



THE LONDON BOROUGH
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DATE: 10 June 2014

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

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

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 19 JUNE 2014 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

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

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

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

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

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 17 APRIL 2014**
(Pages 1 - 12)
- 4 PLANNING APPLICATIONS**

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

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

SECTION 2 (Applications meriting special consideration)

| Report No. | Ward | Page No. | Application Number and Address |
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| 4.1 | Chelsfield and Pratts Bottom | 13 - 20 | (14/00111/FULL1) - Coltswood, Stonehouse Road, Orpington. |
| 4.2 | Bromley Town | 21 - 26 | (14/00217/FULL1) - Wendover Tennis Club, Glanville Road, Bromley. |
| 4.3 | West Wickham | 27 - 30 | (14/00931/FULL6) - 60 Pine Avenue, West Wickham. |
| 4.4 | Plaistow and Sundridge | 31 - 36 | (14/00981/FULL1) - 51 London Lane, Bromley. |
| 4.5 | Bromley Town | 37 - 44 | (14/00989/FULL3) - 6 Blyth Road, Bromley. |
| 4.6 | Plaistow and Sundridge | 45 - 54 | (14/01145/FULL1) - Land Adjacent to 27 Edward Road, Bromley. |
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| | | | |
|------|------------------------------|---------|---|
| 4.8 | Clock House | 61 - 66 | (14/01261/FULL1) - Churchfields Primary School, Churchfields Road, Beckenham. |
| 4.9 | Orpington | 67 - 70 | (14/01295/FULL6) - 29 Winchester Road, Orpington. |
| 4.10 | Shortlands Conservation Area | 71 - 76 | (14/01333/FULL6) - 36 Hayes Way, Beckenham. |
| 4.11 | Hayes and Coney Hall | 77 - 84 | (14/01397/FULL1) - 11 Alexander Close, Hayes. |
| 4.12 | Darwin | 85 - 92 | (14/01398/FULL1) - 10 Edward Road, Biggin Hill. |

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

| Report No. | Ward | Page No. | Application Number and Address |
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| 4.13 | Bickley Conservation Area | 93 - 98 | (13/02200/FULL1) - The Pentlands, Woodlands Road, Bickley. |
| 4.14 | Orpington | 99 - 102 | (14/00922/FULL6) - 9 Hillcrest Road, Orpington. |
| 4.15 | Bromley Common and Keston | 103 - 108 | (14/01427/FULL1) - Orcombe, Westerham Road, Keston. |

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

| Report No. | Ward | Page No. | Application Number and Address |
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5 CONTRAVENTIONS AND OTHER ISSUES

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| | NO REPORTS | | |

6 TREE PRESERVATION ORDERS

| Report No. | Ward | Page No. | Application Number and Address |
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| 6.1 | Copers Cope | 109 - 114 | (DRR14/057) - Tree Works Application to a Tree Protected by a Tree Preservation Order - 76B The Avenue, Beckenham. |

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

NO REPORT

PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 17 April 2014

Present:

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

Also Present:

Councillors Kate Lymer, Russell Mellor and Colin Smith

26 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Gordon Norrie and Councillor Tony Owen attended as his substitute.

27 DECLARATIONS OF INTEREST

Councillor Russell Jackson declared a personal interest in Item 4.6.

28 CONFIRMATION OF MINUTES OF MEETING HELD ON 20 FEBRUARY 2014

RESOLVED that the Minutes of the meeting held on 20 February 2014 be confirmed.

29 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

29.1 KELSEY AND EDEN PARK

(13/03647/VAR) St John's Coptic Orthodox Church, 11 Dunbar Avenue, Beckenham.

Description of application – Variation of condition 3 (Car parking management) and condition 5 (hours of operation) of planning permission ref 10/00971 for a change of use from Class A4 to Class D1.

Councillor Dean said that he had received many complaints from local residents regarding the use of the site, its impact and excessive noise and requested that enforcement action should be investigated to return the car park to its original use.
Members having considered the report and

objections, **RESOLVED** that **PERMISSION BE REFUSED** as recommended, for the reason set out in the report of the Chief Planner with a further reason to read:-

2. The proposed variation to condition 3 of planning permission reference 10/00971/FULL2 to use part of the car park for recreational activities would result in inadequate parking provision, which is likely to lead to parking inconvenient to other road users and prejudicial to road safety and would be detrimental to the amenities of neighbouring residents, thereby contrary to Policy BE1, ER8, T3 and T18 of the Unitary Development Plan.

IT WAS FURTHER RESOLVED that an Enforcement report be undertaken to assess the use of the car park in relation to the Church including any noise pollution emanating from the current use of the car park.

**29.2
KELSEY AND EDEN PARK**

(13/04148/FULL6) 14 Kelsey Way, Beckenham.

Description of application – Balcony area with balustrade to loft room at rear.

Oral representations in objection to and in support of the application were received at the meeting. Councillor Peter Dean was concerned that if this development went ahead then the entire garden of No 12 Kelsey Way would be exposed to the occupiers of No 14 which could set a precedent that was out of character.

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

1. The proposal would result in a detrimental loss of privacy to neighbouring residents and would be out of character with the area contrary to Policy BE1 of the Unitary Development Plan.

**29.3
BIGGIN HILL**

(13/04199/FULL1) 39 Church Road, Biggin Hill.

Description of application – Erection of detached two bedroom single storey dwelling with associated landscaping and parking on land rear of 39 Church Road.

Oral representations in support of the application were received at the meeting. It was reported that further objections to the application had been received and that the Waste Department had no objection to the application.

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

**29.4
CLOCK HOUSE**

(14/00078/FULL1) 109 Croydon Road, Penge.

Description of application - Part one/two side and rear extension and conversion of single dwellinghouse to two 3 bedroom flats with accommodation with roofspace.

It was noted that there were no objections to this application.

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

**29.5
COPERS COPE**

(14/00142/FULL1) 134 High Street, Beckenham.

Description of application – Part two/three storey rear extension, four dormers to front roof slope and conversion from 3 flats to 8 one bedroom studio flats at Nos. 134 and 136 High Street.

Oral representations from Ward Member, Councillor Russell Mellor, were received at the meeting. It was noted that there were no objections to this application.

Members having considered the report and representations, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with two further conditions to read:-
“7. Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.

8. Details of a scheme of landscaping, which shall

include the materials of paved areas and other hard surfaces and boundary enclosures, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted.

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

**29.6
CRYSTAL PALACE**

(14/00237/FULL6) 8 Lansdowne Place, Anerley.

Description of application – Part one/two storey side extension including roof terrace.

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

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

**29.7
PLAISTOW AND
SUNDRIDGE**

(14/00391/FULL6) 14 Holligrave Road, Bromley.

Description of application - Single storey rear extension.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**29.8
PLAISTOW AND
SUNDRIDGE**

(14/00392/FULL6) 12 Holligrave Road, Bromley.

Description of application – The application should be considered as a joint scheme with No.14 Holligrave Road (application ref.14/00391).

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**29.9
SHORTLANDS
CONSERVATION AREA**

(14/00397/FULL6) 39 Wickham Way, Beckenham.

Description of application – Roof alterations to incorporate rear dormer, skylights and balcony element, single storey rear extension and first floor rear extension with side dormers on both elevations and conversion of garage to habitable accommodation.

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

reported that the application had been amended by documents received on 2 April 2014.

It was noted that on page 73 of the Chief Planner's report the last paragraph should be amended to read:-
"In summary, the proposal will result in an acceptable additional level of impact of the amenities of the surrounding residential properties, nor impact detrimentally on the character of the area."

Members having considered the report, objections and representations, **RESOLVED THAT**

PERMISSION BE GRANTED as recommended, subject to the conditions set out in the report of the Chief Planner with two further condition to read:-

"5. Before the development hereby permitted is first occupied the proposed rear dormer windows to the northern elevation (facing 37 Wickham Way) of the extension hereby permitted and the first floor window to the eastern elevation of the first floor rear extension (facing 1 Malmaisons Way) shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and there shall be no openings unless 1.7 metres above floor level of the room to which the window is installed.

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

6. Before the development hereby permitted is first occupied the proposed skylight to the single storey rear extension shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any openings shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details.

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

**29.10
PETTS WOOD AND KNOLL**

(14/00698/FULL6) 27 West Way, Petts Wood.

Description of application – Single Storey side extension incorporating a garage to the front of the property.

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

Objections to the application from Ward Members Councillors Simon Fawthrop and Douglas Auld, sent

via email dated 13 and 14 April 2014, were circulated and reported. Councillor Fawthrop objections referred to the outcomes of Planning Appeals APP/G5180/D12/2175539, APP/G5180/D/12/2187535 and APPG5180/D/13/2209765. His objections stated that the first two appeals had been dismissed as the Inspectors had taken into account the effect a proposed development would have on the character and appearance of Petts Wood, being an Area of Special Residential Character, but that the last Inspector's report, dated 14 January 2014, had, in his opinion, been an aberration compared with the first two reports, out of kilter and went against the previous two Inspectors' decisions. Councillor Tony Owen reported that Jo Johnson MP had written a letter of complaint to the Planning Inspectorate.

The Chief Planner's representative advised Members that officers considered that the concerns of the first two Inspectors in relation to the erosion of sidespace were primarily with the first floor extension.

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

1. The proposed extension, by reason of its design and siting, would erode the space between the buildings and would result in a detrimental impact on the character, rhythm and spatial standards of the streetscene and this part of the Petts Wood Area of Special Residential Character, contrary to Policies BE1, H8 and H10 of the Unitary Development Plan.

SECTION 3

(Applications recommended for permission, approval or consent)

29.11 PENGE AND CATOR

(13/01358/FULL1) 47 High Street, Penge.

Description of application – Change of use from two flats to four flats and erection of part one, two and three storey rear extension.

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

“6. including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved

arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and in order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects.”

**29.12
WEST WICKHAM**

(13/02377/FULL6) - 18 The Crescent, West Wickham.

Description of application – Raised timber decking, balustrade and steps to rear.

Oral representations in objection to the application were received at the meeting. It was reported that the application had been amended by documents received on 23 January 2014.

Councillor Russell Jackson had concerns regarding height, overlooking and amenity.

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

1. The raised decking would by reason of its height, depth, width and proximity to the shared boundary be detrimental to the amenities that occupiers of neighbouring properties, and 16 The Crescent in particular, might reasonably expect to be able to continue to enjoy by reason of loss of privacy and overlooking thereby contrary to Policy BE1 of the Unitary Development Plan.

**29.13
SHORTLANDS**

(13/03395/FULL6) 90 Malmains Way, Beckenham.

Description of application – First floor side and rear extension.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**29.14
CHELSFIELD AND PRATTS
BOTTOM**

(13/04272/REG4) The Forge, Skibbs Lane, Orpington.

Description of application – Demolition of existing workshop and garages and construction of replacement workshop building.

It was noted that there were no objections to this application and that this item should have been listed under Section 2 of the agenda.

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.

**29.15
BICKLEY**

(14/00015/FULL6) Redlap, Sundridge Avenue, Bromley.

Description of application – Lower ground and ground floor extensions and provision of first floor with pitched roof and rear dormers to form a two/three storey dwelling with accommodation in roofspace, together with elevational alterations.

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

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

**29.16
COPERS COPE
CONSERVATION AREA**

(14/00045/FULL1) South Park Court, Park Road, Beckenham.

Description of application – Conversion of basement boiler house to form additional bedroom for flat 10 and enlargement of existing lightwell.

Oral representations from Ward Member, Councillor Russell Mellor, in objection to the application were received at the meeting.

Members having considered the report, objections and representations, **RESOLVED THAT PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with a further condition to read:-
“3. The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

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

**29.17
BICKLEY**

(14/00160/FULL1) 60 Hill Brow, Bromley.

Description of application – Demolition of existing dwelling and erection of detached 4 bedroom house with lower ground level (garage and storage) and loft room.

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

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

**29.18
BICKLEY**

(14/00379/FULL1) 16 Bird in Hand Lane, Bickley.

Description of application - Two storey, five bedroom replacement dwelling with accommodation in roof space, basement and integral garage.

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

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

“INFORMATIVE 6: If during works on site suspected contamination is encountered, Public Protection should be contacted immediately. The additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf. INFORMATIVE 7: Before the use commences, the applicant is advised to contact the Pollution Team of Public Protection regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.”

**29.19
BROMLEY TOWN**

(14/00473/FULL1) 44 Napier Road, Bromley.

Description of application – Demolition of existing building and erection of two storey block with 3 one bedroom flats with 2 ancillary work units within the roof space.

It was noted that there were no objections to this application.

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

**29.20
SHORTLANDS**

(14/00667/FULL6) 115 South Hill Road, Shortlands.

Description of application – Roof alterations to incorporate rooflights to front/side/rear and first floor/single storey side extension.

It was noted that there were no objections to this application.

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

The Items listed below were not circulated with the published agenda

**29.21
SHORTLANDS**

(13/03290/FULL6) 90 Malmaison Way, Beckenham.

Description of application – First floor front/side and rear extension.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**29.22
MOTTINGHAM AND
CHISLEHURST NORTH**

(14/00707/FULL1) Castlecombe Children & Family Centre, Castlecombe Rad, Mottingham.

Description of application – Demolition of existing modular building and replacement single storey modular childrens centre.

It was noted that there were no objections to this application.

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.

**29.23
PETTS WOOD AND KNOLL**

(14/00151/FULL6) 70 Princes Avenue, Petts Wood

Description of application – Two storey side extension to include front porch and single storey rear extension.

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

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

Chief Planner.

**29.24
CRAY VALLEY EAST**

(14/00583/FULL6) 20 East Drive, Orpington,

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

It was noted that there were no objections to this application.

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

**29.25
BICKLEY**

(13/02053/FULL1) Land East Side, Blackbrook Lane, Bickley

Description of application – Erection of 34 4/5 bedroom detached dwellings together with 102 car parking spaces associated highway works, entrance gates, refuse and recycling facilities and landscaping.

Oral representations from Ward Member, Councillor Colin Smith, in objection to the application were received at the meeting. He said that his fellow Ward Members, Councillors Kate Lymer and Catherine Rideout, also objected to the application. It was reported that further objections to the application had been received together with a statement from the Applicant that had been circulated.

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

**29.26
FARNBOROUGH AND
CROFTON**

(14/00368/FULL1) 81 High Street, Farnborough

Description of application - Demolition of existing building and erection of part two/three storey building with office on part ground floor and 3 bedroom residential unit to rear of ground floor, first and second floors and extension/alteration to single storey building at rear to provide home studio.

Oral representations in support of the application were received at the meeting. It was noted that there were no objections to this application.

Councillor Charles Joel spoke on behalf of his fellow Ward Members, Robert Evans and Tim Stevens, and said they wished to retain a village scene and this

application was out of character. He also reported that Farnborough Village Society objected to the application.

Members having considered the report and representations, **RESOLVED** that **PERMISSION BE REFUSED** as recommended, for the reason set out in the report of the Chief Planner with a further reason to read:-

2. The proposed would result in inadequate parking provision, which is likely to lead to parking inconvenient to other road users and prejudicial to road safety and would be detrimental to the amenities of neighbouring residents, thereby contrary to Policy BE1 and T18 of the Unitary Development Plan.

It was the final meeting of the municipal year and the Chairman's final meeting. The Chairman thanked Members and Officers for their work throughout the year and Members and Officers likewise thanked the Chairman for his support and wished him well for his future.

The Meeting ended at 8.47 pm

Chairman

SECTION '2' – Applications meriting special consideration

Application No : 14/00111/FULL1

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

Address : **Coltswood Stonehouse Road Orpington**
 TN14 7HW

OS Grid Ref: **E: 547417 N: 162423**

Applicant : **Mr Stephen Measure**

Objections : YES

Description of Development:

Demolition of existing dwelling and detached garage and erection of a detached two storey four bedroom dwelling with accommodation in roof space and associated detached garage.

Key designations:

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

The application was deferred from Plans Sub-Committee on the 1st May 2014 in order to seek a reduction to the height of the garage, a topographical survey to assess the changes in land levels on and around the site and to remove the rear dormer.

Amended plans have been submitted indicating a revised topographical survey that includes ridge heights of the surrounding houses. The pitched garage roof has been reduced in height from 4.7m to 4.0m and the rear dormer has been removed from the proposed house. The siting of the dwelling has also been moved 1.5m further forward in the site to increase the separation to the dwellings to the rear.

The report is repeated below, updated where necessary.

Proposal

The proposal consists of the demolition of the existing single storey dwelling and the erection of a two storey four bedroom dwelling with a games room, store and bathroom within the loft space. A detached garage building is proposed to the north of the site.

Location

The site itself is accessed via a single lane, uphill access road that also provides access to 'White Croft' to the east. The western, northern and eastern boundaries of the site adjoin the properties in Orchard Road. The south and south east of the site are wooded and are subject to a Tree Preservation Order (Number 58) (TPO). St Martins, to the northern boundary, forms part of the Orchard Road Area of Special Residential Character. The site lies within a spacious area characterised by detached bungalows and two storey dwellings.

Comments from Local Residents

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

- overlooking and loss of privacy - surrounding dwellings are on lower land levels and therefore will be overlooked by the new dwelling. Letters state a 3.5m land level difference to Padmere, Granthorne and St. Martins
- impact on the character of the area - surrounding dwellings are mainly bungalows and the proposed dwelling will be a significant two storey structure
- excessive bulk and scale - the proposal will replace a bungalow with a bulky and tall two storey dwelling that would be excessive for the site
- harmful visual impact due to the siting of the house and its position on higher ground than its neighbours
- loss of light and overshadowing
- impact on the streetscene and visual amenities of the area

Comments from Consultees

No Thames Water objections are raised.

No technical highways objections are raised, subject to conditions.

No Environmental Health objections are raised subject to informatives.

No technical drainage comments have been made and no comments have been received from the Council's Tree Officer. Any further comments will be reported verbally at the meeting.

Planning Considerations

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

- BE1 Design of New Development
- 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

London Plan Policy 5.13 (Sustainable Drainage)
London Plan Policy 3.3 Increasing Housing Supply
London Plan Policy 3.4 Optimising Housing Potential
London Plan Policy 3.5 Quality and Design of Housing Developments

The Mayor's Supplementary Planning Guidance: Housing

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

Planning History

None.

Conclusions

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

The area comprises of a large number of bungalows, however there are several two storey dwellings in Orchard Road and Stonehouse Road, particularly St. Martins and Oak Cottage to the rear of the site. The principle of a two storey dwelling to replace the bungalow is not objected to, however it is noted that the site is on higher ground than the neighbouring properties and therefore this will result in some impact. The applicant has submitted a topographical survey that indicates the positions of the roof ridges of adjacent dwellings. The site is adjoined by bungalows to the east, including Padmere (which has dormers within the roof space) and Ingleside to the east, and Granthorne to the north.

The application has been submitted following a pre-application submission. Following the comments made by the Council, which included concerns over the siting of the proposed dwelling, the development has been sited further to the south of the site to provide a 14.5m rear garden to the north of the proposed dwelling. The dwelling provides an increased separation to the western boundary of 6.0-6.5m and a separation to the eastern boundary of 7.5m. The re-siting of the proposal provides a 26m separation to St. Martin to the north and 40m to Granthorne. To the east, Padmere is also sited approximately 35m away from the site of the proposed dwelling. In light of the alterations to the siting of the building, and the increase of separation to neighbouring properties, the proposal is considered to improve the relationship with neighbouring houses and would address the visual impact concerns raised at pre-application stage.

The separation provided to surrounding dwellings is considered suitable to prevent a harmful degree of overlooking to the dwellings to the rear, with the flank windows proposed to serve bathrooms, therefore amenities can be protected by

the imposition of an obscure glazing condition. The rear windows may create some further overlooking to the rear garden of Granthorne, however the dwelling would be 14.5m from the rear boundary of the site and the originally proposed rear dormer has been removed from the proposal. A suitable landscaping condition may be considered suitable to prevent substantial harm.

The 14.5m rear garden provided is also considered suitable for a large family home, having been increased from 6m at pre-application stage. The roof will be 9m in height and this is comparable to other two storey dwellings in the locality such as St Martins on Orchard Road. The roof includes a large flat table-top area which keeps the overall height to a level that Members may consider acceptable. It is noted that the surrounding dwellings are sited on land that is stated within local representation letters as being 3.5m lower than the land level at Coltswood. It is accepted that this change in levels is not insignificant, however, on balance it is considered that the level of separation provided between the site and the neighbouring dwellings reduces overlooking and visual impact to a suitable level in this case.

