal split specific to the applicant
- The true extent of the 25 Church Road's catchment area for KICC's congregants
- The consequential likelihood that attendance on a Sunday will exceed the estimated figures of 400-600 and involve much greater trip attraction by car
- The failure to apply or disclose known modal split data from KICC's operations elsewhere
- The use of inappropriate or inapplicable comparative data from venues operated by other churches to estimate modal split
- Unrealistically high assessment of the uptake of public transport and failure to consider the geographical dispersal of KICC congregants
- There is an overwhelming demand for a cinema in Crystal Palace
- Had the Asset of Community Value regulations been in place when the site was sold in 2009, a community group would have had the opportunity to prepare a bid for the site with the intention to reuse the building in line with its ACV status and existing lawful use
- Planning policy clearly indicates that the loss of community facilities will not be allowed unless it can be demonstrated that there is no longer a need for them, and the applicant has not provided any evidence whatsoever to demonstrate that there is no longer a need for the existing Class D2 facility at Church Road
- There is no evidence whatsoever that this will "ensure" any significant retained element of D2 use
- It is our view that several of the potential uses to which the applicant's statement refers fall within Class D1 e.g. conferences, musical conferences, graduation ceremonies, presentation evenings, business seminars, political conventions and christenings
- No guarantee any uptake of D2 uses in practice and the suggestion that such uses will continue on site appears to be wholly aspirational
- The appeal of the building to any other potential Class D2 users will be limited, particularly given that the potential times / hours of availability will also be restricted
- Any future element of Class D2 use at the site will be negligible

- If the applicant's desire was to allow for continued leisure and assembly use of the building when not in use as a place of worship, they would have proposed this as part of their original planning application in 2009
- A place of worship is not a town centre use
- A large proportion of attendees will be travelling significant distances and from outside of Crystal Palace's immediate catchment
- Outside of core Church hours, 25 Church Road would largely be empty or underused
- The Council should be actively encouraging and planning for the provision of a cinema in the town centre
- The application proposals would result in a use of the building that would not reflect its history and would not contribute to the vibrancy and character of the respective Conservation Areas
- The applicant's Statement of Community Involvement (SCI) is flawed and the questions incorporated within their consultation form are weighted and do not adequately consider public opinion
- KICC are a religious charity whose primary aim is to evangelise and advance the Christian religion. It is their stated aim to increase their membership and to grow. It is their charitable duty to do so and the activities which they undertake to deliver their charitable object all fall within Class D1 use
- Class D1 Conferences and business seminars are central to those activities as noted on KICC's UK website
- The best hope for 25 Church Road to be regularly used for entertainment is to retain the dedicated D2 Assembly and leisure use
- KICC does not have a local congregation and there is no local need for another church
- There are no other D2 entertainment operators in Crystal Palace
- No explanation is given to explain why the demand for KICC in South London, Kent and Surrey and Essex cannot be met from the Applicant's churches in Hoe Street in Walthamstow and Prayer City in Chatham, Kent
- Crystal Palace has a very diverse community which is already very well catered for through existing churches and community centres
- KICC are not a group set up with the aim of representing the interests of the BME community in general; they are dedicated to furthering and sharing their religious beliefs which are not directly related to ethnicity
- Our District Centre risks becoming more a centre of worship than a vibrant and important District Centre
- All KICC's events are aimed at keeping the congregation in the building where free food is provided
- Members that arrive by mini-bus, will leave by mini-bus
- When members travel long distances by car, they are most likely to want to go straight home after an event
- KICC has first and foremost refurbished the premises for their D1 needs not with D2 in mind
- If planning permission was to be granted it is impossible to see what Bromley council could do to enforce the mix of uses

Rt. Hon. Steve Reed MP (Croydon North) has expressed concerns that the roads around Crystal Palace and Upper Norwood are already very narrow and often backlogged, further cars being added to this would lead to disruption. The site is also the last dedicated Class D2 venue left and has an important role in furthering social, recreational and cultural interests of the local community.

London Assembly Member Valerie Shawcross (Lambeth and Southwark) has objected to the proposal on the basis of the potential sustained impacts on traffic and road safety in the vicinity of the venue should large events be regularly held there. The events seems to be aimed at attracting large numbers of attendees from other parts of London rather than the local community which gives rise to concerns regarding traffic congestion and possible parking issues in residential roads around the venue.

London Assembly Member Steve O'Connell (Croydon and Sutton) has objected on the grounds that the proposal would:

- Cause the loss of the only remaining dedicated and valuable community facility in Crystal Palace within the D2 use class. KICC have provided little evidence to demonstrate any serious commitment to the D2 components of the proposals or any serious local interest and need which could not be met and better served through existing community venues. In view of the proposal not being for the good of the entire local community, there is little or no support in the local community for the project.
- The development would have a negative impact on transport and parking in the local area. Church Road is already very congested and the problem will be exacerbated by a congregation of up to 450 people amassing at the venue twice weekly. In view of there only being two car parking spaces on site, the rest of the congregation will have to park in streets adjacent to Crystal Palace, resulting in parking chaos. However if the site remained a D2 venue, events would be staggered throughout the week and a "bottle neck" situation would not arise on any one day, thus avoiding extreme local congestion.
- There is mention of public transport being required to bring people from outside the local area which gives the impression there are not numbers locally to support a church; furthermore local bus services are already over-subscribed.
- There is no need for further places of worship in the local area. There is already a place of worship diagonally opposite the site.

In Support the following representations have been received, however it is noted that of the 200 received a large number do not include a supporting comment:

- The applicant wants to enrich the fabric of society for people in the area to empower and help the needy and hurting
- A communal location that attends to the youth can give the youth in the area something to spend their energy on
- The appearance of the street is improved with more life and activity brought to the area

- A positive impact on the well-being of the community through volunteered church events and community work
- Good transport links and will cut down on expenses travelling to central London to hire meeting halls for events
- The building has hardly been used since Gala Bingo vacated it in 2009. A mixed use
- Approval gives even greater scope for events and activities to take place in the building. This will generate much needed foot-fall in the Church Road area thus providing income opportunities for the benefit of all the local traders
- KICC Church not only has a positive spiritual impact on lives but it extends to social, physical, emotional and economic well-being of individuals, family and socially
- Will aid regeneration and drive other investment into the community
- This church will add benefit to the spiritual needs of the community
- It will bring a much needed injection of life into the community whilst also allowing the property owners to use it as they wish
- These activities will make our neighbourhood more active, bubbling and enjoyable
- Bromley council should take into consideration the Church's track record and previous involvements in other communities, recognizing this would be an opportunity to promote the multiculturalism of Britain
- A cinema will attract only those that go to cinemas. Having a multi-purpose leisure centre will attract a wider range of people

Comments from Consultees

Adjoining Planning Authorities were consulted and have responded as follows:

Lambeth:

Objection. Lambeth Council continue to raise objection on land use grounds as they consider that there could be a potentially harmful impact from the loss of the lawful Class D2 use on leisure opportunities within the Westow Hill/Crystal Palace District Town Centre (as designated within the London Borough of Lambeth Unitary Development Plan (2011)). Such facilities make a valuable contribution to town centres and the local communities that they serve and should be retained.

The proposed development would generate unacceptable noise and disturbance as a result of worshippers accessing and leaving the site, this would be exacerbated to harmful levels by virtue of the intermittent en-masse gatherings associated with the proposed timetable of worship on both Sundays and Tuesdays. This effect would most certainly be felt over the course of any Sunday when the proposal would be operating at its peak intensity.

Notwithstanding the work that the applicant has undertaken in the intervening period between the refusal of the planning application and the submission of the current application, Lambeth Council still consider that the transport assessment submitted is deficient. Although the document is more robust and detailed than the

earlier submission it still fails to include the future growth calculations which were requested previously. On this basis it is considered that the applicant has not adequately demonstrated that the proposed change of use would not have a harmful impact on parking stress and highway safety within the area.

Croydon:

Objection on the grounds that the proposal would have a detrimental impact upon the vitality and viability of the Upper Norwood Triangle and that the Transport Assessment does not satisfy the requirements of Policy 6.3 of the London Plan with insufficient information to be able to assess that the proposal will not have a negative impact on the surrounding highway network contrary to Policy 6.13 of the London Plan.

Lewisham: no response received at time of reporting

Southwark: no response received at time of reporting

Highways

Objections are raised due to the potential impact of this proposal being underestimated giving rise to concerns that it could have adverse impacts in respect of highway safety and the free flow of traffic and should be refused as being contrary to Policies T3, T6 and T18.

TfL have commented that when in use, the car park blocks two fire exits and a fire assembly point. It is therefore not acceptable to consider this a suitable, formalised car park. Further to this, photos have been provided detailing dropping off taking place on Church Road disabled bays and then parked also elsewhere, this shows that suitable parking arrangements have not been arranged for the mini buses, a significant part of the proposal's expected modal split. It is feared that this activity will continue with no proposals for the car park.

The management of dropping off and picking up also raises concerns due to the expected number of visitors and percentage arriving by car. Any traffic created is likely to affect the area given the one way and single lane strategic route as it is in close proximity and is unlikely to be successfully mitigated by unqualified marshals.

While issues identified in its current use appear to be addressed in the proposal's TA and addendum to TA these have not been fully mitigated to a level deemed acceptable by TfL.

TfL would not recommend approval given the transport issues highlighted however it should be explored by the borough and its highways department as to whether these issues can be suitably mitigated through conditions or a review process.

Other Responses

Conservation: no objection.

Thames Water: no objection.

Planning Considerations

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

- BE1 Design of New Development
- BE11 Conservation Areas
- C1 Community Facilities
- C2 Community Facilities and Development
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T18 Road Safety
- L9 Indoor Recreation and Leisure
- S5 Local Neighbourhood Centres, Parades and Individual Shops

Supplementary Planning Guidance: Crystal Palace Park Conservation Area

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

- 2.6 Outer London: Vision and Strategy
- 2.7 Outer London: Economy
- 2.8 Outer London: Transport
- 2.15 Town Centres
- 3.9 Mixed and Balanced Communities
- 3.16 Protection and Enhancement of Social Infrastructure
- 4.6 Support For and Enhancement of Arts, Culture, Sport and Entertainment Provision
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.7 Renewable Energy
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.8 Coaches
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology

Mayor's Supplementary Planning Guidance: Planning for Equality and Diversity

Mayor's Supplementary Planning Guidance: Accessible London: achieving an Inclusive Environment

The National Planning Policy Framework is also a material consideration , with which the above policies are considered to be in accordance.

Planning History

09/02202 Planning permission was refused on 21st December 2009 for a change of use from bingo hall (Class D2) to church/ community use (Class D1) together with ancillary offices, cafe and bookshop. The application was refused on the following grounds:

1. "The proposed development, involving the loss of an important entertainment/leisure use within Use Class D2 and the introduction of a mixed use including a place of worship within Use Class D1, would result in a reduction in the range of facilities provided within the town centre detrimental to the proper functioning of the daytime and evening economy and harmful to the social, cultural and economic characteristics of the area, thereby contrary to Policies 3A.18, 3D.1 and 4B.8 of the London Plan."
2. "The nature of the activity associated with a Class D1 use such as a place of worship and the scale of the user means that they are likely to have a wide catchment for its congregation and attract a large number of cars and as a result the development will have a significant adverse impact on the surrounding area in terms of parking demand and pedestrian safety, contrary to Policy T18 of the Unitary Development Plan."

11/01537 Planning permission was refused on 16th November 2011 for soft and hard landscaping including benches and bicycle stands. The application as refused on the following grounds:

"The proposed landscaping would be unsympathetic to the setting of the significant Art Deco cinema building, contrary to Policies BE1 and BE6 of the Unitary Development Plan."

11/01541 Planning permission was refused on 16th November 2011 for a canopy and alterations to front elevation. The application was refused on the following grounds:

"The host building is an attractive example of an art-deco cinema building with significant architectural merit which makes a positive contribution to the Crystal Palace Park Conservation Area and the proposed alterations would fail to respect the architectural integrity of the building, and be detrimental to the character and appearance of the Conservation Area contrary to Policies BE1 and BE11 of the Unitary Development Plan."

11/01663 Advertisement consent was refused on 16th November 2011 for a non-illuminated wall mounted advertisement display board. Consent was refused on the following grounds:

"The proposed advertisement hoarding will be detrimental to the visual amenities, character and appearance of the Crystal Palace Park Conservation Area thereby contrary to Policies BE1, BE11 and BE21 of the Unitary Development Plan."

An appeal (PINS ref. APP/G5180/C/12/2175550) against the issuing of an enforcement notice for the unauthorised advertising poster holders was allowed on 1st October 2012.

Members will be aware that an enforcement investigation regarding the unauthorised change of use of the building is currently ongoing, ref. EN/13/00640/CHANGE.

Conclusions

Highways

An addendum to the Transport Assessment together with a revised Travel Plan and Event Management Strategy were received 4th February 2015.

Policies T1, T2, T3, T6 and T18 relate to the Council's requirements in terms of parking, transport assessments, highway safety in addition to London Plan Policies under section 6 including Policies 6.8 (Coaches), 6.9 (Cycling), 6.10 (Walking) 6.13 (Parking).

Developments that are likely to be high generators of travel are expected to submit a Transport Assessment, with adequate levels of parking provision suitable to the required use and taking into account the different modes of transport available near to the site to reduce car usage.

The proposal could attract an appreciable level of vehicular traffic. The assessment of vehicular traffic has been made by assuming the level of attendance as advised by the owners of the site, KICC, and averaging around Sunday 400 and on Tuesdays 250. However, it is noted that the capacity of the venue greatly exceeds this and the lower tier of the auditorium does not feature fixed seating, giving rise to the possibility of a greater attendance in addition to the other facilities and rooms within the building.

Given that the majority of the intended congregation at Church Road will be transferred from an existing venue some 8 miles away across South London, it is likely and reasonable to assume that a large proportion of attendees will be travelling significant distances from other areas and from outside of Crystal Palace's immediate catchment.

The applicant has held two conference events at 25 Church Road since acquiring the building, one of which generated almost 1500 attendee which is well in excess of the figures which have been used for the purpose of the Transport Assessment. These events have resulted in congestion to the local highway network as reported by the local residents and Highways officers. Highways officers have cast doubt on

the robustness of the assessment and the capacity of the venue must be taken as an expected figure of attendance.

The applicant states that four mini buses can be accommodated at the rear car park accessed from Milestone Road via a unmade narrow driveway, and passengers would be dropped off and picked from the rear. Concerns are raised as to the possibility of this proposal in conjunction with passengers alighting from the vehicles in this location. Furthermore, the applicant has not addressed the frequency of other service vehicles using the rear driveway. Both rear and front access for deliveries are extremely limited and narrow rear access way, over which the residents of Milestone Road /Patterson Road have the right to pass and repass would be hindered by minibuses.

The car parking survey is fundamentally flawed in a number of material areas. Concern is raised that there is insufficient parking capacity in the area and the proposed change of use will give rise to traffic congestion on the local highway network.

No assessment has been made of the impact of the proposal at times when events are held in Crystal Palace Park. These events can attract very large crowds and require special event management strategies, which is likely to include controlling on-street parking around the park. This impact would extend to the capacity of public transport to accommodate the cumulative demand.

The need for worshipers to walk to the site as their final mode of travel means that the adequacy of the local footways to accommodate the number of attendees is relevant. Although the submission touches on this by referring to approximate path widths in the surrounding streets, no real assessment of their adequacy for the likely volumes of pedestrians has been made. The widths of the paths vary, but are less than 2m in places. This makes them less than ideal for high volumes of pedestrians such as could occur if continuous services were to be held on the site and/or maximum capacity attendance is achieved.

Therefore, the potential impact of this proposal has been underestimated giving rise to concerns that it could have adverse impacts in respect of highway safety and the free flow of traffic and should be refused as being contrary to Policies T3, T6 and T18.

Noise and Disturbance

The size of church congregations cannot be easily controlled and it is anticipated that if a condition were attached limiting the size of a congregation it may prove difficult to enforce. Concerns regarding noise from activity within the building could be addressed through a soundproofing condition if the Council were minded to grant planning permission.

Heritage and Conservation

The external appearance of the building would not be altered and it is noted that a large degree of refurbishment of the interior has taken place by the applicant. The

building would not, therefore, be affected by the proposal in terms of its contribution to the conservation area and would preserve its character and appearance.

Proposed Mixed Use

A number of objectors have proposed a cinema for the site. Whilst use of the building as a cinema would fall within the existing lawful planning use it cannot be assumed that refusal of this particular planning application will result in a cinema on the site. The applicant has purchased the site and the application proposal must be assessed on its individual merits, with regard to all material planning considerations.

Policy 7.1 of the London plan requires development to maximize the opportunity for community diversity, inclusion and cohesion as well as people's sense of place. People should be able to live and work in a safe, healthy, supportive and inclusive neighbourhood with which they are proud to identify while having easy access to services and facilities that are relevant to them. Enabling people to have easy reach of cultural facilities and places to meet and relax will help to build, successful and cohesive societies.

Under Policy 3.16 of the London Plan, proposals that would result in the loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic provision should be resisted. London Plan Policy 4.6 seeks to address deficiencies in facilities and to provide a cultural focus to foster more sustainable local communities.

Policy 2.15 of the London Plan seeks to sustain and enhance the vitality and viability of town centres by supporting and enhancing the competitiveness, quality, and diversity of town centre uses such as leisure, arts and cultural services. A wide range of uses will enhance the vitality and viability of centres.

By way of clarification the following are considered examples (but not an exhaustive list) of the possible uses of the respective Use Classes that form the basis of this application:

Class D1 (Non-residential institutions) includes clinics, health centres, crèches, day nurseries, day centres, schools, art galleries, museums, libraries, halls, places of worship, church halls, law courts, conferences, exhibition halls, non-residential education and training centres.

Class D2 (Assembly and leisure) includes cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or sports arenas (except for motor sports, or where firearms are used) and convention centres.

Policy C1 states that a proposal for development or change of use that meets an identified health, education, social, faith or other needs of particular communities or areas of the Borough will normally be permitted provided that it is accessible by modes of transport other than the car and accessible to the members of the

community it is intended to serve. 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 accompanying Planning Statement (Section 5) is clear that the first use of the building will be as a place of worship falling within Class D1 with the addition of Class D2 uses 'at those times when it is not in use for church activities' to ensure maximum community access to the building; the times the use would not be in Class D1 church activities is not defined. It is proposed to allow community use for around 70% of the time while the church services will operate at the stated times on Tuesday evenings and Sunday morning, however this does not form the full extent of the Class D1 church related activity.

A number of uses are listed as evidence of examples of programmes the church will operate. A number of these consist of Class D1 uses such as training and educational activities, conferences, exhibitions and none of the listed activities and uses are specified by frequency. Although it is stated that all activities will be available to both the congregation and the community, the operator, or the intended, or desired end user of a use does not alter the lawful use class that such an activity falls within. Although the church services themselves are within Class D1 and are stated as being at selected times, the remainder of the proposed Class D1 activity is open-ended with the Class D2 activities being aspirational.

The planning statement refers to making the building available for wider community use to ensure an element of Class D2 uses at the site in addition to the primary use as a place of worship. However, there is no specified opening or operating times for any specific Class D2 uses and no suggestion that certain parts of the building would be retained for D2 uses. As such whilst the application presents the opportunity for mixed Class D1/D2 use of the site it has to be acknowledged that it will be possible for the entire building to be used for any activity within either of those use classes for any period of time; and in light of the information provided as part of the application it would appear that the majority of activities would fall within D1 Use Class.

Whilst it may be appropriate to attach a condition limiting the church services as proposed, it is considered that a condition limiting any activity, or operation that could be conducted within Class D1 would not only be imprecise, but that it would not be reasonable, or enforceable to do so given the intended use of the building as set out in the applicants submission. The planning application is for a mixed use of the entire building all of the time with only a specific activity within Class D1 being suggested for limitation. The ramification of this approach is that the building could result in a wholly Class D1 use irrespective of any limitation of a church service at selected times on selected days and this would therefore result in the loss of a Class D2 use of the site.

