



THE LONDON BOROUGH
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DATE: 30 September 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, Kate Lymer, Russell Mellor and Richard Scoates

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 9 OCTOBER 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
<http://cds.bromley.gov.uk/>

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 14 AUGUST 2014**
(Pages 1 - 14)
- 4 PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
4.1	West Wickham	15 - 18	(14/02319/FULL1) - Hawes Down Junior School, The Mead, West Wickham.

SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.2	Shortlands Conservation Area	19 - 30	(13/03855/OUT) - Rydal Mount, 23 Cumberland Road, Shortlands.
4.3	Cray Valley East	31 - 42	(14/02081/RECON) - Compost Site on Land off Cookham Road, Swanley.
4.4	Bromley Common and Keston	43 - 46	(14/02345/FULL6) - 7 Larch Way, Bromley.
4.5	Penge and Cator	47 - 50	(14/02455/FULL1) - 181 Kent House Road, Beckenham.
4.6	Bickley	51 - 56	(14/02676/FULL6) - 2 Cloisters Avenue, Bickley.
4.7	Crystal Palace Conservation Area	57 - 60	(14/02916/FULL1) - 9D Crystal Palace Park Road, Sydenham.

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

Report No.	Ward	Page No.	Application Number and Address
4.8	Mottingham and Chislehurst North	61 - 68	(14/01262/OUT) - 112 Elmstead Lane, Chislehurst.
4.9	Kelsey and Eden Park	69 - 78	(14/02141/FULL1) - Land rear of 107-111 Monks Orchard Road, Beckenham.
4.10	Hayes and Coney Hall	79 - 84	(14/02175/FULL6) - 213 Queensway, West Wickham.
4.11	Farnborough and Crofton	85 - 88	(14/03236/RESPA) - Bassetts House, Broadwater Gardens, Orpington.

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

Report No.	Ward	Page No.	Application Number and Address
4.12	Cray Valley East	89 - 98	(14/02039/FULL2) - 9A Perry Hall Road, Orpington.

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PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 14 August 2014

Present:

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

Also Present:

Councillors Teresa Ball, Kevin Brooks and Michael Tickner

6 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Samaris Huntington-Thresher and Melanie Stevens. Councillors William Huntington-Thresher and Kate Lymer attended as their substitutes.

7 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

8 CONFIRMATION OF MINUTES OF MEETING HELD ON 19 JUNE 2014

RESOLVED that the Minutes of the meeting held on 19 June 2014 be confirmed.

9 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

9.1 BROMLEY TOWN

(13/03530/RECON) - 29 Gwydyr Road, Bromley.

Description of application – 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.

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

Members having considered the report, objections

and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

1. The 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.

**9.2
HAYES AND CONEY HALL**

(14/01565/FULL1) - Pickhurst Junior School, Pickhurst.

Description of application – Two storey extension to northern elevation of Junior School to provide four resource teaching rooms.

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.

**9.3
CHISLEHURST
CONSERVATION AREA**

(14/01756/FULL6) - 14 Holbrook Lane, Chislehurst.

Description of application – Roof alterations to incorporate rear dormer, first floor side extension, single storey rear extension and front porch canopy.

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

The following corrections to the Chief Planner's report were made:-

On page 20 under the heading, 'Conclusions', the first sentence of the second paragraph should be amended to read, 'The first floor extension will be constructed over the utility room rather than the garage.'

On page 20 of the Chief Planner's report under the heading, 'Conclusions', the second sentence in paragraph 3 should be amended to read, '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 should not warrant the refusal of the planning permission in this case.'

On Page 21 the second paragraph should be amended to read, 'Having had regard to the above it was considered that the development in the manner proposed is acceptable in that it would result in an impact detrimental on the character of the conservation area.'

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

**9.4
COPERS COPE
CONSERVATION AREA**

(14/01814/FULL2) - Rear of 10 Bromley Road, Beckenham.

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

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Michael Tickner, in objection to the application were received at the meeting.

It was reported that many objections to the application had been received together with a letter from Beckenham Methodist Church that had been circulated to Members.

Councillor Ticker was concerned at the potential loss of a small independent business and highlighted the lack of parking in the area. Councillor Russell Mellor also had concerns with the loss of a small unit and the effect on the local economy and referred to Policy EMP5. He appreciated that the Church owned the land and proposed to use the space for storage but felt it was important to support local business.

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

**9.5
DARWIN**

(14/01991/FULL2) - Keston Fruit Farm, Blackness Lane, Keston.

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

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

Ward Member, Councillor Richard Scoates, referred to an Article 4 Direction and did not want the green belt to be encroached on further. He was concerned with potential noise from barking dogs and also the maintenance of the access road and in his view dog training was not a recreational use.

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

1. The proposal would intensify the use of the site and would constitute an inappropriate use of land within the Green Belt, resulting in the loss of agricultural land and a harmful impact on the amenities of nearby residential properties, contrary to Policies G1 and BE1 of the Unitary Development Plan and the guidance in the National Planning Policy Framework.

**9.6
BICKLEY**

(14/02021/FULL1) - Land at Southwood Close, Bickley.

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

Oral representations in support of the application were received at the meeting. It was reported that the Tree Officer had no objections to the application.

Ward Member, Councillor Kate Lymer was concerned with the siting, size and visual impact of the proposed industrial timber clad structure and said that it would be obtrusive and out of keeping in an otherwise quiet residential area and referred to Policy BE1.

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

1. 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
2. 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.
3. In the absence of suitable information, the proposed development does not include adequate measures for security and crime prevention, contrary to Policy BE1 of the Unitary Development Plan.

**9.7
BROMLEY TOWN**

(14/02082/FULL1) - Land adjacent to 29 Rochester Avenue, Bromley.

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

It was reported that further objections to the

application had been received and circulated to Members.

Councillor Nicky Dykes referred to the history of this untidy site and in her view the proposed development was out of character with the locality, an over development of the site and there would be a separation issue with the adjoining property.

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

1. 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 and Policy 3.5 of the London Plan.
2. 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 and Policy 3.5 of the London Plan.

9.8 COPERS COPE

(14/02185/PLUD) - Hamara, Shortlands Grove, Shortlands.

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

Oral representations from Ward Member, Councillor Michael Tickner, were received at the meeting.

Members having considered the report and representations, **RESOLVED that A CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT be GRANTED** as recommended, subject to an informative set out in the report of the Chief Planner.

“INFORMATIVE: 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 should be removed from the site. Should the accommodation be provided or used in a manner other than as set out in this application, including severance from the main dwelling or use by non-family members, it may not be lawful.”

**9.9
BROMLEY COMMON AND
KESTON**

**(14/02288/FULL1) - Elmfield Lodge, Rookery Lane,
Bromley.**

Description of application – Demolition of existing outbuildings and erection of two storey side extension to provide two storey dwelling.

**THIS REPORT WAS WITHDRAWN BY THE
APPLICANT.**

**9.10
COPERS COPE
CONSERVATION AREA**

**(14/02395/FULL2) - Unit 1 Limes Road,
Beckenham.**

Description of application – 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.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Michael Tickner, were received at the meeting. It was reported that further objections to the application had been received. Members accepted in principle the development of one unit on this site. As mentioned in the Chief Planner's report a parking survey study had been undertaken and it concluded that the provision of a single parking space would not result in a detrimental impact on parking stress levels in the surrounding streets. Councillor Mellor referred to his local knowledge and was surprised that the parking pressure in the immediate area had not been identified in the parking study.

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

1. The proposal would constitute an overdevelopment of the site, out of character with the surrounding area and harmful to the amenities of neighbouring residential properties, contrary to Policies BE1 and H12 of the Unitary Development Plan.
2. The proposal would fail to provide a sufficient level of car parking provision and would therefore lead to an increased pressure within the local highway network for on-street car parking space, thereby contrary to Policies T3 and T18 of the Unitary Development Plan.

**9.11
PETTS WOOD AND KNOLL**

**(14/02500/RESPA) - Mega House, Crest View Drive,
Petts Wood.**

Description of application – 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).

Oral representations in objection to and in support of the application were received at the meeting. It was reported that photographs had been submitted and circulated to Members.

The application called for the Council to establish whether Prior Approval was required as to:

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

Given the above, on balance it was considered that Prior Approval should be granted.

Members having considered the report, objections and representations, **RESOLVED that PRIOR APPROVAL be GRANTED** as recommended, subject to the following conditions:-

“1. Before any work is commenced details of parking spaces and/or garages and sufficient turning space shall be submitted to and approved in writing by the Local Planning Authority and such provision shall be completed before the commencement of the use of the land or building hereby permitted and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 1995 (or any Order amending, revoking and re-enacting this Order) or not, shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

REASON: In order to comply with Policy T3 of the Unitary Development Plan and the National Planning Policy Framework, 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. A scheme for protecting the proposed dwellings from railway noise, which shall include double glazing in windows, shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before development commences and the scheme shall be fully implemented before any of the dwellings are occupied and permanently retained as such

thereafter.

REASON: In order to comply with Policies ER8 and BE1 of the Unitary Development Plan and to ensure a satisfactory standard of residential amenity.

3. The access road adjacent to 2 Crest View Drive, Petts Wood, shall be stopped up. Details of the revised layout, which it is suggested could potentially include an amenity area for local residents, shall be submitted to and approved in writing by the Local Planning Authority and the development shall be completed in complete accordance with the approved details and be permanently maintained as such thereafter.

REASON: In order to reduce the impact of the potential increased use of this access on the amenities of 2 Crest View Drive, Petts Wood, and in order to comply with Policies T18 and BE1 of the Unitary Development Plan.”

SECTION 3

(Applications recommended for permission, approval or consent)

9.12 COPERS COPE CONSERVATION AREA

(13/00196/FULL1) - Foxgrove House, Foxgrove Road, Beckenham.

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

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Michael Tickner, in objection to the application were received at the meeting. It was reported that further objections to the application had been received.

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

1. The proposed gate would be excessive in height and would provide an unnecessary second access to the site, resulting in unsuitable sightlines and a prejudicial impact on visibility and conditions of general highway safety, contrary to Policies T11 and T18 of the Unitary Development Plan.

9.13 CRAY VALLEY EAST

(14/00984/FULL1) - Royal Albert, 127 Lower Road, Orpington.

Description of application – 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.

Oral representations from Ward Member, Councillor Teresa Ball, in support of the application were received at the meeting. It was reported that further objections to the application had been received. Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions and informative set out in the report of the Chief Planner.

**9.14
WEST WICKHAM**

(14/01678/FULL6) - 10 The Mead, West Wickham.

Description of application – Two storey side and single storey rear extensions.

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

**9.15
ORPINGTON**

(14/01961/FULL2) - 276 High Street, Orpington.

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

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

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

**9.16
HAYES AND CONEY HALL**

(14/02175/FULL6) - 213 Queensway, West Wickham.

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

Members having considered the report, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, to seek an amended design to set the extension back from the front building line to be symmetrical with the neighbouring extension.

9.17
BROMLEY COMMON AND
KESTON

(14/02223/FULL6) - 2 Gravel Road, Bromley.

Description of application – Addition of first floor to existing bungalow to create a two storey dwelling.

Oral representations in objection to the application were received at the meeting. It was reported that further objections to the application had been received. Comments from Ward Member, Councillor Alexa Michael, were reported.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, to seek an amended design to set the extension back from the front building line.

9.18
ORPINGTON

(14/02507/RESPA) - Temple Gate House, 115-123 High Street, Orpington.

Description of application - 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).

It was reported that the Chief Planner's recommendation on page 115 of the report be amended to read, 'GRANT PRIOR APPROVAL'. Members having considered the report, **RESOLVED that PRIOR APPROVAL be GRANTED** as recommended, subject to the following condition:-
"1. Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development Order 1995 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

2. Details of arrangements for storage of refuse and

recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

3. Before any part of the development hereby permitted is first occupied, bicycle parking (including covered storage facilities where appropriate) shall be provided at the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

REASON: In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

4. Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and be implemented before the development is first occupied and the lighting shall be permanently retained thereafter.

REASON: In order to comply with Policy T3 and Appendix II of the Unitary Development Plan in the interest of visual amenity and the safety of occupiers of and visitors to the development.

5. Prior to the commencement of the development hereby permitted a Construction Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall include measures of how construction traffic can access the site safely and how potential traffic conflicts can be minimised; the route construction traffic shall follow for arriving at and leaving the site and the hours of operation, but shall not be limited to these. The Construction Management Plan shall be implemented in accordance with the agreed timescale and details.

REASON: In order to comply with Policy T5, T6, T7,

T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

6. Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.

REASON: To ensure a satisfactory means of surface water drainage and to accord with Policy ER13 of the Unitary Development Plan.

7. 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.

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.”

SECTION 4

(Applications recommended for refusal or disapproval of details)

9.19 FARNBOROUGH AND CROFTON

(14/02422/FULL6) - 1 Brickfield Farm Gardens, Orpington.

Description of application – Single storey rear extension.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

SUPPLEMENTARY AGENDA

9.20 WEST WICKHAM

(14/00731/FULL1) - 42 High Street, West Wickham.

Description of application – Single storey, rear extension to Nos 44 and 46 High Street and adjoining 3 storey block to rear comprising 4 one bedroom and 2 two bedroom flats.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**9.21
PENGE AND CATOR**

(14/01394/FULL1) - Kent House Tavern, Thesiger Road, Penge SE20.

Description of application – Dormer windows to Thesiger Road and Somerville Road elevations and internal alterations to provide 8 one bedroom flats at first floor level and within the roofspace.

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

Councillor Bance spoke on behalf of her fellow Ward Members, Councillors Kevin Brooks and Peter Fookes, and referred to the intensive housing in the vicinity and in her view roof space accommodation was not ideal and one bedroom flats would not ease family housing needs. She felt it would be an over development of the site and she had witnessed flooding in the area today and was concerned that flooding was not covered in the report. She drew Members' attention to what was quite possibly the most dangerous road junction in the Borough.

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

1. The proposal would constitute an overdevelopment of the site and would be out of character with the surrounding development, contrary to Policy BE1 of the Unitary Development Plan.
2. The proposed accommodation will not provide a satisfactory living environment for its occupiers due to its size and layout, contrary to Policy H11 of the Unitary Development Plan and Policy 3.5 of the London Plan.

The Meeting ended at 9.35 pm

Chairman

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

Application No : 14/02319/FULL1

Ward:
West Wickham

Address : Hawes Down Junior School The Mead
West Wickham BR4 0BA

OS Grid Ref: E: 538909 N: 166076

Applicant : The Chair & Governors

Objections : NO

Description of Development:

Single storey extension with glazed canopy to provide additional classroom accommodation with toilet.

Key designations:

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

Proposal

The proposal seeks permission for a single storey extension with glazed canopy to provide additional classroom accommodation with toilet.

Location

The proposal is located to the south-eastern elevation on an existing paved surface close to the existing school.

Comments from Local Residents

To date there has been no submission from adjoining neighbours.

Comments from Consultees

Thames Water have no objections to the proposal.

Environmental Health have no objection in principle but recommend a condition is attached to cover remediation and verification report for the benzopyrene contamination in the made ground.

Sport England have been notified and any comments will be reported verbally.

Planning Considerations

The school is within designated Urban Open Space (UOS) land.

The proposal requires consideration of Policies BE1, G8 and C7 of the UDP.

Policy BE1 (Design of New Development) requires that any new development be of a high standard of design and layout whilst respecting neighbouring residential amenities by not causing noise and disturbance.

Policy G8 (Urban Open Space) permits new development provided that it is related to the existing use of the site, and is small scale and does not erode the open outdoor space available for recreation and children's play facilities.

C7 Educational and Pre-School facilities

Conclusions

The main issues to be considered in this case are as follows:

- impact on the residential amenities of the occupants of nearby dwellings
- impact on the character and appearance of the area
- impact on the openness of the Urban Open Space.

It is considered that the scale of the building is modest in scale, and will improve facilities at the school. Given the proposed location is within an area currently covered mostly in hardstanding the proposal is not considered to have an adverse effect on the open character of the UOS.

In addition, Policy G8 of the UDP states that proposals for built development in Urban Open Space will be permitted where the development is related to the existing use of the site. It further states that the Council will weigh any community benefits against the loss of open space and that in all cases the scale, siting and size of the proposal should not unduly impair the open nature of the site. The building is related to the existing use of the site and will provide educational benefits whilst the increased impact of the building on the openness of Urban Open Space is not considered to be unduly harmful. The proposal is considered acceptable in Urban Open Space terms.

The proposal will result in provision of an improved educational facility and is considered acceptable.

Having regard to the relevant policies in the UDP, it is considered that the proposal will not have an adverse effect on the character of the Urban Open Space or the general appearance of the school, nor would it result in significant harm to the residential amenities of the occupiers of neighbouring properties.

Background papers referred to during production of this report comprise all correspondence (excluding exempt information) on file ref. 14/02319.

