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DATE: 5 August 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 14 AUGUST 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 19 JUNE 2014**
(Pages 1 - 8)
- 4 PLANNING APPLICATIONS**

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

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

SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.1	Bromley Town	9 - 14	(13/03530/RECON) - 29 Gwydyr Road, Bromley.
4.2	Hayes and Coney Hall	15 - 18	(14/01565/FULL1) - Pickhurst Junior School, Pickhurst Lane, West Wickham.
4.3	Chislehurst Conservation Area	19 - 22	(14/01756/FULL6) - 14 Holbrook Lane, Chislehurst.
4.4	Copers Cope Conservation Area	23 - 28	(14/01814/FULL2) - Rear of 10 Bromley Road, Beckenham.
4.5	Darwin	29 - 34	(14/01991/FULL2) - Keston Fruit Farm, Blackness Lane, Keston.
4.6	Bickley	35 - 42	(14/02021/FULL1) - Land at Southwood Close, Bickley.
4.7	Bromley Town	43 - 48	(14/02082/FULL1) - Land adjacent to 29 Rochester Avenue, Bromley.

4.8	Copers Cope	49 - 54	(14/02185/PLUD) - Hamara, Shortlands Grove, Shortlands.
4.9	Bromley Common and Keston	55 - 60	(14/02288/FULL1) - Elmfield Lodge, Rookery Lane, Bromley.
4.10	Copers Cope Conservation Area	61 - 70	(14/02395/FULL2) - Unit 1 Limes Road, Beckenham.
4.11	Petts Wood and Knoll	71 - 76	(14/02500/RESPA) - Mega House, Crest View Drive, Petts Wood.

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

Report No.	Ward	Page No.	Application Number and Address
4.12	Copers Cope Conservation Area	77 - 84	(13/00196/FULL1) - Foxgrove House, Foxgrove Road, Beckenham.
4.13	Cray Valley East	85 - 92	(14/00984/FULL1) - Royal Albert, 127 Lower Road, Orpington.
4.14	West Wickham	93 - 96	(14/01678/FULL6) - 10 The Mead, West Wickham.
4.15	Orpington	97 - 100	(14/01961/FULL2) - 276 High Street, Orpington.
4.16	Hayes and Coney Hall	101 - 106	(14/02175/FULL6) - 213 Queensway, West Wickham.
4.17	Bromley Common and Keston	107 - 112	(14/02223/FULL6) - 2 Gravel Road, Bromley.
4.18	Orpington	113 - 118	(14/02507/RESPA) - Temple Gate House, 115-123 High Street, Orpington.

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

Report No.	Ward	Page No.	Application Number and Address
4.19	Farnborough and Crofton	119 - 122	(14/02422/FULL6) - 1 Brickfield Farm Gardens, Orpington.

5 CONTRAVENTIONS AND OTHER ISSUES

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

6 TREE PRESERVATION ORDERS

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

PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 19 June 2014

Present:

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

Also Present:

Councillor Graham Arthur

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Melanie Stevens and Councillor Teresa Ball attended as her substitute.

2 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

3 CONFIRMATION OF MINUTES OF MEETING HELD ON 17 APRIL 2014

RESOLVED that the Minutes of the meeting held on 17 April 2014 be confirmed.

4 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

4.1 CHELSFIELD AND PRATTS BOTTOM

(14/00111/FULL1) - Coltswood, Stonehouse Road, Orpington.

Description of application – 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.

Oral representations in objection to the application

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

Councillor Samaris Huntington-Thresher referred to the topographical survey that had been undertaken and in her opinion the proposed development was over-dominant, over-intensive and residential amenity space would be lost if the application were to be approved.

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

1. The proposal, by reason of its size, height and siting constitutes an incongruous and over-dominant form of development, harmful to the visual amenities of the area, and contrary to Policies BE1 and H7 of the Unitary Development Plan.
2. The proposal would be over-dominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of visual impact, overlooking and loss of privacy, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

4.2 BROMLEY TOWN

(14/00217/FULL1) - Wendover Tennis Club, Glanville Road, Bromley.

Description of application – Nine 6.7m high floodlights to courts 4 and 5.

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 with an amendment to Condition 3 to read:-

“3. The floodlights hereby permitted shall not be used after 9.00 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 and ER10 of the Unitary Development Plan and in the interests of the amenities of local residents.”

4.3 WEST WICKHAM

(14/00931/FULL6) - 60 Pine Avenue, West Wickham.

Description of application – Increase in roof height to incorporate 3 rear dormers, part one/two storey front/side/rear extension.

Comments from the applicant were reported.

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

**4.4
PLAISTOW AND
SUNDRIDGE**

(14/00981/FULL1) - 51 London Lane, Bromley.

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

Oral representations in objection to and 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 informative set out in the report of the Chief Planner.

**4.5
BROMLEY TOWN**

(14/00989/FULL3) - 6 Blyth Road, Bromley.

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

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.

**4.6
PLAISTOW AND
SUNDRIDGE**

(14/01145/FULL1) - Land Adjacent to 27 Edward Road, Bromley.

Description of application – Detached two storey six bedroom house with accommodation in roofspace, integral garage and associated vehicular access and car parking.

Comments from the applicant were reported. Members having considered the report and objections, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration to seek a reduction in the roof height.

**4.7
CLOCK HOUSE**

(14/01205/FULL1) - Churchfields Primary School, Churchfields Road, Beckenham.

Description of application - Part infill development of enclosed courtyard to provide new reception classroom.

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.

**4.8
CLOCK HOUSE**

(14/01261/FULL1) - Churchfields Primary School, Churchfields Road, Beckenham.

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

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

**4.9
ORPINGTON**

(14/01295/FULL6) - 29 Winchester Road, Orpington.

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

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

1. 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.

(Councillor Peter Dean wished his vote for 'permission' to be recorded.)

**4.10
SHORTLANDS
CONSERVATION AREA**

(14/01333/FULL6) - 36 Hayes Way, Beckenham.

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

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.

**4.11
HAYES AND CONEY HALL**

(14/01397/FULL1) - 11 Alexander Close, Hayes.

Description of application – Conversion of existing dwelling to one 3 bedroom and one 2 bedroom dwelling.

Oral representations in objection to the application were received. Oral representations from Ward Member, Councillor Graham Arthur, 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.

**4.12
DARWIN**

(14/01398/FULL1) - 10 Edward Road, Biggin Hill.

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

Members having considered the report and objections, **RESOLVED that PERMISSION be REFUSED** as recommended in the report of the Chief Planner.

SECTION 3

(Applications recommended for permission, approval or consent)

**4.13
BICKLEY CONSERVATION
AREA**

(13/02200/FULL1) - The Pentlands, Woodlands Road, Bickley.

Description of application – 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.

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

**4.14
ORPINGTON**

(14/00922/FULL6) - 9 Hillcrest Road, Orpington.

Description of application – Single storey side/rear extension.

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

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.

**4.15
BROMLEY COMMON AND
KESTON**

(14/01427/FULL1) - Orcombe, Westerham Road, Keston.

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

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

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 conditions and an informative to read:-

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

REASON: In the interest of the visual and neighbouring amenities of the area and to prevent an overdevelopment of the site, to accord with Policies BE1 and H7 of the Unitary Development Plan.

9. Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site(s) as shall be approved and shall be permanently retained thereafter.

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

INFORMATIVE: The applicant is advised that this committee would be supportive of any future application for a garage to the site being considered under delegated authority.”

5 TREE PRESERVATION ORDERS

**5.1
COPERS COPE**

**(DRR14/057) - Tree Works Application to a Tree
Protected by a Tree Preservation Order - 76B The
Avenue, Beckenham.**

**THIS REPORT WAS WITHDRAWN BY THE CHIEF
PLANNER.**

The Meeting ended at 8.10 pm

Chairman

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SECTION '2' – Applications meriting special consideration

Application No : 13/03530/RECON

Ward:
Bromley Town

Address : 29 Gwydyr Road Bromley BR2 0EX

OS Grid Ref: E: 539946 N: 168875

Applicant : Mr Paul Evans

Objections : YES

Description of Development:

Removal of condition 5 of planning permission reference 11/00407 requiring arrangements to be in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a residents parking permit within any controlled parking zone which may be in force in the vicinity of the site at anytime.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Bromley Town Centre Area Buffer 200m
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

This application seeks the removal of condition 5 of planning permission ref. 11/00407 requiring arrangements to be in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a residents parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

Location

The site is located on the east side of Gwydyr Road, within a residential location.

Comments from Local Residents

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

Concerns are raised in that :

- there has been no reduction in the demand on parking in the immediate vicinity
- roads are regularly congested with parked vehicles
- there is an access road to the rear of Gwydyr Road - this is regularly parked in, with so many cars it is not possible to drive down it
- demand for parking exceeds spaces available

Comments are added that:

- if an additional parking space is created outside the house and the yellow line removed - would not object

Comments from Consultees

Highways comments note that the proposal is located within Bromley Town Centre (Outer Zone) Controlled Parking Zone (CPZ). The original development has resulted in loss of off street parking spaces. Furthermore there is no provision for off street parking space(s), which would add to the parking stress within the area. Based on 2001 census results, car ownership in Bromley Town ward was approx. 1.04car per household. Considering that the available census information is approximately 13 years old, and the growth in car ownership level since 2001, greater parking demand is likely to exist now. The submitted parking survey is noted. Highways concerns are raised that the demand for parking has not reduced in this vicinity and removal of Condition 5 would add to parking stress therefore in principle the application cannot be permitted as it will set a precedent and therefore the removal of condition 5 is not recommended.

Highways additional comments advise that even in the event an additional bay is implemented this would not address their objections raised as the bay would be for public use and not for the sole use of the applicant.

Planning Considerations

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

T3 Transport and Road Safety

and Supplementary Planning Guidance

Planning History

Outline planning permission, ref. 07/02923, was granted, subject to conditions, for a detached two storey three bedroom dwelling on land adjacent 27 Gwydyr Road.

Highways comments at the time raised no objections to car free housing in this location, subject to the developer entering into an agreement that the new occupiers would not be eligible for a parking permit. An informative was included on the planning decision notice advising future owners/occupiers of the dwelling would not be eligible for parking permits.

Planning permission, ref. 11/00407, was granted for the detailed development, subject to planning conditions including Condition 5 the subject of this application.

Application ref. 12/01705 was subsequently submitted to seek the removal of condition 5 (Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.) of permission ref. 11/00407.

This was refused for the following reason:

The removal of Condition 5 would add to the parking stress within the area and would be contrary to the aims of Policy T3 which seeks to avoid development which is likely to lead to parking inconvenient to other road users and be detrimental to amenities and road safety.

Conclusions

The planning merits of the development now built and known as 29 Gwydyr Road (application site) were considered by planning permission refs. 07/02923 and 11/00407 and whilst representations were put forward by the applicants at the time relating to parking, no Highway objection was raised to car free housing in this location. This was however subject to restrictions; in order to address pressure on the existing parking demand in the area future residents of the development should not be eligible to apply for parking permits. It should be noted there are some 'free' (non-restricted) spaces on Gwydyr Road, which could be utilised by future occupier(s).

The planning history reveals the continued highway concern, that to allow this type of development (without the restrictive condition) is that similar developments will start applying resulting in unsustainable number of parking permits.

The applicant has been advised that if the health condition entitled an application for and the issuing of a disabled persons parking badge, it may be the case that the requirements of condition 5 can be met without having to apply to have the Condition removed (or varied).

The applicant has advised that they were unaware of the restriction prior to moving in; they have also indicated that a member of the family has significant health problems. The applicant has provided confirmation from the doctors in this respect, in order to support the application.

Members may consider that the removal of Condition 5 would add to the parking stress within the area and would be contrary to the aims of Policy T3 which seeks to avoid development which is likely to lead to parking inconvenient to other road users and be detrimental to amenities and road safety.

However, Members will note there is provision within the Condition for disabled persons to obtain a residents parking permit; the applicant has advised that they do

not think they are eligible for a 'blue badge'. Given there are specific health reasons as highlighted by medical confirmation Members may consider that special circumstances are put forward in this particular case sufficient to allow for the provision of a parking permit in this particular instance, subject to a limited period of time in order that the situation can be reconsidered in the light of the circumstances at that time.

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 16.01.2014 09.07.2014

RECOMMENDATION: APPROVAL

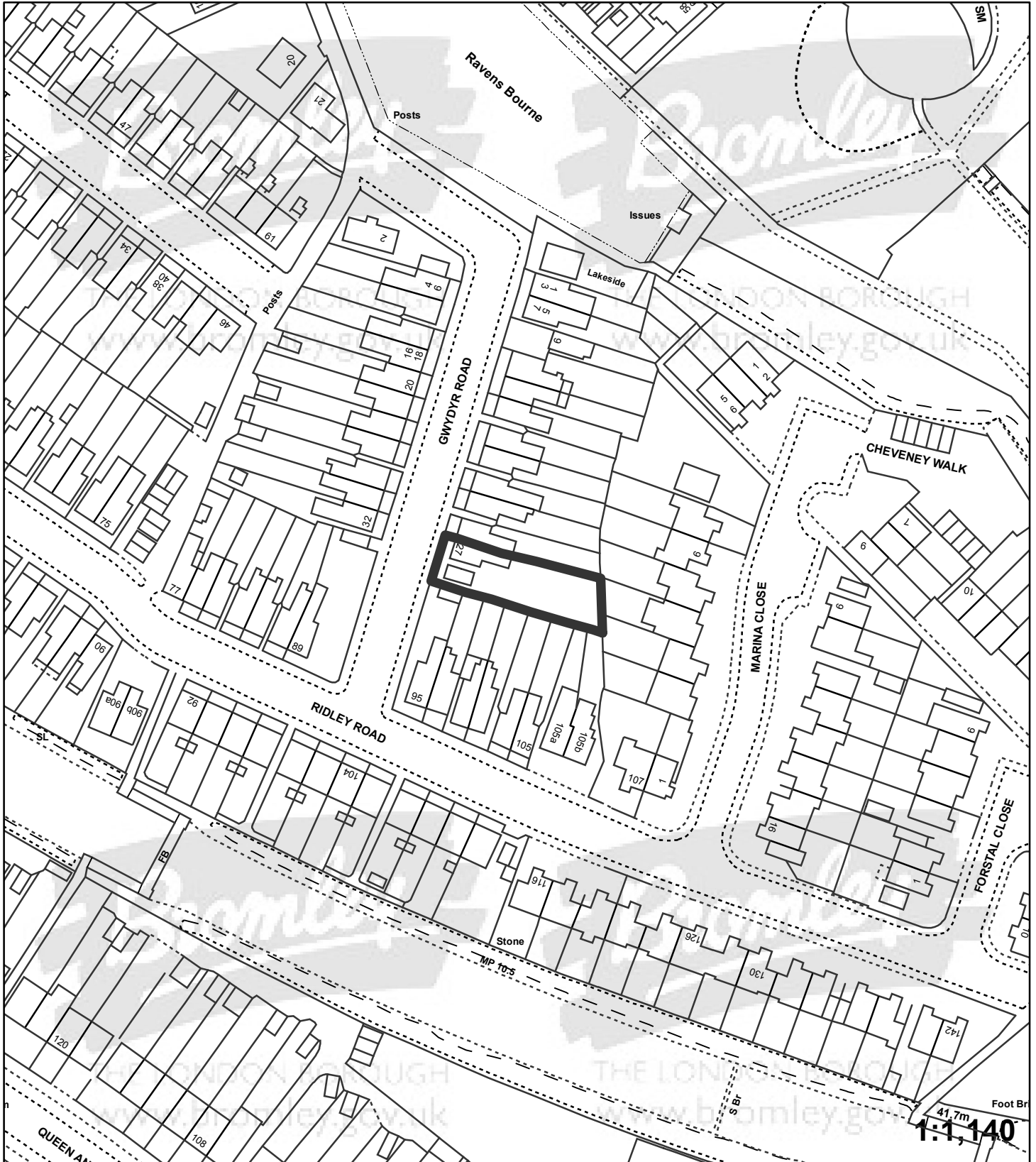
subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACA07 Boundary enclosure - no detail submitted
 ACA07R Reason A07
- 3 ACD02 Surface water drainage - no det. submitt
 AED02R Reason D02
- 4 ACH24 Stopping up of access
 ACH24R Reason H24
- 5 Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time. A resident's parking permit may be obtained by Mrs Paul Evans for the period of time up to and including 14th March 2016.
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, and in order that the situation can be reconsidered in the light of the circumstances at that time.
- 6 ACI02 Rest of "pd" Rights - Class A, B,C and E
 ACI03R Reason I03
- 7 ACI12 Obscure glazing (1 insert) at first floor level in the flank elevations
 ACI12R I12 reason (1 insert) BE1

Application: 13/03530/RECON

Address: 29 Gwydyr Road Bromley BR2 0EX

Proposal: Removal of condition 5 of planning permission reference 11/00407 requiring arrangements to be in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a residents parking permit within any controlled parking zone which may



"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 : 14/01565/FULL1

Ward:
Hayes And Coney Hall

Address : Pickhurst Junior School Pickhurst Lane
West Wickham BR4 0HL

OS Grid Ref: E: 539617 N: 167149

Applicant : Mr Robert Jasper

Objections : YES

Description of Development:

Two storey extension to northern elevation of Junior School to provide four resource teaching rooms

Key designations:

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

Proposal

Permission is sought for a part one, part two storey extension to the northern elevation of the school to provide four resource rooms of 39 square metres each and a corridor to the existing classroom block to the north-east of the site. The proposal would replace an existing glazed structure with approximately the same footprint.

The two storey extension has a height of between 4.4m (south attached to the existing double storey school hall building) and 5.8m (the northern 'front' elevation) due to the uneven ground levels, with the northern elevation having height of between 5.8m (west) and 6.3m (east).

The application is accompanied by a Planning and design and Access Statement which states that:

- There is a real need for purpose built resource teaching space
- The school is currently using break-out spaces in corridors for teaching smaller groups of children
- There is a need for a better solution for getting pupils and staff with mobility issues from one part of the school to the other

- The current 'runnel' is poorly constructed, is a poor use of space and is energy inefficient
- The current solution to the sloping ground level is not particularly successful either functionally or architecturally
- Due to the site level the two storeys appears as a storey and a half in some places reducing the visual impact
- The existing trees and vegetation to the north provide a two-way visual screen
- The school has no intention of increasing the roll of 500 pupils
- The new resource centre will not increase the pupil numbers and there should be no increase in the number of trips generated
- There will be no increase in the number of staff at the school
- The design and siting does not impair the open nature of the site
- By including a lift the accessibility of the centre is improved with an improved external access

Location

The development is located to the northern elevation of the centrally located building of Pickhurst Junior Academy. The school is within the shares a site with, and is set to the west of, Pickhurst Infants School with the site located to the eastern edge of Pickhurst Lane.

The school is predominately two storey in nature with a large area of playground to the north-western corner. To the northern boundary is Pickhurst Recreation Ground. The site is designated as Urban Open Space with the adjoining recreation ground also being designated as a Site of Importance for Nature Conservation.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and one representation was received which is summarised as follows:

- noise and inconvenience whilst the development works go on
- large numbers of cars park on both sides of the main road
- sceptical that no impact will result upon parking and traffic once the work is complete

Comments from Consultees

Highways have raised no objection as the proposal would not result in any rise in pupil numbers and therefore would have no impact upon parking demand or highway safety within the local road network.

From a Secure by Design point of view the development should be able to secure accreditation and a condition to this effect is requested.

Planning Considerations

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

- BE1 Design of New Development
- NE7 Development and Trees
- G8 Urban Open Space
- C3 Access to Buildings for People with Disabilities
- C7 Educational and Pre-school Facilities

Planning History

The site has a long planning history, the majority of which is not relevant to this planning application.

The most recent applications are:

07/04392/FULL1 granted permission for the installation of solar pv system

12/02806/FULL1 granted permission for a new 3 classroom block to rear of existing playground with a new access ramp to western end of existing school building to allow for improved access. This has been constructed.

Conclusions

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

The school has confirmed within the submitted Design and Access statement that there is no proposed increase in pupil numbers, and that the classroom block is intended to satisfy existing floor space requirements of the school in order to reduce overall class sizes by providing additional resource areas for pupils as required. Accordingly there is no highway objection, as the proposals would not result in additional traffic generation within the local road network.

When viewed from the recreation ground to the north, there would be obscured views of the building through the trees which line the boundary and conditions are recommended for the retention and safeguarding of the trees during development. The flat roof design of the proposal contrasts with the more traditional two storey school buildings, however this reduces the bulk of the proposal which is further mitigated by the change in ground levels.

The footprint reflects that of the existing structure, which is considered to be of a poor design and is an inefficient use of the space. The replacement of this structure with four well-proportioned resource rooms is considered to be a significant improvement in terms of the educational function of the building whilst the access and internal circulation will be greatly improved with better links to the main school buildings. The overall external design reflects this requirement and is not considered to result in a harmful addition to the host building.