The applicant has stated that should permission be granted it is their intention to make the premises available to outside organisations, or groups, however this in itself does not result in a use as defined within Class D2. Comment is provided that advertising would take place to publicise the availability of the site for use by local

groups, this is for unspecified uses and given the application for a mixed Class D1/D2 use such groups, or organisations could operate any use within those classes. It is also noted that at paragraph 3.9 of the planning statement a total of six events are listed that have taken place since 2012 and that the applicant considers fall within Class D2. Given the lawful use of the site this is considered to represent a highly limited utilisation of the building and contradicts the wide range of proposed Class D2 activities that would be actively offered should permission be granted. The delivery of a genuine benefit to the immediate local community by making the building available to outside groups (para 3.17) has not taken place despite this forming an integral part of the applicant's submission.

The first refusal ground of the 2009 application relates to the loss of a use within Class D2 resulting in a reduction in the range of facilities provided within the town centre detrimental to the proper functioning of the daytime and evening economy and harmful to the social, cultural and economic characteristics of the area. As such the current application, by offering a mixed Class D1/D2 use which on the basis of the information provided within the applicants submission could result in an operation that would fall wholly within Class D1, is not considered to have overcome this ground of refusal. The site is the only Class D2 facility in the centre and its loss would result in an unacceptable harm to the vitality and viability of the centre by diminishing the wide and diverse range of uses that contribute positively to the daytime and evening economy, leading to a loss of a limited social infrastructure without realistic re-provision harmful to the sense of place and cohesion of the wider community.

It is therefore considered that the proposal would result in be contrary to Policies 2.15, 3.16, 4.6 and 7.1 of the London Plan.

Equalities Considerations

Section 149 of the Equality Act 2010 ("the Act") imposes a duty that the Council must, in the exercise of its functions, have due regard to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not;
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The protected characteristics under the Act are: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The duty is a "have regard duty" and the weight to attach to it is a matter for the decision maker bearing in mind the issues of relevance and proportionality.

The matters of the application are such that the applicant is a religious organisation, there is therefore potential for an impact on equality. However, the recommendation made relates wholly to the impact of the proposal on the potential

harm to the town centre and highways implications when assessed against development plan policies and all other material planning considerations as set out in this report. The benefits that would arise from the proposal have been carefully considered and weighed against the substantial harm that would be caused. Matters of religion have not had any bearing on the recommendation made.

Background papers referred to during production of this report comprise all correspondence on the files refs. 09/02202 and 14/04557 and all others set out in the Planning History section above, excluding exempt information.

as amended by documents received on 04.02.2015

RECOMMENDATION: APPLICATION BE REFUSED

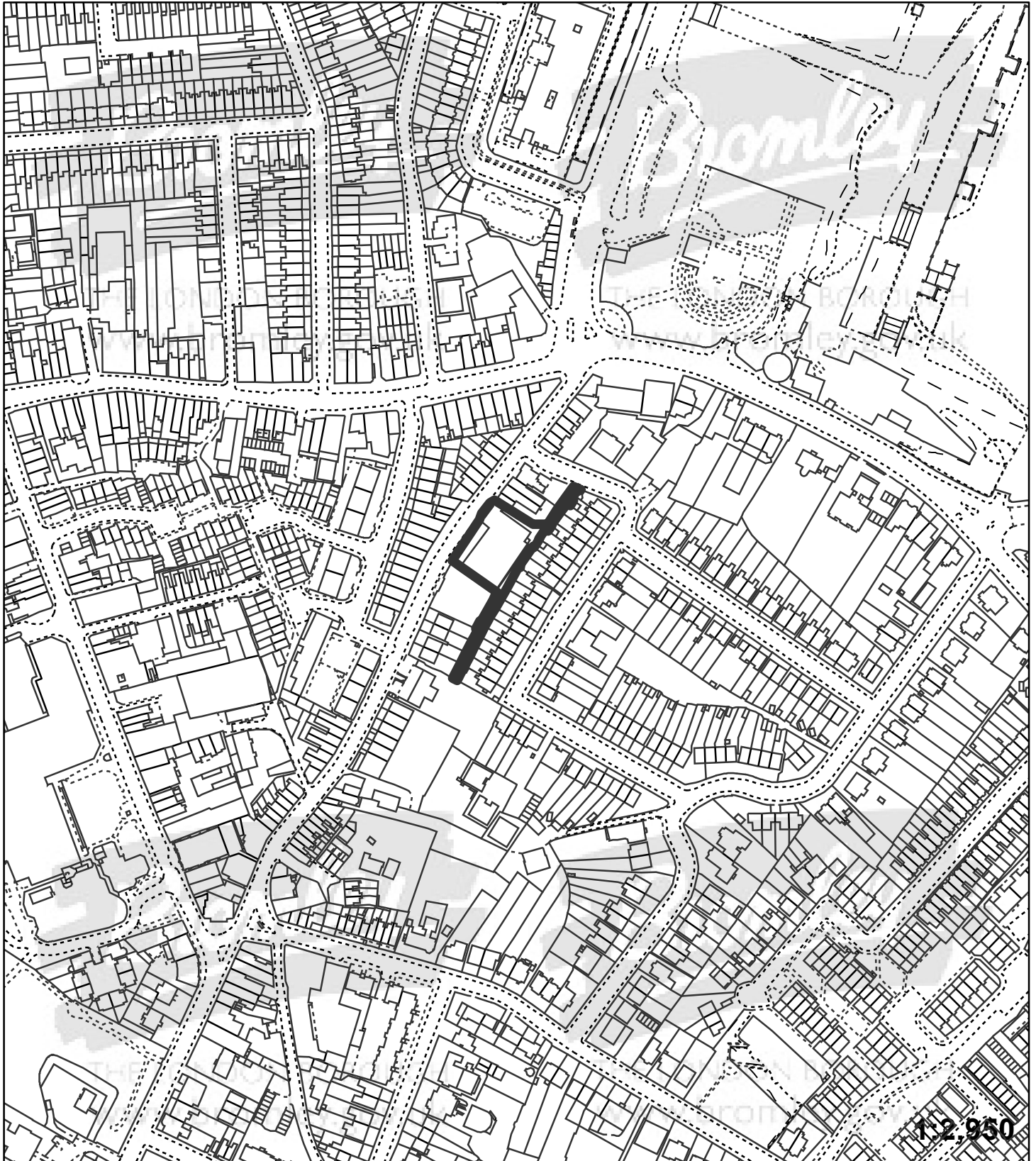
The reasons for refusal are:

- 1 The proposed development, involving the loss of an important entertainment/leisure use within Use Class D2 and the introduction of a mixed use including a place of worship within Use Class D1, would result in a reduction in the range of facilities provided within the town centre detrimental to the proper functioning of the daytime and evening economy and harmful to the social, cultural and economic characteristics of the area, thereby contrary to Policies 3.16, 2.15 and 7.1 of the London Plan.
- 2 The nature of the activity associated with a Class D1 use such as a place of worship is likely to have a wide catchment for attendees and attract a large number of cars and other vehicles. As a result of this and the unsatisfactory parking and drop-off arrangements proposed, the development will have a significant adverse impact on the surrounding area in terms of parking demand and highway and pedestrian safety, contrary to Policies T3, T6 and T18 of the Unitary Development Plan.

Application:14/04557/FULL2

Address: 25 Church Road Anerley London SE19 2TE

Proposal: Change of use from Bingo Hall Class D2 to mixed Class D1 (church) and Class D2 (Assembly and Leisure) 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"

SECTION '2' – Applications meriting special consideration

Application No : 14/04849/FULL1

Ward:
Farnborough And Crofton

Address : Land Opposite 1 To 4 Tye Lane
Orpington

OS Grid Ref: E: 544263 N: 164212

Applicant : Mr & Mrs C Welch

Objections : YES

Description of Development:

Partial demolition of existing buildings and erection of two 2 bedroom detached dwellings, retention of existing garage and part of stable building and conversion to provide garage/storage for the dwellings.

Key designations:

Conservation Area: Farnborough Village

Areas of Archaeological Significance

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

Green Belt

London City Airport Safeguarding

Open Space Deficiency

Sites of Interest for Nat. Conservation

Proposal

- The proposal comprises the removal of part of the existing stable/storage building and the erection of two 2 bedroom detached dwellings. Vehicle parking will be provided within the retained/converted stable/store building, and a single access will be used onto Tye Lane.
- The site has a current lawful use as a private equestrian centre, however it is at present overgrown and not used as such after the owner retired.
- Each proposed dwelling will have a total height of approx. 7.6 metres, a width of approx. 9.5 metres and a depth of approx. 11.1 metres. The roof will have a barn-end style, with cat slide to front and rear, along with a gable feature to the front and centre of each new dwelling.
- The rear gardens will be sited to the southwest of the site, with the ends of the gardens sited within the Green Belt. The rear gardens will have a depth of between 10 metres and 12 metres.

Location

The application site is located on the western side of Tye Lane, approx. 50 metres from the junction with High Street/Church Road, and currently comprises a (redundant) private stable and yard. The site lies just outside of the Farnborough Village Conservation Area, and the southern section of the site falls within the Green Belt.

Tye Lane serves a small number of residential dwellings, before it becomes a public byway. The application site has a frontage of approx. 39 metres, with a site area of approx. 0.11 hectares. The development along Tye Lane comprises residential cottages, behind the larger commercial development of Farnborough High Street.

Comments from Local Residents

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

- have walked dogs down Tye Lane for many years and noticed a gradual decline in the condition of it, especially since the closure of the horse yard;
- a project like the current proposal would enormously improve the current state of the lane;
- the proposed buildings would be built to a very high standard;
- the derelict yard and land would look nice with the proposed 2 properties being built on it, and would be in keeping with the village and surroundings areas;
- would provide Bromley with more housing, and a chance for families to move to Farnborough Village;
- no objection, would enhance the area which has been in decline since the equestrian centre went 4 years ago.

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

- understand need for development, but please keep Farnborough Village as a village;
- Tye Lane has always been a country lane used by families and walkers to get to the countryside;
- emergency services may find it difficult to access the site;
- dustcarts already cannot get to the top of the road;
- aware construction will not last forever, but local residents do need 24 hour access;
- Farnborough primary school is already full, would be unable to accept more children;
- visitors to proposed houses could park on Church Road which will cause further problems;
- Tye Lane is a byway and footpath used by walkers, children and cyclists;
- extra cars would be an added danger for these people;
- emergency services cannot access the lane last Plumbridge Cottages as the road narrows considerably;

- Tye Lane is unsuitable for the type of vehicles needed for this type of construction;
- never witnessed equestrian use on the site in last 2 years since lived in the area;
- Tye Lane is narrow, and having had a lorry damage nearby property previously, would not like to see it happen again;
- Church Road is narrow and heavily parked on both sides, potential for damage to parked cars by lorries used for this development.

The applicant provided response to the objections which can be summarised as follows:

- residents who access their car park from Tye Lane seem to get their vans, cars and 26 foot motor home out of Tye Lane and back with no problems;
- have had 3-4 fire engines up to and beyond the last house at various times due to field fires;
- with regard to refuse vehicles, there are only 2 bins along Tye Lane so it is easier for 2 men to walk down the lane than a lorry at 7am;
- the builder in the house at the top of the lane had an 18 ton concrete mixer he used daily for 5 years;
- horse field had a 24 foot horse box as big and wide as a bus used most days for 10 years;
- there are at least 12 cars, vans and lorries owned and used daily up and down the lane;
- the school is a quarter of a mile away and is irrelevant to the proposed scheme;
- crashes in the area are usually caused by bad driving;
- the problems recently with water did not affect anyone in the lane;
- damage to the nearby property must have been caused by a very high vehicles as she is in a first floor flat;
- no-one in Tye Lane itself has objected to the proposal;
- previous application had over 20 letters of support;
- are both retired and would move into one of the properties.

Comments from Consultees

Previous comments from Waste Services stated that waste is to be left at edge of curb at junction with Tye Lane for collection.

Thames Water raises no objection with regard to sewerage or water infrastructure subject to informatives.

No technical highways objections were raised, subject to suitable conditions. Technical highways comments have been received stating that Tye Lane is an ancient highway and also the first section from Church Road, going past the site, is a byway (BY222). It is a narrow lane with poor sightlines and pedestrian visibility coming out onto Church Road and so is not suitable for intensification of vehicular use. The site is within a low (1b) PTAL area. The submitted statement indicates that there will be no material change in traffic using the lane and these figures are

not disputed. The conclusion reached is that the number of trips with the previous use and with the previously refused scheme of 4 dwellings would be comparable with no significant increase, and so with the current proposal of 2 dwellings there would be a decrease in trips.

It is acknowledged that there could well be more traffic generated during the demolition/construction period than from the proposed residential development and this has the potential to cause disruption. A Construction Method Statement was also supplied, similar to the previous application, but given the complexity of the site it was considered that it should contain more detail including the numbers of construction vehicles likely to access the site during each phase, the largest lorries that can use Tye Lane and turn on the site and what the arrangements are for any vehicles that cannot. There is already parking in Church Road and large vehicles waiting there are likely to block it. Also the number of site operatives during each stage of demolition/construction and how they can all be accommodated on site should be provided, however, it is appreciated that this information is unlikely to be available at this stage and can be managed by way on suitable conditions.

No technical drainage objections are raised subject to conditions.

Environmental Health raised no objection. It was stated that the applicant is advised to have regard to the Housing Act 1985's statutory space standards contained within Part X of the Act and the Housing Act 2004's housing standards contained within the Housing Health and Safety Rating System under Part 1 of the Act.

The Crime Prevention Officer had previously suggested a 'secure by design' condition, however they did not provide specific comments for the current application. They no longer provide comments on this type of application.

Planning Considerations

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

- BE1 Design of New Development
- BE11 Conservation Areas
- H7 Housing Density And Design
- T3 Parking
- T17 Servicing Of Premises
- T18 Road Safety
- G1 Green Belt
- G6 Land Adjoining Green Belt Or Metropolitan Open Land

London Plan policies:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Design and Quality of Housing Developments
- 3.8 Housing Choice
- 5.1 Climate Change

- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 6.9 Cycling
- 6.13 Parking
- 7.13 Safety, Security And Resilience To Emergency

The Council's adopted SPG guidance is also a consideration.

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

Planning History

Planning permission was granted under ref. 88/01571 for the retention of the existing stable building and erection of detached garage block.

More recently, planning permission was refused under ref. 13/00681 for change of use of land from equestrian centre to residential and erection of 2 pairs of two storey two bedroom houses with associated car parking.

This application was refused on the following ground:

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

An appeal was dismissed relating to this application. The Inspector effectively stated that the proposed development of 4 dwellings would materially harm the character and appearance of the area. The scale of the proposed buildings was considered significant, and the combined width and depth of the proposed buildings, which would be two-storey and sited fairly close together, would create a sizeable development that would be out of character with the existing dwellings on Tye Lane, which are of a modest scale and sited with space between them.

With reference to the siting of part of the site within the Green Belt, the view was taken by the Inspector that the site constitutes previously developed land and the proposed scheme would not have a greater impact upon the openness of the Green Belt. The proposed development would include only gardens within the Green Belt. Furthermore, it would open up this part of the site, as such the development should not be regarded as inappropriate development within the Green Belt, and consequently, the fact that the site is partly within the Green Belt is immaterial in this particular instance.

The current application is seeking to overcome the previous refusal ground and matters raised at Appeal stage.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, and the impact that it would have on the amenities of the occupants of surrounding residential properties, the impact on highway safety and the impact on the openness and character of the nearby Green Belt. The impact on the nearby Farnborough Village Conservation Area is also a consideration.

The land is previously developed. The lawful use is as a private equestrian centre however at present it is not used as such and the site is overgrown. Part of the application site falls within the Green Belt, however with regard to the provisions of paragraph 89 of the National Planning Policy Framework (NPPF), the site would constitute previously developed land and the proposed scheme would include only garden land for the proposed dwellings within the Green Belt designated land. This aspect of the NPPF further states that limited infilling or complete redevelopment of previously developed sites may be appropriate provided that it does not have a greater impact on the Green Belt. Therefore, this is considered to open this part of the site and as such, the proposed development is not considered to result in a greater impact upon the openness of the Green Belt. The Appeal Inspector, when referring to the previously refused and dismissed appeal, stated in effect that the site constitutes previously developed land and the proposed scheme would not have a greater impact upon the openness of the Green Belt. The proposed development would include only gardens within the Green Belt, with no built development falling within the Green Belt designated land. Furthermore it would open up this part of the site, as such the development should not be regarded as inappropriate development within the Green Belt, and consequently, the fact that the site is partly within the Green Belt is immaterial in this particular instance.

The proposed dwellings have been reduced in number compared to the previously refused scheme, and have also been redesigned. It is considered that the proposed two new dwellings would now complement and respect the character of the area as well as the existing form of development surrounding the site. The area along Tye Lane is generally developed to a high spatial standard and it is considered that the proposal of two new dwellings would not detract from the existing spatial standards of the road. It is noted that the proposed dwellings have been reduced in height from 8.1 metres to approx. 7.6 metres in height, and the first floor seen in the previous application has been removed, instead introducing a catslide roof design to the front and rear roof slopes which is considered to significantly reduce the overall bulk of the current scheme.

Table 3.2 of Policy 3.4 of the London Plan gives an indicative level of density for housing developments. In this instance the table provides a suggested level of 40-80 dwellings per hectare in urban areas, and the current scheme is significantly lower than this at 18 units per hectare.

Table 3.3 of Policy 3.5 of the London Plan states that new dwellings of this type (2 bedroom, 4 people) should have a minimum of 83 square metres of GIA. In this case, the houses provide this minimum standard. As a result, it is considered that the proposed dwellings would meet London Plan minimum sizes and would provide a good standard of accommodation for future occupiers.

In respect to the nearby conservation area, it is considered that the design of the development in the manner proposed has been amended when compared to the previously refused scheme in order to blend in more within the local context. Whereas the design of the previously proposed scheme was not considered to be significantly harmful to the character and setting of the Farnborough Village Conservation Area, the current scheme is considered to be a further improvement and is welcomed in this instance.

The closest point of one of the proposed dwellings will be sited approx. 9 metres away from the closest property on Tye Lane, and will be separated from all other dwellings by a significant amount (approx. 20 metres to Green Field View). The houses will be orientated with habitable windows facing north-east and south-west (front and rear elevations), with the only first floor flank windows being located in the front projection area of the proposed dwellings, which would serve the master bedrooms. As a result, this is considered to result in no serious overlooking or loss of light/outlook to surrounding properties, including 1-4 Tye Lane and Green Field View. Properties on the High Street will be sited approx. 40 metres away and the buildings to the north at Plumbridge Cottages over 20 metres away, with the retained and converted garage building sited between the proposed new dwellings and properties at Plumbridge Cottages. These relationships are considered to be acceptable and will help to avoid undue overlooking and loss of outlook to surrounding residential properties.

Technical highways concerns were raised in respect to the use of Tye Lane during the construction phase, however these concerns were not considered sufficient by the Highways Officer to warrant refusal of the application - it was considered that suitably worded conditions can be imposed should permission be granted, to ensure that sufficient level of detail be submitted in a construction management plan in order to prevent technical highway issues during construction.

With regard to the retention and conversion of the stable/storage building, it is proposed to demolish the south-western element that projects beyond the main bulk of the structure, and the remaining building will then be converted to be used as a store room on one side and space for vehicular parking for 4 vehicles linked with the proposed new dwellings. This resulting structure will be redesigned when compared with the existing structure, and will measure approx. 20.2 metres in width, approx. 5.2 metres, with an eaves height of approx. 2.1 metres and a ridge height of approx. 3.4 metres, excluding the timber dove cotes. The design of this element of the proposal is considered to be acceptable in terms of the nearby conservation area, adjoining Green Belt, and neighbouring properties.