RECOMMENDATION: PERMISSION

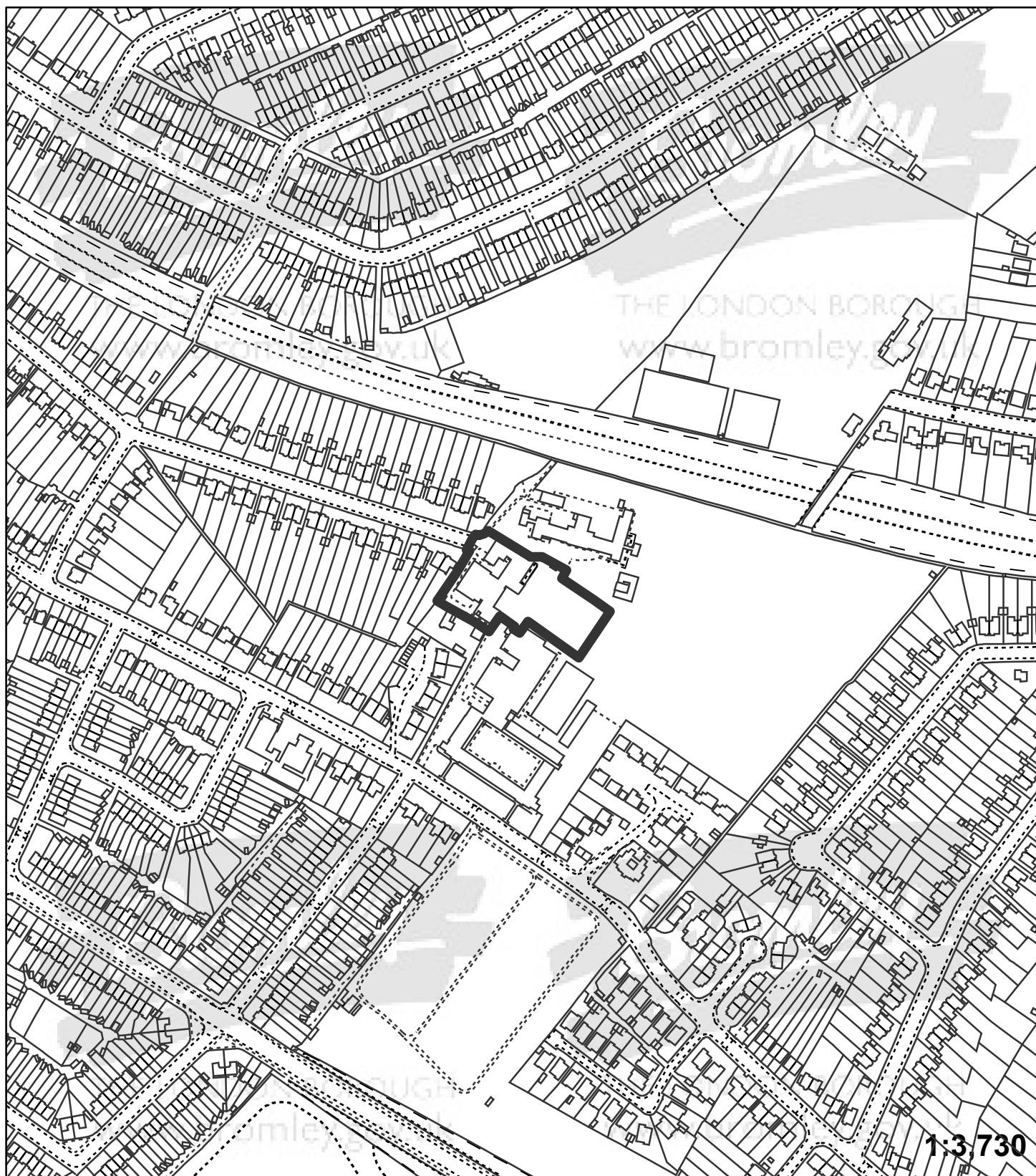
Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACK01 | Compliance with submitted plan |
| | ACC04R | Reason C04 |
| 3 | ACC07 | Materials as set out in application |
| | ACC07R | Reason C07 |
| 4 | ACK09 | Soil survey - contaminated land |
| | ACK09R | K09 reason |
| 5 | ACD02 | Surface water drainage - no det. submitt |
| | AED02R | Reason D02 |

Application:14/02319/FULL1

Address: Hawes Down Junior School The Mead West Wickham BR4 0BA

Proposal: Single storey extension with glazed canopy to provide additional classroom accommodation with toilet.



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

SECTION '2' – Applications meriting special consideration

Application No : 13/03855/OUT

Ward:
Shortlands

Address : Rydal Mount 23 Cumberland Road
Shortlands Bromley BR2 0PH

OS Grid Ref: E: 539676 N: 168450

Applicant : Dark Rutland Investments London Ltd **Objections :** YES

Description of Development:

Demolition of existing buildings and erection of 45 residential units with basement parking and up to 45 cars OUTLINE (with all matters reserved)

Key designations:

Conservation Area: Durham Avenue

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

Proposal

Outline permission, with all matters reserved, is sought for the demolition of the two existing three storey buildings providing 12 flats and the erection of:

- A part 3/4/5 storey building fronting Cumberland Road and Highfield Drive
- 45 flats consisting of 3 one bed and 42 two bed
- Basement level parking for 45 cars accessed from Highfield Drive
- 45 covered cycle spaces
- 12 affordable units: 4 shared ownership (1x1 bed, 3x2 bed) and 8 rented ownership (3x1 bed, 5x2 bed)

The application is accompanied by a Planning Statement and Design and Access Statement, in which the applicant offers the following summary points in support of the application:

- The principle of the development is not in question given the character of the area
- The design and layout of the proposal enhances the character of the area and compliments the adjoining conservation area
- 35% affordable housing is provided
- The proposal complies with the National Planning Policy Framework and Bromley's Unitary Development Plan

- The proposal incorporates sound design and addresses access using the processes and principles recommended by CABI
- The site is currently underutilised and clearly capable of providing a higher density form of residential development
- Although the PTAL rating is lower than more central sites flats are clearly an established form of development in the area and an increase of units on the site should not be unacceptable
- Given the location in relation to the conservation area there would be no undue affect.
- The proposal would be a considerable enhancement over the current buildings
- High quality of design and layout
- The existing development is in need of being demolished and rebuilt
- The façade can be designed to be broken up and add visual interest to the street scene
- Neighbouring amenity would be respected with sufficient distance to the boundaries
- It is intended to meet the requirements of the London Plan and achieve a reduction in CO2 emissions by 20%
- The low category trees to be felled do not warrant retention
- The current occupiers have been consulted
- The current development does not make full use of the site and the current housing demand within the borough
- Designed for easy pedestrian access which would not change
- Suitable for ambulant disabled person
- Original in and out drive way to Cumberland Road and garages will be omitted to provide a secure basement car park
- The scale has taken into account the existing block and neighbouring properties
- Height limited to adjoining neighbours and maximised to the junction to provide an architectural statement
- Flat roof design to maximise occupancy
- Retention of as many existing trees and shrubs as possible with new planting
- Lifetime Homes compliant with lifts to all floors including basement which will have four disabled bays

The application is also accompanied by Arboricultural Statement.

The site has an area of 0.32ha giving a residential density of 140 units/ha.

Location

The application site is located to the western edge of Cumberland Road and forms the southern junction with Highfield Drive to the north-western boundary. The site features two blocks of six flats, each three storeys in height - Rydal Mount to the south-eastern boundary and Combe Dene to the north-western boundary.

To the north-western and western boundaries are a block of single storey garages which serve the flats and are accessed from Highfield Drive. To the front of the flats are two vehicular accesses onto Cumberland Road which serve an access road and parking area.

A protected tree is set to the gardens at the rear and to the south-eastern boundary with No.21a. Further south and east is the Durham Avenue Conservation Area which adjoins the site for a small section of the south-eastern boundary.

The area is typified by a mix of two storey detached and semi-detached dwellings interspersed with flatted developments of a range of styles and designs, but generally of 3-4 storeys in height.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 57 representations were received which can be summarised as follows.

- massive increase in population density with traffic already at breaking point
- ugly design
- height out of line with neighbouring properties
- loss of privacy
- inappropriate adjacent to conservation area
- out of character with the area
- will damage a fragile wildlife habitat
- design at odds with the area
- considerable additional traffic
- excessive density
- the height proposed should not exceed that existing
- encroaches on the canopy of several trees
- gross overdevelopment of the site
- will have a major impact on an area of limited parking
- increase in hard surfaces at the cost of green areas
- the design is a space-maximising box with no environmental sympathy
- five storeys is unacceptable
- material harm to amenity and daylight
- additional pressure on services
- busy junction used by parents of children at the nearby schools
- additional cars would have nowhere to park
- this would set an unwanted precedent for similar developments
- harm to the adjoining conservation area
- loss of privacy to 21a
- impact of traffic at key school times
- impact upon privacy to No.1
- No.1 Highfield Drive will be damaged by building works
- there has been no public consultation with residents by the developer

Comments from Consultees

Highways have commented that the new vehicular access to Highfield Drive would result in the loss of at least one on-street parking space, noting that the Highway Authority reserves the right to take into account existing on-street parking when considering whether to permit a crossover and in such cases there is a presumption to refuse the crossover application. In response the applicant has stated that there would be the possible gain of two spaces to Cumberland Road in mitigation of the loss to Highfield Drive.

The number of parking spaces provided (45) is acceptable, the gradient of the access ramp should not exceed 5% for the first 5m.

Cycle parking - 45 secure and sheltered spaces are required. No refuse storage is indicated.

Environmental Health raise no objections.

APCA have objected on the grounds that the proposal is materially out of character and scale with its surroundings and will be highly intrusive in views from the public and private parts of the adjoining conservation area by virtue of the design and scale being discordant element in the local environment.

The Council's Secure by Design advisor comments that the development should be able to achieve accreditation.

Thames Water raise no objections subject to conditions.

The proposal describes the removal of several trees graded at Category C and one at B (Horsechestnut). Those retained of note are T7 Pine and T8 Oak to the frontage with Cumberland Road with canopy reductions to T8 as well as T7 and T12. The TPO is shown as retained. The proposed losses are unlikely to harm the character of the street scene, although the medium to long term retention may see increased pressure on pruning and removal. Concerns are raised as to the new footpaths in proximity to trees G13 and T8.

Planning Considerations

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- BE13 Development Adjacent to a Conservation Area
- H1 Housing Supply
- H2 Affordable Housing
- H7 Housing Density and Design
- H9 Side Space
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility

T6 Pedestrians
T7 Cyclists
T11 New Accesses
T18 Road Safety
NE7 Development and Trees
IMP1 Planning Obligations

In addition to:

Affordable Housing Supplementary Planning Document (SPD)
Planning Obligations Supplementary Planning Document (SPD)

Supplementary Planning Guidance 1: General Design Principles
Supplementary Planning Guidance 2: Residential Design Guidance
Supplementary Planning Guidance: Durham Avenue Conservation Area

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

2.7 Outer London: Vision and Strategy
3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Quality and Design of Housing Developments
3.6 Children and Young Peoples Play and Informal Recreation Facilities
3.8 Housing Choice
3.9 Mixed and Balanced Communities
3.11 Affordable Housing Targets
3.12 Negotiating Affordable Housing on Individual Private Residential and Mixed Use Schemes
3.14 Affordable Housing Thresholds
5.2 Minimising Carbon Dioxide Emissions
5.3 Sustainable Design and Construction
5.7 Renewable Energy
5.12 Flood Risk Management
5.13 Sustainable Drainage
6.9 Cycling
6.13 Parking
7.1 Building London's Neighbourhoods and Communities
7.2 An Inclusive Environment
7.3 Designing Out Crime
7.4 Local Character
7.6 Architecture
7.8 Heritage assets and archaeology
7.21 Trees and Woodland
8.2 Planning Obligations
8.3 Community Infrastructure Levy

The Mayor's Supplementary Planning Guidance: Housing

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

Financial Contributions

On the basis of 23 two bed flats (3 shared ownership, 5 intermediate) and 10 one bed flats (1 shared ownership, 3 intermediate) , the breakdown of the healthcare and education infrastructure contributions required to accord with Policy IMP1 is as follows:

Education: £81,415.75

Health: £32,628

The applicant has indicated agreement to these figures. The development will also be liable for payment of the Mayoral Community Infrastructure Levy.

Planning History

There is no planning history for the site.

Allingham Court, 26 Durham Avenue comprising a part two/three storey block of 8 two bedroom flats was allowed on appeal at the site of 21 Cumberland Road under ref. 04/03319/FULL1.

32 Cumberland Road, comprising a two storey block with accommodation within the roof space and 5 two bed and 3 one bed flats was granted outline permission on appeal, ref. 07/00223/OUT. Reserved matters were approved under ref. 08/01736/DET.

Ref. 05/02146/FULL1 refused permission at No.32 or a four storey block of 10 two bed flats on the grounds that:

"The proposed block, due to its bulk, design and amount of hard surfacing in conjunction with its forward and rearward projection, will comprise an overdevelopment of the site, harmful to the visual amenities of the residents of the adjoining property at No. 34 Cumberland Road and the wider street scene and thereby contrary to Policies H.2 and E.1 of the adopted Unitary Development Plan and Policies H6 and BE1 of the second deposit draft Unitary Development Plan (September 2002)."

This proposal was subsequently dismissed at appeal. The Inspector commented that the overall scale and mass together with the front building line would not complement the qualities of the area and would have a detrimental impact on the setting of the nearby Conservation Area. Further, the 15.5m, 7.3-8.1m high stepped flank wall to No.34 would have a side space of 2m would result in a development that was a dominant and overpowering built form. In terms of privacy, the higher level terrace proposed, in addition together vantage points, was considered to have a much more invasive and unacceptable impact on privacy that could reasonably be expected ion this suburban location.

It is noted that the density of this proposal was 95 dwellings and 275 habitable rooms per hectare and that the Inspector determined the site to be suburban and not urban.

Conclusions

Analysis

Amount of development, height, siting and design of the building and its impact on the character of the area

Design and siting are reserved matters for which subsequent approval would be required. However, indicative drawings showing the parameters expected of the development together with the number of units are provided and it is reasonable to draw an assessment of the likely impact of the proposed development from these drawings, taking into account the site constraints.

The site is located within a low PTAL rating of 1b and is in a suburban location, with the proposed development giving a density of 140 units per hectare for the 45 proposed units with an average of 2.7 habitable rooms (125 in total). Policy 3.4 and Table 3.2 of the London Plan cite such a location to have a sustainable residential density of 50-75 units and 150-200 habitable rooms per hectare

The proposal greatly exceeds these figures by between 65-90 units and 190-240 habitable rooms. Such figures should not be applied mechanistically and local context, design and transport capacity must be taken into account. However, the character of the area is typified by two storey detached and semi-detached dwellings together with two to three storey flatted developments of which the existing development is one. Consideration must also be given to the two adjoining dwellings at No.21a Cumberland Road which is a detached two storey dwelling and No.1 Highfield Drive which is a semi-detached two storey dwelling of a type that characterises that road.

It is noted that a number of flatted developments in the vicinity with three storeys feature the third floor accommodation set within the roofspace such as No.32 (8 flats) to the east; Merlin Court (33 flats) to the south-east onto Durham Avenue; and Allingham Court (8 flats) to the south onto Durham Avenue and adjoining No.21a to the north. Wedgewood Court (12 flats) directly opposite to the east and Colliton Court (9 flats) to the north are both flat roof designed three storey developments.

The two existing buildings are not considered to be of any particular architectural merit, however their form, scale and siting are commensurate with the area. A common front building line is shared by Allingham Court, No.21a and the application site which the proposal would be forward of by some 3.1m to No.21a and by 5.6m to Highfield Drive do to the orientation of the building to Cumberland Road. Whilst there would be a slight increase in the separation to the boundary with Highfield Drive, the Cumberland Road elevation would be more prominent in its relationship to the street scene.

The applicant has stated that the design has been massed so that the development is lower to the adjoining residents and increased to the junction to provide an architectural statement. However, to No.1 the proposal would see the introduction of a three storey element with a 1m side space and the three storey element to No.21a would be set 3.1m further forward. The five storey element to the junction would be both 1-1.5 storeys higher than existing and closer to Cumberland Road, giving a far greater visual impact than the present development. Additionally, it is noted that this section presents with an additional half storey flat roof section to provide the entrance and lift mechanism and as such the impact is further increased.

The prevailing design of the area is that of two-three storey developments with hipped and pitched roofs. The proposal is considered to be a marked contrast to this and the overall bulk and scale created by the fourth and fifth storeys is further highlighted by the utilisation of a flat roof. The introduction of three and four storey development to the full length of the boundary to Highfield Drive introduces a significant degree of built form to this frontage that further erodes the spatial standards that presently exist. The maximum height and bulk of any building to provide 45 residential units on this site is unlikely to be any less than that shown in the indicative plans and this is unacceptable.

Impact on amenities of adjacent properties

The alterations to the building line to No.27a would present a three storey development well forward of the front of that property with no particular change to the side space provided. To the rear the building line is set further back than at present, although there is a return which mitigates much of the additional impact. While the final design may differ, balconies are provided at fourth floor level and a degree of further overlooking would result. The existing building employs a gabled roof which equate approximately to the fourth floor and it is considered that the introduction of a fourth level of accommodation with a flat roof design would generate further visual impact upon No.21a than the existing design.

The rear building lines of Rydal Mount and Combe Dene are set well within that of the rear of No.21a and this reinforces the common building line to these properties. However, the north-western block would introduce a new level of development of up to four storeys to the existing amenity space that would have a significant degree of impact upon the outlook and visual amenities enjoyed by the occupants of No.21a. Although there would be a distance of 20-30m to the boundary, this section would see a number of windows and balconies introduced toward the rear of No.21a and it is considered this would result, in particular at upper level, in an increase in overlooking and a perception of being overlooked. It is unlikely that provision of fenestration could be avoided at this level even if the scheme were designed differently from the indicative drawings.

To No.1 the proposal would see the introduction of a three storey building 1m from the boundary that would project, from the indicative plans provided, some 2m to the rear. This location is currently occupied by single storey garages and the development would therefore represent a substantial increase in mass to this boundary in addition to eroding the existing spatial standards. It is considered that

this element would be detrimental to the outlook and amenities of No.1. It is unlikely that a development in this vicinity would be any smaller than indicated.

Quality of residential accommodation

The accommodation indicated satisfies the London Plan space standards of the respective occupancy rates. As the balconies provided equate to some 5sqm with a depth of 1.5m which meets the minimum standards required. Additional amenity space is provided by way of the landscaped area to the south of the development. It is noted that the indicative drawings submitted show that bedrooms and living areas to be of a generally acceptable size.