With regard to the impact upon the Urban Open Space, the development is related to and essential for the function of the existing use and would not exceed the site coverage of the existing development on the site. The proposal would, by reason of its scale, siting and size, not unduly impair the open nature of the site.

It is therefore considered that the proposed development is acceptable in that it will not result in harm to residential amenities, the openness of the site, the local highway network and would benefit an existing educational facility.

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 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACB18 | Trees-Arboricultural Method Statement |
| | ACB18R | Reason B18 |
| 4 | ACB19 | Trees - App'ment of Arboricultural Super |
| | ACB19R | Reason B19 |
| 5 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 6 | ACD02 | Surface water drainage - no det. submitt |
| | AED02R | Reason D02 |
| 7 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |
| 8 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 9 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |

SECTION '2' – Applications meriting special consideration

Application No : 14/01756/FULL6

Ward:
Chislehurst

Address : 14 Holbrook Lane Chislehurst BR7 6PF

OS Grid Ref: E: 544865 N: 170073

Applicant : Mr Nick Burfoot

Objections : YES

Description of Development:

Roof alterations to incorporate rear dormer, first floor side extension, single storey rear extension and front porch canopy

Key designations:

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

Proposal

Planning permission is sought for the following:

- roof alterations to incorporate rear dormer and roof lights
- first floor side extension over the existing garage which is up to the boundary with No. 12
- single storey rear extensions, one to provide a new bay (1m deep) and the other to enlarge the existing kitchen (maximum depth of 4.5m)
- front porch canopy

Amended plans were received regarding a slight change to the front porch roof design (27th June 2014).

Location

The site is located with Chislehurst Conservation Area.

Comments from Local Residents

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

- concerns over first floor side extension

- adjacent property will overlook the side extension
- objector has 3 windows which face the proposed extension
- development would be too close
- affect re-sale of property
- loss of enjoyment

Comments from Consultees

APCA have not raised concerns about the application.

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Planning Considerations

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
BE11 Conservation Areas
H8 Residential Extensions
H9 Side Space

Planning History

The planning history of the site is summarised as follows:

- 83/01303 - planning permission was granted for a rear extension to the attached garage and single storey rear extension.

Conclusions

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

The proposed first floor side extension would be constructed over an existing garage at the side. The existing garage is constructed up to the boundary of the property and hence does not maintain the minimum 1m side space as required for the full height of development of two storeys or more by Policy H9. However, whilst it is noted that the property is within a conservation area, Members may consider that the resulting separation of between 3.1m and 2.7m between the flank wall of the first floor of the extension and boundary with No.12 that the space between the buildings is acceptable. In terms of the design, the first floor extension is considered to be in-keeping with the host building.

It is noted that there has been a letter of objection received from the adjoining owner a No.12. Careful consideration has been given to the content of this letter, however Members may consider that given the degree of separation between the properties and their siting flanked away from each other, that the impact of the first floor extension would warrant the refusal of planning permission in this case.

With regard to the proposed single storey rear extensions, their siting to the middle of the property results in an adequate relationship with the adjoining properties. It is not considered that the single storey extensions at the rear would result in detrimental harm to residents.

Having had regard to the above it was considered that the development in the manner proposed is not acceptable in that it would result in an impact detrimental on the character of the conservation area.

Background papers referred to during production of this report comprise all correspondence on the file ref.14/01756 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 27.06.2014

RECOMMENDATION: PERMISSION

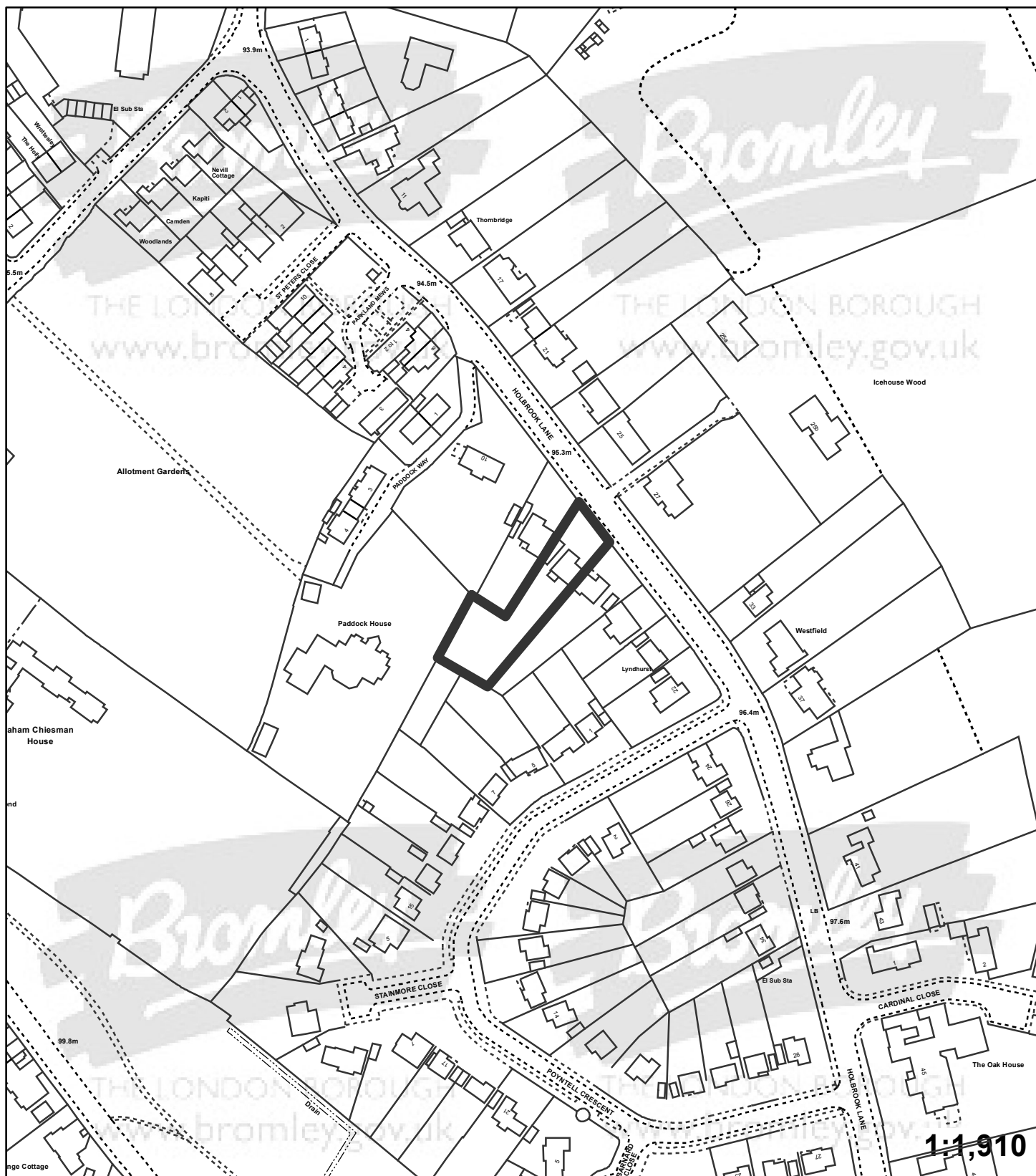
Subject to the following conditions:

- | | | |
|---|--------|--|
| 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:14/01756/FULL6

Address: 14 Holbrook Lane Chislehurst BR7 6PF

Proposal: Roof alterations to incorporate rear dormer, first floor side extension, single storey rear extension and front porch canopy



"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 : 14/01814/FULL2

Ward:
Copers Cope

Address : Rear Of 10 Bromley Road Beckenham
BR3 5JE

OS Grid Ref: E: 537532 N: 169531

Applicant : Mr David Jackson

Objections : YES

Description of Development:

Change of use of existing car garage and repair workshop (B1(C)) to church use (D1).

Key designations:

Conservation Area: Beckenham St. Georges

Areas of Archaeological Significance

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

Proposal

The application seeks permission for the change of use of the existing car garage and repair workshop (B1(c)) to the rear of No. 10 Bromley Road, Beckenham to church use (D1).

The application site is currently occupied by Church Motor Company for use as a car garage and repair workshop, who lease the building from Beckenham Methodist Church. The applicants, Beckenham Methodist Church, who own the workshop/garage, seek to change the use of the building to church use. The statement submitted as part of the applications states the proposed use of the building to be as follows:

- used as facilities for the storage of equipment of many kinds supporting its mission in Beckenham including for worship, social and community activities, youth work (Scouts, Guides) and church property maintenance.
- use the space for carrying on activities - in principle any of the activities engaged in on the main church premises
- use the room for scout projects

Location

The garage/workshop is situated to the rear of Nos. 10,12 and 14 Bromley Road, Beckenham and is accessed from Bromley Road by an access way located between No. 16 Bromley Road and Beckenham Methodist Church. It is a single storey building which is attached to the church hall belonging to Beckenham Methodist Church.

Comments from Local Residents

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

- premises should remain as a car garage
- converting the use will not be of any benefit to the local community
- loss of an asset to the local community
- loss of a valuable local business to Beckenham
- supporting comments regarding quality of the service received from the car garage
- loss of jobs
- loss of a business which contributes to the local area
- destroying long established business for storage area
- protection of business use
- loss of a successful business
- loss of passing trade to local area brought by garage
- loss of business would affect other businesses which rely on the custom of the garage
- loss of a business with a defined need as the business wishes to remain in the premises
- loss of a small, local business
- loss of business would be a detriment to the people of Beckenham
- notice period of lease too short to enable business to try to relocate
- proposed use for storage would not benefit the community or economy of Beckenham
- premises is ideal for existing use as car garage and repair workshop
- proposed change from business use is contrary to policy EMP5 of the UDP
- no full or proper marketing of the site has been undertaken to confirm that there is no longer a business need for the premises.
- existing business wishes to continue to operate from the premises
- vehicle trips to premises, intensity of use and potential noise associated with the proposed use would cause harm to the amenities of the surrounding properties and additional problems to the current access prejudicial to pedestrian and highway safety

It should be noted that whilst there are a number of objections, some can only be given limited weight as no contact information in the form of email or postal address have been provided and as such the objection is considered incomplete.

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

Comments from Consultees

The Council's Highways Engineer raises no objection.

The Council's Environmental Health Officer raises no objection.

Planning Considerations

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

EMP5 Development Outside Business Areas

C1 Community Facilities

BE11 Conservation Areas

T3 Parking

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

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

Planning History

The relevant planning history at the property is summarised as follows:

Planning permission was granted under ref. 77/02858 for the rebuilding of single storey building destroyed by fire. Planning records in relation to this application indicate the use of the building to be for a car garage/workshop.

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 and commercial properties, parking and highway safety, together with the acceptability of the change of use of the premises resulting in the loss of business premises which is located outside of a business area.

Policy C1 relates to the provision of community facilities including those for social and faith needs. It states that a change of use for a proposal that meets an identified social or faith need will normally be permitted provided that it is accessible by modes of transport other than the car and accessible to the members of the community it is intended to serve. The application site is located off a main road close to Beckenham High Street and is attached the church hall belonging to Beckenham Methodist Church. Comments have been received locally which state that the storage use of the building which is proposed as part of the application would not benefit the community or economy of Beckenham, and that additional problems to the current access would be prejudicial to pedestrian and highway safety. However, the Council's Highways Engineers have stated that the site lies within an area with a medium PTAL rate of 4 and that the proposed change of use to church use is unlikely to have a significant impact on the local

highway. Additionally, given the location of the building next to the existing church hall and Beckenham Methodist Church, it would be accessible to the members of the community it is intended to serve, and would provide an extension to activities already provided by the church i.e. Scout and Guide groups. As such, Members may consider that the requirements of policy C1 are met.

Policy EMP5 is relevant to this case which refers to the redevelopment of business sites or premises outside of the Designated Business Areas. It states that the redevelopment of these sites will be permitted provided that the size, configuration, access arrangements or other characteristics make it unsuitable for uses Classes B1, B2 or B8 use, and that full and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for those uses. Furthermore, this policy seeks to protect existing commercial sites and small business sites, many of which are occupied by local independent traders, providing specialist services, who form an important part of the local economy. Whilst some objections have been received with regards to the proposed use of the building as church use in connection with the neighbouring Beckenham Methodist Church, a large number of objections have been received with regards to the loss of the current use, which is car garage and repair workshop. A letter of objection has also been received from the current occupiers of the building, Church Motor Company, which includes their wish to continue to operate from the premises.

From the information provided as part of this application, there does not appear to have been any marketing of the site and as such it does not meet the policy requirements of Policy EMP5 which are designed to retain B-use class employment sites, whilst taking into consideration viability. Furthermore, a number of letters have been provided from the customers of the current occupiers and the occupiers themselves with regards to their wish for the business operation to continue. Accordingly, Members may consider that given that no information has been provided about marketing of this premises the application should be refused.

Members are advised to consider the balance of merits between retaining the business use in the Borough where there is an identified need and on the other side, the need for community facilities. However, given the information outlined above Members may consider that on balance the application should be refused.

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

RECOMMENDATION: PERMISSION BE REFUSED

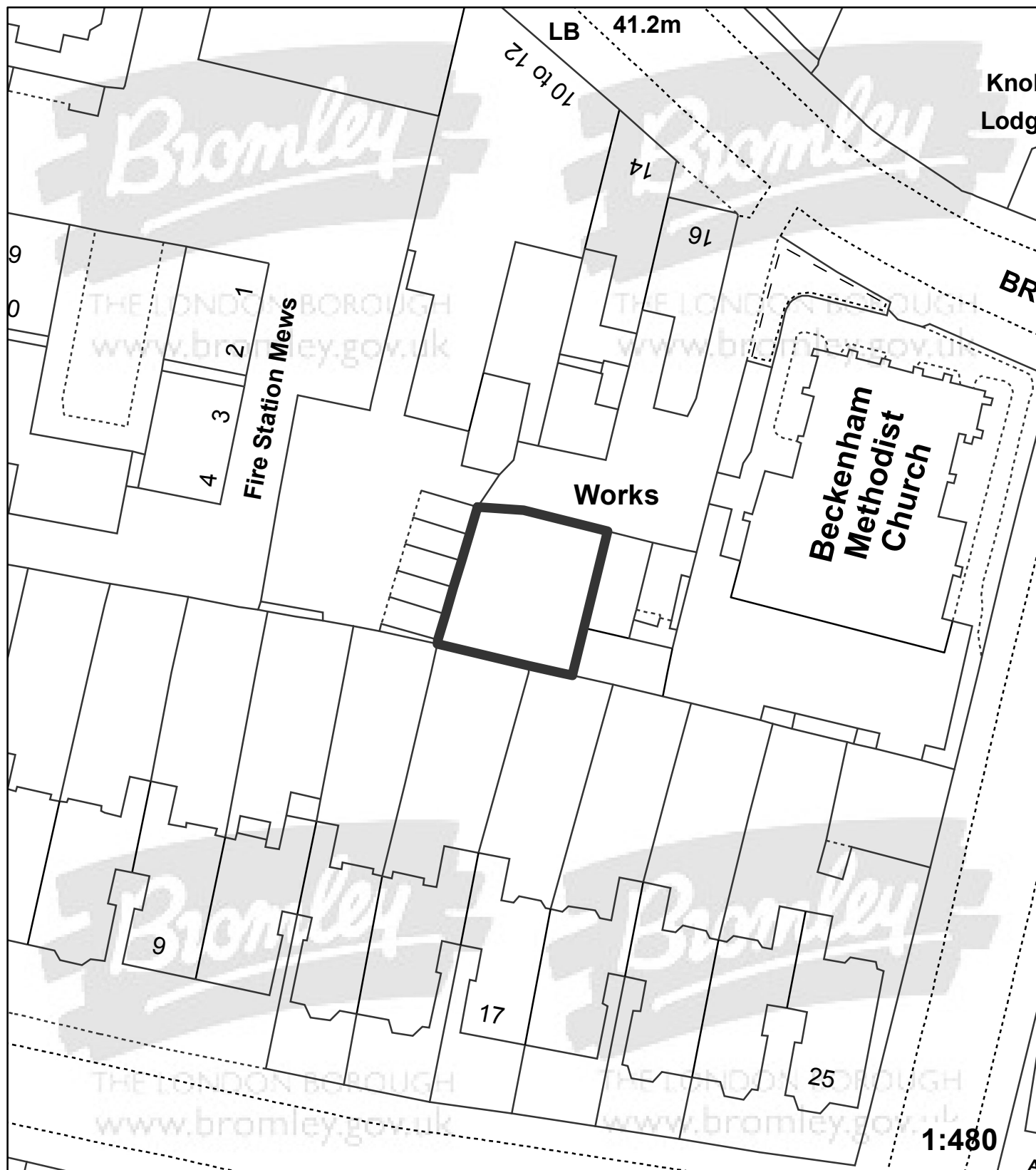
The reasons for refusal are:

- 1 The proposal would result in the unacceptable loss of a business unit contrary to Policy EMP5 of the Unitary Development Plan which seeks to safeguard sufficient supply of land in the Borough for business uses.

Application:14/01814/FULL2

Address: Rear Of 10 Bromley Road Beckenham BR3 5JE

Proposal: Change of use of existing car garage and repair workshop (B1(C)) to church use (D1).



"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 : 14/01991/FULL2

Ward:
Darwin

Address : Keston Fruit Farm Blackness Lane
Keston BR2 6HL

OS Grid Ref: E: 541246 N: 163077

Applicant : Mr Stephen Jones

Objections : YES

Description of Development:

Change of use of part of the site from rough grazing to dog exercise and training area (Sui Generis)

Key designations:

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

Proposal

- The proposed use will result in the use of the site for dog exercising, using removable obstacles. No permanent structures will be kept at the site. The use will operate with one vehicle visiting the site, with dogs collected and returned to their owners by the business.
- The site is currently used for rough grazing and is overgrown. The proposed use will shorten the grass and manage the site in order to facilitate the proposed activities.
- Vehicle access to the site will be provided via the public right of way from Blackness Lane.

Location

The site is located within the Keston Fruit Farm and is designated Green Belt land. The site and surroundings comprise agricultural and open land. There are residential properties to the east and south that are over 400m away on Blackness Lane and Leaves Green Road.

Comments from Local Residents

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

- noise and disturbance
- site is in regular grazing use
- increase in traffic and access issues
- impact on wildlife
- loss of important grazing land
- impact on the rural character of the Green Belt
- highway and pedestrian safety impacts
- risk of future expansion and similar activities in the area
- proposal lacks local support
- applicant has not engaged with local residents

A supporting statement has been received from the applicant addressing the objections raised.

Comments from Consultees

No technical highways objections are raised.

No Environmental Health objections are 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
 G1 Green Belt
 T3 Parking
 T18 Road Safety

The National Planning Policy Framework and the London Plan are also considerations.

The site is subject to an Article 4 Direction, which restricts certain 'permitted development' rights.

Planning History

None.

Conclusions

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

Policy G1 of the UDP states that changes of use within the Green Belt may be considered appropriate provided that they maintain the openness of the land and do not conflict with the purposes of retaining land in the Green Belt. In this case,

the proposal includes no structures and will provide an outdoor recreational use. On this basis, the proposal would not impact harmfully on the rural character and openness of the site and the wider area. The proposal will include one single vehicle movement per day and this is not considered harmful to the rural environment. No structures will be erected at the site, and no hardstanding would be provided.

The NPPF states in Para 89 that the provision of outdoor recreational facilities may not be considered inappropriate. In this case, although the site will be used to run a business use, that use would have no discernable harm to the rural character and openness of the site, with a maximum of two staff members at the site at any time and no customers visiting the site. The proposed change of use would not, therefore, conflict with the purposes of including land within the Green Belt and would entirely retain its openness and rural character.

The proposal site is located a significant distance from neighbouring properties and therefore is unlikely to impact harmfully on the amenities of neighbouring dwellings. Objection has been raised by a local resident however this neighbour is sited over 400m away and would not be significantly affected. The single daily vehicle movement would not impact on residential amenities.

Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the rural character of the Green Belt. 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. 14/01991 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 G1 of the Unitary Development Plan and in the interest of the visual amenities of the Green Belt and the amenities of the nearby residential properties.

- 3 The site shall be used as a dog exercising/training site and for no other purpose. No structures or other associated paraphernalia shall be kept at the site overnight or on a permanent basis unless otherwise approved in writing by the Local Planning Authority.

Reason: In order to comply with Policy G1 of the Unitary Development Plan and in the interest of the visual amenities of the Green Belt and the amenities of the nearby residential properties.

- 4 The use of the site hereby permitted shall be operated by a maximum of 2 staff members only. No customers shall visit the site to drop off or collect dogs and no customer parking shall be provided at the site.