It is therefore considered that the siting, size, amount and design of the proposed dwellings is acceptable in that the scheme would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the neighbouring conservation area and adjoining Green Belt. In addition, it is considered that the concerns previously raised with the refused application (ref. 13/00691) and the matters raised by the Appeal Inspector, have been met.

Background papers referred to during production of this report comprise all correspondence on the files refs. 13/00691 and 14/04849 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 Details, including samples of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.
ACC01R Reason C01
 - 5 Details of the windows comprising 1.5 sections and elevations (including rooflights and dormers where appropriate) showing their materials, method of opening mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.
ACC03R Reason C03
 - 6 ACD02 Surface water drainage - no det. submitt
AED02R Reason D02
 - 7 ACD06 Sustainable drainage system (SuDS)
AED06R Reason D06
 - 8 ACH03 Satisfactory parking - full application
ACH03R Reason H03
 - 9 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
 - 10 ACH26 Repair to damaged roads
ACH26R Reason H26
 - 11 ACH29 Construction Management Plan
ACH29R Reason H29
 - 12 ACH32 Highway Drainage
ADH32R Reason H32
 - 13 ACI02 Rest of "pd" Rights - Class A, B,C and E
- Reason:** In order to comply with Policies H7 and BE1 and to prevent overdevelopment of the site.
- 14 ACI17 No additional windows (2 inserts) flank dwellings
ACI17R I17 reason (1 insert) BE1
 - 15 ACK05 Slab levels - no details submitted
ACK05R K05 reason

INFORMATIVE(S)

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

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

Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL2

- 2 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- 3 The applicant is advised that a registered public right of way BY222 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 ensure the safeguarding of pedestrians using the route, must not damage or obstruct this public right of way either during, or as a result of, the development.
- 4 The applicant is advised to have regard to the Housing Act 1985's statutory space standards contained within Part X of the Act and the Housing Act 2004's housing standards contained within the Housing Health and Safety Rating System under Part 1 of the Act.
- 5 The applicant is advised that there is no public surface water sewer near to this site. Surface water will therefore have to be drained to soakaways.
- 6 The applicant is advised to have regard to the Housing Act 1985's statutory space standards contained within Part X of the Act and the Housing Act 2004's housing standards contained within the Housing Health and Safety Rating System under Part 1 of the Act.
- 7 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

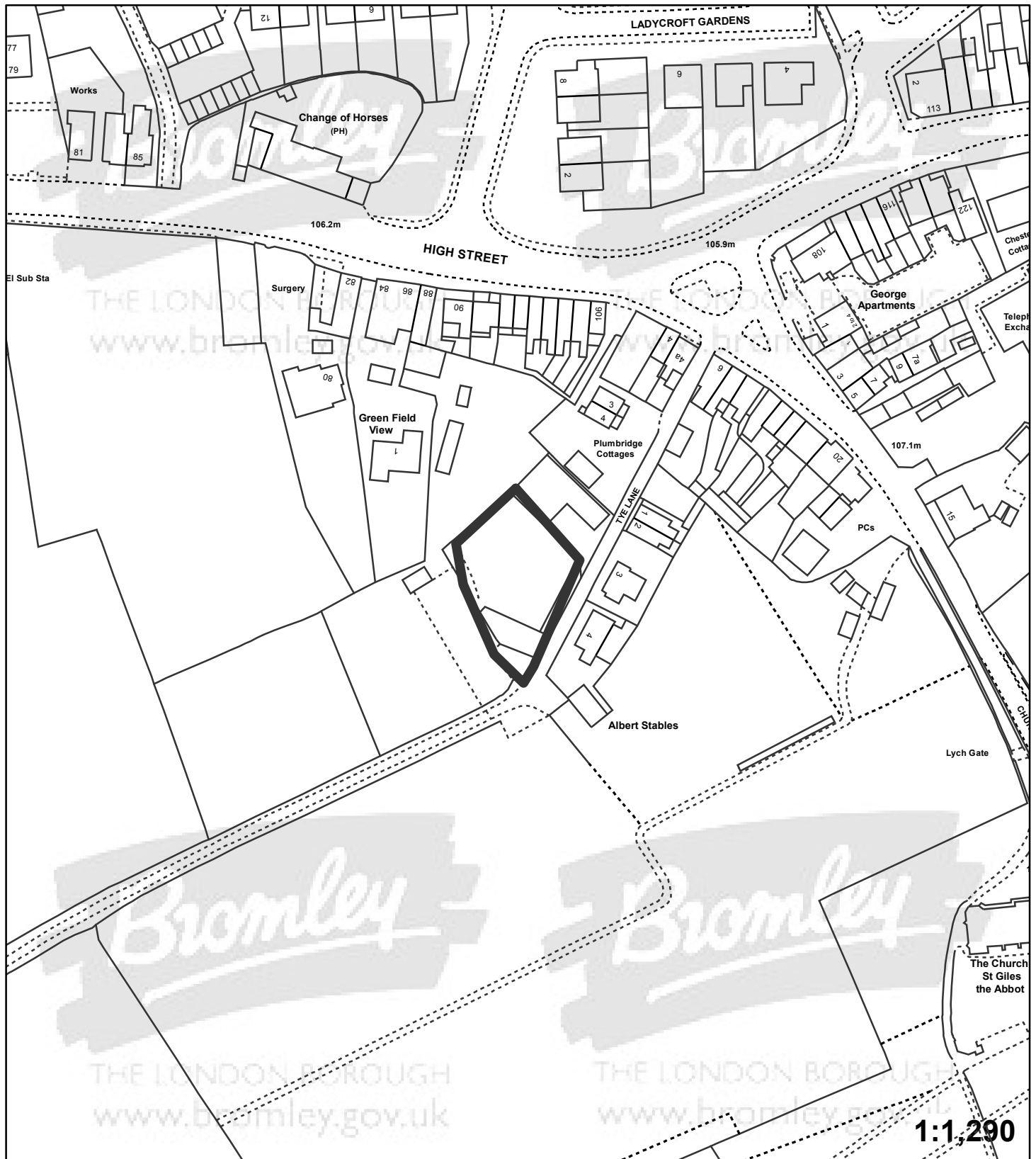
to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary.

- 8 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 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 9 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 10 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk

Application:14/04849/FULL1

Address: Land Opposite 1 To 4 Tye Lane Orpington

Proposal: Partial demolition of existing buildings and erection of two 2 bedroom detached dwellings, retention of existing garage and part of stable building and conversion to provide garage/storage for the dwellings.



"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 : 14/04911/FULL6

Ward:
Bickley

Address : 17 Cloisters Avenue Bickley Bromley
BR2 8AN

OS Grid Ref: E: 542585 N: 167680

Applicant : Mr And Mrs Ewan

Objections : YES

Description of Development:

Part one/two storey side/rear extension and roof extension to provide habitable room

Key designations:

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

Proposal

Planning permission is sought for a part one/two storey side/rear extension and roof extension to provide habitable accommodation in roofspace. The proposed extension would extend single storey up to the boundary with No. 15 and would set in by 2m at first floor level (previously 1m). The proposed ground floor rear extension would have a depth of 7.4m with the first floor section set in from the boundary with No.19 by 3.1m and projecting 4.5m to the rear. The proposed single storey extension would have a flat roof to a maximum height of 3.5m with the two storey extension having a pitched roof.

Location

The application site is set to the western side of Cloisters Avenue and is a two storey semi-detached property. The immediate area is largely residential, with The Chequers Public House within close proximity to the south of the site.

Comments from Local Residents

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

- plans do not show adjoining neighbours extension
- flank windows allow light into existing extension

- loss of light
- maintenance of the walls of the existing extension and sun lounge

Comments from Consultees

None

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Planning History

An application for a similar extension was recently refused under ref. 14/03709 for a Part one/two storey side/rear extension and roof extension to provide habitable accommodation in roofspace for the following reasons:

"The proposed first floor extension to bedroom 2, by reason of its depth proximity to the adjoining boundary with No.19, would be over-dominant and would be detrimental to the amenities enjoyed by the occupants of those properties, contrary to Policy BE1 of the Unitary Development Plan.

The proposed side extension does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two storey development in the absence of which the extension would constitute a cramped form of development and out of character with the street scene and contrary to Policy H9 of the Unitary Development Plan."

Previously, an application was submitted under ref. 98/01059 for a one/two storey side/rear extension but was withdrawn.

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.

From visiting the site, there are several examples of similar properties having been extended to the side at first floor and two storey level. The adjacent property at No.19 benefits from single storey extensions and a large two storey rear extension which is set in from the boundary with the application site. The previous proposal included the extension of Bedroom 2 (now named bedroom 3) at first floor level by approximately 0.8m in depth. This element of the proposal has now been removed from the current application and therefore considered to overcome the previous

ground of refusal. A similar first floor rear extension exists at No.19 and on balance Members may consider that the proposal is considered acceptable.

With regard to the property to the south (No.15), building control records show that the dormer window serves an en-suite bathroom and therefore the proposed extension is not considered to have a detrimental impact upon this property. The proposed single storey extension, despite the proposed depth, is also considered to be acceptable given that the adjoining neighbour at No.19 also benefits from large single storey extensions. On balance, the adjoining extension would mitigate any potential impact upon this neighbour and Members may consider this to be acceptable.

In addition to the considerations outlined above, the proposed two storey side extension would be constructed to the southern side of the dwelling, adjacent to the boundary with No.15. The proposed first floor element is now set in by 2m from the boundary although the proposed garage remains up to the boundary. Given the lack of a 1m side space for the full length of the extension, the proposed side extension would be in technical breach of Policy H9, however given that the extension would maintain a good separation at first floor and would be well set back from the front building Members may consider that the proposed extension would not result in a cramped or cluttered appearance in the streetscene.

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

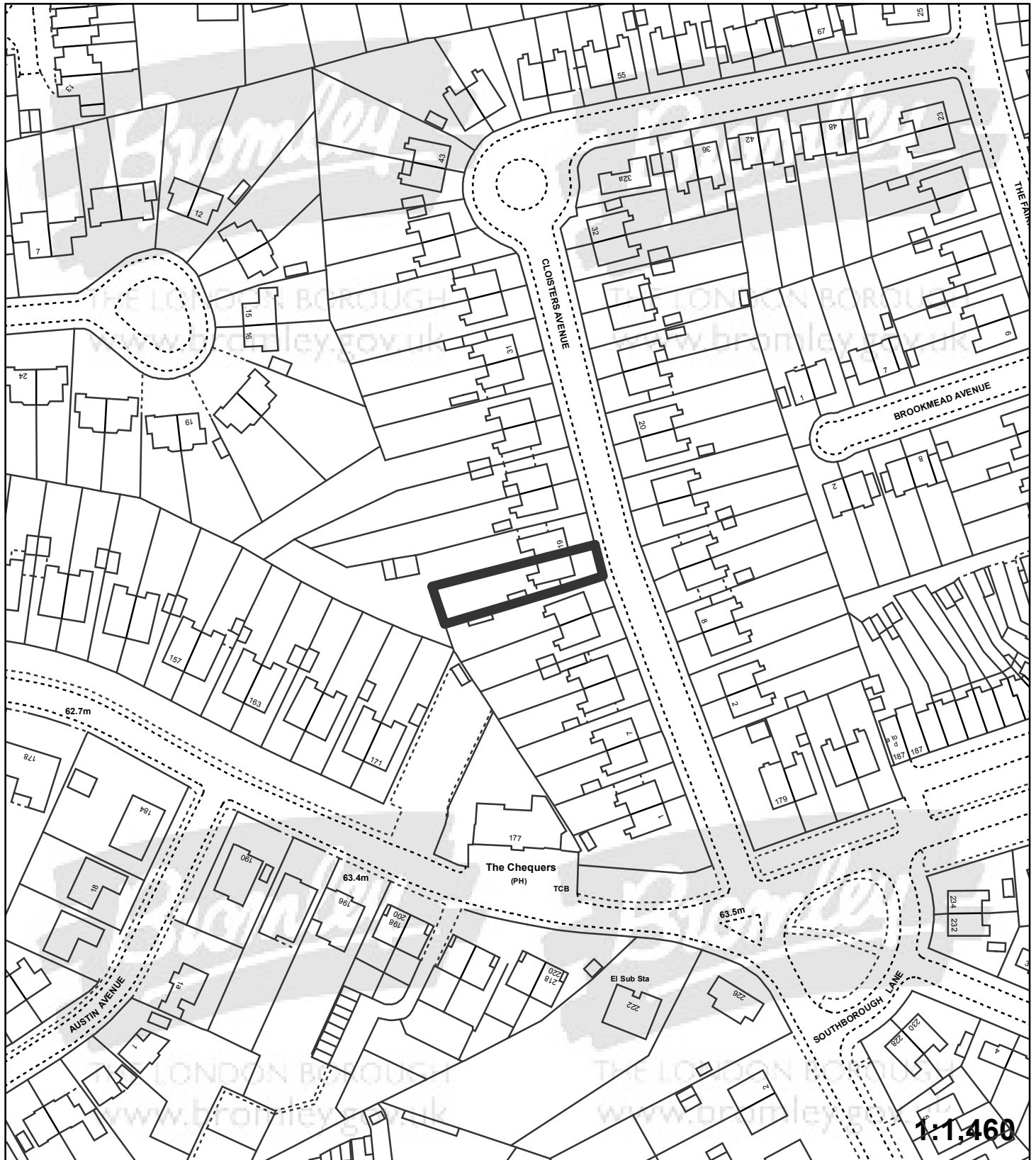
Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |
| 3 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

Application:14/04911/FULL6

Address: 17 Cloisters Avenue Bickley Bromley BR2 8AN

Proposal: Part one/two storey side/rear extension and roof extension to provide habitable room



"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 : 14/04952/VAR

Ward:
Plaistow And Sundridge

Address : 1 Plaistow Lane Bromley BR1 4DS

OS Grid Ref: E: 540428 N: 170397

Applicant : Tesco Stores Limited

Objections : YES

Description of Development:

Variation of condition 8 of planning permission ref:- 12/03036 (Demolition of existing building and erection of 3 storey building comprising retail (Class A1) unit on ground floor and 8 two bedroom flats above, together with 1 x 2 storey, 4 bedroom house (access from Lytchett Road) plus 15 car parking spaces and associated cycle and refuse space) to change the hours of operation from 07:00 - 22:00 hours on any day to 06:00 - 23:00.

Key designations:

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

Proposal

This application is a Section 73 application which seeks a Variation of condition 8 of planning permission ref. 12/03036 (demolition of existing building and erection of 3 storey building comprising retail (Class A1) unit on ground floor and 8 two bedroom flats above, together with 1 x 2 storey, 4 bedroom house (access from Lytchett Road) plus 15 car parking spaces and associated cycle and refuse space) to change the hours of operation from 07:00 - 22:00 hours on any day to 06:00 - 23:00.

Condition 8 of planning permission ref.12/03036 states that the retail use of the development hereby permitted shall not take place other than between the hours of 07:00 and 22:00 on any day. Reason: To safeguard the amenities of neighbouring

The application seeks an extension of the allowed hours to open one hour earlier each day 06:00 and one hour later each evening 23:00.

In summary, the application seeks to change the hours of operation from 06:00-23:00 on any given day. For reference when the application was submitted the opening hours were to open until midnight but the agent has amended this to 23:00.

Location

The application site lies on the corner of Plaistow Lane and Nichol Lane, with access to part of the site from Lytchet Road, Bromley. The surrounding area is predominantly residential, with dwellings of varying ages, sizes and styles. Adjoining the site lies No.2 Plaistow Lane 'Purelake House' which has offices on the ground floor and flats above.

Comments from Local Residents

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

- extending the opening hours would bring noise and disturbances around opening/closing times, which will bring unwanted visitors to the area who are most likely to be purchasing cheap beer, tobacco and cigarettes.
- increase in litter
- the extra opening hours will lead to further pressure on car parking spaces outside in Nichol Lane.
- would require the licence application to be changed
- the increase in opening hours would be to the detriment of local residents

Comments from Consultees

Technical Highway comments were received stating that the impact on the highway during the additional hours, when traffic level are generally lower than during the day, is not likely to be significant and therefore would have no objection to the application.

Technical Environmental Health comments were received and stated that deliveries to the site in the form of deliveries and waste collections should stay at the permitted hours i.e not before 07:00 or after 22:00 on any day.

Planning Considerations

The main planning policies against which the application should be considered are as follows:

Unitary Development Plan:

- BE1 Design of New Development
- S5 Local Neighbourhood Centres, Parades and Individual Shops
- T18 Road Safety

London Plan (2011)

National Planning Policy Framework (2012)

Planning History

An application for an ATM is currently pending consideration under ref. 14/04812.

An application for advertisement and signage is currently pending consideration under ref. 14.04815.

An application for plant equipment and associated fencing on roof is currently pending consideration under ref. 14/04946.

Under ref. 12/03036, planning permission was granted for demolition of existing building and erection of 3 storey building comprising retail (Class A1) unit on ground floor and 8 two bedroom flats above, together with 1 x 2 storey, 4 bedroom house (access from Lytchett Road) plus 15 car parking spaces and associated cycle and refuse space.

Under ref. 09/00422, planning permission was granted (at Appeal) for Demolition of existing buildings and erection of three storey block comprising Class A1 (retail) unit on ground floor 4 one bedroom flats, 7 two bedroom flats, 1 three bedroom flat above together with 1 two storey four bedroom house (access from Lytchet Road) plus 13 car parking spaces and associated cycle and refuse space.

Under ref. 07/03549, planning permission was granted for the demolition of existing buildings and the erection of 3 storey block comprising Class A1 (retail) unit at ground floor and 4 one bedroom flats/5 two bedroom flats above with a total of 15 car parking spaces/cycle and refuse space.

Conclusions

The retail use of the site has already been established and the construction of the retail unit on the ground floor is currently underway. Therefore, the main issues relating to the application to extend the opening hours are the effect that the additional opening times would have on the amenities of the occupants of surrounding residential properties and the impact that it would have on the highway, parking and road safety.

The main consideration is the additional hours of opening and the impact on residential amenity. The site is bounded on three sides by residential properties. A number of objections have been received in relation to the application.

Noise, disturbance and activity levels

As identified in the objection letters received objections have been raised in regards to an increase in noise and disturbance if the use was allowed to open beyond 10pm each evening. The site has residential development located on all three sides. The local shops in nearby Sundridge Village except for the two restaurants all close around 5.30-6pm. During the Hearing of the 2009 application (ref. 09/00422) the Inspector's report noted at para 24 "the Council put forward a

9pm closure time, the appellant 11pm. Both times are later than is typical of the generality of nearby shops with flats above but 10pm would be consistent with the off-licence in Plaistow Lane and I propose to adopt that". This is considered to be a material consideration in the determination of this application.

The Environmental Health Officer has requested that deliveries and waste collection should not be altered beyond the currently approved hours i.e not before 07:00 or after 22:00.

A point of reference is the Co-op store located on the corner of College Road and Farwig Lane which has recently opened and trades between the hours of 07:00-23:00.

The desire to open later for business purposes needs to be balanced against the potential harm to nearby residents.

Anti-Social Behaviour

The Secure by Design Officer was contacted but raised no objections to the proposed increase in the hours of opening. There are no late night drinking establishments located nearby which may attract people to visit the use after closing hours.

Highways

The unit has permission (under ref. 12/03036) for 15 car parking spaces to the rear of the site which will cater for people arriving at the site by car. The Council's Highway Officer said that the impact on the highway during the additional hours, when traffic level are generally lower than during the day, is not likely to be significant and would have no objection to the application.

