



THE LONDON BOROUGH
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DATE: 27 January 2015

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 5 FEBRUARY 2015 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

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

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

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

*Copies of the documents referred to below can be obtained from
<http://cds.bromley.gov.uk/>*

A G E N D A

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

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

Report No.	Ward	Page No.	Application Number and Address
4.1	Bromley Town	9 - 12	(14/04917/ADV) - 2 High Street, Bromley

SECTION 2 (Applications meriting special consideration)

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4.2	Bromley Common and Keston	13 - 16	(12/03874/FULL6) - Barn Farm, 56 Hastings Road, Bromley
4.3	Cray Valley East	17 - 22	(14/03295/FULL1) - Parker House, 27 Elmcroft Road, Orpington
4.4	Copers Cope	23 - 28	(14/03685/ELUD) - Flat 5 The Old House, 36 Southend Road, Beckenham
4.5	Copers Cope	29 - 34	(14/03686/FULL1) - Flat 5 The Old House, 36 Southend Road, Beckenham
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SECTION 3 (Applications recommended for permission, approval or consent)

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4.13	Chelsfield and Pratts Bottom	95 - 100	(14/03757/FULL1) - 10 Porthallow Close, Orpington
4.14	West Wickham	101 - 106	(14/03898/FULL1) - 128 Barnfield Wood Road, Beckenham
4.15	Penge and Cator	107 - 118	(14/04287/FULL1) - Buildings Adjacent to 1-1A Kingswood Road, Penge
4.16	Bickley	119 - 124	(14/04292/FULL6) - Greenwood, Bickley Park Road, Bickley
4.17	Petts Wood and Knoll	125 - 128	(14/04311/FULL1) - Mega House, Crest View Drive, Petts Wood
4.18	Penge and Cator	129 - 132	(14/04536/FULL1) - 181 Kent House Road, Beckenham

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

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4.19	Plaistow and Sundridge	133 - 138	(14/04721/VAR) - Treesway, Lodge Road, Bromley

5 CONTRAVENTIONS AND OTHER ISSUES

Report No.	Ward	Page No.	Application Number and Address
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6 TREE PRESERVATION ORDERS

Report No.	Ward	Page No.	Application Number and Address
6.1	Copers Cope	139 - 144	Tree Works Application 14/00578/TPO: Consent to Remove 1 London Plane Tree on Land Adjacent to The Avenue, Beckenham, BR3 5ES
6.2	Bickley	145 - 152	Tree Works Application 14/02640/TPO: Consent to Remove 1 Cedar Tree Located in the Rear Garden of 6 Laurel Gardens, Bromley, BR1 2US

PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 4 December 2014

Present:

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

14 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Kate Lymer and Councillor Colin Smith attended as her substitute.

15 DECLARATIONS OF INTEREST

Councillor Simon Fawthrop declared a Personal Interest in agenda Item 4.2 and minuted as 17.2.

16 CONFIRMATION OF MINUTES OF MEETING HELD ON 9 OCTOBER 2014

RESOLVED that the Minutes of the meeting held on 9 October 2014 be confirmed.

17 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

17.1 WEST WICKHAM

(14/03325/FULL1) - Glebe School, Hawes Lane, West Wickham.

Description of application – New part three/ two storey classroom block (on site of the existing art and design technology building).

Oral representations in support of the application were received at the meeting. It was reported that a letter of support had been received from the Director of Education.

Members were concerned there were only ten parking spaces on the site and they felt that fifteen would be

more suitable and hoped that The Glebe School would give consideration to provide additional spaces that could be accommodated within the constraints of the site. Members appreciated that the pupils used various forms of transport and the variation of transport fluctuated annually according to their needs. 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.

SECTION 2

(Applications meriting special consideration)

17.2 CRAY VALLEY WEST

(14/03417/FULL2) - Enso House, 3 New Mill Road, Orpington.

Description of application – Change of use of ground floor from offices (Class B1) to health diagnostic centre (Class D1) and new entrance to building.

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 conditions set out in the report of the Chief Planner.

17.3 PENGE AND CATOR CONSERVATION AREA

(14/03459/FULL1) - Harris Academy Bromley, Lennard Road, Beckenham.

Description of application – Six temporary classrooms and toilet block.

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

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

17.4 PENGE AND CATOR CONSERVATION AREA

(14/03636/FULL1) - Harris Academy Bromley, Lennard Road, Beckenham.

Description of application - Part refurbishment/ part demolition of existing buildings and erection of part two/ part three storey building comprising sports hall, main hall, sixth form centre and teaching accommodation with single storey kitchen extension to western elevation and ancillary development.

Oral representations in support of the application were

received at the meeting.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with amendments to conditions 6 and 10 to read as follows:-

6. Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. The windows shall be installed in accordance with the approved details.

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

10. The development hereby permitted shall incorporate measures to minimise the risk of crime. Details of such measures, according to the principles and physical security requirements of Secured by Design, have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of above ground works. The approved measures shall be implemented before the development is occupied and thereafter retained.

REASON: In the interest of security and crime prevention and to accord with Policies H7 and BE1 of the Unitary Development Plan.”

**17.5
PETTS WOOD AND KNOLL**

(14/03673/FULL1) - 9 Irene Road, Orpington.

Description of application – Demolition of existing dwelling and erection 1 five bedroom and 1 four bedroom dwellings.

Oral representations in support of the application were received at the meeting. It was noted that on page 42 of the Chief Planner’s report the tenth bullet point should be amended to read, ‘will not complement the street scene’.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration to seek an additional separation of a further 0.75metres to the boundary to the first

floor rear extension and, if appropriate, to be considered under Chief Planner's delegated authority.

**17.6
SHORTLANDS
CONSERVATION AREA**

(14/03712/FULL6) - 65 Wickham Way, Beckenham.

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

Oral representations in support of the application were received at the meeting. It was reported that a late representation from the Agent had been received and circulated to Members and that objections to the application had been received from the Advisory Panel for Conservation Areas.

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.

SECTION 3

(Applications recommended for permission, approval or consent)

**17.7
BICKLEY**

(14/01570/PLUD) - 11 Mavelstone Close, Bromley.

Description of application - Single storey rear extension and detached single storey building containing hydrotherapy pool, therapy and treatment rooms for use in connection with the main dwelling house (CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE/DEVELOPMENT).

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**17.8
CHELSFIELD AND PRATTS
BOTTOM**

(14/02890/FULL1) - Orpington Hospital, Sevenoaks Road, Orpington.

Description of application – Single storey rear extension to Canada Wing for medical records store and associated facilities and alterations to car parking and servicing area.

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

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

17.9
BROMLEY TOWN

(14/03070/FULL6) - 9 Marina Close, Bromley.

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

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.

17.10
SHORTLANDS

(14/03232/FULL6) - 17 Kingswood Road, Shortlands.

Description of application – Single storey side extension, detached garage to side and front porch.

Oral representations in support of the application were received at the meeting. It was reported that the application had been amended by documents received on 26 November 2014.

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

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

REASON: In order to comply with Policy BE1 of the Unitary Development Plan, to prevent overdevelopment of the site and in the interest of the amenities of the adjacent properties

7. No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the rear elevation of the garage 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 interest of the amenities of the adjacent properties.”

**17.11
DARWIN**

(14/03322/FULL6) - 2 West Hill, Downe.

Description of application – Single storey rear extension incorporating link extension/alterations to existing outbuilding.

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

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

**17.12
PETTS WOOD AND KNOLL**

(14/03519/FULL6) - 46 Crest View Drive, Petts Wood.

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

It was reported that further representations had been received from the Applicant and had been circulated to Members.

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

1. The proposal constitutes a cramped overdevelopment of the site, resulting in a retrograde lowering of the spatial standards of the area, contrary to Policies H9 and BE1 of the Unitary Development Plan.

**17.13
WEST WICKHAM**

(14/03590/FULL6) - 74 Woodland Way, West Wickham.

Description of application – Single storey rear and first floor side extensions.

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

1. The proposal does not comply with the Council's requirement for a minimum 1 metre side space to be maintained to the flank boundary in respect of two storey development in the absence of which the extension would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policy H9 of the Unitary Development Plan.

**17.14
WEST WICKHAM**

(14/03598/FULL6) - 32 Hawkhurst Way, West Wickham.

Description of application – Two storey side extension.

Members having considered the report, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration to seek a 1 metre side space between the flank wall of the extension and the side boundary and, if appropriate, to be considered under the Chief Planner's delegated authority.

**17.15
PENGE AND CATOR**

(14/03647/FULL1) - 111 Maple Road, Penge.

Description of application – Change of use of ground floor to residential (studio apartment) and continued use of upper floors as 3 self-contained studio flats, retention of three storey rear extension and elevational alterations.

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 with a further condition to read:-

“5. 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.”

**17.16
BROMLEY COMMON AND
KESTON**

(14/03670/FULL6) - 10 Croydon Road, Keston.

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

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

SECTION 4

(Applications recommended for refusal or disapproval of details)

**17.17
PENGE AND CATOR**

(14/03823/ADV) - 14-16 High Street, Penge.

Description of application – Continued display of eight, non-illuminated PETG panel signs.

Members having considered the report, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reason set out in the report of the Chief Planner. **IT WAS FURTHER RESOLVED THAT ENFORCEMENT ACTION BE AUTHORISED FOR THE REMOVAL OF THE BOARDS AND REINSTATEMENT OF GLAZING TO THE SHOP WINDOWS.**

The Meeting ended at 8.02 pm

Chairman

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

Application No : 14/04917/ADV

Ward:
Bromley Town

Address : 2 High Street Bromley BR1 1EA

OS Grid Ref: E: 540386 N: 168681

Applicant : The London Borough Of Bromley

Objections : NO

Description of Development:

Illuminated lettering spelling 'BROMLEY SOUTH' above fascia level, 2 way-finding signs and 2 fascia signs at 2-22 High Street.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Bromley Town Centre Area
Local Cycle Network
Local Cycle Network
Local Cycle Network
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
Secondary Shopping Frontage

Proposal

- Display of 0.9m high individual yellow colour lettering mounted on a metal frame
- The lettering would measure a total of approx 34.2m in length
- It would be internally illuminated with static 'theatre style' lighting
- It would be positioned above fascia level on existing canopies over the retail units
- 2 vinyl signs would also be applied to the fascia, advertising the stores below
- 2 way-finding signs would also be painted onto the wall above fascia level.

Location

- The application site is located on the western aspect of High Street, opposite Bromley South train station

- The prevailing characteristic of the immediately surrounding area is ground floor commercial units with residential and offices above
- The application site comprises a terrace of commercial units with offices above
- The site is not within a conservation area, nor is it listed.

Comments from Local Residents

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

Comments from Consultees

The Council's Highways Development Engineers have raised no objections.

The Council's Environmental Health (pollution) team were consulted. Any comments received will be reported verbally to the committee.

Planning Considerations

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

BE21 Control of Advertisements and Signs
T18 Road Safety

Bromley Town Centre Area Action Plan:

BTC18 Public Realm
OSJ Bromley South Station and environs

Planning History

Advertisement was granted on 7th December 2013 for a similar signage proposal (ref.13/02637). In the previous proposal the lettering, which only spelled out 'BROMLEY', was red in colour and measured 1.4m high.

Conclusions

The main issue in this case is whether the proposed signs would be significantly harmful to the appearance of the host building or the character of the area, the impact on highway safety and the impact on the amenities of any neighbouring properties.

This application forms part of a wider 'Bromley Welcome Strategy which seeks to improve the appearance and attractiveness of the town centre. In relation to the adverts proposed, it is aimed to create a sense of arrival at key entrances to the town centre, including Bromley South station. A similar advert has already been granted consent opposite Bromley North station (under ref. 14/00235). The proposed way-finding signs would also improve linkages to site K - Westmoreland

car park, in line with the Bromley South Station (including the retail units opposite) improvements set out in the Bromley Town Centre AAP.

While the proposed BROMLEY SOUTH sign would appear prominent in relation to the shop front fascias, it would help to provide a sense of arrival of visitors arriving by train and the refurbishments, overall, would improve the appearance and attractiveness of this part of the town centre.

With regard to Highway safety, the signs do not affect the sightlines and are therefore unlikely to be a distraction to drivers or negatively impact highways safety.

Due to the static nature of the illumination it is unlikely to unduly impact on the amenities of nearby residential properties.

Having had regard to the above it is considered that the proposed adverts would complement the character and appearance of the wider area and would be conducive to the improvement of the public realm and the enhancement of the gateway to the town centre.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/04917 and 13/02637 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: ADVERTISEMENT CONSENT GRANTED

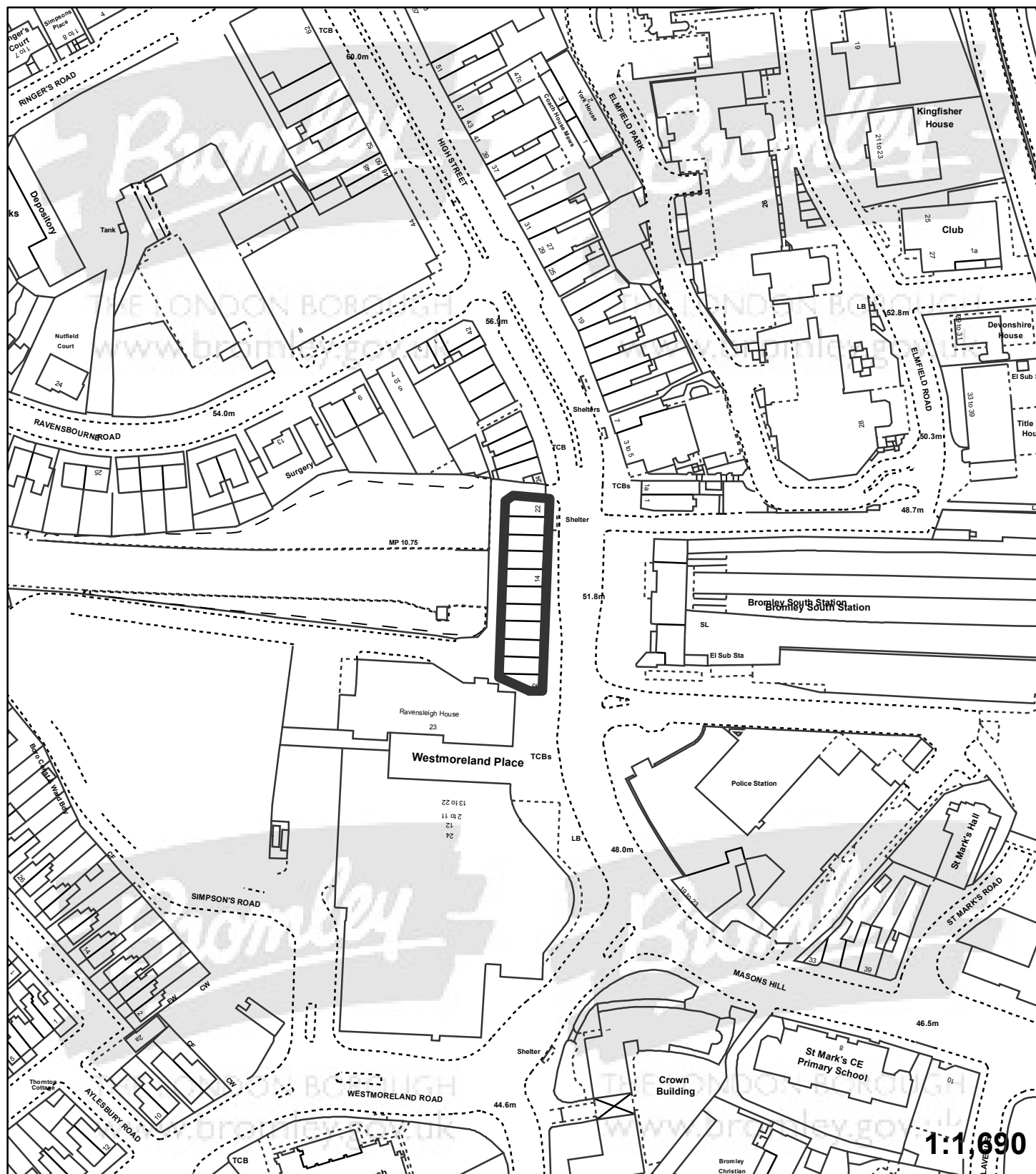
subject to the following conditions:

- 6 ACF01 Standard 5 year period
 ACF01R Reason F01
- 7 Details of the colour of the illuminated sign shall be submitted to and approved in writing by the Local Planning Authority prior to installation.
Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interests of the visual amenities of the area.
- 8 ACF02 Rest. of luminance-(s) (2 in) illuminated lettering
 1200
 ACF02R Reason F02

Application: 14/04917/ADV

Address: 2 High Street Bromley BR1 1EA

Proposal: Illuminated lettering spelling 'BROMLEY SOUTH' above fascia level, 2 way-finding signs and 2 fascia signs at 2-22 High Street.



"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 : 12/03874/FULL6

Ward:
**Bromley Common And
Keston**

Address : Barn Farm 56 Hastings Road Bromley
BR2 8NB

OS Grid Ref: E: 542319 N: 166171

Applicant : Mr T Crosbie

Objections : NO

Description of Development:

Roof alterations to incorporate rear and side dormer extension.

Key designations:

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

Proposal

This application was withdrawn from PSC 21/3/13 in order for the status of the residential curtilage to be clarified. A subsequent application for a Certificate of Lawfulness 14/01484 was submitted and granted, the reason being that 'On the balance of probabilities the area of land outlined in red on Plan No 4994 (attached to this decision notice) has been used as residential curtilage for a period of at least the last 10 years without any other subsequent use. The use of the land as residential curtilage, on the balance of probability, is therefore considered to be lawful'.

This application is now re-presented to Members and the previous report updated below.

The application site is a rectangular, long, low, converted farm building, of single storey height. This application proposes two dormers, one to the rear measuring 2m wide x 1.9m overall height and one to the side, 1.3 wide x 1.5m overall height. The ridge height is not shown to be raised by the proposal. The introduction of these dormers will enable the creation of a first floor bedroom area and represent approximately a 17% increase in the floor area over that of the original dwellinghouse.

Location

The site is located in the Green Belt and on the west side of Hastings Road.

Comments from Local Residents

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

Planning Considerations

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

- BE1 Design of New Development
- H8 Residential Extensions
- G1 The Green Belt
- G4 Dwellings in the Green Belt or on Metropolitan Open Land

Planning History

There is an extensive planning history relating to the site as a whole. The most relevant in respect of this current application are ref. 97/00363 which was a Certificate of Lawfulness of Existing Use or Development granted 28/4/97 for the lawful use of the outbuilding as a single dwelling house and ref. 09/01709 for roof alterations including increase in roof height and two front dormers to provide additional accommodation in the roof space which was refused and dismissed at appeal.

The most recent history (referred to above) is Certificate of Lawfulness for Existing Use, ref. 14/01484 - Continuous use of land as garden land (residential curtilage) for a period in excess of 10 years.

Conclusions

The main issues relating to the application are whether the proposal constitutes inappropriate development in the Green Belt, and if so, whether very special circumstances exist that clearly outweigh the harm by reason of inappropriateness, its effect on the openness of the Green Belt and on the character and appearance of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Para 89 of the NPPF advises that the construction of new buildings is inappropriate in the Green Belt; exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The additional accommodation provided by the proposed first floor extension represents a 17% increase in floor area and therefore falls outside the Council's 10% increase in floor area tolerance (Policy G4). Policy G4 also states that proposals to extend converted dwellings will not normally be permitted. It is therefore considered that the proposal constitutes inappropriate

development in the Green Belt. The resultant harm should be given substantial weight in determining the application.

In terms of the effect of the development on the openness of the Green Belt, as noted the dwelling is at present a long, low, converted farm building, of single storey height. The proposed dormers would allow a first floor storey element to part of the building. It may be considered that the visual intrusion arising as a result of the proposed dormers is limited given the size and siting of the proposed dormers.

Given the scheme is inappropriate development, consideration is to be given as to whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development. It is noted that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. Members may consider that the limited percentage increase of 7% over and above the 10% tolerance in Policy G4 is not unduly excessive. This combined with the limited visual intrusion and the clustering of built development in this location may present the very special circumstances necessary to outweigh the usual Green Belt Policy considerations.

In terms of the impact on nearby residential amenity the proposed rear dormer overlooks onto a front garden area of the nearby dwellings along Hastings Road and the side dormer faces on to a blank gable wall of the adjacent dwelling. Any impacts on neighbouring amenity are likely to be limited and unlikely to warrant a planning refusal ground in this respect.

Background papers referred to during production of this report comprise all correspondence on files refs. DC/12/03874, 09/01709, 97/00363, excluding exempt information.

RECOMMENDATION: PERMISSION

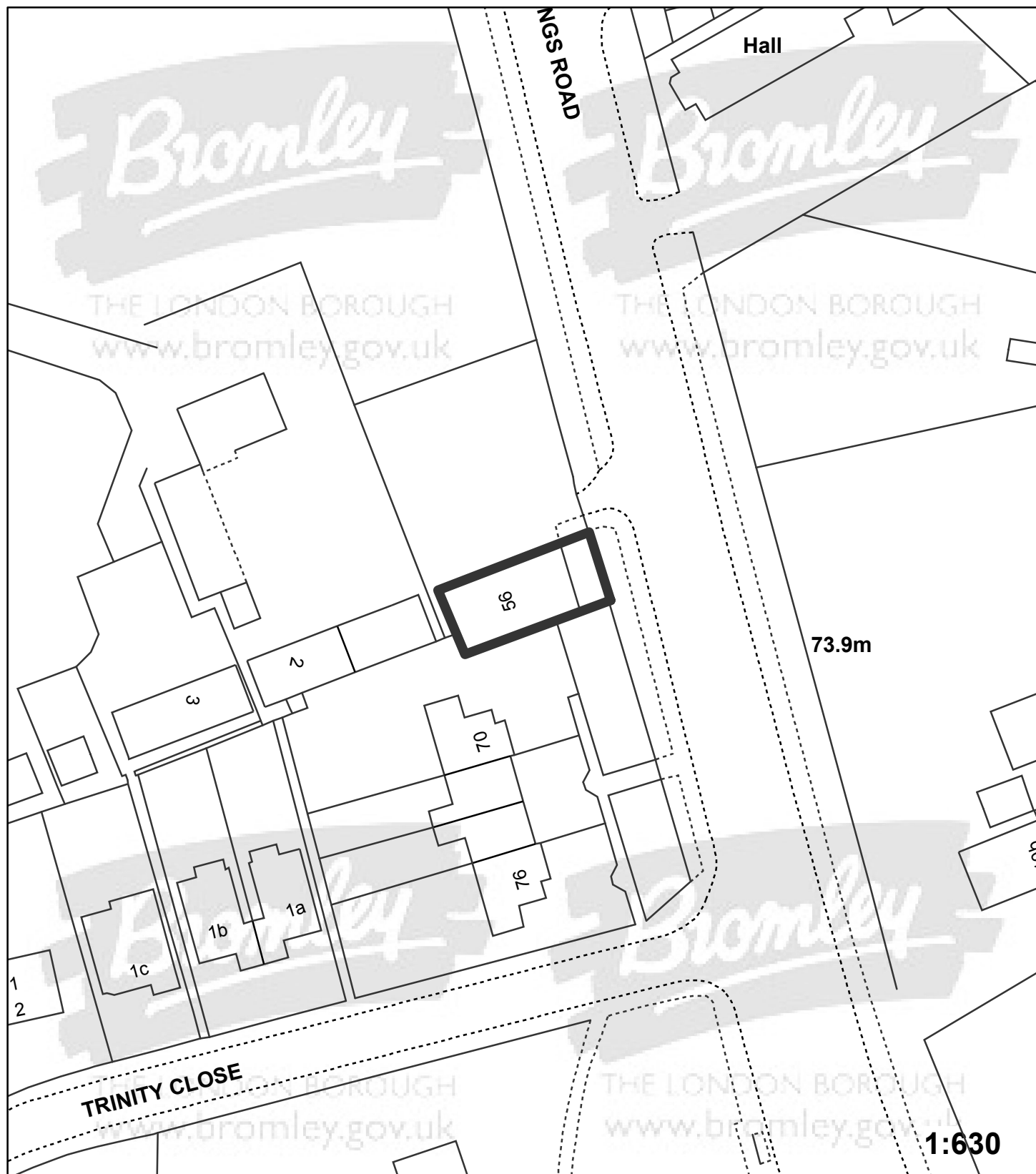
Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |
| 3 | ACK01 | Compliance with submitted plan |
| | ACC01R | Reason C01 |

Application:12/03874/FULL6

Address: Barn Farm 56 Hastings Road Bromley BR2 8NB

Proposal: Roof alterations to incorporate rear and side dormer 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 : 14/03295/FULL1

Ward:
Cray Valley East

Address : Parker House 27 Elmcroft Road
Orpington BR6 0HZ

OS Grid Ref: E: 546522 N: 166813

Applicant : Mr J Parker

Objections : YES

Description of Development:

Second floor mansard roof extension to provide additional Class B1 office accommodation and elevational alterations.

Key designations:

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

Proposal

This application was deferred from committee on 6th November 2014 in order to await the outcome of the appeal against the previously refused scheme (ref.14/00072). The appeal was dismissed on 23rd December 2014, and the report below is suitably updated.

It is proposed to add a second floor mansard roof extension over this two storey office building which would add an additional 301sq.m. of floor space. The extension would increase the height of the building by 2.6m, giving a total height of 10m. Some additional windows are also proposed at first floor level within the existing building.