Reason: In order to comply with Policy G1 of the Unitary Development Plan and in the interest of the rural character and visual amenities of the Green Belt.

Application:14/01991/FULL2

Address: Keston Fruit Farm Blackness Lane Keston BR2 6HL

Proposal: Change of use of part of the site from rough grazing to dog exercise and training area (Sui Generis)



"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 : 14/02021/FULL1

Ward:
Bickley

Address : Land At Southwood Close Bickley
Bromley

OS Grid Ref: E: 542959 N: 168226

Applicant : Ms G Alker

Objections : YES

Description of Development:

Biomass Boiler cabin containing internal plant room, flue and wood pellet store to provide renewable heat to flats in Southwood Close.

Key designations:

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

Proposal

- Biomass, boiler cabin containing internal plant room, flue and wood pellet store to provide renewable heat to flats 1-39 Southwood Close
- The proposed boiler cabin would measure approximately 10m long x 3.2m wide with a mono-pitched roof max height 3m high with the addition of a flue measuring 6m high above ground level
- The external surfaces of the cabin would be clad in timber while the flue would be dark brown with a matte finish
- Approximately 12 deliveries of wood pellets would be required for the boiler per year
- Pellets would be delivered using a specialised pellet delivery lorry
- Deliveries would last approximately half an hour

Location

- The boiler would be positioned on the southern side of a treed landscaping bund separating Southwood Close from Oldfield Road
- The site incorporates land currently used for refuse bin storage, along with part of the grassed bund and one of the existing parking spaces
- Southwood Close is characterised by a mixture of flatted development and detached houses

- The boiler cabin would be sited directly opposite, approximately 11.5 metres away from a two storey flatted development comprising No's 1 - 6 Southwood Close
- To the north of the site in Oldfield Road are a number of detached dwellings
- The ground where the boiler would be positioned rises steeply to the north, forming the landscaped bund
- It contains a number of mature trees and planting
- There are two entrances to Southwood Close: one directly adjacent to the site of the proposed boiler cabin and one further along Oldfield Road to the east.

Comments from Local Residents

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

- drawings are inconsistent with photo images
- Oldfield Road is a quiet residential road
- does not suit the siting of a large industrial plant on side of road
- flue is excessively large and out of keeping with the area
- not aware of any problems of fly-tipping as mentioned in documents
- planting should extend around two elevation and go up to eaves level
- should have climbing plants and big bushes in front
- object to wood furnace 6 yards from bedroom window
- already have refuse bins at entrance of close
- do need anything else to make it look like an industrial area
- this is a smokeless zone
- houses in Southwood Close not allowed to park a caravan on the drive so why would a boiler cabin be allowed with a chimney with smoke coming from it?

Comments from Consultees

The Council's Highways Development Engineers raise no objections on the basis of the parking bays being moved by 2m from the turning so there is enough space for the delivery lorry to swing around between the parking bays and the plant room.

The Council's Environmental Health Officer states that the application site lies within close proximity of the Air Quality Management Area (AQMA). However, given the results of the accompanying air quality assessment, no objections are raised, in principle, to the development.

Planning Considerations

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

- BE1 Design of New Development
- NE7 Development and Trees

T3 Parking
T18 Road Safety

London Plan:

Policy 7.14 - Improving Air Quality

Policy 7.15 - Reducing Noise and Enhancing Soundscapes

The National Planning Policy Framework (NPPF) 2012

Planning History

An application for a similar development sited at the southern end of Southwood Close was refused under ref.14/00043 on the following grounds:

- 1 The application site is within an area designated as an Air Quality Management Area (AQMA) and in the absence of an air quality assessment to demonstrate that the proposed biomass boiler would be 'air neutral', the proposal is likely to have an adverse impact on local air quality, contrary to policy 7.14 of the London Plan
- 2 The proposed development, by reason of its siting and size, would be unduly obtrusive in the street scene and out of scale and character with the surrounding area, contrary to Policy BE1 of the Unitary Development Plan
- 3 The proposed development, by reason of its size and location in close proximity to windows of habitable rooms at adjacent properties, would have a significant visual impact, detrimental to the amenities that the occupiers of adjacent properties might reasonably expect to be able continue to enjoy, contrary to policy BE1 of the unitary Development Plan
- 4 In the absence of sufficient information to demonstrate the capacity of the highway layout to accommodate satisfactorily the additional traffic generated by associated delivery vehicles to the site, combined with adequate on-site parking and vehicle turning facilities, the proposal would be prejudicial to the safety and free flow of traffic and conditions of general safety within the local road network and would be likely to result in inconvenience to other road users, contrary to policy T18 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, the impact that it would have on the amenities of the occupants of surrounding residential properties and the impact it would have on air quality.

New shrub planting is proposed to the northern and western sides of the boiler, helping to screen views of the boiler from Oldfield Road and all of the existing trees would be retained. The proposed boiler would be clad in a timber finish and additional landscaping should be secured by way of condition, should permission

be granted. All of this would help to soften the appearance of the development in the surrounding landscape. While the development would still be highly visible from the flats opposite in Southwood Close, it is considered that it would have a less harmful appearance than the existing arrangement of refuse and recycling bins (which would need to be relocated) and a large fenced-off container, and would not appear unduly industrial.

In terms of the impact on the amenities of occupiers of nearby properties, the main impact would be on those occupiers of flats 1 - 6 Southwood Close, which are directly opposite the site of the boiler cabin. While the development would be highly visible from these properties, the boiler cabin would not appear overtly stark against the surrounding landscaping, given the materials proposed, and its gently sloping roof which would be pitched away from adjacent flats. Furthermore, the current outlook from the flats is onto an assortment of bins, all of which would be relocated as part of the proposal. On this basis, the visual impact of the development is not considered unduly harmful to neighbouring amenities. A condition requiring additional planting around the boiler would further reduce the impact.

Conditions are also recommended limiting noise output from the boiler and from delivery vehicles, and the time of deliveries should be controlled by way of condition. With regard to visible smoke emissions, this should also be restricted by way of condition.

The application site is within an area designated as an Air Quality Management Area (AQMA). The AQMA was introduced in 2007 to take account of the likelihood of exceedance of the annual average nitrogen dioxide level. Furthermore, the London Plan, at Policy 7.14, states that development proposals should at least be 'air quality neutral' and not lead to the deterioration of existing poor air quality and permission should only be granted if no adverse air quality impacts from the biomass boiler are identified (7.14e). The Air Quality Assessment submitted with the application concludes at section 6 that "predicted concentrations of NO₂ and PM₁₀ were below the relevant air quality limit values at all sensitive receptor locations throughout the assessment", consequently the proposal is considered acceptable from an air quality perspective.

The proposal would result in the loss of one parking space at the site. Parking spaces are not allocated in the road and, in addition, there is available on-street parking along Southwood Close. As such, the proposal is unlikely to have a significant impact on parking and highways in the vicinity, subject to two of the parking bays being moved so there is enough space for the delivery lorry to swing around between the parking bays and the plant room.

The existing bin storage area would need to be relocated as a result of the proposal and no details of this have been included as part of the application. A condition is therefore recommended requiring details of a suitable alternative refuse and recycling storage facility.

No trees would be removed as part of the proposal and a tree survey and arboricultural impact assessment has been submitted which demonstrates that the

proposed development would not have an adverse impact on the existing trees on the bund behind the proposed boiler location.

Having regard to the above, it is considered that the proposal is acceptable in that it would not have a significantly harmful impact on the visual amenities of the area, nor have a serious detrimental effect on the amenities of nearby residential buildings. Furthermore, no undue impact on parking or road safety is anticipated.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/02021 and 14/00043 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 20.06.2014 27.06.2014 04.07.2014 15.07.2014

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 ACB18 Trees-Arboricultural Method Statement
ACB18R Reason B18
 - 5 ACC07 Materials as set out in application
ACC07R Reason C07
 - 6 ACH03 Satisfactory parking - full application
ACH03R Reason H03
 - 7 ACH18 Refuse storage - no details submitted
ACH18R Reason H18
 - 8 At any time the combined noise level from the approved development in terms of dB(A) shall remain 10 decibels below the relevant minimum background noise level, LA90(15mins) measured at any noise-sensitive building. If the plant has a distinctive tonal or intermittent nature the predicted noise level of the plant shall be increased by a further 5dBA. Thus if the predicted noise level is 40dB(A) from the plant alone and the plant has a tonal nature, the 40dB(A) shall be increased to 45dB(A) for comparison with the background level. The L90 spectra can be used to help determine whether the plant will be perceived as tonal.
- Reason:** In the interest of the amenities of nearby properties and to accord with Policies BE1 of the Unitary Development Plan and 7.15 of the London Plan.
- 9 Heavy and light goods vehicles along with plant machinery under the control of the operators which deliver wood pellet fuel for the approved boilers shall only use non-intrusive broadband and/or vehicle noise alarms or reversing cameras. On such vehicles there shall be no use of single or multi pitch reversing beepers.

Reason: In the interest of the amenities of nearby properties and to accord with Policies BE1 of the Unitary Development Plan and 7.15 of the London Plan.

10 Unless otherwise agreed in writing by the Local Planning Authority, there shall be no delivery of wood pellets (or any other approved fuel), filling of storage silos or removal of ash from the boilers from the site except between the following hours 0930 and 1530 hours Monday to Friday There shall be no such activities at the weekend, Bank or Public Holidays.

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

11 The biomass boiler shall only be operated using clean wood pellets that comply with a recognised fuel quality standard (such as CEN/TS 14961:2005). A written guarantee shall be submitted to the Local Planning Authority prior to commencement of the development with a declaration that wood pellets conform to a recognised fuel quality standard and will be consistently used in the biomass boiler. A statement shall be submitted to the Local Planning Authority specifying the quantity of wood pellets used in the biomass boiler and the fuel specifications in accordance with CEN/TS 14961:2005 or a similar recognised standard (the statement shall be obtained from the fuel supplier).

Reason: In the interest of the amenities of the area and to accord with Policies BE1 of the Unitary Development Plan and 7.14 of the London Plan.

12 The biomass boiler shall be associated with a written schedule of maintenance which shall include removal of ash, inspection and maintenance of particulate arrestment equipment, boiler servicing and stack cleaning. The maintenance schedule shall be submitted to and approved in writing by the Local Planning Authority prior to installation.

Reason: In the interest of the amenities of the area and to accord with Policies BE1 of the Unitary Development Plan and 7.14 of the London Plan.

13 There shall be no visible smoke emissions from the boiler flue during normal operation of the plant except during the start-up procedures, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of the amenities of the area and to accord with Policies BE1 of the Unitary Development Plan and 7.14 of the London Plan.

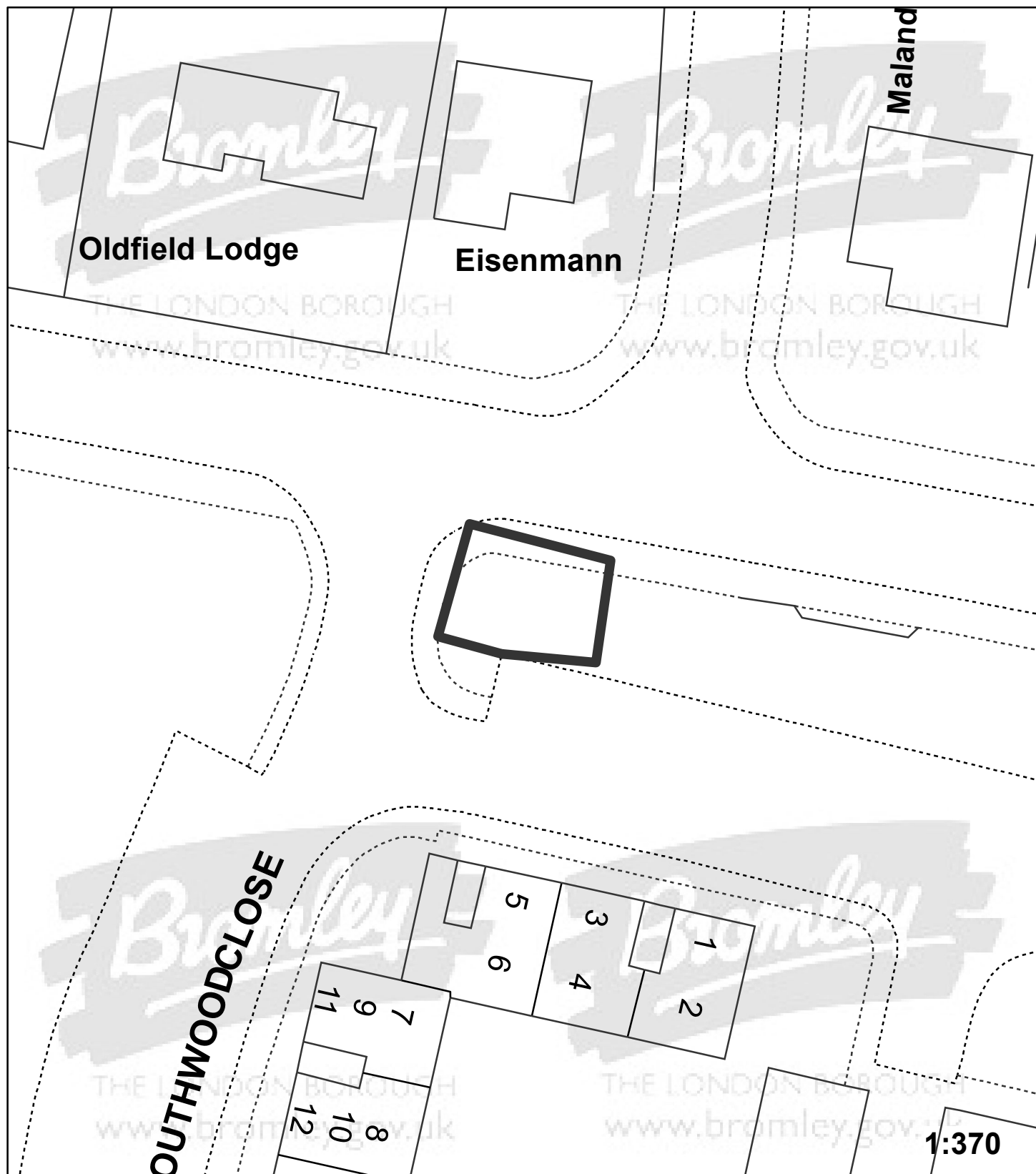
INFORMATIVE(S)

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

Application:14/02021/FULL1

Address: Land At Southwood Close Bickley Bromley

Proposal: Biomass Boiler cabin containing internal plant room, flue and wood pellet store to provide renewable heat to flats in Southwood 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"

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SECTION '2' – Applications meriting special consideration

Application No : 14/02082/FULL1

Ward:
Bromley Town

Address : Land Adjacent 29 Rochester Avenue
Bromley

OS Grid Ref: E: 540914 N: 169220

Applicant : Mr J Sharp

Objections : YES

Description of Development:

Erection of a detached, two storey four bedroom house with off-street parking

Key designations:

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

Proposal

Planning permission is sought for the erection of a detached, two storey four bedroom house with off-street parking.

The application is submitted in an attempt to overcome the reasons for refusal of a previous scheme that was also dismissed at appeal.

Location

The immediate area has a spacious suburban character. The nearby dwellings are mainly 2-storey inter-war semi-detached houses interspersed by detached dwellings and most are set back a similar distance from the roads in front gardens with drives.

Comments from Local Residents

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

- adjoining property to the west (122 Murray Avenue) is content with the plans shown;
- impact on the privacy of neighbouring properties;
- overdevelopment;
- not in keeping and out of character with the Palace Estate;
- the site was never developed nor intended to be used for a residential dwelling;
- land is believed to be contaminated by Japanese Knotweed;
- proposed building is inappropriate in scale, layout and design for the site; and
- separation to the adjoining property to the east (29 Rochester Avenue) is too small.

Comments from Consultees

Thames Water: No objection.

Highways: No objection subject to standard conditions.

Drainage: No objection subject to standard condition.

Planning Considerations

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

- BE1 Design of New Development
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T18 Highway Safety
- ER13 Foul and Surface Water Discharges from Development

The following Council adopted SPG guidance is also a consideration:

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

London Plan policies:

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 7.4 Local Character
- 8.3 Community Infrastructure Levy

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

Planning History

The site as amended under the current application does not have any planning history. However, there is relevant planning history, namely a refused application (ref. 11/02294/FULL1) for a detached two-storey dwelling to be erected on that part of the site once belonging to 112 Murray Avenue with the reasons for refusal being:

The proposal would constitute an overdevelopment of the site by reason of the amount of site coverage by buildings and hard surfaces, thus would be out of character with the surrounding residential properties with significant rear gardens and contrary to Policies H7 and BE1 of the Unitary Development Plan, PPS3: Housing and Policy 3.5 of the London Plan.

The proposal would be an overdevelopment of the site, out of character with the locality thereby detrimental to its visual amenities and character, contrary to Policies H7 and BE1 of the Unitary Development Plan, PPS 3: Housing and Policy 3.5 of the London Plan.

The decision was subsequently dismissed appeal (PINS ref: APP/G5180/A/12/2168532).

Conclusions

The current application has been submitted in an attempt to overcome the reasons for refusal of a previous application for a detached dwelling that was also dismissed at appeal (as noted above). In this regard, Members should note that neither the previously refused application nor the appeal decision considered that there would be any undue harm to the residential amenities enjoyed by the occupants of neighbouring properties and that the outstanding reason for refusal was the harm to the character and appearance of the surrounding area.

The current proposal is for all intents and purposes is similar to that dismissed at appeal aside from the enlarged site taken from the rear of 114 Murray Avenue, the addition of a part width single storey rear extension and a slight setting back of the building. Given the separation from the proposed single storey rear extension, the marginally projecting two storey rear building line (approximately 1m) and the nearest adjoining property being 29 Rochester Avenue, despite the objections of that property, it is not considered the difference between the two schemes would warrant a different conclusion from that of the Inspector being warranted with regard to the proposal's impact on neighbouring residential amenities.

Given the above and the comments of the Inspector in her decision where she stated at paragraph 5 that:

The proposed 2-storey detached house would reflect the form of the nearby dwellings, it would maintain the front building line in Rochester Avenue, and it would be separated from the side boundaries with 112 Murray Avenue and 29 Rochester Avenue. In these regards, it would respect the street scene in Rochester Avenue.

Accordingly, Members may wish to limit the main issue for consideration to the effect that the proposal would have on the character and appearance of the surrounding area as the Inspector determined at paragraph 6 that:

...because the back garden of the proposed dwelling would be considerably shorter, and much smaller, than most nearby back gardens, it would be out of keeping with the layout of the surrounding development. The proportion of the site taken up by the dwelling and its associated hard surfaces would be at odds with the locality, where most plots are substantially larger. The use of the tightly constrained back garden by the 6 people who could potentially occupy the house would be significantly more intensive than that of most nearby back gardens.

To overcome the Inspector's comments the application now includes an extended rear garden which has been subdivided from the rear garden of 114 Murray Avenue. Members may consider that this additional rear garden results in an overall site that is sufficiently sized, is not out of keeping with the spatial standards of the surrounding area, overcomes the concern of the Inspector in the appeal decision and permission can therefore be granted.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/02082 and 11/02294, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 18.06.2014 23.06.2014

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 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 4 ACI17 No additional windows (2 inserts) eastern and western flank
 development
 ACI17R I17 reason (1 insert) BE1
- 5 ACD02 Surface water drainage - no det. submitt
 AED02R Reason D02
- 6 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 7 ACH12 Vis. splays (vehicular access) (2 in) 3.3m x 2.4m x
 3.3m 1m
 ACH12R Reason H12
- 8 ACH22 Bicycle Parking
 ACH22R Reason H22
- 9 ACH32 Highway Drainage

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 Any repositioning, alteration and/or adjustment to street furniture or Statutory Undertaker's apparatus considered necessary and practical to help with the modification of vehicular crossover hereby permitted shall be undertaken at the cost of the applicant.

Application: 14/02082/FULL1

Address: Land Adjacent 29 Rochester Avenue Bromley

Proposal: Erection of a detached, two storey four bedroom house with off-street 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 : 14/02185/PLUD

Ward:
Copers Cope

Address : Hamara Shortlands Grove Shortlands
Bromley BR2 0LS

OS Grid Ref: E: 538786 N: 168952

Applicant : Mr & Mrs Court

Objections : NO

Description of Development:

Use of land for siting of mobile home (Granny Annexe) for accommodation ancillary to the main dwelling
CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT

Key designations:

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

Proposal

The proposed mobile home will be sited in the rear garden of the property and will contain living accommodation for elderly relatives of the occupants of the main house. The documents submitted state that the mobile home will not be permanently affixed to the ground and can be removed from site when no longer needed. It will include a kitchen/lounge, two bedrooms, a lobby and a shower room. The applicant has stated that close functional links will be retained with the family occupying the main house and will share utility services with the main house. The key points of the proposal outlined by the applicant are:

- It would be a movable structure delivered to the site on a lorry and capable of removal
- It would not be permanently affixed to the ground, only services would be connected
- The use of the land would be ancillary to the dwelling at Hamara, Shortlands Grove
- The mobile home would be occupied by the dependant relatives, specifically the elderly parents, of one of the owners and occupiers of Hamara.