The flats to the north-east (Cumberland Road) and north-west (Highland Drive) and mainly single aspect which is considered broadly acceptable. However, the two outrigger elements to the rear elevations largely enclose the recessed units with the result being a predominately overshadowed rear elevation for those flats and an outlook onto the various walls that form this section of the building with a correspondingly limited outlook to the amenity area to the south; such a relationship is not considered ideal. The outriggers themselves (1 three storey and 1 four storey) accommodate seven flats in total and their inclusion to the detriment of a superior layout is considered to reflect the design required to accommodate the number of units proposed.

Affordable Housing

The current offer from the applicant of twelve affordable units comprising four shared ownership (1x1 bed, 3x2 bed) and eight rented ownership (3x1 bed, 5x2 bed) on-site does not meet the Council's affordable housing policy set out at Policy H2 of the Unitary Development Plan.

This offer equates to 35% of the additional number of units as opposed to 35% of the total number of units proposed. The proposal of 26% of the total number of habitable rooms are offered as affordable which is below that required by Policy H2 of the UDP or Policy 3.12 of the London Plan.

In addition, none of the proposed affordable units are suitable for larger family size housing. The Council's Affordable Housing SPD sets out that 35% of the affordable housing provision would normally be encouraged to be family accommodation, i.e. 3 bedrooms or larger.

In conclusion, the application does not comply with Policy H2.

Transport and Parking

Whilst access is a reserved matter, the indicative drawings and the Design and Access Statements show the alteration of the existing access onto Highfield Drive, the proposed access being further east. The result of this is that it is highly likely that at least one of the current parking bays in this location would be lost. The applicant's agent has confirmed that by blocking up the two accesses to Cumberland Road two spaces would be created to mitigate this. However, the

access to the junction passes over a yellow line and could not be used as a parking space.

Conclusion

The proposal would inevitably introduce a significant amount of development to the site that would be presented to both Cumberland Road and Highfield Drive, with the highest point likely to be at the junction of the two. The overall impact of the scale and mass of a development necessary to accommodate 45 dwellings is considered to be harmful to the character of the area and would represent a significant erosion of the established spatial standards.

The density proposed far exceeds the suggested thresholds for the area within the London Plan and is representative of the level of development being proposed. The overall impact is considered to be one of an incongruous overdevelopment of the site that would have an over dominant impact upon the street scene causing significant harm to the visual amenities of the area.

The development for the full length of the elevation to Highfield Drive with little separation to No.1 is considered to not respect its setting or location and would have a harmful impact upon amenities, outlook and setting of No.1 Highfield Drive. The development to Cumberland Road would result in the loss of the separation between Rydal Mount and Combe Dene and the setting further forward of the existing building line between Durham Avenue and Highfield Drive. This results in an over dominant form of development to Cumberland Road which is further exacerbated by the loss of the separation between the existing blocks and the erosion of the space to the front, with the three storey pitched roof block of Rydal Mount being replaced by a four storey flat roofed development contributing to the sense of bulk and scale.

The proposal consists of 26% of the total number of habitable rooms as affordable, which is below that required by Policy H2 of the UDP or Policy 3.12 of the London Plan.

Background papers referred to during production of this report comprise all correspondence on the file ref. 13/03855 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposal to provide 45 dwellings would, by reason of the likely height, scale and siting of the development, appear as an unduly prominent, over dominant and overbearing addition to the area, out of character with the scale, form and proportion of the surrounding pattern of development, giving rise to an unacceptable degree of harm to the character and appearance of the area, contrary to Policies BE1 and H7 of the Unitary Development Plan, London Plan Policies 3.5 and 7.6 and the National Planning Policy Framework.

- 2 The proposed development of the site to provide 45 dwellings would result in an excessive residential density, comprise an overdevelopment of the site which would fail to recognise and compliment the quality and character of the surrounding area, likely to be harmful to the amenities, privacy and outlook of the adjoining properties at 1 Highfield Drive and 21a Cumberland Road contrary to Policy BE1 and H7 of the Unitary Development Plan and Policy 3.5 of the London Plan and the National Planning Policy Framework.
- 3 The proposed development would fail to meet the Council's requirements for the provision of on-site affordable housing, with insufficient justification provided to demonstrate that a lower level of on-site affordable housing or different tenure mix should be sought in this case, contrary to Policy H2 of the Unitary Development Plan and Policy 3.12 of the London Plan.

INFORMATIVE(S)

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

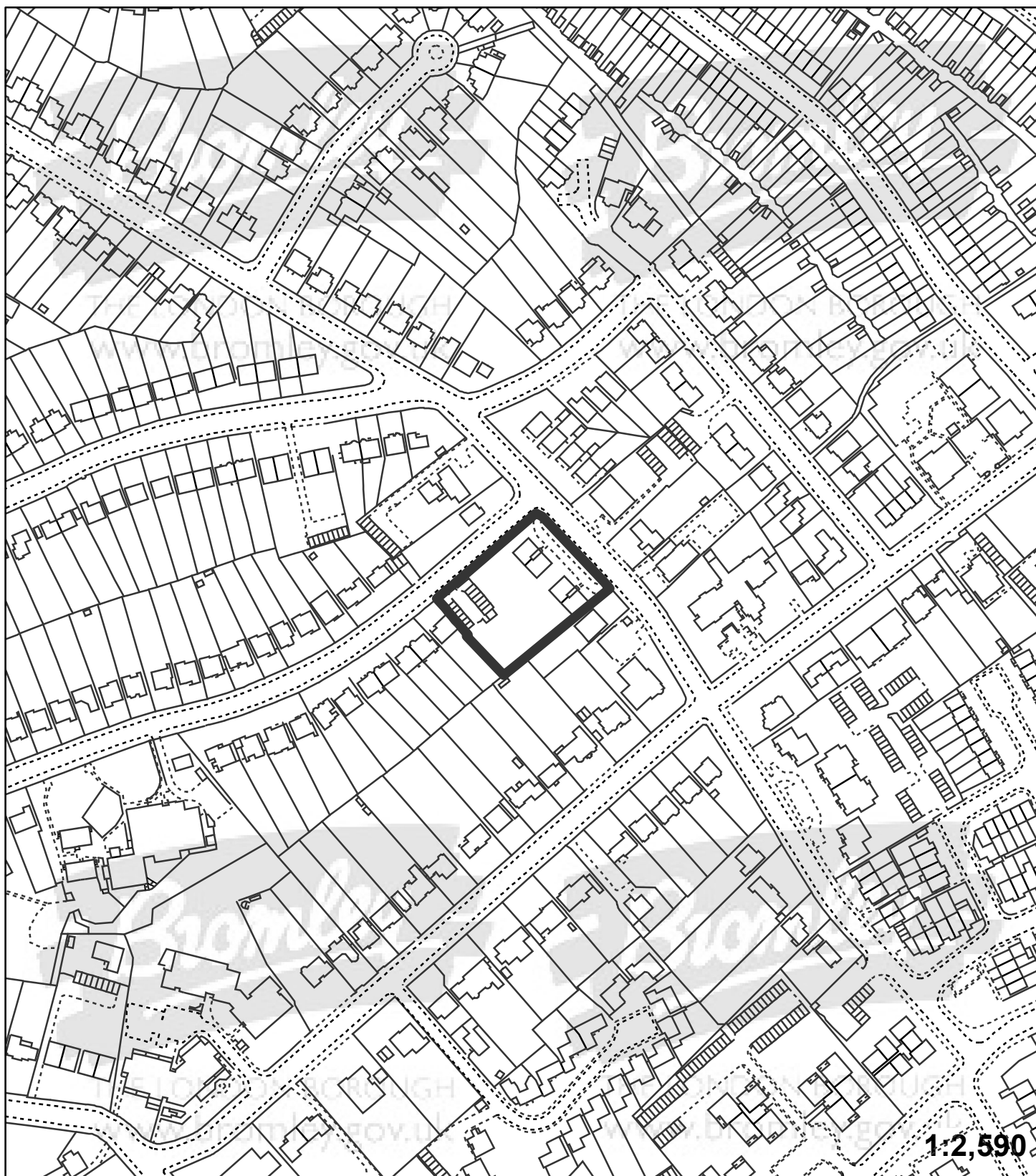
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:13/03855/OUT

Address: Rydal Mount 23 Cumberland Road Shortlands Bromley BR2 0PH

Proposal: Demolition of existing buildings and erection of 45 residential units with basement parking and up to 45 cars OUTLINE (with all matters reserved)



"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 : 14/02081/RECON

Ward:
Cray Valley East

Address : Compost Site On Land Off Cookham
Road Swanley

OS Grid Ref: E: 549141 N: 169599

Applicant : Mr S Greaves

Objections : YES

Description of Development:

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

Key designations:

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

Proposal

In March 2012 planning permission was granted for an Anaerobic Digestion plant on the application site to process green and garden waste (ref. 09/03618).

In April 2014 permission was granted to vary the approved application by amending the type of buildings proposed for the reception and maturation process and the addition of a gas flare and overground pipework (ref. 13/02654/VAR)

Permission is now sought to further vary the original scheme as follows:

- Reduction of footprint from 5450 sqm to 3800 sqm
- A single waste reception building is proposed which will be smaller than the footprint of the 2 buildings previously approved. The height of the reception shed will increase from 10m to 11.7m to allow a safe tipping height for delivery vehicles.
- Consolidation of biofilters into 1 unit on the southern elevation

- Addition of CHP ancillary equipment, backup boiler and gas clean up facility
- Additional gas holder to replace liquid fertiliser tank
- Relocation of gas engines and flare
- Reduction of gas engines from 3 to 2
- 2 storey site office in place of bio filter on northern elevation
- 2nd weighbridge to allow simultaneous entry and exit to the site
- Security fencing to secure the site and ensure safety for members of the public

The proposed buildings will be sited within the same envelope of approved buildings in terms footprint with the exception of some of the plant and equipment on the southern and western elevations.

The materials to be composted will be unchanged. The approved tonnage of 46,000 tonnes per annum of green and kitchen waste will remain the same.

The approved hours of operation will remain the same (0700 to 1900 Monday to Friday and 0700 to 1300 on Saturday).

The applicant has submitted a Landscape and Visual Impact Appraisal and a Planning Statement to support the application.

Location

The application site is located on the south western side of Cookham Road approximately 250m to the south of the junction of Cookham Road and Old Maidstone Road. To the north is the A20, Old Maidstone Road and Joyden's Wood beyond. To the south is Chapman's Lane, Hockenden Woods and Pauls Cray Hill Park beyond. To the west is the Cray Valley Golf Course and to the east is agricultural land.

There are residential properties and businesses in the area between the A20 and Old Maidstone Road, known as Upper Ruxley. There is one farm to the east of the site, Burnt House Farm, and Westview Nursery to the north with residential properties further east along Cookham Road and along Hockenden Lane.

The borough boundary with London Borough of Bexley is Old Maidstone Road and with Sevenoaks District Council is the nearby A20.

A Site of Importance for Nature Conservation is located at Hockenden Sand Pit approximately 500m to the south of the site.

Comments from Local Residents

Nearby properties were notified and representations were received which can be summarised as follows

- opposed to increase in activity on the site as it will increase odour which is unacceptable

- increased traffic resulting in increase in road hazard, pollution, increased noise levels,
- reduction in air quality,
- adverse impact on ecology and visible from viewpoints

Swanley Town Council consider that London Borough of Bromley should undertake an Environmental Impact Assessment of the site

Comments from Consultees

The Council's Highways Officer raises no objection.

The Council's Housing Officer raises no objection.

The Council's Drainage Officer raises no objection.

The Council's Environmental Health Officer raises no objection.

The Environment Agency raise no objections.

The London Borough of Bexley raise no objection.

Sevenoaks District Council raise no objections

Planning Considerations

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

- G1 Green Belt
- ER2 Waste Management Facilities
- BE1 Design of New Development
- BE3 Buildings in Rural Areas
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- NE12 Landscape Quality and Character
- EMP6 Development outside Business Areas
- IMP1 Planning Obligations

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

- 1.1 Delivering the Strategic Vision and Objectives for London
- 2.17 Strategic Industrial Locations
- 4.1 Developing London's Economy
- 4.4 Managing Industrial Land and Premises
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.5 Decentralised Energy Networks

- 5.6 Decentralised energy in Development Proposals
- 5.7 Renewable Energy
- 5.8 Innovative Energy Technologies
- 5.13 Sustainable Drainage
- 5.16 Waste self-sufficiency
- 5.17 Waste Capacity
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 6.14 Freight
- 6.13 Parking Strategy
- 7.10 Biodiversity and access to nature
- 7.14 Improving Air Quality
- 7.15 Reducing Noise and Enhancing Soundscapes
- 7.16 Green Belt
- 8.2 Planning Obligations

A minor alteration to the London Plan 2011 was published in December 2009 setting out waste apportionment targets.

The London Plan Industrial Capacity Supplementary Planning Document.

The National Planning Policy Framework is also relevant

Planning History

The site has been the subject of numerous previous applications, the most relevant of which are set out below.

1. Change of use of compost facility from open windrow compost system to an Anaerobic Digestion (AD) and In Vessel Compost (IVC) facility together with buildings necessary for the relevant operations. Request for formal screening opinion regarding need for Environmental Impact Assessment under Regulation 5 of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (ref. 08/03541/EIA). EIA not required - Dec 2008.
2. Composting facility buildings for reception of food and green waste, anaerobic digestion process, digestate maturation process and conversion of methane gas to electricity together with liquid feed tanks, bays/structures to store finished products, biofilters beds, car parking, improvements to existing secondary vehicular access and upgrading of existing hard surfaces (to replace existing open windrow composting facility) approved on March 30th 2012 (ref. 09/03618).
3. Variation of Condition 2 of permission ref. 09/03618 granted for composting facility buildings for reception of food and green waste, anaerobic digestion process, digestate maturation process and conversion of methane gas to electricity together with liquid feed tanks, bays/structures to store finished products, biofilters beds, car parking, improvements to existing secondary vehicular access and upgrading of existing hard surfaces (to replace

existing open window composting facility) to amend the type of buildings proposed for the reception and maturation process and the addition of a gas flare and overground pipework approved on April 24th 2014 (ref. 13/02654/VAR)

Conclusions

The main issues to be considered are whether the proposed changes to the form of buildings are acceptable in terms of their impact on the openness of the Green Belt and the amenities of local residents.

In terms of the impact on openness of the Green belt, the revised layout results in a smaller footprint of buildings overall, reducing from 5,450sqm to 3,800sqm. This is achieved by using tanks to compost the input material rather than a large shed that was proposed in the original application. This reflects changes made under ref. 13/02654. The main impact of the current changes are to increase the height of the reception building by 1.7m, provision of some plant and equipment outside the footprint of the approved buildings on the western and northern elevations, a 2 storey office building and an additional weighbridge.

The increase in height is a result of the need to provide a Reception building that is tall enough to allow vehicles to fully extend when tipping waste on arrival. This may also require lowering the existing ground level by a maximum of 2m. Plans also show the proposed composting tanks set below the existing ground level to keep the height of these structures to below the approved height of 10m.

The additional plant on the southern elevation will be located adjacent to the approved and proposed buildings. Two 14.5m biofilters stacks previously approved will be repositioned but still remain in the envelope of the proposed buildings.

A 2 storey office/welfare building will replace an approved biofilter on the northern elevation close to the entrance and an additional weighbridge will be provided to ensure a continuous flow of vehicles through the site.

The applicant has submitted a Landscape and Visual Impact Appraisal which concludes that the changes proposed will have no greater impact than the approved plans for both the original and previous amended scheme. The report recommends mitigation measures through boundary screening and a condition requiring the submission of a landscaping plan is recommended.

With regard to the impact on local residents the current application is confined to alterations to the proposed buildings that will be provided on the site. The application does not seek to change the volume or nature of the waste that will be treated on the site. The conditions that were applied to the original application to control the extent of the use are repeated below and will need to be discharged prior to the commencement of the development.

Many of the points raised by residents in their submissions relate to the principle of the provision of an AD on this site. These matters were considered during the consideration of the primary application (ref. 09/03618).

The existing S106 agreement will need to be varied to incorporate the current application if Members are minded to grant permission.

In summary it is considered that the impact on openness and on the amenities of local residents as a result of the change in built form of the buildings will not exceed the impact of the approved buildings and as such the current proposal is acceptable.

Background papers referred to during the production of this report comprise all correspondence on file ref. 14/02081, excluding exempt information.

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 AGREEMENT DEED OF VARIATION to incorporate this application into the original agreement

and the following conditions:

1 The development to which this permission relates must be begun no later than March 30th 2015.

Reason: Section 91 of the Town and Country Planning Act 1990.

2 ACK01 Compliance with submitted plan
ACK05R K05 reason

3 The site shall only be used for the purposes of composting green and kitchen waste and for no other purposes and the throughput of material shall not exceed 46,000 tonnes per annum.

Reason: In the interests of the amenities of the locality and to comply with the terms of the permission and Policy BE1 of the Unitary Development Plan.

4 The composting facility shall not accept deliveries of green or kitchen waste other than between the hours of 0700 hrs to 1900 hrs Monday to Friday, 0700 hrs to 1300 hrs on Saturday and shall not accept green waste on Sundays, Public Holidays and Bank Holidays unless otherwise agreed in writing with the Local Planning Authority.

Reason: In order to comply with the terms of the permission and Policy BE1 to protect the interests of the amenities of the locality and nearby residents, particularly in terms of noise and disturbance from traffic movements.

5 Unless otherwise agreed in writing by the Local Planning Authority, no demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays to Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of the locality and to comply with the terms of the permission.

6 No raw materials (unprocessed organic waste) shall be stored or processed in any external area on the site at any time.

Reason: To protect the amenities of local residents in accordance with Policy BE1 of the Unitary Development Plan.

7 Records of daily tonnages of waste, including separately that received from the London Boroughs of Bromley and Bexley shall be taken and shall be made available for the officers of the Waste Disposal Authority to see on request.

Reason: To accord with the terms of the application and to comply with Policies G1 and ER2 of the Unitary Development Plan.

8 Notwithstanding the provisions of Part 4 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, replacing or re-enacting that Order) no plant or machinery, building, structures and erections whether fixed or moveable, shall be erected, extended, installed or replaces within the site without the prior approval in writing of the Local Planning Authority.