No additional parking would be provided, but a proposed parking layout has been submitted which shows how 17 vehicles (including a disabled bay) could be accommodated within the existing parking area.

Location

This part two storey/first floor office building is located to the rear of residential properties at Nos.17-25 Elmcroft Road and contains 635sq.m. of floorspace. It is

served by an access road between Nos.25 and 29 Elmcroft Road which leads to a parking area adjacent to the building, part of which forms undercroft parking below the first floor office. This access road also serves the three storey office building at West House to the rear which fronts the northern end of the High Street.

Comments from Local Residents

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

- loss of sunlight, daylight and outlook to neighbouring properties
- new windows in the south-east elevation of the building would overlook the rear of properties in the High Street
- new windows in the south-western elevation to a training room and break room would overlook properties in Elmcroft Road
- detrimental impact on nearby conservation area
- additional pressure for parking in Elmcroft Road which is a small one-way street with limited parking for residents
- increase in noise and disturbance to nearby residents.

Comments from Consultees

Highways - The site is within a moderate (3) PTAL area, and the provision of 17 spaces would far exceed the maximum 10 spaces which would be required by the UDP and The London Plan for the extended office building. In the interests of reducing on-street demand, no highways objections are raised to the over-provision of parking.

Environment Agency - No objections

Planning Considerations

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

BE1 Design of New Development
EMP 2 Office Development
T3 Parking

Planning History

Permissions were refused but allowed on appeal in 1987 (refs. 86/01154 and 86/02694) for similar schemes for an attached first floor office extension over the car park (the only difference being the width of the extension, one being 2m wider than the other).

Permissions were refused in 1988 (ref. 88/04275) and 1990 (ref. 89/03644) for a first floor extension to provide a caretakers flat over the existing parking area in the northern corner of the site, and the subsequent appeals were dismissed due to the detrimental impact on the amenities of residents in Elmcroft Road.

More recently, permission was refused in May 2014 (ref.14/00072) for a second floor extension to provide additional Class B1 office accommodation along with elevational alterations on the following grounds:

"The proposed office extension would, by reason of its size, height and bulk in close proximity to residential properties in Elmcroft Road, have a seriously detrimental impact on the amenities of nearby residents by reason of loss of light, privacy and outlook, thereby contrary to Policy BE1 of the Unitary Development Plan."

The subsequent appeal was dismissed in December 2014.

Conclusions

The main issues relating to the application are the effect that the revised scheme would have on the character of the area and the impact that it would have on the amenities of the occupants of surrounding residential properties, and on pressure for parking in the close vicinity.

The proposals would result in a 47% increase in office floorspace, and the principle of additional office floorspace on this site is considered acceptable in this location.

In dismissing the earlier scheme, the Inspector considered that:

- the proposed extension would increase the height, bulk and visual prominence of the office building, and would result in a dominant and overbearing feature in close proximity to neighbouring dwellings at Nos.19-25 Elmcroft Road, thus resulting in loss of outlook
- additional windows at first floor level, along with windows proposed in the second floor extension would significantly reduce the privacy of neighbouring residents in Elmcroft Road and the High Street as a result of overlooking the rear of neighbouring properties and their private garden space.

Although the Inspector found that there would be some additional overshadowing of neighbouring properties and their rear gardens, he did not think this would be to a significant degree to warrant a refusal on those grounds.

The proposals have been revised in the following main ways:

- the additional floor space created has been reduced by 91sq.m. (from 392sq.m. to 301sq.m.)
- a mansard roof design is now proposed, with the north-western element set further back from the north-western flank wall of the building (by 1.2m)
- the height of the extension has been reduced by 0.8m (from 3.4m to 2.6m)
- seven windows in the north-western flank elevation of the proposed second floor extension have been removed, along with three windows originally proposed at first floor level in this elevation.

Significant changes have been made to the proposals in order to reduce the impact on neighbouring properties, including the removal of windows that would overlook Elmcroft Road properties, and a reduction in the overall size, height and bulk of the proposed extension. First and second floor windows are still proposed in the south-eastern elevation, but given the distance to neighbouring properties in the High Street (approximately 25-30m), they are not considered to result in a significant degree of overlooking.

The Appeal Inspector did not consider that the larger extension proposed in the previous scheme would result in undue loss of light to neighbouring properties, and the smaller extension now proposed would reduce this impact further.

Neighbours in Elmcroft Road have raised concerns about potential overlooking from new windows to a training room in the north-western part of the extension and to a break room on the floor below (within the existing building), but these windows face a south-westerly direction, and would be at an oblique angle to neighbouring residential properties and their rear gardens, and would not cause direct overlooking.

The revised proposals are considered to adequately overcome the Inspector's concerns regarding the previous scheme, and would not have a seriously detrimental effect on the amenities of nearby residents through loss of light, privacy and outlook.

With regard to parking issues, the provision of 17 spaces would far exceed the maximum 10 spaces which would be required by the UDP and The London Plan for the extended office building. However, given the pressure for on-street parking in the close vicinity of the site, along with neighbours' concerns about limited parking available, the over-provision of parking is considered acceptable in this case, as it was with the refused scheme.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC07
ACC07R | Materials as set out in application
Reason C07 |
| 3 | ACH03
ACH03R | Satisfactory parking - full application
Reason H03 |
| 4 | ACH22
ACH22R | Bicycle Parking
Reason H22 |
| 5 | ACH27
ACH27R | Arrangements for construction period
Reason H27 |

- | | | | |
|---|-----------------|--|---|
| 6 | ACI17
ACI17R | No additional windows (2 inserts)
I17 reason (1 insert) | north-western and south-
eastern flank extension |
| 7 | ACK01
ACK05R | Compliance with submitted plan
K05 reason | |

INFORMATIVE(S)

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

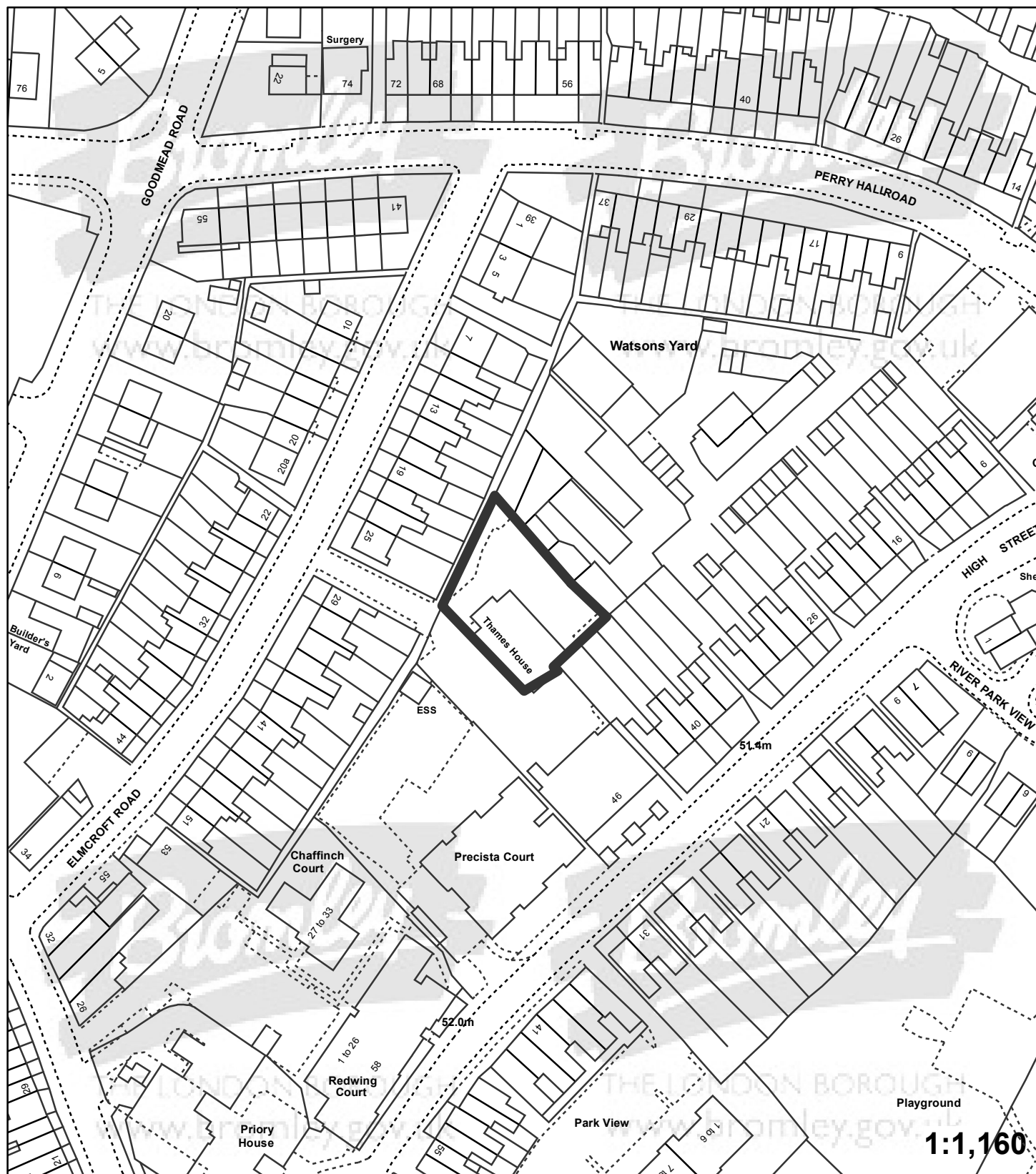
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:14/03295/FULL1

Address: Parker House 27 Elmcroft Road Orpington BR6 0HZ

Proposal: Second floor mansard roof extension to provide additional Class B1 office accommodation and elevational alterations.



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

SECTION '2' – Applications meriting special consideration

Application No : 14/03685/ELUD

Ward:
Copers Cope

Address : Flat 5 The Old House 36 Southend Road
Beckenham BR3 5AA

OS Grid Ref: E: 537517 N: 170484

Applicant : Mr Anthony Herbert

Objections : YES

Description of Development:

Roof terrace on second floor of flat 5
CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT.

Key designations:

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

Proposal

A certificate of lawfulness is sought for use of the roof as a roof terrace.

This application is a joint application together with planning application ref. 14/03686 for 'retrospective planning permission for wrought iron balustrade and decking for roof terrace'.

Location

The application property is a large Victorian period house which has been converted into five flats. This application relates to the top floor flat. The application site is located on the eastern side of Southend Road, Beckenham. To the rear of the side lies a cul-de-sac which contains several blocks of flats.

Comments from Local Residents

- I can confirm that I have never seen any people on the roof of this property, I have lived here for 21yrs so I think it is highly unlikely I would not have noticed it's use as some sort of improvised Balcony as it overlooks both of my lounge windows, it seems someone is maybe trying to pull the wool over your eyes to put it kindly.

- The roof area adjoining Flat 5 is part of the freehold of The Old House, 36 Southend Road, Beckenham ("The Old House"). The Old House is owned by Jayford Management Company Limited, which holds the freehold on trust for all owners of the leaseholders. Mr Herbert is one of the leasehold owners and his shareholding in the management company is 18.1%. The Management Company has not given consent to Mr Herbert's occupation or development of the roof area adjoining Flat 5. Nor has any other owner consented to the purported possession of the roof area by Mr Herbert (or his employees, servants or agents) to the exclusion of other freeholders.
- The roof area is and has been maintained by the management company ; please see attached accounts relating to repair expenses in 2011 during a previous ownership by Mr Duffin.
- It would appear that the construction of the decking and surrounding wrought iron balustrade by Mr Herbert, is development in law and would not appear to be excluded from the definition by the planning legislation or the General Permitted Development Order. The work has not received building regulation approval and a barbeque has been installed which has serious fire safety implications, both for the other flat owners and nearby neighbours.
- With regard to the declaration by the vendor of Flat 5, Mr Tim Duffin, to the effect that he used the roof area as a terrace during his occupation of the premises. Mr Duffin lived in Flat 5 for one year, 2003-04, after which it was rented out. He did not occupy the property for the statutory four years needed to prove continuous use. It is noteworthy that the declaration was signed on 26th March, five days before the sale.

Comments from Consultees

Legal - any comments from the Legal Department will be reported verbally to Members.

Planning Considerations

In dealing with a Certificate of Lawfulness, the burden of proof rests with the applicant and the standard of proof is on the balance of probabilities. The applicant is seeking to establish whether an existing development/use is lawful. There is no consideration of the planning merits of the case.

A use or development can be considered lawful if it has been carried out/built for four years in the case of residential development in accordance with Section 191 of the Town & Country Planning Act (as amended by Section 10 of the Planning & Compensation Act 1991).

Planning History

Under planning application ref. 88/00828 outline planning permission was refused for conversion of basement into 2 one bedroom flats.

Conclusions

Applicant's evidence

- Sales particulars
- Copy of register of title showing lease starting January 1995 and Land Registry document
- Open corporates outlining Diane Paula Wall (owner of Flat 5) as the director of the management company
- Letter from Colin White Associates
- Statutory Declaration from Mr Tim Duffin (previous owner of Flat 5 from September 2003)
- Copy of photographs of roof repairs dated August 2010
- Photographs of terrace prior to purchase and post improvements

Applicant's evidence

Sales particulars

This shows the sales details from when Flat 5 was being marketed for sale. The information shows the floorplan of the property which includes a roof terrace. A check on Zoopla confirms that the property was sold on 1st April 2014 and again previously on 23rd September 2003. This information confirms that the property has been in the ownership of either the applicants Mr & Mrs Herbert or the previous owner Mr Duffin.

Copy of the register of title showing lease starting in January 1995

The copy of the register of title is dated 29th April 2014 and shows a 999 lease term from 1st January 1995. On balance whilst this information shows the land title to which the property relates it does not contain any information regarding the use of the roof terrace.

Open corporates outlining Diane Paula Wall (owner of Flat 5) as the director of the management company

This information relates to the previous owner of Flat 5 being the director of the management company. This information is not particularly relevant as it only relates to the historical ownership of Flat 5.

Letter from Chartered Surveyor

The letter dated 2nd August 2010 is from a chartered surveying company (Colin White Associates) setting out their findings following out an inspection of the roof. Paragraph four states "the main roof is pitched and predominantly covered with clay plain tiles, with concrete tiles to the rear right inner slope bordering the upper terrace". The letter makes reference to the existence of there being an upper terrace area.

Statutory Declaration

A Statutory Declaration is provided dated 26th March 2014 from Mr Tim Duffin (previous owner of Flat 5) who owned the property from 23rd September 2003 until 1st April 2014. The declaration sets out that to the best of his knowledge the second floor of the property includes a roof terrace and that together with various visitors has used the roof terrace continuously in connection with the property without the consent of any other persons. This information is a sworn legal document from the previous owner who confirms previous use of the roof terrace.

Photographs

The applicant has submitted several photographs (photo's 12 & 13) dating back to August 2010 when the roof had some minor repairs carried out. The photographs show there is a table and chairs as well as numerous plant pots, electricity power points, external lights and a tap with hose on the terrace.

The applicant has also included additional photographs of the terrace area prior to purchase and recent improvements.

The photographs from August 2010 show evidence of the terrace prior to the current applicant's ownership. Whilst the terrace area has recently undergone repairs and building works the photographs 12 & 13 do show a table and chairs out on the roof terrace which appears to show use of the terrace for enjoyment purposes.

Evidence from neighbours

Several neighbours have disputed the information provided by the applicant, outlining that they have never seen people using the roof terrace, that it is contrary to the terms of the lease and does not have the agreement of the management company. Furthermore, the roof terrace does not have building regulation approval and that the statutory declaration by Mr Duffin does not hold any weight because he only lived at Flat 5 for one year after which he rented it out. The Council's legal department have been consulted and asked for their comments in relation to the terms of the lease and whether it constitutes a planning matter in the determination of the application.

The onus of proof for a Certificate of Lawful Development lays firmly with the applicant. Furthermore, the burden of proof is on the applicant whereby the relevant test of the submitted evidence is on 'the balance of probability'. Whilst the majority of the information submitted and detailed above shows details of the property, lease and ownership it is to be considered that this is background material. The Statutory Declaration from Mr Duffin and photographs from 2010 appear to show that the roof terrace has been continuously used as a roof terrace for more than 4 years and on this evidence submitted it seems that the use is lawful.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/03685 and 14/03686, excluding exempt information.

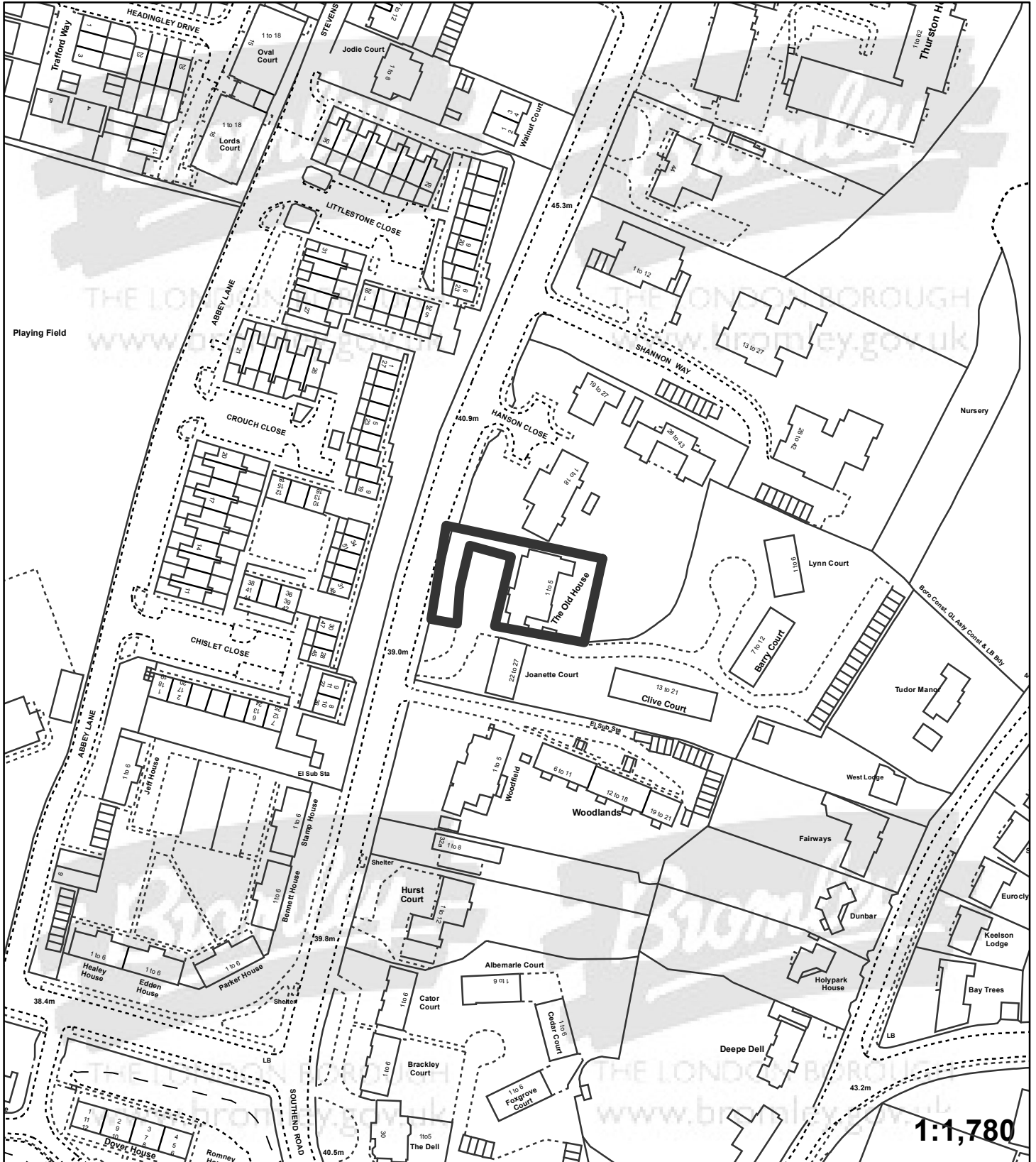
**RECOMMENDATION: GRANT CERTIFICATE FOR EXISTING USE/
DEVELOPMENT**

- 1 On the balance of probabilities, the roof terrace on the second floor of Flat 5, 36 Southend Road has been used as a roof terrace for a period of at least 4 years without any other subsequent use. The use of the roof terrace, on the balance of probability, is therefore considered to be lawful.

Application:14/03685/ELUD

Address: Flat 5 The Old House 36 Southend Road Beckenham BR3 5AA

Proposal: Roof terrace on second floor of flat 5
CERTIFICATE OF LAWFULNESS FOR AN EXISTING DEVELOPMENT.



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

SECTION '2' – Applications meriting special consideration

Application No : 14/03686/FULL1

Ward:
Copers Cope

Address : Flat 5 The Old House 36 Southend Road
Beckenham BR3 5AA

OS Grid Ref: E: 537517 N: 170484

Applicant : Mr Anthony Herbert

Objections : YES

Description of Development:

Retrospective planning permission for wrought iron balustrade and decking for roof terrace.

Key designations:

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

Proposal

Retrospective planning permission is sought for wrought iron balustrading and decking for roof terrace to Flat 5, 36 Southend Road.

This is a joint application together with planning application ref. 14/03685 for 'roof terrace on second floor of Flat 5, Certificate of Lawfulness for an existing development'.

Location

The application site is a three storey detached Victorian building, known as The Old House, which is located towards on the eastern side of Southend Road, Beckenham. To the north, east and south of the site lies six blocks of residential flatted developments. Flat 5 lies in the roof area of the building and the roof terrace is located towards the rear of the property.

Comments from Local Residents

- The roof is subject to lease conditions which place ownership and responsibility for maintenance on all other flats (5 in total).

- The applicant installed 1.1m balustrading without the agreement of the other freeholders and planning permission.
- The terrace will provide a platform to overlook Hanson Close.
- Loss of privacy
- The balustrading is an ugly and unnecessary addition
- Scale and location of the newly erected balustrading appears particularly obtrusive in relation to the existing façade and adds little to the roofline or general townscape

Full copies of all the objection letters submitted as part of the application can be found on application files 14/03686 and 14/03685.

Comments from Consultees

From a Conservation Area/Listed Building point of view as the balustrading and decking is to the rear and on a flat roof section it is considered that the impact on the locally listed building is minimal. It is also noted that a flat to the side of the building already has a balustrade which in my view appears acceptable.

Legal - any comments from the legal department will be reported verbally to Members.

Planning Considerations

UDP Policies:

BE1 Design of New Development
BE10 Locally Listed Buildings

Planning History

Under planning application ref. 88/00828, outline planning permission was refused for a conversion of the basement into two one bedroom flats.

Conclusions

Members will note that this application needs to be considered alongside the application for a Certificate of Lawfulness application (ref. 14/03685) for roof terrace on second floor of Flat 5.

Retrospective planning permission is sought for wrought iron balustrading to the existing roof terrace and decking. The balustrading was erected in August 2014 for health and safety purposes (as the applicants have a young child and wanted to ensure their child was safe when out on the roof terrace).

Currently there is wrought iron balustrading erected on two sides of the roof terrace. The balustrading is measured between 0.9m and 1.3m in height.

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

Impact on the character of the area & host building

The building (The Old House) is a locally listed building which is set back from Southend Road by 20m. The building has been converted into five flats.

From a Conservation Area/Listed Building point of view the impact on the locally listed building is minimal. Flat 3 (as seen in the photograph's contained on the file) also has a roof terrace, wrought iron balustrading and screening but from the Council's records it does not appear to have planning permission. It is unknown how long it has been in existence for.

When viewed from the rear of the property the iron balustrading appears to have a neutral effect on the host building and would appear acceptable in this location without harming the wider character and appearing of the area.

Impact on the living conditions of neighbouring residents

The use of the roof terrace and iron balustrading is the biggest concern for neighbouring residents. The area is densely developed and the proposed roof terrace is immediately visible from surrounding properties.

The information supplied by the applicant as part of the application shows that the roof terrace has been in existence for a number of years but information from other neighbours located within The Old House dispute this. The issue over the ownership and use of the roof as a terrace area and the erection of the balustrading is the subject of a separate legal dispute which is currently on-going between the owners of the various flats.

The applicant (having purchased the property in April 2014) has been using the roof terrace as an area for outdoor amenity space since mid-late 2014. The terrace does look over several blocks of flats (Hanson Close to the north, Lynn Court, Barry Court and Clive Court to the east and Joannette Court to the south) which are located to the rear of the site. Some of the blocks of flats themselves do however have balconies.

The applicant has suggested screening the balcony to allow themselves and others a degree of privacy to guard against any undue sense of overlooking or privacy. It is considered appropriate to impose a condition requiring details of screening proposed should planning permission be granted.