- Close functional links would be retained with the family who occupy the main house and who the elderly parents will rely on for support for their day to day living needs
- The mobile home would not be provided with a private curtilage
- The mobile home would not have a separate postal address
- The mobile home would share the existing dwelling's utility services and would be jointly billed
- There would be no change to the planning unit
- The mobile home can be removed from the site when no longer needed

Location

The application site is a two storey detached dwellinghouse on the south-western side of Shortlands Grove, Shortlands, close to the junction with Scotts Lane.

Comments from Local Residents

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

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

Comments from Consultees

Legal advice has been sought which concludes that if the structure will remain moveable then it would be classed as a caravan and therefore would not require planning permission. There will not be a change of use of the land as long as the structure is incidental or ancillary to the main dwellinghouse. In this case the structure will be used as a granny annex, there does not appear to be any other form of access to the structure other than through the main house. It is also understood that it will be a temporary structure.

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

Planning Considerations

The application requires the Council to consider whether the proposed mobile home would constitute operational development and whether the use of the land for such purposes would be incidental to the main residential use of the land.

Planning History

The most recent planning history at the property is summarised as follows;

Under ref. 12/02233, planning permission was recently refused and dismissed at appeal for the demolition of existing dwelling and construction of four storey block of two 1 bedroom flats and four 2 bedroom flats with associated vehicular access and car parking to front and rear.

Conclusions

The applicant has submitted a supporting statement with the application which outlines the legal position of such a proposal, which states:

'The proposed timber unit falls within the definitions stated in the 1960 and 1968 Act and by any reasonable interpretation is a mobile home. The stationing of such a structure within the curtilage of a dwelling is not operational development because it is not fixed to the ground and is capable of removal when no longer needed by the family occupying the main dwelling. The mobile is therefore a chattel to be used for purposes incidental to the enjoyment of the dwelling house as such. Incidental use is not the same as ancillary use so far as Planning legislation and case law is concerned. In particular, case law (*Whitehead v Secretary of State/Mole Valley District Council*) has ruled that semi-independent accommodation is incidental to a principal dwelling and this has been reaffirmed in other cases (eg *Uttlesford v Secretary of State/White*).'

The statement is considered to be legally accurate. Having considered this, the Council takes the view that the proposal would not constitute operational development (a building operation) under Section 55 of the Act, given that the mobile home would remain a mobile and removable structure (i.e. a caravan by definition). The siting of the mobile home would rather be considered as a use of the land. It is considered that the main use of the site would be retained as residential without creating a new planning unit. Furthermore, it would provide incidental accommodation to the main house without providing a new, separate dwelling that is severed from the main house. The elderly occupiers of the proposed building will remain partially dependent upon the facilities of the main house.

The document submitted by the applicant states that 'it is likely the unit at Hamara will be in situ for as long as is necessary to meet the needs of the family occupying the main dwelling,' and 'this does not mean that the unit will remain there permanently.' As such, it is understood that it will be a temporary structure and when it is no longer needed it can be disconnected from utilities and removed from the site.

It is stated that there would be a strong functional relationship between the main dwelling and mobile home/granny annexe which would form a part of and be used interchangeably with the accommodation provided by the main dwelling and the outside amenity space. In this case, the whole of that planning unit would remain in single family occupation and the proposed additional accommodation for the elderly parents of the occupiers of the main house. Accordingly, it is considered that the proposed use is tied to the main functions of the property as a whole and is therefore likely to be found to be incidental or integral. This conclusion is reached under the specific circumstances of this application.

It is therefore considered that a Certificate of Lawfulness for the proposal should be granted.

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

RECOMMENDATION: CERTIFICATE BE GRANTED

- 1 The proposed use of the land to site a mobile home as accommodation incidental to the enjoyment of the main dwelling is considered lawful.

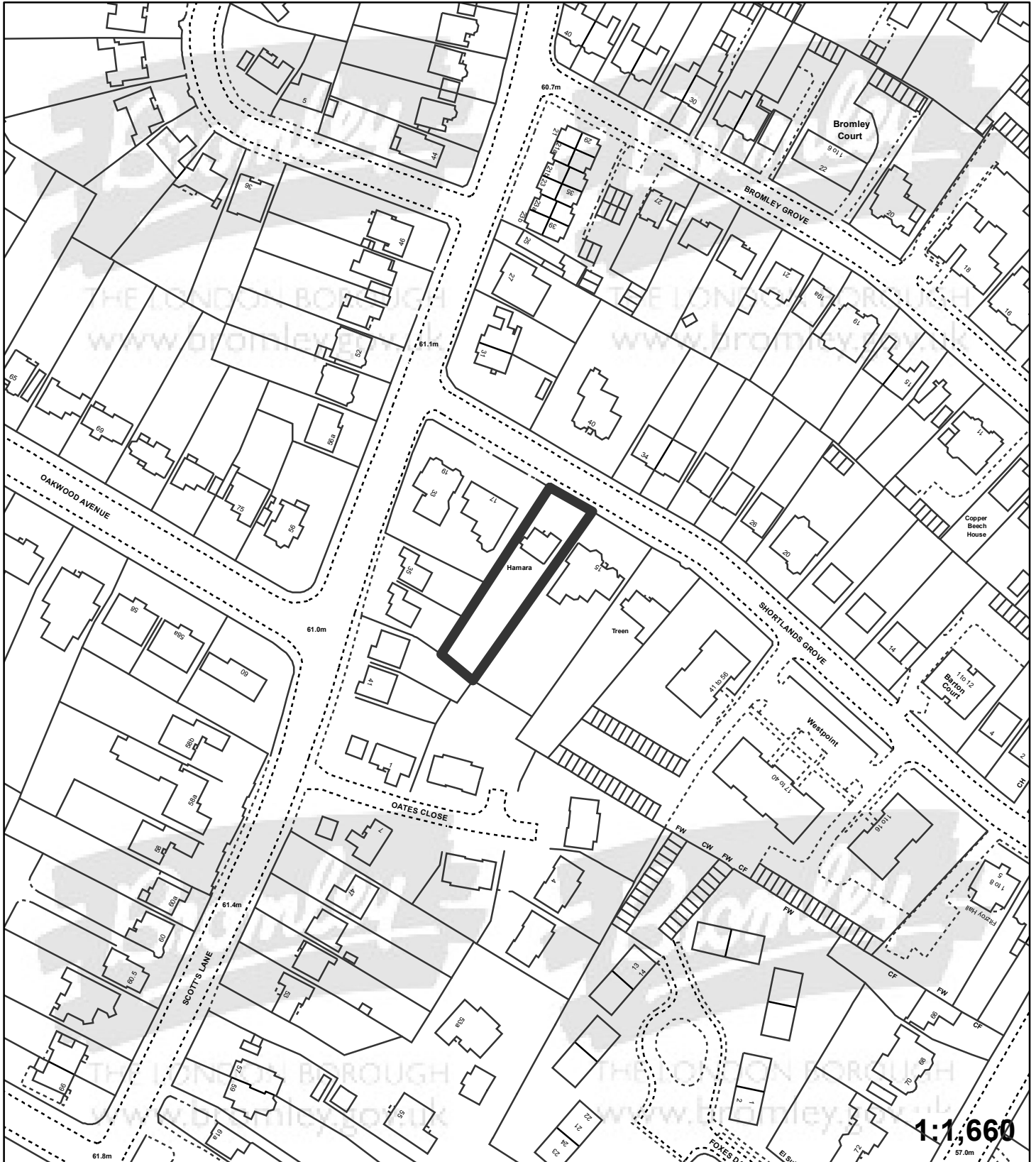
INFORMATIVE(S)

- 1 The applicant is advised that the use that the accommodation hereby certified relates to a mobile annexe for a family member incidental to the use of the main dwelling at the site, is a temporary structure, and when no longer needed would be removed from the site. Should the accommodation be provided or used in a manner other than as set out in this application it may not be lawful.

Application:14/02185/PLUD

Address: Hamara Shortlands Grove Shortlands Bromley BR2 0LS

Proposal: Use of land for siting of mobile home (Granny Annexe) for accommodation ancillary to the main dwelling
CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT



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

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SECTION '2' – Applications meriting special consideration

Application No : 14/02288/FULL1

Ward:
**Bromley Common And
Keston**

Address : Elmfield Lodge Rookery Lane Bromley
BR2 8HB

OS Grid Ref: E: 541735 N: 167394

Applicant : Mr Chris Atkins

Objections : YES

Description of Development:

Demolition of existing outbuildings and erection of two storey side extension to provide two storey dwelling

Key designations:

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

Proposal

Permission is sought for a two storey dwelling to the flank elevation of the existing properties in order to create a terrace. The proposed dwelling would replace an existing single storey development of outbuildings within the curtilage.

Location

The application site is located to the northern edge of Rookery Lane at the junction with Bromley Common to the east. Bromley College is to the immediate south, off of Rookery Lane, and to the northern boundary is Elmfield House, 146 Bromley Common, which is a Statutory Listed Building.

The site comprises Flat 1 and Flat 2 Elmfield Lodge that form a two storey building with associated single storey outbuildings to the west. The site is located within the Green Belt.

Comments from Local Residents

- the proposed semi-detached house appears to be substantially taller and bigger than the outhouses it would replace

- the proposed semi-detached property will alter the open nature of the site to its detriment
- the plot will become overcrowded
- the proposed additional semi-detached house is in close proximity to Elmfield House and will alter the character and setting of this listed property
- the enlarged bulk of the proposed building is out of keeping with the adjacent listed building
- overlooking
- the footpaths are narrow and increased traffic movements in this area will be detrimental to student safety

Comments from Consultees

Highways have raised no objection subject a number of conditions.

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
- BE8 Statutory Listed Buildings
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- G1 The Green Belt
- G5 Dwellings in the Green Belt
- NE7 Development and Trees
- T3 Parking
- T18 Road Safety

Supplementary Planning Guidance 1 and 2

London Plan Policies:

- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets
- 7.16 Green Belt
- 7.21 Trees and Woodlands

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

Application ref. 14/00557 refused permission for the demolition of the existing outbuildings and the erection of a single storey dwelling with accommodation within the roofspace and associated landscaping a new access drive on the grounds that:

1. "The site is located in the Green Belt wherein there is a presumption against inappropriate residential development and the Council sees no very special circumstances which might justify the grant of planning permission as an exception to Policies G1 and G5 of the Unitary Development Plan and the National Planning Policy Framework.
2. The proposed dwelling would, by reason of its scale, setting and design, represent an incongruous addition to the site detrimental to the character and setting of the existing property and harmful to the openness and character of the Green Belt contrary to Policies BE1, G1 and H7 of the Unitary Development Plan and the National Planning Policy Framework.

Application ref. 91/01809 granted permission for a single storey side extension to Flat 1 Elmfield Lodge.

Application ref. 99/03456 refused permission for the conversion of part of the single storey building used as a pottery and workshop to a two bedroom flat on the grounds that:

1. "The site is within the Green Belt where there is a presumption against residential development and the Council see no very special circumstances which might justify the grant of planning permission as an exception to Policy G.2 of the Unitary Development Plan.
2. The proposed change of use would result in an undesirable intensification of residential use in the Green Belt, contrary to established policy and detrimental to the predominantly rural and open character of the area.
3. In the absence of exceptional circumstances to justify a relaxation of established policy, the proposal if permitted, would be likely to set a pattern for undesirable changes of use to residential of similar buildings to the detriment of the character and open nature of the Green Belt."

Conclusions

The main issues relating to the application are the effect that it would have on the character and setting of the adjacent listed building/area and the impact that it would have on the amenities of the occupants of surrounding residential properties as well as the openness of the Green Belt.

Green Belt policy seeks to safeguard against inappropriate residential development, unless very special circumstances can be demonstrated. Green Belt policy also seeks to protect openness within the Green Belt and this can be taken to mean the absence of visible development. The effect of a development on the openness of the Green Belt is primarily a matter of its nature, scale, bulk and site

coverage. That is to say its physical effect on the application site and its surroundings.

The replacement of existing buildings within the Green Belt is considered acceptable under the National Planning Policy Framework (NPPF). The NPPF states that such replacement buildings are appropriate provided the new building is in the same use and not materially larger than the one it replaces, with Policy G5 measuring such materiality as being above 10% of the existing floor area, including any outbuildings within 5 metres. The existing floor area of the buildings to be replaced is some 85 square metres, with the proposed dwelling being 116 square metres, an increase of 31 square metres or 36%. This is in comparison to the recently refused scheme whereby the replacement dwelling comprised 196 square metres, an increase of 115 square metres or 130%.

It is not considered that such an increase over and above the existing buildings is proportionate as required by paragraph 89 of the NPPF and is well above the 10% threshold stipulated by Policy G5.

As such the proposal consists of inappropriate development within the Green Belt and as such very special circumstances must be demonstrated by the applicant to warrant permission being given. These will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

A Design and Access Statement accompanies the application within which it is stated that the proposal will be a proportionate addition to the existing dwelling and that the site amounts to brownfield land. In addition to the assessment of proportionality above, the site comprises a residential curtilage and the NPPF specifically excludes such land from the definition of previously developed land.

As has been established, the proposal is inappropriate development and would harm the openness of the Green Belt by definition and therefore no very special circumstances have been demonstrated. The proposal also seeks to introduce a two storey dwelling of a greater floor area than the existing single storey structures and it is considered that a harmful impact upon the openness of the Green Belt would result in terms of the scale and design of the proposal in addition to any harm by definition.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/02288 and 14/00557 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The site is located in the Green Belt wherein there is a presumption against inappropriate residential development and the Council sees no very special circumstances which might justify the grant of planning permission as an

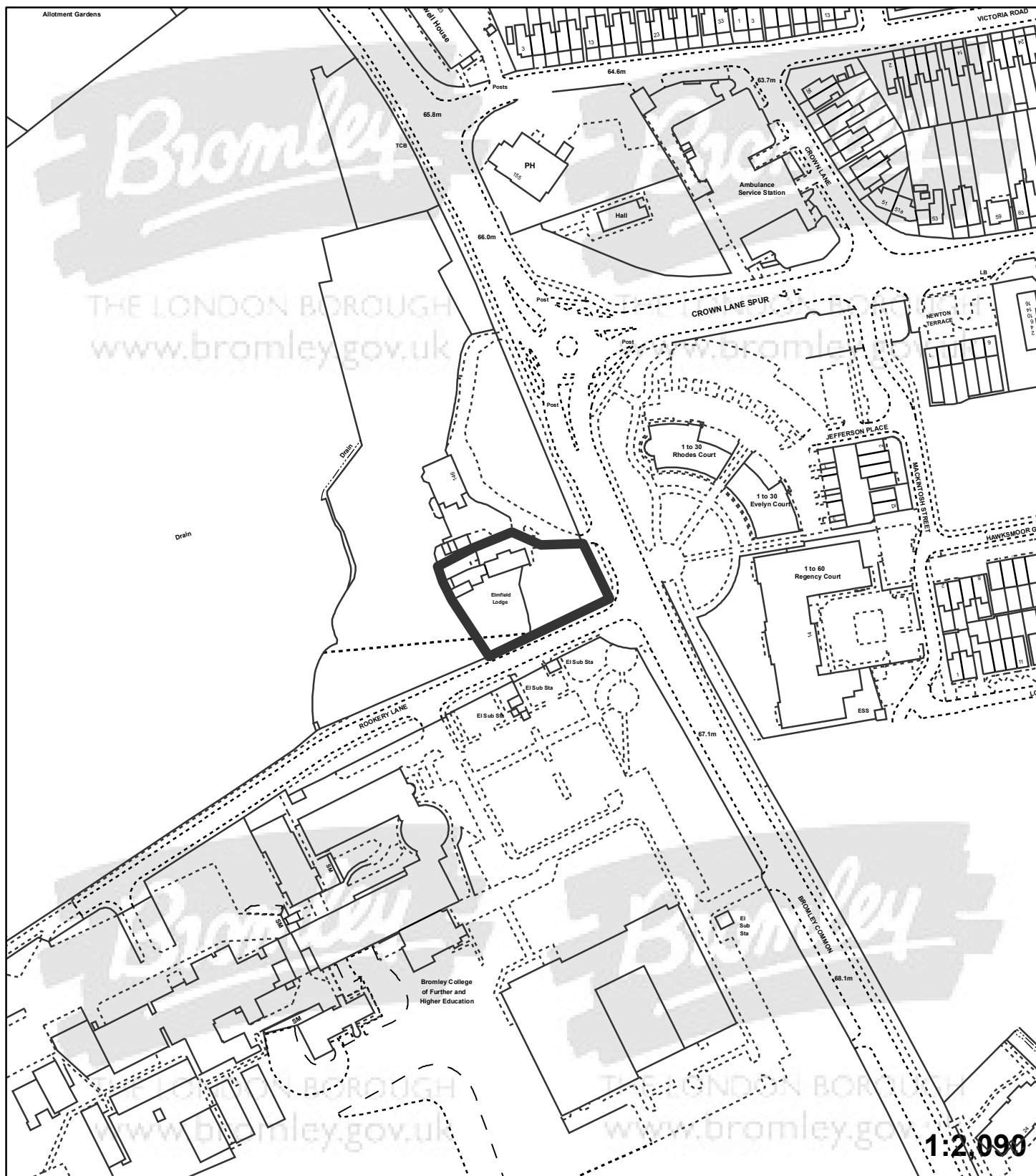
exception to Policies G1 and G5 of the Unitary Development Plan and the National Planning Policy Framework.

- 2 The proposed dwelling would, by reason of its scale, setting and design, represent a harmful to the openness and character of the Green Belt contrary to Policies BE1, G1 and H7 of the Unitary Development Plan and the National Planning Policy Framework.

Application:14/02288/FULL1

Address: Elmfield Lodge Rookery Lane Bromley BR2 8HB

Proposal: Demolition of existing outbuildings and erection of two storey side extension to provide two storey dwelling



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

SECTION '2' – Applications meriting special consideration

Application No : 14/02395/FULL2

Ward:
Copers Cope

Address : Unit 1 Limes Road Beckenham BR3 6NS

OS Grid Ref: E: 537997 N: 169361

Applicant : Tranquil Homes Ltd

Objections : YES

Description of Development:

Change of use and conversion of existing B1 space to form 2 x two bedroom flats including first floor extensions and provision of one parking space.

Key designations:

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

Proposal

The proposal is to convert the first floor of an existing business premises (use class B1) to form 2 x two bedroom flats (use class C3) with one associated car parking space. Elevational alterations to reconfigure part of the existing roof are also proposed, along with an extension to create additional living accommodation.

On the ground floor, the two existing small offices will be converted to form an entrance lobby and large bike store, with the current lift shaft to be removed. Stairs will lead up stairs to the new residential units; Flat A is a two bedroom flat (GIA 63.5m²) incorporating a 3.5m deep extension at the southern side of the building. Flat A will also have new windows in the eastern elevation (obscured glazed up to a height of 1.7m), and four new 'conservation rooflights in the roof slope to allow daylight into the new unit.

Flat B also has two bedrooms and a GIA of 79.5m². The existing windows in the eastern elevation (at the northern side of the building) will be re-used and will now serve the two bedrooms and bathroom for Flat B. A series of rooflights are also proposed in the roof to increase natural light inside the building.

One parking space as part of the development, and this supported by a Parking Study carried out at the request of the Council's Highways department.

Members will note that this application is a revision to a previously withdrawn application under ref. 14/00754/FULL1. The main revisions are:

- Removal of a previously proposed roof terrace to serve Flat A
- Replacement of the previously proposed 'inverted' windows in the eastern elevation with two obscure glazed (up to 1.7m) windows
- Removal of a previously proposed Juliet balcony in the northern elevation to serve the living room of Flat B

Location

The application site currently comprises a commercial premises set on the eastern side of Limes Road, surrounded by gardens of the adjacent houses and flatted developments. The site is within the Chancery Lane Conservation Area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application. Many representations reiterated previous comments/objections, and these can be summarised as follows:

- the building should be preserved
- the development will be out of character
- the building is the last remaining workshop building of this period
- the extension will alter the appearance of the building
- new windows will create light pollution
- overdevelopment
- the proposal is contrary to the SPG for the Conservation Area
- the proposal will destroy the character of the area
- the development would increase parking pressure in the area
- the unique combination of residential and business units in the area should be retained
- the commercial premises has been marketed inadequately
- the character and integrity of the building should be retained
- the new windows will overlook neighbouring bedrooms
- the extension back straight onto another property
- overlooking and loss of privacy at No.4 Crescent Road, including increased noise
- the 'un-utilised land' shown on the drawings is in fact a rear garden
- full materials specification should be provided prior to any work commencing
- loss of light
- one flat with one parking space could perhaps be accommodated
- the open glazed 'void' at the northern end of the building is out of character
- loss of privacy at 100-106 Bromley Road, Beckenham
- previous applications at the site have been refused by the Council

- the use of the cobbled area (marked on the plans as 'open void') behind 102 Bromley Road will lead to noise and disturbance
- the extension towards the rear of 102 Bromley Road will impact on natural light to the rear of the business operating from the site
- the commercial space has been marketed at an over inflated value leading to little interest being received
- the space is not large enough for two flats
- the parking study is inaccurate

Copies of all comments, objections and representations received can be viewed on the file.