Reason: To comply with Policy G1 of the Unitary Development Plan and to protect the designated Green Belt.

9 Prior to the commencement of operation of the AD plant hereby approved a heat plan detailing the means of delivering energy and heat outputs from the facility, the identified heat users and the timetable for deliveries shall be submitted to and, following consultation with the Environment Agency, approved by the Local Planning authority. Unless otherwise approved in writing in advance by the Local Planning Authority the approved heat plan shall thereafter be implemented in accordance with the details and timetable so approved.

Reason: To comply with Policy 5.17 of the London Plan 2011 and to ensure the maximum benefit from the collection and delivery of sustainable power can be achieved.

10 Prior to commencement of the development hereby approved details of means of connection to the National Grid, together with the details of all related pipework and machinery shall be submitted and approved in writing by the Local Planning Authority. Prior to the commencement of the use of the AD this development shall be carried out in accordance with the details so approved and to enable compliance with the heat plan approved under Condition 9.

Reason: In order to ensure that the physical measures to export heat are implemented and ensure that the AD plant is operated efficiently in accordance with the requirements of Policy 5.17 the London Plan 2011.

11 No waste shall be processed by the AD plant until the electric link to the National Grid has been constructed and is capable of transmitting all the excess electrical power produced by the Plant. Thereafter, except during periods of maintenance and repair and unless required to do so by the National Grid no waste shall be processed by the plant unless power is being generated.

Reason: To ensure that the development complies with Policy Be1 of the Unitary Development Plan and Policy 5.17 of the London Plan 2011.

12 Prior to the commencement of development full details of all aspects of the appearance of all of the buildings and structures on the site, including finishes, colour and treatment of external materials, shall be submitted to and approved by the Local Planning Authority including the design and appearance of all of the individual component buildings, the proposed materials for the buildings and the associated hard surfaces. The buildings and structures shall be constructed in accordance with the submitted details and permanently retained thereafter.

Reason: To ensure that the proposed structures are relevant and necessary to the use of the site as specified in the application and to comply with Policy BE1 of the Unitary Development Plan.

- 13 ACA04 Landscaping Scheme - full app no details
ACA04R Reason A04
- 14 Prior to the commencement of development a plan to improve the biodiversity value of the site shall be submitted to and approved by the Local Planning Authority and implemented in accordance with the approved details.

Reason: In order to comply with Policy 7.19 of the London Plan 2011 and maximise the use of site in biodiversity terms.

- 15 ACA07 Boundary enclosure - no detail submitted
ACA07R Reason A07
- 16 ACC01 Satisfactory materials (ext'n'l surfaces)
ACC01R Reason C01
- 17 Details of the location, height, design, sensors, hours of operation and luminance of internal and external lighting for the AD plant (which shall be designed to minimise the potential nuisance of light spillage on nearby properties and the countryside) shall be submitted and approved in writing by the Local Planning Authority before the commencement of the permitted use. Any scheme that is approved shall be implemented in accordance with the approved details and retained as such thereafter.

Reason: In order to comply with Policy BE1 and minimise the impact on the amenities of the area and nearby residential properties.

- 18 Following the receipt of any waste, no storage container, skip, unsorted or sorted waste material of residue of recycled materials or any other items shall be stored outside the building, other than within the designated bays or on operational vehicles.

Reason: To control the visual appearance of the site and protect the amenities of the surrounding area and nearby residents in accordance with Policy BE1 of the Unitary Development Plan.

- 19 ACK05 Slab levels - no details submitted
ACK05R K05 reason
- 20 ACD02 Surface water drainage - no det. submitt
AED02R Reason D02
- 21 ACD04 Foul water drainage - no details submitt
ADD04R Reason D04
- 22 If during development, contamination not previously identified is found to be present at the site no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the LPA, details of how this unsuspected contamination shall be dealt with.

Reason: The site is underlain by Thanet Sands and Upper Chalk formations, classified respectively as secondary and principal aquifers. The site is also located within Source Protection Zone II for a groundwater abstraction.

- 23 No filtration of surface water drainage into the ground shall take place other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

Reason: The site is underlain by Thanet Sands and Upper Chalk formations, classified respectively as secondary and principal aquifers. The site is also located within Source Protection Zone II for a groundwater abstraction.

- 24 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 25 ACH04 Size of parking bays/garages
ACH04R Reason H04
- 26 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 27 ACH22 Bicycle Parking
ACH22R Reason H22
- 28 ACH26 Repair to damaged roads
ACH26R Reason H26
- 29 ACH27 Arrangements for construction period
ACH27R Reason H27
- 30 ACH29 Construction Management Plan
ACH29R Reason H29
- 31 ACH32 Highway Drainage
ADH32R Reason H32
- 32 Prior to the commencement of the development hereby permitted a Delivery and Servicing Plan relating to the operation of the approved facility shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall identify efficiency and sustainability measures to be undertaken once the development is in operation, identification of the optimum use of loading facilities, measures to encourage off-peak servicing and the management of additional vehicle movements generated as a result of the development and measures to minimise noise emissions from reversing vehicles.
Reason: In order to comply with Policy 6.14 of the London Plan 2011 and in the interests of the amenity and safety of the occupants of nearby residents and businesses.
- 33 No loaded lorries shall enter or leave the site unless the loads are fully sealed.
Reason: In order to protect the amenities of nearby sensitive receptors and to comply with Policy 7.14 of the London Plan 2011.
- 34 All delivery/loading bay doors within the development shall be kept closed at all times except to provide access for loading/unloading operations.
Reason: To avoid the unnecessary breakout of noise and odours from the operation of the units and to protect the amenities of local residents in accordance with Policy 7.14 of the London Plan 2011.
- 35 All plant and machinery on the site shall be operated and maintained in accordance with the manufacturers instructions at all times and any attenuation measures necessary to achieve the predicted noise levels in the Environmental Noise Report shall be carried out prior to the first use of the plant and/or machinery and retained permanently thereafter.
Reason: In order to protect the amenities of nearby sensitive receptors and to comply with Policy 7.15 of the London Plan 2011.
- 36 There shall be no direct retailing of compost from this site and the site shall not be used by the general public either for purchasing compost, deliveries or collections.
Reason: To comply with the terms of the permission.

37 Prior to the commencement of development details of contingency measures and arrangements to deal with all aspects of the operation of the AD plant in case of emergency power failure shall be submitted and approved in writing by the Local Planning Authority. The approved generator shall be installed and be in working order prior to the first commencement of the use hereby permitted and shall be retained in operational good order permanently thereafter.

Reason: To ensure that the plant can remain operational at all times and to prevent the escape of odours and noxious substances in the event of power failure. This is in accordance with Policy 7.14 of the London Plan 2011.

38 If for any reason than for extended maintenance or repair, the AD plant ceases to be used for a period of more than 36 months, a scheme for the demolition and removal of the building and the related infrastructure (which shall include all buildings, structure, plant, equipment, areas of hardstanding and access roads) shall be submitted for approval in writing to the Local Planning Authority. Such a scheme shall include:

- i) details of all structures and buildings which are to be removed,
- ii) details of the means of removal of materials resulting from the demolition and methods for the control of dust and noise,
- iii) timing and phasing of the demolition and removal,
- iv) details of the restoration works, and
- v) the phasing of restoration works.

The demolition and removal of the buildings and related infrastructure and subsequent restoration of the site shall thereafter be implemented in accordance with the approved plans.

Reason: In order to protect the amenities of nearby sensitive receptors and to comply with Policy 7.14 of the London Plan 2011.

39 Prior to the commencement of the use of the site a pest control plan should be submitted and approved in writing by the Local Planning Authority. This plan should include measures for the control and eradication of pests, including rodents, insects and larvae. The measures approved shall be implemented prior to the first use of the AD plant in accordance with the approved plan and retained permanently thereafter.

Reason: In order to protect the amenities of nearby sensitive receptors and to comply with Policy BE1 of the Unitary development Plan.

40 No telecommunications equipment shall be installed or places on the roof of buildings hereby permitted without the prior approval in writing of the Local Planning Authority.

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

INFORMATIVE(S)

1 You should seek engineering advice from the Environmental Services Department at the Civic Centre regarding the need to obtain permits for the use of 20 tonnes vehicles under the London Lorry Control Scheme.

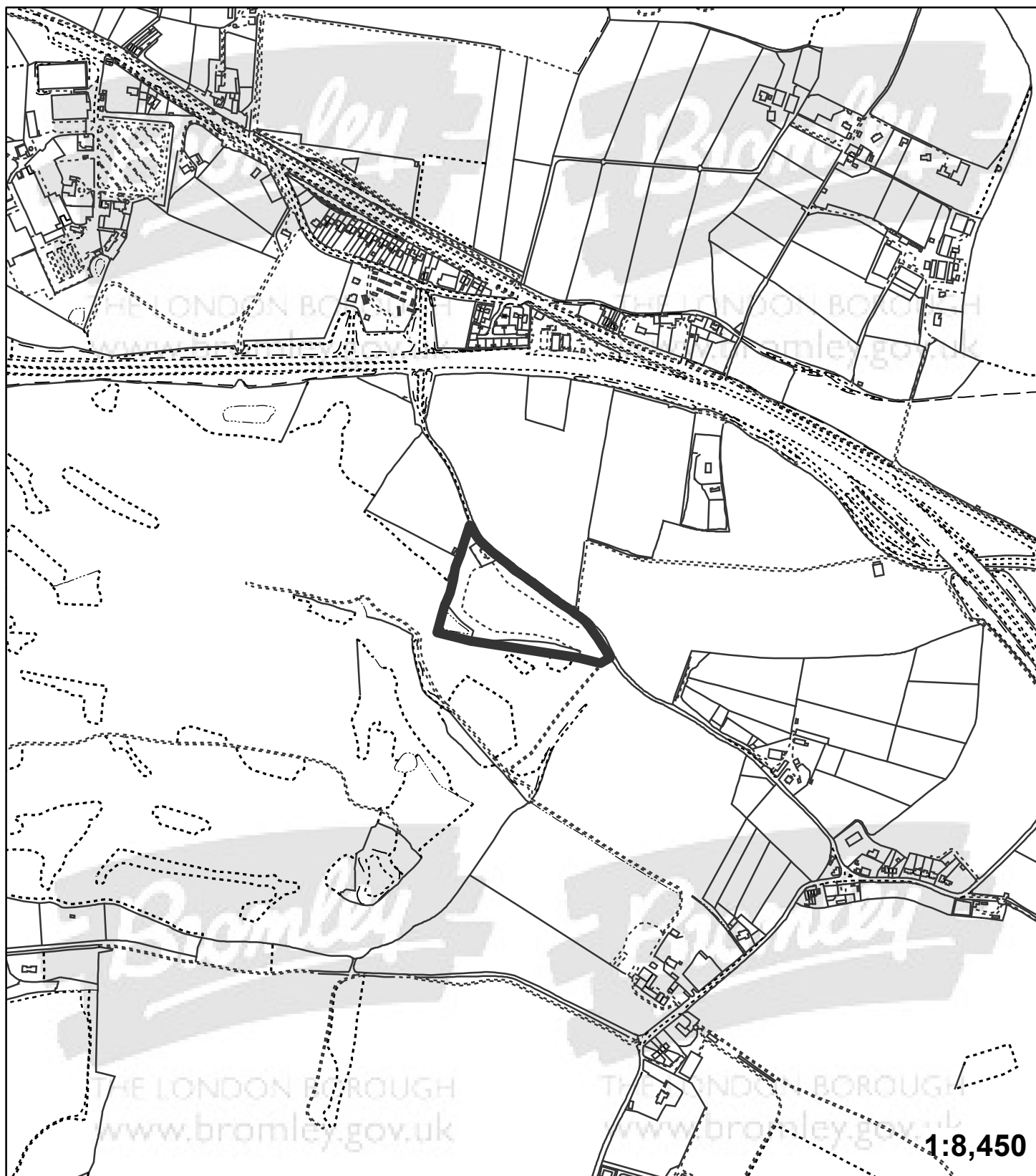
- 2 A public right of way runs across/is in close proximity to the development and the applicant's attention is drawn to the need to safeguard the public using the route, and that it must not be damaged or obstructed either during, or as a result of, the development. Attention is also drawn to the fact that the grant of planning permission does not entitle developers to obstruct public rights of way. Enforcement action may be taken against any person who obstructs or damages a public right of way. Development in so far as it affects a public right of way should not be started and the right of way kept open for public use until any necessary order under the Traffic Regulations for a temporary diversion/closure has come into effect.

- 3 In order to check that the proposed storm water system meets the Council's requirements, the following information shall be provided:
 - a clearly labelled drainage layout plan showing pipe networks and any attenuation soakaways
 - Where infiltration forms part of the proposed storm water system such as soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365
 - Calculations should demonstrate how the system operates during the 1 in 30 year critical duration storm event plus climate change.

Application:14/02081/RECON

Address: Compost Site On Land Off Cookham Road Swanley

Proposal: Variation of Condition 2 of permission 09/03618 granted for composting facility buildings for reception of food and green waste, anaerobic digestion process, digestate maturation process and conversion of methane gas to electricity together with liquid feed tanks,



"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 : 14/02345/FULL6

Ward:
**Bromley Common And
Keston**

Address : 7 Larch Way Bromley BR2 8DT

OS Grid Ref: E: 543217 N: 166933

Applicant : Morgan

Objections : NO

Description of Development:

Part one/two storey side/rear extension

Key designations:

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

Proposal

The proposal seeks permission part one/two storey side/rear extension at this corner location.

Consultations

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

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

Conclusions

The main issues to be considered in this case is the impact of the proposal on the amenities of adjoining neighbours.

In this instance Policy H9 'Side Space applies which states, the Council will normally require the following:

- "for a proposal of two or more storeys in height, a minimum 1 metre side space from the side boundary of the site should be retained for the full height and length of the flank wall of the building".

In this particular case the proposal would be built entirely up to the boundary line. However, it is noted that this policy states that when considering new residential development, the council will normally require this separation. Therefore, each application must be considered on its merits.

In this case, the extension would be built adjacent to a corner amenity space, in addition there is a large separation to the road at this corner location and reasonable distance to the adjacent property in 72 Ash Road.

It is noted that the two storey side element is set back approximately 2.5 metres from the frontage. The two storey rear element is set approximately 3.4 metres from 5 Larch Way.

Accordingly, the proposal would appear to not lead to a undue lowering of spatial standards nor result in a loss of amenity to local residents.

Accordingly, Members may agree that taking in to account the specific location of the property in relation to its neighbours and its position in the street scene in general that this application is acceptable and that adequate separation between buildings is retained and that the policy and amenity of adjoining neighbours is safeguarded. However members will need to consider this matter with specific reference to the provision of Policies H9 and H8.

Background papers referred to during production of this report comprise all correspondence on file ref. 14/02345, 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 |

Application:14/02345/FULL6

Address: 7 Larch Way Bromley BR2 8DT

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 '2' – Applications meriting special consideration

Application No : 14/02455/FULL1

Ward:
Penge And Cator

Address : 181 Kent House Road Beckenham BR3
1JZ

OS Grid Ref: E: 536230 N: 170819

Applicant : Ms C McKenzie

Objections : NO

Description of Development:

Conversion of existing dwelling into 2x two bedroom flats and 1x one bedroom flat, plus elevational alterations.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Chain
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
Metropolitan Open Land
Open Space Deficiency

Proposal

This proposal seeks permission for the conversion of an existing dwelling into 2 two bedroom flats and 1 one bedroom flat, plus elevational alterations.

Location

This property is a semi-detached house located to the western side of Kent House Road. The property appears to be an extended 5 bedroom house. The property has been substantially extended to the rear.

Comments from Local Residents

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

Comments from Consultees

From a Highways point of view the development will result in loss of one parking space by conversion of the garage to a habitable accommodation. However two to three cars can be accommodated within the site's curtilage. The existing house would have generated 2 car parking demand; the development may generate more than 2 parking demand but the size of the unit (one bed flat) is likely to be attractive to non-car owners. Therefore I am of the opinion that the development would not have an adverse impact on the parking demand within the local road network.

The applicant should be encouraged to consider providing 1 secure cycle parking space per unit.

Any comments from an Environmental Health (Housing) point of view will be reported verbally.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H11 Residential Conversions

Planning History

There is a recent application for hip to gable extension, rear dormer and front rooflights CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT

Conclusions

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

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.

In terms of the proposed conversion it would appear that Kent House Road predominantly comprises single dwelling houses, with only a few exceptions. The proposed conversion would be over intensive and out of character with the general character of the area and would represent an undesirable precedent for similar proposals in the future.