On balance having regard to the above it is considered that the wrought iron balustrading have been erected for health and safety purposes and the issues raised by neighbours concerning overlooking and loss of privacy could be overcome if the applicant was to use appropriate screening along the length of the balustrading.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/03686 and 14/03685 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

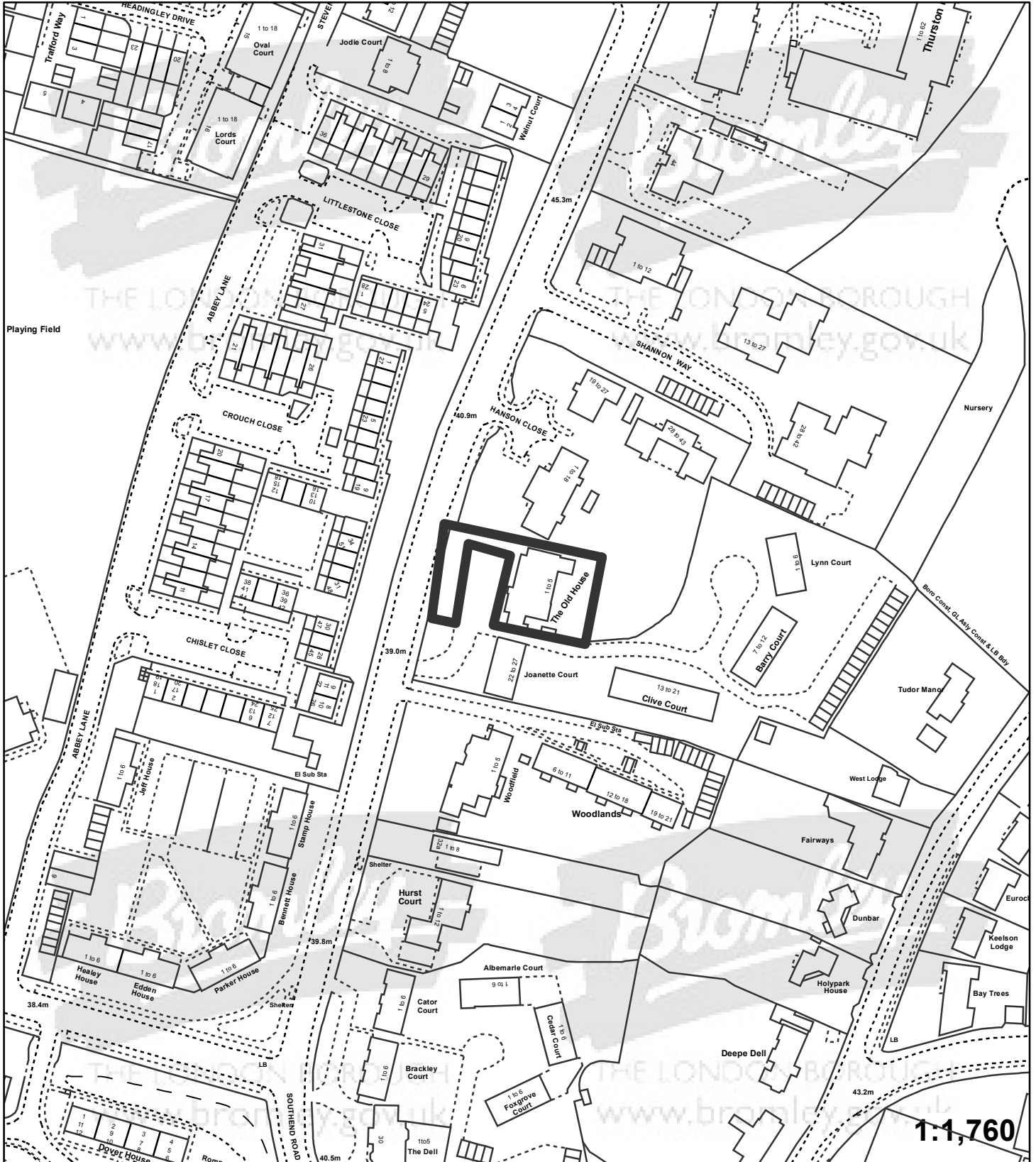
Subject to the following conditions:

- | | | |
|---|--------|--|
| 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 | ACI24 | Details of means of screening-balconies |
| | ACI24R | Reason I24R |

Application:14/03686/FULL1

Address: Flat 5 The Old House 36 Southend Road Beckenham BR3 5AA

Proposal: Retrospective planning permission for wrought iron balustrade and decking for roof terrace.



"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 : 14/03876/FULL6

Ward:
West Wickham

Address : 40 Stambourne Way West Wickham BR4
9NF

OS Grid Ref: E: 538473 N: 165378

Applicant : Mrs Allison Thornton

Objections : YES

Description of Development:

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

Key designations:

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

Proposal

This application was deferred from Plans Sub-Committee on 8th January 2015 to seek to resolve the breach of side space policy. The applicant has provided a revised plan which shows the proposed rear two storey extension would be set away from the boundary with No. 42 Stambourne Way by 1m as opposed to 0.95m.

The current application can be split into three elements. Part one/two storey rear extension, change of use of existing garage to habitable accommodation and conversion of the existing roof space.

The part one/two storey rear extension is proposed to be built above the existing rear element of the existing garage. It is proposed that the conversion will have a bedroom on the ground and first floor levels. The main elevations changes will include a new window at first floor (rear). One new window is proposed in the flank elevation. The proposed extension at ground and first floor will extend an additional 1.7m in depth, beyond that of the existing ground floor garage. At first floor level the extension will measure 5.1m in depth.

The existing garage is proposed to be converted to form a study and bathroom. The garage door to the front will be in-filled with matching brickwork and white UPVC windows to match the existing windows.

The roofspace is proposed to be converted and involves the installation of three skylights on the side and rear elevations.

Location

The application property is a detached two storey dwelling located on the south side of Stambourne Way, West Wickham.

Comments from Local Residents

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

- a two storey extension, on top of a recent, too tall, single storey extension will adversely affect the lighting onto my property.
- the extension will impact on my privacy
- it will allow my neighbours to look into the back of my property.
- the proposed development is not in keeping with other properties on the road
- previous permission was different in design to that I had agreed to and is not built in accordance with the plans

Comments from Consultees

No internal consultations were deemed necessary in respect of 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

The Council's SPG guidance is also a consideration.

Planning History

Under planning application ref. 13/01662, retrospective planning permission was granted for a 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 host property is a detached house set in a good sized plot, and the general scale of the proposal is not considered to be excessive given the size of the host

dwelling. Planning permission was granted under planning application ref. 13/01662 for a single storey rear extension which has been built.

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

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

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

First Floor side extension

The design of the first floor extension is considered to be in keeping with the character of the existing building incorporating a hipped roof to the rear. In terms of side space it is noted that the proposed rear element is located 1m from the boundary. Given the extensive set back of the extension by 6.4m from the front elevation and lower roof line ridge it is considered that the spatial characteristics of the area and the buildings character is maintained to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. As such the proposal does not represent a cramped appearance and does not result in unrelated terracing and therefore maintains the spatial standards and level of visual amenity of the streetscene in this case.

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

Conversion of garage to form habitable accommodation

The loss of the garage is not considered to be a highways concern as the applicants already have an existing driveway which can accommodate two cars and the street is able to accommodate on-street parking. The appearance from the front elevation will only alter slightly with a window as opposed to a garage door.

Conversion of roofspace

The roofspace is proposed to be converted within the confines of the original loft. Three new skylights are proposed on the side and rear elevations. No other external alterations are proposed.

Impact to neighbours

The main impact will be to the neighbours from No.42 Stambourne Way as a result of the first floor rear side extension. One window is proposed in the flank elevation at first floor level (which can be conditioned to be obscure glazed) and whilst the extension will project an additional 1.1m in depth at ground level and it is not considered overlooking or loss of privacy will result beyond what currently exists at first floor level.

Summary

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

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/03876 and 13/01662 set out in the Planning History section above, excluding exempt information.

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.

as amended by documents received on 15.01.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC04
ACC04R | Matching materials
Reason C04 |
| 3 | ACI12
ACI12R | Obscure glazing (1 insert) in the first floor flank elevation
I12 reason (1 insert) BE1 |
| 4 | ACK01
ACC01R | Compliance with submitted plan
Reason C01 |

Application:14/03876/FULL6

Address: 40 Stambourne Way West Wickham BR4 9NF

Proposal: Part one/two storey rear extension, conversion of garage to habitable accommodation and to provide habitable accommodation in roofspace



"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 : 14/03896/FULL1

Ward:
Bickley

Address : Little Wickham Hill Brow Bromley BR1
2PQ

OS Grid Ref: E: 541920 N: 169820

Applicant : Mr P Forbes

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of a replacement two storey five bedroom dwelling and formation of a new access drive and erection of detached two storey five bedroom dwelling on land to rear including boundary enclosures and landscaping.

Key designations:

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

Proposal

The proposal comprises the demolition of the existing dwelling and its replacement with a two storey five bedroom dwelling and an additional two storey 5 bedroom dwelling at the rear of the site. Plot 1 (fronting Hill Brow) would have a maximum height of 8.8m and a width of approximately 16.4m. Plot 2 (sited to the rear of the site) would have a maximum height of approximately 9m and approximately 16.4m in width when scaled from the submitted drawings. Both properties would have integral garages. The properties would maintain separation to the boundary, Plot 1 retaining a minimum of 1.2m and Plot 2 2m to the southern boundary (adjacent to Ingleside and Hadleigh). The houses would provide amenity space to the front and rear. An access road would be provided between the flank elevation of Plot 1 and St Cecilia's residential care home to the North to provide access to Plot 2.

Location

The application site is currently comprised of a detached two storey single family dwellinghouse and the proposal is for its replacement and for the construction of an additional residential property within the residential curtilage of this site. The application site also incorporates land from the rear garden of Stonelink, Westbury

Road. The area is primarily characterised by large detached dwellings with sizeable rear gardens, with a number of tandem style properties situated behind properties facing Hill Brow and Westbury Road (e.g Hadleigh, Jessie, Fox House, Fairmont, Wildwood and Mapaulin). St Cecilia's residential care home is sited to the north of the application site fronting Sundridge Avenue. The site is not situated within a Conservation Area or Area of Special Residential Character.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received (including the Sundridge Residents' Association) which can be summarised as follows:

- enclosed drawing of Plot 2 in relation to Hadleigh
- height will be 4-5ft higher than Hadleigh
- views into Hadleigh from Plot 2
- inaccuracies in statement that has been submitted
- would severely comprise amenities of Hadleigh
- several trees were felled in July 2014
- properties are more spaced in the area
- does not follow rear building line
- Plot 2 would dwarf Hadleigh
- 3.5m retained between Hadleigh and Plot 2
- privacy and amenity of Hadleigh will be impacted
- overdevelopment of the site
- Plot 1 would be twice the footprint of the existing
- rear of the site is heavily wooded which provides screening to nearby properties
- impact on the care home
- loss of trees/hedges

A letter of support was also received from Stonelink:

- understand that some trees will be felled
- would like privacy to be maintained by registering no further trees will need to be felled

Comments from Consultees

Highways- No objections

Environmental Health (Pollution)- No objection subject to informatives

Drainage/Thames Water- no objections subject to suggested informatives.

Planning Considerations

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

BE1 Design of New Development
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
T3 Parking
T18 Road Safety
NE7 Development and Trees

The National Planning Policy Framework (NPPF) is also a consideration.

Planning History

There is no recent planning history at the site.

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 National Planning Policy Framework (NPPF) makes it clear that, whilst it is important for the full and effective use of land to be made for housing purposes and that there is a presumption in favour of sustainable development, there is no presumption that garden land is necessarily suitable for housing. Indeed paragraph 53 of the NPPF states "local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area". The Council has such a policy in place in the form of Policy H7 of the Unitary Development Plan (UDP), which in turn is fully supported by Policy 3.5 of the London Plan.

Policy H7 of the UDP which outlines the criteria applications for new housing must meet requires, inter alia, that the site layout, buildings and space about buildings recognises and complements the qualities of the surrounding areas. Paragraph 4.39 of the UDP, one of the explanatory paragraphs to Policy H7 states "many residential areas are characterised by spacious rear gardens and well separated buildings. The Council will therefore resist proposals which would tend to undermine the character or which would be likely to result in detriment to existing residential amenities. "Tandem" development, consisting of one house immediately behind another sharing the same access, is generally unsatisfactory because of the difficulties of access to the house at the back and disturbance and lack of privacy suffered by the house in front".

Section 6 of the NPPF requires that the design of new housing significantly enhances its immediate setting and should be sensitive to the defining characteristics of the local area. Section 7 further states that permission should be refused where a development fails to improve the character and quality of an area.

In this instance, the principle of the development is considered to be in-keeping with the immediate surrounding character of this part of Hill Brow and Westbury Road. There are several examples of 'Tandem' style developments and as such

the layout of the proposed dwellings would not be at odds with surrounding pattern of development. Whilst Policy H7 states that there is a general assumption against such developments, each application must be assessed on its own merits. Members may consider that the layout of the dwellings proposed are in-character with the area.

Supplementary Planning Guidance No. 2 (Residential Design Guidance) states "local context is of particular importance when adding new buildings to established areas. Building lines, spaces between buildings, means of enclosure and the use and location of garden or amenity space should all respect the character of the locality".

In terms of form and scale, the proposed height of the houses would be comparable with the other properties in Hill Brow. The proposed garden areas are considered to be comparable in size to the surrounding properties (Plot 1- approximately 18m and Plot 2- 11m) and would maintain an acceptable distance of approximately 31m between them. Some soft landscaping is proposed to the front of the site and adequate amenity spaces provided, Members may consider that the site will be redeveloped in an adequate manner allowing sufficient amenity space to the rear and distances to the front and side boundaries.

With regard to the proposed design of the buildings, the houses are of traditional design, with pitched roofs. The building at Plot 1 fronting onto Hill Brow would have a slightly staggered frontage with gable features which adds visual interest to the design and assists in breaking up the massing of the building.

The proposed dwelling at Plot 1 maintains a minimum separation of 1.2m to the southern boundary (adjacent to the access road to Hadleigh) and 4.2m to the northern boundary. Plot 2 maintains a minimum of 2m separation to the southern boundary with Hadleigh and a minimum of 1.6m to the north. The application in this respect would accord with Policy H9 in that a minimum 1m separation retained to the adjoining boundaries and Members may considered this comparable to the surrounding properties.

With regard to the impact of the proposed buildings of the residential amenities of the neighbouring properties, it may be considered that the proposed buildings are set in reasonable distances from the adjoining properties. Members will note that the footprint of the proposed building in Plot 1 is larger than the existing dwelling and the proposal now introduces an additional dwelling at the rear and there have been objections raised from the adjacent neighbour and the Residents' Association. In particular, concerns have been raised from the neighbour at Hadleigh who has concerns that the ground level at Little Wickham is higher than the neighbouring site. Whilst taking into account the concerns raised, given the separation from the boundary Members may consider the resulting height of plot 2 would not be overbearing upon the adjoining property. It is suggested that Members attach a condition requiring details of slab levels to be submitted to the Local Planning Authority prior to the commencement of construction. No objections have been received from the care home to the North of the application site, and Members may consider any potential impact to this property to be minimal.

With regards to the trees on the site, the submitted information indicates that 18 trees will be removed as part of the application. It is advised that the loss of these trees is unlikely to impact upon the principal views into the site from Hill Brow, Sundridge Avenue and Westbury Road. Mitigation planting, along with an Arboricultural Method Statement is recommended in the list of suggested conditions for Members consideration.

On the basis of the above, the application is presented on List 2 for Members consideration.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|----|--------|---|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 4 | ACB05 | Replacement tree(s) elsewhere on site |
| | ACB05R | Reason B05 |
| 5 | ACB18 | Trees-Arboricultural Method Statement |
| | ACB18R | Reason B18 |
| 6 | ACC01 | Satisfactory materials (ext'n'l surfaces) |
| | ACC01R | Reason C01 |
| 7 | ACC03 | Details of windows |
| | ACC03R | Reason C03 |
| 8 | ACD02 | Surface water drainage - no det. submitt |
| | AED02R | Reason D02 |
| 9 | ACH03 | Satisfactory parking - full application |
| | ACH03R | Reason H03 |
| 10 | ACI02 | Rest of "pd" Rights - Class A, B,C and E |

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

- | | | |
|----|--------|------------------------------------|
| 11 | ACK05 | Slab levels - no details submitted |
| | ACK05R | K05 reason |
| 12 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

INFORMATIVE(S)

- 1 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable

on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).

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

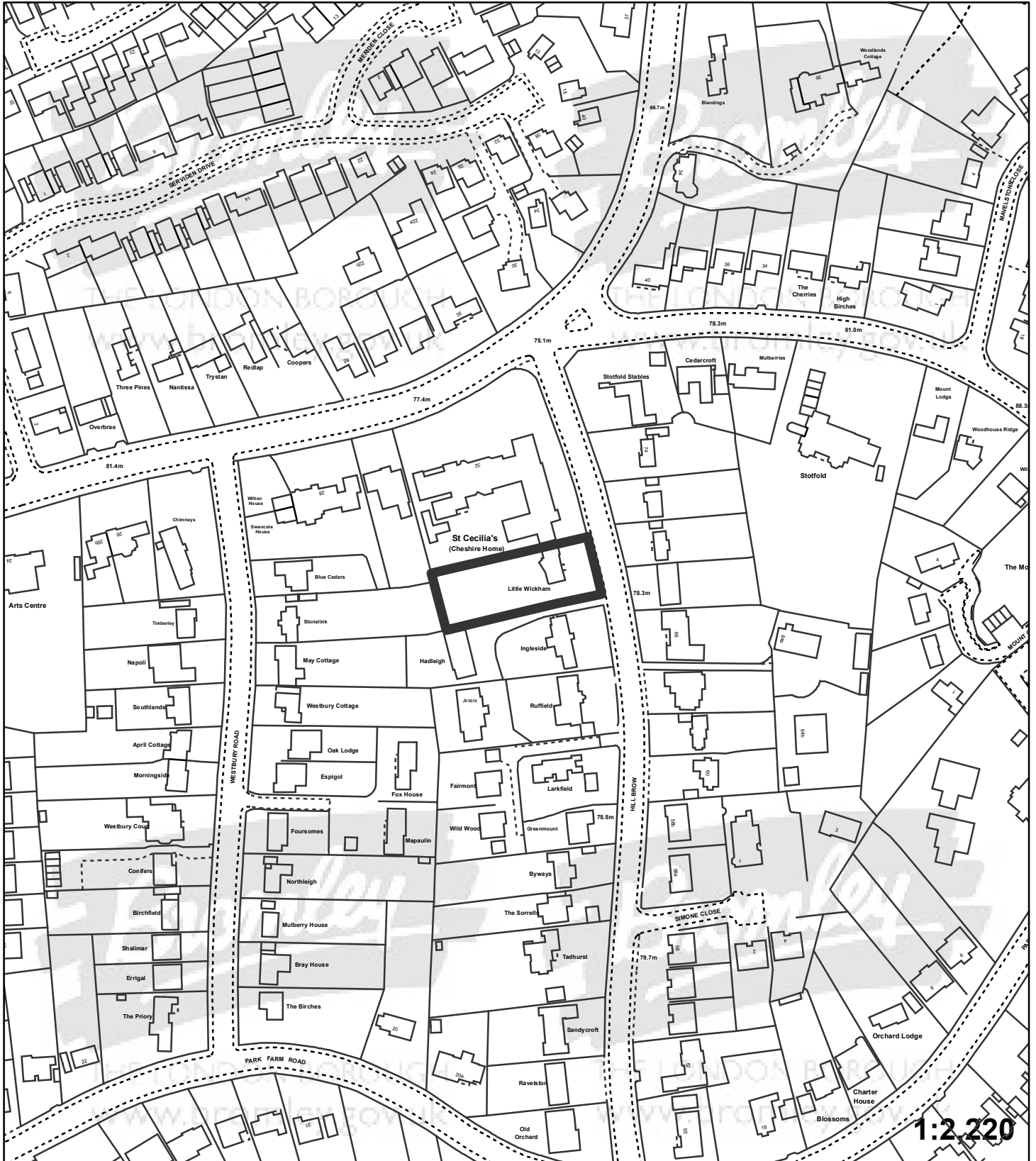
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 2 With regard to surface water drainage it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge from the site prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. Reason: To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 3 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 4 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

Application:14/03896/FULL1

Address: Little Wickham Hill Brow Bromley BR1 2PQ

Proposal: Demolition of existing dwelling and erection of a replacement two storey five bedroom dwelling and formation of a new access drive and erection of detached two storey five bedroom dwelling on land to rear including boundary enclosures and landscaping.



"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 : 14/04052/FULL6

Ward:
Hayes And Coney Hall

Address : 12 Layhams Road West Wickham BR4
9HG

OS Grid Ref: E: 539165 N: 164588

Applicant : Mrs Sarah Hanrahan

Objections : NO

Description of Development:

Two storey side/rear extension

Key designations:

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

Proposal

- The application proposes to construct a two storey side and rear extension
- The extension will measure 7.6m in height x 3.5m in width x 9m in length (3m in depth for the rear extension).
- Removal of the existing garage

Location

The application site is a two storey semi-detached dwelling located towards the northern end of Layhams Road. The property is located within the Green Belt with open fields and farmland located towards the rear boundary.

Comments from Local Residents

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

Comments from Consultees

Highways - The development will result in the loss of one parking space by conversion of the garage to a habitable accommodation. However, there are spaces available within the site's curtilage which would be utilised for parking.

Therefore on balance as it is a small development no objections are raised to this proposal.

Trees - No comments were received

Planning Considerations

- BE1 Design of New Development
- H8 Residential Extensions
- H9 Side Space
- G4 Extensions/alterations to dwellings in the Green Belt.

Supplementary Planning Guidance 1 & 2

London Plan Policy 3D.9 (Green Belt)

National Planning Policy Framework (2012)

Planning History

Under planning application ref. 93/03031, planning permission was refused for formation of hardstanding and vehicular access (retrospective application).

Under planning application ref. 99/00571, planning permission was granted for formation of vehicular access and hardstanding for car parking to Nos.12 and 14 Layhams Road.

Also of relevance is the planning application history of No.14 Layhams Road where planning permission was granted under planning application ref. 12/00780 for a two storey side/rear extension.

Conclusions

The main issues relating to the application are whether the proposed development would constitute appropriate development within the Green Belt and, if not, whether very special circumstances exist. Further considerations are the effect the proposals would have on the visual amenity and openness of the area, whether the current proposals would result in an overdevelopment of the site, whether they would adequately protect the amenities of adjacent residents in terms of light, privacy and outlook and whether the proposal would significantly harm the spatial standards of the locality and be in keeping with the character and appearance of the area, the existing building and street scene in general.

The application proposal results in an increase in the floor area of the dwelling by around 63sqm, which equates to an increase in floor area of around 45.8%. Policy G4 stipulates that extensions or alterations within the Green Belt should generally not result in a net increase in floor area of more than 10% over that of the original dwelling.

National Policy, contained in the NPPF (2012) contains a presumption against inappropriate development. The guidance identifies development that would not be inappropriate. The extensions of dwellings is not inappropriate provided it does not result in disproportionate additions over and above the size of the original building. Inappropriate development should not be approved unless there are very special circumstances so that the harm caused is clearly outweighed by other considerations.

It is for the applicant to show why permission should be granted for development that is contrary to current adopted Green Belt policies. In this case the applicant cites the property next door at No.14 which has been allowed to build the same application (two storey side/rear extension) which was approved in 2012.

The property forms the end semi-detached house located within a row of six semi-detached pairs of houses which are link attached to one another by single storey outbuildings. The extension would mirror that of No.14 and could be seen as an end extension to an existing row of eight houses which on balance would not result in a significant detrimental change in the overall form, bulk or character of this row of properties when viewed from Layhams Road.

The current proposals would result in a development which is clearly in excess of the 10% net increase in the total floor area of the dwelling once the extensions are constructed. Members will therefore need to consider on balance taking into account the neighbouring approved extensions whether the proposed development would result in incremental harm to the Green Belt which would jeopardise the open nature of the countryside.

Whilst situated in the Green Belt where there is a general presumption against inappropriate forms of development, the proposal may be considered to be of an acceptable design and scale of a similar appearance to that of the neighbouring property.

The proposed extension would maintain around a 1m distance towards the boundary of the site at the front of the property and around a 1m distance towards the rear. The proposed extension is of a sympathetic design and scale complementing the design of the existing house and character of the area. Members may therefore consider on balance that the proposed extensions do not result in any disproportionate additions over and above the size of the original building.