Summary

Members will need to consider whether the extension of opening hours is reasonable and will not unduly harm the residential amenities enjoyed by the occupants of neighbouring properties. Whilst the Highways Officer has not raised any objections to the increase in the hours of opening, local residents will be harmed through car borne customers opening and closing doors at hours when they are likely to be asleep. Furthermore the Environmental Health Officer believes that deliveries and waste collection services should not take place before 07:00 or after 22:00 on any day. It would be appropriate that the hours of opening were not varied so as not to harm local residents living close to the site.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/04952, 12/03036 and 09/00422. set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

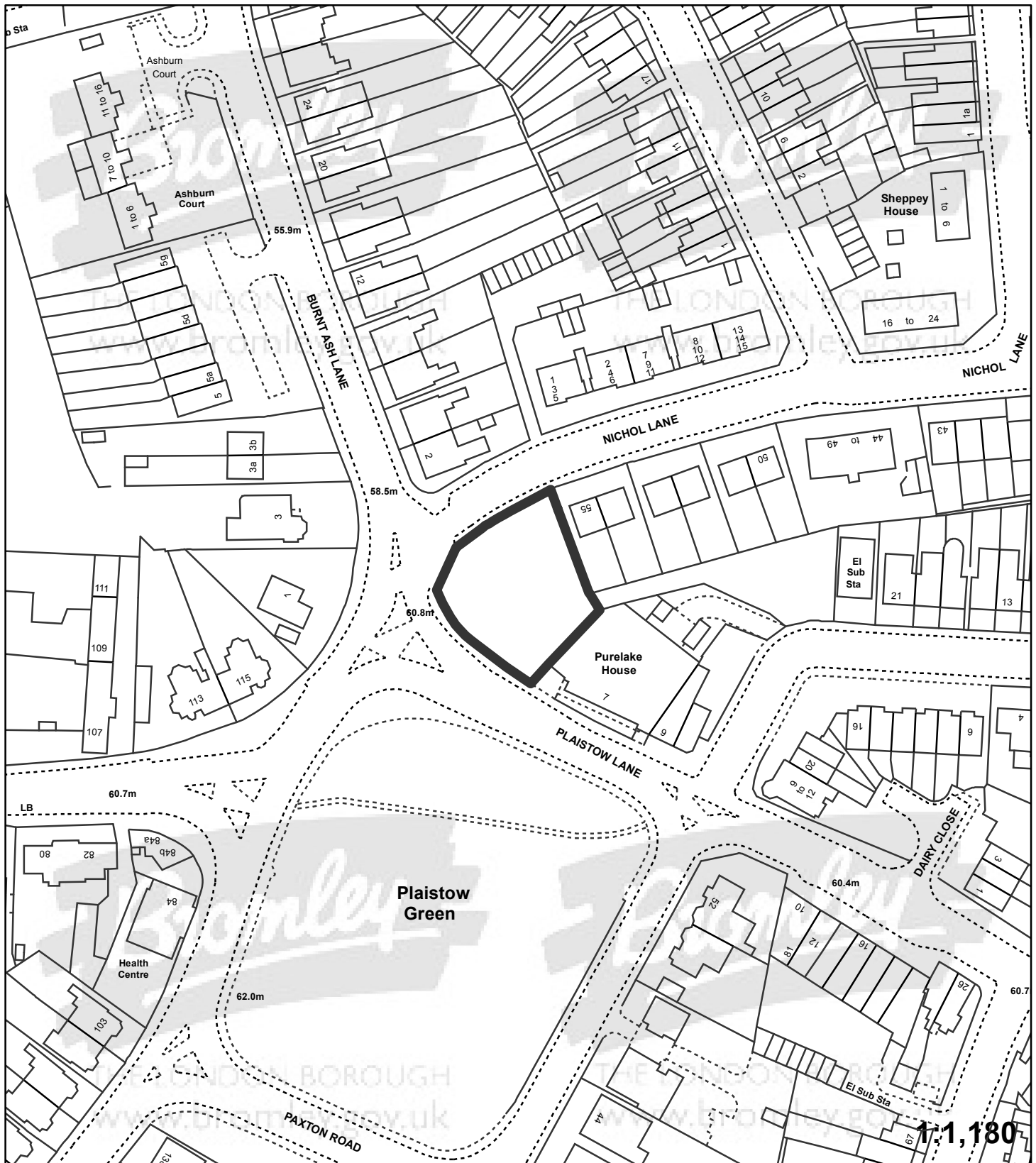
The reasons for refusal are:

- 1 The proposal to increase the hours of opening would be detrimental to the amenities of nearby residents and contrary to Policy BE1 of the Unitary Development Plan.

Application:14/04952/VAR

Address: 1 Plaistow Lane Bromley BR1 4DS

Proposal: Variation of condition 8 of planning permission ref:- 12/03036
(Demolition of existing building and erection of 3 storey building comprising retail (Class A1) unit on ground floor and 8 two bedroom flats above, together with 1 x 2 storey, 4 bedroom house (access from Lytchett Road)



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

SECTION '2' – Applications meriting special consideration

Application No : 14/04970/FULL1

Ward:
Hayes And Coney Hall

Address : Hillcrest House West Common Road
Hayes Bromley BR2 6AJ

OS Grid Ref: E: 541009 N: 164621

Applicant : Ms L Hewett

Objections : YES

Description of Development:

Replacement dwelling. Demolition of existing bungalow, integral and lodge building and erection of a two storey dwelling. Reconfiguration of entrance driveway and replacement of upper and lower terraces.

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Sites of Interest for Nat. Conservation

Proposal

Demolition of existing dwelling, integral garage and detached lodge building; erection of two storey dwelling and associated soft and hard landscaping.

Planning permission is sought for a replacement dwelling on the site. The proposal involves the demolition of the existing chalet bungalow and integral garage together with the lodge building at the front entrance of the site. The proposal involves the reconfiguration of the entrance driveway and replacement of the upper and lower terraces with one terrace.

The replacement dwelling is proposed in the same location as the existing and is set over two storeys and provides five bedrooms on the first floor. Three gables are positioned on the south-west facing elevation to maximise views across the valley. The north east elevation incorporates an integral garage.

The application is accompanied by a Planning, Design & Access Statement.

Location

The application site is situated on the southern side of West Common Road and is accessed via an unmade track close to the junction of West Common Road and Baston Road.

The application site currently consists of a chalet bungalow with a large attached integral double garage. The site rises upwards from the south-west to the north-east, with a significant change in levels from the top of the plot to the bottom of the plot (approximately 15m).

Comments from Local Residents

- no objection to the principle of redevelopment but do have serious concerns about the routing of construction vehicles. Strongly suggest that if planning permission is granted a condition regarding construction vehicles is attached that construction vehicles are routed solely via land and property owned by the applicant which runs from Hillcrest House down a track to the south to a gated entrance on Gates Green Road.
- concerns that if construction vehicles are routed via West Common Road which has a steep incline and very poor visibility to the right.
- noise and disturbance as a result of construction vehicles passing our property
- damage to the track
- danger and disruption to ramblers and horse riders using the footpath and bridleway
- full and detailed copies of the objection letters received can be found on the application file.

Comments from Consultees

Highways – No objections to this proposal.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density & Design
G1 The Green Belt
G5 Dwellings in the Green Belt
T3 Parking
NE7 Development and Trees

London Plan (2011)

National Planning Policy Framework (2012)

Planning History

With regard to the recent history of the site, under ref. 14/00613/HHPA, a single storey rear extension, extending beyond the rear wall of the original house by 8m,

for which the maximum height would be 4m and for which the height of the eaves would be 2.7m (42 Day Notification for Permitted Development Prior Approval). Prior approval was not required.

Under ref. 12/01796, a Certificate of Lawfulness for a proposed development was permitted for a single storey side and rear extension.

Under ref. 98/01589, planning permission was granted for a front dormer extension and single storey side extension for replacement garage.

Under ref. 94/02850, planning permission was granted for a use of lodge building as a single storey dwellinghouse (renewal of ref. 89/03686).

Under ref. 89/03686, planning permission was granted for use of lodge building as a single storey dwellinghouse.

Under ref. 82/0787, planning permission was granted for a single storey rear extension and replacement of existing roof with pitched roof.

Under ref. 79/03551, planning permission was refused for a single storey front and side extension.

Under ref. 78/03353, outline planning permission was refused for a single storey front and side extension.

Conclusions

The site is located within the Green Belt, and the main issues are; firstly, whether the proposals comprise inappropriate development, and if so, whether very special circumstances exist that clearly outweigh the harm by reason of inappropriateness or any other harm; and secondly, whether the proposals would be harmful to the character or appearance of the surrounding area, or detrimental to the amenities of nearby residential properties. The National Planning Policy Framework (NPPF) contains a general presumption against inappropriate development within the Green Belt. Paragraph 87 states that such development should not be approved except in very special circumstances, while paragraph 89 sets out a number of exceptions, including the replacement of a building where the new building is in the same use and not materially larger than the one it replaces, and the provision of appropriate facilities for outdoor recreation. Policy G1 of the UDP allows for the construction of new buildings within the Green Belt where they are inter alia for essential facilities for outdoor sport or recreation, and limited replacement of existing dwellings. Such proposals should not be harmful to the openness or visual amenity of the Green Belt. Policy G5 of the UDP allows for a replacement dwelling in the Green Belt provided that the resultant dwelling would not result in a material net increase in floor area compared with the existing dwelling (an increase of over 10% would normally be considered material, depending on design issues), and that the size, siting, materials and design of the replacement dwelling would not harm the visual amenities or the open or rural character of the locality.

Consent has been sought for two extensions to the rear and side of the original dwelling. The side extension has been approved under ref. 12/01796 and allows for an additional floorarea of 49.05sqm to be added to the property. A rear extension sought through prior approval allows for a further 54.4sqm of floorspace. This totals a floor area of 103.45sqm which could be built without planning permission.

In terms of comparable sizes the total floor space afforded by the existing dwelling drawing no.2265-14-PL01 sets out that the total external floorarea of the existing dwelling (including approved PD extensions) equals 491.27m². The total proposed external floorarea of the proposed dwelling (including garage) equals 469.90m² which would represent a reduction by 21.37m².

As a whole, in relation to the approved Certificate of Lawfulness the proposals would result in an overall reduction in site coverage. It will also result in the removal of a spread of buildings on the site is therefore considered, on balance, that there is sufficient justification to allow the current proposals which would result in an acceptable form of redevelopment, and would adequately protect the open and rural nature of the site along with the visual amenities of the surrounding area. With regard to the impact on neighbouring properties, the replacement dwelling would be sited well away from the adjacent properties to not result in a harmful impact on residential amenity. The proposals are not, therefore, considered to result in any undue loss of light, privacy or prospect to the adjacent property.

Of reference the neighbouring property Chartham House (formerly Greenways) was granted planning permission in 2003 under ref. 03/03653 to replace the existing dwelling with a detached part one/ two storey five bedroom dwelling with detached double garage. This application was revised in 2004 & 2008 to include additional development under refs. 04/00131 and 08/01780.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/04970 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 |
| | AED02R | Reason D02 |
| 6 | ACD04 | Foul water drainage - no details submitt |
| | ADD04R | Reason D04 |

- | | | |
|----|---|--|
| 7 | ACH02 | Satisfactory parking - no details submit |
| | ACH02R | Reason H02 |
| 8 | ACH04 | Size of parking bays/garages |
| | ACH04R | Reason H04 |
| 9 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 10 | ACH27 | Arrangements for construction period |
| | ACH27R | Reason H27 |
| 11 | ACH29 | Construction Management Plan |
| | ACH29R | Reason H29 |
| 12 | ACI02 | Rest of "pd" Rights - Class A, B,C and E |
| | ACI03R | Reason I03 |
| 13 | ACK01 | Compliance with submitted plan |
| | ACC01R | Reason C01 |
| 14 | ACK02 | No mezz floor/roof space accom (1in) |
| | ACK02R | K02 reason (1 insert) |
| 15 | ACK05 | Slab levels - no details submitted |
| | ACK05R | K05 reason |
| 16 | Before commencement of the development hereby permitted, the existing dwelling and outbuildings show on Plan No. 2265-14-PL05, shall be demolished and the site cleared of all waste material, unless previously agreed in writing by the Local Planning Authority. | |
| | ACK04R | K04 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)).

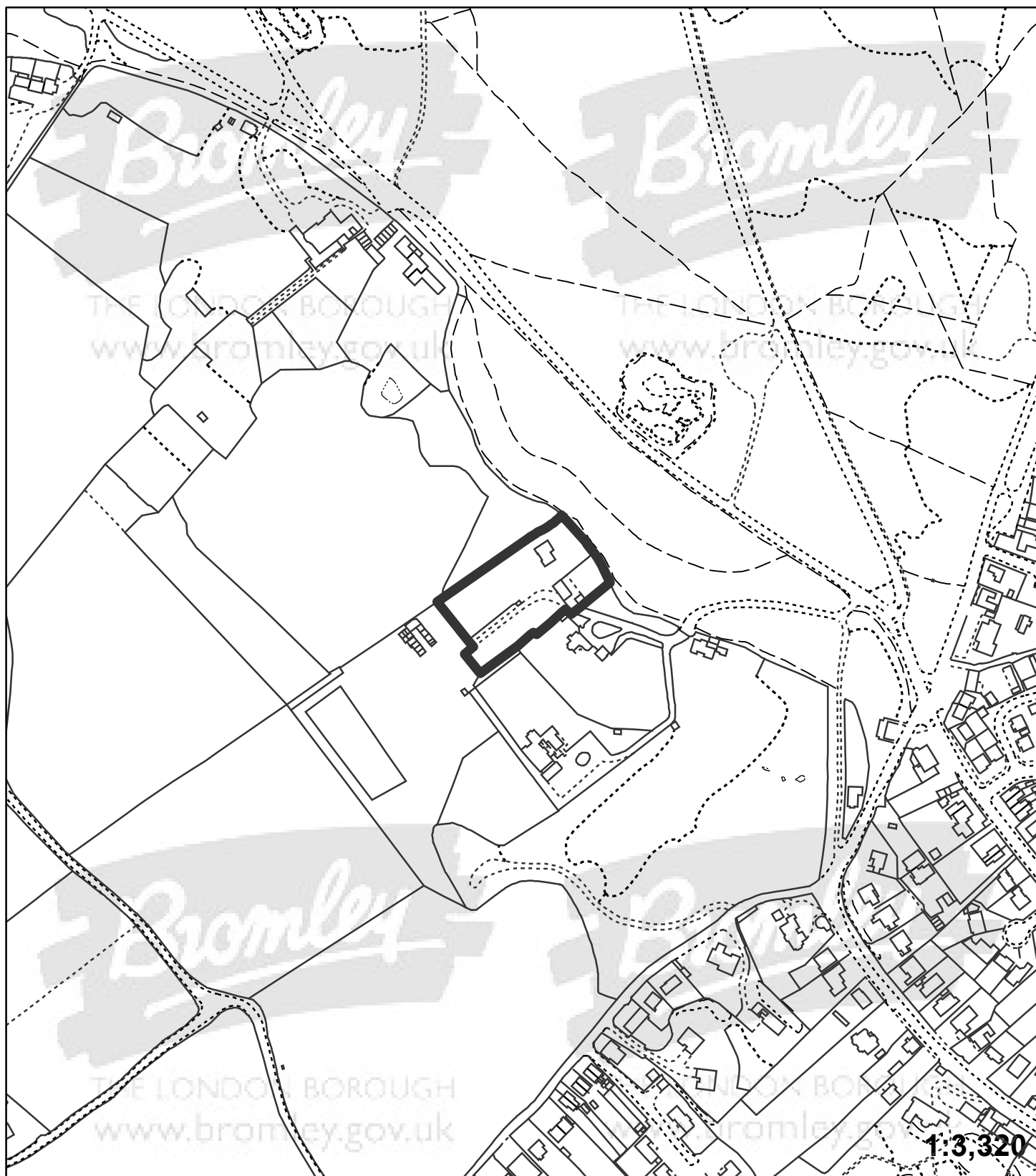
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:14/04970/FULL1

Address: Hillcrest House West Common Road Hayes Bromley BR2 6AJ

Proposal: Replacement dwelling. Demolition of existing bungalow, integral and lodge building and erection of a two storey dwelling. Reconfiguration of entrance driveway and replacement of upper and lower terraces.



"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 : 14/05001/FULL1

Ward:
Bromley Town

Address : Wyn House 211 - 213 High Street
Bromley BR1 1NY

OS Grid Ref: E: 540113 N: 169423

Applicant : Mr Akhtar Aziz

Objections : YES

Description of Development:

Part one/two/three storey extension at 215-217 High Street, construction of mansard roof extension, alteration of the existing rear existing at 211-213 High Street. Internal alterations to the existing ground, first and second floors to provide four 1 bedroom and four 2 bedroom flats (total 8 flats) and associated refuse and cycle storage (at 211-217 High Street, Bromley)

Key designations:

Conservation Area: Bromley Town Centre

Areas of Archaeological Significance

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

Bromley Town Centre Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

London Distributor Roads

Secondary Shopping Frontage

Proposal

The proposal seeks permission for a part one/two/three storey extension at Nos. 215-217 High Street, construction of mansard roof extension, alteration of the existing rear existing at Nos. 211-213 High Street. Internal alterations to the existing ground, first and second floors to provide four 1 bedroom and four 2 bedroom flats (total 8 flats) and associated refuse and cycle storage (at Nos. 211-217 High Street, Bromley).

The proposal design presents an extra third storey mansard at Nos. 211-213 which compliments and respects the line of the existing mansard at Nos. 215-217. It has been proposed the use of contemporary materials such as zinc shingles for the pitch roofs and zinc for the dormer windows. The design and detailing will be expected to be of an appropriately high quality and responsive to its context.

The rear elevation extension to Nos. 215-217 has been designed as terraced stepping away from the main street (Walters Yard), with this approach a light addition, respecting the composition of the host building No. 217 at third floor level. The rear extension would be built with quality red brick.

The access to the upper parts is located to the rear elevation through a single lockable/self-closing gate. The stairwell that takes up to the top floor has been designed as a fully glazed element guaranteeing a lighter character to the proposed extension.

Location

The site is located on Bromley High Street having a frontage on the High Street and to the rear facing Sainsbury Car park.

No parking is proposed.

Comments from Local Residents

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

- increasing the building height will obscure the view from my living room window across
- Bromley North. The bulk & scale of this development is inappropriate as part of the appeal of this
- part of the High Street is the diversity of style and height in the buildings. This section having lower
- buildings set further back from the carriageway allows more light into the street and buildings opposite which would be lost with this development.

Comments from Consultees

APCA - The quality of the architectural design needs to be much improved if it is to comply with policies BE1 and BE11, and with the relevant conservation area SPG. The current proposal would not preserve or enhance the conservation area for present and future generations and therefore not sustainable development.

From a Conservation area point of view it is considered that this is a better proposal than the previously refused scheme as they have reduced the bulk to the rear, and the extension above Nos. 211-213 is more contemporary in style which fits in with the modernist style of that particular building. No. 215 is an 18th century locally listed building which has not been well maintained but does retain its mansard roof, a feature which will be lost to the rear and ideally should be retained. On balance though there are merits to the scheme in terms of reusing these buildings and the rather untidy appearance to the back site.

Thames Water would advise that with regard to sewerage infrastructure capacity, we would not have any objection to the above planning application.

Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

From a crime point of view would seek to have the agreed 'Secure by Design' condition attached to any permission that may be granted in connection with this application and that the wording is such that the development will achieve certification - not merely seeking to achieve accreditation.

Highways - In highway terms, no parking is proposed. The site is within a high (6a) PTAL area and also in the inner area of the Bromley Town Centre controlled parking zone where there is very limited all-day parking available. I would have no objection to the principle of a car free development. However, in order not to put pressure on the existing parking situation, future residents of the development should not be eligible to apply for parking permits.

Drainage - It is not acceptable to discharge surface water run-off to public sewer without attenuation. Please impose standard condition D02.

Comments from an Environmental Health point of view will be reported verbally.