RECOMMENDATION: PERMISSION BE REFUSED

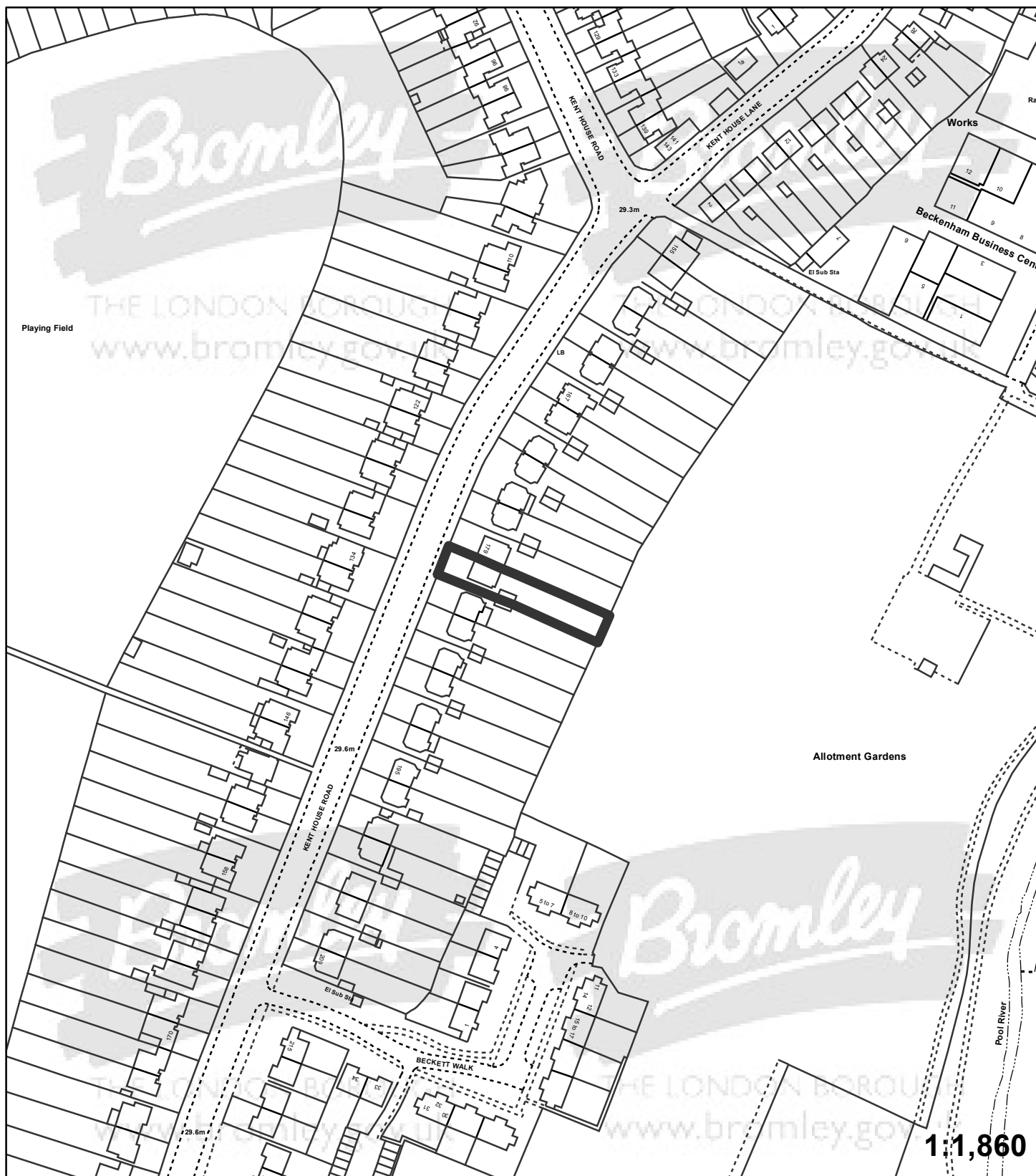
The reasons for refusal are:

- 1 The proposed conversion into 3 flats would be over intensive, out of character with the surrounding area, and would set an undesirable pattern for similar conversions and increase in residential density in the locality, contrary to Policy H11 of the Unitary Development Plan.

Application:14/02455/FULL1

Address: 181 Kent House Road Beckenham BR3 1JZ

Proposal: Conversion of existing dwelling into 2x two bedroom flats and 1x one bedroom flat, plus elevational alterations.



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

SECTION '2' – Applications meriting special consideration

Application No : 14/02676/FULL6

Ward:
Bickley

Address : 2 Cloisters Avenue Bickley Bromley
BR2 8AW

OS Grid Ref: E: 542637 N: 167644

Applicant : Mr J Collins

Objections : YES

Description of Development:

Single storey side/rear and first floor side/rear extensions

Key designations:

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

Proposal

The application proposes a first floor side/rear extension with hipped roof which would have an increased depth than the existing first floor side/rear extension at No. 4 Cloisters Avenue. The proposals also include a single storey side/rear extension. The side extension is proposed to be a garage and would be set back 6.9m from the front of the house. It would retain a 0.15m side space with the rear boundary fence of Nos. 179 and 181 Southborough Road to the south. The proposed rear/side extension would have a depth of 3.5m and a width of 9.3m. The proposed side extension which would have a depth of 5.7m. The single storey element of the rear extension would have an eaves height of 3m and would adjoin with an existing rear extension at No. 4.

A first floor rear extension is also proposed over the existing kitchen which would have a maximum rearward projection of 3.5m, and would be set back 2.8m from the side boundary with Nos. 179 and 181 Southborough Road.

Location

The application site comprises a semi-detached property located on the eastern side of Cloisters Avenue close to the junction with Southborough Lane to the south. The application site forms part of a pair of semi-detached properties and is adjoined to No. 4 Cloisters Avenue to the north.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and one letter of objection has been received and is summarised below:

"Having viewed the proposal the rear elevation is totally out of character for a typical chalet conversion. There is no need for the rear wall to continue up forming a larger rear gable. The normal construction is to form a valley off the existing roof using layboards and have a rear pitch possibly with a small box gutter. This would reduce the size of the flat top which would also look better if taken in lower than the original ridge line."

The officer's response to this objection is included within the relevant sections of this report.

Comments from Consultees

The Councils Transport and Highways officer was consulted on the application and has raised no objection to the proposals.

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 relevant planning history to the application site.

Conclusions

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

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

The proposed first floor side extension would be of a similar design to the existing extension at No. 4 Cloisters Road granted under application ref. 01/00909. Therefore proposals would further balance the symmetry of the application site and the adjoining semi-detached property of No. 4. The two proposed first floor flank elevation windows would be modest in size (1m x 0.9m) and would serve internal bathrooms. As such the proposals would not be considered to increase overlooking

or impact on the privacy of adjoining properties over and above that of the existing first floor windows of the dwelling.

The proposed two storey side/rear extension would project 0.3m beyond the existing side elevation of the building. It would have a gable roof with a section of flat roof at ridge level. It is noted that the ridgeline of the extension is not set down from the main ridgeline of the building. However it was noted during the site visit that the roof of the first floor side extension at No. 4 also extends outward from the main ridgeline and a refusal of this aspect alone could not be justified at appeal.

In this instance the proposals would be acceptable in terms of design and would appear subservient to the host building and in keeping with the adjoining semi-detached property of No. 4 which has a similar side extension. As such it is considered that the proposals would not have a detrimental visual impact on the surrounding street scene. It should be noted that application ref. 11/03667 at No. 41 Cloisters Avenue has been granted for side/rear extensions of similar proportions and scale. Although the extension at No. 41 was set down slightly from the main ridge line. It was noted that many side/rear extensions within the street as observed during the officer's site visit also extended outward in-line with the main ridge line of their respective roofs.

The first floor rear extension is modest in depth (3.5m) and its flank elevation wall would be set 2.8m away from the rear boundaries of Nos. 179 and 181 Southborough Road. In addition its first floor north-western flank elevation wall would be set back from No. 41 by 2.4m. As such the proposals are not considered to adversely affect the amenities of the surrounding properties. The adjoining property of No. 4 has existing a similar depth single storey rear extension adjoining the boundary, and the proposals are not considered to have a detrimental impact on the amenities of adjacent residents.

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 host building or on 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.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC07 Materials as set out in application
 ACC07R Reason C07
- 3 ACI12 Obscure glazing (1 insert) in the flank elevation of the first
 floor side extension
 ACI12R I12 reason (1 insert) BE1

4 ACK01 Compliance with submitted plan
 ACK05R K05 reason

Application:14/02676/FULL6

Address: 2 Cloisters Avenue Bickley Bromley BR2 8AW

Proposal: Single storey side/rear and first floor side/rear extensions



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

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SECTION '2' – Applications meriting special consideration

Application No : 14/02916/FULL1

Ward:
Crystal Palace

Address : 9D Crystal Palace Park Road Sydenham
London SE26 6EG

OS Grid Ref: E: 534854 N: 170735

Applicant : Mr J Hearn

Objections : NO

Description of Development:

Six replacement uPVC windows

Key designations:

Conservation Area: Crystal Palace Park
Areas of Archaeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads
Sites of Interest for Nat. Conservation

Proposal

Permission is sought for a the installation of six replacement uPVC windows to this top floor flat.

Location

The application site is located to the western edge of Crystal Palace Park and forms the top floor of a four storey detached block of four flats. The site is within the Crystal Palace Park Conservation Area and the building is Locally Listed, with Nos.1-15 being a row of similar buildings that are all Locally Listed.

Comments from Local Residents

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

Comments from Consultees

APCA have objected on the grounds that the replacement windows would be contrary to policy and should be timber framed.

From a conservation perspective it is noted that while the building is locally listed and timber would normally be required, nonetheless there appears to be some uPVC windows already in the building and that these are simple casements at a high level.

Planning Considerations

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

BE1 Design of New Development
BE10 Locally Listed Buildings
BE11 Conservation Areas

Supplementary Planning Guidance: Crystal Palace Park Conservation Area
Supplementary Planning Guidance 1 and 2

The National Planning Policy Framework

Planning History

There is no planning history for this property.

However, Members will note that under application ref. 10/00483 replacement uPVC windows at Flat A No.15 were permitted at Committee. However, under application ref. 12/01683 replacement uPVC windows at Flat A No.11 were refused at Committee on the ground that:

"The proposed replacement windows would result in alterations of an untraditional appearance detrimental to the historic and architectural integrity of the locally listed building, and would be visually unsatisfactory when seen from neighbouring properties, and harmful to the character and appearance of the Crystal Palace Park Conservation Area thereby contrary to Policies BE1, BE10 and BE11 of the Unitary Development Plan."

Members may also wish to note that other properties in the vicinity of the site forming part of this group of Locally Listed buildings feature uPVC windows, which do not appear to have the benefit of planning permission.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the Conservation Area, the appearance and special local interest of the building. As the windows will replace existing windows (with no new openings proposed) it is not considered that a detrimental impact to neighbouring residential properties would arise.

In view of the fact that the host building is Locally Listed and within a Conservation Area, the use of uPVC windows would generally be considered inappropriate and out of character with the historic and local interest of the building. However, planning permission was granted in 2010 for replacement uPVC windows to a ground floor flat in an adjacent Locally Listed building, and there are other examples of uPVC windows within the group of buildings (which do not appear to have the benefit of planning permission). The refusal of such windows at Flat A No.11 in 2012 is also a consideration

Members will therefore need to consider whether the impact of uPVC windows particularly in terms of the impact on the Conservation Area and Locally Listed building, is significant enough to warrant the application being refused.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/02916 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

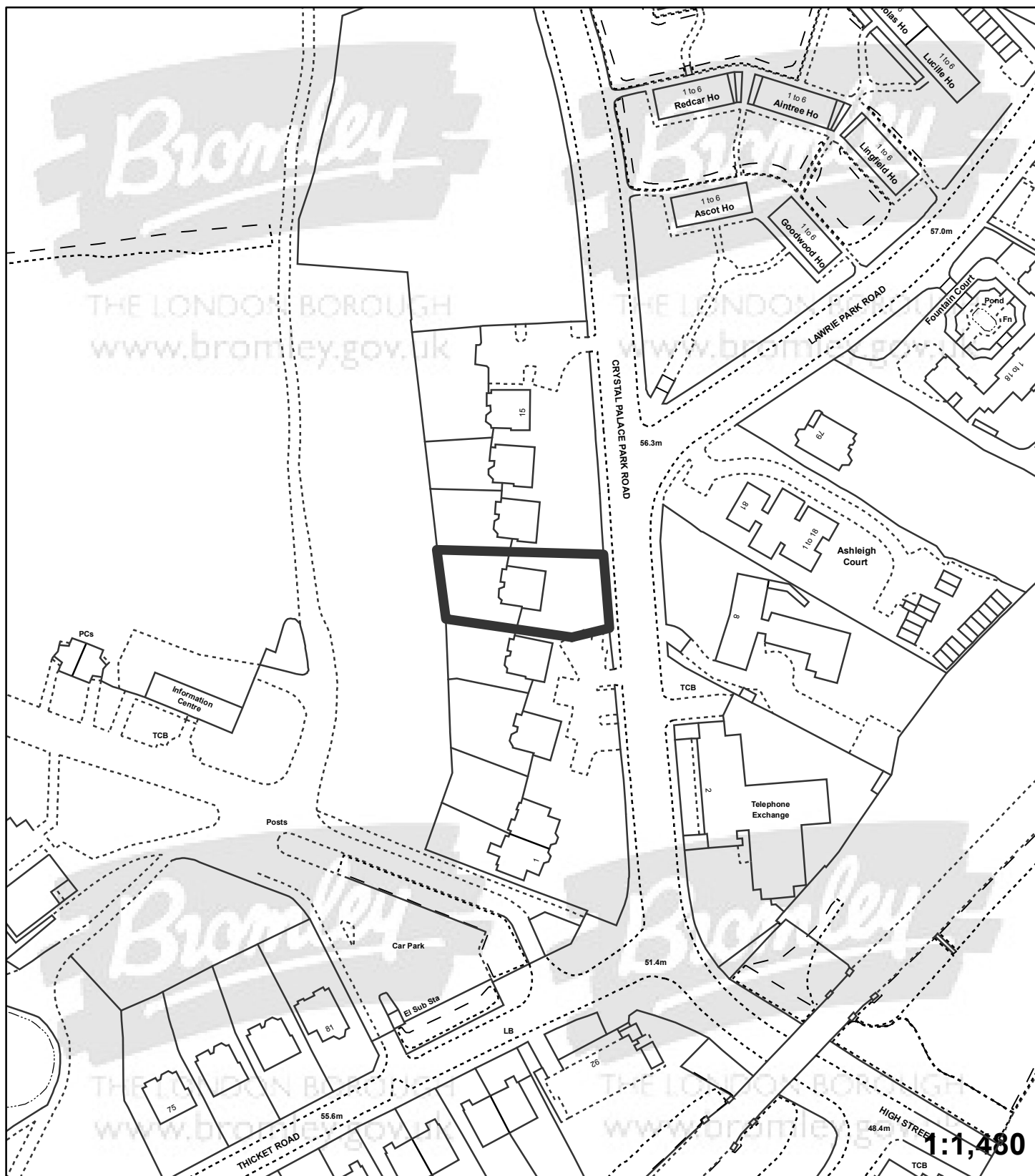
The reasons for refusal are:

- 1 The proposed replacement windows would result in alterations of an untraditional appearance detrimental to the historic and architectural integrity of the locally listed building, and would be visually unsatisfactory when seen from neighbouring properties, and harmful to the character and appearance of the Crystal Palace Park Conservation Area thereby contrary to Policies BE1, BE10 and BE11 of the Unitary Development Plan.

Application:14/02916/FULL1

Address: 9D Crystal Palace Park Road Sydenham London SE26 6EG

Proposal: Six replacement uPVC windows



"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 : 14/01262/OUT

Ward:
Mottingham And Chislehurst
North

Address : 112 Elmstead Lane Chislehurst BR7 5EL

OS Grid Ref: E: 542634 N: 171376

Applicant : Mr Nigel Styles

Objections : YES

Description of Development:

Demolition of existing dwelling and outbuildings and erection of detached two storey building with accommodation in roofspace comprising 5 two bedroom and 3 one bedroom flats, with 8 car parking spaces and vehicular access to side.

OUTLINE

Key designations:

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

Proposal

It is proposed to redevelop this site with a block of 8 flats (5 two bedroom and 3 one bedroom) which would be incorporated within a two storey detached building with accommodation provided within the roofspace. The existing dwelling and buildings on the site would be removed, and the commercial uses would cease.

The application has been submitted in outline form with only the layout and means of access to be determined at this stage, although illustrative elevation plans have also been submitted.

A total of 8 car parking spaces would be provided which would be accessed from Cow Lane to the south.

The proposals have been revised since originally submitted to reduce the size of the scheme from 9 flats to 8 flats, and changes have been made to the layout and

car parking area, and to the illustrative elevations. A footpath is now also proposed along the Elmstead Lane frontage which would link the existing footpaths.

Location

This site is located on the eastern side of Elmstead Lane, and measures 0.1ha in area. It is currently occupied by a two storey residential dwelling and a car repairs and scaffold yard.

The surrounding area is largely residential in character with townhouses in Broadheath Drive to the north, and semi-detached dwellings in Fenton Close to the east. A large residential care home is located to the south of the site on the opposite side of Cow Lane at No.104 Elmstead Lane.

Comments from Local Residents

Letters of objection have been received from local residents, including The Chislehurst Society, and their main concerns are summarised as follows:

- the building would be too high and too close to properties in Fenton Close
- proposals would result in loss of light and privacy to neighbouring properties
- balconies would overlook nearby properties (the rear-facing balconies have now been removed)
- hazardous access to the site
- a footpath should be provided on the Elmstead Lane frontage (now shown on the revised plans)
- the density of development should be reduced (revised scheme has reduced number of flats from 9 to 8)
- the building would be too close to the front boundary (revised plans have set the building further back)
- north-facing flank windows should be obscure glazed to prevent overlooking of Broadheath Drive
- the tree screen along the northern boundary should be retained
- noise and disturbance during building works and from future occupiers.

Some residents also commented that a residential development would be an improvement on the current commercial use of the site.

Any further comments received in relation to the revised plans will be reported verbally at the meeting.

Comments from Consultees

The Council's Highway Engineer comments that 8 car parking spaces would be provided for the 8 flats which would comply with the Council's parking standards. The proposals now include a footway along Elmstead Lane which is considered acceptable subject to further details of the layout of the footway. Assuming that the applicant would wish to dedicate it as highway so that the Council would take over the maintenance, a section 106 agreement would be required.

No drainage objections are raised to the proposals in principle, and the scheme may be considered suitable for a SUDS scheme for the disposal of surface water. Furthermore, Thames Water raise no objections.

Environmental Health (Pollution) require the submission of a contaminated land assessment and associated remedial strategy in view of the current commercial use of the site, whilst Environmental Health (Housing) comment that it is undesirable for the living and kitchen areas of the flats to be combined.

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

Planning Considerations

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

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

Conclusions

The main issues in this case are the effect of the proposals on the character and appearance of the surrounding area, and on the amenities of occupants of nearby residential properties, the impact on important trees on the site, and the impact on parking and road safety issues.