The proposed garage will be 4.0m in height, however it will be sympathetically sited away from the highway and from neighbouring dwellings with a reduced roof height. Suitable boundary landscaping can be conditioned to supplement the existing screening in order to prevent a harmful visual impact. There is a detached outbuilding to the rear of Padmere to the east, however, the garage will be on higher ground than Padmere so will be visible. Despite this, the bulk will not be excessive and the impact is considered acceptable on balance.

The access road serves the existing dwelling and the adjoining property, however, this is a single lane uphill track with limited passing opportunities. The turning area within the site is adequate for the number of cars likely to be present and this is suitably demonstrated on the proposed site plan. The proposed detached double garage features an internal dimension of 5.8m by 5.8m, which falls within the minimum internal standards required under Policy T3 and Appendix II of the UDP. The garage is sited a suitable distance from the highway to prevent highway safety implications.

The application site is unusual in its shape, however, it is considered that the principle of its redevelopment for a two storey dwelling would not necessarily be inappropriate subject to the appropriate siting and design of any proposal. In this case, the dwelling would not dominate the site and would provide a suitable amenity area around it. The dwelling will sit comfortably on the plot without over-developing it. The dwelling will have a height of 9m however the roof will be fully hipped in a traditional architectural style and it is considered that the overall bulk of the dwelling would not be excessive.

The woodland to the south and south-west of the site are subject to a TPO and the application is accompanied by a tree survey. The survey states that there will be no loss of mature specimens and therefore standard conditions can be imposed.

Having had regard to the above it was considered that the proposal 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. The proposal would not impact on highway safety and would not impact on trees significantly. It is therefore recommended that Members grant planning permission.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 14/00111 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 27.05.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACA04 Landscaping Scheme - full app no details
ACA04R Reason A04
- 3 ACB01 Trees to be retained during building op.
ACB01R Reason B01
- 4 ACB02 Trees - protective fencing
ACB02R Reason B02
- 5 ACB03 Trees - no bonfires
ACB03R Reason B03
- 6 ACB04 Trees - no trenches, pipelines or drains
ACB04R Reason B04
- 7 ACB16 Trees - no excavation
ACB16R Reason B16
- 8 ACC07 Materials as set out in application
ACC07R Reason C07
- 9 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 10 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 11 ACH19 Refuse storage - implementation
ACH19R Reason H19
- 12 ACH27 Arrangements for construction period
ACH27R Reason H27
- 13 ACH29 Construction Management Plan
ACH29R Reason H29
- 14 ACH32 Highway Drainage
ADH32R Reason H32
- 15 ACI01 Restriction of all "pd" rights
ACI03R Reason I03
- 16 ACI12 Obscure glazing (1 insert) in the first floor flank and second
 floor rear elevation
ACI12R I12 reason (1 insert) BE1
- 17 ACI17 No additional windows (2 inserts) flank extension
ACI17R I17 reason (1 insert) BE1
- 18 ACK01 Compliance with submitted plan

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

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

INFORMATIVE(S)

- 1 If during works on site suspected contamination is encountered, Public Protection should be contacted immediately. The additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

- 2 Before the use commences, the applicant is advised to contact the Pollution Team of Public Protection regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.

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

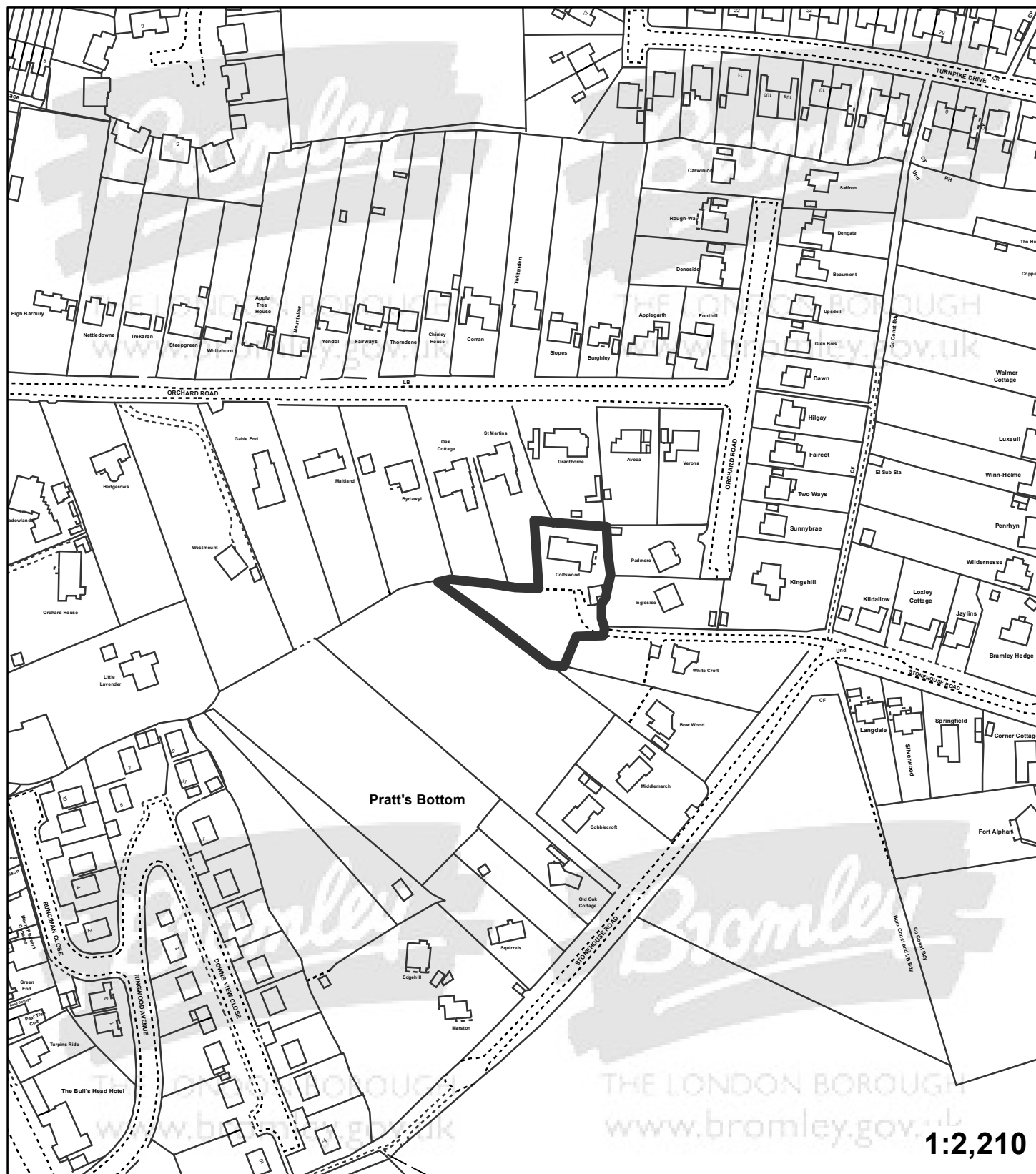
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:14/00111/FULL1

Address: Coltswood Stonehouse Road Orpington TN14 7HW

Proposal: Demolition of existing dwelling and detached garage and erection of a detached two storey four bedroom dwelling with accommodation in roof space and associated detached garage.



"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 : 14/00217/FULL1

Ward:
Bromley Town

Address : Wendover Tennis Club Glanville Road
Bromley BR2 9LW

OS Grid Ref: E: 540894 N: 168532

Applicant : Mr Ian Laycock

Objections : YES

Description of Development:

Nine 6.7m high floodlights to courts 4 and 5

Key designations:

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

Proposal

Planning permission is sought for the installation of nine 6.7m high floodlights to courts 4 and 5 of the Wendover Tennis Club.

There are currently seven courts in all with the courts subject of the application (courts 4 and 5) being two of three running alongside each other in the middle 'row'.

Location

The application site is the Wendover Tennis Club surrounded primarily by residential properties fronting Masons Hill, Wendover Road, Glanville Road (from where the club is accessed) and Napier Road, which is a cul-de-sac.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and both public and site notices displayed. 1 letter in support and 3 in objection were received, which are summarised as below (the representations are available on file):

- in support of extra floodlights adding that the existing lights are not an issue so has no objection to extra courts being flood lit;
- additional level of light and noise pollution
- objection to increase/extension of operating times;
- further erosion of privacy and peace detrimental to already reduced amenities;
- residents have endured many years of disruption, pollution and noise;
- damage to neighbour's boundary sustained from club's last project yet to be remedied;
- will have a negative impact on house prices;
- concern over personal and property safety caused by potential accidents of vehicles parked next to adjoining house; and
- if permission is granted it should be strictly monitored and adhered to;

It is also noted that the application includes 6 letters in support.

Comments from Consultees

Environmental Health: States that although there would be some loss of amenity by virtue of light and noise, this would be minimal and if permission were refused, it is very unlikely that the decision would be upheld on appeal.

Planning Considerations

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

BE1 Design of New Development
 ER8 Noise Pollution
 ER10 Light Pollution
 G8 Urban Open Space

The following Council adopted SPG guidance are also a consideration:

Supplementary Planning Guidance 1 General Design Guidance

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

3.19 Sports Facilities

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

Planning History

2003: Planning permission (ref. 03/01155) granted for nine 6.7 metre high floodlight

1998: Planning application (ref. 98/00791) refused and appeal dismissed for floodlighting to tennis courts 3 and 4.

1997: Planning permission (ref. 97/01463) refused and appeal allowed for reposition of hardsurfaced tennis courts 3, 4 and 5 and construction of two additional hardsurfaced courts on land formerly occupied by Bromley Garden Centre.

1997: Planning permission (ref. 97/00452) refused and appeal allowed for change of use of land from garden centre to recreation.

1996: Planning application (ref. 96/00536) refused for reposition hardsurfaced tennis courts 3, 4 and 5 and construction of two additional hardsurfaced courts with 2m high fencing on land formerly occupied by Bromley Garden Centre.

1996: Planning application (ref. 96/00366) refused and appeal dismissed for erection of floodlights to two tennis courts.

1996: Planning application (ref. 95/02739) refused for pole mounted floodlights to three tennis courts.

1989: Planning application (ref. 89/00233) refused for eight flood lighting columns to illuminate tennis courts.

Conclusions

The main issue relating to the application, in line with that identified by the Inspector in a previous appeal decision, is the effect of the proposed floodlighting on the living conditions of nearby residents, with particular reference to the questions of visual impact (predominantly light) and of noise and disturbance arising from extended playing hours.

Before further assessing the effect on the living conditions of nearby residents, it is important for Members to consider the reasons the floodlighting is sought as well as the benefits it will provide. The additional floodlighting is required to enable the club to meet existing unmet demand for court time particularly during the winter months. Therefore, the floodlights will encourage fuller use of this established sports facility and it is therefore considered to be supported by planning policy in the London Plan and the NPPF. Members may also note that the tennis club have stated they have undertaken extensive pre-application consultation with local residents to take on board any concerns or objections as a result of the proposed scheme.

An application for floodlighting to courts 3 and 4 was refused and the appeal subsequently dismissed in 1999 with the Inspector concluding that the proposal would unacceptably affect the living conditions of nearby residents, both by reason of visual intrusion and by virtue of noise and disturbance. However, it is important for Members to note that a number of material considerations have arisen since the appeal decision some 15 years ago that mean they may consider the current application to be acceptable.

Lighting technology has greatly improved since the appeal decision 15 years ago. The proposed scheme incorporates the latest floodlighting technology with the floodlights being designed to create a consistent level of illumination across the surface of the tennis courts whilst avoiding light spill beyond the immediate confines of the court area. This conclusion is supported by Council's Environmental Health Officer (EHO) who states that light spillage is much reduced since the appeal proposal and would be further reduced by the proposed baffles to the rear of each luminaire.

The proposed courts to be floodlit no longer include the eastern most court (court 3) closest to the rear gardens of the properties fronting Napier Road. Instead, the current proposal includes the western most court which is screened by the large and established planting to Wendover Road and now provides an increased degree of separation to the properties fronting Napier Road. Members may also note that there is also a significant degree of separation (including the highway) to the residential properties on the opposite site of Glanville Road to the north of the club.

Planning permission was granted for floodlighting of courts 6 and 7 in 2003. Members may consider that the environment has therefore significantly changed since the Inspector made his decision 15 years ago. This assertion is supported by (EHO) who appeared at the previous appeal hearing. The EHO's recollection is that at the time of the appeal in 1999 there were no lights already on the site and consequently the impact of new lights would have been significant. As new lights have been granted permission at a later date this means that the current application should be viewed differently from the 1999 application and the impact when compared with the current permitted lights is much less than it would have been.

As far as noise is concerned, in the experience of the EHO, tennis clubs are very unlikely to give rise to a statutory noise nuisance although there may be some loss of amenity. This however, as with the lights, would need to be considered against the background of the existing permitted use, which has not since first operation in or around 2003 has not generated a large number of complaints with regard to noise or disturbance. To conclude, it is the view of the EHO that although there would inevitably be some loss of amenity by virtue of light and noise this would be minimal and if permission were refused, it is very unlikely that the decision would be upheld on appeal. The EHO does recommend that an hours of use condition be imposed which would restrict the use of the new lights to the same hours as those currently permitted.

Whilst the objection relating to property damage and safety arising from vehicle movements is noted however, it is not related to the current proposal and obviously if damage is caused to neighbouring properties then the owners/occupants of those properties have recourse through civil means.

Members may, having had regard to the above, conclude that the proposed additional floodlighting is acceptable in that it would not unduly effect the living conditions of nearby residents whilst providing increased access to sporting

facilities and the benefits they provide in accordance with London Plan policy and the NPPF.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/00217, 03/01155, 98/00791, 97/01463, 97/00452, 96/00536, 96/00366, 95/02739 and 89/00233, 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

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

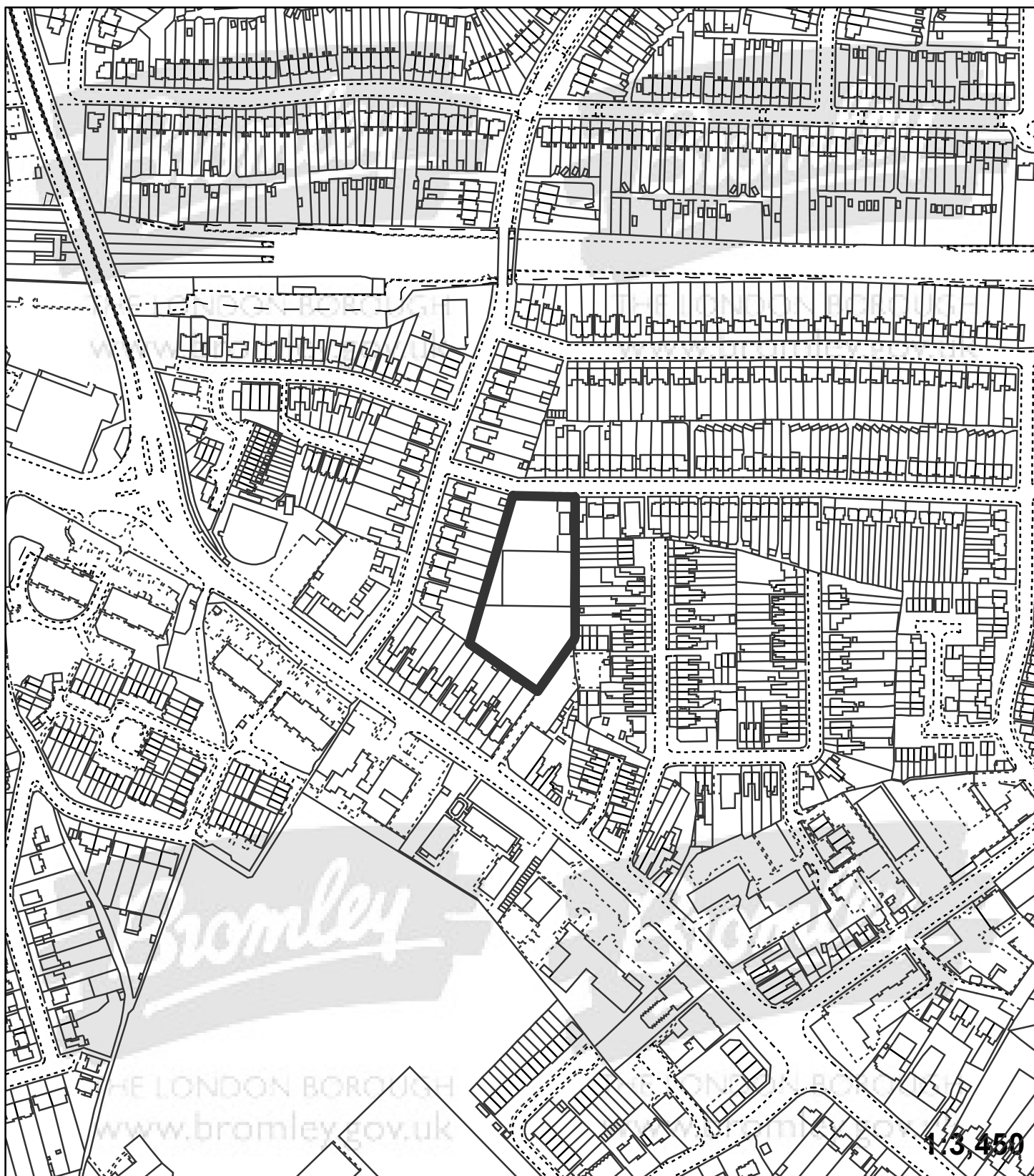
- 3 The floodlights hereby permitted shall not be used after 9.30 p.m. on Mondays to Fridays (inclusive) or after 7.00 p.m. on Saturdays or Sundays.

Reason: In order to comply with Policies BE1, ER8 and ER10 of the Unitary Development Plan and in the interests of the amenities of local residents.

Application: 14/00217/FULL1

Address: Wendover Tennis Club Glanville Road Bromley BR2 9LW

Proposal: Nine 6.7m high floodlights to courts 4 and 5



"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 : 14/00931/FULL6

Ward:
West Wickham

Address : 60 Pine Avenue West Wickham BR4
0LW

OS Grid Ref: E: 537712 N: 166380

Applicant : Mr & Mrs M Savage-Roberts

Objections : NO

Description of Development:

Increase in roof height to incorporate 3 rear dormers, part one/two storey front/side/rear extension

Key designations:

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

Proposal

It is proposed to increase the roof height to incorporate 3 rear dormers and erect a part one/two storey front, side and rear extension. The roof will increase in height by approx. 0.9m. Part of the two storey side/rear will be set back from the front of the house in response to the tapered shape of the site.

Location

The application site is occupied by a two storey detached house. The site has a relatively narrow frontage and tapers out to the rear. There is a footpath to the east of the site. The surrounding area is primarily characterised by two storey detached and semi-detached housing. a mixture of inter-war semi-detached housing.

Comments from Local Residents

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

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies of the Unitary Development Plan:

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

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. Furthermore, the proposal should be considered in view of the requirements of Policy H9 of the UDP which requires 1m side space to the boundary where two storey development is proposed.

The proposal will result in an increase in the bulk of the dwelling including an increase in the height and bulk of the roof. Part of the two storey side/rear extension will be set back which will detract from the bulk of the building. Pine Avenue is primarily characterised by larger buildings comprising pairs of semi-detached houses therefore the increased bulk will not result in harm to the street scene.

A single storey rear extension will replace a conservatory adjacent to the boundary with No. 62 Pine Avenue. The rearward projection of the extension will be no greater than that of the conservatory and the impact on the amenities of the occupants of No. 62 will be comparable to the existing situation.

The nearest first floor rear window to No. 58 Pine Avenue has been bricked up. In view of the orientation of No. 58 and the separation between the two properties it is considered that there will be no undue harm to the amenities of the occupants of No. 58.

Policy H9 is intended to prevent a cramped appearance and unrelated terracing from occurring. The boundary adjoining the two storey side extension is shared by a public footpath and this provides a separation to No. 58 Pine Avenue. The footpath therefore ensures that the house will not have a cramped appearance and that unrelated terracing will not occur. Accordingly, in this case it is considered that this relationship is acceptable to still comply with Policy H9 of the Unitary Development Plan.