The site lies within the AQMA and condition would be suggested as necessary in relation to boiler NOx emissions:

The application site is located within an Air Quality Management Area declared for NOx: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan)

It is also suggested that the following informative is attached:

Before 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.

Planning Considerations

The main policies that are relevant for this application are as follows:

BE1 Design of New Development
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
T3 Parking
T18 Road Safety
BE11 Conservation Areas

Central Government Policy

The National Planning Policy Framework 2012 is relevant to any proposal at this location. The London Plan is also of relevance to any application.

In strategic terms the most relevant London Plan 2011 policies are:

- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Development
- 3.8 Housing Choice
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.6 Architecture

London Plan Housing Supplementary Planning Guidance

Planning History

A previous application, ref. 14/00828, for 3 storey rear extension and second floor side/rear extension comprising ground floor A2 office and first and second floors as 6 two bedroom and 2 one bedroom flats was refused for the following reasons:

1. The proposed mansard roof would be at odds with the simple modernist style of the interwar building at No.211-213 and as such would detract from the appearance of the adjacent locally listed building at Nos. 215-217 thereby contrary to Policies BE1, BE10 and BE11 of the Unitary Development Plan.
2. The proposed rear extension would detract from the form of the locally listed building at Nos. 215-217 and would fail to be subservient particularly when viewed from Walters Yard which has been identified as having heritage value thereby contrary to Policies BE1, BE10 and BE11 of the Unitary Development Plan.
3. The proposal would constitute an overdevelopment of the site and would given its proximity to the adjacent public house and limited amenity space resulting in an unsatisfactory living environment for the occupants of the proposed flats thereby contrary to Policy H7 of the Unitary Development Plan.

Conclusions

The main issues relating to the application are the effect that it would have on the character of Bromley Town Centre Conservation Area. Whether the resultant residential accommodation created would offer an acceptable standard of amenity.

The flats indicated as part of this proposal appear to be compliant with the minimum standards within the London Plan.

Key planning considerations will include impact on the amenities of neighbouring properties (i.e. relationship to existing buildings, overlooking, noise, disturbance etc.) and impact on the character of the area generally. As well as seeking to protect amenities for existing occupiers Policies H7 and BE1 highlight the need for adequate amenity space to be provided to serve the needs and respect amenity of future occupants.

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.

Members will need to consider whether the proposed scheme overcomes the previous grounds of refusal.

It is considered that the new roof to the High Street elevation results in an improvement to the street scene and reflects the existing situation. Members will need to consider the overall depth of the rear extension. Accordingly, the extensions whilst substantial would not detract from the host building and would result in a development subservient to the views of the rear elevation from Walters Yard. It is considered that the proposed rear extension would not detract from the form of the locally listed building at Nos. 215-217.

Since the previous application and Pre application discussion with officers the balconies to the rear of the proposed development to the opposite with the pub, have also been removed and replaced with 400mm wide Juliet balconies, avoiding the risk of overlooking to the adjacent properties.

The roof would be pitched in order to infill the space between the Nos. 207-209 and the existing flank wall of No. 215 Bromley High Street. The pitch would be of the type gambrel approx to match profile at No. 215, with 70 degree and 30 degree respectively for the first and second pitched roofs.

The size of the French doors/dormer windows has been reduced from previous application in order to retain proportion and character of the existing building and guarantee privacy in the proposed accommodation.

This application has been supported by the use of CGI and shadow analysis to better understand the relationship between proposed development and existing adjoining properties.

The size of the rear extension has been reduced and has been designed to step away from Walters Yard. The rear entrance to the flat has been enlarged from 1.2m to 1.5m. The refuse storage has been designed and the entrance has been located out of sight from the adjoining properties.

The site sits alongside a public house which has a roof terrace for patrons on one side with air conditioning units on the other side closest to the application site. The introduction of residential accommodation into this part of the site may result in noise and disturbance for residents of the resultant flats not only as a result of the plant equipment on the roof but also from noise and comings and goings from patrons of the public house using the roof terrace which is accessed via an external staircase at the side of the pub. A noise survey has been submitted to indicate that this relationship would be acceptable.

The grassed "garden" area to the rear is currently overgrown and appears to be fly-tipped.

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 result in a satisfactory standard of amenity and impact on the character of the Bromley Town Centre Conservation Area.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |
| 3 | ACH33 | Car Free Housing |
| | ACH33R | Reason H33 |
| 4 | ACD02 | Surface water drainage - no det. submitt |
| | AED02R | Reason D02 |

INFORMATIVE(S)

- 1 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 2 In order to check that the proposed storm water system meets our requirements, we require that the following information be provided:

A clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways.

Where infiltration forms part of the proposed storm water system such as soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.

Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.

- 3 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
- 4 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

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

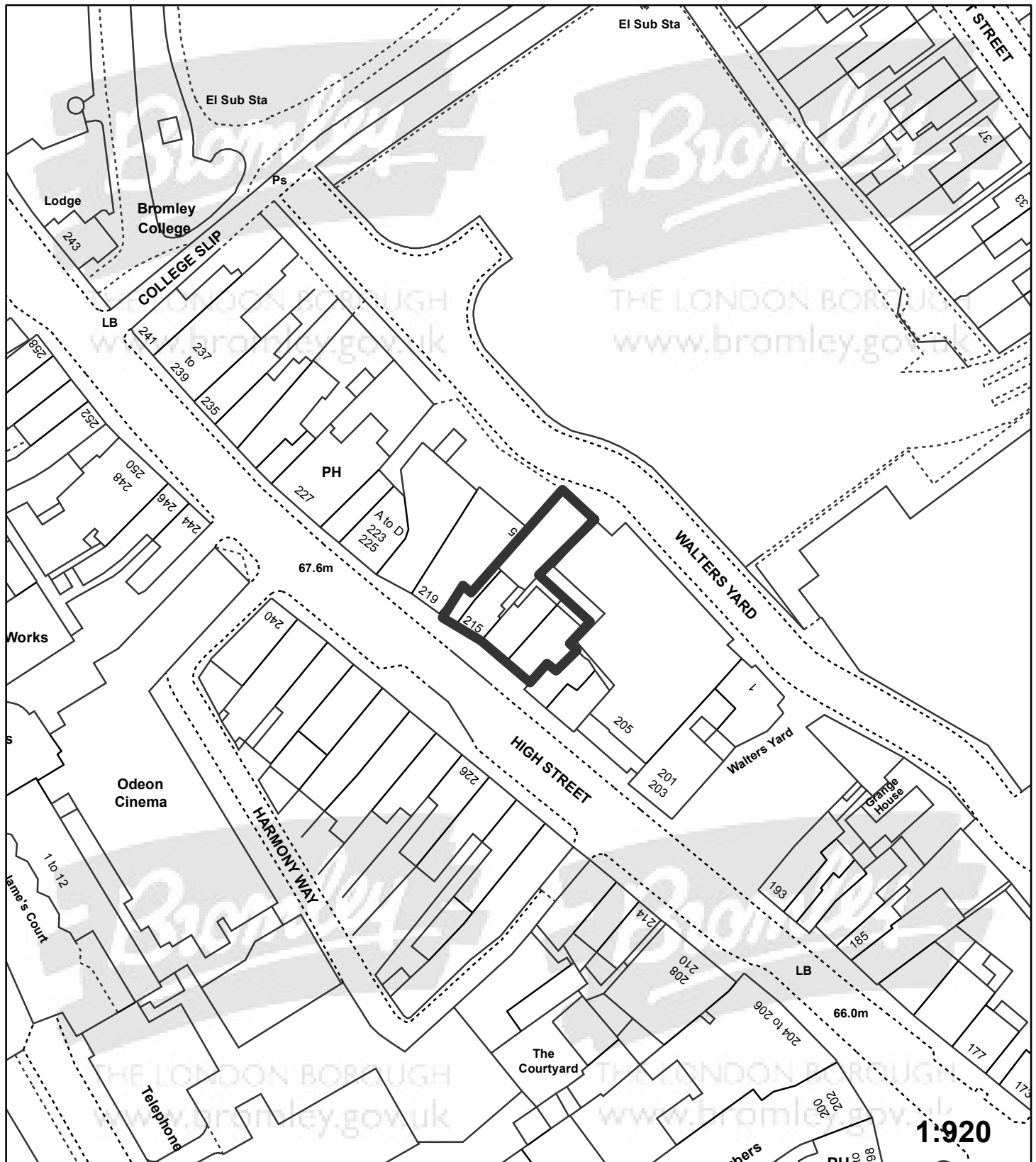
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 5 The application site is located within an Air Quality Management Area declared for NO_x: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NO_x emission rate of <40mg/kWh (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan)

Application:14/05001/FULL1

Address: Wyn House 211 - 213 High Street Bromley BR1 1NY

Proposal: Part one/two/three storey extension at 215-217 High Street, construction of mansard roof extension, alteration of the existing rear existing at 211-213 High Street. Internal alterations to the existing ground, first and second floors to provide four 1 bedroom and four 2 bedroom flats



"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 : 14/03187/ELUD

Ward:
Darwin

Address : Yonder Farm Orange Court Lane
Downe Orpington BR6 7JD

OS Grid Ref: E: 543161 N: 162702

Applicant : Ms Sarah Williams

Objections : YES

Description of Development:

Use of buildings and land as a stable and riding school without complying with condition 3, 4 and 7 of permission ref 02/01905.

CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE

Key designations:

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

Proposal

A Certificate of Lawfulness for an Existing Use is sought in respect of the use of buildings and land as a stable and riding school without complying with condition 3, 4 and 7 of permission ref. 02/01905. That permission was granted for the use of the buildings and land for stables, and for the construction of a sand school; and the use of the land for the keeping of horses.

The conditions in question concern the following:

- (3) The use of the existing buildings shall only be for the private stabling of horses in the ownership of the person in possession of the land/buildings and shall not be used for or in connection with any commercial use;
- (4) The sand school shall only be for the use of horses in the ownership of the person in possession of the land/buildings and shall not be used for or in connection with any commercial use whatsoever;
- (7) The use shall be solely for the benefit of the applicant and no other party.

The application is accompanied by a Witness Statement and various evidence which comprise of 8 exhibits, made up of the following items:

- invoices
- documents outlining key aspects of business
- insurance and registration documents
- letters from customers
- training contract
- accounts documents dating back to 2002
- photos of demonstration days
- letters referring to applicant running a business on site

Within the Witness Statement, the applicant advises that she purchased the site in 2002, in the same year that she relocated her business to the application site. The business continued to develop and expand, and the following facilities now existing at the site:

- 60m x 20m manege
- a horse walker
- a stable block of 3 stables
- a further stable block of 3 stables
- a large barn with lean-to to include covered yard and tack room
- a block of 7 stables
- a residential flat

This application is accompanied by a second application for a Certificate of Lawfulness for an Existing Use relating to the use of part of one of the barns as a residential dwelling (ref. 14/03188), which is also included in this committee agenda.

Location

The site is situated to the north of Downe Village, along the northern side of Orange Court Lane, and approximately 200 metres to the east of its junction with Farthing Street. The site falls within the Green Belt.

Comments from Local Residents

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

- lack of formal consultation
- risk to the Green Belt in respect of soakaways given the existing and potential large number of horses in relation to the business use
- risk to neighbouring property in respect of water supply
- no application for other breaches involving manege, horse walker, stable blocks, and other items listed in the Witness Statement
- Green Belt is under far more pressure than it was in 2002 when the stables were bought by the applicant
- granting of application for a dwelling would act as a green light for other stable owners

Further representations have been made by the Downe Residents' Association which can be summarised as follows:

- creation of a residential flat undermines decision in 2001 to refuse a proposed dwelling at the site
- premises are very secluded and it is assumed Council officers had no reason to make a visit
- proposal conflicts with Policy L4 of the UDP as there are too many horses kept on the land in view of the overall grazing area
- strong possibility that Condition 4 could well have not been adhered to, being that the use of the sand school should only be for horses in the applicant's ownership
- breach of Condition 6 could also be questioned where it states the use shall be solely for the benefit of the applicants and no other party
- concerns regarding compliance with Condition 2 and approval from Environment Agency
- retrospective approach undermines the planning process
- no Council Tax or Business Rates appear to have been paid
- applicant should not benefit from planning breaches
- Downe is the heart of a potential World Heritage Site and the area should not fall to unauthorised development, which would damage a future bid

Comments from Consultees

Legal opinion is that on balance the use is subject to section 171B(3) and therefore the 10-year use rule.

Planning Considerations

This Lawful Development application is to be considered under Section 191 of the Town and Country Planning Act 1990 (as amended). The Town and Country Planning Act 1990, section 191 provides for consideration of a Lawful Development Certificate for an 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);
- (b) it does not constitute a contravention of any of the requirements of any enforcement notice or breach of condition notice then in force.

Planning History

The site planning history is summarised in the table below:

Reference	Proposal	Decision	Date of Decision
91/00682	Detached dwelling and garage (outline)	Refused	04.07.1991
01/01958	Conversion of barn into a dwelling	Refused	03.08.2001
02/01905	Use of buildings and land for stables and construction of sand school; use of land for keeping of horses	Permission	02.10.2003

Conclusions

The application requires the Council to consider whether or not the operation has subsisted continuously for the past 10 or more years.

The Government's Planning Practice Guidance advises that in the case of applications for existing use, if a local authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a Certificate on the balance of probability.

In light of legal advice, it is considered that on the basis of the evidence submitted - namely in the form of a Witness Statement from the applicant and various supporting letters from associates of the applicant - on the balance of probability, there are sufficient grounds upon which to grant a Lawful Development Certificate for the existing use.

Whilst letters of objection have been received in relation to the use, no compelling evidence has been provided to suggest that the use has occurred for a period of less than 10 years. Accordingly, Members are advised to grant a certificate.

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

RECOMMENDATION: GRANT CERTIFICATE FOR EXISTING USE/DEVELOPMENT

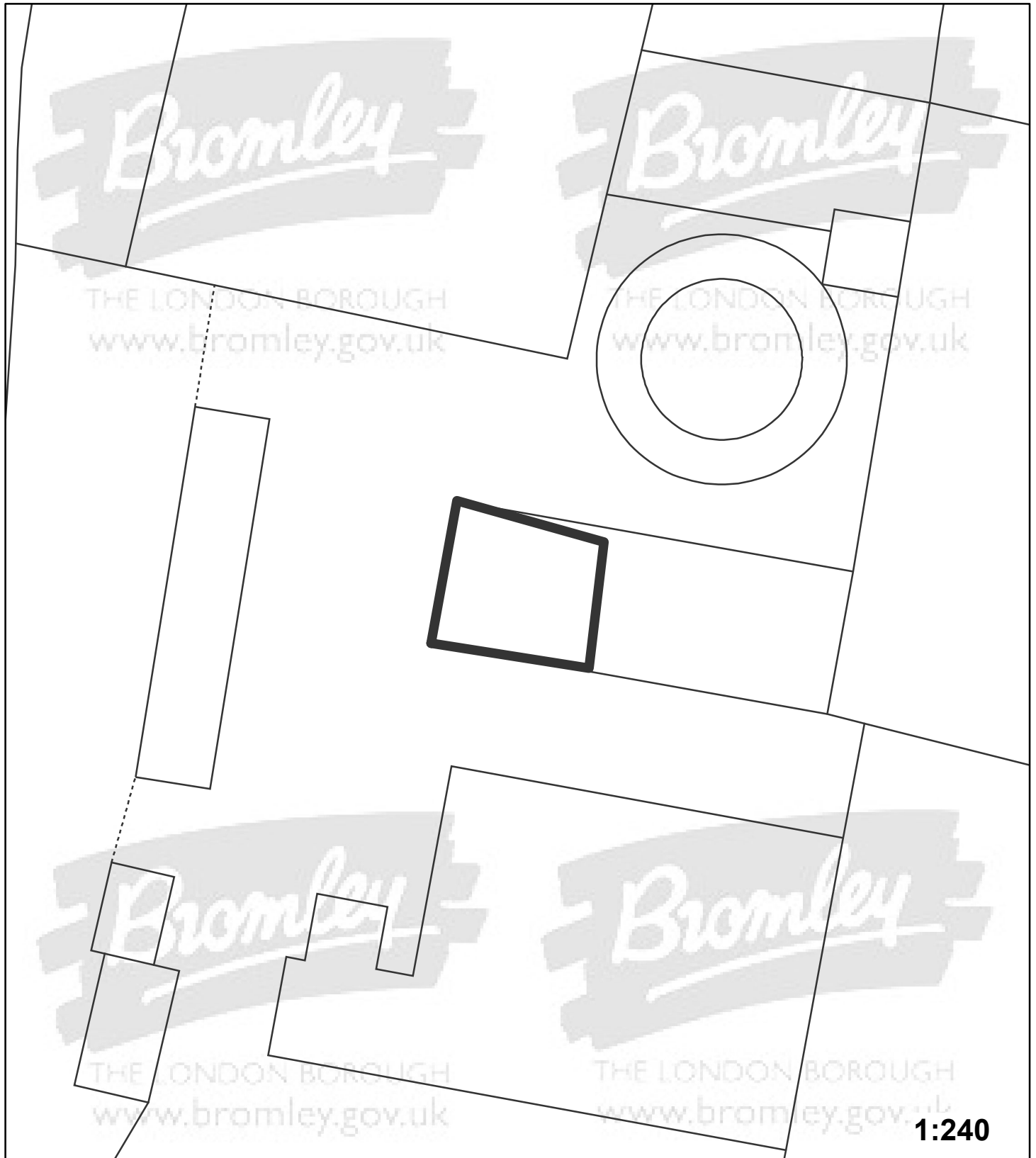
- 1 On the balance of probabilities the use has subsisted for at least 10 years.

Application:14/03187/ELUD

Address: Yonder Farm Orange Court Lane Downe Orpington BR6 7JD

Proposal: Use of buildings and land as a stable and riding school without complying with condition 3, 4 and 7 of permission ref 02/01905.

CERTIFICATE OF LAWFULNESS FOR AN EXISTING 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 : 14/03188/ELUD

Ward:
Darwin

Address : Yonder Farm Orange Court Lane
Downe Orpington BR6 7JD

OS Grid Ref: E: 543161 N: 162702

Applicant : Ms Sarah Williams

Objections : YES

Description of Development:

Use of part of barn as residential dwelling
CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE.

Key designations:

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

Proposal

A Lawful Development Certificate for an Existing Use is sought in respect of the use of part of a building within the site as a residential dwelling.

The dwelling has been formed within part of a barn which is also used as a feed shed and workshop and is situated to the northern end of the main complex of buildings within the site. The accommodation is set on two levels and occupies an L-shape within that structure.

The application is accompanied by a Witness Statement and various evidence which comprise of 12 exhibits, made up of the following items:

- time sheets provided by builder who converted the building to residential use
- invoices and receipts
- documents relating to rental of her former property
- TV licenses
- car insurance details
- utilities bills
- bank statements
- letters

- letters from visitors and friends
- photographs

This application is accompanied by a second application for a Certificate of Lawfulness for an Existing Use relating to the use of buildings and land as a stable and riding school without complying with condition 3, 4 and 7 of permission ref. 02/01905, which is also included in this committee agenda.

Location

See report ref. 14/03187

Comments from Local Residents

See report ref. 14/03187

Comments from Consultees

Legal opinion is that on balance the use is subject to section 171B(2) and therefore the 4-year residential rule.

Planning Considerations

This Lawful Development application is to be considered under Section 191 of the Town and Country Planning Act 1990 (as amended). 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);
- (b) it does not constitute a contravention of any of the requirements of any enforcement notice or breach of condition notice then in force.

Planning History

See report ref. 14/03187

Conclusions

The application requires the Council to consider whether or not the operation has subsisted continuously for the past 4 or more years.