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

The redevelopment of this site for a flatted development may be considered acceptable in principle, and the density of development at 210 hrha or 80 units per hectare would accord with Policy H7 which allows for a density of between 300-450 hrha and between 100-150 units per hectare.

Although the application is in outline form only, the illustrative plans show a two storey building with roof accommodation of approximately 10m in height which would extend across much of the width of the site, although it would provide a separation of at least 2m to the northern flank boundary with Broadheath Drive properties, and 5.7m to the southern flank boundary with Cow Lane. The cycle/bin store would project closer to this boundary, but would be single storey only, and would be set back from the main front elevation of the building.

The building would be set back from Elmstead Lane in line with the existing dwelling on the site, whilst the rear part of the building would be stepped back at least 5.7m from the northern flank boundary. The proposals are therefore considered to sit comfortably within the street scene, with adequate separations provided to the side boundaries, and the illustrative elevations show that the building would not appear overdominant within the street scene.

Sufficient parking and amenity space (both communal and private) would be provided to meet the needs of future occupiers, and the revised proposals are not, therefore, considered to result in an overdevelopment of the site. No protected trees would be lost as a result of the proposals.

With regard to the impact on residential amenity, the proposed building would be at least 21m away from Nos. 2 and 4 Fenton Close, and although there would be rear-facing bedroom, living room and kitchen windows, the rear balconies have been removed from the current proposals. There is some existing tree screening along the rear boundary which would help to mitigate the impact, and given the separation distances to Fenton Close properties, Members may consider that the amenities of those neighbouring properties would not be so unduly affected to warrant a refusal.

The Broadheath Drive properties to the north are set back approximately 19m from the shared boundary, and there is a high tree screen along this boundary which appears to be retained. These properties would mostly back onto the rear part of the building which is set further away from the boundary, and given the separation distances involved and the good level of tree screening, the proposals are not considered to unduly affect the amenities of residents in Broadheath Drive.

With regard to residents' concerns about the hazardous access, the Council's highway engineer has confirmed that the parking and access arrangements are acceptable, subject to safeguarding conditions.

In conclusion, the proposals are considered to result in an acceptable redevelopment of this site which would not adversely affect the amenities of neighbouring properties nor impact detrimentally on the character and appearance of the surrounding area, and would have the added benefit of removing the commercial uses from this site.

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 01.09.2014 11.09.2014

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT REGARDING THE FOOTWAY

and the following conditions:

- 1 ACA02 Details req. pursuant outline permission appearance,
landscaping and scale
ACA02R Reason A02
- 2 The landscaping details, which shall include the materials of paved areas and other hard surfaces, submitted in accordance with condition 1 and subsequently approved in writing by the Local Planning Authority shall be implemented in the first planting season following the occupation of the buildings or the substantial completion of the development whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.
ACA03R Reason A03
- 3 ACA07 Boundary enclosure - no detail submitted
ACA07R Reason A07
- 4 ACB01 Trees to be retained during building op.
ACB01R Reason B01
- 5 ACB02 Trees - protective fencing
ACB02R Reason B02
- 6 ACB03 Trees - no bonfires
ACB03R Reason B03
- 7 ACB04 Trees - no trenches, pipelines or drains
ACB04R Reason B04
- 8 ACC01 Satisfactory materials (ext'nl surfaces)
ACC01R Reason C01
- 9 ACD02 Surface water drainage - no det. submitt
AED02R Reason D02
- 10 ACD06 Sustainable drainage system (SuDS)
AED06R Reason D06
- 11 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 12 ACH04 Size of parking bays/garages
ACH04R Reason H04
- 13 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 14 ACH18 Refuse storage - no details submitted
ACH18R Reason H18
- 15 ACH22 Bicycle Parking
ACH22R Reason H22
- 16 ACH29 Construction Management Plan
ACH29R Reason H29
- 17 Before the development hereby permitted is first occupied, the proposed window(s) at first and second floor levels in the northern flank elevation of the building shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.
ACI12R I12 reason (1 insert) BE1
- 18 ACI21 Secured By Design
ACI21R I21 reason
- 19 ACK01 Compliance with submitted plan

- 20 ACK05R K05 reason
- ACK05 Slab levels - no details submitted
- ACK05R K05 reason
- 21 ACK09 Soil survey - contaminated land
- ACK09R K09 reason
- 22 The detailed design of the footway adjacent to Elmstead Lane shall be submitted to and agreed in writing by the Local Planning Authority before the development hereby permitted first commences, and shall be completed in accordance with the agreed layout before the development is first occupied.
- ACH15R Reason H15

INFORMATIVE(S)

- 1 You should contact extension 4621 (020 8313 4621 direct line) at the Environmental Services Department at the Civic Centre with regard to the laying out of the crossover(s) and/or reinstatement of the existing crossover(s) as footway. A fee is payable for the estimate for the work which is refundable when the crossover (or other work) is carried out. A form to apply for an estimate for the work can be obtained by telephoning the Highways Customer Services Desk on the above number.
- 2 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)).

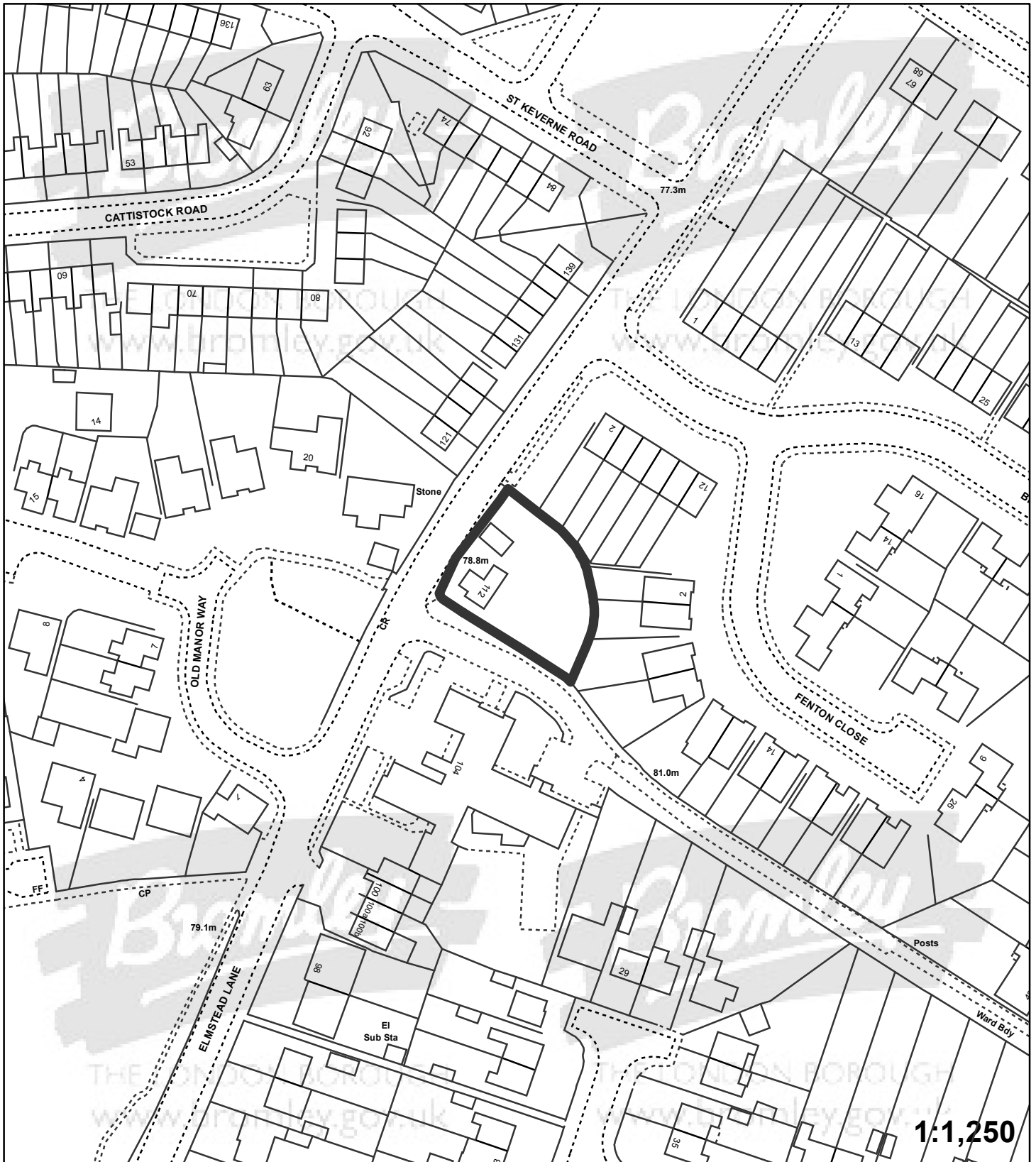
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:14/01262/OUT

Address: 112 Elmstead Lane Chislehurst BR7 5EL

Proposal: Demolition of existing dwelling and outbuildings and erection of detached two storey building with accommodation in roofspace comprising 5 two bedroom and 3 one bedroom flats, with 8 car parking spaces and vehicular access to side.



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

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

Application No : 14/02141/FULL1

Ward:
Kelsey And Eden Park

Address : Land Rear Of 107 To 111 Monks
Orchard Road Beckenham

OS Grid Ref: E: 537461 N: 166597

Applicant : Avakas Developments Ltd

Objections : YES

Description of Development:

Erection of 3 storey (third floor in roofspace) detached block comprising 7 x 2-bedroom flats and 1 x 3 bedroom flat; associated car parking, refuse store, bicycle store, landscaping and boundary enclosures.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
Flood Zone 2
London City Airport Safeguarding
Local Distributor Roads
Sites of Interest for Nat. Conservation

Urban Open Space

Proposal

This application proposes the erection of a three storey detached block comprising one x 3-bedroom flat and seven x 2 bedroom flats, with associated car parking, refuse store, bicycle store and boundary enclosures. Trees and landscaping are indicated to be subject to Local Authority in the event of a planning permission.

Location

The site is located to the east side of Monks Orchard Road and to the north of Eresby Drive. It is situated to the rear of Nos. 107-111 Monks Orchard Road with the site accessed between Nos. 107 and 109. Residential is located to the north, south and west of the site and to the east is High Broom Wood which is designated Urban Open Space and a Site of Interest for Nature Conservation. The site is within a Flood Zone 2.

Comments from Local Residents

Nearby neighbours were notified of the proposal and representations received can be summarised as follows:

- not against development but this application is overdevelopment
- noise and disturbance
- unauthorised felling of protected tree
- destruction of badgers sett
- land levels have been raised
- due to raising of levels the impact of the building will be greater
- drainage
- impact on lighting
- impact on privacy/overlooking
- impact on already busy road
- discrepancy between description and number of bedrooms to each flat

Comments from Consultees

With regard to the Environment Agency, the site lies partially within Flood Zone 2 (medium risk flood zone) and within 20 metres of the River Beck. The proposal is therefore considered to be low risk and the Council are referred to the Flood Risk Standing Advice.

On the basis of the information provided no objections are raised by Thames Water in respect of the sewerage infrastructure, surface water drainage or water infrastructure. Conditions and Informatives are suggested in the event of a planning permission.

Conditions in respect of drainage are suggested in the event of a planning permission.

Highways considerations note that the site is located in an area with a low PTAL rate of 2. It is noted that the car parking spaces are accessed from Monks Orchard Road via an existing vehicular crossover by the way of a service road 4.10m wide. This is considered to be satisfactory. The eight parking spaces provided to the rear are considered satisfactory. Nine cycle spaces are required. It is noted that the refuse store is set too far from the highway and refuse collection arrangements would need to be agreed with Street Services. Conditions are suggested in the event of a planning permission.

Planning Considerations

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

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and design

H9 Side Space
NE7 Development and Trees
T3 Parking
T7 Cyclists
T18 Road Safety

Supplementary Planning Guidance (SPG) 1 General Design Principles
Supplementary Planning Guidance (SPG) 2 Residential Design Guidance

Planning History

There is an extensive planning history relating to this site, summarised below:

Ref. 02/03675 - consent refused for two storey block and three storey block comprising 8 one bedroom, 6 two bedroom and 10 three bedroom self-contained and shared key worker flats, with 19 car parking spaces, cycle stores and refuse storage facilities, and including vehicular access from Eresby Drive (105, 107 and 109 Monks Orchard Road)

Ref. 03/01798 - permission refused 2 two storey blocks comprising 8 one bedroom, 8 three bedroom and 4 four bedroom self-contained and shared key worker flats with 19 car parking spaces, cycle stores and refuse storage facilities and formation of vehicular access from Eresby Drive (105, 107 and 109 Monks Orchard Road)

Ref. 05/02899 - permission was initially refused but later allowed on appeal for the demolition of Nos. 105, 107 and 109 Monks Orchard Road and the erection of 3 two storey blocks of self-contained and shared key worker accommodation with car parking, cycle and refuse storage. This comprehensive redevelopment scheme comprised 2 two storey blocks on the road frontage and 1 two storey block to the rear of the site adjacent to Eresby Drive.

Planning permission was granted under ref. 10/01926 to extend and sub-divide No.109 into two semi-detached houses. A subsequent permission was granted under ref. 10/03160 to sub-divide one of the semi-detached houses into two flats.

Ref. 10/02576 - permission was refused and subsequently dismissed on appeal for the construction of an additional block to the side of No.109 to provide 3 two bedroom self-contained flats, car parking, refuse store and cycle store.

Ref. 10/03160 - permission was granted for part one/two storey rear extensions with balconies, elevational alterations and conversion into 2 semi-detached houses with residential curtilage and associated parking (amendment to permitted scheme ref. 10/01926 to include increased depth of part one/two storey rear extension along northern flank increased balcony area and the conversion of one semi-detached unit into 2 two bedroom units).

Ref. 10/03175 - an application was refused and later allowed on appeal for a two storey side extension to No.109 Monks Orchard Road to form 1 three bedroom self-contained dwelling with associated parking at the rear and residential curtilage

which is currently being constructed at the site. Permission was subsequently allowed at appeal for use as 3 flats.

Ref. 11/00278 - planning permission was refused and dismissed on appeal for a three storey detached block comprising 4 two bedroom, 2 three bedroom flats with 8 car parking spaces and access road, (Land to the rear of 107 and 109 Monks Orchard Road). The Inspector considered in his conclusions that, given the planning history, the proposal would not have such an effect on the living conditions of neighbours as to cause real harm. However, he considered that the block 'would represent a singular incursion of larger scale built form, a failing not shared in the 'three block' scheme which would have been seen to be a complete, integrated, development rather than the piecemeal now proposed...'. He considered the scheme contrary to policy with regard to quality of housing development and its relationship to its surroundings.

Planning permission was granted in 2011, ref. 11/03450, for the erection of 3 two storey terraced houses (1 x four bedroom and 2 x three bedroom) with accommodation within roofspace with associated car parking and landscaping at land rear of 107 - 109 Monks Orchard Road.

Following this permission an application, ref. 12/03904, for the erection of a 3 storey detached block comprising 1 x 3 bedroom flat and 7 x 2 bedroom flats with associated works was refused:

'The proposed development by reason of its size, bulk, height, prominence and amount of site coverage by buildings and hard surfaces would result in a cramped overdevelopment of the site, out of character with the existing pattern of development thereby contrary to Policies H7 and BE1 of the Unitary Development Plan'.

as was a subsequent, similar application ref. 13/01448, for the following reasons:

The proposed development, by reason of the type and number of units proposed, would be out of character with the pattern of surrounding development, resulting in a cramped overdevelopment and overintensive use of the site and would therefore be contrary to Policy H7 and BE1 of the Unitary Development Plan.

The proposal would be detrimental to the amenities of nearby residential properties by reason of excessive noise, disturbance and car fumes created by the development and associated access road, contrary to Policies BE1 and H7 of the Unitary Development Plan.

The proposed development would provide an inadequate standard of accommodation for future occupants by reason of inadequate ventilation, light and outlook, contrary to Policies BE1 and H7 of the Unitary Development Plan.

Applications refs. 12/03904 and 13/01448 were both dismissed at appeal; reference to the appeal decisions is made below - 12/03094 is referenced Appeal A and 13/01448 is referenced Appeal B (as per the Planning Inspector's referral).

Conclusions

In the light of the appeal decision the main issues for consideration are the effect on the amenity of occupiers of neighbouring buildings and those of future occupants and whether this application has sufficiently addressed the previous grounds of refusal so as to merit a planning permission.

The most recent appeal decision in relation to application refs. 12/03904 and 13/01448 is relevant to the consideration of the current scheme. The Inspector noted that the proposed schemes would be consistent with the density requirements set out in the London Plan 2011 and that the proposed block of flats in Appeal B (planning ref. 13/01448) would be very similar in scale and mass to the approved scheme for the three houses and would not cause harm to the character and appearance of the area. In respect of the current application it is noted the proposal is marginally larger with the overall height at 9.10m as opposed to 8.8m for that submitted under ref. 13/01448 (Appeal B).

Although the Inspector found that the proposal would not cause harm to the character and appearance of the area they did find that the proposed scheme would cause harm to the living conditions of the occupiers of No. 105 which was sufficient to dismiss the appeal. The Inspector opined that the particular layout in that scheme, '... the combination of additional parking and manoeuvring close to the boundary with No. 105, with the expected level of use of the communal garden area in the north part of the site, would result in an increased amount of activity here, above that generated by the scheme for three houses. This in turn would lead to an unacceptable increase in noise and disturbance that would result in a material reduction in the ability of the occupiers of No. 105 to enjoy the use of their garden in a way that would be reasonably expected...'.