Background papers referred to during the production of this report comprise all correspondence and other documents on file ref. 14/00931, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

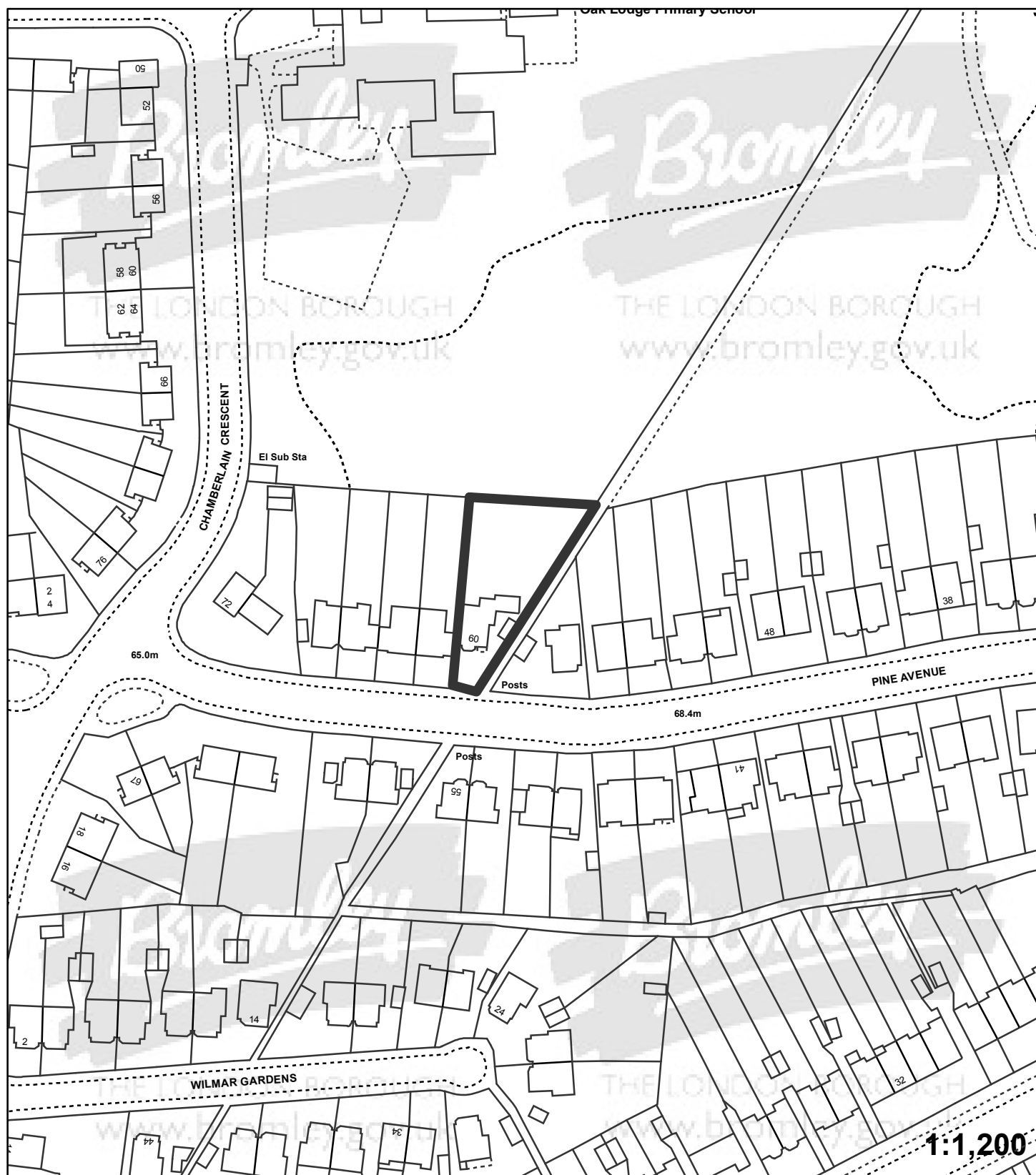
- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years

- 2 ACC04 Matching materials
ACC04R Reason C04
- 3 ACK01 Compliance with submitted plan
ACC01R Reason C01

Application: 14/00931/FULL6

Address: 60 Pine Avenue West Wickham BR4 0LW

Proposal: Increase in roof height to incorporate 3 rear dormers, part one/two storey front/side/rear extension



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

SECTION '2' – Applications meriting special consideration

Application No : 14/00981/FULL1

Ward:
Plaistow And Sundridge

Address : 51 London Lane Bromley BR1 4HB

OS Grid Ref: E: 539945 N: 170320

Applicant : Mr N Rowe

Objections : YES

Description of Development:

Conversion of existing single storey garage into detached two bedroom dwelling.

Key designations:

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

Proposal

Planning permission is sought for the conversion of existing single storey garage into detached two bedroom dwelling.

The proposal involved no enlargement or extension of the existing garage other than the addition of a front porch and will share the existing dual vehicle crossovers with the donor site.

Location

The application site lies on the northern side of London Lane and comprises a large two storey detached property with a detached single storey double garage. The site is neither listed nor within a conservation area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 3 objections were received, which can be summarised as follows (the representations are available to view in full on file):

- applicant has track record of poor consideration of style and design;
- out of character visually;

- using both crossovers for entering and existing will result in accidents;
- level of parking not in keeping with rest of area;
- concern about future use of building;
- boundary dispute between #51 and 53;
- a lengthy submission detailing a number of factors in support of refusing the application, including:
 - the reasons for granting the original permission (erection of garage);
 - refusal of 2012 application and subsequently dismissed appeal;
 - boundary dispute with 53 London Lane;
 - improper use of garage in contravention of conditions of original permission.

Revised plans increasing the rear garden/outdoor amenity area have been submitted and reconsulted. To date, no responses to the reconsultation have been received. Any further comments received will be reported verbally at the Plans Sub-committee meeting.

Comments from Consultees

Highways: Vehicles for # 51 and the proposed bungalow will be able to turn around on site and leave in a forward gear so has 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
 H1 Housing Supply
 H11 Residential Conversions
 T3 Parking
 T18 Road Safety

The following Council adopted SPG guidance is also a consideration:

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

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

Planning History

2012: Planning application (ref. 12/02364) refused and dismissed on appeal for demolition of the existing detached garage and the erection of a two storey annexe building and a new link structure. Reasons for refusal:

“The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two-storey development in the absence of which the extension would constitute a cramped form of development, out of character with the

street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies H8 and H9 of the Unitary Development Plan.

“The proposed development would, by reason of its height, bulk and siting in conjunction with its proximity to the neighbouring property No. 53 London Lane, result in an unneighbourly and over bearing form of development resulting in a loss of residential amenity to the occupiers of this same property. The proposal is therefore considered contrary to Policy BE1 of the Unitary Development Plan”.

1995: Planning permission (ref. 95/00812) granted retrospectively for detached double garage.

1992: Planning permission (ref. 92/00272) granted for detached garage.

Conclusions

The main issues relating to the application are the principle of conversion to a separate residential unit, the standard of accommodation that it would provide for future occupiers, the effect that it would have on the character of the area, the impact that it would have on parking and the highway and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Objections have been raised regarding issues associated with the use of the garage and alleged condition breach of the original permission for its erection. In this regard, Members should assess the current application on its own merits. However, Members may note that in regard to the alleged breach of condition, no further action was considered necessary at the time of investigation (early 2014).

Furthermore, whilst the condition of the permission to construct the garage relating to it not being converted to a separate unit is noted, this does not preclude an application for such separation being made and duly considered. In this regard, Members may consider that the principle of the conversion to a separate unit is supported in the first instance as it will accord with policy H1 of the UDP relating to provision of addition housing in the Borough and is within a residential area. This support in principle is obviously dependent on the proposal being satisfactory with regard to the other material considerations as assessed below.

The new unit will comply with the minimum size required under the London Plan and include a suitable area of outdoor amenity space (enlarged since initially lodged) and therefore, Members may consider the proposal to provide an acceptable standard of accommodation for future occupiers.

The previous proposal was refused in part because of it being two storey and not maintaining sufficient separation to the boundary. With the current proposal being a conversion of the existing building with no additional height or extensions other than the addition of the front porch, this previous reason for refusal no longer applies. Members may therefore consider the proposal not to be out of character with the surrounding area or streetscene.

With regard to neighbouring amenity, subsequent to the previously refused two storey building application, the proposal has been amended so that, aside from the addition of the front porch, the building envelope remains as existing. Therefore, whilst the objections of neighbours are noted, Members may consider that the proposal would not result in such an unduly harmful loss of light or increased sense of enclosure over and above the existing environment as to warrant refusal of the application. To ensure the newly created site is not overdeveloped or neighbouring amenity unduly harmed, it is recommended that permitted development rights for extensions and outbuildings be removed by way of condition.

With regard to parking and the adjoining highway, whilst the objections of neighbours are noted, the proposal will use existing dual crossovers shared with the donor site and vehicles for both sites will be able to turn around on the site and leave in forward gear. Furthermore, sufficient car parking spaces will be provided for both the new dwelling as well as the donor site. Furthermore, Council's Highway Development Engineer has no objection to the application with regard to its potential impact on parking or the highway. It should also be noted that the Inspector in the decision to dismiss the previous appeal stated that:

Residents have expressed concern about the effect of the proposal on car parking; however the front garden area of No. 51 has sufficient space for a number of cars and I consider that the proposal would not result in an increase in on-street parking.

Having had regard to the above, Members may consider the proposal acceptable in that it would provide a suitable standard of accommodation for future occupiers, not result in a significant loss of amenity to local residents or impact detrimentally on the character of the area or parking and the adjoining highway.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/00981, 12/02364, 95/00812 and 92/00272, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 21.05.2014

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

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

- 3 ACC07 Materials as set out in application
 ACC07R Reason C07
- 4 ACI02 Rest of "pd" Rights - Class A, B,C and E

Reason: In order to comply with Policies H7 and BE1 of the Unitary Development Plan to prevent overdevelopment of the site and in the interest of the amenities of the adjacent properties.

- 5 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 6 ACH19 Refuse storage - implementation
ACH19R Reason H19
- 7 ACH32 Highway Drainage
ADH32R Reason H32
- 8 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.
ACH16R Reason H16

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)).

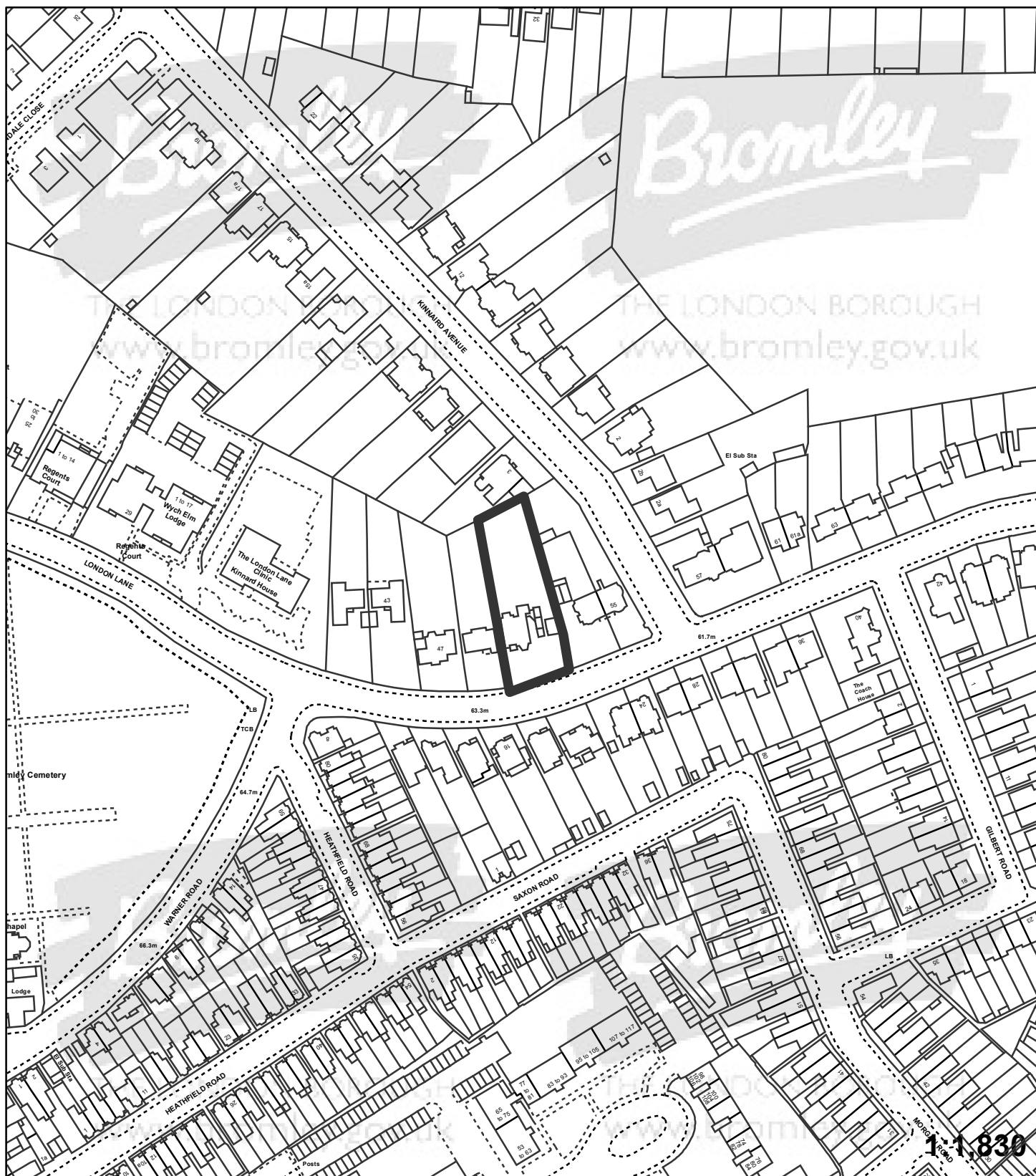
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:14/00981/FULL1

Address: 51 London Lane Bromley BR1 4HB

Proposal: Conversion of existing single storey garage into detached two bedroom dwelling.



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

SECTION '2' – Applications meriting special consideration

Application No : 14/00989/FULL3

Ward:
Bromley Town

Address : 6 Blyth Road Bromley BR1 3RX

OS Grid Ref: E: 539851 N: 169808

Applicant : Mrs Gillian Wallis

Objections : NO

Description of Development:

Change of Use from Office use (Class B1) to nursery (Class D1) with cycle storage to rear.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Bromley Town Centre Area Buffer 200m
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency

Proposal

- It is proposed to convert the ground, first and second floors of the building into a nursery use (Class D1) with staff room and storage at second floor level
- externally it is proposed to change a ground floor rear window to patio doors to facilitate easier access into the garden
- 60 children, 8 full-time and 2 part-time additional staff members are proposed (a total of 30 full time and 4 part time)
- vehicular access will remain via the existing entrance and footway crossover as will access on foot and cycle
- the existing front car park provides 4 spaces with a permanent staff car parking space to the rear
- the proposed opening hours are 08:00 - 18:00 Monday to Friday.

Location

- The application site lies on the northern side of Blyth Road, some 35 metres from its junction with London Road and hosts a two storey detached property with accommodation in roofspace. It currently has an office (Class B1) use although the applicant states that the site has been vacant since November 2011.

- the site is within a medium public transport accessibility level (PTAL) area of 4
- the surrounding area encompasses variety of land uses with properties at Nos. 8 and 10 Blyth Road being used as nurseries
- the application site does not fall within any conservation area or business area and it has no designation under the Unitary Development Plan, however it lies just outside the Bromley Town Centre boundary.

Comments from Local Residents

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

Comments from Consultees

Highways: no objection, in principle;

Environmental Health: no objection, in principle;

Education and Care Services: strongly support.

Planning Considerations

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

- BE1 Design of New Development
- C1 Community Facilities
- C7 Educational and Pre-School Facilities
- EMP3 Conversion or redevelopment of Offices
- EMP5 Development outside Business Areas
- EMP6 Development outside Business Areas - non-conforming uses
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T9 Public Transport
- T10 Public Transport
- T15 Traffic Management
- T17 Servicing of Premises
- T18 Road Safety

London Plan:

- 3.16 Protection and Enhancement of Social Infrastructure
- 3.18 Education Facilities
- 7.3 Designing Out Crime
- 7.15 Reducing Noise and Enhancing Soundscapes

Planning History

Planning permission was recently refused under ref. 12/02006 for the change of use from office to nursery on the ground floor with 2 one bedroom flats and a bedsit on the first and second floors. A rear extension was also proposed together with a car park at the rear. The reasons for refusal were:

1. The proposed car parking area to the rear of the building would result in an excessive amount of the rear garden area being covered in hardstanding and increased noise and disturbance due to vehicle movements close to adjacent gardens, harmful to the amenities of the occupants of adjacent residential properties thereby contrary to Policy BE1 of the Unitary Development Plan.
2. The proposed change of use is contrary to Policy EMP3 of the Unitary Development Plan as it has not been demonstrated that there is no local shortage of office floorspace and no evidence has been submitted of long term vacancy despite marketing of the premises.

Conclusions

The main issues relating to the application are the effect that it would have on business and employment opportunities in the Borough, the impact that it would have on the amenities of the occupants of surrounding premises and the effect it would have on Highways safety.

A proposal that meets an identified education need will normally be permitted provided it is accessible by modes of transport other than the car (UDP Policies C1 and C7). According to Bromley Education Department, this area currently has limited full-time childcare places and they fully support the proposed childcare provision, noting that other nurseries run by the applicants (Nos. 8 and 10 Blyth Road) are rated as 'Outstanding' by OfSTED. In addition, the site is in an area with medium levels of public transport accessibility.

Chapter 10 of the UDP aims to improve business and employment opportunities within the Borough and, outside of business areas, seeks to protect independent commercial sites from alternative development, unless significant advantages can be proven. In order for the conversion of offices for other uses to be acceptable, evidence will be required to demonstrate that there is no local shortage of office floorspace; that there is a long-term vacancy of the premises despite reasonable attempts at marketing the site for office use over a satisfactory period of time size and that there is no likely loss of employment resulting from the proposal.

Further to the refusal of the 12/02006 application, the applicant has supplied additional supporting evidence in relation to the loss of office space, however, this seems to predominantly relate to the marketing which took place at No.5 Blyth Road and Members may consider that inadequate marketing of the premises for office use has been demonstrated.

With regards to likely loss of employment, the proposed nursery use would employ the equivalent of 9 full-time employees, ensuring that an employment generating use is retained on the site.

Policy EMP5 of the UDP also precludes the redevelopment of business sites outside of the designated business areas unless the configuration, access arrangements or other characteristics of the site make it unsuitable for a continued business use. The applicant states that there is a lack of demand for office space in this location and other properties in Blyth Road have failed to attract tenants "as most interest for offices would be in central Bromley or purpose built modern offices without the major refurbishment as would be required at the application site" (Design and Access/Planning Statement, March 2014).

While Members may agree that inadequate marketing of the premises has taken place, the proposal would generate employment at a currently vacant site and would help meet the demand for childcare places in the borough. Furthermore, since the previous application was refused, permitted development rights (under Class K) for the change of use of Class B1 offices to state funded schools have been extended to include registered nurseries, in keeping with the Government's commitment to families. This should be afforded duly significant weight by Members in determining whether the change of use is acceptable in this instance.

Since the previous application was refused the applicant has removed the proposed car parking to the rear of the site and proposes to retain it as external amenity space. This is now considered acceptable in terms of the traffic movements within the site and the impact on the amenities of adjacent properties. In addition, given the nature of other development in the vicinity, including the two adjacent nursery uses at 8 and 10 Blyth Road, any potential impact on the living conditions of the adjoining and neighbouring occupiers in terms of noise and disturbance would not be materially harmful, subject to conditions limiting the number of children and opening times. A condition requiring details of an acoustic boundary treatment to the rear garden is also recommended.

From a highways perspective, the proposed parking spaces require some minor alterations to their size and a condition is recommended requiring a parking layout plan. The applicant is also required to submit a travel plan as part of any permission granted. A bicycle rack is proposed to the rear of the building, allowing for alternative travel options to the car and overall, it is considered that the short stay parking demand of the nursery can be accommodated within the site and will not impact significantly on the on-street parking demand in the adjacent highway.