The Government's Planning Practice Guidance advises that in the case of applications for existing use, if a local authority has no evidence itself, nor any from others, to contradict or otherwise make the applicant's version of events less than

probable, there is no good reason to refuse the application, provided the applicant's evidence alone is sufficiently precise and unambiguous to justify the grant of a certificate on the balance of probability.

In light of legal advice, it is considered that the evidence submitted - namely in the form of utility statements, bank statements, insurance statements, and TV licenses all addressed to the applicant at the site address, as well as a Witness Statement from the applicant, various supporting letters from associates of the applicant - that on the balance of probability test, there are sufficient grounds upon which to grant a Lawful Development Certificate for the existing use.

Whilst letters of objection have been received in relation to the use, no compelling evidence has been provided to suggest that the use has occurred for a period of less than 4 years. Accordingly, Members are advised to grant a certificate.

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

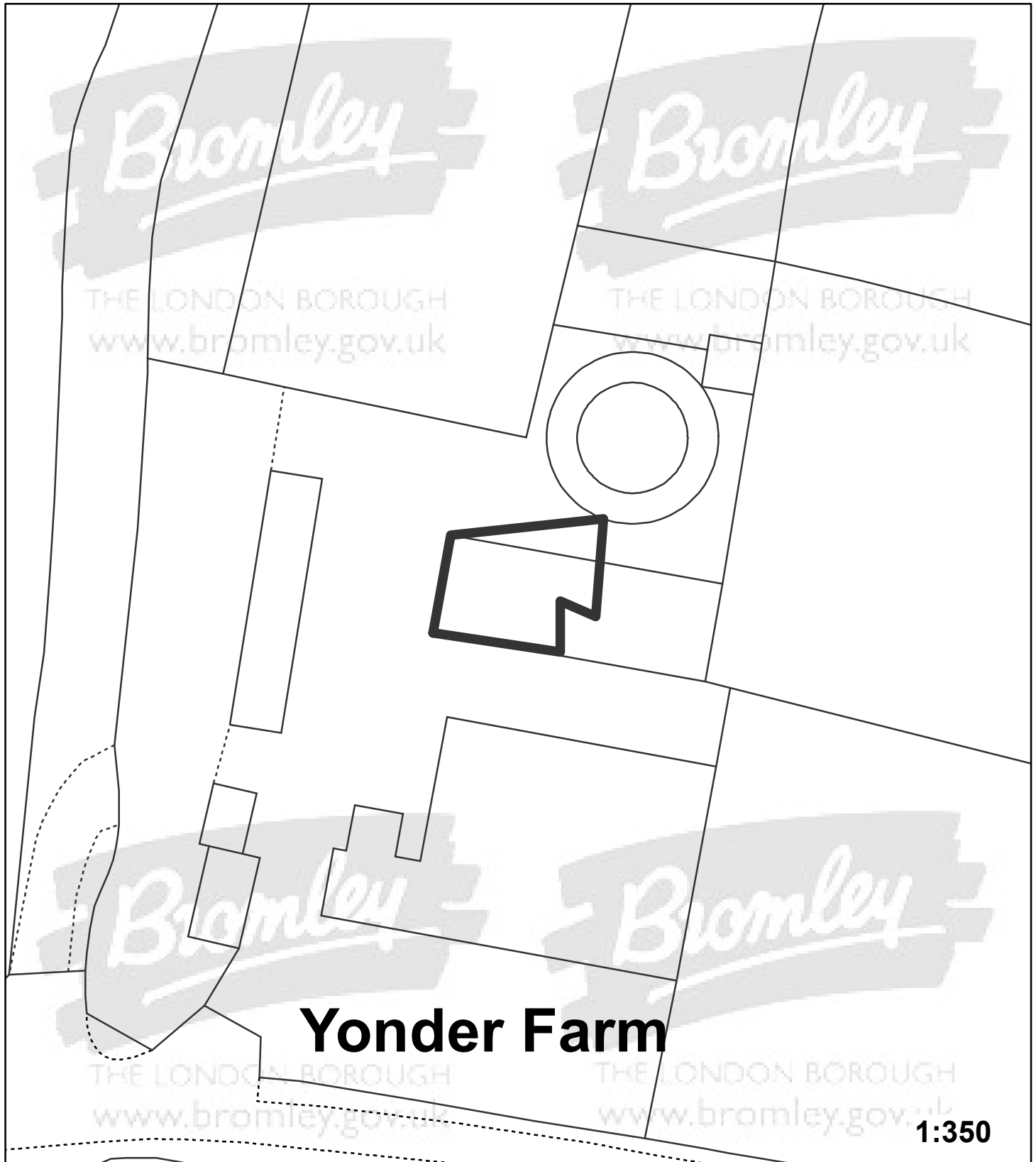
**RECOMMENDATION: GRANT CERTIFICATE FOR EXISTING
USE/DEVELOPMENT**

- 1 On the balance of probabilities the use of the part of the barn shown on the attached plan as a residential dwelling has subsisted for at least 4 years.

Application:14/03188/ELUD

Address: Yonder Farm Orange Court Lane Downe Orpington BR6 7JD

Proposal: Use of part of barn as residential dwelling
CERTIFICATE OF LAWFULNESS FOR AN EXISTING 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"

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

Application No : 14/04375/FULL1

Ward:
Chislehurst

Address : Chislehurst School For Girls
Beaverwood Road Chislehurst BR7 6HE

OS Grid Ref: E: 545368 N: 170915

Applicant : The Board Of Governors

Objections : NO

Description of Development:

Demolition of single storey teaching and changing block and erection of two storey extension for teaching/welfare facility and detached single storey modular food server building.

Key designations:

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

Proposal

It is proposed to demolish an existing 1950s built single storey classroom wing which includes changing rooms and a conditioning gym, and construct a two storey extension on a slightly altered footprint to provide a replacement conditioning gym, changing room and welfare facilities on the ground floor, with classrooms on the first floor. The extension would be within the western part of the school site, and would mirror an extension recently built under ref.12/04018.

It is also proposed to install a detached modular food server building which is within a courtyard area between the proposed and recently built extensions and would lie adjacent to the western boundary of the site. The building would measure 5m x 2.8m, and would be 2.5m in height.

The agent has confirmed that there would be no increase in the number of students or staff as a result of the proposals.

Location

Chislehurst School for Girls is located on the western side of Beaverwood Road, and lies within Chislehurst Conservation Area and the Green Belt. It covers a site area of 4.6ha in area, and borders open playing fields to the west.

Comments from Local Residents

No local representations have been received to date.

Comments from Consultees

The Council's Highway Engineer raises no objections to the proposals as no increase in the numbers of staff or pupils would result.

No Environmental Health concerns are raised, and Thames Water has no objections.

The Advisory Panel for Conservation Areas did not inspect the proposals.

Planning Considerations

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

- BE1 Design of New Development
- BE11 Conservation Areas
- G1 The Green Belt
- C7 Educational and Pre-School Facilities

Planning History

Permission was granted in March 2013 under ref.12/04018 for a two storey extension to provide a Learning Resource Centre, and this has now been constructed.

Conclusions

The main issues in this case are; whether the proposals comprise inappropriate development in the Green Belt, and if so, whether very special circumstances exist that clearly outweigh the harm by reason of inappropriateness or any other harm; the impact of the proposals on the open nature and visual amenities of the Green Belt; the impact on the amenities of nearby residents; and the impact on the character and appearance of Chislehurst Conservation Area.

The proposed extension and modular building would be considered inappropriate development within the Green Belt as educational uses (Class D1) would not fall within the appropriate uses defined by Policy G1 of the UDP. However, the extension would replace a classroom and changing room building which is in a poor condition, with a failing flat roof, windows and flooring. According to the agent, the building overheats in the summer with its large south-facing windows, but has poor thermal insulation in the winter, and is therefore coming to the end of its

useful life. Furthermore, the classrooms do not meet the recommended floor areas, and there are fire safety issues with the existing building.

The proposed two storey extension would provide improved teaching accommodation and facilities, and has been designed to minimise the impact on the open nature of the site (eg. the extension would mirror the recently built wing to the south, including a subservient roofline, and would be kept within the built-up part of the site, whilst allowing better circulation around the building). The footprint of built development on the site would not appreciably increase, and the overall floor area provided would increase by only 171sq.m. Members may, therefore, consider that these special circumstances outweigh the harm by reason of inappropriateness caused by the proposals, and that the extension would not have a detrimental impact on the open character or visual amenities of the Green Belt.

The proposed timber-clad modular building would be modest in size (14sq.m. in area), and would be contained within the built-up part of the site on an existing area of hardstanding. It is required to supplement the school's existing catering provision, and is not considered to have a harmful impact on the Green Belt.

With regard to the impact on neighbouring residential properties, the nearest dwellings are located some distance away in Beaverwood Road and Hoblands End, and would not be affected by the proposals.

With regard to the impact on the Conservation Area, the extension would be sited to the rear of the main school buildings, and would not be highly visible. The design, materials and scale of the extension are appropriate to the host building and the impact of the extension and modular building on the Conservation Area would be minimal.

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 | ACC03 | Details of windows |
| | ACC03R | Reason C03 |
| 4 | 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:14/04375/FULL1

Address: Chislehurst School For Girls Beaverwood Road Chislehurst
BR7 6HE

Proposal: Demolition of single storey teaching and changing block and erection of two storey extension for teaching/welfare facility and detached single storey modular food server building.



"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 : 14/04753/FULL6

Ward:
West Wickham

Address : 42 Barnfield Wood Road Beckenham
BR3 6SU

OS Grid Ref: E: 538991 N: 167623

Applicant : Mrs Elaine Downe

Objections : NO

Description of Development:

First floor side and single storey rear extensions

Key designations:

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

Proposal

Planning permission is sought for first floor side and single storey rear extensions

This comprises a first floor side extension that will build above the existing single storey side extension located to the immediate rear of an existing two storey side extension that sits flush to the front elevation and faces to the streetscene. The flank wall of the first floor extension located behind the existing extension will be approximately 938mm from the side boundary and will involve an area of the building 5.7m away from the front elevation of the building.

An extended hipped roof is also proposed over the first floor side extension and will connect to the existing extended roof structure involving a small increase in the main ridge height.

To the rear a single storey extension is proposed at 3.6m depth across the full width of the building.

Location

The site is located on the north side of Barnfield Wood Road and comprises a two storey detached dwellinghouse. The site is within the Park Langley Area of Special Residential Character.

Comments from Local Residents

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

Comments from Consultees

No internal consultees were required to be consulted.

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
H10 Areas of Special Residential Character

SPG No.1 - General Design Principles
SPG No.2 - Residential Design Guidance

Planning History

90/02053: Two storey side extension and front porch. Approved 1/11/1990

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.

Policy BE1 of the UDP requires new buildings to complement the scale, form, layout and materials of adjacent buildings and areas, and seeks to protect the amenities of neighbouring properties.

Policy H8 of the UDP requires residential extensions to blend with the style and materials of the host dwelling, and ensure that spaces or gaps between buildings are respected where these contribute to the character of the area.

Policy H9 of the UDP requires applications for new residential development, including extensions to retain, for a proposal of two or more storeys in height, a minimum 1 metre space from the side boundary of the site for the full height and length of the flank wall of the building or where higher standards of separation already exist within residential areas, proposals will be expected to provide a more generous side space.

Policy H10 of the UDP requires applications for development in the Areas of Special Residential Character to respect and complement the established and individual qualities of the individual areas.

With regard to the rear extension, the design of the extension is considered to be in keeping with the character of the existing building. The rear extension is not visible from the public streetscene and is entirely contained to the rear. The extension is relatively modest in terms of depth at 3.6m adjoining the rear elevation. This is within the limits generally considered to be acceptable for extensions of this nature in this location. Therefore the main effect will be on the character of the original building. As such, a high quality addition is acceptable in principle. The incorporation of matching materials and the high quality contemporary design approach are considered an acceptable addition in keeping and complimentary to the original architectural style of the building.

The design of the rear located first floor extension is considered to be in keeping with the character of the existing building incorporating a hipped roof at the same pitch as the main dwelling. In terms of side space it is noted that the first floor extension comes slightly closer to the side boundary than 1m. However, this is only marginally below, at a distance of 938mm to the side boundary. This is due to the reason that the proposed flank wall builds up from the existing ground floor flank wall and also extends rearward from the existing first floor side extension constructed in the early 1990's and follows this position to create a full height flank wall at no closer than 938mm at its narrowest point.

It is noted that in this part of Barnfield Wood Road there are a number of properties that have separation distances to the boundaries at marginally less than 1m. Similarly the increase in the roof ridge height is commensurate with the height of roofs in adjacent property along the road and also remains subservient to the dwellinghouse.

Therefore, on balance it is considered that the building up of the small rearward first floor side area and roof alterations are not considered to detrimentally effect the spatial characteristics of properties in the locality. As such the proposal does not represent a cramped appearance and does not result in terracing and therefore maintains the spatial standards and level of visual amenity of the streetscene in this case.

In terms of neighbouring residential amenity it is considered that there would be no significant impact on the privacy and amenity of adjoining occupiers in terms of loss of light and outlook, siting and position of the enlarged mass of the first floor extension in this situation or the rear extension due to the reasonable separation distances to adjoining property and buildings.

Summary

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 the file ref(s) set out in the Planning History section above, excluding exempt information.

As amended by documents received on 12.2.2015

RECOMMENDATION: PERMISSION

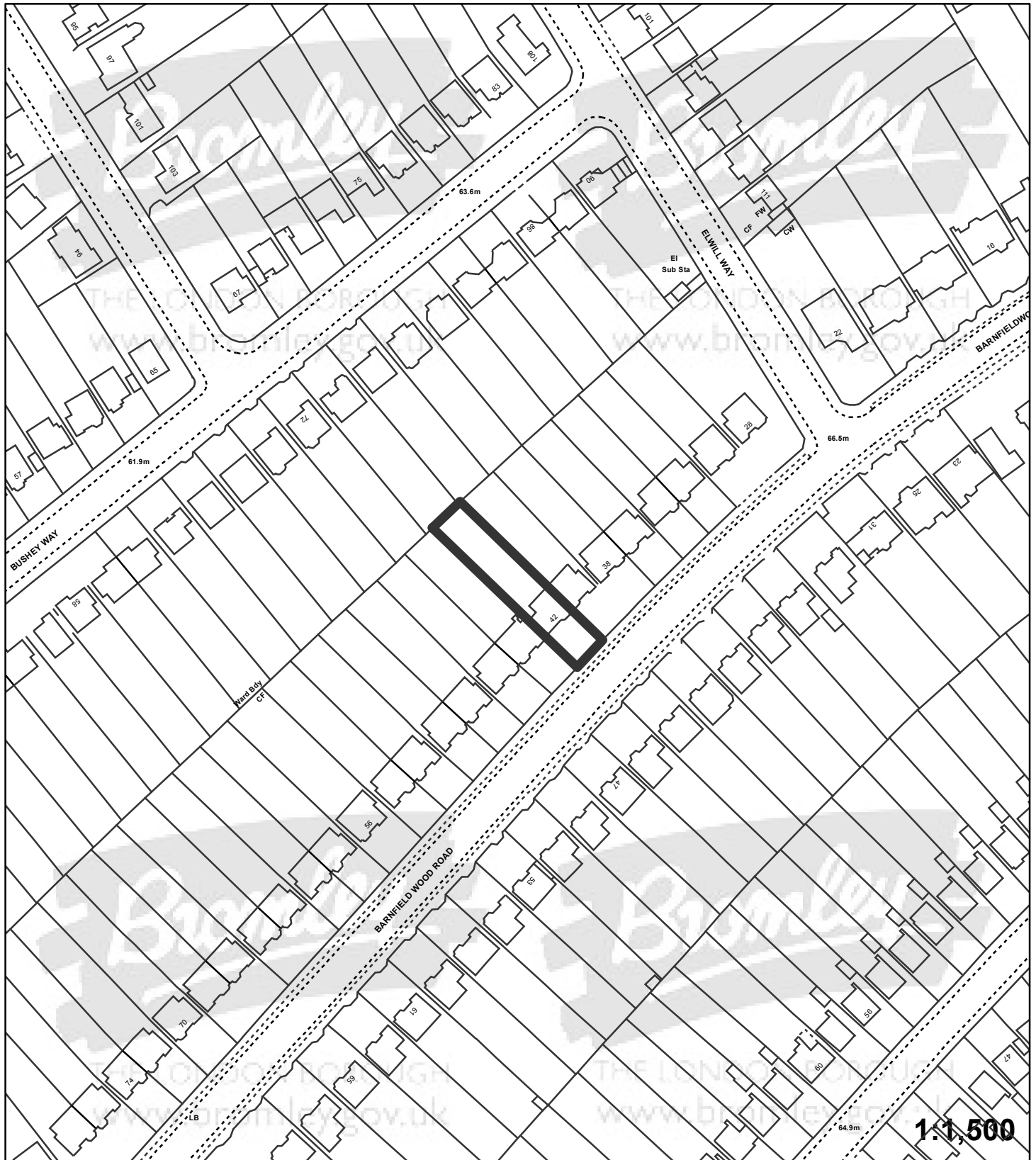
Subject to the following conditions:

- | | | | | |
|---|--------|--|----------------------------------|-------|
| 1 | ACA01 | Commencement of development within 3 yrs | | |
| | ACA01R | A01 Reason 3 years | | |
| 2 | ACC04 | Matching materials | | |
| | ACC04R | Reason C04 | | |
| 3 | ACK01 | Compliance with submitted plan | | |
| | ACK05R | K05 reason | | |
| 4 | ACI13 | No windows (2 inserts) | south-east facing flank | first |
| | | floor side extension | | |
| | ACI13R | I13 reason (1 insert) | BE1, H8 and H9 | |
| 5 | ACI14 | No balcony (1 insert) | the single storey rear extension | |
| | ACI14R | I14 reason (1 insert) | BE1 and H8 | |

Application:14/04753/FULL6

Address: 42 Barnfield Wood Road Beckenham BR3 6SU

Proposal: First floor side and single storey rear extensions



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

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

Application No : 14/04830/FULL1

Ward:
Cray Valley East

Address : 23 Chalk Pit Avenue Orpington BR5 3JH

OS Grid Ref: E: 547577 N: 168965

Applicant : Mr & Mrs Alan Madigan

Objections : YES

Description of Development:

Single storey rear extension

Key designations:

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

Proposal

The proposal is for a 4m-deep single storey rear extension which will incorporate a gable-end roof which will rise to a maximum height of 4.7m (as scaled). The proposed roof will incorporate two rooflights along its eastern roof slope. The proposed extension is shown to fall short of an existing detached garage situated to the rear of the application dwelling.

The application is accompanied by a supporting letter.

Location

The application site is situated along the northern side of Chalk Pit Avenue and forms one-half of a pair of semis. The surrounding area is residential in character.

Comments from Local Residents

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

- no objection in principle to a single storey rear extension; however, the large pitched roof that is proposed above the extension will undermine the amenities of No 25

- proposal will undermine living conditions for neighbouring owner confined to the house for most of the day
- adverse effect resulting from height and massing of the proposed extension will undermine outlook and residential amenity
- proposed roof will be visually intrusive

Comments from Consultees

Not applicable.

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

Planning History

Under ref. 13/03511, planning permission was granted in respect of a 4m-deep single storey rear extension with a flat roof design (not exceeding the existing eaves height), and for roof alterations incorporating a rear dormer. That scheme has not been implemented.

Conclusions

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

As noted above, under ref. 13/03511 planning permission was granted for a single storey rear extension and for roof alterations to incorporate a rear dormer. In essence, this proposal seeks an enlargement of the permitted single storey rear extension to incorporate a more substantial gable roof (which would result in the omission of the previously proposed dormer).

The adjoining semi at No 21 incorporates a single storey rear (conservatory) extension, whilst the other neighbouring dwelling at No 25 to the east is elevated relative to the application site. No 25 has been enlarged at ground floor level at the rear and at roof level to incorporate a partially hipped roof with a rear dormer.