Taking into account, Members may consider that due to the location of the extension its footprint and design is similar to that previously approved at No.14 Layhams Road, that whilst the proposal is clearly in excess of the 10% net increase of the original dwelling house stated in Policy G4, the proposals would not on balance result in any significant harm to the character and appearance of the Green Belt.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/04052 and 12/00780 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

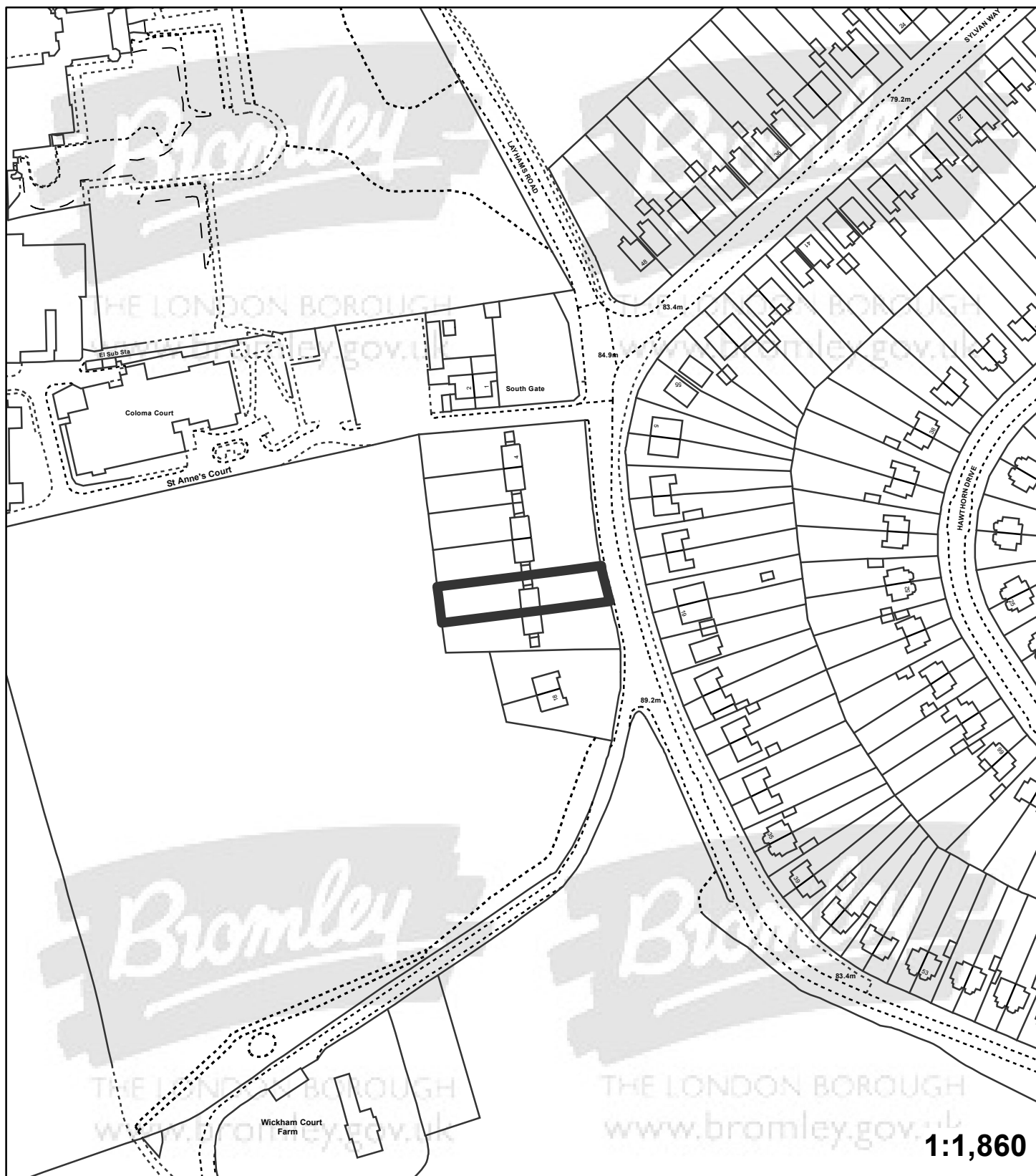
Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
 ACC04R Reason C04
- 3 ACI12 Obscure glazing (1 insert) in the flank elevation
 ACI12R I12 reason (1 insert) BE1
- 4 ACI17 No additional windows (2 inserts) flank two storey side
 extension
 ACI17R I17 reason (1 insert) BE1
- 5 ACK01 Compliance with submitted plan
 ACC03R Reason C03

Application: 14/04052/FULL6

Address: 12 Layhams Road West Wickham BR4 9HG

Proposal: 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 : 14/04309/FULL1

Ward:
Petts Wood And Knoll

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

OS Grid Ref: E: 544258 N: 167743

Applicant : G K Goldman Klein Ltd

Objections : YES

Description of Development:

Erection of roof extension to form part fourth floor to provide office accommodation (Use Class B1(a)).

Key designations:

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

Proposal

This scheme is for the provision of a mansard roof extension to the existing block to provide an additional 4435sq ft/412 sq metres of additional floor space at third floor level to create two additional office suites. The extension will include three balconies to the rear elevation. The proposed plans also include elevational alterations to the existing building, including partial rendering and cladding, the provision of new uPVC windows, and alterations to the existing front glazed entrance to incorporate a dark grey aluminium finish. The application submission states that the existing 50 off-street parking spaces will remain in place.

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

This application is accompanied by application ref. 14/04311 which relates solely to elevational alterations to the existing building.

Location

The application site is located to the SE corner of Crest View Drive, in close proximity of its junction with Queensway which forms the western part of Petts Wood District Centre. The site adjoins residential development to the north and west. The neighbouring properties to the north comprise of two-storey suburban

houses, whilst the building to the west (along the facing side of the road) forms a four-storey block of 12 flats of modern appearance. A public car park adjoins the site beyond its southern boundary, and a railway line beyond its eastern boundary.

Comments from Local Residents

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

- loss of light/sunlight
- proposal will make Mega House taller than the building opposite

Comments were also received from the Petts Wood District Residents Association which can be summarised as follows:

- scheme will result in a much greater degree of overlooking
- applicant has not demonstrated economic need for additional office space, whereas in previous application there are references to vacant office space within the existing building
- similar proposal at Mortimer House, to the south of the adjoining public car park, was refused planning permission under reference 11/00538 and subsequently dismissed at appeal
- surrounding houses to the north of the site would be dwarfed by this proposal and would receive less light to their rear gardens and rear windows

Comments from Consultees

From a technical Highways perspective, looking at the parking standards for the whole building, including the additional floor, the parking provision would meet UDP standards.

Planning Considerations

The application falls to be determined in accordance with Policies BE1, T3 and EMP2 of the Unitary Development Plan (UDP) and the National Planning Policy Framework (NPPF).

Planning History

Under application reference 14/02500, Prior Approval was granted in respect of the change of use of the existing building from Class B1(a) office use to residential Class C3 use to provide 29 flats. The proposal also reduced the number of parking spaces within the site to around 32 (subject to the final layout being agreed) from the existing 50.

Neighbouring site: Mortimer House, 40 Chatsworth Parade

Of relevance, under ref. 10/03144 planning permission was granted in December 2010 in respect of a three-storey rear extension and an additional storey to part of the existing block (to form a part-4 and part-3 storey building) to provide additional

office accommodation incorporating new entrance and alterations to car parking layout. That scheme was not implemented.

Subsequently, under ref. 11/00538, an application relating to the neighbouring building at Mortimer House (situated to the southern side of the adjoining public car park) involving for a four-storey extension and an additional two storeys to the existing offices to provide part four/ five storey building, was refused for the following reasons:

"The proposal, by reason of its excessive scale, bulk and height, would result in an overly prominent structure within the street scene and would impact detrimentally on the visual amenities of the area, contrary to Policy BE1 of the Unitary Development Plan.

The proposed development would be detrimental to the amenities now enjoyed by the residents of properties adjoining the site by reason of loss of prospect and visual impact as a result of the four storey rear extension, contrary to Policy BE1 of the Unitary Development Plan."

This latter application was subsequently dismissed at appeal.

Conclusions

The main considerations in this case relate to the impact of the proposal on local character and townscape and on residential amenity; the appropriateness of this development in this location in light of Policy EMP2 of the UDP and the NPPF; and whether the scheme provides an appropriate amount of parking.

In terms of local character, the application site is situated just beyond the northern periphery of Petts Wood District Centre, and adjoins residential development to the north and west. The development to the north comprises of two-storey houses. The facing block is four storeys in height, but incorporates a substantially smaller footprint (in comparison to Mega House) which measures approximately 300sq metres in area. The buildings to the south fronting Queensway are of two/three storey form and contribute to the modest scale and suburban character of this part of Petts Wood. As noted above, the neighbouring office block at Mortimer House (situated within the opposite side of the public car park) was granted planning permission under ref. 10/03144 for extensions that would have resulted in a part-4 and part-3 storey building. Given its somewhat more concealed location (within close proximity of the railway line and the commercial centre of Petts Wood), it is not considered that this development is directly comparable with the application scheme or provides justification to favour it; furthermore, the Appeal Decision relating to the dismissed 2011 application (ref. 11/00538) highlighted the harm resulting from excessive height.

Whilst Mega House, in its existing three-storey form, is considered to be of a height commensurate with or not excessively harmful to the neighbouring development, the enlarged building (the height of which will be increased to a maximum of 13.8m) will be of a height and bulk which will appear out of scale and dominant within its surroundings, particularly the neighbouring two-storey houses to the

north. The facing building block, despite its four-storey form (with a height of approximately 10.9m), will be lower in height than the enlarged building and, in any case, appears a lot more discreet within the streetscene in view of its relatively modest scale. Accordingly, this proposal is considered unacceptable due to its effect on local character.

Concerns have also been raised on the basis that the proposal will lead to loss of light and overlooking. However, taking account of the location of the third floor extension - which will maintain a minimum separation of approximately 9m to the nearest neighbouring dwelling at No 2 Queensway - and the lack of fenestration within the northern elevation of the proposed extension, it is not considered that this will be so significantly affected by this proposal as to justify refusal on this ground.

In regard to the appropriateness of this office accommodation, Policy EMP2 advises that proposals for office development will be expected to ensure that:

- (i) the shopping functions of the town centres are not impaired;
- (ii) access to the development by means other than the private car can be achieved, if necessary through the use of planning obligations; and
- (iii) on small office schemes mixed use or flexible space for small businesses and start-ups can be achieved.

The policy goes on to advise that schemes that provide facilities for small businesses will be permitted in local centres, provided that the vitality and viability of that centre is not impaired.

In light of the above policy criterion, it is considered that the proposal is acceptable in that the shopping function of the town centre will not be impaired; that there is adequate public transport service provision within close proximity of the site; and that the additional floor space has the potential to provide a beneficial business resource.

On the matter of parking, this application does not refer to the residential scheme which is the subject of Prior Approval for 29 flats within the existing building (with the associated reduction of parking spaces). The application has been submitted on the basis that this scheme provides an extension to the existing office accommodation with the existing 50 parking spaces remaining. As the existing level of parking provision is to remain, Members may consider that this existing level would be acceptable despite there being a net increase in office accommodation within the site.

In summary, whilst the principle of providing new office accommodation is considered acceptable, particularly given the potential loss of the existing office accommodation, the impact of this scheme on local character, particularly in view of its scale, bulk and height, is considered unacceptable.

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

RECOMMENDATION: APPLICATION BE REFUSED

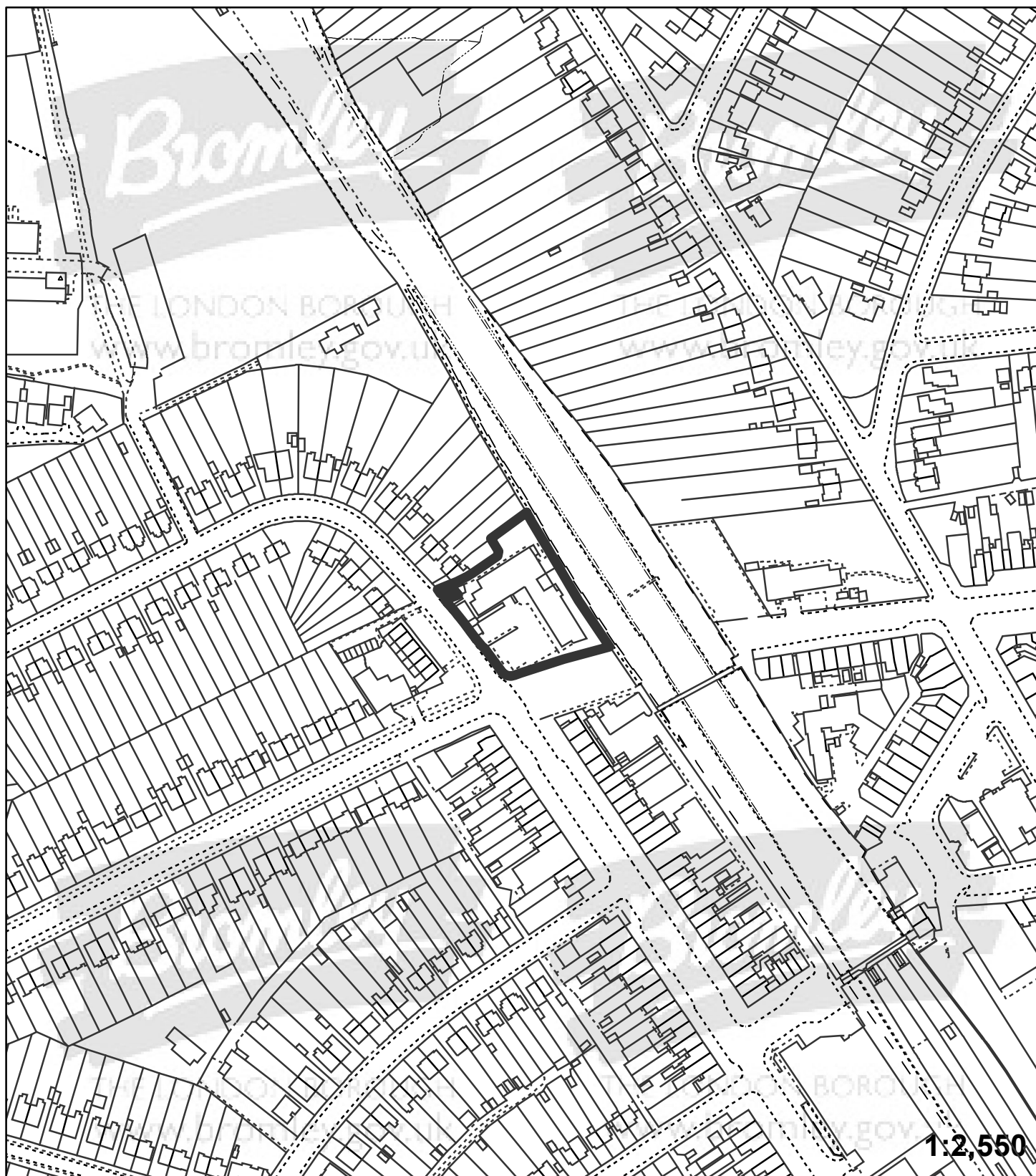
The reasons for refusal are:

- 1 The proposal, by reason of its excessive scale, bulk and height, would result in an overly prominent structure within the streetscene, which would adversely affect the visual amenities of the area, contrary to Policy BE1 of the Unitary Development Plan.

Application:14/04309/FULL1

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

Proposal: Erection of roof extension to form part fourth floor to provide office accommodation (Use Class B1(a)).



"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 : 14/04393/FULL1

Ward:
Orpington

Address : 323 Court Road Orpington BR6 9BZ

OS Grid Ref: E: 547005 N: 165153

Applicant : Mr & Mrs A Tucknott

Objections : YES

Description of Development:

Demolition of existing bungalow and erection of a two storey 4 bedroom house with associated landscaping and parking.

Key designations:

Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Sites of Interest for Nat. Conservation

Proposal

The proposal seeks permission for the demolition of the existing bungalow and erection of a two storey 4 bedroom house with associated landscaping and parking. The proposed new dwelling will retain a separation of at least 1 metre between the northern flank elevation and property boundary shared with No.321, and a minimum separation of approx. 1.7 metres between the southern flank elevation and property boundary shared with No.325, which will increase towards the front of the properties to a separation of approx. 2.8 metres.

The new dwelling will have a footprint of approx. 8.7 metres in width and approx. 11.1 metres in depth for the most part, with an addition forward projection towards the southern element of the new dwelling by a further 0.8 metres (approx.) which is similar to the existing layout of the bungalow. The bungalow at present, however, benefits from a single storey rear extension which will not be replaced under the current proposal, therefore the rearward projection and overall footprint of the new dwelling will be less than the current bungalow.

The existing single storey detached building to the rear/side of the host dwelling will be retained, and renovated internally to provide ancillary garden rooms.

The driveway will be re-surfaced using permeable materials, and parking will be provided on the frontage for at least 2 vehicles, in line with the current layout.

Location

The application site is located on the eastern side of Court Road and currently hosts a detached bungalow.

Comments from Local Residents

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

- loss of light to neighbouring bungalow;
- demolition will result in noise, dust and upheaval - impact upon health of neighbouring residents;
- Court Road is a fast-moving busy road, and the extra traffic will add to the problems already faced when people park on the road;
- must be a number of health and safety problems which may arise during the demolition and rebuilding of the property;
- concerns that building works will take place on the large rear garden;
- concerns regarding impact upon Party Wall - depth of foundations needed for two storey house is greater, which may impact upon foundations to neighbouring property.

Comments from Consultees

Highways - there is space on the frontage for at least 2 vehicles. No objection, subject to conditions.

Environmental Health - no objections subject to informatives regarding contamination.

Drainage - no objection subject to conditions.

Thames Water - no objection subject to conditions/informatives.

Planning Considerations

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

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

SPG1
SPG2

National Planning Policy Framework

London Plan:

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

Mayor of London's Housing Supplementary Planning Guidance

Planning History

No planning history at the site.

Conclusions

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

New development should seek to optimise the potential of a site, and such development should, amongst other things, be attractive and respect local context, character and built heritage in accordance with the policies quoted above.

The existing dwelling is not considered to be of any particular architectural merit and whilst the area is characterised by both detached dwellings and detached bungalows, there is no particular uniformity in terms of the design of the properties.

There will be a separation to the northern property boundary shared with No.321 of at least 1 metre, which is compliant with Policy H9 regarding side space. There will also be a separation of at least 1.7 metres to the southern property boundary, increasing to 2.8 metres towards the front of the new dwelling. Whilst it is noted that the siting of the proposed new dwelling will be adjacent to an existing bungalow to the south, it is considered that the introduction of a separation of at least 1.7 metres increasing to 2.8 metres should mitigate against the possible impact upon the amenities of No. 325.

Although it is noted that there is no particular uniform design of properties along the streetscene other than either detached two storey dwellings or detached bungalows, it is considered important that the proposed design is built using a

palette of high quality materials, and details have been provided on the application form relating to the proposed materials which appear acceptable and likely to blend in to the existing streetscene, with a modern twist.

The proposed replacement dwelling will be located on a slightly smaller footprint at ground floor level than currently exists, and although there will be the introduction of a first floor element, it is considered that the separation to the property boundaries, and the orientation of the property indicates that despite the overall height of the resulting dwellinghouse being higher than the original dwellinghouse, the impact of the replacement dwelling upon the neighbouring properties will not be overbearing and the impact upon the streetscene in general will be minimised.

The application is liable for payment to the Mayoral Community Infrastructure Levy (CIL), however the increase in floor area compared to the existing dwelling is not considered excessive or likely to lead to a detrimental impact upon the character of the area or amenities of occupiers of neighbouring properties. It is considered that the proposed replacement dwelling would not be out of keeping with the character of the area and is unlikely to detract from the streetscene nor be detrimental to the character of the area.

Members may therefore consider that the overall design and architectural merit of the proposed replacement dwellinghouse would preserve the character and appearance of the area and remain in keeping with the general uniformity of the design of adjacent properties, and by introducing a design which is in keeping with other properties in the area is likely to enhance the area.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/04393, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 16.01.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC07
ACC07R | Materials as set out in application
Reason C07 |
| 3 | ACD02
AED02R | Surface water drainage - no det. submitt
Reason D02 |
| 4 | ACD06
AED06R | Sustainable drainage system (SuDS)
Reason D06 |
| 5 | ACH29
ACH29R | Construction Management Plan
Reason H29 |
| 6 | ACH16
ACH16R | Hardstanding for wash-down facilities
Reason H16 |
| 7 | ACH32
ADH32R | Highway Drainage
Reason H32 |

- 8 ACI02 Rest of "pd" Rights - Class A, B,C and E
Reason: In order to comply with Policy BE1 and to protect the amenities of the occupiers of neighbouring properties.
- 9 ACI17 No additional windows (2 inserts) flank new dwellinghouse
 ACI17R I17 reason (1 insert) BE1 and H8
- 10 ACI12 Obscure glazing (1 insert) in the flank elevations
Reason: In order to comply with Policy BE1 and to protect the amenities of the occupiers of neighbouring properties.
- 11 ACK01 Compliance with submitted plan
Reason: In order to comply with Policies BE1 and H7 and to preserve and protect the character and appearance of the area.

INFORMATIVE(S)

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

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

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

- 2 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 3 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 4 Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 5 Legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Water's ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0800 009 3921 or for more information please visit our website at www.thameswater.co.uk

- 6 Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

Application: 14/04393/FULL 1

Address: 323 Court Road Orpington BR6 9BZ

Proposal: Demolition of existing bungalow and erection of a two storey 4 bedroom house with associated landscaping and parking.



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

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SECTION '2' - Applications meriting special consideration

Application No : 14/04513/FULL3

Ward:
Clock House

Address : 105 Elmers End Road Beckenham BR3
4SY

OS Grid Ref: E: 535295 N: 169145

Applicant : Mrs Louise Jordan

Objections : YES

Description of Development:

Change of use of ground floor retail unit (Use Class A1) to day nursery (Use Class D1) comprising elevational alterations, pick up/drop off parking bays and landscaping.

Key designations:

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

Proposal

Planning permission is sought for the change of use of the ground floor retail units (Use Class A1) and single storey workshop space to the rear to a day nursery (Use Class D1) comprising elevational alterations, pick up/drop off parking bays and landscaping.

The development will cater for a maximum of 40 nursery places and 10 staff.

The applicant has stated that Pickles Nursery already operates a nursery nearby at 185a Elmers End Road. A second nursery is required in order to meet demand in the local area caused by population growth.

No extensions are proposed to the buildings. However, some alterations to the interior spaces and external elevations are to be carried out. The following alterations are proposed:

- Internal partitions to create a new internal arrangement to provide a play space for
- children under 2 years old at the front and a play space for 3 to 4 year olds to the rear.

- This includes a wheelchair accessible WC, staff toilet, staff rest areas, kitchen, utility room, children's WCs, a small office and storage areas.
- Replacement shopfronts. The bottom glass panel to be a solid white panel to restrict views in to the front play space.
- An access ramp is proposed at the main entrance to facilitate wheelchair users.
- Existing windows to the side elevation of the single storey addition previously a workshop to be replaced with double glazed windows.
- Sliding doors to the single storey addition to be replaced with glass double glazed aluminium doors and sidelights.
- Part of the single storey workshop within the garden to be demolished. The resultant external spaces will be landscaped to provide outside play and a garden for the children.
- Provision of two off-street car parking spaces for the purposes of dropping off and picking up children.

Location

The site is located on the corner of Elmers End Road and Birkbeck Road and comprises two 2 storey buildings with converted roof spaces providing additional habitable accommodation. The units that comprise the application consist of half the footprint of the ground floor at No105, all of 107 and the concreted area to the rear of the site. The site is part of a parade of shops and is situated directly behind a bus stop. A wide forecourt area exists in front of both shop units. Residential flats are located on the upper floors and to one side and rear at 105 Elmers End Road. The flats are accessed from the front area on Elmers End Road.

Comments from Local Residents

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

- concerns regarding limited parking availability in the vicinity.
- amount of noise a nursery may create may be disturbing externally and internally due to noise transference.
- another nursery is welcomed and will allow more children to go to a well run nursery sooner.

Comments from Consultees

Highways Officer:

The site is located on the corner of Elmers End Road and Birkbeck Road. Elmers End Road (A214) is a London Distributor Road (LDR). Also the development is located in an area with medium PTAL rate of 4 (on a scale of 1 - 6, where 6 is the most accessible).

The development will cater for a maximum of 40 nursery places and 10 staff. The site has an existing vehicle crossover to the rear which will be retained to

accommodate two off-street car parking spaces for the purposes of dropping off and picking up children.

The travel survey has identified that approximately 38% of journeys to the existing nursery are undertaken by car, 33% walking, with the remainder via public transport, mainly train. Therefore, a typical day at the proposal will be generating 15 vehicular drop-offs and 15 vehicular pick-ups during the day, based on 40 children. In addition, applying the same modal split proportions to staff travel would result in 4 staff driving to the facility and requiring a parking space in the local area.

No dedicated off-street car parking spaces have been provided. However, two spaces will be made available to the rear of the site specifically allocated to the dropping-off and picking-up of children.

The parking survey was undertaken between 8am and 8.45am and between 4pm and 4.45pm on Friday 14th November 2014. This was to coincide with the anticipated peak arrival and departure times associated with the facility. The parking survey was undertaken in accordance with Lambeth's parking survey methodology.

In summary, Birkbeck Road, Ravenscroft Road and Mackenzie Road were included in the survey, between the junctions of Elmers End Road and Pelham Road. Pelham Road was included, between Ravenscroft Road and Mackenzie Road. The whole of Picquet Road and Felmingham Road were included, and Marlow Road and Witham Road were included between the junctions of Felmingham Road and Elmers End Road.

The survey reveals that overall stress levels in the area are moderate during the morning and high during the late afternoon. During both periods there were a number of available parking spaces within the vicinity of the site. Whilst overall parking stress levels were high in the afternoon peak, Mackenzie Road and Pelham Road still experienced moderate levels of parking stress.

The applicant states that the dropping off and picking up by parents will be staggered across a number of hours, it is highly likely that the 2 off-street drop-off and pick-up car parking spaces will provide sufficient capacity to cater for the demand by parents. However, in the event that parents do need to park on-street for a short period of time, the parking survey indicates that additional vehicles could be accommodated on the surrounding highway network without having a negative impact on highway safety or residential amenity.

The development will not have a significant impact on the parking and highway safety within the local road network as most the traffic would be local and by other modes of transport than private car. The short lived peak time congestion does not impact on the wider highway network.