Despite the limited marketing of the site the proposed use would generate significant levels of employment as well as meet an identified need for childcare places. Furthermore, the proposal would not have a significant adverse impact on the amenities of neighbouring buildings and would not unduly impair highways safety. It is therefore considered that the proposed change of use is acceptable, particularly when taking on board recent changes to permitted development legislation outlined above.

Background papers referred to during production of this report comprise all correspondence on the files refs.14/00989 and 12/02006 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 Before any part of the development hereby permitted is first occupied, details of boundary enclosures which shall reduce noise transmitted to adjoining premises shall be submitted to and approved in writing by the Local planning Authority and shall be permanently retained thereafter.

Reason: In order to comply with Policies BE1 and EMP6 of the Unitary Development Plan and to ensure a satisfactory standard of amenity for adjacent properties.

- 4 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 5 ACH22 Bicycle Parking
 ACH22R Reason H22
- 6 ACH30 Travel Plan
 ACH30R Reason H30
- 7 ACJ12 Use as day nursery/playgroup (5 insert) 3 months 5 years
 60 08:00 18:00
 ACJ12R J12 reason
- 8 ACK01 Compliance with submitted plan

Reason: In order to comply with Policies BE1, T3, T5, T6, T7 and T18 of the Unitary Development Plan and in the interest of the appearance of the building, highways safety and the visual and residential amenities of the area.

- 9 ACK07 Disabled access (see DI12)
 ADK07R Reason K07

INFORMATIVE(S)

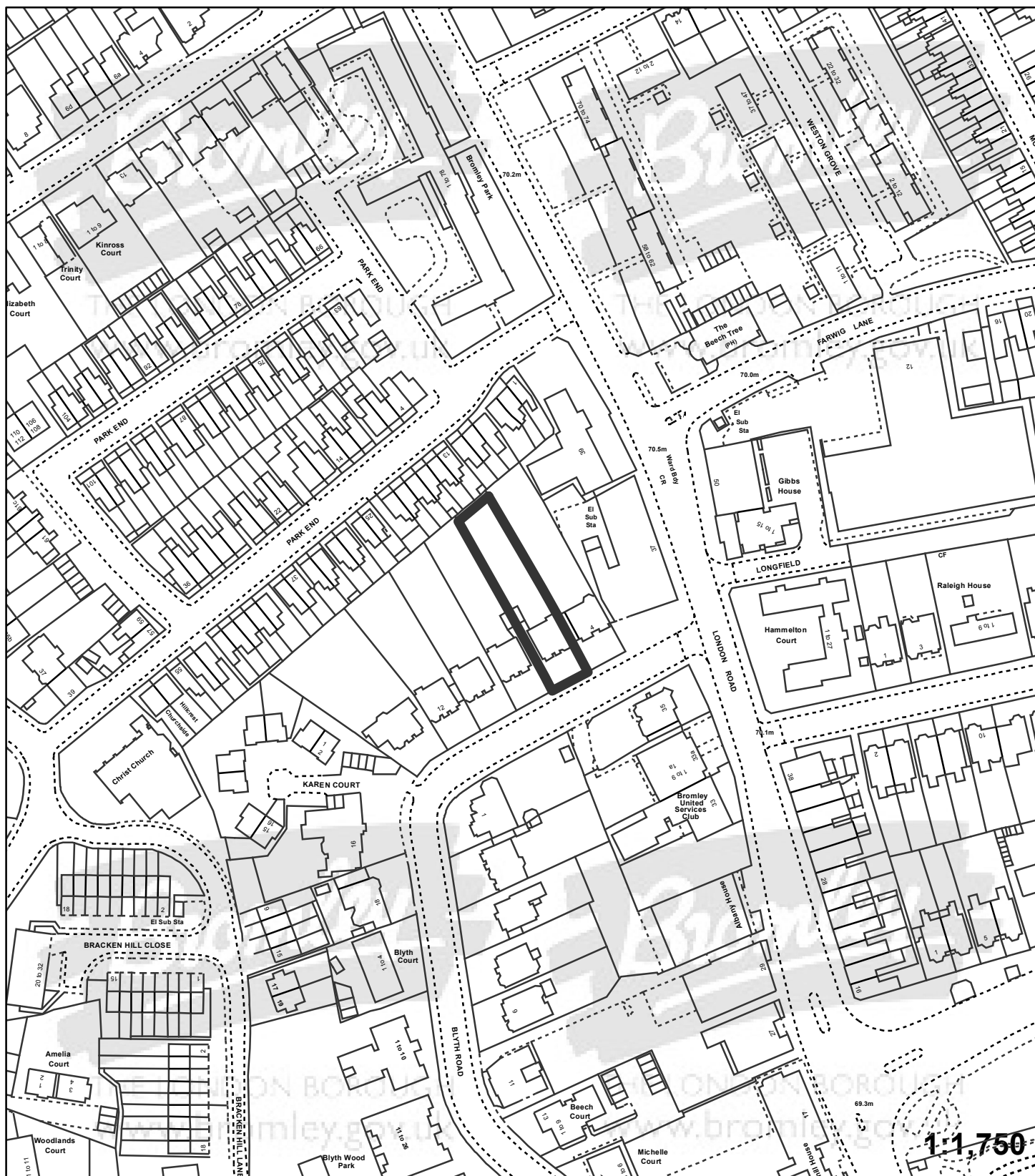
- 1 Your attention is drawn to the following legislation and Government advice concerning means of access for people with disabilities:
 - The Disability Discrimination Act 1995 (extended 2005)
 - Approved Document M of the Building Regulations 2000 "Access and Facilities for Disabled People" made under the Building Act 1984 (as amended)
 - DDA Code of Practice 2006 Rights of Access to Goods, Facilities Services and Premises (Disability Rights Commission)
 - DDA Code of Practice 2004 : Employment and Occupation (Disability Rights Commission)

- 2 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.

Application: 14/00989/FULL3

Address: 6 Blyth Road Bromley BR1 3RX

Proposal: Change of Use from Office use (Class B1) to nursery (Class D1) with cycle storage to rear.



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

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SECTION '2' – Applications meriting special consideration

Application No : 14/01145/FULL1

Ward:
Plaistow And Sundridge

Address : Land Adjacent To 27 Edward Road
Bromley

OS Grid Ref: E: 541075 N: 170533

Applicant : Mr Jayant Kapadia

Objections : YES

Description of Development:

Detached two storey six bedroom house with accommodation in roofspace, integral garage and associated vehicular access and car parking

Key designations:

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

Proposal

The proposal is for a detached two storey six bedroom house (with accommodation in the roof space) on a vacant plot that was created from the sub-division of the garden of No.27 Edward Road.

The current application is for a house with a similar footprint to a scheme previously permitted under ref.13/00655.

The current proposal omits the single storey addition adjacent to the boundary with No.31 Edward Road that was part of (refused) application ref.13/03135, and the roof line has been revised to more closely reflect the original approved catslide roof. The gable that was added as part of application ref.13/03135 (previously refused at Committee on 9 January 2014) has been omitted and instead the roof has been hipped back, which more closely replicates that granted planning permission under ref.13/0655.

When compared to the approved scheme (ref. 13/0655) the width of the roof at ridge height has been increased from approx. 5.5m to 6.46m (an increase of 0.96m) and the associated increase in the height of the flank wall as indicated on the drawings is 0.235m. The changes will increase the bulk of the roof of the building adjacent to No.31.

The proposal also includes some other minor modifications to the footprint of the building that will result in the squaring off of the footprint that formed part of the previously approved scheme.

The overall width of the building when scaled from the drawings including the chimney and decorative brick plinths is 15.5m, compared to 15m in the approved scheme (ref. 13/03135). This allows for a minimum 1.05m side space to the flank elevation of the proposed building adjacent to No.31.

Multi-red clay plain tiles are proposed for the roof with render and clay plain tile hanging to walls

A bin area in the front garden of the property is indicated on the drawings but details of an enclosure have not been provided.

The applicant has submitted a 'Right to Light' document.

Location

The site comprises a building plot between Nos. 27 and 31 Edward Road which was formerly part of the garden area to No.27. No. 27 Edward Road was previously redeveloped by the applicants and the plot divided to form the application site. The site has a slight cross fall in a south-west, north-east direction. The site has been cleared and a detached garage which formerly stood on the site, adjacent to No. 27, has been demolished. The road is predominantly characterised by single dwellinghouses of varying designs and scales. Some properties in the road have been converted into flats or residential care homes. The site is not within a Conservation Area, or Area of Special Residential Character.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and comments were received from No. 31 Edward Road.

The letter from the occupiers of No. 31 can be summarised as follows:

- objection to potential to convert loft space to further storey and inclusion of balcony;
- number of additional windows;
- proposal will bring roof space 96cm closer to No.31;
- impact on light to bedroom, lounge, and sun room;
- inability of neighbour to afford to commission own right to light survey, therefore had to rely on findings of applicant's report;
- height of roof, which is approx. 1m higher on main ridge;
- proposed dwelling will extend much further to the rear of No.31;
- loss of privacy in rear garden;
- proposed dwelling is too large for the site;
- proposed dwelling is too large to be family residence;

- realise that a house will be built on the site, but it should be of a reasonable size that will leave some privacy, light and sunshine to No.31

Comments from Consultees

Highways - No objection

Environmental Health - No objection

Thames water - No objection

Drainage - No objection

Street Cleansing - No objection

Planning Considerations

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

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

Supplementary Planning Guidance 1 and 2

National Planning Policy Framework 2012

Planning History

Under planning ref. 06/00369, Outline planning permission was refused for the erection of 1 two storey detached dwelling with integral garage adjoining No.27 Edward Road on grounds relating to the cramped overdevelopment of the site which would be out of character with the locality contrary to Policies H2, E1 of the UDP (1994) and Policies H6 and BE1 of the adopted UDP.

Under planning ref. 06/02943, planning permission was granted for a detached two storey 5 bedroom house with basement, integral garage and accommodation in the roof space with associated access and parking. An extension of the time limit to implement this permission was subsequently granted under ref. 11/03034.

A further application (ref.13/00655) for a detached two storey seven bedroom house was granted planning permission in June 2013. This application included alterations to the design, siting and footprint of the dwelling, and included an increase in the height of the dwelling and a reduction in the level of side space to the flank boundaries.

Planning permission (ref.13/03135) was refused. This application was for a similar proposal to ref. 13/0655, apart from the fact that the proposal included an additional single storey rear extension, replaced the cat slide roof with a full height flank wall and added an additional rear gable feature. Other minor alterations were also included to square off the footprint. The application was refused on the grounds that the proposal represented the overdevelopment of the site, the unacceptable impact of the alterations to the roofline (when compared to planning permission ref. 31/03655) and the rearward projection of the single storey addition on No.31.

A further application, ref. 14/00042, for a similar proposal was refused. This application included a flank wall adjacent to No. 31 (rather than the previously approved catslide roof), it deleted the single storey rear addition adjacent to No.31 and hipped back the gable end that was added as part of (refused) application ref. 13/03135.

Conclusions

The principle of a two storey dwelling of a similar footprint has already been established through the grant of permission ref. 13/00655 and previous applications.

In this case, the main issues are whether the current proposal would result in a cramped overdevelopment of the site, out of character and appearance in the street scene/wider area and whether the amenities of the adjoining owners would be adversely affected.

As the principle of the development of a dwelling with a similar footprint has already been established, the assessment of the issues in this case will focus on the latest revisions to the scheme; the alterations to the roofline and the minor changes required to allow the squaring off of the footprint of the building.

Policies H7 and BE1 of the UDP require the scale and form of new residential development to be in keeping with the surrounding area and the privacy and amenities of adjoining occupiers to be adequately safeguarded.

The application site was originally part of the garden of No.27 Edward Road (a site that was previously redeveloped by the applicant and sub divided to form the application site). As a result of the characteristics of the site and the relationship between No.31 and the adjoining site, No.31 Edward Road is unusual in so far as it was built with a number of large windows on its flank elevation facing the application site, that are clear glazed. The impact of the previously approved schemes (refs. 06/02943, 06/02943, 13/00655) on these windows was assessed as part of the consideration of these applications and deemed to fall within acceptable levels. All of the approved schemes incorporated a cat-slide roof adjacent to No. 31. The impact of the current proposal on No. 31 and the other adjoining properties falls to be assessed as part of this application.

The construction of a dwelling on the land adjacent to No. 27 will impact on the amenities of No. 31 in terms of loss of outlook and loss of light. This assessment

will need to determine whether the impact of the current scheme falls within acceptable levels.

In respect of the issue of the loss of light to these windows, the applicant has submitted a report from David Parratt Associates on 'Rights of Light'. The overall conclusion of this report is that:

"whilst the erection of the proposed house on the adjoining plot will cause some minimal diminution of the daylight entering No.31, Edward Road, that will never cause the residual daylight to fall below the level which the law regards as the standard to which the owners are entitled by right."

The previous permissions for the development of a dwelling on this site including refs. 06/029463, 08/03539, 11/03034 and 13/00655 all include a catslide roof adjacent to No.31 Edward Road. The inclusion of a catslide roof reduces the bulk of the roof adjacent to No.31 and therefore also the impact of the proposed development on the amenities of No.31 in terms of outlook and loss of light.

The alterations to the roof, including the increase in the width of the roof at ridge height by 0.96m and the increase in the height of the flank wall adjacent to No.31 by 0.235 will increase the impact on No.31 in terms of visual amenities and loss of light as it will bring built development closer to No.31. However, the applicant has submitted a report indicating that the residual daylight to No.31 will not fall below the standard to which the owners are entitled by right.

The most recent revision to the scheme is more sensitively designed than previous revisions and does more closely replicate the original catslide roof. The proposal will bring built development closer to No.31, (by 0.96m at ridge level and 0.235m at eaves level). Members will need to carefully consider the impact of these changes on the amenities of the occupiers of the adjoining property. On balance it is considered that the proposal will not significantly worsen the impact on No.31 when compared to the approved scheme.

The single storey element to the rear of the property adjacent to the boundary with No.31 that was included in application (ref. 13/00655) has been deleted from this proposal.

The minor changes to the footprint of the building to square off the rear elevation and the corner of the property adjacent to No.27 are not considered to result in any material impact on the adjoining properties over and above that assessed and considered to be acceptable as part of the previously approved schemes.

Previous applications have increased the height of the proposed dwelling and reduced the level of side space to the adjoining boundaries, seeking to justify this by reducing the rearward projection of the proposed building adjacent to No.31, to lessen the impact on No.31. Whilst the principle of the development of a dwelling on the site has been established this application seeks to further increase the bulk of the roof of the building and height of the flank wall. The history of the revisions to the proposed schemes need to be viewed in their entirety, with each proposal

considered on its own merits and isolated elements of these proposals not used simply to justify development creep.

The applicant has indicated that the inclusion of a cat-slide roof will render two of the bedrooms and a bathroom, on the side of the property adjacent to No.31 unworkable. However, the applicant's position in this regard is not accepted. Even with the inclusion of a cat-slide roof (as has been demonstrated in the case of application ref. 13/0655) it is possible to provide two double en-suite bedrooms that are of generous sizes when compared to modern standards. The site is capable of accommodating and already has planning permission for a substantial dwelling. It would also be possible to add additional habitable accommodation in the roofspace and the applicant has indicated that he wishes to keep the roofspace to eventually add a guest room, gym and cinema room.

The principle of the development of substantial dwelling on the site has already been established, under application refs. 06/02943, 13/00655. It is acknowledged that the development of a dwelling on this site will impact on the amenities of the occupiers of the adjoining properties, however, Members will need to carefully consider whether with the proposed alteration to the roofline, the impact of the proposed dwelling will continue to fall within acceptable levels.

Whilst this is considered to be a finely balanced case, and the proposal is more sensitively designed than the revisions sought in previous applications, in view of the fact that the proposal will only bring built development 0.96m closer to the No.31 at ridge level and 0.235m at eaves level it is considered that the proposal will not significantly worsen the impact of the proposed dwelling on No.31 when compared to what has already been approved and therefore the application is recommended for permission.

Background papers referred to during production of this report comprise all correspondence on files refs. 06/00369, 06/02943, 08/03539, 11/03034, 13/00655 and 13/03135, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

Reason: Section 91, Town and Country Planning Act 1990.

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

seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

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

3 Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works shall be carried out in accordance with the approved details.

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

4 Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through 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.

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

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

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan.

6 Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

Reason: In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

7 While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

Reason: In the interest of pedestrian and vehicular safety and in order to comply with Policy T18 of the Unitary Development Plan.

8 Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the

discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan and Planning Policy Statement 25.

9 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: To protect the amenities of the adjoining residents in order to comply with Policies H7 and BE1 of the Unitary Development Plan.

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

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

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

Reason: To protect the amenities of the adjoining residents in order to comply with Policies H7 and BE1 of the Unitary Development Plan.

12 A minimum side space of 1.5m shall be provided between the north-east and south-west flank walls of the building hereby permitted and the flank boundaries of the property.

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

INFORMATIVE(S)

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

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

land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

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

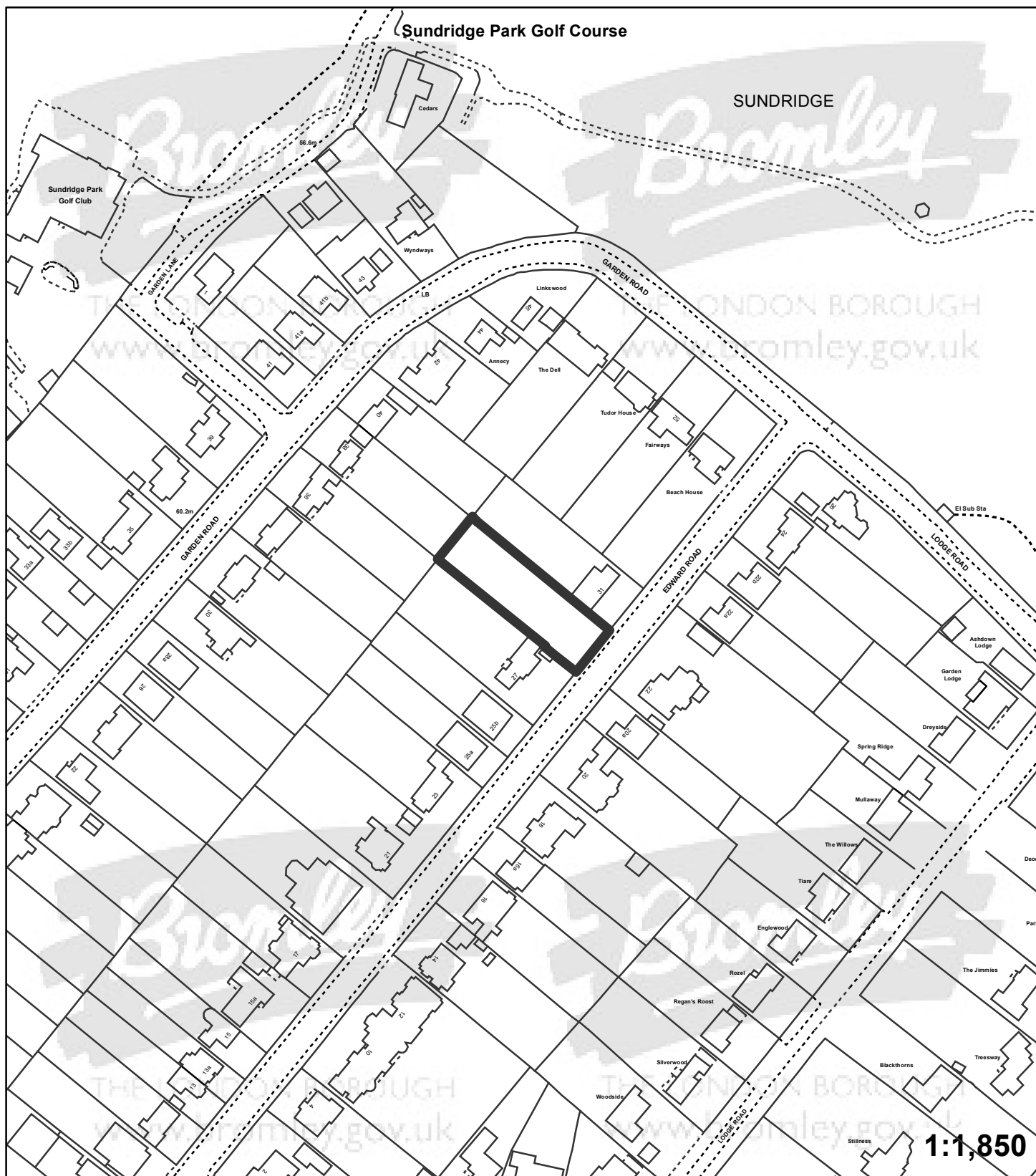
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 3 Before the use commences, the applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.