Concerns have been expressed by the residents of No 25 (situated to the east of the application site), specifically in relation to the proposed roof, which is considered to be visually intrusive and which will lead to a loss of outlook. However, taking account of the ground level differences between the houses (No 25 is elevated by approximately 1m relative to the application dwelling), the depth of the proposed extension, and the fenestration at No 25, it is not considered that the amenities of the neighbouring dwelling will be so significantly affected to warrant refusal of the scheme. No 25 contains corner windows at its NW corner at

the side and rear. Whilst it is acknowledged that there will be some loss of outlook, it is considered that this will be limited and that most of the existing outlook will be retained. Furthermore, the outlook from the rear-facing window will be unaffected.

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 the file refs set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

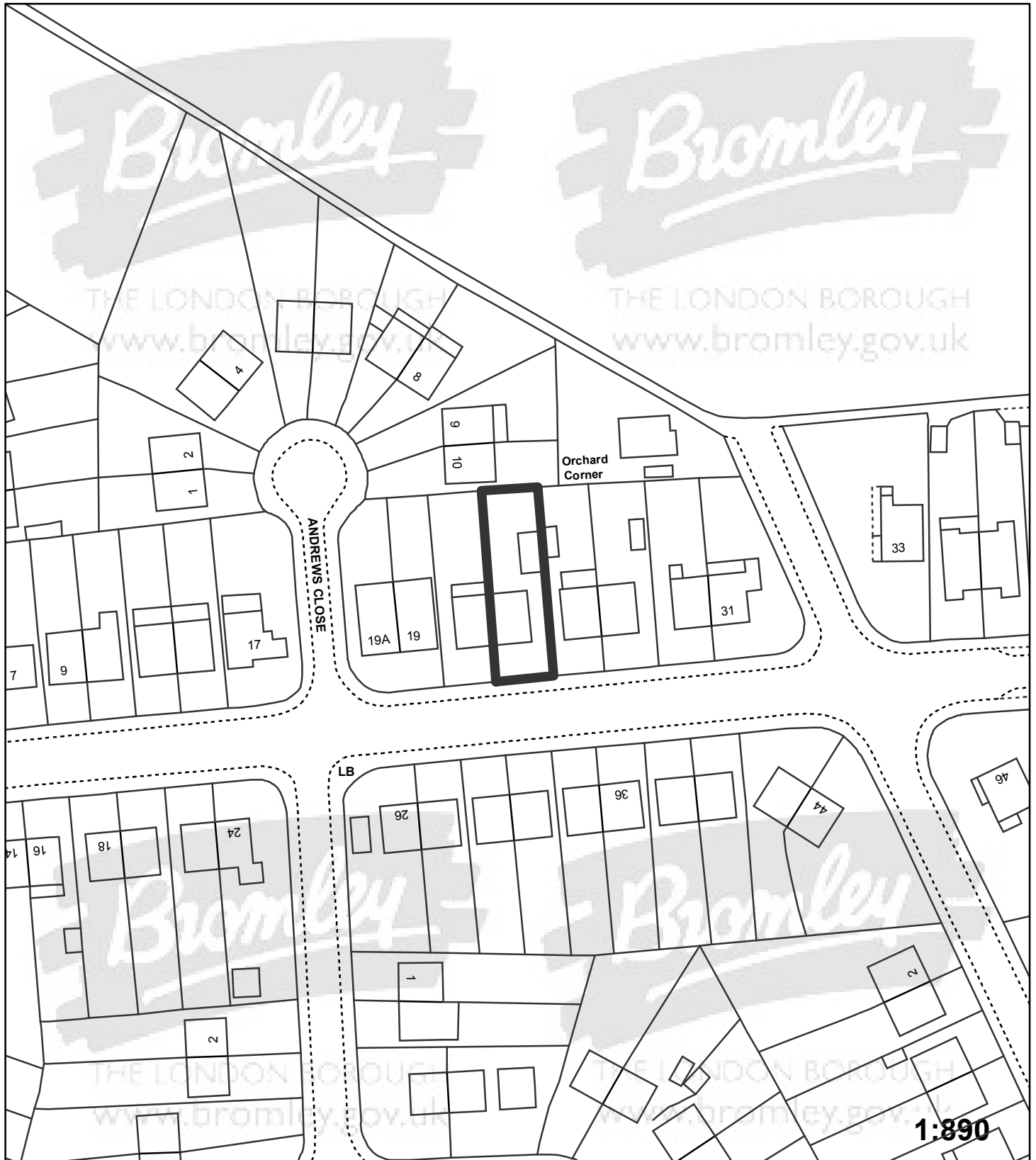
Subject to the following conditions:

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

Application:14/04830/FULL1

Address: 23 Chalk Pit Avenue Orpington BR5 3JH

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 : 14/04851/FULL1

Ward:
Bickley

Address : Lauriston House Nursing Home Bickley
Park Road Bickley Bromley BR1 2AZ

OS Grid Ref: E: 542885 N: 168930

Applicant : Larch Nursing Home Ltd

Objections : YES

Description of Development:

Two storey rear extension to provide 20 additional beds and formation of separate vehicular access to serve adjoining residential properties at The Lodge and Orchard Cottage

Key designations:

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

Proposal

The proposed extension will project approximately 22.5m at the rear and rise to a height of approximately 7.6m, maintaining a similar roof height to the part of the building to which it will be attached. The extension will incorporate a total of 20 bedrooms (equivalent to 20 beds), and one dayroom on each floor. The total number of bedroom will be increased to 82, all of which will be single occupancy.

According to the planning application, the total number of parking spaces within the site will be increased from 35 to 42.

The agent on behalf of the applicant has confirmed that the care home will not renew the contract with Bromley Healthcare Rehabilitation when it expires in January 2016, and that following the termination of the current contract the existing bedrooms on the first floor will revert back to single rooms and operate as part of the nursing home. Also the total number of bedrooms / residents within Lauriston House Nursing Home after the reversion and extension would be no more than 82

in total, and all 42 parking spaces provided within the site are for the use of the nursing home staff, visiting medical personnel and visitors only.

The agent has also confirmed that the applicant would be happy for the planning authority to attach a pre-occupation condition in the decision notice to ensure that:

- the development (extension) will not be occupied until the contract with Bromley Healthcare Rehabilitation ceases, and the existing rooms on the first floor revert back to single rooms and operate as part of the care home; and
- a Green Travel Plan will be submitted and approved by the Local Planning Authority prior to the occupation, to reduce the reliance on single occupancy car usage and to minimise the risk of parking overspill on neighbouring roads.

The application is accompanied by a Design and Access Statement and an Arboricultural Report and Tree Survey.

Location

The site is situated along Bickley Park Road which forms part of the A222 London Distributor Road. The site falls within the Bickley 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:

- proposal will result in significant increase in traffic and congestion
- further parking along Bickley Park Road
- excessive residential density
- additional noise
- detrimental impact on highway safety
- this is a residential area, inappropriate for commercial development

Comments from Consultees

No technical Highways have been raised, subject to conditions being imposed, following the submission of further information from the agent. There is no objection to the widening of the existing access at the western end to enable two-way traffic, but 4.8m would be enough as per Bromley Design Manual.

Also blocking up of the eastern end and formation of new entrance is fine.

The Highways Area Inspector has raised no objection to this proposal.

The comments of the Tree Officer and Assistant Director of Commissioning, Education Care and Health will be reported verbally at the meeting.

Planning Considerations

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

BE1 Design of New Development
NE7 Development and Trees
H10 Areas of Special Residential Character
T3 Parking
T18 Road Safety
C1 Community Facilities
C4 Health Facilities
C6 Residential Proposals For People With Particular Accommodation Requirements

Planning History

Under refs. 90/03298 and 90/03299, planning permission was originally granted for a detached two/three storey building comprising a nursing home and 35 car parking spaces.

Most recently, under ref. 14/00790, planning permission was refused for the erection of a two storey/extension to existing care home to accommodate 20 additional beds, for the following reason:

"In the absence of sufficient information to demonstrate the capacity of the existing access and car park to accommodate satisfactorily the additional traffic generated by the development, the proposal would be likely to prejudice the free flow of traffic and general road conditions in and around the site, contrary to Policies T3 and T18 of the Unitary Development Plan."

Conclusions

The main issues relating to the application are the effect that it would have on the parking provision and general conditions of highway safety, the impact it would have on the Bickley Area of Special Residential Character, and the impact that it would have on the amenities of the occupants of surrounding residential properties.

As noted above, the site is situated along Bickley Park Road which forms part of the A222. One of the major constraints identified in the course of the previous application (14/00970) was the shared access utilised by Lauriston House and the two neighbouring dwellings at The Lodge and Orchard Cottage. Following the partial occupation of the site by Bromley Healthcare Rehabilitation in December 2013 it was apparent that the parking demand has increased significantly, resulting in excessive parking demand within the site. This has been reflected in parking along the shared access (adjacent to entrance to The Lodge and Orchard Cottage) and along Bickley Park Road. This has hindered the free flow of traffic and undermined general road conditions in and around the site.

Following the refusal of the previous application for a care home extension, the following changes have been made:

- number of off-street parking spaces increased from 34 to 42
- formation of separate vehicular access to serve the neighbouring houses at Orchard Cottage and The Lodge, and closure of the adjoining egress point which formerly served Lauriston House. This dedicated access will not have to accommodate vehicle movements in and out of Lauriston House. The existing egress point will be stopped up.

From a highways perspective it is considered that the above changes will ensure that there is adequate off-street parking within the site to accommodate the additional 20 rooms which are sought. Furthermore, the formation of a dedicated access to serve the two neighbouring properties will prevent vehicles that serve Lauriston House from hindering access to those adjoining houses. The agent has agreed to conditions which prevent the extension from being occupied until the contract with Bromley Healthcare Rehabilitation ceases, and the existing rooms on the first floor revert back to single rooms and operate as part of the care home.

As was the case in respect of application ref. 14/00970, no objection is raised in respect of the design of the proposed extension which will maintain a similar appearance to the existing building and which will appear discreet from within the streetscene and wider Area of Special Residential Character. Furthermore, no objection is raised in respect of overlooking and loss of residential amenity given the considerable distance between the proposed extension and neighbouring residential properties.

In summary, following the changes made from the previous scheme it is considered that this application satisfactorily addresses earlier concerns relating to traffic generation, free flow of traffic and general road conditions.

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

as amended by documents received on 22.01.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
 ACC04R Reason C04
- 3 The extension hereby permitted shall not be occupied until the current contract with Bromley Healthcare Rehabilitation ceases, and the existing rooms on the first floor revert back to single rooms and operate as part of the care home.

Reason: To prevent over-occupation of the site in the interest of general highway conditions in the area, and to accord with Policy BE1 of the Unitary Development Plan.

- 4 Prior to commencement of building works hereby permitted, the existing eastern access shall be stopped up, and the replacement access to serve the adjoining residential properties at The Lodge and Orchard Cottage shall be provided at the applicant's expense.

Reason: In the interest of the general highway conditions of the area, and to accord with Policy T18 of the Unitary Development Plan.

- | | | |
|----|--------|---|
| 5 | ACK01 | Compliance with submitted plan |
| | ACC03R | Reason C03 |
| 6 | ACH01 | Details of access layout (2 insert) |
| | ACH01R | Reason H01 |
| 7 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 8 | ACH08 | Details of turning area |
| | ACH08R | Reason H08 |
| 9 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 10 | ACH18 | Refuse storage - no details submitted |
| | ACH18R | Reason H18 |
| 11 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 12 | ACH23 | Lighting scheme for access/parking |
| | ACH23R | Reason H23 |
| 13 | ACH24 | Stopping up of access |
| | ACH24R | Reason H24 |
| 14 | ACH28 | Car park management |
| | ACH28R | Reason H28 |
| 15 | ACH29 | Construction Management Plan |
| | ACH29R | Reason H29 |
| 16 | ACH30 | Travel Plan |
| | ACH30R | Reason H30 |
| 17 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |

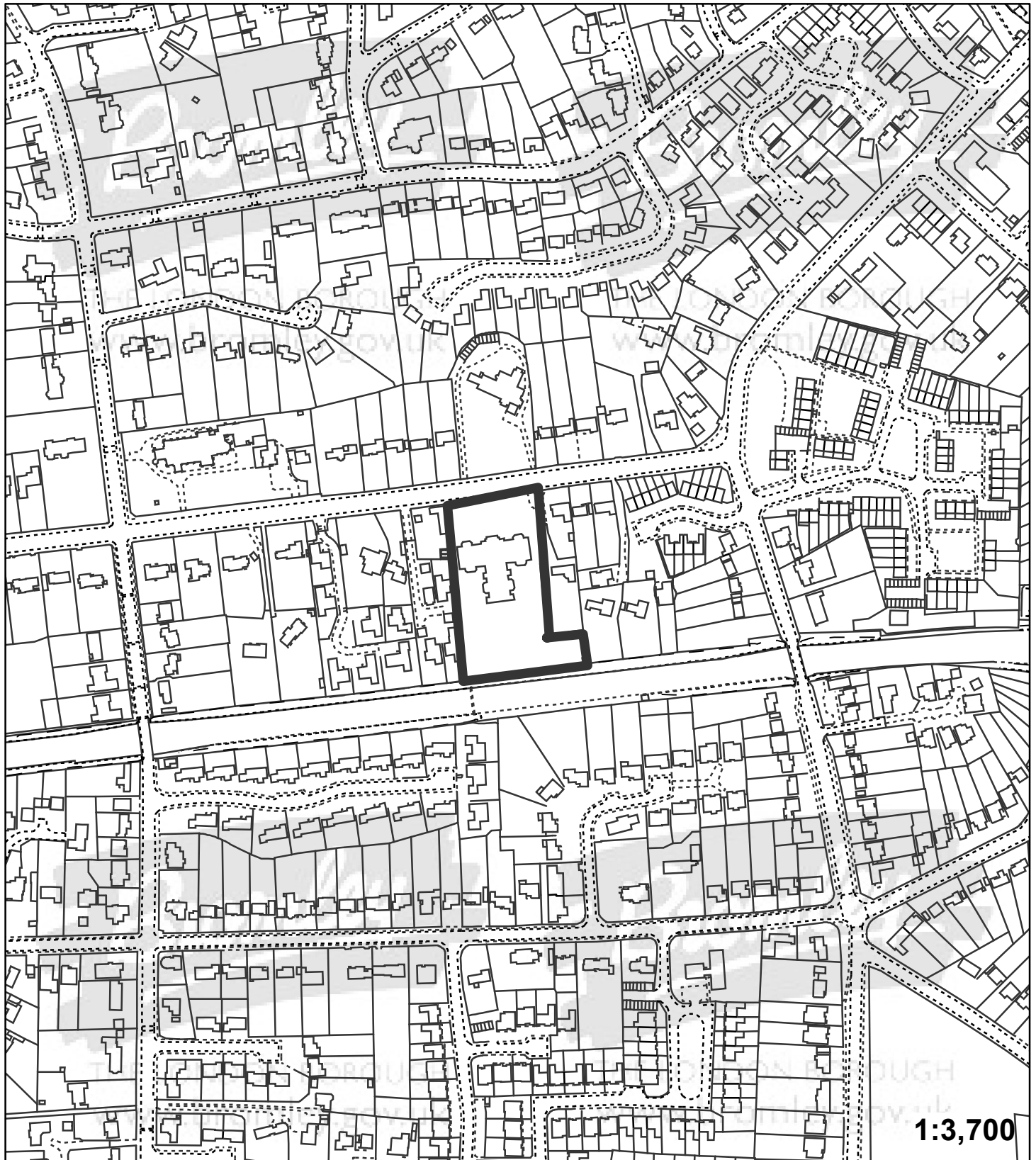
INFORMATIVE(S)

- 1 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 2 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

Application:14/04851/FULL1

Address: Lauriston House Nursing Home Bickley Park Road Bickley
Bromley BR1 2AZ

Proposal: Two storey rear extension to provide 20 additional beds and
formation of separate vehicular access to serve adjoining residential
properties at The Lodge and Orchard Cottage



"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 : 14/04927/FULL6

Ward:
Bickley

Address : 34 Parkside Avenue Bickley Bromley
BR1 2EJ

OS Grid Ref: E: 542240 N: 168231

Applicant : Mr P Mangal

Objections : NO

Description of Development:

Two storey side extension

Key designations:

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

Proposal

The proposal is for a two storey side extension that project to the side by 2.15m at the front and 2.85m at the rear. It will be 11.167m deep to match the depth of the property. The roof of the extension will be flat to match the original property.

Location

The application site is an end of terrace property located on Parkside Avenue. Due to the orientation of the site, the southern flank elevation is parallel to the road.

Comments from Local Residents

No comments have been received from Local Residents.

Comments from Consultees

No Comments have been received from Consultees

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Planning History

There is no planning history on this site.

Conclusions

The main issues in this case are the impact of the proposals on the character and spatial standards of the surrounding area and on the amenities of neighbouring residential properties.

The proposal is for a two storey side extension that projects to the side by 2.15m at the front and 2.85m at the rear. It will be 11.167m deep to match the depth of the property. The proposal has a side space of 0.05m therefore does not comply with Policy H9 of the Unitary Development Plan which requires a minimum of 1m for the full height and width of a two storey development. The 1m side space is required to ensure adequate separation and safeguard the amenities of neighbours. However due to the location and orientation of the site, the southern flank elevation is parallel to the road. In this case whilst the Policy H9 would not strictly be adhered to, due to the specific location of the property the general aims and objectives of the policy would be respected.

The southern flank elevation will only contain two windows at ground floor level. These are indicated to be obscure glazed and fixed shut below 1.7m therefore will not have a significant impact. The rear elevation will contain two windows and the front elevation will also contain two windows. The roof of the extension will be flat to match the original property and is therefore considered appropriate in this case. The extension will not project further than the front or rear property lines therefore will not be visible from the adjoining property (No.36). The drawings indicate the materials will match the existing and the design is considered to be in-keeping with the original property and the surrounding area, therefore it is not considered to cause a detrimental impact on the street scene or visual amenities of the area.

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

Background papers referred to during production of this report comprise all correspondence on 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	ACK01	Compliance with submitted plan		
	ACK05R	K05 reason		
4	ACI17	No additional windows (2 inserts)	flank	extension
	ACI17R	I17 reason (1 insert)	BE1	

Application:14/04927/FULL6

Address: 34 Parkside Avenue Bickley Bromley BR1 2EJ

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 : 14/04965/FULL6

Ward:
Biggin Hill

Address : 11 Allenby Road Biggin Hill TN16 3LH

OS Grid Ref: E: 542321 N: 158651

Applicant : Mrs K McCarthy

Objections : NO

Description of Development:

Two storey side extension for use as annexe and front porch

Key designations:

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

Proposal

Planning permission is sought to for a two storey extension towards the eastern boundary of the site. The proposed extension would be constructed up to the boundary with the adjoining footpath. The extension would be accessed via the main house and would provide an additional living room, dining room and kitchen on the ground floor, with 2 bedrooms and bathroom on the first floor to form a granny annexe. A front porch is also proposed.

Location

The property is located to the southern side of Allenby Road and is situated adjacent to a footpath. The local area is characterised by semi-detached and detached houses.

Comments from Local Residents

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

Comments from Consultees

None.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Planning History

A planning application for a similar extension was recently withdrawn by the applicant under ref. 14/02606.

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 extension is set slightly below the main roof ridge and its design would be in-keeping with the host building and pair of semi-detached properties. The proposed two storey side extension would be built up to the flank boundary, and therefore a minimum of 1m side space should be maintained to the boundary (Policy H9). However, given that the property is adjacent to a shared access road measuring approximately 3m in width, Members may consider that the proposed extension would not result in a cramped or cluttered appearance in the streetscene.