Transport for London:

TfL expects that cycle parking will accord with London Plan (2011) standards. Cycle changing facilities should be provided for staff. TfL expects that at least one

car parking area to will be secured for blue badge holders (either visitors or staff). The Council should also take a view in terms of how the drop off and collection of school children, on street, will be appropriately managed. A travel plan for the school, should be required, to be agreed by the Council prior to first occupation.

Education and Childcare Services:

Mrs Jordan is an established, local childcare provider with an existing day nursery Pickles, which is within walking distance of the above property. Pickles Nursery has an OfSTED rating of 'Good' and provides quality, fulltime childcare for children aged 0-5 years.

The provider works well with the Early Years Team and we support the opening of a new day nursery at this premises. Early Years has visited the site and given advice on the alterations to the premises to make it suitable for the delivery of childcare. This includes dedicated rooms for each age range and a safe outside play area.

There continues to be a shortfall of places for babies under 2 years and with the increased numbers of funded 2 year old children in the borough, all additional places will be in demand.

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 Development
- BE19 Shopfronts
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T7 Cyclists
- T17 Servicing of Premises
- T18 Road Safety
- S5 Local Neighbourhood Centres, parades and Individual Shops
- S10 Non Retail Uses in Shopping Areas
- C1 Community Facilities
- C7 Educational and Pre School Facilities

SPG No.1 - General Design Principles

London Plan

- 3.18 Education facilities
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road network capacity
- 6.13 Parking

Planning History

DC/PREAPP/14/00283: Pre application advice: Site address is 105-107 Elmers End Road. Change of use of double shop and workshop space to a day nursery. Response sent 10/10/2014.

Conclusions

The main issues relating to this application are the principle of the use of the site as a daycare facility in this location; the impact of the proposal on the amenities of the occupiers of any surrounding residential properties; and the potential impacts on traffic generation, car parking and highway safety.

Principle of development

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

Policy C7 is concerned with educational and pre-school facilities and states that applications for new or extensions to existing establishments will be permitted provided they are located so as to maximise access by means of transport other than the car.

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

In local neighbourhood centres and shopping parades a change of use from Class A1 (Shops) to other uses will be permitted provided that the use proposed contributes to the range of local services or the provision of local community facilities and contributes to the vitality of the centre by providing a service or attracting visitors during shopping hours or it can be demonstrated that there has been a long term vacancy and a lack of demand for Class A1 (Shops) use.

Furthermore, non-retail uses in retail frontages will not normally be permitted where they do not offer a service to visitors unless there has been long term vacancy and a lack of demand for a retail or service use can be proven and the proposed use is in premises where it would not undermine the retail viability of the Centre.

Therefore, in this case it is considered that the use of the site as a day nursery would be acceptable in principle subject to the scheme's compliance with all other relevant development plan documents and policies.

Design

There are no external extensions to the building with the main alterations relating to the existing external fabric of the building.

The replacement shop fronts which will replace non original installations are considered to be in keeping with the proportion, scale and detailing of the entire host building and premises across two original units and make a positive contribution to the streetscape.

Residential Amenity and Impact on Neighbouring property.

The site is located beneath residential flats on upper floors and also immediately adjacent to residential properties. The use of the site as proposed (including the outside play area) is not considered likely to result in any significant harmful impact on nearby amenity, given the context of the site and its location within a shopping parade.

However it is considered prudent to request further information regarding soundproofing to upper floors and impose restrictions in terms of the times of access and number of children allowed in to the landscaped external area at any one time in the interests of neighbouring amenity.

Similarly, a planning condition requiring boundary treatments and the details of the tensile fabric screen to be agreed by the Local Planning Authority is considered appropriate.

The proposal is for the site to accommodate up to 40 children and 6 full time, 4 part time members of staff. The opening hours are proposed to be Monday to Friday from 08.00am to 18.00pm. The use would not be in operation at weekends. This is considered to be appropriate.

Traffic, Parking and Servicing.

A key consideration in an application of this type is the impact of the proposal on the surrounding highway network, and parking pressure arising from the increase in drop-off/pick-ups by parents of users of the facility.

The applicant has submitted an extensive Travel Assessment which has been reviewed by the Council's Highways Officer as detailed above. The site is accessible by modes of transport other than the car, being in close proximity to Birkbeck Road station and Tramlink stop and several local bus routes. An additional document has also been received showing an agreement regarding two parking spaces to the rear of the site that are proposed to be used as a pick up and drop off point for parents using the nursery. No highways objections have been raised in this regard.

Summary

On balance, having had regard to the above it was considered that the proposed D1 nursery use at the site and hours of operation are acceptable, and would not result in a harmful impact on the amenities of local residents, or have an unacceptable impact on road safety and the surrounding highway network.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
ACC04R Reason C04
- 3 (a) The children attending the day nursery/play group shall be between the ages of 0 and 6 years and not more than 40 children and 10 staff shall be accommodated at any one time.
(b) The use of the premises as a children's nursery shall be limited to Mondays to Fridays inclusive between the hours of 08.00am and 18.00pm.

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

- 4 No more than 20 children shall be allowed into the rear curtilage play space area at any one time and only between the hours of 09.00am to 11.30am and 13.30pm to 15.30pm.

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

- 5 (i) No development shall commence until full written details, including relevant drawings and specifications of works for sound insulation to mitigate against airborne noise for walls and/or ceilings where residential parties non domestic use shall be submitted to and approved in writing by the local planning authority.
(ii) The development shall only be occupied once the soundproofing works as agreed under part (i) have been implemented in accordance with the approved details.
(iii) The soundproofing shall be retained permanently in accordance with the approved details.

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

- 6 Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), the premises shall be used for a children's day nursery and for no other purpose (including any other purpose in Use Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

Reason: In the interest of amenities of adjoining premises and the area generally and to comply with Policy BE1 of the Unitary Development Plan.

- 7 ACA04 Landscaping Scheme - full app no details
ACA04R Reason A04
- 8 ACA07 Boundary enclosure - no detail submitted
ACA07R Reason A07

9 Notwithstanding the details hereby approved, no development shall commence until detailed plans showing the suspended tensile fabric external covering have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policy BE1 of the Unitary Development Plan.

10 ACH03 Satisfactory parking - full application

ACH03R Reason H03

11 ACH22 Bicycle Parking

ACH22R Reason H22

12 ACH30 Travel Plan

ACH30R Reason H30

INFORMATIVE(S)

1 The applicant is advised that Advertisement Consent may be required regarding any advertisement fascia to be installed at the property. If you have any queries regarding this please telephone 020 8313 4956 or email planning@bromley.gov.uk

Application:14/04513/FULL3

Address: 105 Elmers End Road Beckenham BR3 4SY

Proposal: Change of use of ground floor retail unit (Use Class A1) to day nursery (Use Class D1) comprising elevational alterations, pick up/drop off parking bays and landscaping.



"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 : 14/03384/FULL1

Ward:
Copers Cope

Address : 83 Copers Cope Road Beckenham BR3
1NR

OS Grid Ref: E: 536762 N: 170611

Applicant : Mr Matthew Arnold

Objections : YES

Description of Development:

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

Key designations:

Conservation Area: Copers Cope Road
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency

Background

Members will recall that a report was presented to Planning Sub Committee 4 on 8th January 2015. The Committee resolved to defer the application without prejudice to seek a reduction in density and increase in garden space.

The applicants have appealed against the Councils non-determination of this case within the statutory 8 weeks.

Members have to consider whether there are grounds to contest this appeal.

On the basis that the previous recommendation was for permission it is now recommended that there are no grounds to contest and that conditions are suggested to the Planning Inspectorate should permission be allowed on Appeal.

The previous report is repeated below for clarity.

Proposal

Planning permission is sought for the demolition of the existing buildings and the erection of 8 five bedroom houses with associated works relating to a private road, parking, and landscaping.

This comprises four rows of detached and linked detached dwellings with car parking spaces which creates two home zone areas with dwellings facing each other to the front elevations and at the rear. The dwellings will be three storey with the third storey contained within the roof space. The detached dwellings will be located centrally within the site with the linked detached dwellings located to the north and south of the site.

The design of the houses is traditional in format with stucco rendered bay windows, pitched slate roofs, London stock bricks and sliding sash windows. Other detail includes traditional corniced eaves, stone cills, soldier course lintels and chimneys, recessed front doors with clerestory lights over, lead clad dormer windows. Small front gardens laid to lawn with hedged sections.

Parking is provided with 14 on-site parking spaces and 7 garages. This equates to a provision of three spaces for five of the houses and two spaces for three of the houses. A separate garage block is provided to the east of the site for three of the garage spaces. Access is provided using the existing accessway between No's 81 and 85 Copers Cope Road. A vehicle passing place is provided within the site. Bin store enclosures are provided for each house within their own curtilage.

Location

The site is located at 83 Copers Cope Road and comprises a backland area of 0.29ha size at the rear of properties between No's 81 and 89 Copers Cope Road. The site is accessed via a narrow private road off Copers Cope Road between No's 81 and 85 and is bounded by residential development to the north, east and south. A railway line runs along the western boundary. New Beckenham Station is situated approximately 100 metres directly to the south west. A significant residential development known as Century Way is located directly to the north of the application site, which was originally granted Outline planning permission for 39 residential units in 2005.

The site currently comprises seventeen, low rise business / industrial units comprising 2,127 m² (GIA), with floorspace areas ranging from 44m² (GIA) to 272m² (GIA) with 17 car parking spaces. Occupiers are considered to fall within Use Classes B1, B8 or Sui Generis. The majority of the existing buildings run north / south along the boundary with the railway line, although some other units back on to residential properties.

Comments from Local Residents

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

Comments in objection

- in respect of the change of use concerns were highlighted that the buildings could be a creative hub for small businesses but have been deliberately run down without effort to maintain or market the units. Change of use will irreparably remove employment opportunities.
- the plot is not suitable for the density and size of houses.
- houses are higher than immediate neighbour house at 2 Grangewood Lane and will cause loss of amenity in respect of rights of light and overlooking causing loss of privacy
- access road is unsuitable for residential use.
- the access road is only big enough for one car at a time with no room for pedestrians.
- concerns regarding lighting on access road.
- proximity of fir trees to garages on site.

Comments in Support

- support has been indicated for the removal of the existing buildings subject to no use of Grangewood Lane being made for access of services in respect of sewerage, water, gas, electricity etc)
- residential development is preferable to commercial use.
- sensitive redevelopment seems preferable to steady decay
- layout and building design are well considered and sensitively arranged.
- the area is residential in character with demand for housing. As such the proposal respects local character and makes sensible provision for parking.
- family sized houses are rare and these are welcomed.
- developer has been supportive and listened to local residents views during the scheme preparation.
- planning conditions should be attached to ensure construction phase has minimum disruption, boundary arrangements are adhered to and the developer will continue constructive dialogue from the developer thus far.

The Copers Cope Residents Association have commented that they have no particular objection so long as the Council can satisfy itself the economic vitality of Beckenham is not effected, the current use is not commercially viable and its refurbishment is not economically viable. The Association also highlighted the concerns raised to them from neighbours and asked that these are taken into account in the Council's assessment.

Letters are available to Members upon request.

Comments from Consultees

Environmental Health: I have looked at this application and visited the area and would have no objections in principle to permission being granted. I am aware of the phase 1 Contamination Report which has been submitted and concur with the recommendations.

Planning Policy: Having looked at the marketing reports from both Acorn and Baxter Phillips that accompany the new planning application it would appear that Policy EMP5 has been addressed in a sufficient manner.

Technical Highways Engineer: I refer to the additional information supplied by the applicant on 23 October 2014. No objection in principle to the proposal.

Planning Considerations

BE1 Design of New Development
BE13 Development adjacent to a Conservation Area
EMP5 Development Outside Business Areas
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
NE7 Development and Trees
ER10 Light pollution
T3 Parking
T7 Cyclists
T18 Road Safety

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

London Plan (July 2011)

3.3 Increasing Housing Supply.
3.4 Optimising Housing Potential
3.5 Quality and design of housing developments
3.8 Housing choice
5.1 Climate change mitigation
5.2 Minimising carbon dioxide emissions
5.3 Sustainable design and construction
5.7 Renewable energy
5.9 Overheating and cooling
5.10 Urban greening
5.11 Green roofs and development site environs
5.12 Flood risk management
5.13 Sustainable drainage
5.14 Water quality and wastewater Infrastructure
5.15 Water use and supplies
5.16 Waste self-sufficiency
5.17 Waste capacity
5.18 Construction, excavation and demolition waste
5.21 Contaminated land
6.5 Funding Crossrail and other strategically important transport infrastructure
6.9 Cycling
6.13 Parking
7.2 An inclusive environment
7.3 Designing out crime

- 7.4 Local character
- 7.6 Architecture
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

Planning History

A pre-application (ref. PREAPP/13/00423) for the proposed demolition of existing buildings and erection of 8 new dwellings with associated car parking and landscaping was considered by the Council. A response was sent on 6/12/2013.

Other relevant planning history also relates to a significant residential development located directly to the north of the application site, which was originally granted Outline planning permission for 39 residential units in 2005 (ref. 05/04534), with reserved matters being granted in 2011 (ref. 11/00994). This scheme has now been completed and is known as Century Way.

Conclusions

The main issues to be considered in respect of this application are:

- Principle of Development
- Design
- Standard of Residential Accommodation
- Highways and Traffic Issues
- Impact on Adjoining Properties
- Sustainability and Energy
- Ecology and Landscaping

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.

Principle of Development

Policy EMP5 of the UDP states that the redevelopment of business sites or premises outside of the Designated Business Areas will be permitted provided that the size, configuration, access arrangements or other characteristics make it unsuitable for uses Classes B1, B2 or B8 use and full and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for those uses.

In response and to address the Policy requirements the applicant has submitted the following documents in support of the change of use of the site.

1. A commentary on the 'market demand' for the Site in terms of its existing and potentially refurbished condition, an assessment of surrounding employment sites (Location, size, year built, comment on quality), justification that the price and associated terms are commensurate with market values based on evidence from recent or similar transactions and deals.
2. Marketing evidence comprising of on-site marketing signage advertising, a marketing brochure, on-line marketing and press marketing (e.g. estates gazette).
3. Tenancy Schedule including current number of full time employees and status of rent.
4. A Dilapidation Report that assesses the existing condition of buildings and costs associated with refurbishment and likely rents.
5. A Viability Assessment (submitted under separate cover due to sensitive commercial and confidential information).
6. A covering email outlining enquiries received to the applicants commercial agent for marketing since the submission of the planning application to the Council. Four enquiries were received with three being from residential developers.

The documents individually conclude that the cost of refurbishing the site against demand for such business units in the locality is not economically viable. Officers have reviewed the documents and concur with the findings. As such It is considered that the above documents clearly demonstrate that there are no strong economic reasons why the existing employment uses should be retained and alternative uses for the site should be sought.

Housing is a priority use for all London Boroughs and the Development Plan welcomes the provision of small scale infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Policy 3.4 Optimising housing potential of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.

Policy H7 of the UDP sets out criteria to assess whether new housing developments are appropriate subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

The site is located adjacent to residential land to the east and north. In this location the Council will consider residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the new dwelling units on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Density

The density of the proposal would be 28 units per hectare (u/ha). Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 2 in a suburban area as 35-65 u/ha. The density of the proposal is marginally below that guided by this measure and is therefore considered to be acceptable.

Design, Siting and Layout

Policy 3.4 of the London Plan 2011 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range.

Policy BE1 states that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy H9 requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained. The spacing between the properties achieves this requirement at units 3, 4, 5 and 6 in the central part of the site and at a greater distance at the dwellings to the south and north boundaries by way of the linked garages allowing wider glimpsed views between dwellings.

The rear elevations of the central houses will face directly at a distance of 15m between habitable room windows. Concerns have been raised regarding levels of privacy that future occupiers may enjoy. The Mayor's Housing SPG highlight at Standard 5.1.1 that design proposals should demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces." The supporting text states "In the past, planning guidance for privacy has been concerned with achieving visual separation between dwellings by setting a minimum distance of 18 - 21m between facing homes (between habitable room and habitable room as opposed to between balconies or terraces or between habitable rooms and balconies/terraces). These can still be useful yardsticks for visual privacy, but adhering rigidly to these measures can limit the variety of urban spaces and housing types in the city, and can sometimes unnecessarily restrict density." With regard to this advice it is considered that the spacing between the rear elevations is acceptable in this case in terms of layout.

The design of the dwellings as detailed above is traditional in format, and reminiscent of properties to the north recently built at Century Way. The mass and scale is also proportional and reflective of the architectural typology of older properties on Copers Cope Road. As such it is considered that the proposal represents a high quality design that will make a positive contribution to the streetscene provided that it is suitably detailed. To ensure this, conditions are recommend to secure the materials shown on the submitted elevation plans and requiring details and samples (including on site brick panels as necessary) of facing materials to be submitted and approved by the Local Planning Authority.

Residential Amenity

Standard of Residential Accommodation

Policy 3.5 of the London Plan (2011) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants.

The floor space size of the four houses to the north and south boundaries are 179m² and the central block of four houses is 167m². Table 3.3 of the London Plan requires a Gross Internal Area of 119m² for a 5 bedroom 6 person dwelling house. On this basis the floorspace provision is considered acceptable.

The shape, room size and layout of the rooms in the proposed building is considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. All habitable rooms would have satisfactory levels of light and outlook.

The applicant has provided an annotated floorplan which confirms that the proposed units would meet Lifetime Homes. A condition is recommended to secure this.

Policy BE1 requires that adequate private or communal amenity spaces are provided to serve the needs of the particular occupants. While the depth of the rear garden may not be considered to be extensive, on balance it is considered that with the widths indicated and indicative layout illustrated, the proposed amenity of each house is acceptable for a family dwellhouse in this regard.

Overall it is considered that the proposed development has been sensitively designed to respond to the constraints of the site and would provide a good standard of accommodation for future occupiers.

Car parking

Car parking spaces have been provided for each dwelling as detailed above. The Council's Highways Officer has advised that they are satisfied with the provision indicated.

Cycle parking

Cycle parking is generally required to be 1:1 for residential development. The applicant has not provided details of a location for lockable cycle storage for the housing units. Further details can be conditioned in this regard.

Access Way and Estate Road

The existing vehicular accessway to the site will be utilised to provide access to the dwellings. No increase in width is possible due to the boundary constraints with properties at No's 81 and 85 Copers Cope Road respectively. Concerns have been raised regarding the use of the accessway for access to residential properties in terms of safety for pedestrians and vehicular users. A passing place has been provided to address this issue at the gateway to the main area of the site to avoid vehicle conflicts. The accessway is also considered to be of sufficient width to ensure that the shared surface is safe for pedestrian users. The Council's Highway Officer has not raised any objections in this regard.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for each of the units within the curtilage. The location point is considered acceptable. A swept path analysis has also been submitted that details that a Council refuse truck can enter and exit the

site in a forward gear. Further details can be conditioned regarding the design of a containment structure with any recommendation for approval.

Impact on Adjoining Properties

In terms of outlook, the fenestration arrangement will provide front, rear and flank outlook for each unit overlooking amenity space or overlooking the street.

In terms of privacy, concerns were raised by an adjacent property at No2 Grangewood Lane in terms of overlooking and loss of privacy. Officers have visited this address and viewed the concerns raised. The distance between No2 Grangewood Lane and the proposed dwelling at unit No2 is circa 24m, which exceeds the minimum distance referred to within the Mayor's guidance. Furthermore, the dwellings are oblique to one another, rather than directly opposite. On this basis while the concerns are noted and taken account of and it is acknowledged that there will be some loss of privacy to No2 it is not considered that this is sufficient to warrant withholding planning permission. Officers consider the outlook from windows to maintain a suitable level of privacy to existing neighbouring property.

Windows in the side elevations of Units 2,4,6 and 8 have also been obscure glazed and fixed shut to maintain levels of privacy to properties to the east following concerns raised by neighbours during the application consultations.

Sustainability and Energy

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

The applicant has not submitted a Sustainable Homes pre-assessment document in respect of the above policies. However, a number of criteria to achieve a sustainable development are listed in the Design and Access Statement which outlines that it will be possible for the development to meet a suitable Code Level. A condition is recommended with any approval to ensure that the development achieves this.

Ecology and Landscaping

The site is at present occupied by commercial units. The surface has been identified as having a moderate risk for potential of ground contamination. An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers. Individual gardens are provided for each dwelling and these would provide opportunities for landscaping and greening of the site. These would

be enclosed by a boundary structure individually and surrounding the site. Notwithstanding, the details shown on this plan, should permission be forthcoming, details of land contamination measures, full details of hard and soft landscaping and boundary treatment could be sought by condition.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Summary

It is considered that the proposal would bring forward additional much needed dwellings by intensifying the use of a currently underutilised brownfield site. The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers, subject to suitable conditions. It is considered that the density and tenure of the proposed housing is acceptable and that the standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

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

as amended by documents received on 22.10.2014

RECOMMENDATION: RESOLVE NOT TO CONTEST APPEAL

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACK01 Compliance with submitted plan
 ACK05R K05 reason
- 3 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
- 4 ACA07 Boundary enclosure - no detail submitted
 ACA07R Reason A07
- 5 ACC08 Satisfactory materials (all surfaces)
 ACC08R Reason C08
- 6 Notwithstanding the details hereby approved, no development shall commence until detailed plans at a scale of 1:20 or less showing bay windows, corniced eaves, stone cills, soldier course lintels and chimneys, recessed front doors with clerestory lights over, lead clad dormer windows have been submitted to and approved in writing by the local planning authority.

(ii) The development shall be carried out in accordance with the approved details.

Reason: In order that the local planning authority may be satisfied as to the detailed treatment of the proposal and to comply with Policies BE1 and H7 in the Unitary Development Plan.

7 ACK09 Soil survey - contaminated land
ACK09R K09 reason

8 (a) The buildings hereby approved shall achieve a minimum Code for Sustainable Homes Rating Level 4.

(b) No development shall commence until a Design Stage Certificate for each residential unit (prepared by a Code for Sustainable Homes qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).

(c) Within 3 months of occupation of any of the residential units, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Code for Sustainable Homes qualified Assessor) to demonstrate full compliance with part (a) for that specific unit.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2011).

9 No development shall commence on site until the following information has been submitted to and approved in writing by the local planning authority:

(a) A full site survey showing: the datum used to calibrate the site levels along all site boundaries, levels across the site at regular intervals, floor levels of adjoining buildings, full details of the proposed finished floor levels of all buildings and hard surfaces.

(b) The development shall be carried out only in accordance with the approved details.

Reason: To ensure that the local planning authority may be satisfied as to the detailed external appearance of the development in relation to its surroundings and to comply with Policies BE1 and H7 in the Unitary Development Plan.

10 ACD02 Surface water drainage - no det. submitt

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan (2011).

11 ACH04 Size of parking bays/garages
ACH04R Reason H04

12 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16

13 ACH18 Refuse storage - no details submitted
ACH18R Reason H18

14 ACH22 Bicycle Parking
ACH22R Reason H22

15 ACH29 Construction Management Plan
ACH29R Reason H29

16 ACH32 Highway Drainage
ADH32R Reason H32

17 (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.

(b) Any such external lighting as approved under part (i) shall be installed in accordance with BS 5489-1:2003 and the approved drawings and such directional hoods shall be retained permanently.

(c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with Policy ER10 in the Unitary Development Plan.

18 Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external elevations of the buildings.

Reason: It is considered that such plumbing or pipes would seriously detract from the appearance of the buildings and to comply with Policies BE1 and H7 in the Unitary Development Plan.

19 ACI02 Rest of "pd" Rights - Class A, B,C and E

Reason: In order that and in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policies BE1 and H7 in the Unitary Development Plan.

20 Before the development hereby permitted is first occupied, the proposed window(s) to the first and second floor east facing flank walls of Units 2,4,6 and 8 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 112 reason (1 insert) BE1 and H7

INFORMATIVE(S)

1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.

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

3 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).