Application:14/01145/FULL1

Address: Land Adjacent To 27 Edward Road Bromley

Proposal: Detached two storey six bedroom house with accommodation in roofspace, integral garage and associated vehicular access and car parking



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

SECTION '2' – Applications meriting special consideration

Application No : 14/01205/FULL1

Ward:
Clock House

Address : Churchfields Primary School
Churchfields Road Beckenham BR3
4QR

OS Grid Ref: E: 535839 N: 168995

Applicant : Mr Tom Hyndley

Objections : NO

Description of Development:

Part infill development of enclosed courtyard to provide new reception classroom

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
London City Airport Safeguarding
River Centre Line
Urban Open Space
Water Link Way

Proposal

The proposal is for the addition of a reception classroom within the existing central courtyard, attached to the main building. It will consist of one classroom, WC's, sensory room and hygiene room. The building would be brick construction with a flat roof.

The proposal would not result in an increase in staff or pupil numbers on site, but rather forms part of a re-organisation of teaching space at the school. This was confirmed in a supplementary parking survey received on 28th May 2014.

Members should note a separate application (ref. 14/01261) at the site for a new modular building to provide a new nursery elsewhere at the site. This separate application is being considered on the same agenda as the current application.

Location

Churchfields Primary School is a two form entry (2FE) primary school with a nursery, accessed on the southern side of Beck Lane, Beckenham. The site, the adjoining allotments and playing fields are designated as Urban Open Space within the adopted Unitary Development Plan.

Comments from Local Residents

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

Comments from Consultees

Technical Highways comments were received which highlighted some clarifications that were required in respect of parking provision relating to both this application and application ref. 14/01261. A supplementary parking survey was received on 28th May and forwarded to the Councils Highways Engineers for comments. At the time of writing no further comments had been received; any comments will be reported verbally to Members at the meeting.

From a Drainage perspective, no objection is raised.

The Councils Environmental Health Officer has no objections to planning permission being granted.

Thames Water have inspected the application, and with regard to water infrastructure capacity, no objection is raised.

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
- G8 Urban Open Space
- C7 Educational and Pre-School facilities

London Plan

3.18 Education Facilities

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

The site has an extensive planning history, much of which is not relevant to the determination of this application. Applications that are of note include:

86/01747/LBB - Land off Beck Lane/Churchfields Road, Primary School and nursery accommodation - permitted

96/02310/LBB - single storey extension to provide three classrooms - permitted

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, the impact on the designated Urban Open Space, and the impact the proposal 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 development is considered to accord with Policy G8 in that the proposal relates to the existing use at the site as a primary school. The proposed structure is set within the existing envelope of the school buildings and will not impact upon the openness of the Urban Open Space. The external appearance of the school building will not be altered.

The main school itself is set back from the road and the proposed development will not have a detrimental impact on the street scene.

On balance, given the siting of the extension, the development is considered acceptable. The design and access statement includes the applicants supporting statement outlining the reasoning for why the works are required; namely to allow to the school to continue to operate as a 2FE school in the face of significantly rising demand.

No additional pupils or staff are proposed as part of this application and therefore no additional traffic or car parking issues are considered to arise as a result of the proposal. Any further Technical Highways comments will be reported to Members at the meeting.

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

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 28.05.2014

RECOMMENDATION: PERMISSION

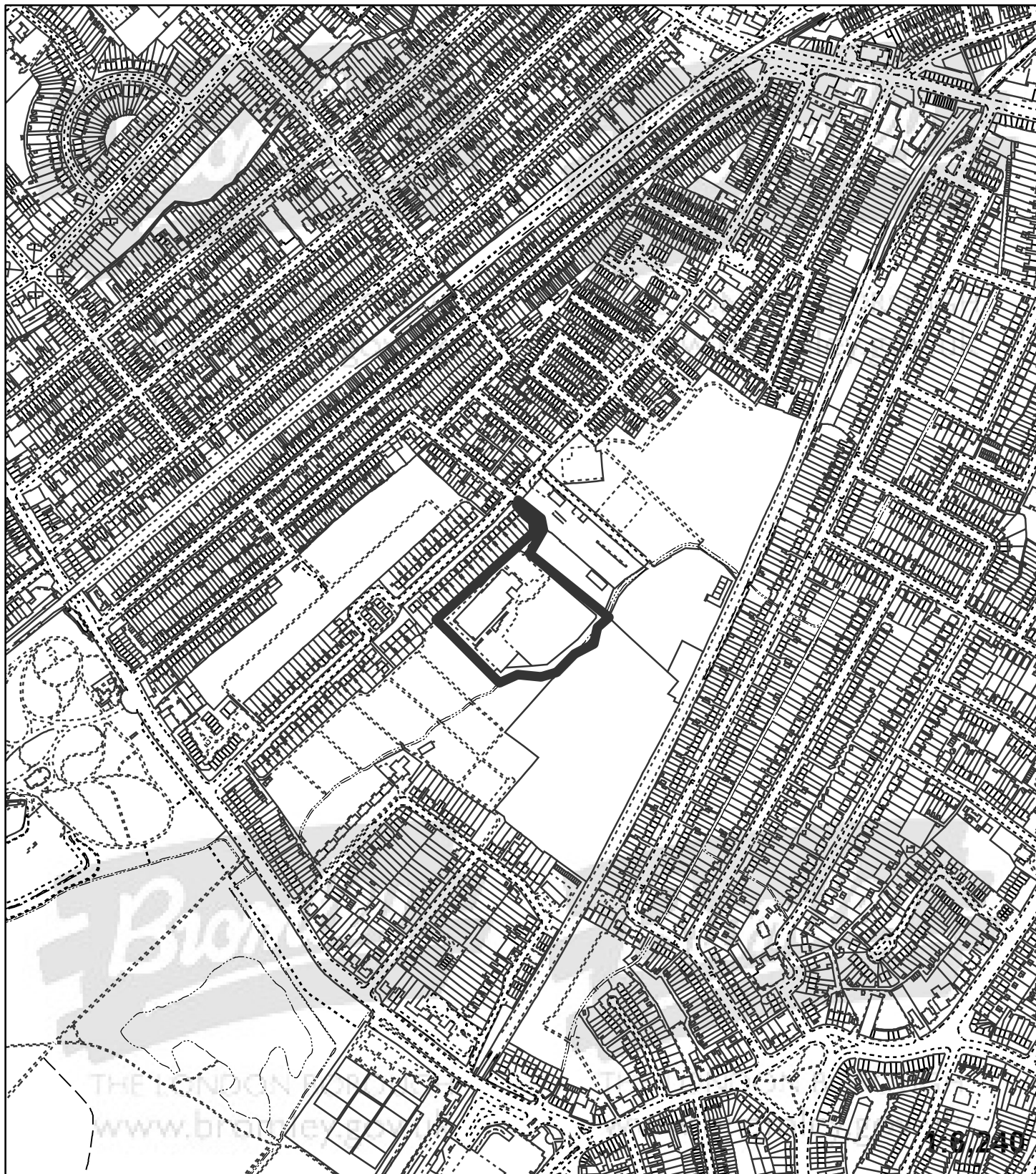
Subject to the following conditions:

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

Application:14/01205/FULL1

Address: Churchfields Primary School Churchfields Road Beckenham
BR3 4QR

Proposal: Part infill development of enclosed courtyard to provide new
reception classroom



"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 : 14/01261/FULL1

Ward:
Clock House

Address : Churchfields Primary School
Churchfields Road Beckenham BR3
4QR

OS Grid Ref: E: 535839 N: 168995

Applicant : Mr Tom Hyndley

Objections : NO

Description of Development:

Erection of modular building to provide 99 sq m nursery, and provision of access thereto by formation of paving, fence and gates.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
London City Airport Safeguarding
River Centre Line
Urban Open Space
Water Link Way

Proposal

The proposal is for the erection of a single storey modular building to provide a new nursery room with WC's. The building would be flat roofed at a height of 3.5m, measuring a maximum of 15m wide and 9.6m deep, constructed of cedar wood.

Amended drawings received on 22nd May indicate that a new 2.4m high fence is proposed to run along the eastern elevation of the school building, incorporating new gates with access control. The proposal also includes new planting and a new paved walkway along the front of the main school building, leading to the new nursery.

Members should note a separate application (ref. 14/01205) at the site for an infill extension in the existing courtyard at the site. This separate application is being considered on the same agenda as the current application.

Location

Churchfields Primary School is a two form entry (2FE) primary school with a nursery, accessed on the southern side of Beck Lane, Beckenham. The site, the adjoining allotments and playing fields are designated as Urban Open Space within the adopted Unitary Development Plan.

Comments from Local Residents

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

Comments from Consultees

Technical Highways comments were received which highlighted some clarifications that were required in respect of parking provision relating to both this application and application ref. 14/01205. A supplementary parking survey was received on 28th May and forwarded to the Councils Highways Engineers for comments. Full technical Highways comments are available on the file. No objection is raised to the proposed new fencing and gates.

From a Drainage perspective, no objection is raised, subject to conditions.

The Councils Environmental Health Officer has no objections to planning permission being granted.

Thames Water have inspected the application, and with regard to water infrastructure capacity, no objection is raised.

The Councils Crime Prevention Officer inspected the file and could find no reference to specific details of measures that have been incorporated in order to meet Secured by Design standards. It is suggested that a condition requiring details of these measures to be submitted to the Council be attached to any permission that is granted.

Given the designation of the site and the proposed positioning of the new nursery Sport England were consulted. A response was received which stated that Sport England did not wish to comment on the application.

Planning Considerations

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

- BE1 Design of New Development
- G8 Urban Open Space
- C7 Educational and Pre-School facilities

London Plan

3.18 Education Facilities

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

The site has an extensive planning history, much of which is not relevant to the determination of this application. Applications that are of note include:

86/01747/LBB - Land off Beck Lane/Churchfields Road, Primary School and nursery accommodation - permitted

96/02310/LBB - single storey extension to provide three classrooms - permitted

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, the impact on the designated Urban Open Space (UOS), and the impact the proposal 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 G8 seeks to restrict development in areas defined as UOS to small scale developments that must be associated with the existing use of the site. Where new built development is proposed, any loss of open space must be weighed against the potential benefits to the wider community arising from the proposal.

Members may consider that the proposal relates to the existing use at the site as a primary school. The proposed structure will be positioned in close proximity to the main school building, when considering the context and size of the whole site. It is therefore considered that the proposed classroom will not impact upon the openness of the Urban Open Space. The main school itself is set back from the road and the proposed additional development will not have a detrimental impact on the street scene, or be overly visible from nearby residential properties.

The design and access statement includes the applicants supporting statement outlining a justification for why the works are required; namely to allow to the school to continue to operate as a 2FE school in the face of significantly rising demand. It is considered that the wider benefits of the proposal outweigh any potential harm to the overall openness of the site.

On balance, given the siting of the nursery and the rationale for the application, Members may feel that, in this instance, the development is acceptable in principle.

The development would result in an additional 30 pupils and two additional members of staff. Initial Highways comments note that the drawings indicate the net loss of one parking space at the site and clarification on this point was sought from the applicants agents. The supplementary parking survey submitted alongside the application (received on 28th May 2014) states that this increase in pupil numbers will result in an additional 4 parent cars arriving and departing during AM drop-off and PM pick-up times, and an additional staff parking demand of 1-2 cars per day.

The assessment concludes that these increases can be easily absorbed by the existing availability of parking, and as such would not be perceptible. Full comments from Highways are available on the file, however, in summary, it is considered likely there will be some impact on Churchfields Road arising from the proposal. The primary cause of congestion is parents wanting to drive as close as possible to the school entrance (during the morning drop off) sometimes double parking and creating congestion, despite available parking within easy walking distance of the school. However, it is considered that the short lived peak time congestion does not impact on the wider highway network.

If Members are minded to approve the application, the Councils Highways Engineer suggests a series of conditions be attached to any planning permission. These are detailed at the end of this report.

On balance, and having had regard to the above it was considered that the siting, size and design of the proposed new nursery space is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the openness of the site to such a degree as to warrant refusal of planning permission. The potential impact on the highway may also be considered acceptable in light of the information provided in this respect.

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

as amended by documents received on 22.05.2014 28.05.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC07 Materials as set out in application
 ACC07R Reason C07
- 3 Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is

commenced. In order to check that the proposed storm water system meets the Councils requirements, the following information should 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

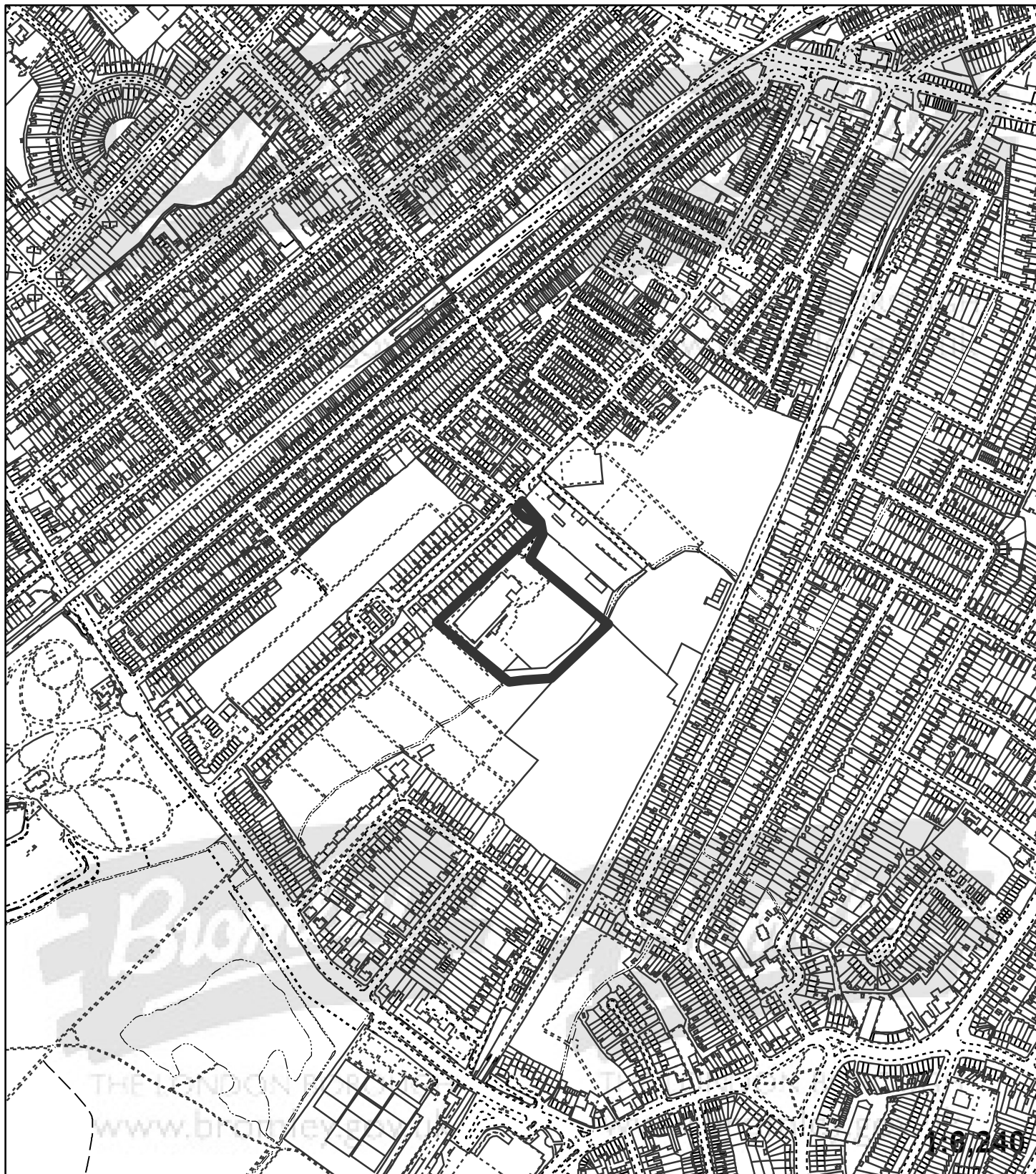
The approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter

- | | | |
|----|--|---|
| | AED02R | Reason D02 |
| 4 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 5 | ACH16 | Hardstanding for wash-down facilities |
| | ACH16R | Reason H16 |
| 6 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 7 | ACH28 | Car park management |
| | ACH28R | Reason H28 |
| 8 | ACH29 | Construction Management Plan |
| | ACH29R | Reason H29 |
| 9 | ACH30 | Travel Plan |
| | ACH30R | Reason H30 |
| 10 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |
| 11 | ACI21 | Secured By Design |
| | ACI21R | I21 reason BE1 |
| 12 | The premises shall be used for a nursery in connection with Churchfields Primary School and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). | |
| | Reason: In the interest of the residential amenities of nearby residents. | |
| 13 | The use of the premises for the purpose permitted shall be limited to Mondays to Fridays inclusive between the hours of 08.00 and 17.00. | |
| | Reason: In order to comply with Policy BE1 and in the interest of the amenities of nearby properties. | |
| 14 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

Application:14/01261/FULL1

Address: Churchfields Primary School Churchfields Road Beckenham BR3 4QR

Proposal: Erection of modular building to provide 99 sq m nursery, and provision of access thereto by formation of paving, fence and gates.
AMENDED DOCUMENTS RECEIVED



"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 : 14/01295/FULL6

Ward:
Orpington

Address : 29 Winchester Road Orpington BR6 9DL

OS Grid Ref: E: 547102 N: 164695

Applicant : Mr Mark Paton

Objections : NO

Description of Development:

Enlargement of roof to provide first floor accommodation including front and rear dormers and single storey side/rear extension

Key designations:

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

Proposal

Planning permission is sought for the enlargement of roof to provide first floor accommodation including front and rear dormers and single storey side/rear extension. The proposed roof enlargement would result in a hip end extension being proposed. The single storey extension would project 2.25m to the side and 3.6m to the rear. The rear extension would have a flat roof and measure a maximum height of 3m.

Consultations

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

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 permission was recently refused at the site under ref.14/00291 for the enlargement of roof to provide first floor accommodation including front and rear

dormers and single storey side/rear extension. The application was refused on the following basis:

"The proposed hip to gable and side extension, involving as it does substantial alteration to the existing roof line of the property, would be detrimental to the symmetrical appearance of this pair of semi-detached houses and to the street scene generally, contrary to Policies BE1 and H8 of the Unitary Development Plan."

Conclusions

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

The application property is a semi-detached bungalow. The adjoining property at No. 27 does not appear to benefit from any roof alterations. The roof alterations would involve the continuation of the roof ridge by approximately 5.5m (previously 7.6m) above the single storey side extension to form a hip extension (previously shown as a gable end). Given the change from a gable end to a hipped roof extension, the proposal is considered to have adequately been reduced. It is noted that there are similar examples of roof alterations at No.23 and 25 Winchester Road and maintain a slight hip to the roofline.

The proposed side extension would be built up to the flank boundary, and given that there is accommodation proposed within the roofspace 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 5m in width, it is not considered that the proposal would result in an unacceptable impact on the openness of the area.

In terms of the single storey rear, given the separation to the flank boundary with No. 27, the proposal is considered to be acceptable.

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

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would result in a detrimental impact upon the pair of semi-detached properties and wider streetscene.

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: 14/01295/FULL6

Address: 29 Winchester Road Orpington BR6 9DL

Proposal: Enlargement of roof to provide first floor accommodation including front and rear dormers and single storey side/rear extension



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

SECTION '2' – Applications meriting special consideration

Application No : 14/01333/FULL6

Ward:
Shortlands

Address : 36 Hayes Way Beckenham BR3 6RL

OS Grid Ref: E: 538494 N: 168444

Applicant : Mr And Mrs S And T Shum

Objections : YES

Description of Development:

Roof alterations to incorporate rear dormer and rooflights, two storey rear extension and new roof over existing side extension and first floor infill extension

Key designations:

Conservation Area: Park Langley

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

Open Space Deficiency

Proposal

The proposal is for a roof alterations to incorporate a rear dormer extension and rooflights in association with a loft conversion; a two storey rear extension and a new roof over an existing side extension and first floor infill extension.