Within the current scheme four parking spaces and refuse store are proposed to the northern boundary, with No.105, with the garden area to the east of the parking allocation now allocated as a private garden area to Unit 1. Units 1, 2 and 3 each have allocated private garden areas and units 4, 5, 6, 7, and 8 have balcony areas. Compared to the previous proposal this scheme now offers a reduced shared amenity area located away from No105 and adjacent to the south west corner of the site. The shared area will be adjacent to the proposed parking and turning areas of the development and to the rear of gardens 107a,109 and 111 Monks Orchard Road, a corner of the rear garden of 113 Monks Orchard Road and to the front garden of 88 Eresby Drive and along the turning area for the end of the cul-de-sac.

It is for careful consideration as to whether the amendments have sufficiently addressed the Inspectors concerns in respect of the harm caused by the proposal to the living conditions of adjacent occupiers at No. 105. Four parking spaces remain to the north boundary along with the proposed refuse area. A very narrow buffer zone is indicated to the parking /refuse area. Bearing in mind the layout

approved under planning permission ref. 11/03450 (for the three houses) and given that private garden area is now proposed to Unit 1 along the remainder of this boundary, the revisions to the layout may be considered to address the concerns in respect of the combined additional parking and manoeuvring and expected level of use of the communal area and impact on neighbouring amenity at No. 105.

The impact of the re-siting of the shared amenity space is also for careful consideration. Under the previous scheme units 1, 4, and 6 had no private amenity space and unit 5 had a small balcony area. This scheme proposes private garden space to units 1, 2 and 3 and the internal layout of the proposed units has been amended to include balconies allowing access to private amenity space for proposed units 4, 5, 6, 7 and 8. The units will also have access to the proposed shared amenity space.

It is for Members to consider if the move of concentration of activity to the south west area of the site and the reduced shared amenity area will result in a satisfactory living environment for current and future occupiers.

Given the proposed private amenity areas to each unit and that the shared amenity space will abut mostly the rear boundaries (rather than side boundaries) of gardens facing onto Monks Orchard Road Members may consider, on balance, that the scheme now proposed is acceptable.

In the event of a planning permission it should be noted that the development will be CIL (Community Infrastructure Levy) liable.

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 Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. No loose materials shall be used for surfacing of the parking and turning area hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.
ACA04R Reason A04
- 3 ACC01 Satisfactory materials (ext'nl surfaces)

	ACC01R	Reason C01
4	ACB10	Trees - details of protective fencing
	ACB10R	Reason B10
5	ACB11	Trees - Details of trenches etc.
	ACB11R	Reason B11
6	ACB19	Trees - App'ment of Arboricultural Super
	ACB19R	Reason B19
7	ACH03	Satisfactory parking - full application
	ACH03R	Reason H03
8	ACH04	Size of parking bays/garages
	ACH04R	Reason H04
9	ACH16	Hardstanding for wash-down facilities
	ACH16R	Reason H16
10	ACH18	Refuse storage - no details submitted
	ACH18R	Reason H18
11	ACH22	Bicycle Parking
	ACH22R	Reason H22
12	ACH29	Construction Management Plan
	ACH29R	Reason H29
13	ACH32	Highway Drainage
	ADH32R	Reason H32
14	ACK01	Compliance with submitted plan
	ACK05R	K05 reason
15	ACK05	Slab levels - no details submitted
	ACK05R	K05 reason
16	Before any part of the development hereby permitted is first occupied certification must be provided to the Council in writing that lighting of the access/car parking is in accordance with BS 5489-1:2003 and that such lighting will be maintained permanently thereafter.	
	ACH23R	Reason H23

INFORMATIVE(S)

- 1 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the forming of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant."
- 2 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

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

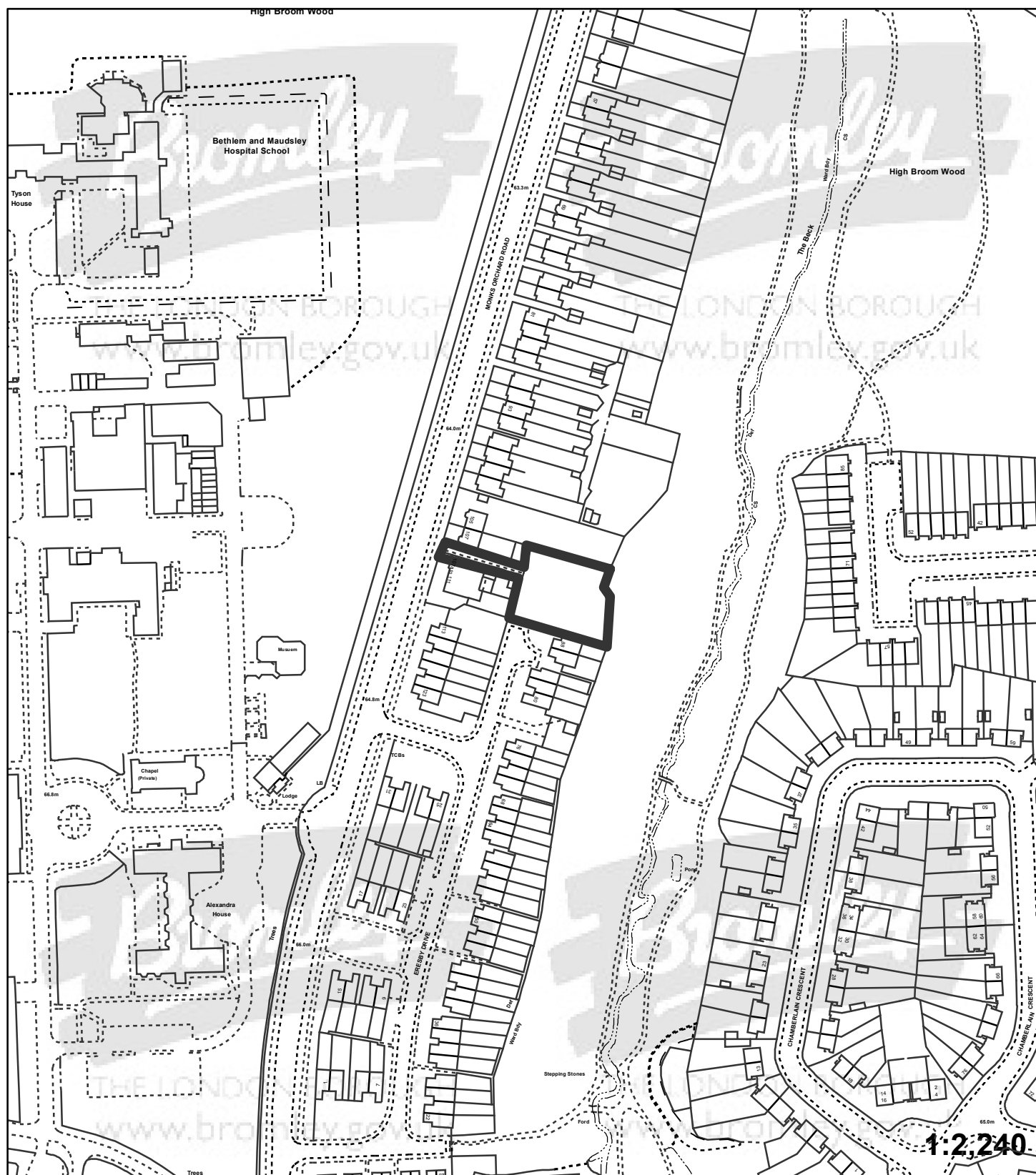
notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:14/02141/FULL1

Address: Land Rear Of 107 To 111 Monks Orchard Road Beckenham

Proposal: Erection of 3 storey (third floor in roofspace) detached block comprising 7 x 2-bedroom flats and 1 x 3 bedroom flat; associated car parking, refuse store, bicycle store, landscaping and boundary enclosures.



"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

Update

This application was reported to Plans Sub Committee No. 2 on 14th August 2014. It was deferred to seek an amended design that sets the extension back from the front building line so that it is symmetrical with the neighbouring extension at No. 211. The applicant has considered this, but wishes for the proposal to be considered as originally submitted. A letter outlining the reasons for this has been submitted in support of the application which can be summarised as follows:

- Setting the extension as far back as the extension at No. 211 does not work. It would remove the ground floor toilet area and entrance lobby and first floor bathroom, also the stairs would have to be moved.
- The distance/gap between No. 211 and No. 213 is 4m.
- The adjoining neighbour at No. 215 has a two storey extension flush with the front of the house with the ground floor element projecting in front of the building

The original report is repeated below:

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

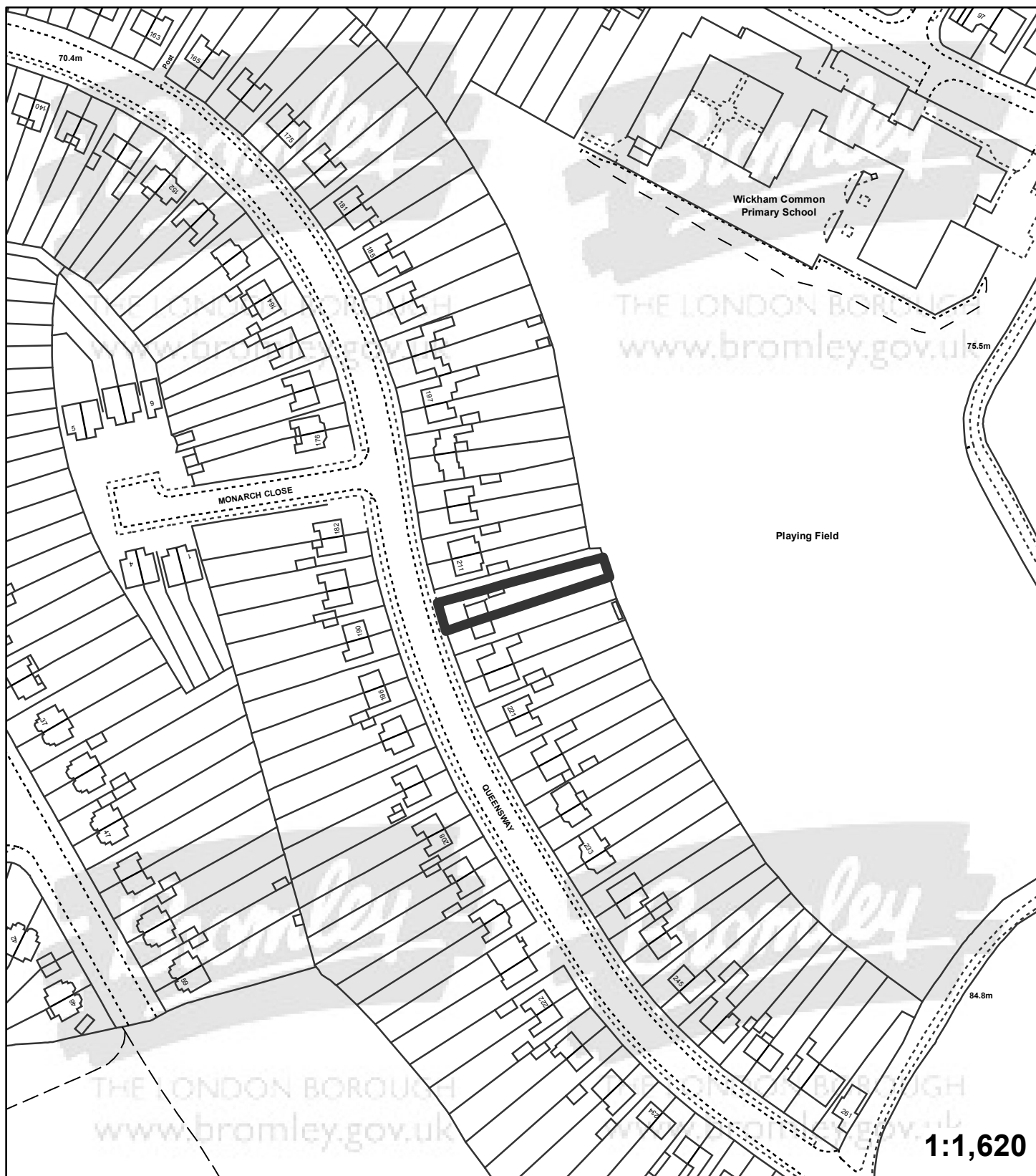
Subject to the following conditions:

- 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"

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

Application No : 14/03236/RESPA

Ward:
Farnborough And Crofton

Address : Bassetts House Broadwater Gardens
Orpington BR6 7UA

OS Grid Ref: E: 543805 N: 164783

Applicant : NHS Property Services

Objections : NO

Description of Development:

Change of use of ground, first and second floors of Bassetts House from Class B1(a) office to Class C3 dwellinghouses to form 3 studio/one bedroom, 8 two bedroom and 1 four 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 seeks a change of use of ground, first and second floors of Bassetts House from Class B1(a) office to Class C3 dwellinghouse to provide 3 studio/one bedroom, 8 two bedroom and 1 four bedroom 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 make no changes to the current vehicular access arrangement, and 18 car parking spaces and 24 cycle parking spaces will be provided.

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 site is located on the corner of Starts Hill Road and Broadwater Gardens. The site comprises a large detached commercial building, it is locally listed and is bound by residential properties to the north, west and east.

Comments from Local Residents

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

- Will the new properties be private or housing association, or still belong to the NHS?
- What will happen to the rest of the site?

Comments from Consultees

Environmental Health - no objection is raised.

Highways Engineer - No objection is raised. The site is within a low (1b) PTAL area and the proposal for a total of 12 flats with 18 parking spaces is more than adequate.

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 that the Council is limited to assessing the application against the three criteria set out 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 24th October 2014.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/03236 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: GRANT PRIOR APPROVAL

Subject to the following conditions:

- | | | |
|---|--------|---|
| 1 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 2 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |
| 3 | ACH23 | Lighting scheme for access/parking |
| | ACH23R | Reason H23 |
| 4 | ACH27 | Arrangements for construction period |
| | ACH27R | Reason H27 |

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.

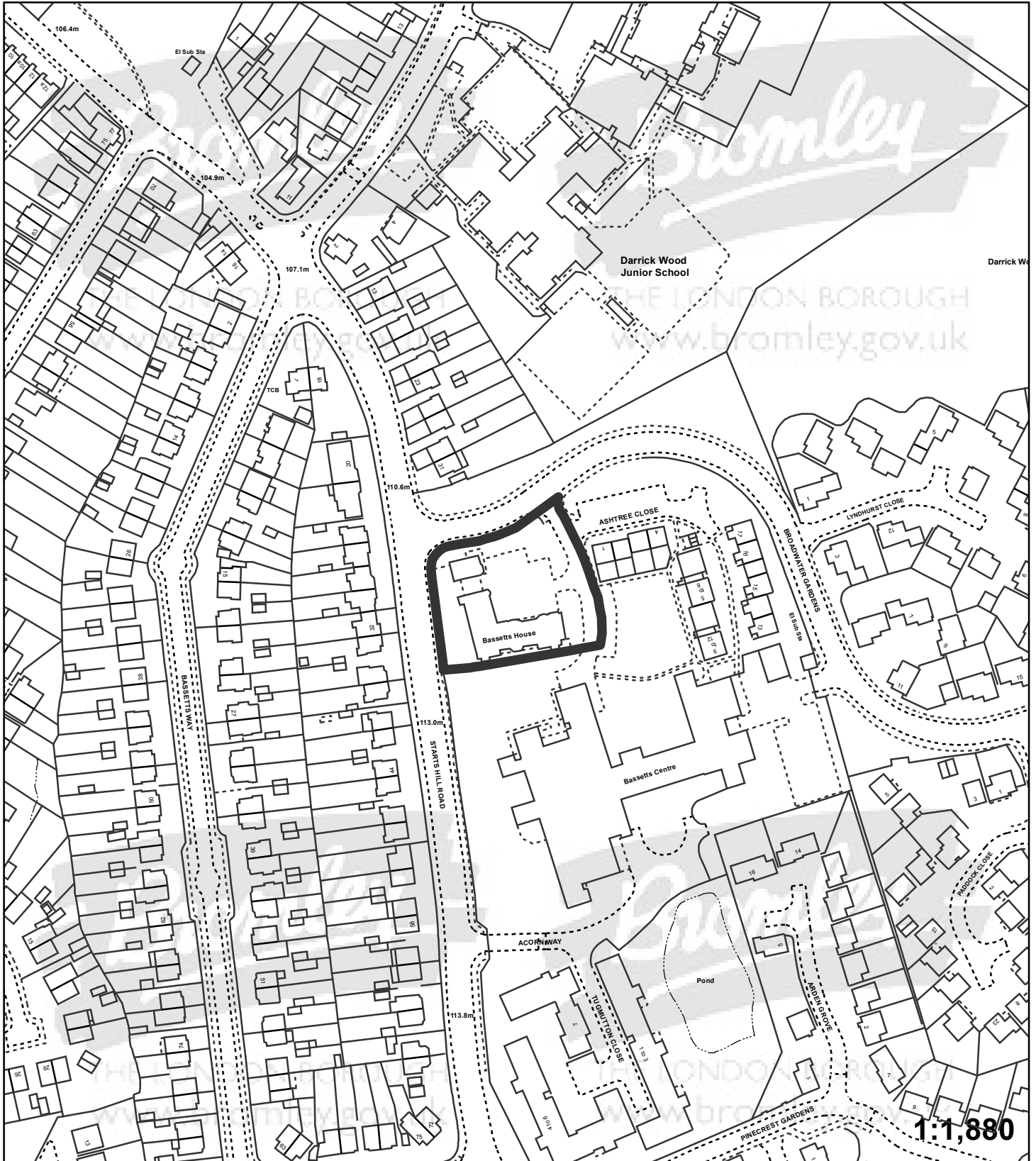
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 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: 14/03236/RESPA

Address: Bassetts House Broadwater Gardens Orpington BR6 7UA

Proposal: Change of use of ground, first and second floors of Bassetts House from Class B1(a) office to Class C3 dwellinghouses to form 3 studio/one bedroom, 8 two bedroom and 1 four bedroom flats (56 day application for prior approval in respect of transport and highways,



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

Application No : 14/02039/FULL2

Ward:
Cray Valley East

Address : 9A Perry Hall Road Orpington

OS Grid Ref: E: 546607 N: 166884

Applicant : Mr J Danmole

Objections : YES

Description of Development:

Continuation of use as hand car wash (Sui Generis) and erection of part 2.5m and part 1m high acoustic fencing.
RETROSPECTIVE APPLICATION

Key designations:

Areas of Archaeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
London Distributor Roads

Proposal

The retrospective application seeks permission for the continuation of use of the site as hand car wash (Sui Generis use) and erection of part 2.5 metres and part 1 metre high acoustic fencing.