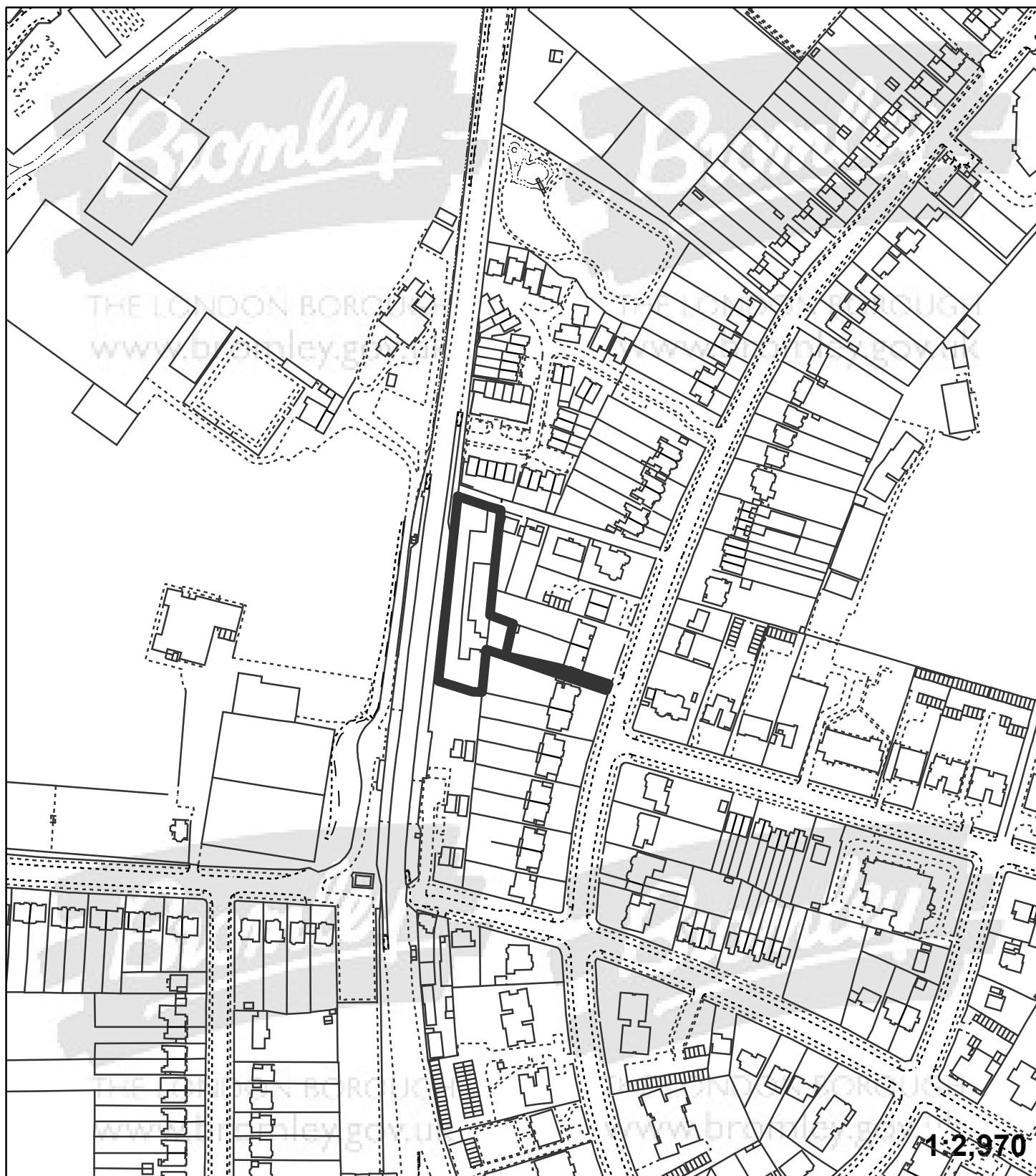
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:14/03384/FULL1

Address: 83 Copers Cope Road Beckenham BR3 1NR

Proposal: Demolition of existing buildings and erection of 8 five bedroom houses with associated works relating to a private road, parking, and landscaping



"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 : 14/03757/FULL1

Ward:
Chelsfield And Pratts
Bottom

Address : 10 Porthallow Close Orpington BR6 9XU

OS Grid Ref: E: 545840 N: 164737

Applicant : Mr & Mrs Ives

Objections : YES

Description of Development:

Detached two storey 2 bedroom dwelling with 2 car parking spaces on land adjacent to No.10 Porthallow Close

Key designations:

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

Proposal

It is proposed to construct a detached two storey 2 bedroom dwelling on this site which would measure 4.4m in width and 9.1m in depth. It would have a height of 7.8m, and a rear garden depth of 12m.

The dwelling would be staggered back 1.75m from No.9, and set 1.6m forward of No.10. It would maintain a separation of 0.9m to the boundary with No.9, and 1m to the boundary with No.10, although separations of at least 2m would be provided between the adjacent dwellings.

Two car parking spaces would be provided on the site frontage, and the submitted plans show that there is room for two spaces on the frontage of No.10.

Location

The site is located on the eastern side of Porthallow Close (which was built in the early 2000s as part of the redevelopment of the Orpington Hospital site), and comprises the side garden of No.10 which lies adjacent to No.9. The site measures 6.3m in width and 27m in depth.

Two TPO trees which originally stood on the boundary with No.9 were removed in 2014 due to their deteriorating condition (which was agreed by the Council's Tree Officer).

Comments from Local Residents

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

- highway safety in Porthallow Close would be compromised
- proposals would be detrimental to the local environment
- additional pressure on limited parking in the area
- general disturbance during building works
- dwelling appears narrow for a detached dwelling - an end-of-terrace dwelling may be more appropriate
- increased risk of flooding
- detrimental impact on wildlife habitats
- loss of garden land.

Comments from Consultees

No objections are raised to the proposals from a highways, drainage or environmental health point of view, subject to safeguarding conditions.

Thames Water do not raise any concerns.

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 impact of the proposals on the character and appearance of the surrounding area, on the amenities of neighbouring residential properties, and on parking and road safety in the area.

The proposed dwelling would be of a similar size and design as neighbouring properties, and would occupy a similar sized plot. There are a mixture of detached, semi-detached and terraced properties in the area, and the proposed dwelling would not therefore appear out of character with the surrounding area.

The dwelling would be staggered between the dwellings at Nos.9 and 10, and so would not appear overly prominent within the street scene. It would maintain a 1m side space to the southern flank boundary with No.10 (giving a separation of 2m between the dwellings), and although only a 0.9m separation would be provided to the northern flank boundary with No.9 (which strictly speaking would not comply with the Council's side space policy), a separation of 2.1m would be provided between the dwellings, with the closest part of No.9 being single storey only. The proposals are not, therefore, considered to have a significantly detrimental impact on the character and spatial standards of the surrounding area.

The parking provision is considered to be acceptable for a development of this size, and this can be conditioned to ensure its retention.

A condition of the Council's approval in 2014 for the removal of the 2 TPO trees was that 2 replacement trees should be planted, therefore, it is considered appropriate for a landscaping condition to be imposed.

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 08.12.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | | |
|----|--------|---|--|
| 1 | ACA01 | Commencement of development within 3 yrs | |
| | ACA01R | A01 Reason 3 years | |
| 2 | ACA04 | Landscaping Scheme - full app no details | |
| | ACA04R | Reason A04 | |
| 3 | ACA08 | Boundary enclosures - implementation | |
| | ACA08R | Reason A08 | |
| 4 | ACC01 | Satisfactory materials (ext'n'l surfaces) | |
| | ACC01R | Reason C01 | |
| 5 | ACD02 | Surface water drainage - no det. submitt | |
| | AED02R | Reason D02 | |
| 6 | ACH03 | Satisfactory parking - full application | |
| | ACH03R | Reason H03 | |
| 7 | ACH29 | Construction Management Plan | |
| | ACH29R | Reason H29 | |
| 8 | ACH32 | Highway Drainage | |
| | ADH32R | Reason H32 | |
| 9 | ACI02 | Rest of "pd" Rights - Class A, B,C and E | |
| | ACI03R | Reason I03 | |
| 10 | ACI12 | Obscure glazing (1 insert) at first floor level in the flank elevations of the dwelling | |
| | ACI12R | I12 reason (1 insert) BE1 | |
| 11 | ACI17 | No additional windows (2 inserts) first floor flank dwelling | |
| | ACI17R | I17 reason (1 insert) BE1 | |

- | | | |
|----|--------|------------------------------------|
| 12 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |
| 13 | ACK05 | Slab levels - no details submitted |
| | ACK05R | K05 reason |

INFORMATIVE(S)

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

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

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

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

Application:14/03757/FULL1

Address: 10 Porthallow Close Orpington BR6 9XU

Proposal: Detached two storey 2 bedroom dwelling with 2 car parking spaces on land adjacent to No.10 Porthallow Close



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

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

Application No : 14/03898/FULL1

Ward:
West Wickham

Address : 128 Barnfield Wood Road Beckenham
BR3 6SX

OS Grid Ref: E: 538605 N: 167310

Applicant : Mr Brian Smith

Objections : NO

Description of Development:

Single storey front extension and porch, single storey rear extension, first floor side extension and roof alterations.

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
Local Distributor Roads
Open Space Deficiency

Proposal

Planning permission is sought for a single storey front extension and porch, single storey rear extension, first floor side extension and roof alterations.

The single storey rear extension will project 2m depth and 8.4m width and traverse across two thirds of the width of the rear elevation. A separation gap of 840mm to No126 and over 5m to No130 is maintained to each boundary. A small flat roof is indicated. Sliding patio style doors are shown to the rear elevation.

A first floor side extension will build above the existing side projection currently with a cat slide roof adjacent to No126. The flank wall of the first floor extension will be approximately 890mm from the side boundary tapering to 840mm at the rear.

A new hipped roof is also proposed over the first floor side extension and part main property involving a small increase in the main ridge height and the infilling of flat roof area to the rear to create a habitable loft space with roof lights to provide light ingress.

To the front an open covered porch is proposed to reposition the front entrance door in a contemporary design incorporating a front extension to the garage at 1.2m depth.

Materials are indicated to match the existing in render and a tiled roofing finish.

Location

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

Comments from Local Residents

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

Comments from Consultees

No internal consultees were required to be consulted.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space
H10 Areas of Special Residential Character

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

Planning History

99/00488/FULL1 First floor rear extension and pitched roofs over existing flat roofs at rear. Approved 28.04.1999

03/01202/FULL6: Two storey rear extension. Approved 22.05.2003

03/04355/FULL6: Two storey and single storey rear extensions. Approved 21.01.2004

06/02763/FULL6: Part one/two storey rear extension and elevational alterations to front. Approved 13.09.2006.

Conclusions

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

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

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

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

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

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

With regard to the front and rear extensions, the design of each extension is considered to be in keeping with the character of the existing building. The rear extension is not visible from the public streetscene and is entirely contained to the rear with the front extension clearly visible in this regard. Both extensions are relatively modest in terms of depth at 2.6m adjoining the rear elevation and 1.2m to the front elevation respectively. This is within the limits generally considered to be acceptable for extensions of this nature in this location. Therefore the main effect will be on the character of the original building. In both cases, a high quality addition is acceptable in principle. The incorporation of matching materials and the high quality contemporary design approach are considered an acceptable addition in keeping and complimentary to the original architectural style of the building.

The design of the first floor extension is considered to be in keeping with the character of the existing building incorporating a hipped roof at the same pitch as the main dwelling. In terms of side space it is noted that the first floor extension comes closer to the side boundary than 1m. This is due to the reason that the wall builds up from the existing ground floor flank wall and follows this position to create a full height flank wall at no closer than 840mm at its narrowest point. It is noted that in this part of Barnfield Wood Road there are a number of properties that have separation distances to the boundaries at marginally less than 1m. (Members are referred to an aerial photograph on file in this regard). Similarly the increase in the

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

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

Summary

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

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

as amended by documents received on 14.01.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

Application:14/03898/FULL1

Address: 128 Barnfield Wood Road Beckenham BR3 6SX

Proposal: Single storey front extension and porch, single storey rear extension, first floor side extension and roof alterations.



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

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

Application No : 14/04287/FULL1

Ward:
Penge And Cator

Address : Buildings Adjacent 1 To 1A Kingswood
Road Penge London SE20 7BL

OS Grid Ref: E: 535109 N: 170551

Applicant : Mr N Bajaj

Objections : NO

Description of Development:

Demolition of existing buildings and construction of 3 two bedroom houses with associated landscaping and amenity areas.

Key designations:

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

Proposal

Planning permission is sought for the demolition of the existing buildings and construction of 3 two bedroom houses with associated landscaping and amenity areas.

The replacement buildings will be located around the perimeter of the site to the east and south in a similar manner to the existing buildings on site. Separate amenity space will be provided internally within the site. Access to the buildings will be via the existing thoroughfare underneath the first floor of No1 Kingswood.

Location

The site is located on the west side of Kingswood Road and to the rear of No1. It is reached via an accessway which goes underneath part of the first floor to No1 Kingswood Road. Residential dwellings lay to the north of the site and what appears to be a mix of commercial and residential to the south and east. The area to the west appears open and commercial in nature. This is a commercial site which is currently unused and has a derelict appearance. The last known user was as a tile supplier. A recent development of three Mews style houses is located at Montague Mews in part adjoining the site and at the rear of No's 3 and 5 Kingswood Road.

Comments from Local Residents

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

Comments from Consultees

Highways Officer: The site is on the north-west site of Kingswood Road. The development is located in PTAL area of 4. No car parking spaces are provided. This is very regrettable. The applicant has demonstrated by parking surveys that parking on the roads in proximity to the application site would not adversely affect capacity. The parking stress of unrestricted kerb space would increase by 1.2% from 82.4% to 83.6% for the study area. If minded to approve include standard conditions.

Environmental Health Officer - Pollution: I have considered the above and I have no objections in principle subject to conditions.

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

Drainage: The proposed use of rainwater harvesting to store water for later use is acceptable. It is however, not sufficient to attenuate surface water run-off for extreme events. The applicant is required to carry out surface water design to maximise the use of SUDS.

This site is within the area in which the environment agency - Thames Region require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries.

Thames Water: No objections.

Planning Considerations

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

BE1 Design of New Development
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
ER7 Contaminated Land
ER10 Light pollution
T3 Parking
T7 Cyclists
T18 Road Safety
EMP5 Development Outside Business Areas

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

London Plan (July 2011):

- 3.3 Increasing Housing Supply.
- 3.4 Optimising Housing Potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

Planning History

14/01249/FULL1: Demolition of existing buildings and erection of two x 2 bedroom and one x 3 bedroom dwellings with associated parking and amenity areas. Refused 25/7/2014.

The reasons for refusal referred to an unacceptable degree of overlooking and loss of privacy and amenity to nearby occupiers and that the proposal would be an overdevelopment of the site, lacking in adequate amenity space.

It is also noted that there have been planning consents for similar residential development in nearby sites for example Montague Mews to the north of the site and opposite at 2a Kingswood Road.

Conclusions

The main issues to be considered in respect of this application are:

- Principle of Development
- Design
- Standard of Residential Accommodation
- Highways and Traffic Issues
- Impact on Adjoining Properties
- Sustainability and Energy
- Ecology and Landscaping

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.

Principle of Development

Policy EMP5 of the UDP states that the redevelopment of business sites or premises outside of the Designated Business Areas will be permitted provided that the size, configuration, access arrangements or other characteristics make it unsuitable for uses Classes B1, B2 or B8 use and full and proper marketing of the site confirms the unsuitability and financial non-viability of the site or premises for those uses.

An officer site visit revealed that the premises appear to have been unused and stood empty for some time. No supporting documentation has been received with the application which fully sets out the background and more recent history to the 'redundant' use of the site. No marketing evidence has been received.

However, given the unused, long term derelict nature of the premises and recent changes of use to similar nearby sites and that there appear no strong economic reasons why the existing employment use of the site should be retained and the proximity and relationship to nearby residential properties, it is considered that alternative uses for the site should be sought.

Housing is a priority use for all London Boroughs and the Development Plan welcomes the provision of small scale infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

The NPPF sets out in paragraph 14 a presumption in favour of sustainable development. In terms of decision-making, the document states that where a development accords with a local plan, applications should be approved without delay. Where a plan is absent, silent or relevant policies are out of date, permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

The document also encourages the effective use of land by reusing land that has been previously developed (brownfield land) and excludes gardens from the definition of previously developed land.

Policy 3.4 Optimising housing potential of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.

Policy H7 of the UDP sets out criteria to assess whether new housing developments are appropriate subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, community safety and refuse arrangements.

Residential dwellings lay to the north of the site and what appears to be a mix of commercial and residential to the south and east. In this location the Council will consider residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the new dwelling units on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Density

The density of the proposal would be 91 units per hectare (u/ha). Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 4 in a suburban area as 50-95 u/ha.

Overdevelopment identified in the previous scheme has been addressed by providing 3 two bedroom units as opposed to 2 two bedroom units and 1 three bedroom unit. Given, the density of the proposal is within the guided density criteria the amount of development on site is now considered suitable at this location and overcomes the previous reason for refusal.

Design, Siting and Layout

Policy 3.4 of the London Plan 2011 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range.

Policy BE1 states that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

The design of the dwellings has been created in a courtyard style with replacement buildings that are commensurate in mass and scale to those existing. Similarly, the footprint of the buildings is largely the same. As such it is considered that the proposal represents a high quality design that will make a positive contribution to the locality provided that it is suitably detailed. To ensure this, conditions are recommended to secure the materials shown on the submitted architectural sketch impressions and requiring details and samples of facing materials to be submitted and approved by the Local Planning Authority.

Residential Amenity

Standard of Residential Accommodation

Policy 3.5 of the London Plan (2011) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

Policy BE1 in the Adopted UDP states that the development should respect the amenity of occupiers of future occupants.

The floor space size of each house unit is 84m², 68.8m² and 88m² respectively. Table 3.3 of the London Plan requires a Gross Internal Area of 61m² for a two storey 2 bedroom dwelling house. On this basis the floorspace provision is considered to be acceptable.

The shape, room size and layout of the rooms in the proposed building is considered satisfactory. None of the rooms would have a particularly convoluted layout which would limit their use. All habitable rooms would have satisfactory levels of light and outlook.

In terms of amenity space and to address a lack of provision in the previous scheme small front contained gardens are now provided. The depth and size of the gardens areas are of sufficient proportion to provide a usable space for the purposes of a small family dwellinghouse.

Car Parking and Access

The car parking element of the scheme has been removed from the current scheme which conflicted with the provision of amenity space in terms space use in the previous scheme. In view of this a Transport Assessment has been provided that indicates some limited availability in the locality for parking. In addition with the provision of an extra on-street space by the blocking up of vehicular access to the site, adequate provision is considered available at this location.

The Council's Highways Officer has not raised objection in this regard. Therefore, due to the relatively minor impact of the additional units on parking issues in the vicinity it is considered the proposal would generally be in accordance with UDP Policy T3 and Policy 6.13 of the London Plan (2011).

Cycle parking

Cycle parking is generally required to be 1:1 for residential development. The applicant has provided details of a location for lockable cycle storage for each unit. Further details can be conditioned if approval were to be forthcoming.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units in the front curtilage of each property. The location point is considered acceptable. Further details can be conditioned regarding a containment structure.

Impact on Adjoining Properties

In terms of outlook, the fenestration arrangement will provide front outlook only to within the contained courtyard area only. Two first floor balconies will look to the north of the site over rear garden areas at 11m distance to the boundary with No3 Kingswood Road at 90 degrees to rear elevations. A third overlooking balcony has been removed from the scheme to address the previous reasons for refusal. First floor windows to the rear elevation of dwelling No3 overlooking vacant land and in part two windows to its front elevation overlooking the courtyard are indicated as obscure glazed. The windows to the rear are also to non-habitable rooms in the dwelling. Given these alterations to the scheme, it is not considered that the dwellings will result in loss of privacy or any overlooking of adjacent property which overcomes the previous reasons for refusal.

Sustainability and Energy

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

The applicant has not submitted a Sustainable Homes pre-assessment document in respect of the above policies. A planning condition is recommended with any approval to ensure that the development strives to achieve these objectives.

Lifetime Homes

The applicant has confirmed that the development will be Lifetime Homes compliant.

Landscaping and Ecology

The site is at present occupied by commercial units. The surface is likely as having a moderate risk for potential of ground contamination. An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers. Individual gardens are provided for each dwelling and these would provide opportunities for landscaping and greening of the site. These would be enclosed by a boundary structure individually and surrounding the site. Notwithstanding, the details shown on this plan, should permission be forthcoming, details of land contamination measures, full details of hard and soft landscaping and boundary treatment could be sought by condition.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is payable on this application and the applicant has completed the relevant form.

Summary

It is considered that the proposal would bring forward additional much needed dwellings by intensifying the use of a currently underutilised brownfield site. The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers, subject to suitable conditions. It is considered that the density and tenure of the proposed housing is acceptable and that the standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

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

- 2 ACA01R A01 Reason 3 years
 2 ACK01 Compliance with submitted plan
 ACK05R K05 reason
 3 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
 4 ACA07 Boundary enclosure - no detail submitted
 ACA07R Reason A07
 5 ACC08 Satisfactory materials (all surfaces)
 ACC08R Reason C08
 6 ACK09 Soil survey - contaminated land
 ACK09R K09 reason
 7 (a) The buildings hereby approved shall achieve a minimum Code for Sustainable Homes Rating Level 4.
 (b) No development shall commence until a Design Stage Certificate for each residential unit (prepared by a Code for Sustainable Homes qualified Assessor) has been submitted to and approved in writing by the local planning authority to demonstrate compliance with part (a).
 (c) Within 3 months of occupation of any of the residential units, evidence shall be submitted in the form of a Post Construction Certificate (prepared by a Code for Sustainable Homes qualified Assessor) to demonstrate full compliance with part (a) for that specific unit.

Reason: To comply with Policies 5.1 Climate change and mitigation, 5.2 Minimising carbon dioxide emissions, 5.3 Sustainable design and construction, 5.7 Renewable energy, 5.15 Water use and supplies in the London Plan (2011).

- 8 ACD02 Surface water drainage - no det. submitt

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan (2011).

- 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 ACH24 Stopping up of access
 ACH24R Reason H24
 13 ACH29 Construction Management Plan
 ACH29R Reason H29

- 14 Before the development hereby permitted is first occupied, the proposed window(s) to the first floor rear elevation of Dwelling 3 and part front elevation as indicated on Drawing 13/021_P4B 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 and H7
 15 The application site is located within an Air Quality Management Area declared for NOx: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh.

Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area and to accord with Paragraph 124 of the NPPF and Policy 7.14 of the London Plan.

16 (a) Prior to occupation of the development a scheme for any external lighting that is to be installed at the site, including measures to prevent light spillage shall be submitted to and approved in writing by the local planning authority.

(b) Any such external lighting as approved under part (i) shall be installed in accordance with BS 5489-1:2003 and the approved drawings and such directional hoods shall be retained permanently.

(c) The applicant should demonstrate that the proposed lighting is the minimum needed for security and working purposes and that the proposals minimise pollution from glare and spillage.

Reason: In order that the local planning authority may be satisfied that the lighting is installed and maintained in a manner which will minimise possible light pollution to the night sky and neighbouring properties and to comply with Policy ER10 in the Unitary Development Plan.

17 Notwithstanding the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or modifying that Order), no plumbing or pipes, other than rainwater pipes, shall be fixed on the external elevations of the buildings.

Reason: It is considered that such plumbing or pipes would seriously detract from the appearance of the buildings and to comply with Policy BE1 and H7 in the Unitary Development Plan.

18 AC102 Rest of "pd" Rights - Class A, B, C and E

Reason: In order that and in view of the nature of the development hereby permitted, the local planning authority may have the opportunity of assessing the impact of any further development and to comply with Policies BE1 and H7 in the Unitary Development Plan.

INFORMATIVE(S)

1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.

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

3 Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are

attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

- 4 Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 5 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- 6 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)).

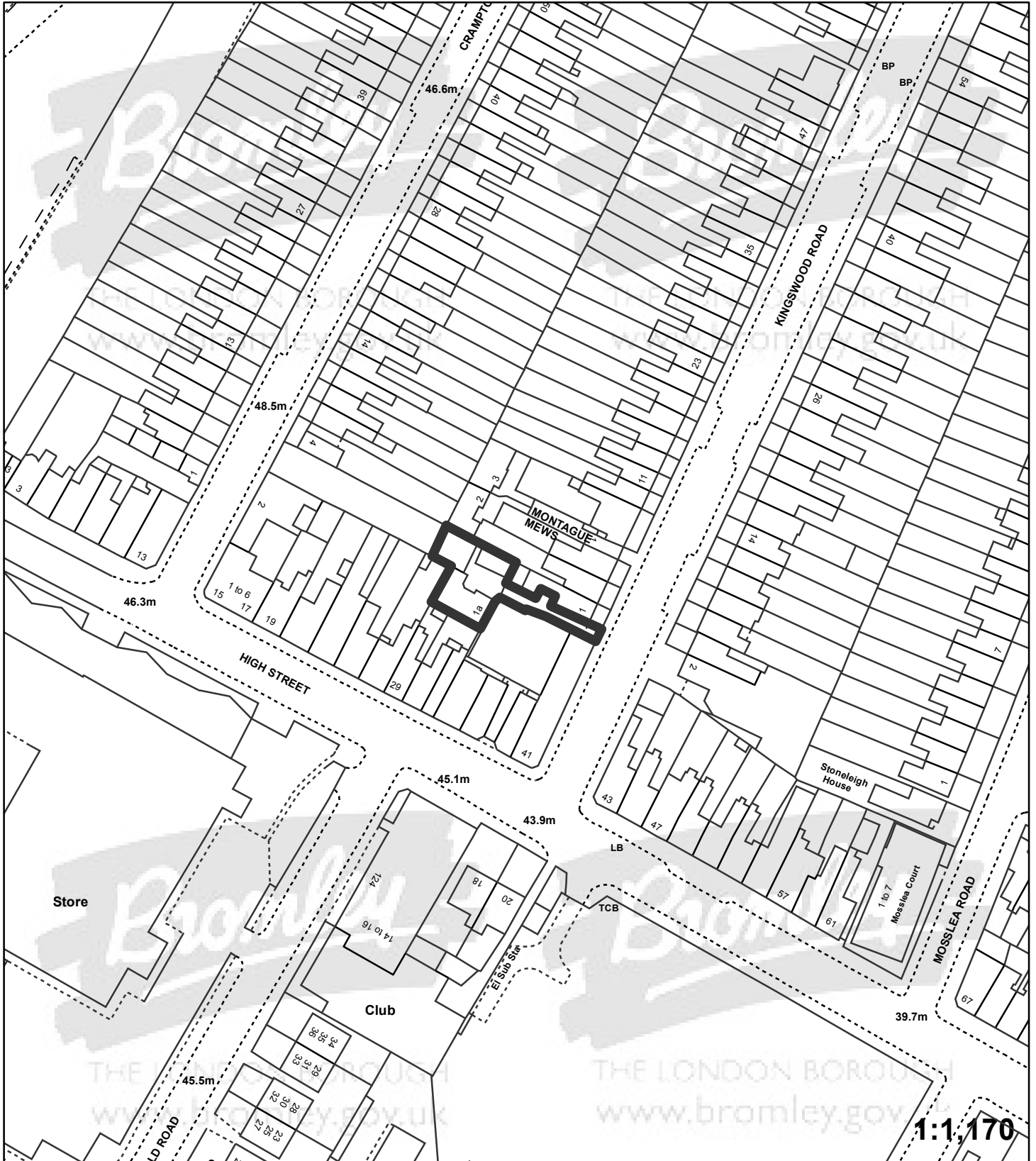
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:14/04287/FULL1

Address: Buildings Adjacent 1 To 1A Kingswood Road Penge London SE20 7BL

Proposal: Demolition of existing buildings and construction of 3 two bedroom houses with associated landscaping and amenity areas.