Location

The host building is located within the Park Langley Conservation Area. the area is typified detached family homes set within spacious plots.

Comments from Local Residents

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

Comments from Consultees

APCA - the panel inspected the file and objected on the basis of an overdevelopment of the site and the loss of the hipped roof on the front elevation.

From a Heritage and Urban Design perspective the extensions would be sympathetic to the host building and wider area. No objections area raised subject to a condition requiring materials to match the existing property.

Planning Considerations

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

BE1 Design of New Development
BE11 Conservation Areas
H8 Residential Extensions
H9 Side Space

The Councils adopted SPG guidance is also a consideration.

Planning History

The history at the site includes the following applications:

84/00581/FUL - first floor side extension - refused. The reason for this refusal was that the proposal did not comply with the Councils policy (at that time) of requiring a 3ft separation from the flank boundary.

11/03733/FULL - Single storey rear extension and patio - permitted

Other applications of note at adjacent properties include:

No.34 Hayes Way (to the west) was granted consent for a part one/two storey side/rear and first floor rear extension, pitched roof over existing side dormer, conversion of garage into habitable room and elevational alterations under ref. 11/00371/FULL6. This application included a 4.9m rear projection at first floor level and maintained a 1.0m separation from the boundary.

No.38 Hayes Way (to the east) was granted planning consent for a single storey side and two storey rear extension plus front porch under ref. 11/02276/FULL6. This proposal incorporated a 4.0m two storey rearward projection

Conclusions

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

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

The proposal consists of four elements; replacing the existing flat roof on the front elevation with a hipped roof to match the main roof; replacing the flat roof over the existing ground floor extension at the side; and a two storey rear extension to enlarge the ground floor accommodation and upstairs bedrooms; and a loft conversion incorporating a small rear dormer window in the rear roofslope and associated rooflights on the side roofslopes.

The proposal to amend the roof designs of the existing flat roofs are considered to have an acceptable appearance and would match the design of the main house satisfactorily, without resulting in a harmful impact on neighbouring amenity.

The proposed two storey rear extension would constitute a sizeable addition, however it is noted that both adjacent properties have benefited from two storey rear extensions in the past (see planning history section), and the rear building line of the host property currently sits further forward than both adjacent properties.

The extension would retain a separation from the western boundary (with No.34) of over 3.2m, and no windows are proposed for the side elevations. A 1.0m separation from the eastern boundary is retained in line with the separation that the main house currently has. This is consistent with other extensions in the immediate area, and, as the extension is set to the rear of the property, will not have any harmful impact on the streetscene.

The proposed rear dormer window would be modest in scale and set well within the rear roofslope, without appearing incongruous. The proposed rooflights in the side elevations would allow light into the newly created bedroom in the roofspace, and would not be visible in the streetscene. The proposed dormer window and rooflights is not considered to result in a detrimental impact on neighbouring amenities or the prevailing character of the area.

On balance, the property is considered capable of accommodating the proposed extensions without resulting in a significant loss of amenity to local residents nor any detrimental impact on the character of the area.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|---|
| 1 | ACA01 ACA01R | Commencement of development within 3 yrs A01 Reason 3 years |
| 2 | ACC04 ACC04R | Matching materials Reason C04 |
| 3 | ACI09 ACI09R | Side space (1 metre) (1 insert) eastern Reason I09 |
| 4 | ACI13 ACI13R | No windows (2 inserts) flank extension I13 reason (1 insert) BE1 |

5 ACK01 Compliance with submitted plan
 ACK05R K05 reason

Application: 14/01333/FULL6

Address: 36 Hayes Way Beckenham BR3 6RL

Proposal: Roof alterations to incorporate rear dormer and rooflights, two storey rear extension and new roof over existing side extension and first floor infill extension



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

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SECTION '2' – Applications meriting special consideration

Application No : 14/01397/FULL1

Ward:
Hayes And Coney Hall

Address : 11 Alexander Close Hayes Bromley BR2
7LW

OS Grid Ref: E: 540462 N: 166301

Applicant : Mrs T Mardle

Objections : YES

Description of Development:

Conversion of existing dwelling to one 3 bedroom and one 2 bedroom dwelling

Key designations:

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

Proposal

Permission is sought for the conversion of the previously permitted two storey side extension to the eastern flank elevation of 11 Alexander Close to form a three bedroom end-of-terrace dwelling with the original dwelling becoming a mid-terrace two bedroom property.

The resultant dwelling would feature three bedrooms and a bathroom to the first floor and a living room, kitchen/diner and hall to the ground floor and an entrance door located to the eastern flank elevation. Two parking spaces are proposed to the front of the curtilage. The original property at No.11 would also with two parking spaces to the front.

Location

The application site is located to the northern edge of Alexander Close and comprises the last dwelling at the east of the cul-de-sac. The property is a two storey semi-detached property that has benefitted from a large two storey side extension

Comments from Local Residents

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

- out of character with the area
- an overdevelopment of the site
- a precedent would be set for the conversion of other properties
- the two new properties would be very small in comparison to other extended dwellings in the road
- future extensions to enlarge the two dwellings making overdevelopment worse
- the widening of the crossover is unacceptable
- it is questionable whether two cars could be parked as shown and access to the front door would be blocked
- loss of an on-street parking space
- difficulty turning around at the end of the street
- the revised parking layout still results in four cars on the front garden
- there is already a parking issue in the Close and this will be made worse
- the side access will be a security risk with access able to be gained to the rear of the site to the service road at Hayes Street
- the two resulting gardens will be too small and out of character
- no refuse storage provided
- there is a restrictive covenant on the site limiting the land to one dwelling

The Hayes Village Association have objected on the basis that the terrace would be out of character with the area.

Comments from Consultees

Highways have raised no objection to the proposal on the basis that two parking spaces of adequate dimensions would be provided to each dwelling (the existing and proposed).

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
- H11 Residential Conversions
- T3 Parking
- T18 Road Safety

Supplementary Planning Guidance 1 and 2

London Plan Policy 3.4 Optimising Housing Potential
 London Plan Policy 3.5 Quality and Design of Housing Developments
 The Mayor's Supplementary Planning Guidance: Housing

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

Planning History

The two storey side extension that is the proposed additional dwelling was permitted under application ref. 92/01449 and featured two garages at ground floor level. Conditions were attached that precluded the conversion of the garages under permitted development and in particular condition 2, which states:

"The additional accommodation shall be used only by members of the household occupying the dwelling 11 Alexander Close Hayes and shall not be severed to form a separate self-contained unit.

Reason: To ensure that this unit is not used separately and unassociated with the main dwelling and so as to prevent an unsatisfactory sub-division into two dwellings."

Application ref. 13/04292, also for the conversion of the dwelling into two terraced dwellings, was refused by Members at Committee on 20th March 2014 on the grounds that:

"The proposed development would result in an unsatisfactory change to the character and appearance of the dwellings and the street, by reason of the terracing effect caused by the elevational changes necessary to create an additional dwelling, excessive hardstanding and car parking, and consequential lack of soft landscaping, therefore contrary to Policy BE1 of the Unitary Development Plan."

This decision has been appealed by the applicants and a decision by the Inspector is currently pending.

A certificate of lawfulness for an existing use, ref. 14/01130, for the use of The Annexe, 11 Alexander Close as a separate residential unit, is pending determination at the time of writing. Members will be updated verbally as to the progress of this application.

Conclusions

The main consideration falls to be the provision of an additional dwelling in this location and the impact of an end-of-terraced dwelling to Alexander Close, the impact upon parking provision and the character of the area. The refusal ground of application ref. 13/04292 is a material consideration in the determination of the application and should be accorded due weight.

The built form of the proposed dwelling is already in place and has been considered acceptable in terms of its visual impact, its design and the impact upon the character of the area. The principle consideration is therefore the use of this development as a separate dwellinghouse.

The 1992 permission contained two relevant conditions regarding non-severance and non-conversion of the permitted garages and Members should be aware that such conditions do not in themselves preclude the restricted development, but

require planning permission for them. Although works have been undertaken, the current proposal is effectively seeking permission for that restricted development. Member's will also note the submission of a certificate of lawfulness for the existing annex unit as a self-contained unit.

The main condition, namely that relating to non-severance, gives as its reason the prevention of the creation of an "unsatisfactory sub-division into two dwellings". The development this condition was attached to featured a ground floor that was predominantly given over to garage parking and any sub-division would therefore have resulted in a mainly first floor level of accommodation that would have been unacceptable. However, the current proposal converts the whole of the ground floor to living accommodation and the overall floor area and room sizes are considered acceptable and commensurate to that of the original dwelling at No.11. The resultant accommodation at No.11 would be that same as that of the original dwelling, albeit the rooms area annotated as being two bedrooms and a the box room as a study.

Whilst the cul-de-sac does not feature terraced dwellings, the proposed dwelling occupies a large two storey extension that is already present and is already in residential use. The size of the proposed dwelling would be of a similar scale to other dwelling, in particular No.11 and as such is not considered to result in a house that would be disproportionate to others nearby.

In an effort to overcome the previous refusal ground and the issues of appearance, the front door has been moved to the side elevation. the front elevation of the two dwellings would therefore be identical to that as existing and it is not considered that there would be any readily apparent impact to the character of the area given the existing of the built form and the nature of the existing use.

The proposed dwelling would occupy the previously permitted 1992 two storey side extension to No.11 with two parking spaces to the front of the curtilage, which would be as the existing arrangement for the dwelling in its present form. Two additional parking spaces would be created to the front of No.11 to result in two spaces per dwelling. The parking provision is considered acceptable in terms of quantity and design and no highways objections are raised.

The refusal ground references excessive hardstanding and car parking and a loss of soft landscaping and the revised application introduces soft landscaping between the two parking areas and to the eastern front boundary with two of the four parking spaces (one per property) being grasscrete to further soften the appearance of this provision. Consideration must be given to the possibility of the existing lawn being replaced by hardstanding without the need for planning permission, as well as the level of hardstanding provided to neighbouring properties and it is noted that both Nos.10 and 12 (opposite) have fully paved frontages with no lawn or soft landscaping present. As such it is considered that the revision made overcome this element of the ground of refusal and that the character of the area would not be harmed.

Objections have been raised regarding any future application for the conversion of other side extensions within Alexander Close and these would need to be

assessed upon their own merits and the current proposal would not itself set a precedent for permission to be granted; it is also noted that other side extension in Alexander Close are not as substantial as that to No.11. Similarly any future extension of the two properties would need to be assessed on its own merits although the scope of further enlargement is considered to be limited. The issue of covenants relating to the site is a private legal matter that does not form a planning consideration.

The proposed side door is not considered to warrant a crime risk and although an access gate is present to the alley serving the rear of the properties to Hayes Street, it must be noted that this access is already in place. The resultant gardens to the two properties would be slightly smaller than others in the road, however there is no uniformity of size regarding the gardens serving the properties in Alexander Close and the rear garden to No.11 would be in the region of 90sqm which is considered sufficient for a property of this size and would not amount to harm being caused to the character of the area.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/01397 and 13/04292, 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 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |
| 5 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 6 | ACH18 | Refuse storage - no details submitted |
| | ACH18R | Reason H18 |
| 7 | ACH32 | Highway Drainage |
| | ADH32R | Reason H32 |
| 8 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

INFORMATIVE(S)

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of

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

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

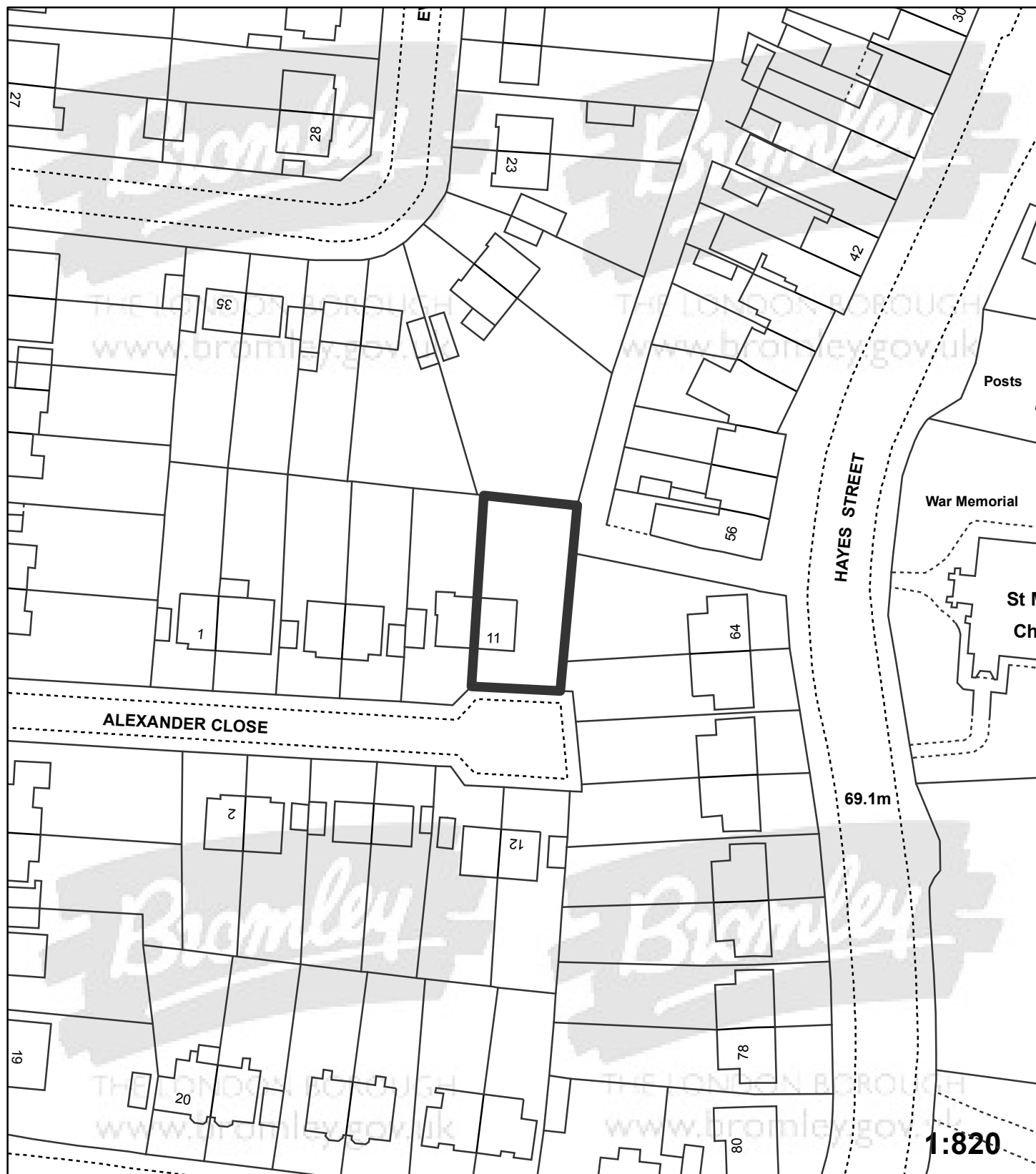
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 2 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 3 You 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 it is an offence under Section 137 of the Highways Act 1980 to obstruct "the free passage along the highway" (which includes the footway i.e. the pavement). This means that vehicles parked on the forecourt should not overhang the footway and therefore you should ensure that any vehicle is parked wholly within the site.
- 5 You should seek the advice of the Building Control Section at the Civic Centre regarding the need for Building Regulations approval for the works on 020 8313 4313, or e-mail: buildingcontrol@bromley.gov.uk

Application:14/01397/FULL1

Address: 11 Alexander Close Hayes Bromley BR2 7LW

Proposal: Conversion of existing dwelling to one 3 bedroom and one 2 bedroom dwelling



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

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SECTION '2' – Applications meriting special consideration

Application No : 14/01398/FULL1

Ward:
Darwin

Address : 10 Edward Road Biggin Hill TN16 3HL

OS Grid Ref: E: 542376 N: 158383

Applicant : Mr R.L.R. Goldsmith

Objections : YES

Description of Development:

Demolition of existing bungalow and erection of a pair of semi detached 2 bedroom bungalows with car parking to front.

Key designations:

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

Proposal

- The proposal seeks permission for the demolition of the existing bungalow and erection of a pair of semi-detached 2 bedroom bungalows with car parking to front.
- From scaling the proposed ground floor plan, it can be seen that the replacement dwellings combined will measure 10.3 metres in width, 15.44 metres in depth, and a separation of 1 metre will be retained between the northern flank elevation and the northern property boundary shared with Number 8 Edward Road for the full height and length of this flank wall, and a separation of 1 metre between the southern property boundary and flank elevation shared with Number 14 Edward Road.
- The dwellings will be single storey bungalows with a maximum ridge height of approximately 5.9 metres.
- There will be 3 windows in each flank elevation, serving a bedroom, a bathroom and the kitchen.

Location

The application site is located on the western side of Edward Road, close to the junction with Moselle Road, and currently hosts a single storey detached bungalow located towards the rear 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:

- concerns that work vehicles do not park outside No.4 - would obstruct views along road and cause safety concerns;
- concerns re asbestos when demolition takes place;
- loss of light to kitchen windows at No.8 - this window is main source of light to kitchen and living room;
- violation of rights under the ancient lights act;
- in the previous proposal the properties were to be built further back on the site which cleared the kitchen window, if the bungalows were to be built further rearward there would still be a reasonable front and rear sized garden;
- block plan is incorrect - a correct endorsed plan is enclosed with objection;
- siting of the bungalows is unacceptable and indicates overdevelopment;
- ridge height will dwarf adjacent property and will be visually intrusive to No.14, creating a form of tunnel vision some 5 metres to the lounge and rear bedroom of No.14;
- whilst the set back from established building line has been reduced, the development remains incongruous and harmful to the streetscene, character and appearance of the area;
- two bungalows on a plot width of 12 metres is overdevelopment, harmful to the existing spatial standards and pattern of development within Edward Road;
- contrary to Policies H7 and BE1 of the Unitary Development Plan, NPPF and 3.4 of the London Plan;
- due to the size, scale and footprint and amount of development on the site, the proposal does not comply with relevant national and local policy criteria;
- internal layout results in poor living environment for future occupiers of the bungalows;
- in particular bedroom 2 on the plans has very poor natural light and outlook with only 1 window being located 1 metre from the existing boundary of the site which is another clear indication that the proposal is a gross overdevelopment of the site and cannot adequately accommodate two new dwellings;
- how can the proposal meet Code for Sustainable Homes Level 4 - a new build requirement;
- no details to demonstrate that the proposed accommodation complies with Lifetime Home Standards, therefore proposal is contrary to Policies 3.8 and 7.2 of the London Plan;
- loss of light to habitable rooms (sitting and dining rooms) to rear of No.14;
- ridge height (some 6 metres when scaled from plans) is excessive;
- combination of excessive height and unacceptable depth will create an environment where the amenities of existing neighbours are compromised;
- should application be recommended positively, suggestions are:
- removal of 'permitted development' both to extend the dwellings and to erect Class E curtilage buildings;

- existing property to be demolished prior to commencement of development of bungalows;
- no accommodation is provided in the extensive roof area.

Any further comments will be reported verbally at the meeting.

Comments from Consultees

Drainage Engineer stated that there is no public surface water sewer near the site, therefore surface water will need to be drained to soakaways.

The Highways Engineer stated that the proposed buildings have been moved forward from the previous application which alters the parking layout. There is a maximum width of 3m, measured at the back of the footway, for each residential property. There is a telegraph pole on the frontage which will affect the access layout and may need to be moved.

Thames Water raised no objection to sewerage infrastructure capacity or water infrastructure capacity. It would be the responsibility of the developer to ensure proper provision is made for surface water drainage to ground, water courses or a suitable sewer.

Should permission be granted, the Applicant should ensure compliance with the requirements of the Health & Safety at Work etc Act 1974, the Control of Asbestos Regulations 2012 and any other relevant legislation concerning the demolition of the existing building, as well as the requirements of the Environment Agency regarding the transport and disposal of asbestos-containing materials.