Comments from Consultees

From Technical Highways perspective, the applicants have provided a parking study which shows provision of one car parking space. The accompanying survey concluded that the provision of a single space would not result in a detrimental impact on parking stress levels in surrounding streets.

The Council Highways Engineer has inspected the file and raises no objection to the revised proposal.

The Councils Environmental Health Officers have considered the application and visited the area. No objections are raised.

From Heritage and Urban Design perspective, the elevational changes are considered to be relatively minor insofar as the extension echoes the existing design, and is set back from the front of the building. The proposal is not considered to be detrimental to the character and appearance of the Chancery Lane Conservation Area and therefore, subject to conditions, no objections are raised.

The Councils Advisory Panel or Conservation Areas (APCA) have been consulted. Any comments received 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
- BE11 Conservation Areas
- H7 Housing Density and Design
- H9 Side Space
- H12 Conversion of Non-Residential Buildings to Residential use
- EMP5 Development Outside Business Areas
- T3 Parking
- T18 Road Safety

The Council's adopted Supplementary Planning Guidance (SPG) documents are also a consideration in the determination of planning applications. These are:

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

The Council also has adopted Supplementary Planning Guidance for the Chancery Lane Conservation Area, within which the property is located.

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.

Planning History

The site has a lengthy planning history relating to previous unsuccessful planning applications for development proposals, as well as other decisions made by the Planning Inspectorate which are pertinent to the proposed development. These include:

- An application at Unit 1 in 2007 for a change of use of part of the first floor from light industrial (class B1) to residential accommodation (class C3) to form 1 two bedroom flat with elevational alterations and balcony railings on existing flat roof (ref: 07/00324/FULL1). This was allowed at appeal under ref: APP/G5180/A/07/2051813.
- In 2011, an application for the change of use of ground floor at Unit 1 from use Class B1 to use Class A1 (Retail) was granted consent
- In 2012, under ref: 12/00013/FULL3 an application at No. 4 Limes Road (the adjoining property) for a change of use from B1 to residential including the demolition of an existing covered area to facilitate a single storey front extension and provision of parking area was granted planning consent.
- It is also of note that an application to demolish the entire 'Oakhill Works' site and erect a 2/3 storey block of six apartments was refused by the Council under ref: 02/00435/FULL and subsequently dismissed at appeal (ref: APP/G5180/E02/1106167)

Under ref: 14/00754/FULL1 an application for a similar proposal was withdrawn prior to being determined. The current proposal makes a series of revisions as set out in the Proposal section above.

Members should also note that under application ref: 14/02221/RESPA, the change of use of Unit 1 Limes Road from B1(a) (office) to a C3 (residential) unit was granted prior approval. This followed an amendment to the Town and Country Planning General Permitted Development Order which came into force on 30th May 2013, and was subject to the conditions set out in J2, Class J of Schedule 2, Part 3 of the Order.

Conclusions

After considering the previous applications, and in particular the comments of the Planning Inspectors who considered the appeals in 2002 and 2007, it would seem that there are four main issues which Members will need to consider. These are: the loss of the identified business premises on site; parking arrangements for the proposed development; the impact of the proposal on the Chancery Lane Conservation Area; and the impact on the amenities of surrounding residential properties.

Loss of business premises

Having visited the site, it is apparent that the business space is not ideal in terms of condition, layout and access, and would require a degree of investment in order to bring up to modern expectations of small scale commercial space of this nature. Members should note the Inspector's comments in his determination of a previous appeal (see appeal reference: APP/G5180/A/07/2051813) where he stated that "...in my view the size, location and access arrangements make this part of the property [Unit 1] unsuitable for independent business use".

The area could be considered a tertiary location, with significant restrictions in respect of loading and deliveries. Notwithstanding the above, from a planning policy perspective, one of the key objectives of Policy EMP5 is to retain a range of accommodation for different business uses. It is important, therefore, for the Council to look to retain individual sites unless there are significant reasons as to why their continued business use is not feasible. Planning applications need to provide evidence to show that the premises are no longer suitable for a use falling within Use Class B. A letter has been provided by Acorn Commercial which sets out that the commercial space has been marketed for a significant period (since January 2013) with little or no interest.

Members may consider therefore that the loss of the commercial space on site has been justified in respect of Policy EMP5, and when taking the comments of the previous Inspector into account.

Notwithstanding the above, prior approval has been granted by the Council for the change of use of the office space to a residential use. Whilst this does not appear to have been implemented to date, Members will recognise that this is a strong material consideration when considering the loss of a business use at the site.

Parking

Previously, comments received from the Council's Technical Highways department raised concerns over the 'tandem' parking arrangement proposed. The current revised plans (and an accompanying Parking Study) provide a justification for the provision of just one space. Anecdotally, the site is within an area with high on-street parking occupancy with little obvious parking availability.

Members will note that No technical Highways objections have been raised, subject to conditions.

Impact on the Chancery Lane Conservation Area

Policy BE11 seeks to preserve or enhance the character or appearance of conservation areas, and existing features that contribute to the character of the area should be incorporated in to the design of any proposal. This site forms part of a small commercial area within the conservation area and any residential conversion should seek to respect the original use of the building. The Supplementary Planning Guidance (SPG) for Chancery Lane Conservation Area states that 'changes of use will be acceptable only where, in the opinion of the Council, they would have no detrimental effect on the character of the area'

The site sits within a particularly sensitive location, where a high quality of design and materials would be required. The extensions and alterations proposed to be made to the host building are relatively minor and will be positioned on the rear and flank elevations. The roof extensions proposed and additional conservation rooflights are considered to respect the host building and surrounding development, without being overtly visible from the streetscene. Members will note that no objection has been raised from a Heritage and Urban Design perspective.

On balance, the proposal is not considered to be detrimental to the character and appearance of the Chancery Lane Conservation Area and therefore, subject to conditions, no objections are raised.

Impact on surrounding amenity

A number of representations received relate to the impact on surrounding amenity. The site has a complex layout and an unusual relationship with surrounding development, with the current commercial nature of this part of the building meaning that the intensity of the use is likely to be confined to during the working day. A residential use of the site would give rise to a possible intensification in use, although Members will note the area (and site itself) is already predominantly residential in nature.

The proposal would largely re-use the fabric of the existing building, with new rooflights and inverted windows proposed for the eastern elevation. The site is within an urban/suburban setting where a degree of overlooking is to be expected, and the general principle of residential use at the site has been broadly accepted by previous decisions (see planning history above).

The proposal includes a series of new roof windows in the eastern roofslope which would be at a high level and would allow light into the proposed flats. Previously proposed full height 'inverted' windows in the first floor of the eastern elevation raised concerns, and these have been omitted from the current proposal. The plans indicate that two new windows would be obscure glazed up to a height of 1.7m in order to prevent a direct view into the gardens of adjoining properties, and the outlook would be onto land indicated as being 'un-utilised' to the east of the site. Having visited the site it is clear that this land is in fact the garden area belonging to the occupants of No.104 Bromley Road. The new side windows as proposed are not considered to result in an unacceptable loss of privacy and sense of overlooking at neighbouring properties, given that their obscurity and type of opening could be secured by way of an appropriate planning condition.

The current scheme removes the previously proposed roof terrace at the southern end of the site beyond the proposed first floor extension. The removal of this feature is welcomed.

Members will note that the appeal Inspector when considering the 2007 application at the site attached a condition restricting the use of the existing flat roofed area on the first floor for sitting out, although concerns have been raised that this condition has not been adhered to. This is not a matter for consideration as part of this application, however it would appear that no precedent has been set by the existing alleged use of part of this terrace area as external amenity space. A similar condition restricting any future use of the remaining flat-roofed area as an outdoor amenity area is therefore suggested.

At the northern extremity, the building is currently set up as two offices and two toilet areas. The proposed drawings indicate that this area would become two bedrooms and a bathroom.

Given the proximity to the boundary and the existing relationship between the site and the rear elevations of No.102a and 104 Bromley Road, and noting a significant degree of vegetative screening at the boundary with No.104, Members may consider that the impact of these windows is not significantly different to the impact of the use of those windows for commercial purposes. Concerns have been used over the possible use of the existing courtyard area at the northern end of the site as an external amenity space. The applicants agent has confirmed that this area is owned by the property on the ground floor. The proposed flats will have a legal means of escape in the event of fire from what will be Flat B, however, the courtyard area would not be used as outdoor recreation space for the proposed development. This again could be guarded against by way of an appropriate planning condition.

On balance, it is considered that any perceived loss of privacy arising from the windows in this part of the building is not considered to be significantly increased by the change in the nature of the rooms that these windows serve. Members will note that the existing relationship between the commercial premises and surrounding properties is already unusual; therefore a view must be taken as to whether the proposal represents an improvement over the current set-up or a significantly increased impact.

In summary, Members may consider that the principle of residential development at the site was broadly accepted by the Inspector who considered a previous scheme, and the loss of business premises on site has been justified by previous decisions and the evidence provided by the applicants.

From a Highways perspective, the site is in a sustainable location a short distance from Beckenham High Street and alternative modes of transport. No technical objections have been raised from the Councils Highways Engineer, subject to conditions.

The site is within a sensitive location, however the external alterations, in broad terms, are not considered to have a negative impact on the appearance of the host

building or the wider streetscene and Conservation Area to such an extent as to warrant refusal of planning permission on this basis.

On balance, therefore the revised scheme is considered to represent an improvement over previous proposals, resulting in a development that satisfies relevant Council policies and is consistent with the principles and objectives of the National Planning Policy Framework. The proposal is not considered to result in a harmful impact on the amenities of local residents; the character and appearance of the surrounding Conservation Area, or an unacceptable impact on road safety and the surrounding highway network. On this basis the recommendation is that planning consent should be granted.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
 - 2 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
 - 3 ACC03 Details of windows
 ACC03R Reason C03
 - 4 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
 - 5 ACH22 Bicycle Parking
 ACH22R Reason H22
 - 6 ACH32 Highway Drainage
 ADH32R Reason H32
 - 7 ACI11 Obscure glaz'g/details of opening (1 in) in the eastern first
 ACI11R Reason I11 (1 insert) BE1
 ACI13 No windows (2 inserts) flank development
 - 8 ACI13R I13 reason (1 insert) BE1
 - 9 ACI14 No balcony (1 insert) the development
 ACI14R I14 reason (1 insert) BE1
 - 10 ACK01 Compliance with submitted plan
 ACK05R K05 reason
 - 11 The ground floor courtyard area at the northern end of the site shall not be used as an external amenity space for the proposed dwelling(s).
- Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interests of the amenities of nearby properties.
- 12 A scheme for protecting the proposed dwelling from noise arising from activities within the ground floor commercial premises shall be submitted to and approved in writing by or on behalf of the Local Planning Authority. Before the development commences the scheme shall be fully implemented and sound transmission tests shall be carried out by a competent person to

demonstrate compliance with the approved scheme. The results shall be submitted to the Local Planning Authority and the approved scheme shall be permanently maintained thereafter.

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interests of the amenities of future occupiers of the proposed residential unit.

INFORMATIVE(S)

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

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

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

- 2 Before the works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 3 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:14/02395/FULL2

Address: Unit 1 Limes Road Beckenham BR3 6NS

Proposal: Change of use and conversion of existing B1 space to form 2 x two bedroom flats including first floor extensions and provision of one parking space.



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

SECTION '2' – Applications meriting special consideration

Application No : 14/02500/RESPA

Ward:
Petts Wood And Knoll

Address : Mega House Crest View Drive Petts
Wood Orpington BR5 1BY

OS Grid Ref: E: 544257 N: 167744

Applicant : G K Goldman Klein Ltd

Objections : YES

Description of Development:

Change of use of office building from Class B1(a) office to Class C3 dwelling house. to provide for 29 flats (56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class J Part 3 of the GPDO)

Proposal

- The proposal seeks a change of use of office building from Class B1(a) office to Class C3 dwelling house to provide for 29 flats
- The proposal is a 56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class J Part 3 of the GPDO.
- The change of use proposal will provide 50 parking spaces within the existing car park

Location

The site is located on the eastern side of Crest View Drive, in close proximity to Queensway. The site comprises a large detached commercial building, bound by residential properties to the north and west, a railway line to the east and public car park to the south.

An amended site plan was received on 24th July 2014 to correct an error on the original submission.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations received (including the Petts Wood & District Residents' Association) are summarised as follows:

- changes were intended to allow empty or underused buildings to be brought back into use

- application is not in the spirit of the changed rules
- developer taking advantage to make money
- disagree that the proposal would not have an impact on traffic
- increased vehicular movements to rear and side of No.2 Crest View Drive
- concerns about light pollution
- parking issues- inadequate sized car park
- would like further detailed drawings to assess impact residential amenity
- impact on privacy
- impact on tranquil surrounding
- impact on value of property
- need asbestos report
- believe there to be bats nesting in the building
- demolition and construction noise would be detrimental to local area and High Street
- Petts Wood becoming oversaturated
- propose that bays are painted along Crest View Drive to reduce issues with cars being parked across driveways
- impact on school places in the area
- office block is economically viable

Network Rail were notified of the application (adjoining owner) and no objections were raised.

Comments from Consultees

Highways- no objections have been raised. The proposed 50 parking spaces is in excess of the UDP standards of 1 per unit.

Environment Agency- assessed application to have low environmental risk and no objection were raised.

Environmental Health (Pollution)- no objection raised regarding contamination but concerns over potential railway noise

Planning Considerations

The application requires the Council to consider whether prior approval is required in relation to the conditions set out in J2, Class J of Schedule 2, Part 3 of the General Permitted Development Order 2013.

Planning History

There is no recent planning history at the site that is relevant to the current scheme.

Conclusions

Following an amendment to the Town and Country Planning General Permitted Development) Order which came into force on 30th May 2013, Class J permits the change of use of a building and any land within its curtilage from Class B1(a) (offices) to Class C3 (dwellinghouses).

The application calls for the Council to establish whether Prior Approval is required as to:

- (a) transport and highways impacts of the development
- (b) contamination risks on the site; and
- (c) flooding risks on the site

In this respect:

- (a) no objection is raised from the Council's Technical Highways department.
- (b) the site is not within a site identified as contaminated land;
- (c) the site is not in a Flood Zone 1, 2 or 3.

Given the above, on balance it is considered that Prior Approval should be granted in this instance and therefore Members are advised to grant Prior Approval.

Members will note that this is a 56 day application and as such a decision must be made by 18th August.

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 24.07.2014

RECOMMENDATION: GRANT PRIOR APPROVAL

Subject to the following conditions:

- 1 ACH02 Satisfactory parking - no details submit
Reason: In order to comply with Policy T3 of the Unitary Development Plan and the NPPF, 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 and prejudicial to road safety.
- 2 AC115 Protection from traffic noise (1 insert) rail
ADI15R Reason I15

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 The Applicant may be required to apply for other consents directly from the Environment Agency. The term 'consent' covers consents, permissions or licenses for different activities (such as water abstraction or discharging to a stream), and we have a regulatory role in issuing and monitoring them. The applicant should contact 03708 506506 or consult the Environment Agency website to establish whether a consent will be required.

Application:14/02500/RESPA

Address: Mega House Crest View Drive Petts Wood Orpington BR5 1BY

Proposal: Change of use of office building from Class B1(a) office to Class C3 dwelling house. to provide for 29 flats (56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class J Part 3 of the GPDO)



"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 : 13/00196/FULL1

Ward:
Copers Cope

Address : Foxgrove House Foxgrove Road
Beckenham BR3 5AR

OS Grid Ref: E: 537552 N: 170125

Applicant : Mrs Patricia Mantoura

Objections : YES

Description of Development:

Formation of a new crossover and parking space in the rear garden with access via gates from Beckenham Place Road.

Key designations:

Conservation Area: Southend Road
Area of Special Residential Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
Local Cycle Network
London City Airport Safeguarding
London City Airport Safeguarding Birds

The application was deferred from the Plans Sub Committee on 25th July 2013 in order to seek agreement from the applicant to reduce the height of the gates to 1m and also to provide a permeable surface for the hardstanding area.

The applicant has considered this issue at length and has also met with the Beckenham Place Park Residents Association to consider their concerns regarding the proposal. The stated reasons for choosing not to revise the plans are summarised below:

Whilst the offer made by the Plans Sub Committee to reduce the height of the gates is appreciated this would defeat the primary objective of providing the gates which is to have a secure parking space within the bounds of the applicants property to park her car. It is respectfully pointed out that the reduction in the height of the gates to 1m would make no difference to road safety as the gates open inwardly.

One of the objections raised by BPPRA was that they did not wish to see into the applicant's garden by reducing the height this would clearly increase visibility into the garden.

For these reasons we have respectfully decided not to revise the plans and would ask that the application be considered on the basis of the latest plans, i.e. those previously considered by the Plans Sub Committee.

The previous report is repeated below.

Proposal

The application property is a ground floor residential flat (No.3) which forms part of Foxgrove House which is subdivided into a number of self-contained units. The site is an irregular shape and fronts onto Foxgrove Road with the side / rear boundary fronting onto Beckenham Place Park. It is proposed to provide a vehicular access from Beckenham Place Park to the side rear garden come hardstanding area associated with No.3 Foxgrove House. The development would comprise the formation of vehicular crossover and 4m (w) x 2m (h) gates which would be of a very similar appearance and same height as the existing fence panels along this part of the site boundary.

Location

The aptly named Foxgrove House is located at the western end of Foxgrove Road at the junction with Beckenham Place Park, Park Road and Southend Road.

The site is adjacent to Southend Road Conservation Area and also falls within Beckenham Place Park, Foxgrove Avenue & Foxgrove Road Area of Special Residential Character (ASRC). The western section of the ASRC which incorporates the application site is described in Appendix I of the Unitary Development Plan(UDP) as:

"...a pleasant residential area comprising some post-war as well as substantial inter-war detached family houses of no particular architectural merit, but in a good setting with the statutorily listed lodges to Beckenham Place Park at the entrance from Southend Road... In the case of Foxgrove Avenue and Foxgrove Road, the properties are in the main inter/ post-war and present a less expansive impression than other parts of this area. The rear gardens are spacious and in most cases provide an important and attractive backdrop to the surrounding open space."

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 5 representations were received including 2 letters on behalf of Beckenham Place Park Society which can be summarised as follows:

- fencing and gates detract from the character and appearance of the surrounding area
- previously when there had been unauthorised opening it created difficulty for others nearby accessing their driveways

- the fence height prevents good sight lines and the gates would prejudice pedestrian safety
- if gates are left open this would be harmful to the visual amenity of the area
- the access in the form proposed is likely to require a formal agreement
- Foxgrove House is not part of Beckenham Place Park
- there is already parking available in front of Foxgrove House
- the proposed access may make it difficult for trucks and ambulances and refuse trucks to enter Beckenham Place Park
- proposed is a back garden development that should not be allowed in a Conservation Area or ASRC
- allowing a vehicular access here will pose a security risk to my garden at the rear of my property (flat 5, Foxgrove Hse) adjacent to this. Cars will disturb the enjoyment of my garden, through noise and unattractive appearance (hardstanding)
- the revised scheme is virtually identical to that which was dismissed at appeal
- Council highways officials should not be allowed to dictate the Council's decision on the basis of their own personal judgement, whether personal or not as there is ample reason and relevant grounds to take a different view
- the gates would open directly onto a narrow footpath at a particularly narrow stretch of road near to a dangerous entrance. All other vehicle entries in the park have an apron in form of varying width which facilitates mutual visibility.
- the increase in the size of the gates does not seem to alter sightlines and distances significantly
- the creation of the access would result in the removal of some of the vegetation and shrubbery in an attempt to improve visibility splays which in turn would result in adverse impact on the character of the Conservation Area and ASRC

Full text of all letters are available to view on file.

Comments from Consultees

Highways - "The site is located at the corner of Foxgrove Road and Beckenham Place Park with a long side boundary fronting Foxgrove Road. The vehicular access for the proposed parking space will be gained from Beckenham Place Road, which is an unadopted highway. There are waiting restrictions (No Waiting at any Time) immediately outside Foxgrove House. The development is located within an area with a PTAL rate of 3.