"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 : 14/04292/FULL6

Ward:
Bickley

Address : Greenwood Bickley Park Road Bickley
Bromley BR1 2AT

OS Grid Ref: E: 542475 N: 168904

Applicant : Mr Hancock

Objections : YES

Description of Development:

Two storey side and single storey rear extensions with swimming pool to rear.

Key designations:

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

Proposal

It is proposed to add a two storey side and single storey rear extension to this detached property, and construct a 10m x 5m sunken swimming pool in the rear garden which would be situated 3m to the rear of the proposed extension.

The two storey side extension would be situated 1.5m from the eastern flank boundary with Jalna, and would have a setback of 1m from the front wall of the dwelling. The pitched roof over the extension would be 1.4m lower than the main roof ridge.

The single storey rear extension would project 5.2m to the rear, and would be set back between 1.6-1.8m from the eastern flank boundary, and 1.5m from the western flank boundary with Aldeen. The extension would have a flat roof with two pitched roof sections containing rooflights and a glazed gable end.

The sunken swimming pool would be located approximately 3.7m from the boundary with Aldeen, and 8.7m from the boundary with Jalna.

Location

The application site is located to the southern edge of Bickley Park Road with the cricket ground opposite. The site is occupied by a large two storey detached dwelling which is of a comparable size and style to those in the vicinity and which was permitted in 2009. The site lies within Bickley Area of Special Residential Character (ASRC).

Comments from Local Residents

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

- proposals would erode the individual quality and character of the ASRC
- overdevelopment of the site
- inadequate side space provided
- increased residential density
- possible future commercial or religious use of the property which would be out of character with the area
- a previous application was refused in 2013.

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
H10 Areas of Special Residential Character

Planning History

The existing dwelling was granted permission under application reference 09/01573, pursuant inter alia to condition 3 which removes permitted development rights for extensions.

A number of applications for a detached dwelling to the rear garden were refused (refs. 07/02856, 08/02804 and 10/01837) and subsequently dismissed at appeal.

Permission was refused in September 2013 (ref.13/02092) for a two storey side extension, a single storey rear extension and the change of use to a house in multiple occupation on grounds relating to the over-intensification of the existing property, and the resulting harm to the established residential character of the area.

Permission was refused in March 2014 (ref.13/04243) for a single storey side/rear extension and an outbuilding to the rear to be used as a gym/play/store on grounds relating to an overdevelopment of the site, and harm to the character and spatial standards of the ASRC. However, these proposals were allowed on appeal in June 2014, and construction of the extension and detached outbuilding is underway.

Conclusions

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

The current proposals are for a two storey side extension (as opposed to a single storey side extension which was previously granted on appeal), and for a similar depth single storey rear extension (projecting 5.2m to the rear) but extending across the full back of the house (previously the single storey rear extension projected 5.2m to the rear adjacent to Aldeen, but reduced to 3m on the side adjacent to Jalna).

The character of Bickley ASRC is that of spacious inter-war residential development, with large houses set within substantial plots. The existing dwelling reflects this character, and although the proposed two storey side extension would erode some of the space around the building, the extension has been designed to appear subservient to the main dwelling (with a lower roofline and a 1m set-back from the front of the dwelling), and a good separation of at least 1.5m would still be retained to the eastern flank boundary. Furthermore, the dwelling to the east (Jalna) is set significantly further back in its plot than Greenwood, and is a reasonable distance away from the flank boundary so that a good spatial separation would still be maintained between the dwellings.

Members should note that a similar width two storey side extension but with a bulkier roof was considered acceptable in principle under ref.13/02092, and the application was refused only on grounds relating to the overintensive use of the property which was for multiple occupation.

The single storey rear extension would have the same depth adjacent to Aldeen as the scheme allowed on appeal, and the eastern part which would extend 2.2m further to the rear than previously permitted, would still be set back at least 1.6m from the flank boundary with Jalna, and would not project beyond the rear elevation of this property.

The proposals are not, therefore, considered to result in a significant loss of amenity to local residents nor would have a detrimental impact on the character and spatial standards of Bickley Area of Special Residential Character.

The property has a 50m deep garden, and the proposals are not considered to result in an overdevelopment of the site. The density of development would not be increased as the proposals relate to the existing dwelling only, and any future alternative uses of the property would be subject to the usual requirements regarding the need for planning permission.

The proposed sunken swimming pool is not considered to be harmful to residential amenity.

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 ACI10 Side space (1 insert) 1.5m eastern
 ACI10R Reason I10
- 4 ACI12 Obscure glazing (1 insert) at first floor level in the eastern
 flank elevation
 ACI12R I12 reason (1 insert) BE1
- 5 ACI17 No additional windows (2 inserts) first floor flank extension
 ACI17R I17 reason (1 insert) BE1
- 6 ACK01 Compliance with submitted plan
 ACK05R K05 reason

INFORMATIVE(S)

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

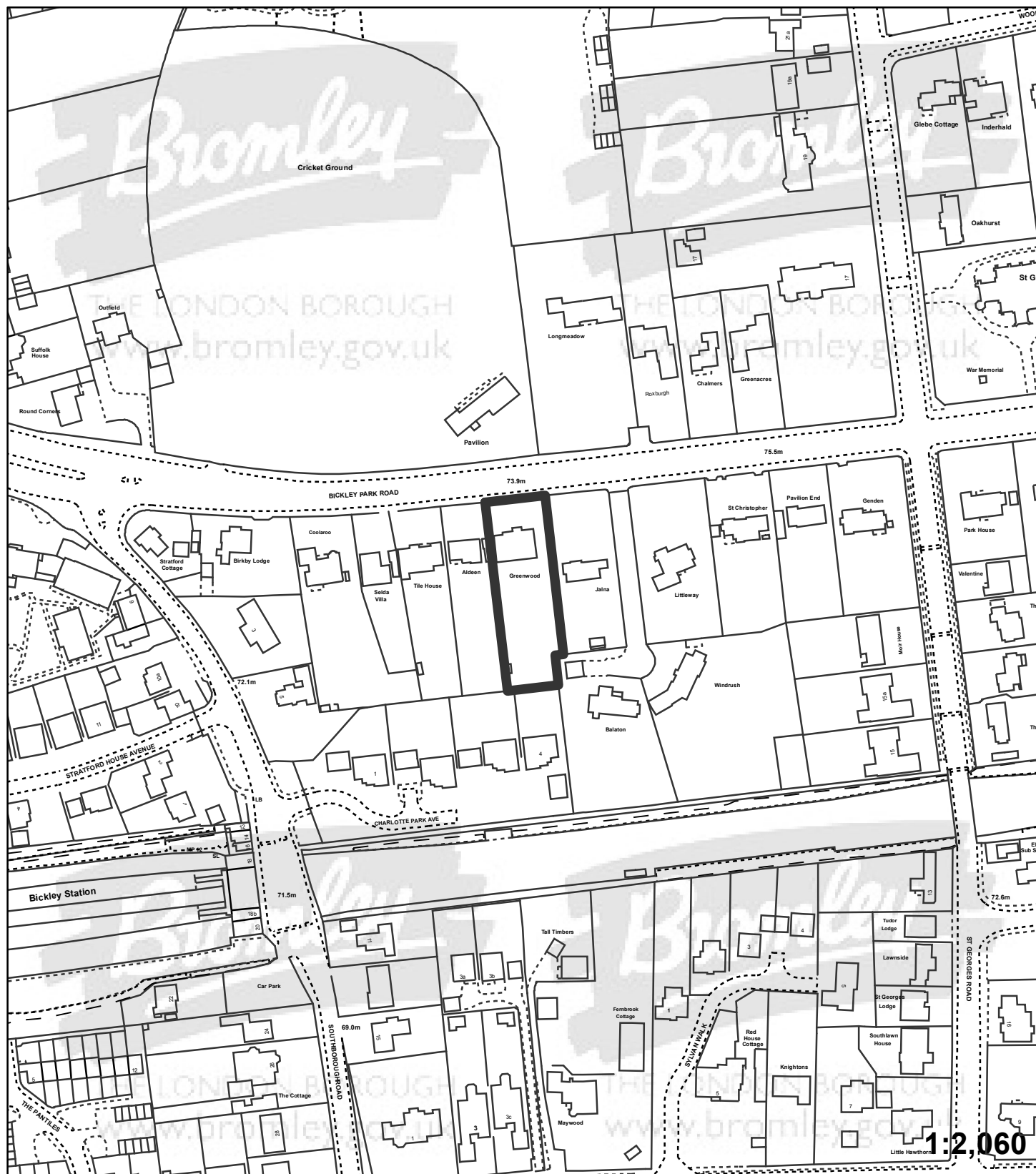
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:14/04292/FULL6

Address: Greenwood Bickley Park Road Bickley Bromley BR1 2AT

Proposal: Two storey side and single storey rear extensions with swimming pool to rear.



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

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

Application No : 14/04311/FULL1

Ward:
Petts Wood And Knoll

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

OS Grid Ref: E: 544258 N: 167743

Applicant : G K Goldman Klein Ltd

Objections : YES

Description of Development:

Elevational alterations to existing building.

Key designations:

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

Proposal

This scheme seeks elevational alterations to the existing building, including partial terracotta tile cladding, white banding courses, and white rendering to its front, side and rear elevations. It is also proposed to install new uPVC window units. In addition, alterations are sought to the existing front glazed entrance to incorporate a dark grey aluminium finish and new entrance doors. The application submission states that the existing 50 off-street parking spaces will remain in place.

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

This application is accompanied by application ref. 14/04309 which relates to a third floor office extension and elevational alterations to the existing building.

Location

See report reference 14/04309 of the agenda.

Comments from Local Residents

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

- loss of privacy
- overdevelopment of the site
- development will result in excessive parking demand in the area
- loss of employment in the area and benefit to local economy it provides
- neighbouring occupiers in agreement within the proposed plans

Comments from Consultees

Not applicable.

Planning Considerations

The application falls to be determined in accordance with Policy BE1 of the Unitary Development Plan (UDP) and the National Planning Policy Framework (NPPF).

Planning History

See report reference 14/04309 of the agenda.

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.

It is considered that the proposed elevational alterations, in particular the materials, are sympathetic in regard to the character and appearance of the host building and the wider area.

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

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

RECOMMENDATION: PERMISSION

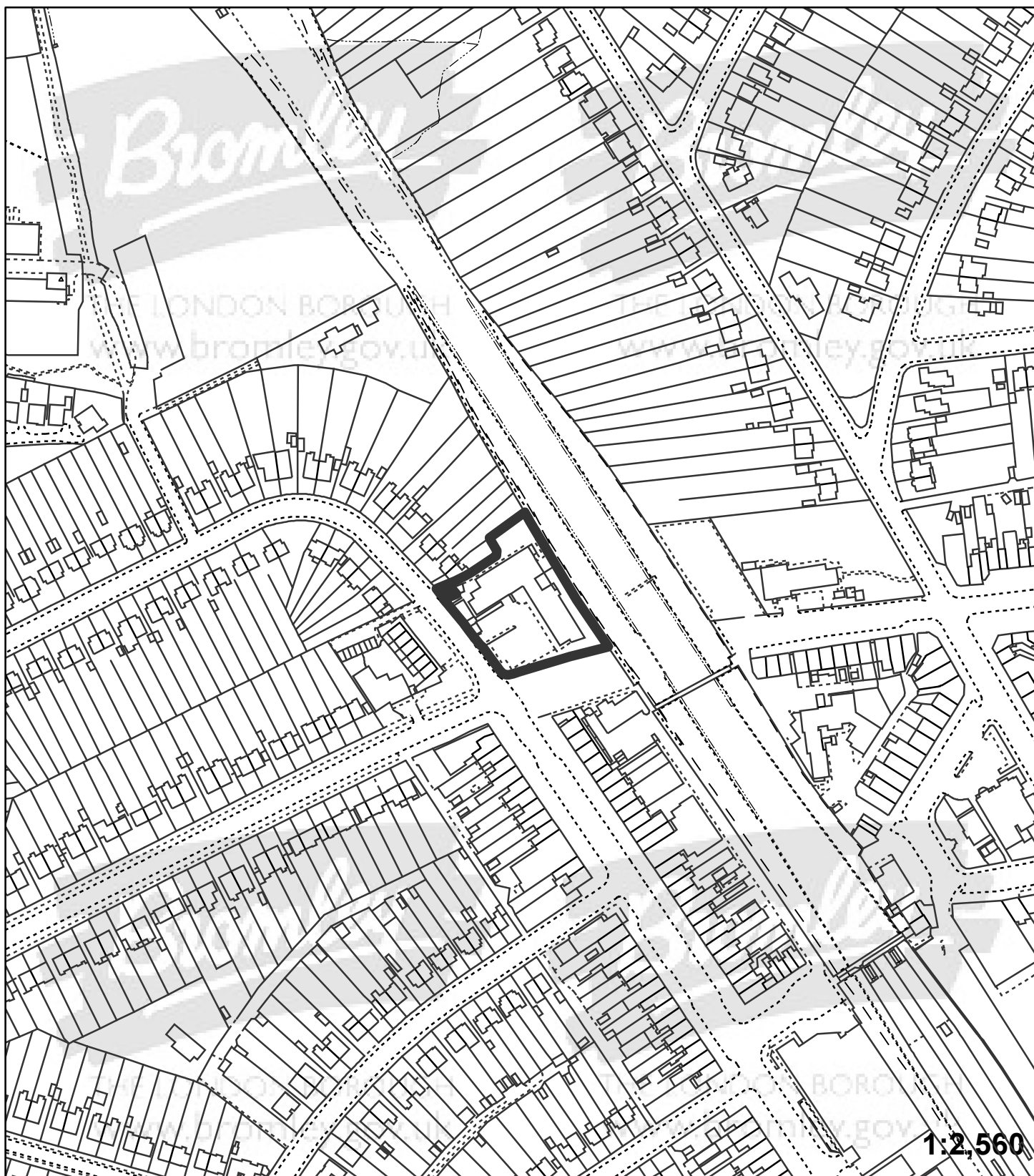
Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC07
ACC07R | Materials as set out in application
Reason C07 |
| 3 | ACK01
ACC03R | Compliance with submitted plan
Reason C03 |

Application:14/04311/FULL1

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

Proposal: Elevational alterations to existing building.



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

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

Application No : 14/04536/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 a single dwelling into 2 flats; a two bedroom and a three bedroom flat with a loft conversion and rear dormer

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

The proposal seeks permission for a conversion of a single dwelling into 2 flats (a two bedroom and a three bedroom flat) with a loft conversion and rear dormer.

Location

This property is a semi-detached house located to the Western side of Kent House Road. The property appears to be an extended 4/5 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 there are no objections subject to conditions.

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

A previous application for 3 flats under ref. 14/02455 was refused for the following grounds:

“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”.

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 this case, the application has been submitted to overcome the previous refusal and now involves the formation of two flats instead of three.

Whilst Kent House Road is predominantly comprises single dwelling houses, with only a few exceptions. This property is reasonably large and the formation of two flats would appear acceptable.

RECOMMENDATION: PERMISSION

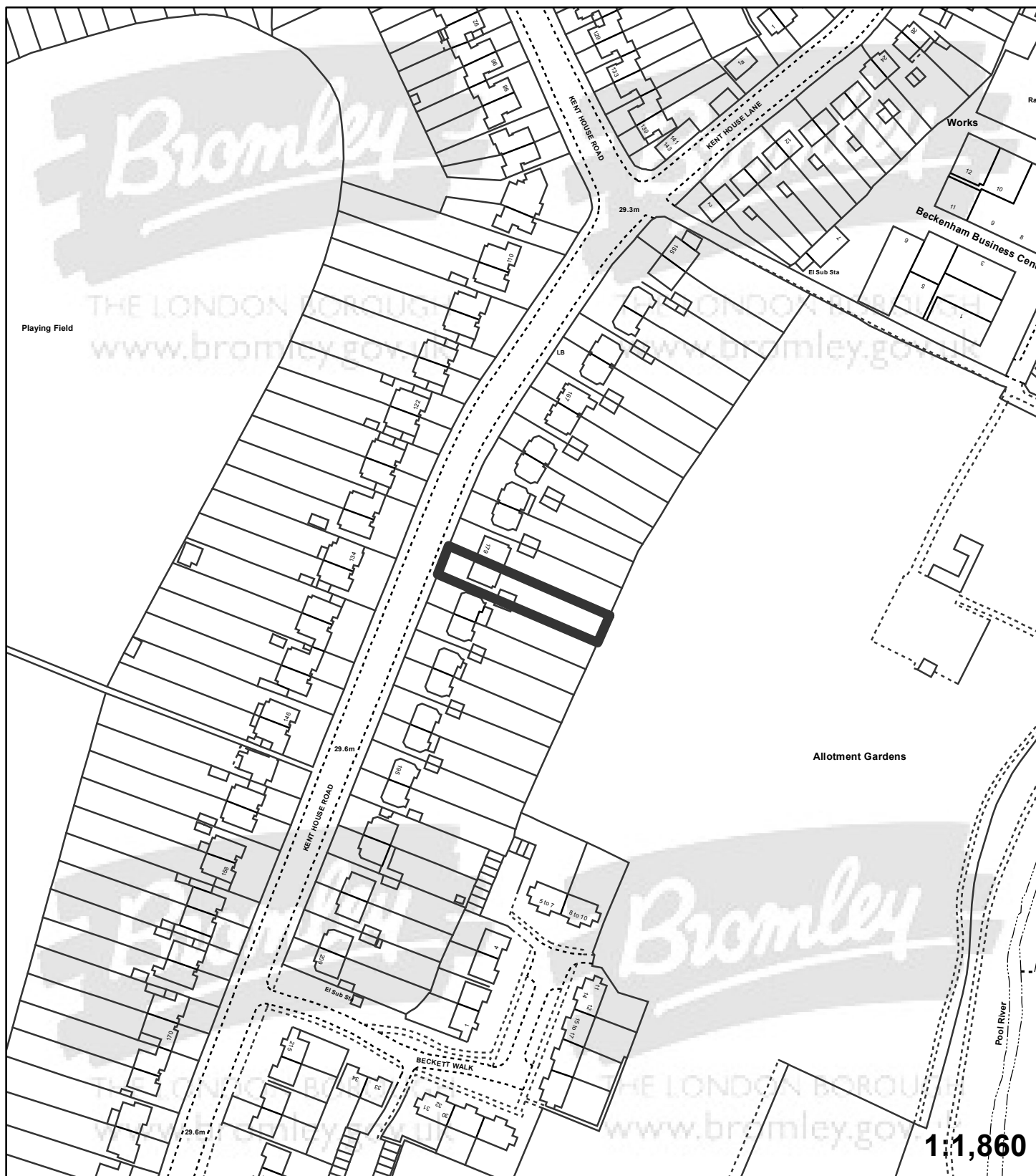
Subject to the following conditions:

- | | | |
|---|-----------------|--|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACK01
ACC01R | Compliance with submitted plan
Reason C01 |

Application:14/04536/FULL1

Address: 181 Kent House Road Beckenham BR3 1JZ

Proposal: Conversion of a single dwelling into 2 flats; a two bedroom and a three bedroom flat with a loft conversion and rear dormer



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

Application No : 14/04721/VAR

Ward:
Plaistow And Sundridge

Address : Treesway Lodge Road Bromley BR1
3ND

OS Grid Ref: E: 541231 N: 170380

Applicant : Mr Spencer Clifford

Objections : YES

Description of Development:

Application to vary Condition 5 of planning permission reference 14/01529 from 'Within two months of the date of decision notice all flank windows shall be incapable of being opened and shall be obscure glazed to a minimum of privacy level 3 (using five levels of privacy with 5 providing the most obscure in line with the Permitted development for householders - Technical guidance) and shall subsequently be permanently retained as such' to 'All flank windows at first floor level should be obscure glazed and openable in order to allow for natural ventilation. In the roofspace the three lower rooflight windows should be obscured glazed and permanently fixed shut'.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Chain
London City Airport Safeguarding
London City Airport Safeguarding Birds
Metropolitan Open Land
Open Space Deficiency
Sites of Interest for Nat. Conservation

Proposal

This application seeks to vary Condition 5 of planning permission reference 14/01529

The relevant Condition 5 reads 'Within two months of the date of decision notice all flank windows shall be incapable of being opened and shall be obscure glazed to a minimum of privacy level 3 (using five levels of privacy with 5 providing the most obscure in line with the Permitted development for householders - Technical guidance) and shall subsequently be permanently retained as such'

The application seeks to vary the Condition to read "All flank windows at first floor level should be obscure glazed and openable in order to allow for natural ventilation. In the roofspace the three lower rooflight windows should be obscured glazed and permanently fixed shut".

Location

The application site is a detached dwelling house located on the east side of Lodge Road. The surrounding locality is predominantly residential in nature, characterised by detached dwellings set back from the highway by substantial front gardens with many mature trees which gives a semi-rural appearance. From the road the land rises to the east and to the west; houses to each side of the road are in an elevated position.

The road is unadopted and the land to the rear is designated as Metropolitan Open Land. The access road to Sundridge Park Manor is to the rear of the site.

Comments from Local Residents

Comments have been received from local residents and are summarised below; the full texts and photographs are available to view on file:

- request for openable windows at first floor to allow for natural ventilation - House has eight air-conditioning units so provision for adequate ventilation in place
- inference that the four upper windows in the roofspace be left as they are - openable and clear glazed
- opening and non-obscure glazed windows will allow a view into adjacent house
- lack of privacy for enjoyment of garden
- request for enforcement action to comply with conditions

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions

SPG1
SPG2

Planning History

There is a substantial planning history relating to the site. The most relevant to this application is planning permission ref. 14/01529 Increase in roof height to include front dormer and elevational alterations, two storey rear, part one/two storey sides and first floor and single storey front extensions (Revision to planning ref. 13/00074 to include additional ground floor rooflights, additional second floor rooflights.

Rooflights to garage with barn hip ends. Widening of front elevational windows and correction to boundary location). This was a retrospective application (with additional revised plans received). This application included Condition 5 (the subject of this application) and which is referred to above. The reason for the condition is: 'Reason: In order to comply with Policies BE1 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties'.

The planning history also includes:

- planning permission ref. 12/01581 which granted consent for the increase of the roof height to include front dormer and elevational alterations, two storey rear part one/two storey sides and first floor front extension.
- two applications for consideration of a detached double garage to the front of the site with habitable accommodation above. One was withdrawn and the other, ref. 12/03288 was refused.
- planning permission, ref. 13/00074, which sought revisions to the previous approved application, ref. 12/01581, to include a single storey front extension (for a garage).
- refusal of retrospective application, ref. 13/03887, for revisions to permission ref. 13/00074, to include additional rooflights to the ground floor and second floor and alterations to the garage roof design, alterations to the front fenestration and corrected boundary details.
- A separate part retrospective application for the installation of 8 air conditioning units with enclosure, ref. 14/00682, was refused on 15/5/2014 and subsequently allowed on appeal.

Conclusions

The main issues relating to the application are the effect that the variation of condition would have on the amenities of the occupants of surrounding residential properties.

As noted above there is a complex planning history relating to this site, including a number of retrospective applications.

The application requests variation of condition so that all flank windows at first floor level should be obscure glazed and openable in order to allow for natural ventilation. Neighbour objections regarding overlooking are raised and also note that there are a number of air-conditioning (ac) units serving the property. It is not clear from the submitted information as to whether these ac units serve the first floor bathrooms. In any event the size and design of windows as installed, if openable, would allow a level of overlooking in to adjacent sites as to result in an unacceptable detrimental impact on neighbouring amenities.

The application requests that in the roofspace as permitted the three lower rooflight windows should be obscure glazed and permanently fixed shut. There have been on-going concerns with the requirement of the upper panes being obscure glazed and fixed shut. The windows as installed were considered as part of a retrospective application. The issues were discussed in the previous report relating to application ref. 14/01529 'The planning report for ref. 13/03887 considered the upper panes in

detail and a relevant excerpt follows: 'When considering treatment of the upper panes it is noted that the lower edge of the upper frame measures 1.790m from the floor level. Permitted development guidance for roof lights in a side elevation roof slope is that they must be obscure glazed and either non-opening or more than 1.7m above floor level. It is understood that the upper panes will be electronically operated and will have a restricted opening of approximately 20cm. Although the previous permission gave consent for three rooflights the configuration of those now installed is considered to result in a greater impact for neighbours. Members may consider for the upper panes to be acceptable on the basis they too are obscure glazed'. Revised plans received now indicate obscure glazing to the upper panes and therefore on balance may be considered acceptable'.