With regards to the impact of the extension on the residential amenity of adjoining residents, the proposed extension would not project beyond the rear building line and would in-fill the area between the existing building and flank boundary adjacent to the footpath. Members may agree that the proposed separation distances to the boundary would not result in an overbearing structure on the adjoining neighbours at No.9.

The proposed extension would be used as a granny annexe with access to the accommodation solely via the main house. A condition has been suggested to Members that the resulting accommodation is solely used for members of the household to prevent the sub-division of the property.

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 | ACI07 | Restrict to members of household (1 in) | at | 11 | Allenby |
| | | Road, Biggin Hill | | | |
| | ACI07R | Reason I07 | | | |
| 4 | ACK01 | Compliance with submitted plan | | | |
| | ACC01R | Reason C01 | | | |

Application:14/04965/FULL6

Address: 11 Allenby Road Biggin Hill TN16 3LH

Proposal: Two storey side extension for use as annexe and front porch



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

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

Application No : 15/00037/FULL1

**Ward:
Copers Cope**

**Address : Two Elms Beckenham Place Park
Beckenham BR3 5BN**

OS Grid Ref: E: 537570 N: 170183

Applicant : Mr Marc Santhiapillai

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of a two storey 7 bed dwelling with rooms in the roof space
PART RETROSPECTIVE APPLICATION

Key designations:

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

Proposal

The application seeks permission for the demolition of the existing dwelling and erection of a two storey 7 bed dwelling with rooms in the roof space. Since submission of the application the property has been demolished. The applicants have been advised that this has been carried out at their own risk. However, the proposed dwelling has not yet been constructed.

An application was permitted under ref. 14/01174 for a number of extensions to the existing property. The submitted statement as part of this current application explains that in preparing to implement this permission, it was considered that it would be better to demolish the existing property and rebuild it to the same footprint and design as the approved extensions. The statement explains that this is in order to make the property more energy efficient and prevent mis-matched junctions between proposed and existing. As such the proposed new dwelling as part of this application has been designed to mimic the existing dwelling with the approved extensions. However, there are a few small changes that have been proposed as part of this new application as follows:

- Extension to the first floor balcony at rear to increase the depth in line with the rear of bedroom no. 5
- enlargement to first floor window at rear (to bedroom no. 5) to include a juliet balcony
- alterations to design of first floor windows in front elevation to match ground floor windows
- enlargement of ground floor window in front elevation
- addition of a bay window to ground floor front elevation to the northern side of the property
- alterations to design of bay window in ground floor front elevation to the southern side to include a pitched roof
- replacement of ground floor enclosed porch area with open porch area
- alteration to materials of balustrade above porch from steel to stone balustrade

Location

The application site currently consists of a large two storey detached property located on a generous plot on the eastern side of Beckenham Place Park. The property is located within the Beckenham Place Park Area of Special Residential Character. Beckenham Place Park is a private road with a mixed character of large detached properties.

Comments from Local Residents

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

- concerns with regards to the reasons for demolition rather than extension as approved
- covering statement to neighbours mentioned in application was not sent to all residents and only provided starting date, length of the project and working times.
- damage to the road conditions caused by 9 months worth of traffic and concern as to who will pay for any damage caused as there is a covenant on many properties in the road with regards to payment for maintenance
- Lewisham Council is responsible for the upkeep of the road, have they been notified?

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

Comments from Consultees

The Council's Highways Engineers raise no objection subject to the standard conditions in relation to car parking and highway drainage, and construction related highways conditions such as wash-down facilities and a construction management plan.

The Council's Drainage Engineer has raised no objection subject to a drainage condition.

Thames water raise no objection.

The Council's Environmental Health Housing Officer has stated the following:

'The applicant is advised to have regard to the Housing Act 1985's statutory space standards contained within Part X of the Act and the Housing Act 2004's housing standards contained within the Housing Health and Safety Rating System under Part 1 of the A'.

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
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- H10 Areas of Special Residential Character
- T3 Parking
- T18 Road Safety
- NE7 Development and Trees

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

The property has been the subject of various applications as follows:

Under ref. 68/01551, planning permission was granted for a swimming pool.

Under ref. 68/01596, planning permission was granted for a two storey extension comprising extension to kitchen with bedroom over.

Under ref. 82/01271, planning permission was granted for a two storey side extension.

Under ref. 92/00857, planning permission was granted for a single storey rear extension with balcony over.

Under ref. 94/00340, planning permission was granted for a retrospective application for front boundary wall/railings with gates maximum height 2m

Under ref. 96/01726, planning permission was granted for a pitched over existing flat roofed garage. This does not appear to have been implemented.

Under ref. 05/04412, planning permission was granted for a single storey rear extension including enlargement of roof terrace. This does not appear to have been implemented.

Most recently application ref. 14/01174 for a part one/two storey/first floor side and rear extensions incorporating first floor rear balconies, front porch with balcony above, new bay window in front elevation, roof extensions and alterations including front and rear dormers and roof lights to front and sides, and elevational alterations was granted planning permission. A non-material amendment was submitted under ref. 14/01174 for change to balustrade above front porch and elevational alterations to first floor rear. However, this was refused as the changes were found to be material.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, having particular regard to the Area of Special Residential Character designation, and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Whilst it is noted that this current application is for a new dwelling, the principle of a property of this size and scale was accepted under ref. 14/01174 which was granted for a number of extensions to the existing property. As stated, the applicant has submitted a statement as part of this current application to explain that for energy efficiency and construction reasons, it was considered better to demolish the existing property and rebuild it to the same footprint and design as the existing property with the additional approved extensions.

The drawings submitted for the new dwelling indicate a 7 bedroom property with the same footprint and external design as the previously approved application for the extensions. Accordingly, it is noted that a minimum of 1m side space has been retained from the flank walls of the properties to both neighbouring side boundaries. In addition, the scale of the new dwelling is also considered to be in keeping with the surrounding area. However, as explained above there are a few alterations to the design of the new dwelling which need to be considered further.

The drawings indicate an alteration to the first floor balcony at the rear to increase the depth so that it projects in line with the rear of bedroom no. 5 to the north. The balcony will project 1.4m in depth and will sit in the middle of the property between two parts of the first floor. To the rear of the property the first floor window serving bedroom No. 5 is shown to be larger and to include a Juliet balcony. Members may consider that these changes will not lead to any additional overlooking and will not cause a harmful impact to the appearance of the new dwelling.

The design of first floor windows in front elevation are indicated to match the ground floor windows and a windows in the ground floor front elevation has been enlarged. There is also an addition of a bay window to ground floor front elevation to the northern side of the property and alterations to the design of a bay window in ground floor front elevation to the southern side to include a pitched roof. Both bay windows will have a similar design and will project 1m in depth from the front elevation. An open porch area is indicated in the middle of the front elevation of the new dwelling with a stone balustrade above this porch serving a front balcony. A closed front porch area and balcony above with steel balustrade was proposed as part of the extensions permitted under ref. 14/01174. Member's may consider that these alterations are not considered to cause any detrimental impact to the character of the streetscene or area in general and will not cause any undue harm to the amenities of the neighbouring properties.

Some concerns have been raised by a neighbouring resident with regards to the impact of the construction traffic on the road. It is noted that a condition has been recommended by the Council's Highways Engineers with regards to a Construction Management Plan, which has been included within the schedule of suggested conditions.

Having had regard to the above Member's may consider that the scale and design of the proposed new dwelling is acceptable, in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area. However, a number of conditions have been proposed including

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 ACC03 Details of windows
ACC03R Reason C03
- 4 Before the development hereby permitted is first occupied, the proposed window(s) in the first floor flank elevations 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 floor of the room in which the window is installed 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.

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

- | | | |
|----|--|--|
| 6 | ACI24 | Details of means of screening-balconies |
| | ACI24R | Reason I24R |
| 7 | ACD02 | Surface water drainage - no det. submitt |
| | AED02R | Reason D02 |
| 8 | <p>Details showing a clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways shall be submitted to and approved in writing by the Local planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter. Where infiltration forms part of the proposed storm water system such as soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365. Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.</p> | |
| | <p>Reason: To ensure satisfactory means of drainage and to accord with Policy ER13 of the Unitary Development Plan.</p> | |
| 9 | ACH04 | Size of parking bays/garages |
| | ACH04R | Reason H04 |
| 10 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 11 | ACH29 | Construction Management Plan |
| | ACH29R | Reason H29 |
| 12 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |
| 13 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 14 | ACB05 | Replacement tree(s) elsewhere on site |
| | ACB05R | Reason B05 |
| 15 | 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:15/00037/FULL1

Address: Two Elms Beckenham Place Park Beckenham BR3 5BN

Proposal: Demolition of existing dwelling and erection of a two storey 7 bed dwelling with rooms in the roof space
PART RETROSPECTIVE APPLICATION



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

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

Application No : 15/00201/FULL4

Ward:
Crystal Palace

Address : Bigsworth Court 2 Betts Way Penge
London SE20 8TZ

OS Grid Ref: E: 534804 N: 169590

Applicant : Town And Country Housing Group

Objections : NO

Description of Development:

Application to modify the legal agreement attached to planning permission DC/12/03634 in respect of the S106 Agreement signed on 01 March 2013 in connection with the following planning permission: Demolition of existing building and erection of 4 storey building comprising 22 flats and 2 semi-detached wheelchair bungalows with 24 car parking spaces at 2 Betts Way, Penge, London, SE20 8TZ.

The purpose of the modification is to enable amendments to the affordable housing obligation by way of increasing the income threshold cap for eligibility for the Intermediate Units from £35,000 to £45,000 (45%)

Proposal

Application submitted under S106A of the Town and Country Planning Act 1990 which allows a person or persons against whom the obligation is enforceable to apply to discharge or modify a legal agreement attached to a planning permission. The purpose of the modification is to enable amendments to the affordable housing obligation secured under ref. 12/03634 by way of increasing the income threshold cap for eligibility for the Intermediate Units from £35,000 to £45,000 (45%).

Location

This application relates to a 0.17 ha site fronting Betts Way and Anerley Road. The site has recently been redeveloped to provide a 4 storey building comprising 22 flats and 2 semi-detached bungalows. The development is complete and occupation has commenced.

Comments from Local Residents

No third party comments received.

Comments from Consultees

Housing (verbal): From a housing perspective it is acceptable to review the Council's affordability criteria. Prior to the Council formally reviewing and consulting upon the affordability planning policy guidance, the interim solution - a proposed threshold of £45,000 based upon available recent market evidence is considered to be sound.

Planning Considerations

This application is made under S106A of the Town and Country Planning Act 1990 which allows a person or persons against whom the obligation is enforceable to apply to discharge or modify a legal agreement attached to a planning permission.

The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992 is also relevant.

In this particular case the issue to consider relates to the income eligibility criteria for intermediate housing therefore the following policies are relevant:

Unitary Development Plan (2006)

Policy H2 Affordable Housing - which requires affordable housing to be provided on sites capable of providing 10 dwellings or more. The supporting text for the policy states that intermediate housing will be available to people on moderate incomes who cannot afford to buy or rent housing generally available on the open market. This is defined as households on an income of less than £40,000 per annum (as at 2004). However, it is stated that the figure will be reviewed annually to reflect changes in income: house price ratios.

Supplementary Planning Document: Planning Obligations (2010)

This document sets out the Council's approach to securing obligations through the planning system. In respect of affordable housing it reflects the content of Policy H2 by setting thresholds for affordable provision and income cap for intermediate units. In 2012 the Council published an Addendum to the SPD dealing specifically with affordable housing provision. The addendum defines intermediate housing as:-

"Intermediate housing: sub-market housing available to people on moderate incomes who cannot afford to buy or rent housing generally available on the open market. This is presently defined as households on an income of less than £35,000 per annum (as at 2012), however this figure will be reviewed annually to reflect changes in income: house price ratios. Intermediate housing may take the form of shared ownership, low cost home ownership or sub market rented housing".

This policy and SPD are consistent with the NPPF and the London Plan. The direction of policy is not changed in the emerging London Plan or Local Plan.

Planning History

On 01 March 2013 planning permission was granted for demolition of existing building and erection of 4 storey building comprising 22 flats and 2 semi-detached wheelchair bungalows with 24 car parking spaces (ref. 12/03634) subject to 24 conditions and a S106 obligation to control the provision of affordable housing.

Conclusions

The main issue to consider is the acceptability of allowing an amendment to the S106 obligation in respect of raising the income threshold for eligibility in respect of the shared ownership units.

The current legal agreement requires 35% affordable housing to be provided in the form of 8 residential dwellings. The approved tenure is 5 affordable rent units and 3 intermediate (shared ownership). Within the legal agreement the definition of 'share ownership housing' sets a household income threshold of £35,000 per annum for the shared ownership units. This figure accords with the Planning Obligations SPD 2012 Addendum.

Given the changes that have taken place in market conditions and the review of the eligibility threshold it is considered necessary and reasonable to enter into a Deed of Variation to modify the existing legal agreement for this particular development. The amendment to the legal agreement would state a revised cap of £45,000 within the definition of 'Shared Ownership Housing'.

This amendment would not result in any change to the overall number of affordable units to be provided nor would it change the unit size mix or tenure split.

It is noted that a similar amendment has recently been granted in respect of a s106 legal agreement for the site at Land to the Rear of 86 - 94 High Street Beckenham (granted by DC Committee on 10/02/2015).

For the reasons set out above the proposed modifications to the S106 obligation are considered to be acceptable.

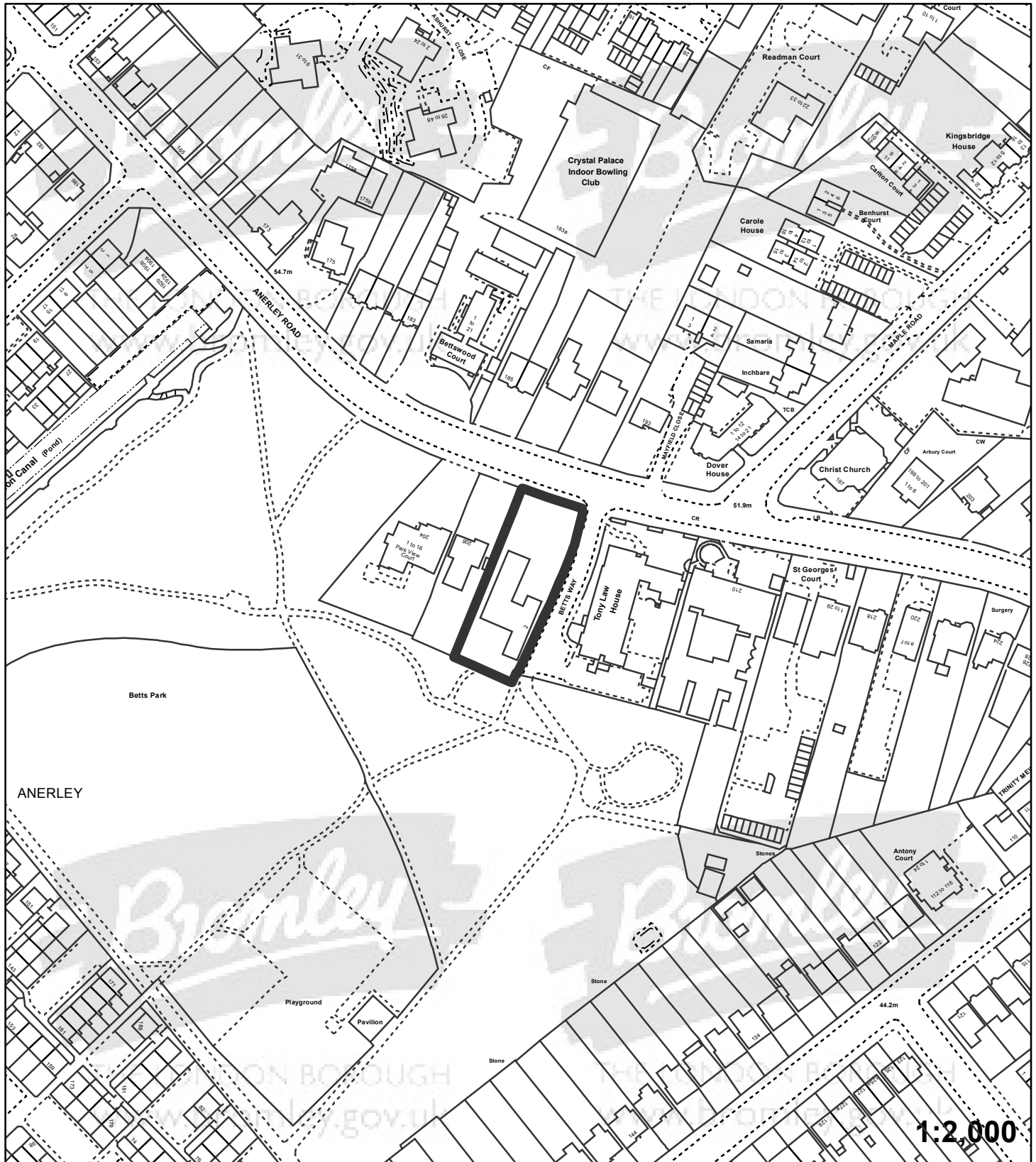
Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPROVE A DEED OF VARIATION TO THE S106 OBLIGATION (UNILATERAL UNDERTAKING) SIGNED ON 01 March 2013

Application:15/00201/FULL4

Address: Bigsworth Court 2 Betts Way Penge London SE20 8TZ

Proposal: Application to modify the legal agreement attached to planning permission DC/12/03634 in respect of the S106 Agreement signed on 01 March 2013 in connection with the following planning permission: Demolition of existing building and erection of 4 storey building comprising



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

Application No : 15/00217/FULL6

Ward:
West Wickham

Address : 7 Oaklands Avenue West Wickham BR4
9LE

OS Grid Ref: E: 538118 N: 165302

Applicant : Mr D Winny

Objections : NO

Description of Development:

First floor rear/side extension

Key designations:

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

Proposal

The application seeks permission for a first floor rear/side extension.

The extension would measure 2.5 metres in width by 3 metres in depth with a hipped roof with a maximum height of 7 metres.

Location

The site is located on the southern side of Oaklands Avenue.

Comments from Local Residents

Nearby owners/occupiers were notified of the application, however no representation letters have been received.

Comments from Consultees

None relevant.

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

SPG1 General Design Principles
SPG2 Residential Design Guidance

Planning History

98/00991/FUL - Single storey rear extension. Conditional permission. Implemented.

09/00783/PLUD - Certificate of Lawfulness for proposed roof alterations and front and rear rooflights. Certificate granted. Not constructed.

Conclusions

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

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

The proposed extension would adjoin the rear of an existing side projection. Whilst the extension is located to the side of part of the dwelling, it would not increase the maximum width of the dwelling. However, the flank of the extension would be located 0.9 metres from the side boundary of the site, such that the proposal does not fully accord with the requirements of UDP Policy H9. However, the dwelling benefits from an existing side projection built up to the same distance from the boundary, and the proposed extension would form a continuation of this side projection, extending to the rear. Given that the extension would be located to the rear of the existing side projection, it would not be visible within the street scene. Therefore, in this instance, it is considered that there would be no demonstrable harm to the character and appearance of the area.

With regard to the impact of the proposal on the amenities of the neighbouring properties, the neighbouring property to the west at No. 9 Oaklands Avenue does not have any flank windows in the side elevation facing the site. Taking into account this relationship between the dwellings, it is considered that the extension would not adversely affect the amenities of any neighbouring dwellings.

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. Accordingly, the proposal would not conflict with UDP Policies H8, H9 and BE1 which aim to ensure that new development maintains a high standard of design

and layout and respects the character and appearance of the local area including open space and gaps between buildings.

Background papers referred to during production of this report comprise all correspondence on the files refs. 98/00991 and 09/00783 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 | ACK01 | Compliance with submitted plan |
| | ACC01R | Reason C01 |

Application:15/00217/FULL6

Address: 7 Oaklands Avenue West Wickham BR4 9LE

Proposal: First floor rear/side extension