Planning Considerations

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

- BE1 Design of New Development
- H7 Housing Density and Design
- H9 Side Space
- NE7 Development and Trees
- T3 Parking
- T7 Cyclists
- T8 Other Road Users
- T18 Road Safety

- SPG1
- SPG2

National Planning Policy Framework
London Plan:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential

| | |
|------|--|
| 3.5 | Quality and Design of Housing Developments |
| 3.8 | Housing Choice |
| 5.3 | Sustainable Design and Construction |
| 5.13 | Sustainable Drainage |
| 6.9 | Cycling |
| 6.13 | Parking |
| 7.2 | An Inclusive Environment |
| 7.3 | Designing out Crime |
| 7.4 | Local Character |
| 7.6 | Architecture |

Mayor of London's Housing Supplementary Planning Guidance

Planning History

A recent planning application was refused under ref. 14/00070 for the demolition of an existing bungalow and erection of a pair of two storey semi-detached 3 bedroom dwellings with car parking to front for the following reasons:

1. The proposed dwellings would be over-dominant on the site and would be seriously detrimental to the amenities that the occupiers of Numbers 8 and 14 Edward Road might reasonably expect to continue to enjoy by reason of the position of the proposed dwelling on the site and the two storey rearward projection behind the rear elevations of the neighbouring properties, resulting in overshadowing, loss of outlook, and loss of prospect; thereby contrary to Policies BE1 and H7 of the Unitary Development Plan; and
2. The location, size, scale, roof design and depth of the proposed dwellings constitutes an overdevelopment of the site and would be detrimental to the visual amenities and spatial standards of the surrounding area, contrary to Policies H1, H7, H9 and BE1 of the Unitary Development Plan.

The current application seeks to overcome the previous refusal.

Conclusions

The main issues relating to the application are the effect that the proposed development 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, and whether the principle of the development is acceptable given the previous history on the site.

The surrounding area is characterised by two storey development. The previously refused scheme related to a pair of semi-detached two storey dwellings, with a large roof above. The current application has reduced the overall height of the scheme by introducing a pair of semi-detached bungalows as opposed to two storey dwellings, however, the design of the roof over the bungalows remains fairly substantial and when scaled from the plans submitted, it can be seen that the overall ridge height measures approximately 6 metres in height. This is not dissimilar to the height of a two storey dwellinghouse, so whilst no roofspace accommodation is currently proposed, this could be possible in the future so

should be safeguarded against should Members wish to permit the current scheme.

The overall ridge height of the current scheme is higher than the eaves height of the previously refused scheme. The height of the previously refused scheme up to the eaves was 4.95 metres, with the roof adding a further 4.9 metres up to the ridge. The current scheme will measure approximately 6 metres up to the ridge, which may not appear incongruous from the streetscene due to the design of the pitched roof, but it would result in a bulky impact upon the neighbouring properties to either side due to the overall depth of the proposed dwellings and resulting bulk of the roof. In addition whilst there will be a separation of 1 metre between the flank elevations of the proposed dwellings and the property boundaries, the eaves of the roof will overhang the flank walls by approximately 0.4 metres which will result in some form of development closer to the boundaries although this should not be significant enough degree to warrant refusal.

In terms of the previous refusal grounds, these related to the over dominant impact of the proposed dwellings due to the position on site and the two storey rearward projection behind the rear elevations of the neighbouring properties, resulting in overshadowing, loss of outlook, and loss of prospect; as well as the location, size, scale, roof design and depth of the proposed dwellings resulting in overdevelopment of the site which was considered to be detrimental to the visual amenities and spatial standards of the surrounding area.

The current application has attempted to overcome an element of the previous refusal grounds by relocating the proposed dwellings further forward on the site, so that the front elevations will be in line with the front elevations of the neighbouring properties. However, the rear elevations of the proposed new dwellings will still project beyond the rear elevations of the neighbouring properties, by approximately 4.2 metres and approximately 3.2 metres (beyond the rear elevation of Number 14 and the rear elevation of Number 8 Edward Road respectively), and there remains a minimal separation to the property boundaries resulting in a reduction of the spatial standards of the site. However, the rearward projection will now be at single storey level (albeit a 6 metre high single storey level) as opposed to the previously proposed two storey dwellings, therefore Members will need to determine whether this additional rearward projection at approximately 6 metres in height is acceptable or whether it will still result in an excessive rearward projection beyond the rear elevation of the neighbouring properties.

As previously stated there will be a 1 metre separation between the flank elevations and the property boundaries (notwithstanding the roof overhang) which although on balance is acceptable, it is considered that by reducing the current proposal to single storey units compared to the previous refusal of two storey dwellings (albeit the current scheme has a high ridge and large resulting roofspace for each unit) the dimensions of the floor area have been increased to compensate for the lack of first floor accommodation and it is considered that this overall change results in an unacceptable subdivision of the plot in an attempt to obtain approval for two units on the site where in principle one would be much more appropriate, in keeping with the parameters of the plot and the character of the streetscene.

In terms of the second refusal ground, the location, size, scale and roof design of the current dwellings have been altered in an attempt to overcome the previous refusal grounds. The depth of the proposed dwellings, however, has been increased from 12.9 metres (previously) to 15.44 metres, and the overall ridge height remains substantial despite forming single storey dwellings, therefore Members will need to determine whether this increased depth, yet substantial height, sufficiently overcomes the previous concerns or whether the impact of the approximate 6 metre ridge height and the increased depth of the proposed bungalows remain likely to cause detrimental impact to the amenities that the occupiers of Numbers 8 and 14 Edward Road might reasonably expect to continue to enjoy by reason of overshadowing, loss of outlook and loss of prospect.

Whilst it is appreciated that some attempt has been made to overcome the previous refusal grounds, concerns remain with regard to the overall height of the proposed bungalows, the close proximity to the property boundaries, and the number of dwellings proposed on the plot which is limited in width. As a result it is considered that the development as proposed will still have a detrimental impact upon the amenities and outlook of the neighbouring properties, resulting in a significant loss of amenity and prospect to the occupiers of Numbers 8 and 14 Edward Road, and results in an unsatisfactory subdivision of the plot.

Background papers referred to during the production of this report comprise all correspondence on the files refs. 14/00070 and 14/01398, set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

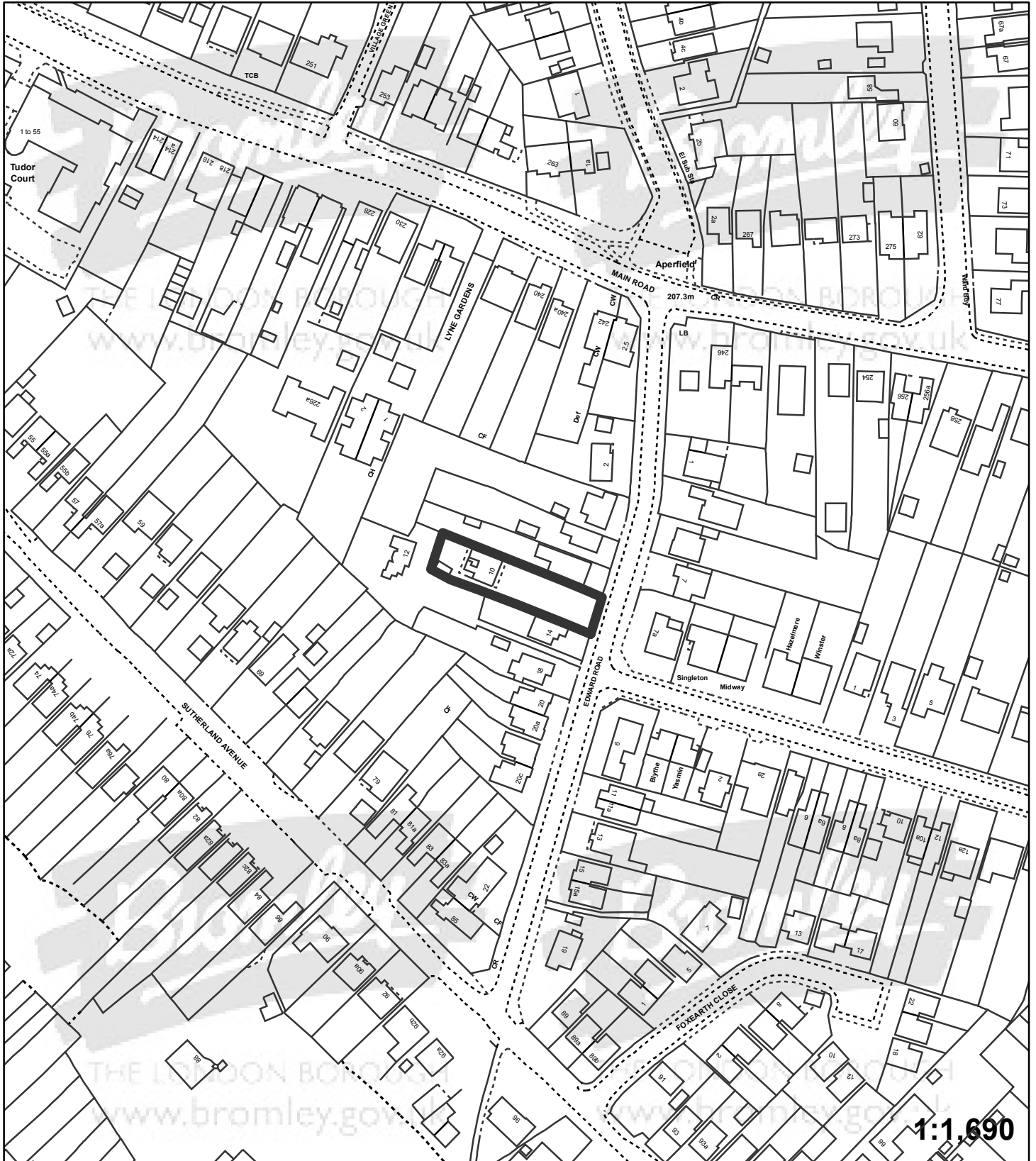
The reasons for refusal are:

- 1 The proposed dwellings would lead to an unsatisfactory subdivision of the plot, would be over-dominant on the site and would be seriously detrimental to the amenities that the occupiers of Numbers 8 and 14 Edward Road might reasonably expect to continue to enjoy by reason of the position of the proposed dwellings on the site and the overall ridge height and rearward projection behind the rear elevations of the neighbouring properties, resulting in overshadowing, loss of outlook, and loss of prospect; thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
- 2 The amount, location, size, scale, roof design and depth of the proposed dwellings constitutes an overdevelopment and unsatisfactory subdivision of the site and would be detrimental to the visual amenities and spatial standards of the surrounding area, contrary to Policies H1, H7 and BE1 of the Unitary Development Plan.

Application:14/01398/FULL1

Address: 10 Edward Road Biggin Hill TN16 3HL

Proposal: Demolition of existing bungalow and erection of a pair of semi detached 2 bedroom bungalows with car parking to front.



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

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

Application No : 13/02200/FULL1

Ward:
Bickley

Address : The Pentlands Woodlands Road Bickley
Bromley BR1 2AE

OS Grid Ref: E: 542749 N: 169153

Applicant : Mr Colin Harrison

Objections : YES

Description of Development:

Part one/two storey detached 4 bedroom dwelling with basement garage and ancillary accommodation on land to the rear of The Pentlands fronting Woodlands Close

Key designations:

Conservation Area: Bickley Park
Area of Special Residential Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency

Proposal

It is proposed to construct a detached part one/two storey 4 bedroom dwelling on land to the rear of The Pentlands which would front onto Woodlands Close. It would include a vehicular access from Woodlands Close leading to a basement garage below the dwelling.

The dwelling would be set back from Woodlands Close to come approximately in line with Oakdene to the west, and its main amenity area would be to the eastern side. It would maintain separations of 4.5m to the western boundary with Oakdene, and 9.5m to the eastern boundary with Easdale.

A Tree Survey has been submitted to support the application.

Location

This site lies within Bickley Park Conservation Area, and comprises part of the rear garden of The Pentlands which fronts Woodlands Road. The site measures 0.075ha., and lies at the eastern end of the cul-de-sac known as Woodlands Close.

It is bounded to the east by Easdale and to the west by Oakdene, both within Woodlands Close.

Comments from Local Residents

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

- overdevelopment of the site
- detrimental to the character, appearance and spatial standards of Bickley Park Conservation Area
- inadequate amenity areas for proposed and host dwellings
- increased parking problems and congestion in Woodlands Close
- dangerous access proposed onto the bend of this cul-de-sac
- the proposals would require a new vehicular access onto Woodlands Close where only a pedestrian access currently exists
- private covenants restrict any further dwellings in Woodlands Close (not a planning matter).

Comments from Consultees

The Council's Highway Engineer raises no objections to the proposals which would provide adequate parking for the new development.

The Advisory Panel for Conservation Areas raises objections on the grounds that the proposals would have a cramped layout with inadequate surroundings, and would have a detrimental impact on the spatial standards of the conservation area.

The Council's Drainage Engineer raises no objections in principle, subject to the submission of further details of surface water drainage, and Thames Water have no concerns.

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

With regard to the trees on the site, the footprint of the house and the access drive would be within the Root Protection Area of several trees, and concerns are raised about the potential impact of the proposals on a Wellingtonia tree (graded B) on the eastern boundary of the site. Although the impact of the access drive could be mitigated by requiring a no-dig method of construction, the proposals also include an underground garage and basement area which could impact on several trees.

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
- NE7 Development and Trees

T3 Parking
T18 Road Safety

This application has been called in by a Ward Member.

Planning History

Permission was refused for an identical scheme in 2002 (ref. 02/03072) on grounds relating to cramped form of development, inadequate amenity space, and detrimental impact on the Conservation Area and on residential amenity, but it was allowed on appeal in July 2003. The proposals were not implemented within the 5 year time limit, and the permission therefore lapsed.

Conclusions

The main issues in this case are whether there have been any material changes since the scheme was allowed on appeal in 2003 to now warrant a refusal.

In allowing the appeal, the Inspector considered that the small scale of the development in relation to neighbouring properties, its careful siting and the quality of its design would result in a form of development which would preserve the character and appearance of the Conservation Area. He considered that the site was well-screened from neighbouring properties by existing mature trees along the boundaries, and that although the new vehicle access would open up the frontage to Woodlands Close, the proposed dwelling would still be less visible than other properties in this close. He also considered that the provision of basement garages would allow the retention of more garden area for the dwelling.

With regard to the impact on neighbouring properties, the Inspector considered that the proposed first floor windows, one to the front elevation and one to the east, would not cause any overlooking problems, and that no first floor rear windows would overlook the host dwelling or its rear garden. The Inspector considered that the size of the remaining garden to The Pentlands would be similar to that at the neighbouring property, Caversham, and that the amenity areas to the proposed and host dwellings would be suitable for the size of the houses.

In refusing permission for the earlier identical scheme in 2002, the Council did not refer in its grounds for refusal to any detrimental impact of the proposals on important trees on the site, and neither did the Inspector refer to concerns about the impact on trees in his decision to allow the appeal. Conditions were instead imposed requiring measures for protecting the retained trees. On that basis, it would be difficult to substantiate a reason for refusal of the current identical scheme based on the detrimental impact on trees.

With regard to highways issues, the Inspector commented that the new vehicular access to Woodlands Close would be at the far end of the cul-de-sac, and due to the small roundabout and narrow road, vehicle speeds would have to be extremely low, and he therefore considered that the access would not have a detrimental impact on traffic flow or highway safety.

In conclusion, the proposals which were considered in 2003 to provide an appropriate development of the land would still be considered appropriate under current Council policies and Government guidance, and there is no reason seen to justify withholding permission in this case.

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 02.01.2014

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 | ACB01 | Trees to be retained during building op. |
| | ACB01R | Reason B01 |
| 5 | ACB02 | Trees - protective fencing |
| | ACB02R | Reason B02 |
| 6 | ACB03 | Trees - no bonfires |
| | ACB03R | Reason B03 |
| 7 | ACB04 | Trees - no trenches, pipelines or drains |
| | ACB04R | Reason B04 |
| 8 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 9 | ACD02 | Surface water drainage - no det. submitt |
| | AED02R | Reason D02 |
| 10 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 11 | ACH26 | Repair to damaged roads |
| | ACH26R | Reason H26 |
| 12 | ACI02 | Rest of "pd" Rights - Class A, B,C and E |
| | ACI03R | Reason I03 |
| 13 | 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.

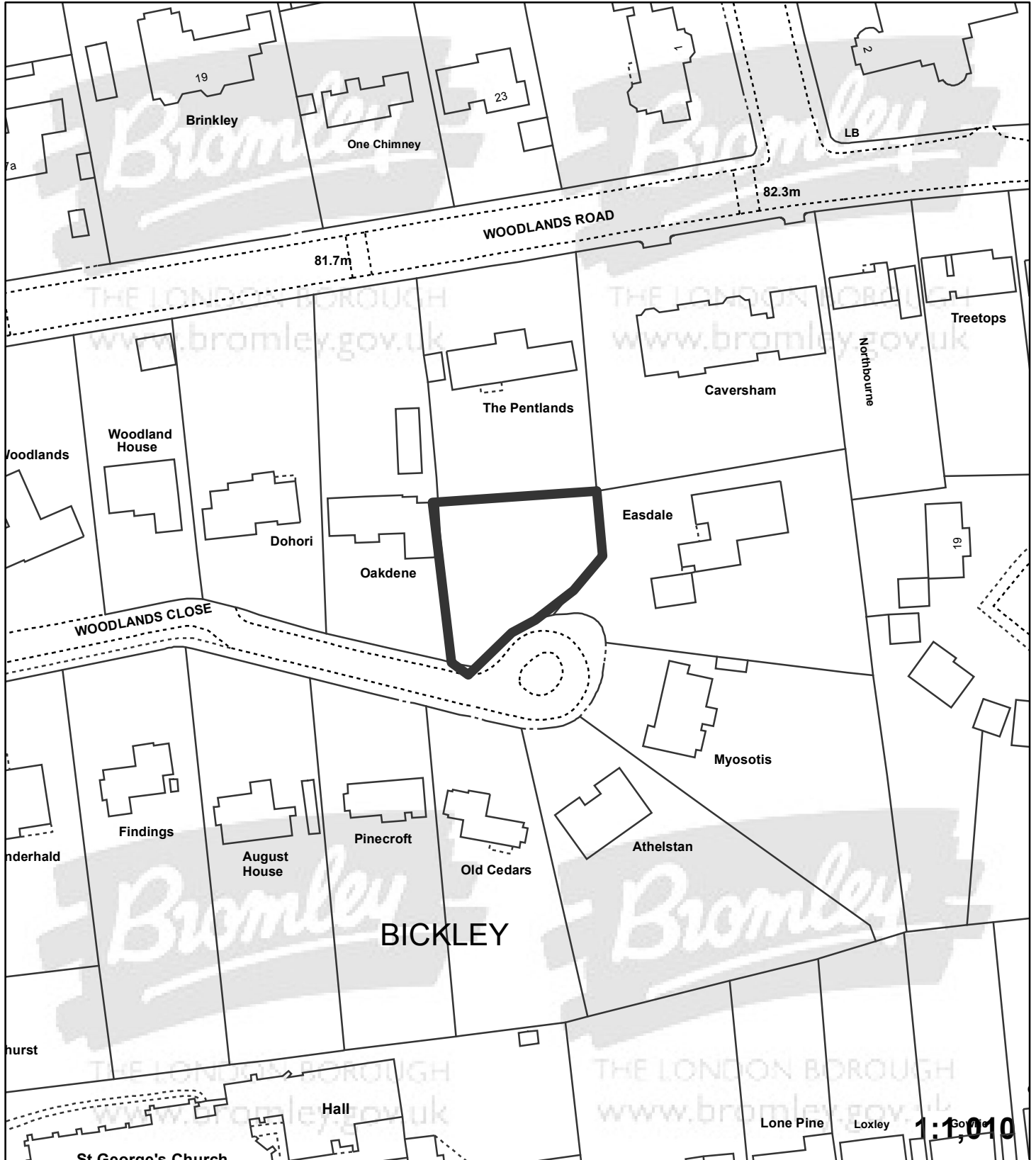
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 2 If during works on site suspected contamination is encountered, Public Protection should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 3 Before works commence, the applicant is advised to contact the Pollution Team of Public Protection regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990.