Location

The application site is located on the south-western side of Perry Hall Road, which is a busy one-way street, predominantly residential but still with some commercial premises.

Comments from Local Residents

Nearby residents were notified of the application, and their comments can be summarised as follows:

- business has been trading illegally since the beginning;

- despite permission being refused, they continue to trade 11 or 12 hours a day, seven days a week, inflicting nuisances in terms of noise, traffic and other problems on the neighbouring properties;
- use of the site for hand car wash results in an intensification of use, additional traffic operation, commercial activity and general disturbance;
- there is no history of car valeting on site. The site was regenerated from an overgrown builder's yard into a car sales forecourt with small office to rear;
- at no point has car valeting been carried out, due to lack of space;
- vehicles were cleaned for customers after purchase, but at the rear in Watsons Yard;
- a bucket of water, a sponge and a shammy aren't quite the same as the mechanical equipment in use at the existing "hand" car wash;
- Google maps photo shows 10 cars for sale with room to walk sideways between them on the car forecourt;
- the instructed engineer's report confirmed that the noise levels are a nuisance;
- several suggestions are provided, none being acted upon;
- proposed customer waiting area is not a solution in practice - will obstruct other users, and parking bays appear to be across the doorway to the tyres4u fitting area and would also block access to the lock-up garages opposite;
- only 14 cars valeted on a daily basis - hardly a viable business requiring multiple planning applications;
- no employees listed as working? There are at least 6 employees on a daily basis, apparently changed regularly, but on a rotation system as they reappear after a while;
- the opening hours provided are not adhered to, regularly seen working until 7.45pm, photographs previously provided;
- they appear to operate as and when suits them;
- if permission is granted, who would regulate them?
- loud music played on site, and also from customers radios, in competition from music at KwikFit;
- acoustic fence might help somewhat for adjoining property, but the noise extends on all sides and creates disturbance to all residents as vehicles move past the site;
- spray from jet washers means you get wet walking past;
- lack of visibility when exiting the car wash;
- despite the fence being lowered to 1 metre, the car wash is on a slight bend and visibility is reduced by the style of fence;
- potential for accident is still high;
- the information provided by a previous owner is false - cars were washed by hand, and a maximum of 7 cars could be house on the sales forecourt. In addition, the opening hours of the showroom were significantly shorter;
- the agent mentions that the area is blighted by empty shops and offices, but several empty offices have been converted to residential, as such this area is now more residential than industrial;
- the car wash is badly maintained and becoming an eyesore;
- there are perfectly adequate car wash businesses in the area that are well-run;

- frequently a sign on the pavement blocking pedestrian thoroughfare and creating a hazard;
- do not believe the car wash have provided enough reasons for permission to be granted;
- the area is not 'semi-industrial', it is residential with the exception of KwikFit and Watsons Yard;

Comments from Consultees

Environmental Health recommend that the application is refused.

The Acoustic Report submitted with the application recommends a barrier of some 4.5 metres in height, and therefore it is considered by the Council's Environmental Health Officer that the proposal for part 2.5 metres and part 1.0 metre would be ineffective. As such, the proposal would give rise to loss of amenity due to noise from the car wash and vacuum cleaning equipment.

Highways - concerns relating to the number of vehicles using the site, and whether the number of vehicle movements will be more or less than previous. The visibility is at present considered acceptable on the basis of the number of vehicles proposed to use it on a daily basis (an average of 14 cars daily, found during a survey undertaken over the period of a month, as submitted in the Planning Statement). However, the highways Engineer has advised that should the height of the fence be increased in order to achieve the noise mitigation required by Environmental Health, this would compromise visibility, and a perspex screen would not be acceptable. In addition if the number of vehicles utilising the site increases above this number, the visibility will not be acceptable.

Planning Considerations

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

BE1 Design of New Development
 EMP5 Development Outside Businesses Areas
 EMP6
 T3 Parking
 T18 Road Safety

London Plan Policy 5.13
 London Plan Policy 7.15

Mayors Ambient Noise Strategy

National Planning Policy Framework

Planning History

In terms of history at the site, an unauthorised change of use was implemented from car sales to car wash. An enforcement notice was served for the cessation of

this use, an Appeal was lodged against the enforcement notice, and the appeal was dismissed by the Inspector.

The Inspector determined that the main issue would be the impact of the use on the character and appearance of the locality. During the Enforcement appeal, a large advertising board was erected along the front boundary with the adjacent residential property, which was visible from the west. There was also advertising on the pavement and a yellow canopy. The advertising was considered to stand out against the low front boundary treatments of the residential properties, and resulted in an incongruous addition that has resulted in harm to the streetscene. It was considered inevitable that the use would have an impact upon the living conditions of those living nearby.

The Inspector stated that whilst the appellant believed there to be sufficient space on the forecourt to process three cars, there was no evidence to corroborate that the size of the site is sufficient. Whilst queues for hand car washes are not unusual, the Inspector felt that the current space would be insufficient to meet a surge in customers and queues would inevitably form down the road and outside the residential properties. Based on a description by the appellant that the business is a 'successful and viable' business, the Inspector found it reasonable to assume that the level of current use is above and beyond what was previously experienced by way of noise and disturbance and would have changed the character of the area. This was considered to have an unacceptable impact upon the living conditions of those living nearby.

As a result, the Inspector concluded that the development had led to harm to the character and appearance of the area and subsequently harm to the living conditions of those living nearby, contrary to relevant planning policy, and the enforcement notice was upheld.

A compliance period of 1 month was provided from the date of the decision, notably 29th October 2013.

Most recently, planning permission was refused for a retrospective planning application relating to the continuation of use as had car wash (Sui Generis) and 2.5m high acoustic fencing, ref. 14/00174, for the following reasons:

1. The use of the site for a hand car wash is considered to result in an intensification of use, additional traffic operation, commercial activity and general disturbance, which by reason of increased levels of noise and disturbance, has an unacceptable impact upon the living conditions of those living nearby, contrary to Policies BE1 and T18 of the Unitary Development plan, London Plan Policy 5.3 and London Plan Policy 7.15.
2. The proposal does not have adequate visibility and if permitted, would be injurious to conditions of road safety on Perry Hall Road, contrary to Policy T18 of the Unitary Development Plan.
3. In the absence of sufficient information to demonstrate the maximum potential of the operation and the impact on parking in the locality, the

proposal would be likely to result in an increase in demand for on-street parking and traffic queues in the road alongside the site, detrimental to residential amenities and prejudicial to the safety and free flow of traffic, contrary to Policies BE1 and T18 of the Unitary Development Plan; and

4. In the absence of technical data relating to the proposed acoustic fencing and a predicted acoustic benefit which can be backed up by measured data, the use will have a detrimental impact upon the living conditions of those living nearby, contrary to Policies BE1, London Plan Policy 5.3, London Plan Policy 7.15 and the Mayors Ambient Noise Strategy.

Conclusions

Initially, an enforcement notice was served on 3rd July 2013, with the Notice effective on 28th August 2013, and compliance period being 1 month after the notice becomes effective.

The Enforcement Notice specified the following requirements:

- a) Cease the Use of the Land for all purposes connected with the use as a car wash and;
- b) Remove from the Land all equipment, machinery, materials and signage relating to the car wash and;
- c) Remove from the Land any resulting debris.

The Council's Policies noted in the enforcement notice are: BE1 and EMP6 of the Council's Unitary Development Plan. These policies refer to the need for high standards of design and to respect the street scene. The uses should not have a significant adverse impact on the amenity of the surrounding area.

Whilst there is a valid enforcement notice at the above site, the applicant is not precluded from submitting a revised planning application, however it should be noted that the Council would have to take the view whether or not it should determine the revised application, depending on the nature of the revised application.

The appeal was a ground A appeal "That Planning Permission should be granted for what is alleged in the enforcement Notice, or that the condition that is alleged not to have been complied with should be discharged".

That the owner appealed the enforcement notice and the Appeal Decision is dated 9th December 2013. The appeal was dismissed and the Inspector upheld the enforcement notice. The Inspector mentioned that the main issue of the above matter is that of the impact of the use on the character and appearance of the locality.

As discussed during the 'history' section of this report, The Inspector mentioned, amongst other issues, the following in his reasons:

- a) That the site is in a busy one-way road with a mixed use of residential and commercial premises;
- b) Paragraph 7 Line 11 and 12 of the Inspector's decision mentions "it is inevitable that the use will have an impact upon the living conditions of those living nearby".

Paragraph 8 the Inspector recognises "the inclusion of Policy EMP6 in the notice points to an impact on amenity...." the Inspector also mentioned that there is no evidence to corroborate the view that the size of the site is sufficient. The Council's assertion that during busy times the use would lead to a queue of cars awaiting valets to be carried out was also considered to be unqualified by the Inspector, however the Inspector did consider that the size of the current site would be insufficient to meet a surge in customers and queues would inevitably form down the road and outside the residential properties.

- c) Paragraph 9 of the Inspector's decision mentions the current use of the above site as described by the applicant as a 'successful and viable' business , as such it would be reasonable to assume that the level of current use is above and beyond what was previously experienced (regardless of the other existing uses) by way of noise and disturbance, changing the character of the area and causing an unacceptable impact upon the living conditions of those living nearby.

Whilst the advertisements are ancillary to the use of the above site, issues regarding advertisements are dealt with separate to the above matter.

Following the enforcement notice, an application was submitted (and Planning, Design and Access Statement) through agents Robinson Escott Planning LLP under ref. 14/00174 which was refused for the reasons set out above in the history section.

The Council may determine an application or indeed a revised application where it is substantially different to the original (i.e. the first) application. A substantially different application would therefore be regarded as a 'new' application, and be treated as such.

Each application therefore needs to be dealt with according to its merits.

Paragraph 1 of the Planning Design and Access Statement submitted in support of the current application states that additional documentation and a revised drawing have been prepared in order to overcome the previous refusal grounds. A Noise Impact Assessment prepared by Dynamic Response to assess the impact of the use, and a revised drawing has been prepared which shows alterations to the proposed acoustic fence along the common boundary with No.9 Perry Hall Road.

Concerns were previously raised by Environmental Health due to the impact of the use of the site in relation to noise and disturbance caused to neighbouring residents. These concerns remain.

It is suggested that the Acoustic Report instructed by the applicant/agent and submitted in support of the application recommends a barrier of some 4.5 metres in height, which is not being provided. It is therefore considered by the Council's Environmental Health Officer that the proposal for acoustic fencing that is part 2.5 metres and part 1.0 metre in height would be ineffective and as such, the proposal would give rise to loss of amenity due to noise from the car wash and vacuum cleaning equipment.

The agent has suggested increasing the height of the acoustic fencing in order to overcome the concerns raised by Environmental Health, and that the upper element of the fence could be transparent Perspex. The Council's Highways Officer does not consider that this is acceptable and advised that it will still compromise Highways safety.

The Council Highways Engineer has also raised concern with regard to the proposed use of an existing crossover for exit from the site. The acoustic fence has been reduced to 1 metre in height forward of the front elevation of the neighbouring property, which has been done in order to provide adequate visibility for vehicles exiting the site. It is noted, however, that this compromises the ability of the fence to achieve the required noise mitigation. The supporting statement refers to an average of 14 cars using the car wash business on the site on a daily basis over a one month period, which the Highways Engineer confirmed is acceptable from a visibility point of view. However, the Highways Engineer states that if this number were to increase then it is likely to have a detrimental impact upon visibility. The sightline however remains constrained by the adjacent property, and due to the bend in the road the sightline appears to be less than 15 metres which is unacceptable; therefore, any intensification of use of the access would raise further concerns.

The current application appears to have looked at the Inspectors' concerns previously raised, along with the refusal grounds associated with ref. 14/00174, and has attempted to address some of those concerns. However it is determined that the current application has still not sufficiently addressed the issues/concerns raised by the Inspector in his appeal decision or in the previous refusal grounds.

As such, it is considered that the continued use of the site for a hand car wash is not acceptable in that it would result in a significant loss of amenity to local residents by reason of noise and disturbance, will impact detrimentally on the character of the area and is likely to result in an intensification of use of the site and existing crossover which will have a prejudicial impact upon the visibility from the site and consequently road safety in the area.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/00174 and 14/02039, set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

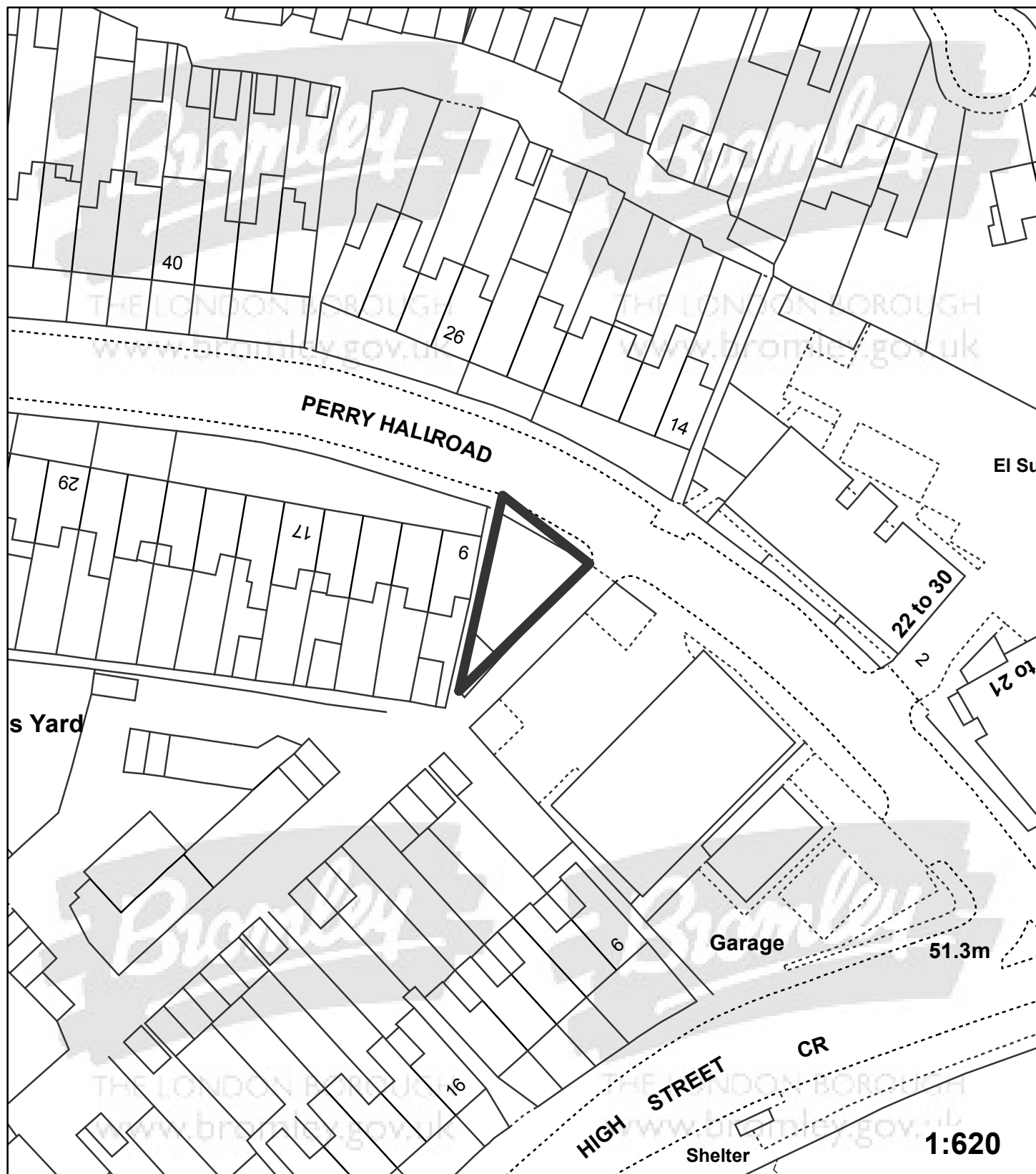
The reasons for refusal are:

- 1 The application fails to comply with the recommendations within the Acoustic Report with regard to the height of the acoustic fencing, and as such the use will have a detrimental impact upon the living conditions of those living nearby, contrary to Policy BE1, London Plan Policy 5.3, London Plan Policy 7.15 and the Mayor's Ambient Noise Strategy.
- 2 The use of the site for a hand car wash is considered to result in an intensification of use, additional traffic operation, commercial activity and general disturbance, which by reason of increased levels of noise and disturbance, has an unacceptable impact upon the living conditions of those living nearby, contrary to Policies BE1 and T18 of the Unitary Development Plan, London Plan Policy 5.3 and London Plan Policy 7.15.
- 3 The proposal does not have adequate visibility and if permitted, would be injurious to conditions of road safety on Perry Hall Road, contrary to Policy T18 of the Unitary Development Plan.
- 4 In the absence of sufficient information to demonstrate the maximum potential of the operation and the impact on parking in the locality, the proposal would be likely to result in an increase in demand for on-street parking and traffic queues in the road alongside the site, as well as a detrimental impact upon the visibility for vehicles exiting the site onto Perry Hall Road, detrimental to residential amenities and prejudicial to the safety and free flow of traffic, contrary to Policies BE1 and T18 of the Unitary Development Plan.

Application:14/02039/FULL2

Address: 9A Perry Hall Road Orpington

Proposal: Continuation of use as hand car wash (Sui Generis) and erection of part 2.5m and part 1m high acoustic fencing.
RETROSPECTIVE APPLICATION



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

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