The revised drawings supplied show gates widened to 4m. This would improve visibility significantly, so no further comments are made. Following concern from residents' concerning highway safety the site was visited by the Highways Development Engineer for a second time. Their view remains unchanged it is not considered that the formation of a crossover and vehicular access via gates from Beckenham Place Park will affect pedestrian safety.

Given the status of Beckenham Place Park as an unadopted street, the applicant should be advised via an informative attached to any permission that the condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development. The applicant should, therefore, also be advised that before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which Beckenham Park Place is laid out.

Heritage and Urban Design concur with the view of the inspector on the appeal decision that the boundary treatment would not harm the visual amenities and character of the area.

Planning Considerations

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

- BE1 Design of New Development
- BE11 Conservation Areas
- H10 Areas of Special Residential Character
- T18 Road safety

Southend Road Conservation Area Supplementary Planning Guidance (SPG)

Planning History

An enforcement appeal was made under ENF/08/00199, the breach related to the subject fencing, gate and hardstanding. The appeal was allowed in so far as it related to the retention of the hardstanding and fencing which would need to be permanently closed. The appeal was dismissed in so far as it related to the gates, it was considered that it would due to its height compromise sightlines and therefore also highway safety.

In reaching a conclusion the Inspector noted the following:

Effect on Highway Safety

"The position of the gates at the back of the footway and the height of the fence give rise to visibility problems for drivers exiting the appeal site as their sightlines are obstructed. In view of the narrow width of Beckenham Park at this location and its close proximity to the junction with Foxgrove road and Southend Road, any lack of visibility is I consider a potential hazard and breaches the policy requirement to ensure that road safety is not adversely affected. Failure to provide adequate visibility results, in my opinion, in an adverse impact on vehicular and pedestrian safety."

Character and Appearance of the Conservation Area

"In the immediate vicinity front boundary treatments are characterised by low fences or walls with tall hedges above, or by high walls and railings. The former type of fence existed at the appeal site but was dilapidated. However, there are side boundary fences adjacent to the highway close to the site within the Conservation Area. The appeal fence appears to have been constructed to a high standard, is of a similar design, height and materials to those other fences. It is therefore in keeping with its surroundings.

With regard to the hardstanding, I observed this to be a gravelled area at the back of the garden. It cannot be seen from the road, except when the gates are open, and is significantly less extensive than other hard surfaced areas at nearby properties which are highly visible from public viewpoints. It is, in my view, in keeping with its surroundings as a hard landscaped area of garden.

I conclude on this issue, therefore, that the fence, gates and hardstanding as constructed do not adversely affect the character and appearance of the ASRC, the adjacent Southend Road Conservation Area or the setting of the listed buildings."

Conclusions

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 main issues relating to the application are the effect that it would have on the character and appearance of the adjacent Conservation Area and the ASRC and also its impact on pedestrian and vehicular safety.

The SPG for Southend Road Conservation Area sets out an expectation for new development proposals to conform with the character of that section of the conservation area surrounding the proposal site and with the general character of the area, especially in regard to the scale and height of construction, location with a plot (where material), design and materials used. It is hoped that all improvement works will take account of the character of the buildings and alter them as little as possible.

The appeal decision dated 15th October 2009 concludes that the gates, fencing and hardstanding would not adversely affect the character of the Conservation Area. It is considered that there have been no substantive changes to Policy or within the site or surrounding locality that would result in a different conclusion being reached. This view is also shared by the Heritage and Urban Design Section.

Furthermore, the highways planning section are now content that the proposed gates due to their increased width would no longer compromise highway safety.

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

Background papers referred to during production of this report comprise all correspondence on file ref. 13/00196, excluding exempt information.

as amended by documents received on 29.05.2013

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 the interests of the visual amenities of the area and the residential amenities of the neighbouring properties, in line with Policies BE1, BE11 and H8 of the Unitary Development Plan.

INFORMATIVE(S)

- 1 The condition of the section of the street to which the proposed development has a frontage should, at the end of development, be at least commensurate with that which existed prior to commencement of the development.
- 2 Before any works connected with the proposed development are undertaken within the limits of the street, it will be necessary for them to obtain the agreement of the owner(s) of the sub-soil upon which Beckenham Park Place is laid out.

Application:13/00196/FULL1

Address: Foxgrove House Foxgrove Road Beckenham BR3 5AR

Proposal: Formation of a new crossover and parking space in the rear garden with access via gates from Beckenham Place Road.



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

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

Application No : 14/00984/FULL1

Ward:
Cray Valley East

Address : Royal Albert 127 Lower Road Orpington
BR5 4AJ

OS Grid Ref: E: 546887 N: 167108

Applicant : Mr Raj Tankaria

Objections : YES

Description of Development:

Conversion of existing public house (Class A4) to 4 one-bedroom flats and 2 two-bedroom flats (Class C3); formation of two roof terraces to proposed first floor flats; formation of lightwell, steps and subterranean garden area for proposed lower ground floor flat; and provision of ground floor communal refuse store

Key designations:

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

Proposal

This involves the conversion of the existing building to form six flats (2 two-beds; 4 one-beds): one within the basement, three at ground floor level, and two within the first floor. The existing structure will be utilised, although a private roof terrace will be provided for each of the two first floor flats. The application also includes six bicycle stands, a communal refuse store and three garden areas for the ground floor flats.

The application is accompanied by a Marketing History Report compiled by AG&G Chartered Surveyors and a Parking Stress Report.

The Marketing History Report advises that AG&G initially inspected the pub in July 2011 when it was occupied on a temporary basis. A marketing campaign commenced in February 2013 with the sale concluding in September 2013. Marketing activities included circulations of details by email to AG&G's database; details on websites; erection of a "For Sale" board; postal mailouts to the nearest 40 estate agents and pubs; a reduction in the guide price from £300,000 to £250,000; and advertisements in the local press. An offer of £205,000 from ASR Estates was received in June 2013 with heads of terms agreed the following

month. AG&G did not receive any community interest to purchase the pub for its existing use.

The Report notes that AG&G were unable to obtain any historic trading accounts as the previous pub tenants were not obliged to pass this information to their Client. However, their Client has obtained historic barrelage information which represents the total number of barrels sold to the tenant between 2004 and 2012. Between 2007 and 2011 these declined from 291.3 to 140.3. Rental information is also provided. AG&G conclude that the barrelage throughput figures and rental information show that this was not a thriving business.

Location

The application site is made up of a disused public house of Victorian appearance and is situated at the corner of Lower Road and Albert Road within what is a predominantly residential area. The application building forms a distinct feature in the area.

Comments from Local Residents

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

- proposal does not include any parking facilities for the flats which will accentuate existing parking congestion along the Lower Road
- there needs to be allocated parking for the proposed flats, ideally permit holder bays
- parking around the Lower Road bus stop obstructs buses and impedes other vehicles
- no objection in principle to the conversion of the public house to flats, but the proposed number of flats is excessive
- four flats would be more realistic

Comments from Consultees

No technical Highways objections have been raised, subject to cycle- and refuse-store related conditions.

No technical Thames Water or Drainage objections have been raised.

No Environmental Health (Housing) objections have been raised following the receipt of revised plans (of 17.7.14).

Planning Considerations

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

BE1 Design of New Development
T3 Parking

C1 Community Facilities
H12 Conversion of Non-Residential Buildings to Residential Use

The Emerging Bromley Local Plan

The 'Options and Preferred Strategy' Document (March 2013) includes Preferred Option 35

"To support the quality of life in all Bromley's neighbourhoods through the appropriate provision and retention of a range of social infrastructure such as health and education provision, cultural, play, recreation and sports facilities, places of worship, and provision related to community safety such as police facilities and fire stations."

This document also indicated that strategic options would be supported by a range of development management policies, likely to include specific protections for facilities important to local communities, including pubs.

The Local Plan Draft Policies and Designations is published for consultation Feb 2014 and includes a new draft Community Facilities policy and a specific draft pubs policy:

Public Houses

The loss of public houses will be resisted by the Council except where :

- (i) there is an alternative public house within a 500 metre walking distance of the site and, if the public house is located within a local parade or town centre, the diverse offer of that parade or town centre is not significantly affected by the loss, and,
- (ii) where it can be demonstrated that the business is no longer financially viable as a public house, including the submission of evidence of active marketing as a pub for a substantial period of time.

Where the above criteria are met, any change of use must be sympathetic to the design, character and heritage value original building if it is considered to be a positive contribution to local character.

The draft supporting text advises that the Council seeks to prevent the unnecessary loss of public houses unless alternative facilities are locally available and there is no adverse effect on local commercial centres or parades and it can be demonstrated that the use as a Public House is no longer financially viable. This would involve demonstrating evidence of 18 months' suitable marketing activity and proof that the public house is no longer financially viable through the submission of trading accounts, or other similar financial evidence, whilst the pub was operating as a full time business.

National Planning Policy Framework (NPPF)

The NPPF, in particular Paragraph 70 advises that:

"To deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:

- Plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments;
- Guard against unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day to day needs"

London Plan

London Plan Policy 3.16, Protection and Enhancement of Social Infrastructure" states that:

B ... Proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted.

In considering areas of defined need Policy 4.8 of the London Plan addresses retail centres and the supporting text para 4.48 highlights public houses in stating that:

"The availability of accessible local shops and related uses meeting local needs for goods and services (including post offices and public houses) is also important in securing 'lifetime neighbourhoods"

Planning History

There is no relevant planning history relating the application site.

Conclusions

The main issues for consideration in this proposal relate to: the loss of a community asset; the impact of the proposal on neighbouring amenity; and its impact on local character.

The proposal is assessed on the basis of adopted planning policy, including the UDP. Some weight is attached to the Emerging Local Plan, in particular the draft pubs policy, which states that the loss of public houses will be resisted by the Council, unless: (i) there is an alternative public house within a 500 metre walking distance of the site, and, (ii) where it can be demonstrated that the business is no longer financially viable as a public house, including the submission of evidence of active marketing as a pub for a substantial period of time.

As noted above, the application is accompanied by a Marketing History Report. It would appear that the building was extensively marketed between February and June 2013, whilst other evidence shows that the use was increasingly unviable in most recent years. Furthermore, based on the marketing report and the planning consultation process, it appears that there was no community interest in taking

over the pub. It is therefore considered that sufficient evidence has been provided to reasonably demonstrate that the established pub business is no longer financially viable.

The second strand of the draft pubs policy seeks to ensure that there will be an alternative public house within a 500 metre walking distance of the site. In this case there is at least one other public house situated within 500 metres of the application site: the Beech Tree along Wellington Road which is approximately 130 metres away. Accordingly, a public house will remain within reasonable distance of the application site.

From a neighbouring amenity perspective no objections are raised. This is on the basis that the existing building will be utilised with few works taking place externally, thereby minimising its overall impact on the surrounding area. A condition relating to screening for the two first floor terraces proposed will help to prevent overlooking in the direction of neighbouring properties. Furthermore, in light of the Parking Stress Report, no objections have been raised from a technical Highways perspective as it is deemed that there are on-street parking spaces available for additional demand during the hours of maximum residential parking demand.

Finally, subject to the use of appropriate materials and fenestration, it is considered that the proposed conversion could be carried out whilst respecting the distinct character of this building.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/00984, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 16.07.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 3 ACC03 Details of windows
 ACC03R Reason C03
- 4 ACH19 Refuse storage - implementation
 ACH19R Reason H19
- 5 ACH22 Bicycle Parking
 ACH22R Reason H22
- 6 Details of screening for the first floor terraces (for Units 5 and 6) shall be submitted to and approved in writing by the Local Planning Authority and shall be installed before occupation and retained as such permanently thereafter.
 ACI17R I17 reason (1 insert) BE1

- 7 ACK01 Compliance with submitted plan
 ACC03R Reason C03

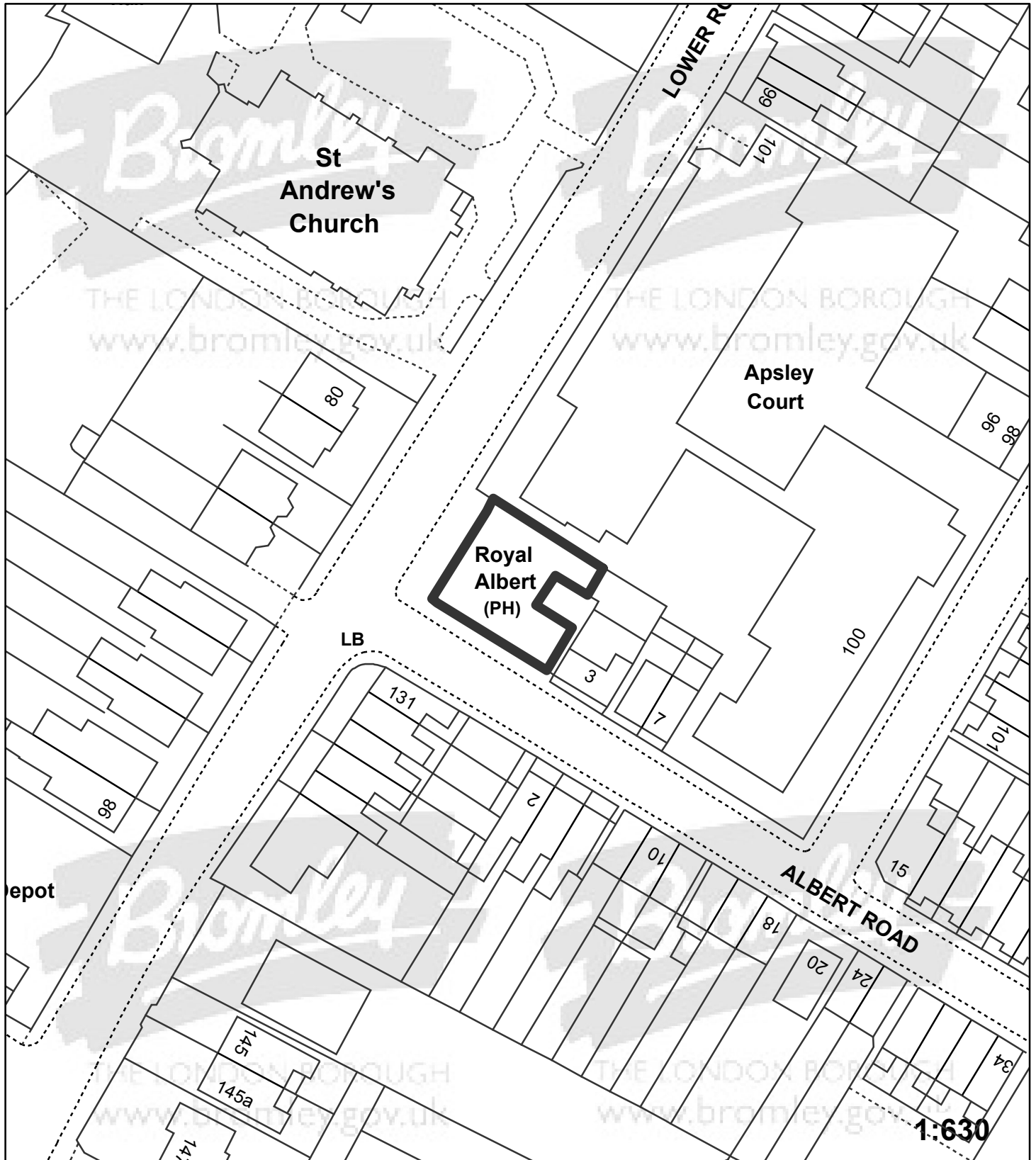
INFORMATIVE(S)

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

Application:14/00984/FULL1

Address: Royal Albert 127 Lower Road Orpington BR5 4AJ

Proposal: Conversion of existing public house (Class A4) to 4 one-bedroom flats and 2 two-bedroom flats (Class C3); formation of two roof terraces to proposed first floor flats; formation of lightwell, steps and subterranean garden area for proposed lower ground floor flat; and



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

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

Application No : 14/01678/FULL6

Ward:
West Wickham

Address : 10 The Mead West Wickham BR4 0BB

OS Grid Ref: E: 538736 N: 166137

Applicant : Mr Steve Henderson

Objections : NO

Description of Development:

Two storey side and single storey rear extensions

Key designations:

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

Proposal

This application seeks permission for a two storey side which will be set behind the existing ground floor utility room and first floor bedroom. It would project 2.7m to the side, to continue the side property line. This would maintain the separation to the western side boundary of 0.85m.

The single storey rear extension will project 3m to the rear and match the full width of the property (9.675m).

Location

The application site is a semi-detached property located on The Mead, close to the junction with Hawes Lane.

Comments from Local Residents

No comments have been received from local residents.

Comments from Consultees

No comments have been received from consultees.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Planning History

There is no planning history on this site.

Conclusions

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

The two storey side extension would be set behind the existing ground floor utility room and first floor bedroom. It would project 2.7m to the side to continue the side property line, with a depth of 3.2m at ground floor level and 5.7m at first floor level, to match the original rear property line. This would maintain the existing 0.85m separation to the side boundary but would not provide the minimum of 1m side space to be retained to the side boundary for the full height and length of the building in respect of two storey developments that is normally required to comply with Policy H9. However it is noted that the proposed extension is to be built behind an existing two storey element. In terms of the street scene there would be no change and on this basis the application would appear to accord with Policy H9.

It is also noted that No.8, the neighbouring property to the West, had planning permission in 2004 for a two storey side extension, single storey front and single storey rear extensions (planning reference 04/04516/FULL6). The works have been completed, therefore the impact on this property is lessened in regards to loss of light, outlook or privacy.

The proposed single storey rear extension would project 3m to the rear and match the full width of the property (9.675m). This extension is the same depth as the single storey rear extension at No.8. The flank elevation facing No.8 will include four windows and one door at ground floor level, and the relocation of one stained glass window on the first floor. The flank elevation facing No.12 will be blank. Therefore the proposal is not considered to cause detrimental impact on either neighbouring property.

The enlarged roof will be hipped at an angle similar to the original roof. The ground floor store room doors on the front elevation will be replaced with a bay window that projects forward by 0.3m, this does not project further forward than the existing bay window. Therefore the proposed elevational changes are not considered to result in a detrimental impact on the character and spatial standards of the surrounding area.

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

as amended by documents received on 18.07.2014

RECOMMENDATION: PERMISSION

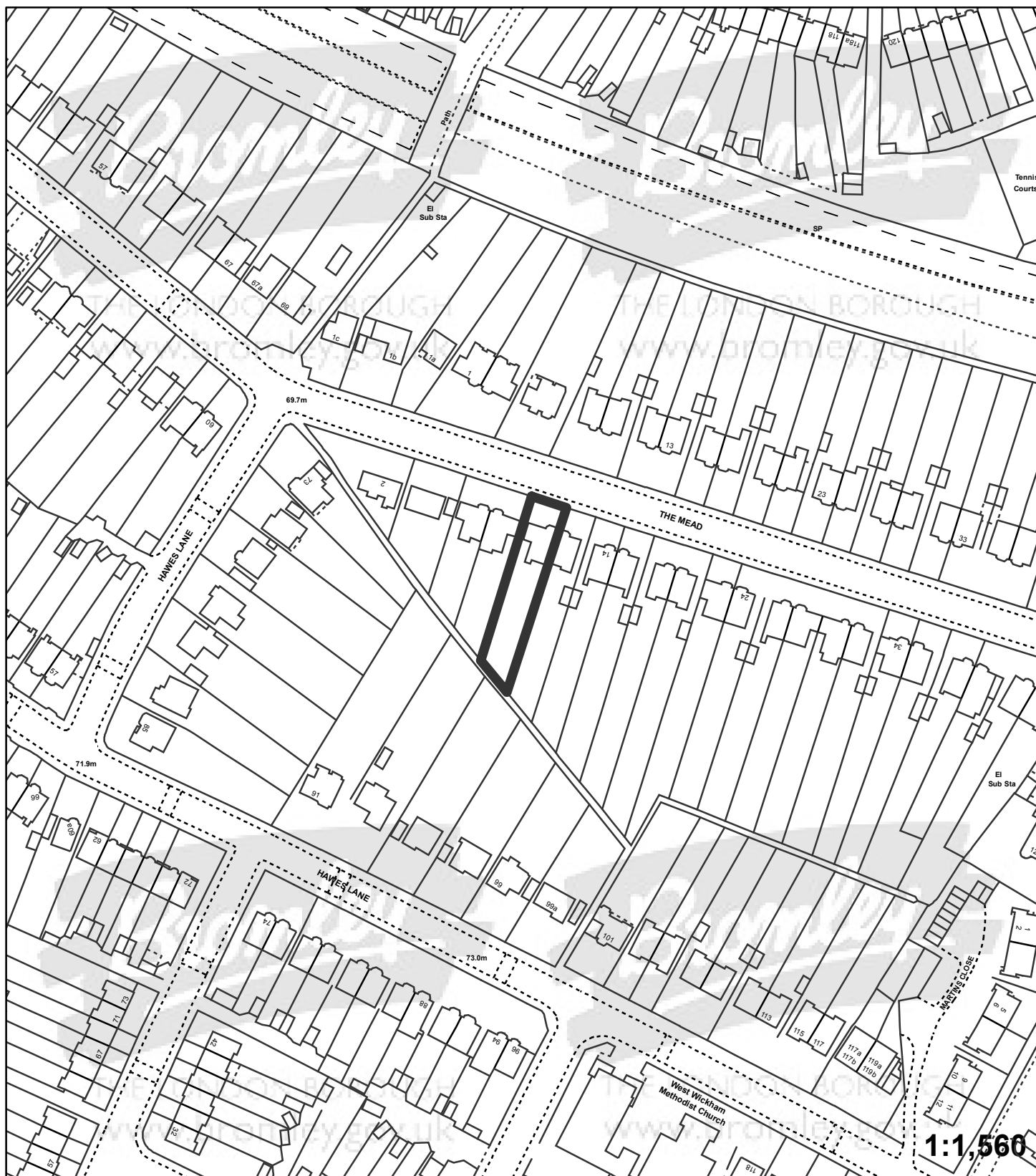
Subject to the following conditions:

- | | | |
|---|--------|--|
| 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 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

Application:14/01678/FULL6

Address: 10 The Mead West Wickham BR4 0BB

Proposal: Two storey side and single storey rear extensions



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

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

Application No : 14/01961/FULL2

Ward:
Orpington

Address : 276 High Street Orpington BR6 0ND

OS Grid Ref: E: 546166 N: 166111

Applicant : Mr Justin Speller

Objections : NO

Description of Development:

Change of use from retail (Class A1) to Tanning Salon (Class Sui Generis).