Following discussion at Committee it was considered, on balance, that these windows were acceptable on the premise that they were obscure glazed and fixed shut. The applicant's supporting statement proposes "... the top three windows on each flank are above head height (as shown on plans provided with the application) it is submitted that the applicant should be able to open these top three windows for ventilation and if required have these clear glazed as no overlooking would be possible from them...". No indication of restricted opening has been referred to in this current application.

It is acknowledged (as previously) that these windows are at a higher level and a careful balance has to be made as to the degree of overlooking that may be afforded from these windows and the impact on privacy and amenity for nearby occupiers. The three combined roof lights do form a significant area of glazing and it is the cumulative impact from the number of flank windows that forms part of the considerations for this proposal. It may be the case that air conditioning units serve these upper rooms; additional information is requested and any updates will be presented to Members at Committee. It is also noted that these windows are secondary windows serving these habitable rooms. Permission was granted (ref. 14/01529) subject to safeguarding conditions and mindful of the cumulative impact of the number of windows to the flank elevations. Therefore, on balance, and in the interest of protecting neighbouring amenity it is considered that the requirement for Condition 5 should be on-going.

Neighbour concerns continue to be raised in respect of the overlooking and photos have been supplied to emphasise these concerns. These are available on file for viewing.

Velux windows to en-suites at second floor (loft level) were previously specified as obscured glass and fixed shut (non-openable). This is considered necessary due to the potential for overlooking that will arise in the event the windows are openable.

The rooflights at ground floor have previously been specified as being fixed shut (non-openable) in order to address concerns about impact on amenity.

Due to the number, the size, the siting and the design of flank windows it is considered that to vary Condition 5 in the manner requested would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to occupiers of adjacent properties and therefore the variation of Condition 5 should be refused.

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: APPLICATION BE REFUSED

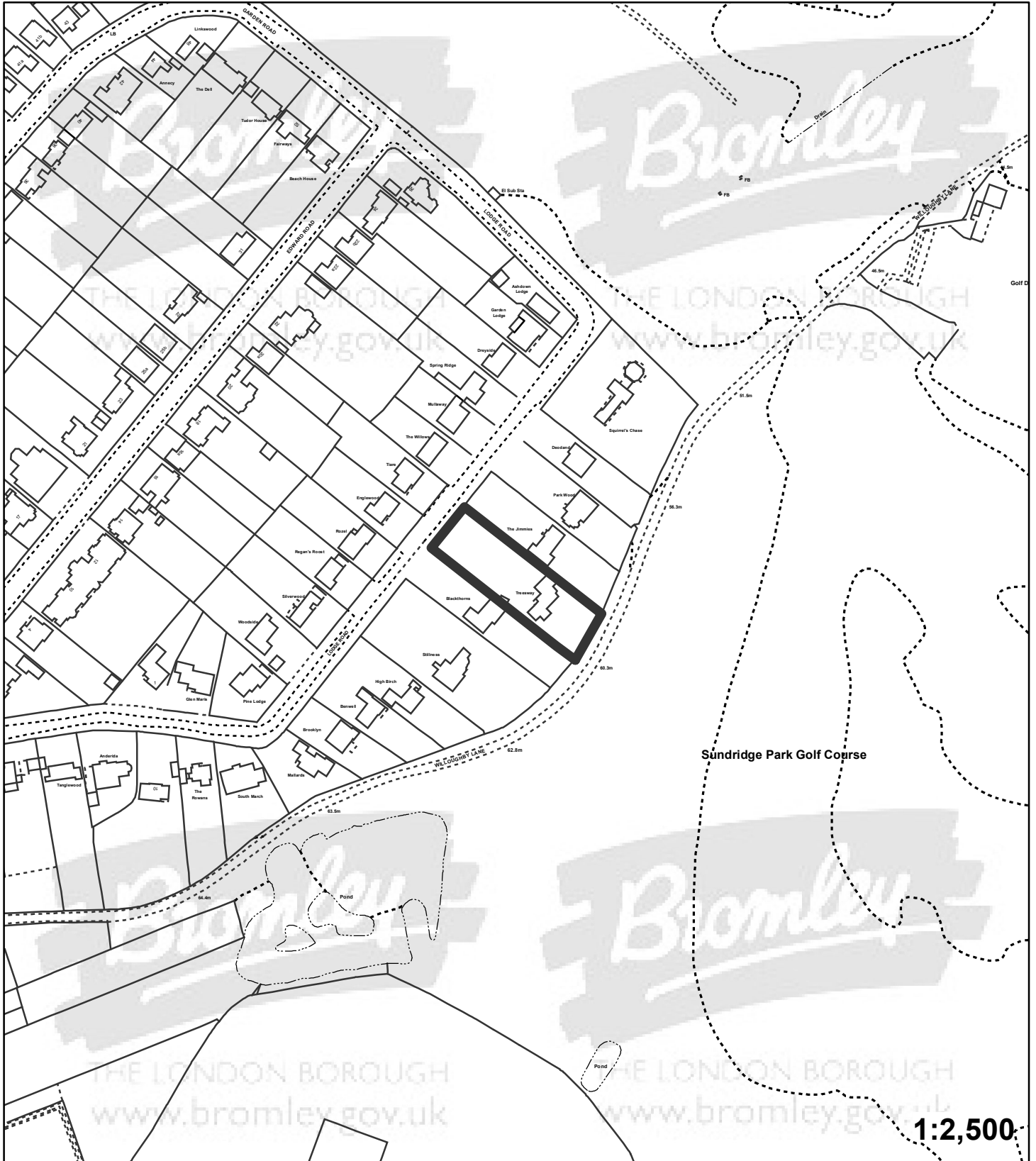
The reasons for refusal are:

- 1 The proposed variation to Condition 5 of planning permission ref. 14/01529 would result in a detrimental impact on neighbouring amenity by way of an unacceptable degree of overlooking and loss of privacy and amenity thereby contrary to Policy BE1 of the Unitary Development Plan.

Application:14/04721/VAR

Address: Treesway Lodge Road Bromley BR1 3ND

Proposal: Application to vary Condition 5 of planning permission reference 14/01529 from 'Within two months of the date of decision notice all flank windows shall be incapable of being opened and shall be obscure glazed to a minimum of privacy level 3 (using five levels of privacy with 5 providing



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

Report No.
DRR15/006

London Borough of Bromley

PART 1 – PUBLIC

Decision Maker: PLANS SUB COMMITTEE NO. 2

Date: Thursday 5th February 2015

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

Title: TREE WORKS APPLICATION 14/00578/TPO: CONSENT TO REMOVE 1 LONDON PLANE TREE ON LAND ADJACENT TO THE AVENUE, BECKENHAM, BR3 5ES

Contact Officer: Mark Cannon, Principal Tree Officer
E-mail: Mark.Cannon@bromley.gov.uk

Chief Officer: Chief Planner

Ward: Copers Cope;

1. Reason for report

This report considers a Treeworks Application for the removal of 1 London Plane tree situated within the un-adopted driveway adjacent to 76b The Avenue, Beckenham and the subject of Tree Preservation Order No. 2505A.

The applicants seek to remove the London plane tree as it is considered that it is an influencing or contributing factor in relation to extant clay subsoil shrinkage damage to 76b The Avenue. Officers have studied the supporting evidence submitted by the applicant as well as the analysis provided by the Councils commissioned assessment and concludes that it is very likely that the plane tree is a contributory factor to structural damage at 76b The Avenue. Officers are also of the view that the available alternatives to tree removal are likely to be ineffective as a permanent solution to stabilising soil beneath house foundations. It is therefore recommended that consent to remove the London plane tree is granted.

2. **RECOMMENDATION(S)**

That consent to remove the London Plane tree located on land adjacent to 76b The Avenue is granted.

Corporate Policy

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

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Planning and Renewal
 4. Total current budget for this head: £1.6m
 5. Source of funding: Existing Controllable Revenue Budget
-

Staff

1. Number of staff (current and additional): 60 ftes
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

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

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Those affected by the order.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: None

3. COMMENTARY

3.1 The principal considerations in relation to whether to grant or refuse consent are as follows:

(a) In relation to the London plane tree located in amenity land adjacent to 76B The Avenue:-

- (i) Are the trees of sufficient public amenity value and would their removal have a detrimental effect upon the character and appearance of the area.
- (ii) Is there sufficient evidence to substantiate the claim that structural damage to the foundations of 76b The Avenue can be attributed to the London plane tree.
- (iii) Is there an alternative measure to alleviate subsidence damage other than to remove the London plane tree.

3.2 Background

3.3 The site of 76b The Avenue comprises a 2 storey detached house with landscaped front and rear gardens and is located on the southern side of The Avenue approximately 200m from the junction with Downs Hill.

3.4 Tree Preservation Order No. 2505A was served upon all interested parties on the 9th April 2013 and subsequently confirmed on 19th September 2013 and protects 1 London Plane tree described as ref. T1 within the order document.

3.5 On 17th February 2014 the Council received a Tree Works application ref.14/00578/TPO for consent to remove 1 London plane tree located within land adjacent to 76b The Avenue, Beckenham which the following reasons were given:-

- i) To stop the influence of tree(s) on soils located beneath building foundations (of 76b The Avenue) and to provide long term stability.
- ii) Estimated costs of repair to the building are 20k if the influence of the street tree remain and 11.5k if the proposed tree works are allowed to proceed. Granting permission will limit the costs incurred through Section 202(e)
- iii) It is the expert opinion of both the case engineer and arboriculturalist that on balance of probabilities the supporting information demonstrates the influence of the trees.

3.6 Following de-delegation, the application has now been put before the Planning Sub Committee to decide whether to endorse the recommendation of the Chief Planner to grant consent for the removal of the London plane tree.

3.7 Issues

3.8 The tree the subject of this application comprises 1 mature London plane tree located within the private unadopted land adjacent to 76b The Avenue Beckenham, BR3 5ES.

- 3.9 The tree measures approximately 14m in height and has a radial canopy spread measuring approximately 9.5m as it extends towards 76b The Avenue. The tree is situated within a grass verge located approximately 19m from the building line of 76b The Avenue.
- 3.10 The tree exhibits no serious external signs of disease or structural defect when viewed at ground level. The tree has a relatively well balanced branch structure requiring no significant remedial tree surgery to maintain safety margins. The tree forms part of a line of several mature trees located within the privately owned verge and footpath running the length of The Avenue and is a highly visible feature within the local landscape.
- 3.11 The applicants seek to remove the London plane tree as it is considered that it is an influencing or contributing factor in relation to extant clay subsoil shrinkage damage to 76b The Avenue.
- 3.12 The applicant has submitted evidence in support of the application and in summary it states that in all probability the tree is a contributory factor in relation to clay sub soil shrinkage and in order to stabilise the area of sub soil beneath the house foundation the London plane tree should be removed.
- 3.13 Test results submitted with the application appear to show that foundations have been founded on highly shrinkable clay sub soil.
- 3.14 Tree root samples positively identified as Platanus (London plane) have been found within a bore hole dug in front of the house at a depth ranging between 1.5 and 3.5m.
- 3.15 Level monitoring of the house appears to demonstrate seasonal movement correlating to vegetative desiccation of shrinkable clay sub soils.
- 3.16 A report commissioned by the Council on the evidence submitted by the applicant concluded that although the evidence itself appears not to rule out other possible causal factors such as faulty drains or that the extant damage may be as a result of sub-standard construction of foundations, it states that the likeliest cause of the damage is the London Plane tree. The report however mentions a number of anomalies with the evidence and recommends that all drain repairs should be carried out, and all shrubs identified as possible cause of soil desiccation removed and there after monitored for a further year.
- 3.17 Officers are of the view that the proposed removal of the London plane tree will have a detrimental effect upon the character and appearance of the local landscape.
- 3.18 Alternatives to the removal of the tree have in similar cases comprised either crown reduction of the tree canopy in order to restrict water demand from tree roots, or the laying of a tree root barrier to prevent future root ingress.
- 3.19 In respect to the crown reduction option, the most recent research into the effects of canopy reduction works concludes that the effects of very significant reduction or pollarding (70% of the tree canopy) upon water demand are short lived, and in the medium to long term heavily pruned trees will use more water, triggering larger more denser leaf production to compensate. Such works would also be far beyond good arboricultural practice and would have a detrimental effect the trees visual public amenity value.

- 3.20 Root barriers have been used in similar cases however they are very expensive construction operations requiring typically 4m deep trench digging between the tree and the house. In this case the trench would need to extend across several private properties requiring the agreement of the owners which may or may not be forthcoming.
- 3.21 If the Council were to refuse consent for the removal of the tree it could be held liable for all costs associated with the decision to refuse consent under the relevant sections of the Town and Country Planning Act 1990 (as amended). It is understood that the current estimated cost of repairs to the property to be between £63000 to £85000 without tree removal.

3.22 Conclusion and Recommendation

- 3.23 Officers have studied the supporting evidence submitted by the applicant as well as the analysis provided by the Councils commissioned assessment and concludes that it is very likely that the plane tree is a contributory factor to structural damage at 76b The Avenue. Officers are also of the view that the available alternatives to tree removal are likely to be ineffective as a permanent solution to stabilising soil beneath house foundations. It is therefore recommended that consent to remove the London plane tree is granted.

4. POLICY IMPLICATIONS

This report is in accordance with Policy NE7 of the Councils Unitary Development Plan.

5. FINANCIAL IMPLICATIONS

The applicant is entitled under Regulation 24 of the Town and Country Planning (Tree Preservation) England Regulations 2012 to apply for compensation within 12 months of the date of the Councils decision if the applicant can establish loss or damage as a result of the Council refusing consent. It should be noted there is no specific budget to meet any potential compensation costs within the planning and regeneration budget.

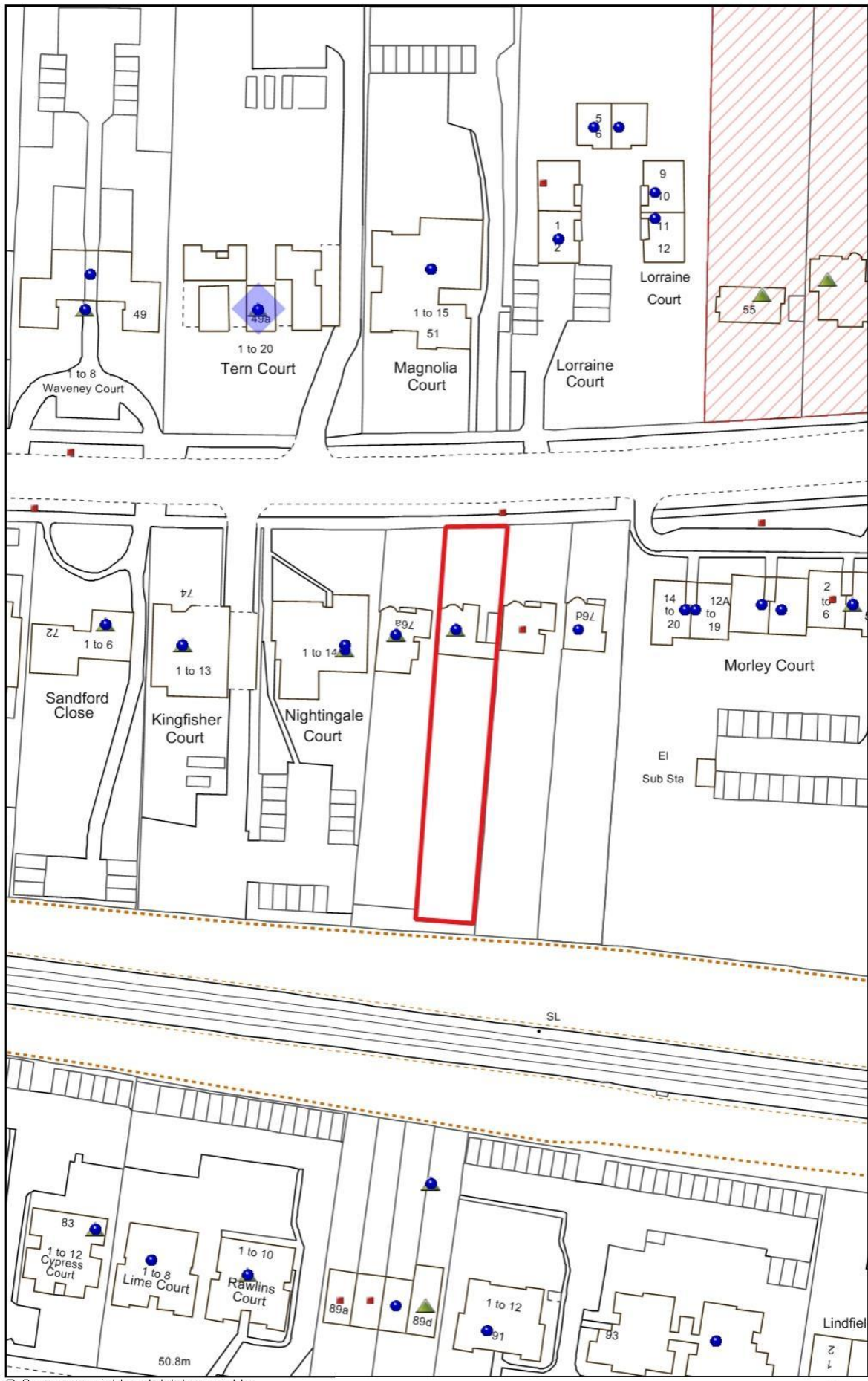
6. LEGAL IMPLICATIONS

None

7. PERSONNEL IMPLICATIONS

None

Non-Applicable Sections:	Finance 2 Ongoing Costs. Staff 2 Staff hours. Legal 2. Call in.
Background Documents: (Access via Contact Officer)	Copy of Tree Preservation Order No. 2505A Copy of the Council commissioned report. (CTP Consulting Engineers).



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Report No.
DRR15/007

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PLANS SUB COMMITTEE NO. 2

Date: Thursday 5th February 2015

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

Title: TREE WORKS APPLICATION 14/02640/TPO: CONSENT TO REMOVE 1 CEDAR TREE LOCATED IN THE REAR GARDEN OF 6 LAUREL GARDENS, BROMLEY, BR1 2US

Contact Officer: Mark Cannon, Principal Tree Officer
E-mail: mark.cannon@bromley.gov.uk

Chief Officer: Chief Planner

Ward: Bickley

1. Reason for report

This report considers a Treeworks Application for the removal of 1 Cedar tree located in the rear garden of 6 Laurel Gardens, Bromley, BR1 2US and subject to Tree Preservation Order No. 2597A. The Committee must decide whether to endorse the recommendation of the Chief Planner and grant consent for the removal of the tree.

2. **RECOMMENDATION(S)**

That consent to remove the cedar tree located in the rear garden of 6 Laurel Gardens be granted.

Corporate Policy

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

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Planning and Renewal
 4. Total current budget for this head: £1.6m
 5. Source of funding: Existing Controllable Revenue Budget
-

Staff

1. Number of staff (current and additional): 60 ftes
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

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

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Those affected by the order
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: None

3. COMMENTARY

3.1 The principal considerations in relation to whether to grant or refuse consent are as follows:

(a) In relation to the Cedar tree located in the rear garden of 6 Laurel Gardens:-

- (i) Is the tree of sufficient public amenity value and would its removal have a detrimental effect upon the character and appearance of the area.
- (ii) Is the tree in a satisfactory condition and does it represent a hazard risk to the owner and adjoining owner occupiers.

3.2 Background

3.3 The site at 6 Laurel Gardens comprises a modern 2 storey detached house with landscaped front and rear gardens and is located approximately 50m east of the junction between Laurel Gardens and Southborough Road.

3.4 The Cedar tree the subject of the application was originally included within Tree Preservation Order No. 1058 which came into effect on 21st February 1994, protecting several individual trees located within land formally known as 41 Southborough Road. On 17th June 2014 the order was superseded by Tree Preservation Order No 2597 in order to reflect development changes to the site and to amend inaccuracies relating to tree positions.

3.5 Tree Preservation Order No. 2597A was served upon all interested parties on 12th December 2014 to extend the provisional protection for the Cedar tree and 1 Yew tree located within the front garden of No1 Laurel Gardens for a further 6 months, superseding both TPO Nos. 2597 and TPO 1058.

3.6 On 7th July 2014 the Council received a Tree Works Application ref. 14/02640/TPO and the subject of this report for consent to fell 1 cedar tree located in the rear garden of 6 Laurel Gardens, Bromley which the following reasons were given.

- i) The size and species of the tree are deemed unsuitable for the size of the garden.
- ii) The tree has shed several large limbs during recent high winds and as a result has lost its amenity value.

3.7 Following de-delegation, the application has now been put before the Planning Sub Committee to decide whether to endorse the recommendation of the Chief Planner to grant consent for the removal of the Cedar tree.

3.8 Issues

3.9 The tree the subject of this application comprises 1 cedar tree located in the rear garden of 6 Laurel Gardens, Bromley, BR1 2US.

- 3.10 The tree measures approximately 15m in height and has a maximum radial canopy spread extending approximately 8m. The tree is situated immediately adjacent to the left flank northern boundary approximately 12m from the edge of the rear building line of 6 Laurel Gardens and approximately 3m from the rear elevation of No. 5 Laurel Gardens.
- 3.11 The tree appears to be in good physiological condition exhibiting no significant signs of decline or die back. No external signs of decay fungus or fruiting bodies were observed during ground level examination of the tree. Historic branch loss/removal was apparent, it is understood that the tree was pruned during 2014 in order to remove broken or dead branches from the canopy.
- 3.12 Resulting changes in wind aerodynamics following recent tree removals in the rear garden may have exposed the Cedar tree to new higher wind velocities making branch breakage and canopy failure potentially more likely.
- 3.13 Located on the northern side of the canopy officers observed a woodpecker hole at approximately 5m above ground level. The presence of the hole and its location immediately beneath an old pruning wound indicates the presence of a decay pocket within the main stem.
- 3.14 The rear elevation of No 5 Laurel Gardens is situated approximately 3-4m from the Cedar tree. The closest part of the house is a glazed conservatory which faces due west toward the rear garden. The owners of the property have raised concerns regarding the safety of the tree following damage to the conservatory from falling branches. Officers were told that portions of the glazed roof had been cracked after it had been struck by a falling branch. The damage was observed by officers during their site inspection.
- 3.15 The owners of No. 5 Laurel Gardens have formally objected to the Tree Preservation Order, and have submitted representations relating to the application supporting the removal of the tree. A report on the condition of the tree commissioned by the owners of No. 5 Laurel Gardens has also been forwarded to the Council which recommends its removal on safety grounds.
- 3.16 Objections to the removal of the Cedar tree have been received from several residents of which can be summarised as follows:-
- i) The cedar tree is part of the Bickley skyline and continues to make an important contribution to the visual amenity of Bickley.
 - ii) The tree is in good health and is confirmed by the applicant in their application to the Council in paragraph 8.1 of the tree works application submission form.
 - ii) The applicant and neighbouring owner occupiers were aware of the protection status of the cedar tree prior to purchasing their respective properties and would therefore have been aware of the restriction prohibiting tree removal.

3.17 Conclusion and Recommendation

- 3.18 In respect to the making of Tree Preservation Orders Government guidance is clear in that the Council should be able to demonstrate that the removal of the cedar tree would be harmful and would have a significant impact on the local environment and its enjoyment by the public. It is advised that such trees should therefore normally be visible from a public view point such as a road or footpath.
- 3.19 Officers observed that the Cedar tree is located approximately 65m from the main public highway and largely obscured from public views when walking along Southborough Road. There are however clearer views of the tree when standing close to the corner of Tangleberry Close and Oldfield Road, although these views are also slightly obscured by the presence of other trees and limited to the top half of the canopy. Officers consider that the principal visual impact if the tree were to be removed would be when viewed from the privately owner rear gardens of Tangleberry Close, Park Hill and Oldfield Road.
- 3.20 The relatively recent removal of the large Giant Redwood is likely to have altered wind dynamics affecting the Cedar tree, increasing the potential of branch breakout. A cavity has been detected approximately 5m above ground level and located on the main stem. Although the depth and extent of the cavity is at this point unknown without a full climbing inspection, the risk of main stem failure during exceptionally strong winds is considered to have increased.
- 3.21 When assessing hazard risks one of the most important variables to be considered is the proximity and the potential for harm to people and property. In this case the relative close proximity of No. 5 Laurel Gardens (approximately 3m from the tree once again elevates the risk potential..
- 3.22 After careful consideration it is recommended that consent to remove the Cedar tree is granted subject to the planting of 3 replacement trees of size, species, location and planting deadline to be agreed in writing by the Council.

4. POLICY IMPLICATIONS

This report is in accordance with Policy NE7 of the Councils Unitary Development Plan.

5. FINANCIAL IMPLICATIONS

The applicant is entitled under Regulation 24 of the Town and Country Planning (Tree Preservation) England Regulations 2012 to apply for compensation within 12 months of the date of the Councils decision if the applicant can establish loss or damage as a result of the Council refusing consent. It should be noted there is no specific budget to meet any potential compensation costs within the planning and regeneration budget.

6. LEGAL IMPLICATIONS

None

7. PERSONNEL IMPLICATIONS

None

Non-Applicable Sections:	Finance 2 Ongoing Costs. Staff 2 Staff hours. Legal 2. Call in.
Background Documents: (Access via Contact Officer)	Copy of Tree Preservation Order No. 2597A



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