Application:13/02200/FULL1

Address: The Pentlands Woodlands Road Bickley Bromley BR1 2AE

Proposal: Part one/two storey detached 4 bedroom dwelling with basement garage and ancillary accommodation on land to the rear of The Pentlands fronting Woodlands Close



"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 : 14/00922/FULL6

Ward:
Orpington

Address : 9 Hillcrest Road Orpington BR6 9AN

OS Grid Ref: E: 546187 N: 165714

Applicant : Mrs Rosalind Cocklin

Objections : YES

Description of Development:

Single storey side/rear extension

Key designations:

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

Proposal

The proposal seeks permission for a single storey side/rear extension. Amended plans were received on 6th May 2014. The rear extension element will replace an existing single storey structure to the rear of the property, with the new addition projecting 3.5 metres in depth along the property boundary where it will then kick away from the boundary at a 45 degree angle. The proposed rear extension will be built off of a new wall, having a maximum height of 3 metres, and the roof will then be hipped away from the wall but will increase to a maximum height of 3.81 metres. The highest point of the roof will be located approximately 1.7 metres from the property boundary.

The rear extension will span the width of the host dwelling and wrap around the side of the dwelling. There will be a gap of 1.15 metres between the property boundary and the side extension linked to the rear extension towards the rear of the house, and the element of the side extension that will be towards the front of the dwellinghouse will be built up to the property boundary. This element will form a garage and will replace the existing single storey attached garage.

Location

The application site is located on the northern side of Hillcrest Road and hosts a two storey semi-detached dwellinghouse with an existing single storey rear addition and a single storey attached garage to the side.

Comments from Local Residents

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

- concerns over height of proposed rear extension - will be over 2 metres higher than existing boundary wall at its highest point;
- proposed depth will extend beyond wall of conservatory and boundary wall at adjoining property;
- will result in loss of light (particularly evening light)
- will result in a dramatic change in outlook from conservatory at No.11.

Neighbouring residents were notified of the amended plans and the following comments were received:

- acknowledge revised plans but concerns remain regarding overall depth and height of roof;
- will impact upon light afforded to conservatory at adjoining property;
- no approach has been made regarding Party Wall Act (appreciate this may be separate to planning application);
- keen to reach a compromise with neighbours through discussion but been unable to make contact with them.

Comments from Consultees

No consultations were considered necessary.

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

There is no recent planning history at the site.

Conclusions

The main issues relating to the application are the effect that the proposed development 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.

Concern has been raised by the occupier of the adjoining property with regard to rearward projection and height of the rear extension. There are obscure glazed windows along the flank elevation of the existing rear extension at No.11, which it is accepted will suffer from a degree of impact by reason of the introduction of a longer, higher wall along this property boundary. However, it is considered that the

existence of windows along a flank elevation so close to a property boundary shared between semi-detached dwellings should not preclude future development at an adjacent site on the basis that inserting windows into this elevation is unneighbourly.

The proposed rearward projection of the wall of the extension along the boundary, some 3.5 metres from the rear wall of the host dwelling before it kicks away at a 45 degree angle is considered an acceptable design and depth especially when considering the design of the roof being hipped away from the shared property boundary to No.11 which will reduce the overall height at the boundary and subsequently the overall impact. No windows are proposed in the flank elevation of the extension, which will protect the privacy of the residents of adjacent properties and the host dwellinghouse alike. The overall design and size of the proposed extension is considered to respect the character and appearance of the existing dwelling and bring no overall harm to the amenities of the adjoining properties.

The side extension will replace the existing garage and add additional built development along the side of the host dwelling. However the new element will be set away from the boundary with No. 7 by 1.15 metres which is considered a sufficient distance to prevent an unacceptable impact upon the amenities of the residents of this property.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/00922 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 06.05.2014

RECOMMENDATION: PERMISSION

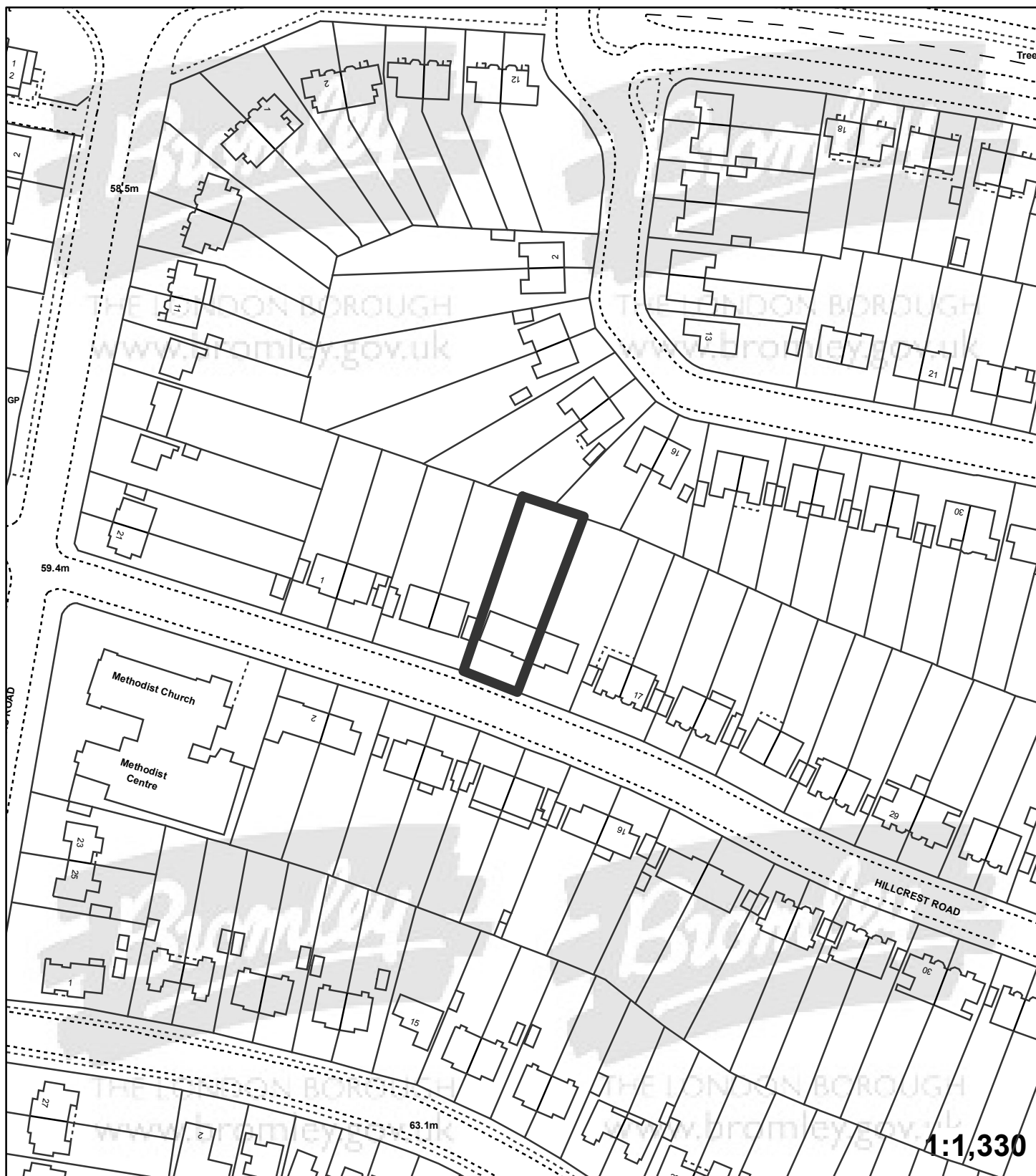
Subject to the following conditions:

- | | | | | | |
|---|--------|--|------------|--------------------|--|
| 1 | ACA01 | Commencement of development within 3 yrs | | | |
| | ACA01R | A01 Reason 3 years | | | |
| 2 | ACC04 | Matching materials | | | |
| | ACC04R | Reason C04 | | | |
| 3 | ACK01 | Compliance with submitted plan | | | |
| | ACC01R | Reason C01 | | | |
| 4 | ACI13 | No windows (2 inserts) | flank | single storey rear | |
| | ACI13R | I13 reason (1 insert) | BE1 and H8 | | |

Application: 14/00922/FULL6

Address: 9 Hillcrest Road Orpington BR6 9AN

Proposal: Single storey side/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 : 14/01427/FULL1

Ward:
Bromley Common And
Keston

Address : Orcombe Westerham Road Keston BR2
6HH

OS Grid Ref: E: 542084 N: 164702

Applicant : Mrs Rooney

Objections : YES

Description of Development:

Demolition of existing dwelling and garage and erection of 1 two storey 5 bedroom detached dwelling.

Key designations:

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

Proposal

This application proposes the demolition of the existing detached bungalow and the erection of a replacement two storey detached dwelling with accommodation in the roof space. A minimum of 1.1m side space is proposed to the southern boundary and 3.8m to the northern boundary. The proposed ridge height is 9.35m (7.6m existing). Photo-voltaic solar panels are included to the rear roof slope.

The application is supported by a Biodiversity Survey.

Location

The site is located on the east side of Westerham Road within a predominantly residential area but with a business park located to the opposite side of the road. The site adjoins the Keston Park Conservation Area to the rear.

Comments from Local Residents

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

- any windows or doors facing Glengariff to be obscured glazed to protect privacy

Comments from Consultees

No Highways objections have been raised; conditions are suggested in the event of a planning permission.

No Environmental Health (pollution) concerns are raised; informatives are suggested in the event of a planning permission.

Planning Considerations

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

H7 Housing Density and Design
H9 Side Space
T3 Transport and Road Safety
T18 Transport and Road Safety
BE1 Design of New Development
BE13 Development Adjacent to a Conservation Area

SPG1
SPG2

Planning History

The planning history of the site reveals permission for first floor two storey front and rear and single storey rear extensions, reference 98/03004 and permission ref. 05/03876 for single storey front, side and rear extensions and first floor addition to convert existing bungalow into four bedroom detached house with garage. Neither of these planning permissions were 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.

There are a significant number of mature trees and landscaping which ensure a good natural screening between the site and adjacent Conservation Area. Additionally the built development will be to the front of the site and therefore the proposal is unlikely to result in a visually detrimental impact on the adjacent designated Conservation Area.

A street scene has been submitted to support the proposal and a two storey dwelling of the size and height proposed is not considered to be out of character in this location. Side spaces proposed are considered to be in keeping with the context of the vicinity and given the siting, design and relationship to adjacent

neighbours the proposed replacement dwelling is not considered to result in any significant detrimental impact on neighbouring amenity.

Local comments have been received in respect of obscure glazing to flank windows. No Highway concerns are raised given the on-site parking availability and the re-use of the existing access.

In the event of a planning permission the development is potentially CIL liable.

It is considered that the proposed replacement dwelling would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area such as to warrant a planning refusal.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|---|--------|--|-------------------------------|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACC07 | Materials as set out in application | |
| | ACC07R | Reason C07 | |
| 3 | ACH03 | Satisfactory parking - full application | |
| | ACH03R | Reason H03 | |
| 4 | ACH32 | Highway Drainage | |
| | ADH32R | Reason H32 | |
| 5 | ACK01 | Compliance with submitted plan | |
| | ACC01R | Reason C01 | |
| 6 | ACI13 | No windows (2 inserts) | flank development |
| | ACI13R | I13 reason (1 insert) | BE1 |
| 7 | ACI12 | Obscure glazing (1 insert) | to the north and south flanks |
| | ACI12R | I12 reason (1 insert) | BE1 |

INFORMATIVE(S)

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

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

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

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

- 2 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 3 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: 14/01427/FULL 1

Address: Orcombe Westerham Road Keston BR2 6HH

Proposal: Demolition of existing dwelling and garage and erection of 1 two storey 5 bedroom detached dwelling.



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

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Report No.
DRR14/057

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Plans Sub Committee 2

Date: 19th June 2014

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

Title: **Tree Works Application to a Tree Protected by a Tree Preservation Order Application Number 14/00578/TPO 76B The Avenue, Beckenham.**

Contact Officer: Kevin Munnely, Head of Renewal
Tel: 020 8313 4582 E-mail: kevin.munnely@bromley.gov.uk

Chief Officer: Jim Kehoe – Chief Planner

Ward: Copers Cope

1. Reason for report

To consider the tree works application (No. 14/00578/TPO) to fell one London plane (*Platanus x hispanica*) on the land adjacent (on the grass verge controlled by the Cator Estates) to 76B The Avenue which is protected within tree preservation order (TPO) numbered 2505A.

2. **RECOMMENDATION(S)**

To grant consent to the application on condition on one replacement tree being planted in accordance to the Councils specifications.

Corporate Policy

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

Financial

1. Cost of proposal: Estimated Cost: up to £74 267.75
 2. Ongoing costs: Non-Recurring Cost:
 3. Budget head/performance centre: Planning Division Budget
 4. Total current budget for this head: £3.3 million
 5. Source of funding: Existing revenue budget
-

Staff

1. Number of staff (current and additional): 103.89 FTE's
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Not Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): One
-

Ward Councillor Views

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

3. COMMENTARY

3.1 Conservation Area: None

3.6.1 Type of tree preservation order (TPO): Individual Order T1 London plane

3.6.2 Date the TPO was severed: 09/04/2013

3.6.3 Date the TPO was confirmed: 19/09/2013

3.2 Reason(s) or summary of reason(s) given for the tree works:

Vegetation induced clay shrinkage subsidence damage to 76B The Avenue caused by the London plane.

3.3 Any Potential Financial Risks to the Councils Decision under

Yes if the Council refused the application for tree works to a tree protected by a tree preservation order (TPO) the Council could be held liable for all cost associated with the refusal to fell the London plane. This liability is within sections 203, 204 and 205 of the Town and Country Planning Act 1990 (as amended) and within section 202E of the Planning Act 2008. On this occasion the Council would be held liable for the difference in the cost of repairing the insured property with tree removal and without the removal of the London plane. On this occasion the Lost Adjuster has estimated the following cost of repairs to the insured property as £10 732.25 with tree removal and between £63 000 to £85 000 without tree removal. Therefore on this occasion if the Council refused the tree works application to fell the London plane the Council would be held liable for approximately between £52 300 to £75 000.

3.4 A site visit was undertaken by Linda Henderson (Acting Senior Tree Officer Planning) on 25/04/2014; on this occasion full access was gained to all parts of the tree given it is located with the footpath of the private unadopted road The Avenue. The public visual amenity value of the London plane is limited due to the lack of public access to this private road however the road could be used as a through road given it is not gated. The London plane provides a significant amount of private amenity, historical and cultural value given it is a historical remnant of the original avenue of trees that gives its name to the road. The London plane is a significant member of the remaining mature and veteran trees that form the historic landscape character of the area therefore it is an important arboricultural asset.

3.5 The arboriculturist (Linda Henderson) assessed the London plane using the principles of visual tree assessment (VTA) as in accordance Mattheck and Breloer 1994 their observations are as follows:

London plane: age class mature, structural condition good, form good (old lapsed pollard), physiological condition good, and sustainability within its planting position poor

3.6 The sustainability within it is planting is poor given the structural engineers report dated 20th December 2013 states the following:

- Vegetation induced clay shrinkage subsidence damage to 76B The Avenue caused by the London plane noted on 18th August 2011.
- Historical clay shrinkage subsidence damage to the property in or around 1987.
- Current mechanism of movement is a downwards movement of the front bay (towards the London plane) and front left-hand corner.

- This is with seasonal variations (indicative of vegetation induced clay shrinkage subsidence given the London plane is deciduous).
- Clay subsoil below the foundations of the property.
- Alive London plane roots under the foundations of the insured property at a depth of 1.5-3.5 metres.
- There is no other London plane tree within close proximity to the damaged property that on the balance of probability the London plane roots under the foundation of the property emanate from the London plane the subject of this application.
- No damage to the drains at the property.
- Level and cracking monitoring provide evidence of movement of the front left-hand corner consistent with soil shrinkage in summer and swelling in winter.

3.7 The above evidence and all the other evidence within the structural engineers report dated 20th December 2013 provides the Council with sufficient evidence to prove on the correct evidential test (the balance of probability). That the London plane is the causation of vegetation induced clay shrinkage subsidence to 76B The Avenue. Furthermore given the results from HortLINK at East Malling Research (Hipps, 2004) it is known that pruning of trees is not sustainable method of mitigation for vegetation induced clay shrinkage subsidence. Given according to HortLink 70% to 90% crown reduction only has a minimal impact of reducing the amount of soil moisture that tree roots will remove from the soil profile. However a 70% to 90% crown reduction is excessive tree works that are not in accordance with the British Standard 3998:2012 Tree Works. In all probability such a large crown reduction of 70% to 90% will induce failure within the London plane and remove the entire private visual amenity that the tree provides to the surrounding area and have a detrimental impact on the landscape character of the area.

3.8 The arboriculturist assessed the London plane as in accordance to Table 1 within the British Standard 5837:2013 Trees in relation to design, demolition and construction. Recommendations:

London plane: A1, A2 & A3

3.9 The proposed tree works to fell one London plane will have a detrimental impact upon the private visual amenity and historical landscape character of the surrounding area. However the private visual amenity and historical value of the tree is no longer sustainable given that on the balance of probability the London plane is the causation of vegetation induced clay shrinkage subsidence damage at 76B The Avenue. Therefore were the Council to refuse the tree works application within 14/00578/TPO the Council will be held liable for all costs associated with the refusal. These costs are currently estimated at between £52 300 to £75 000 for the repair of the insured property were the London plane to remain in situ. However these are the current estimated costs which are likely to increase given that the London plane is currently still *in situ* and the canopy is in full leaf therefore it is still removing water for the clay subsoil under the foundations. Therefore the damage to the insured property is currently ongoing until the London plane is removed.

3.10 For the current estimated cost of the liability the Council could purchase several hectares of woodland within the South East of England. On 22nd May 2014 at John Clegg & Co Chartered Surveyors and Chartered Foresters web page the following two woodlands were for sale one had been divided into Lots these were as follows:

- Owl Wood, 3.78 Hectares / 9.34 Acres, Guide Price £65,000

- The Knelle Woodlands, 13.6 Hectares / 33.6 Acres, Guide Price £245,000
- Knelle Deep Wood, 3.51 Hectares / 8.68 Acres, Guide Price £65,000
- Knelle North Wood, 3.74 Hectares / 9.25 Acres, Guide Price £65,000
- Knelle Big Wood, 6.34 Hectares / 15.66 Acres, Guide Price £110,000

3.10.1. Furthermore as real cost comparison of the cost of retaining the London plane the annual budget for the tree works within Bromley Council for the finance year 2014 to 2015 is approximately £320 000.

3.11 Given that the potential cost of retaining the one London plane tree within tree works application 14/00578/TPO is between £52 300 to £75 000 in comparison to purchasing 3.5 to 3.75 hectares of woodland for £65 000 on the open market. It is my considered professional opinion that the Council should grant consent to the tree works within 14/00578/TPO given it is not within the public interest to retain one privately controlled tree by Cator Estates at the cost similar to purchasing several hectares of woodland on the open market.

3.12 The Council has been informed by the applicant that the Cator Estates has agreed to the removal of the London plane once the Council has granted consent to remove the tree.

3.13 The loss of London plane can be partial compensated by requiring one replacement tree to be planted as condition of the Council issuing consent to the tree works application 14/00578/TPO. This replacement tree should be a nursery grown containerised stock of an extra heavy standard girth at 1 metre above ground 14-16cm and height 4.0-4.5 metres.

4.01 **Recommended Conditions**

B06 – Replacement One Tree where TPO consent

B07 – Tree surgery to British Standard 3998:2010 Tree work. Recommendations

B09 – Commencement

5.01 Additional Information and References:

[https://www.bre.co.uk/filelibrary/pdf/projects/HortLink_Project_Final_Report_\(2004\).pdf](https://www.bre.co.uk/filelibrary/pdf/projects/HortLink_Project_Final_Report_(2004).pdf)

<http://www.johnclegg.co.uk/>

6.01 **POLICY IMPLICATIONS**

None.

7.01 **FINANCIAL IMPLICATIONS**

Lost Adjuster has estimated the following cost of repairs to the insured property as £10 732.25 with tree removal and between £63 000 to £85 000 without tree removal. Therefore on this

occasion if the Council refused the tree works application to fell the London plane the Council would be held liable for between £52 300 to £75 000. However these estimated costs are likely to have increases given that the London plane is still *in situ* removing water for the clay subsoil thus the damage is currently ongoing.

8.01 LEGAL IMPLICATIONS

The Council is liable for all cost associated with a refusal of an application for tree works to a tree protected within TPO this is within sections 203, 204 and 205 of the Town and Country Planning Act 1990 (as amended) and within section 202E of the Planning Act 2008.

9.01 PERSONNEL IMPLICATIONS

None

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