Key designations:

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

Proposal

Permission is sought to convert this vacant retail unit from Class A1 use to a tanning salon (Sui Generis use). The proposed use will incorporate a front reception area and a number of cubicles at the rear.

Location

The site is situated along the western side of Orpington High Street, approximately 50 metres north of its junction with Knoll Rise. It falls within the Primary Shopping Frontage of Orpington High Street.

Comments from Local Residents

Nearby owners/occupiers were informed of the planning application and no comments were received.

Comments from Consultees

No technical Highways objections have been raised.

Planning Considerations

Policy S1 of the Unitary Development Plan advises that in primary retail frontages, as defined on the Proposals Map, the Council will only permit changes of use from retail (Class A1) to other uses where the proposal would:

- (i) not harm the retail character of the shopping frontage;
- (ii) generate significant pedestrian visits during shopping hours;
- (iii) complement the shopping function of the town centre;
- (iv) not create a concentration of similar uses; and
- (v) have no adverse impact on residential amenity.

Accompanying Paragraph 11.9 of that policy goes on to say that:

"The Council recognises that to ensure these shopping centres remain vibrant, a diversity of uses that complement the retail function is necessary. Non-retail uses within Classes A2, A3, A4 and A5 can generate high levels of pedestrian activity and may be appropriate complementary uses, provided that the retail function of the centre is not undermined."

Planning History

There is no relevant planning history relating to the application site.

Conclusions

As noted above the application site is situated within the primary shopping frontage of Orpington High Street. The unit is currently vacant, although no marketing history has been provided in support of the proposal. The surrounding uses along this side of Orpington High Street, starting from Knoll Rise to the access road beyond No 254 comprises a range of uses; six of the thirteen shops along this side of the High Street (including vacant units) fall within the A1 use class, whilst the remainder fall within the A2 and A3 use class. A similar pattern is repeated along the opposite side of the road.

It is considered that the proposed use, whilst lacking a retail element, will fulfil various criteria set out in Policy S1, including generating pedestrian visits during shopping hours, complementing the shopping function of the town centre, and will not lead to a concentration of similar uses within this part of the High Street. It is also noted that the proposal will utilise what is presently a vacant unit.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/01961 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

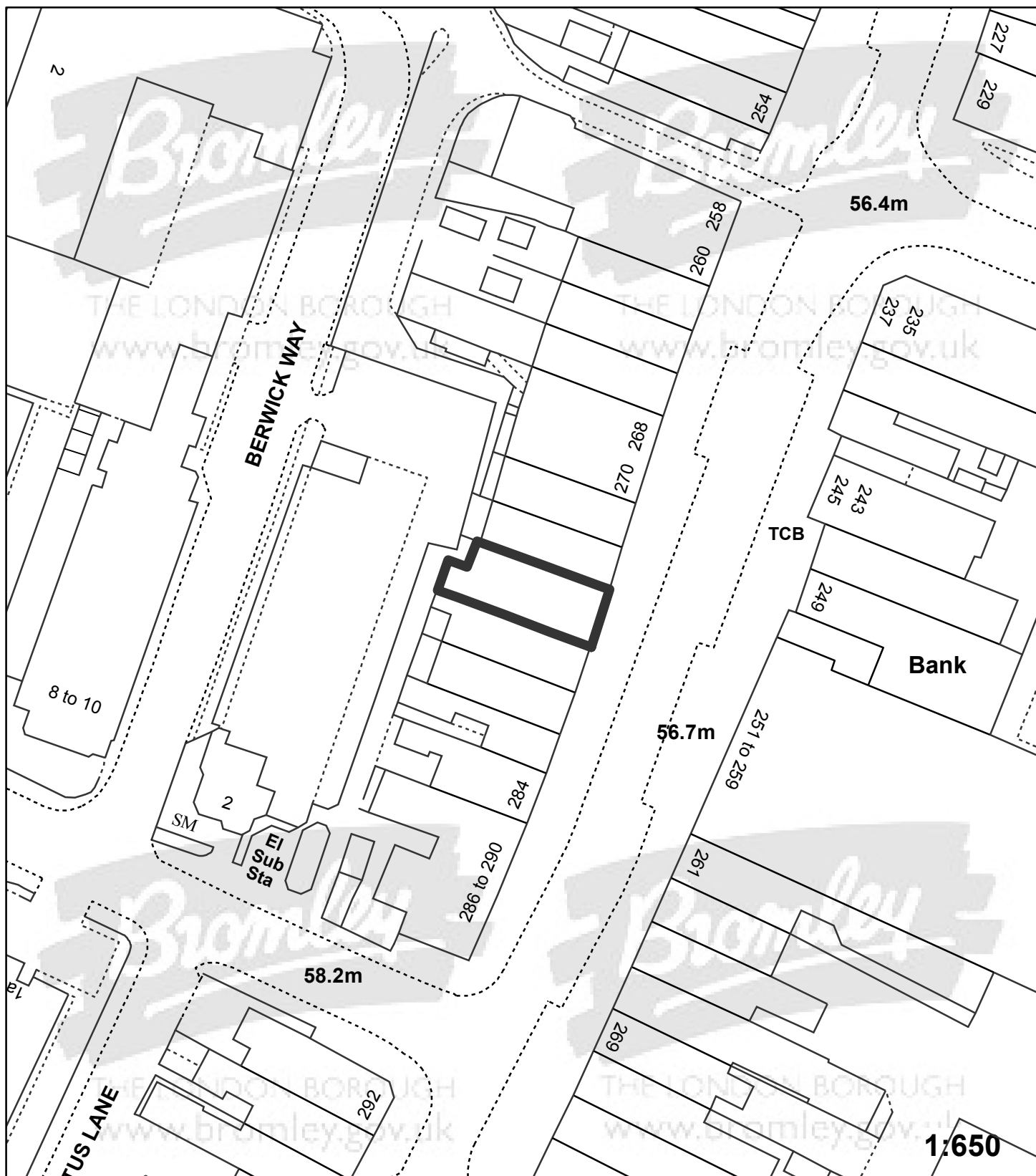
Subject to the following conditions:

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

Application:14/01961/FULL2

Address: 276 High Street Orpington BR6 0ND

Proposal: Change of use from retail (Class A1) to Tanning Salon (Class Sui Generis).



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

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

Application No : 14/02175/FULL6

Ward:
Hayes And Coney Hall

Address : 213 Queensway West Wickham BR4
9DX

OS Grid Ref: E: 540034 N: 164683

Applicant : Mr And Mrs Horscroft

Objections : NO

Description of Development:

Part one/two storey side/rear extension

Key designations:

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

Proposal

The application seeks permission for a part one/two storey side/rear extension. The side extension will project 2.6m from the northern elevation at two storey and retain a distance of a maximum of 0.61m at the front and minimum of 0.2m at the rear to the northern side boundary. It will extend for a length of approximately 8.5m at two storey with the two storey element being set 1.55m from the existing front building line. The two storey side extension will have a hipped roof with an eaves height matching the main dwelling and the top of the ridge set approximately 1.1m lower than the main ridge height of the existing property. A single storey element will project forward of the two storey side extension by a further 1m to accommodate a front porch and will have a pitched roof approximately 2.8m to the eaves and 3.3m to the pitch. One ground floor window and one first floor window are proposed in the northern flank elevation facing No. 211.

The two storey extension will wrap around the rear of the property with a width of 5.5m and projecting from the existing rear wall by 3.7m. A distance of 2.187m is proposed from the flank wall of the two storey rear element to the southern side boundary with No. 215. The two storey rear extension will have a pitched roof with an eaves height matching the main dwelling and the top of the pitch set approximately 1.1m lower than the main ridge height of the existing property. One ground floor window is proposed in the southern flank elevation facing No. 215.

A single storey rear extension will project from the rear of the proposed two storey side/rear extension for a depth of 2.685m and a width of 1.97m. This element of the proposal will retain a distance of 0.2m from the northern side boundary and approximately 5m from the southern side boundary with No. 215. No windows are proposed in the northern flank elevation. One small window and a door are proposed in the southern flank elevation.

An existing single storey rear extension and single storey detached garage will be demolished to facilitate the proposed extensions.

Location

The application site is a two storey semi-detached property of the eastern side of Queensway, West Wickham. The surrounding properties are residential in nature and are of similar design and size. However, it is noted that many appear to have been extended, including the adjoining semi at no. 215 and neighbouring property at no. 211. To the rear of the site lies the school playing field for Wickham Common Primary School which is designated as Green Belt land, with an access way leading to the playing field situated between Nos. 213 and 211 Queensway. The host property does not lie within any areas of special designation.

Comments from Local Residents

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

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

Comments from Consultees

The Council's Highways Engineers have raised no objection.

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

Planning Considerations

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

- BE1 Design of New Development
- H8 Residential Extensions
- H9 Side Space
- T3 Parking
- G6 Land Adjoining Green Belt or Metropolitan Open Land

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

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

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

Planning History

The relevant planning history at the property is summarised as follows;

Under ref. 95/01617, planning permission was granted for a new roof and alterations to existing single storey rear extension.

Conclusions

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

The proposed two storey side element of the extension is set back from the main front building line and has a hipped roof which is set below the main ridge line of the existing property. As such the extension is considered to be subservient to the main dwelling. Furthermore, it is noted that the adjoining semi at No. 215 benefits from a part one/two storey front, side and rear extension which includes a two storey side extension. As such the proposed extension is not considered to cause any further unbalancing to the symmetry of this pair of semi's than currently exists. The single storey side element whilst projecting further forward than the two storey element, will also be set back from the existing front building line and will incorporate an enclosed porch area and relocation of entrance door from the side to the front. The proposed side extension will retain a side space to the northern side boundary of 0.61m at the front of the extension decreasing to 0.2m at the rear due to a tapering of the boundary. It is also noted that the northern boundary abuts a wide alleyway of approximately 4m in width which leads to the playing fields of Wickham Common Primary School, and as such a further separation is achieved between the northern side boundary and the adjacent property at No. 211, thus reducing both the impact on the neighbouring property and on the street scene. A window is proposed in the first floor northern flank elevation which serves a hallway and it is reasonable to condition this window to be obscure glazed to protect the privacy of the host dwelling and neighbouring property. Furthermore, it is noted having visited the site that the neighbouring property at No. 211 does not have any first floor windows in the flank elevation. It is also noted that No. 211 appears to have been extended to the side up to the side boundary with the access way at two storey level.

Whilst Policy H9 normally which requires a minimum of 1m side space for the full height and length of the extension, Member's may consider that this additional separation between Nos. 213 and 211, due to the access way, adequately reduces any impact of a cramped appearance which policy H9 seeks to protect. Accordingly, the provisions of H9 are satisfied, and the proposal is not significantly harmful to the character of the area or streetscene in general to warrant a refusal. In addition, to further protect the privacy of the occupiers of the host and neighbouring property, Member's may consider it appropriate to condition the proposed first floor window to be obscure glazed and non-opening.

With regards to the proposed two storey rear extension, the extension will be separated from the neighbouring property at No. 211 by the access way and as such is not considered to cause any impact on this property. The extension will project 3.7m in depth at two storey with flank wall of the extension set 2.187m from the southern side boundary with the adjoining semi. As previously noted the adjoining semi at No. 215 has also been previously extended to the rear at two storey level. No windows are proposed at first floor and one window is proposed is ground floor facing No. 215. The adjoining semi lies to the south of the host dwelling, and as such given this orientation and the separation proposed, Member's may consider that the two storey rear extension would not cause any significant harm to the amenities of this adjoining property in terms of light, outlook or privacy as to warrant a refusal.

The proposed single storey side/rear extension will extend a further 2.685m to the rear from the two storey element, a total depth of 6.385m from the rear of the existing property. This element will in part replace an existing single storey detached garage. A distance of 0.2m to the northern side boundary with the access way is retained and approximately 5m to the side boundary with No. 215. Having regard for the above, Member's may consider that the single storey side/rear extension would not cause any undue harm to the amenities of the neighbouring properties.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/02175, 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 the development hereby permitted is first occupied, the proposed window(s) in the first floor northern flank elevation shall be obscure glazed to a minimum of privacy level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor of the room in which the window is installed and shall subsequently be permanently retained as such.

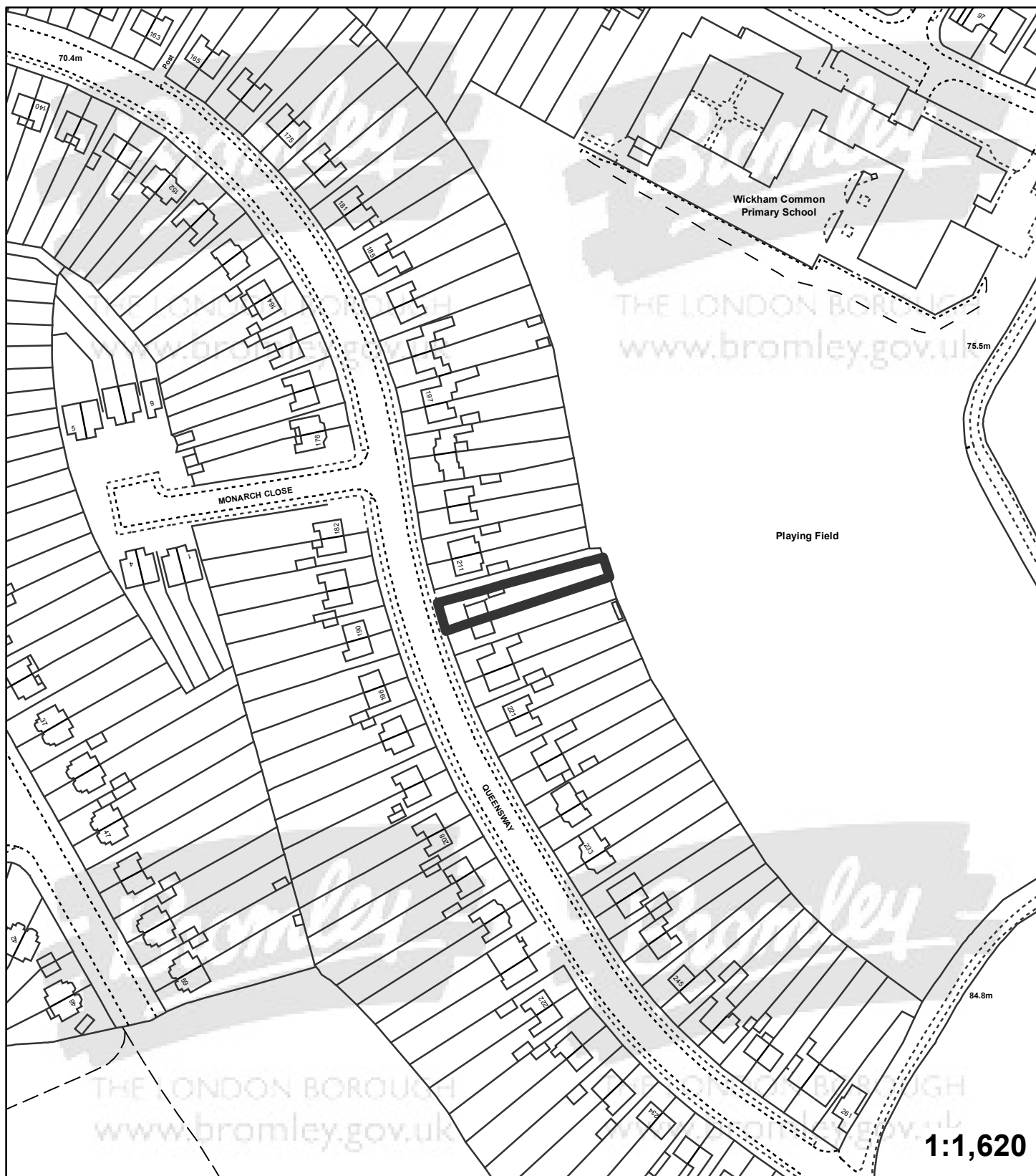
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- 4 ACI17 No additional windows (2 inserts) northern and southern
 flank extensions
 ACI17R I17 reason (1 insert) BE1
- 5 ACK01 Compliance with submitted plan
 ACK05R K05 reason

Application:14/02175/FULL6

Address: 213 Queensway West Wickham BR4 9DX

Proposal: Part one/two 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"

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

Application No : 14/02223/FULL6

Ward:
Bromley Common And
Keston

Address : 2 Gravel Road Bromley BR2 8PF

OS Grid Ref: E: 542321 N: 166034

Applicant : Mr Robert Johnson

Objections : YES

Description of Development:

Addition of first floor to existing bungalow to create a two storey dwelling

Proposal

The application seeks permission for the addition of a first floor to the existing bungalow to create a two storey dwelling. The proposed extension would have a maximum width of 9.5m and a depth of 10.9m and would add a whole first floor to the property. The south-west elevation of the existing property is to be demolished and the width of the property reduced from 9.8m to 9.5m, to achieve a distance of 1m for the full height and length from the south-western flank wall to the boundary with No. 4. The roof of the extension is to be hipped at all four sides. Two large windows are proposed in the first floor front elevation and two large windows in the first floor rear elevation. Two small windows are proposed in the first floor south-western side elevation and one window in the first floor north-east side elevation.

Location

The application site is a single storey detached dwelling on the western side of Gravel Road close to the junction with Hastings Road. The surrounding area is mainly residential and is characterised by two storey detached and semi-detached houses set in garden plots.

Comments from Local Residents

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

- loss of light and space
- property purchased only for development

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

Comments from Consultees

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

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

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

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

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

Planning History

The relevant planning history at the property is summarised as follows:

Under ref: 13/01571, a similar scheme for the 'addition of first floor to existing bungalow to create a two storey dwelling' was refused and dismissed at appeal. The reasons for refusal outlined in the Appeal Decision can be summarised as follows:

- Bulky first floor addition occupying the entire footprint would be noticeably wider than Nos 4-10, each of which has two windows at first floor level compared with the three on the proposed enlarged bungalow. 'These factors, combined with the additional height of the south-west elevation, the different orientation of its roof and its projection forward of No 4 would give rise to it appearing incongruous and out of scale alongside the existing houses. This would be accentuated by the minimal gap between the buildings, which would be less than 2m and in my view would result in a cramped appearance.'
- 'The proposal would result in the enlarged dwelling becoming more prominent in the street scene on a site that is highly visible from the surrounding area.'
- '...the proposal would be harmful to the character and appearance of the host property and the surrounding area, contrary to saved Policies BE1 and H9 of the London Borough of Bromley Unitary Development Plan.'

More recently, planning permission was refused under ref. 14/00375 for the addition of first floor to existing bungalow to create a two storey dwelling for the following reason:

'The proposed first floor addition would represent a cramped form of development by reason of the restricted dimensions of the site and the lack of an adequate side space to meet the Council's standards and therefore would be harmful to the character of the streetscene and conducive to a retrograde lowering of the spatial standards currently enjoyed by surrounding properties, thereby contrary to Policies H9 and BE1 of the Unitary Development Plan.'

Conclusions

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

This application is the third application submitted for the creation of an additional storey to the existing single storey dwelling. Planning permission was refused and subsequently dismissed at appeal under ref. 13/01571. A revised scheme was submitted under ref. 14/00375 which sought to address the Appeal Inspectors concerns. However, the proposal was considered to be unacceptable due to a lack of adequate side space, contrary to Policy H9, and was therefore refused.

This current application seeks to address the refusal grounds of the previous schemes. Both previous schemes did not comply with Policy H9 which requires a minimum of 1m side space to be retained from the flank wall to the side boundary for the full height and length of the extension. This was due to the proposed extension being built above the existing footprint of the property, with the ground floor remaining as existing. The existing side space to the south-western boundary is shown to be 0.8m and as such the proposals were not compliant. This current scheme proposes to demolish the existing south-west elevation of the property and set the south-western flank wall of both the ground floor and the first floor extension a distance of 1m to the boundary with No. 4. Therefore, complying with the Council's requirement of a minimum of 1m in accordance with Policy H9 and thus reducing the impact on both the street scene and neighbouring property. Furthermore, the roof design of the proposed scheme shows a the reduction of bulk from the initial scheme refused under ref. 13/01571 and the number of windows in the front south-eastern elevation have been reduced to be more in keeping with the surrounding properties and reduce the impact of the extension on the street scene.

It is noted that comments have been received from the neighbouring property at No. 4 with regards to loss of light and space, given the positioning of the existing property further forward than the neighbouring semi's. However, there are no windows in the flank elevation of No. 4 facing No. 2 and therefore it is the impact on the front windows only which should be considered. Whilst the property would still sit further forward than the neighbouring properties, Member's may consider that given the overall reduction in bulk provided by the amended roof design and reduction in the number of windows and the 1m side space provided between the extension and the boundary with No. 4, the previous reasons for refusal have been adequately addressed, and the impact of the proposed scheme on the

neighbouring properties and on the street scene is not significant enough in this instance to warrant a refusal.

Background papers referred to during production of this report comprise all correspondence on the application file, 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 the development hereby permitted is first occupied, the proposed window(s) in the first floor flank elevations shall be obscure glazed to a minimum of privacy level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor of the room in which the window is installed and shall subsequently be permanently retained as such.

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

- 4 ACI17 No additional windows (2 inserts) first floor extension
 ACI17R I17 reason (1 insert) BE1
- 5 ACK01 Compliance with submitted plan
 ACK05R K05 reason

INFORMATIVE(S)

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

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

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

Application:14/02223/FULL6

Address: 2 Gravel Road Bromley BR2 8PF

Proposal: Addition of first floor to existing bungalow to create a two storey dwelling



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

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

Application No : 14/02507/RESPA

Ward:
Orpington

Address : Temple Gate House 115 - 123 High Street Orpington BR6 0LG

OS Grid Ref: E: 546378 N: 166471

Applicant : Mr S Sawkins

Objections : NO

Description of Development:

Change of use of office building from Class B1(a) office to Class C3 dwelling house. To provide for 8 one bedroom flats and 13 two bedroom flats (56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class J Part 3 of the GPDO)

Proposal

The proposal is for the change of use of the first, second and third floors from Class B1(a) office to Class C3 dwellinghouses to form a total of 21 flats comprising of 8no one-bedroom flats and 13no two-bedroom flats.

Members should note that this is a 56 day application for Prior Approval in respect of transport and highways impact, contamination, and flooding risks under Class J, Part 3 of the General Permitted Development Order (as amended).

This is central Government legislation that came into force on 30th May 2013.

Location

The application site is situated toward the northern end of Orpington High Street and fronts the Primary Shopping Frontage. The rear of the site contains an access yard and parking area which are accessed via Bruce Grove.

Comments from Local Residents

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

Comments from Consultees

Highways - The Council's Highways Engineers have inspected file and have sought clarity on the following points:

1. It is not clear how would residents access their flats after parking their vehicles in the car park especially the users of disabled bays? Is the entrance door to the flats at the rear?
2. The bicycle storage does not look big enough. Is it big enough to store 21 cycles?
3. How refuse lorry will collect the waste from the site, as bins are too far from Bruce Grove? This needs to be checked with waste service as well?
4. Parking arrangement for ground floor, (details of business and number of staff members using current car parking facility). Is it 1 space per business?
5. Also the applicant should submit details of lights for access / car park. The applicant should contact police and take advice about the security of car park i.e. secure by design.

The Agent has responded to the above points and Members will be updated on the Highways Engineers' response.

The Environment Agency have considered the application and have raised no objection in respect of the proposal.

Planning Considerations

The application requires the Council to consider whether prior approval is required in relation to the conditions set out in J2, Class J of Schedule 2, Part 3 of the General Permitted Development Order 2013.

The application calls for the Council to establish whether Prior Approval is required as to:

- (a) transport and highways impacts of the development
- (b) contamination risks on the site; and
- (c) flooding risks on the site

Planning History

The site has a detailed planning history relating to the existing use on site; these applications are not relevant to the determination of this Prior Approval application.

Conclusions

Following an amendment to the Town and Country Planning General Permitted Development) Order which came into force on 30th May 2013, Class J permits the change of use of a building and any land within its curtilage from Class B1(a) (offices). to Class C3 (dwellinghouses).

The application calls for the Council to establish whether Prior Approval is required as to:

- (a) transport and highways impacts of the development
- (b) contamination risks on the site; and
- (c) flooding risks on the site

In this respect:

- (a) no objection is raised from the Council's Technical Highways department;
- (b) the site is not within a site identified as contaminated land;
- (c) the site is not within Flood Zone 1, 2 or 3

Given that the Council is limited to assessing the application against the three criteria set out above, Prior Approval is not considered to be required in this instance.

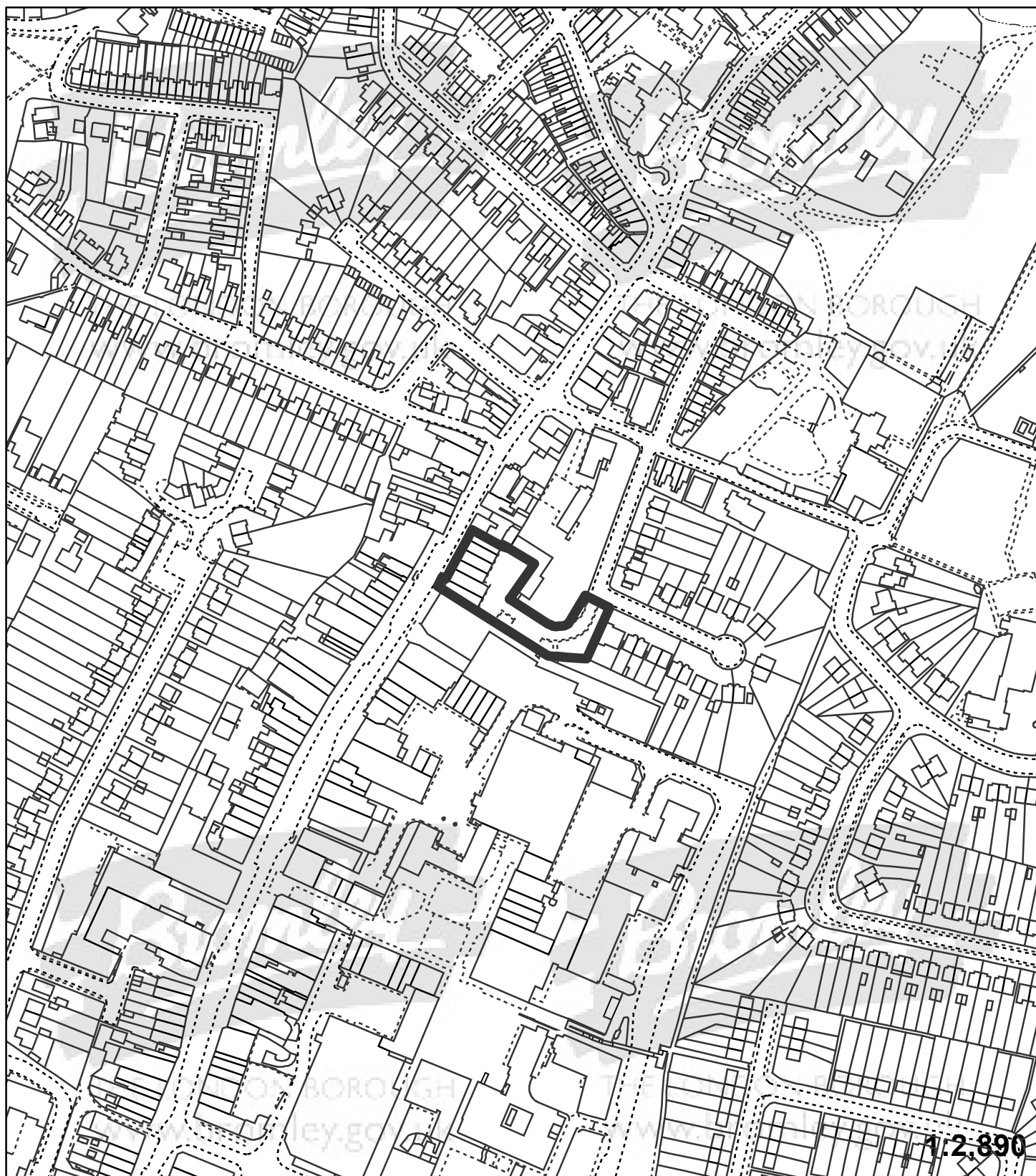
Background papers referred to during production of this report comprise all correspondence on the file ref(s) set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PRIOR APPROVAL NOT REQUIRED

Application:14/02507/RESPA

Address: Temple Gate House 115 - 123 High Street Orpington BR6 0LG

Proposal: Change of use of office building from Class B1(a) office to Class C3 dwelling house. To provide for 8 one bedroom flats and 13 two bedroom flats (56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class J Part 3 of the

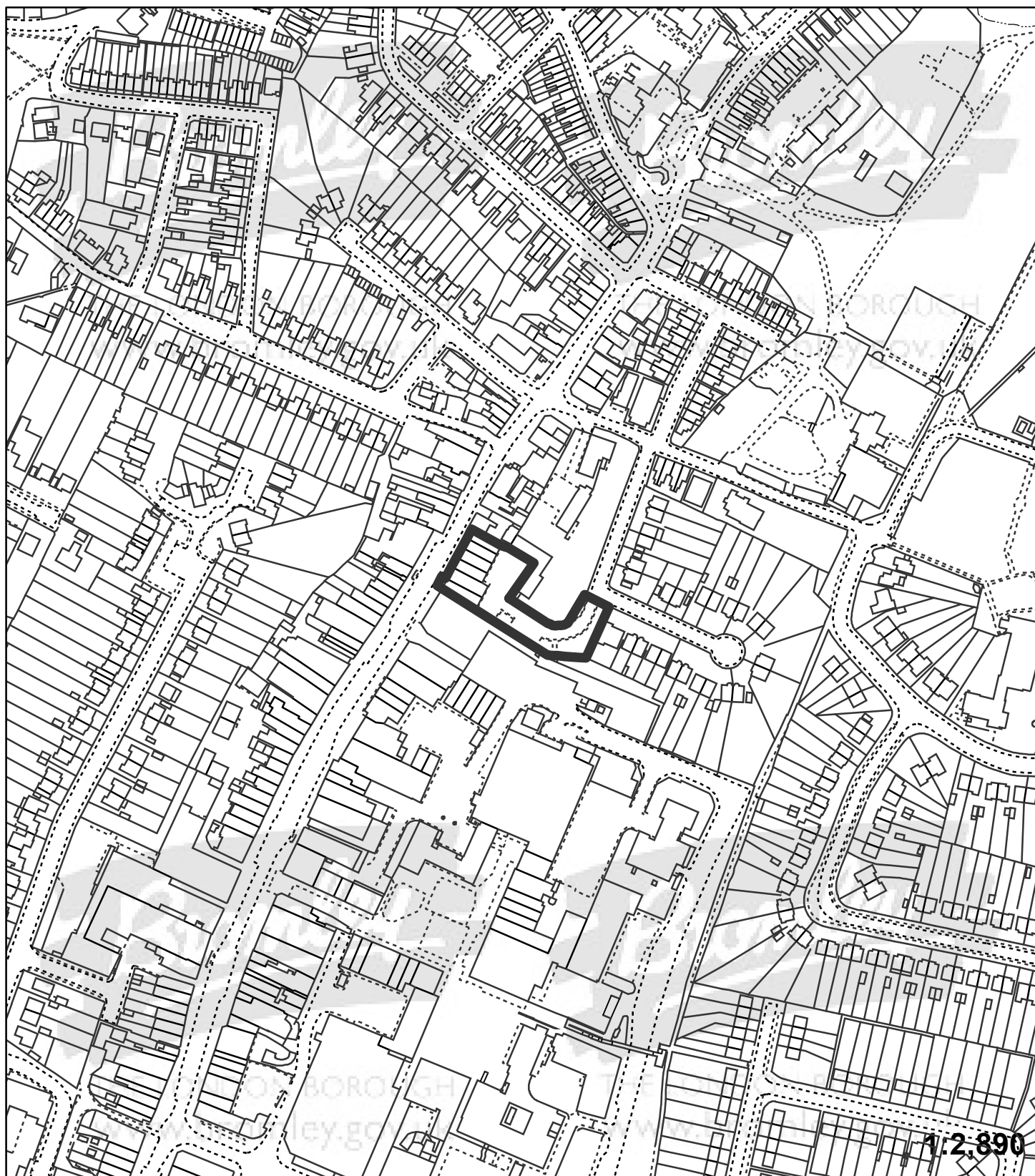


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Application:14/02507/RESPA

Address: Temple Gate House 115 - 123 High Street Orpington BR6 0LG

Proposal: Change of use of office building from Class B1(a) office to Class C3 dwelling house. To provide for 8 one bedroom flats and 13 two bedroom flats (56 day application for prior approval in respect of transport and highways, contamination and flooding risks under Class J Part 3 of the



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

Application No : 14/02422/FULL6

Ward:
Farnborough And Crofton

Address : 1 Brickfield Farm Gardens Orpington
BR6 7TE

OS Grid Ref: E: 544078 N: 164545

Applicant : Mr & Mrs David Waters

Objections : NO

Description of Development:

Single storey rear extension

Key designations:

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

Proposal

The proposal seeks permission for a single storey rear extension that will project in depth by 3.02 metres, 3.7 metres in width, approximately 2.4 metres to the eaves and approximately 3.3 metres to the ridge.

No windows are proposed in the eastern flank facing the adjoining property, and a set of French doors are proposed in the western flank elevation facing the corner of the site along State Farm Avenue.

Location

The application site is located on the corner of Brickfield Farm Gardens and State Farm Avenue, and hosts a two storey end of terrace property.

Comments from Local Residents

No comments had been received from local residents at the time of writing the report. Any comments received will be reported verbally.

Comments from Consultees

No internal 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 specific planning history related to the host dwelling itself other than the original planning approval for the construction of the property in 1983. Permission was granted under ref. 83/01124 for the erection of 47 one and two bedroom terraced houses.

Permission development rights were removed under this original planning approval.

There is a current application also on the agenda for a two storey side extension, ref. 14/00188.

Conclusions

Members may consider that the main issues relating to the application are the effect that the proposed rear extension would have on the amenities of the occupants of the neighbouring property and the character of the area.

The proposed rear extension will have a rearward projection of 3.02 metres, according to the submitted block plan drawing number 1022a/PL/06. Whilst Members will be aware this is very similar in depth to 'permitted development' tolerances, the properties on this estate had their permitted development rights withdrawn as part of their original planning permission when the development was granted under ref. 83/01124.

The rear elevation of the application dwelling is north facing, therefore the orientation of the host dwelling and the adjoining property (No. 2) is favourable. However, the properties along this terrace have a staggered rear elevation and No. 3, to the east of the next door property, is sited further rearward than the application property and No. 2. If the current application were permitted, Members may agree that the rear extension at No. 1, and the existing and original staggered rear elevation of No. 3, would result in tunnelling to No. 2.

As such, Members will need to consider whether the rear extension in the manner proposed is acceptable on the basis that the rearward projection is similar to those allowable under 'permitted development' tolerances, notwithstanding that the property does not benefit from these rights, or whether the proposed extension and the layout of the terraced properties will result in tunnelling to the adjoining property No. 2, which would have a detrimental impact upon the outlook, prospect and natural light afforded to the ground floor rear window of No. 2 Brickfield Farm Gardens, and should therefore be refused.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/00758 and 14/00118, set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

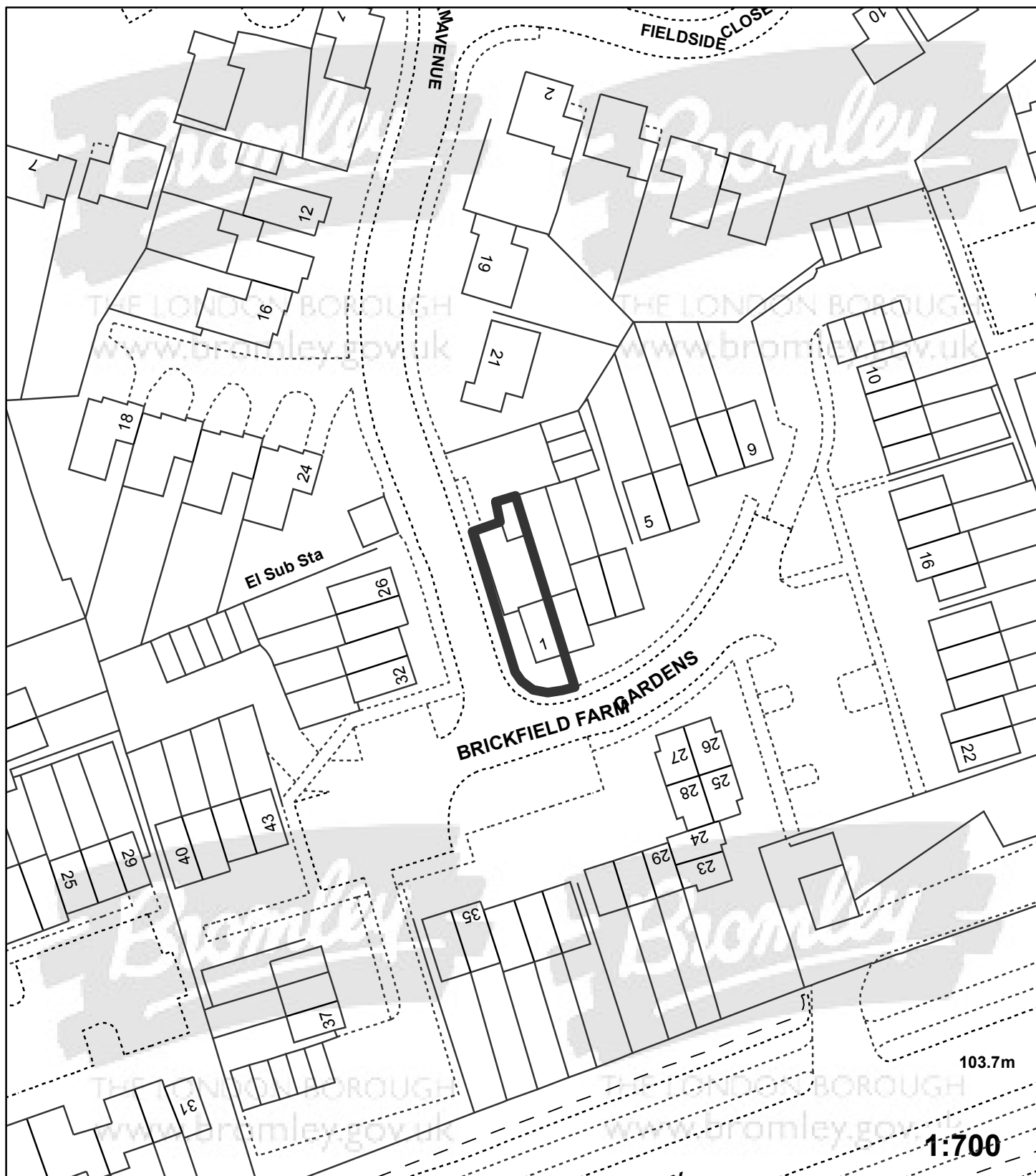
The reasons for refusal are:

- 1 Due to the staggered nature of the terraced properties, the proposed single storey rear extension would result in tunnelling and be seriously detrimental to the prospect and amenities enjoyed by the occupants of Number 2 Brickfield Farm Gardens by reason of visual impact and loss of light to the principal window in the ground floor rear elevation, contrary to Policies BE1 and H8 of the Unitary Development Plan.

Application:14/02422/FULL6

Address: 1 Brickfield Farm Gardens Orpington BR6 7TE

Proposal: Single storey rear extension



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