



THE LONDON BOROUGH
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DATE: 26 May 2015

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

Councillor Lydia Buttinger (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Kathy Bance MBE, Nicholas Bennett J.P., Peter Dean, Simon Fawthrop,
Samaris Huntington-Thresher, Russell Mellor and Richard Scoates

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 4 JUNE 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 2 APRIL 2015 (Pages 1 - 10)

4 PLANNING APPLICATIONS

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

Report No.	Ward	Page No.	Application Number and Address
4.1	Bromley Common and Keston	11 - 20	(15/00754/FULL1) - Keston CE Primary School, Lakes Road, Keston
4.2	Bickley	21 - 24	(15/01388/FULL1) - Bickley Primary School, Nightingale Lane, Bromley

SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.3	Plaistow and Sundridge <i>(Report to follow)</i>		(14/03125/FULL2) - 1 Edward Road, Bromley
4.4	Cray Valley East <i>(Report to follow)</i>		(14/03989/FULL3) - Kevington Hall, Crockenhill Road, Orpington
4.5	Bromley Town	25 - 30	(14/03400/FULL1) - Blyth Wood Park, 20 Blyth Road, Bromley
4.6	Farnborough and Crofton	31 - 34	(15/00403/FULL6) - 35 Crofton Road, Orpington
4.7	Bickley	35 - 42	(15/00654/FULL3) - Bickley and Widmore Working Mens Club, Tylney Road, Bromley
4.8	Plaistow and Sundridge	43 - 54	(15/00664/FULL1) - 1 Burnt Ash Lane, Bromley

4.9	Bromley Town	55 - 68	(15/00696/FULL1) - Broadway House, 3 High Street, Bromley
4.10	Chislehurst Conservation Area	69 - 72	(15/00840/FULL1) - Old Elthamians Sports Club, Foxbury Avenue, Chislehurst
4.11	Crystal Palace	73 - 76	(15/00990/FULL1) - 3 Anerley Park Road, Penge
4.12	Chislehurst Conservation Area	77 - 80	(15/01084/FULL1) - Farringtons School, Perry Street, Chislehurst
4.13	Chelsfield and Pratts Bottom <i>(Report to follow)</i>		(15/01533/ELUD) - Woodhill Farm, Norsted Lane, Orpington

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

Report No.	Ward	Page No.	Application Number and Address
4.14	Darwin	81 - 86	(14/03187/ELUD) - Yonder Farm, Orange Court Lane, Downe
4.15	Darwin	87 - 90	(15/01584/ELUD) - Yonder Farm, Orange Court Lane, Downe

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

Report No.	Ward	Page No.	Application Number and Address
4.16	Orpington	91 - 100	(15/01292/FULL1) - 23 The Drive, Orpington

5 CONTRAVENTIONS AND OTHER ISSUES

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

6 TREE PRESERVATION ORDERS

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

PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 2 April 2015

Present:

Councillor Simon Fawthrop (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Kevin Brooks, Peter Dean, Samaris Huntington-Thresher, Kate Lymer, Russell Mellor and Richard Scoates

Also Present:

Councillors William Huntington-Thresher, Angela Page and Catherine Rideout

24 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Kathy Bance and Councillor Kevin Brooks attended as her substitute. An apology for absence was also received from Councillor Nicky Dykes.

25 DECLARATIONS OF INTEREST

Councillor Peter Dean declared a Personal Interest in Item 4.5 as he was acquainted with the applicant; he left the Chamber for the debate and vote.

Councillors Kate Lymer and Michael Turner declared a Prejudicial and a Personal Interest in Item 4.7 being Members of the Bromley and Chislehurst Conservative Party. They left the Chamber for the debate and vote.

26 CONFIRMATION OF MINUTES OF MEETING HELD ON 5 FEBRUARY 2015

RESOLVED that the Minutes of the meeting held on 5 February 2015 be confirmed.

27 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

27.1 BROMLEY TOWN

(14/04694/FULL6) - 2 St Blaise Avenue, Bromley.

Description of application – Single storey side/rear and single storey rear extensions.

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

“INFORMATIVE: The side extension shall not be illuminated between the 23.00 hours and 07.00 hours in order to safeguard the amenities of the immediate neighbour.”

SECTION 2

(Applications meriting special consideration)

27.2 COPERS COPE

(14/01637/FULL6) - 57 Albemarle Road, Beckenham.

Description of application – Demolition of 57 and 57B Albemarle Road and erection of a part four/five storey detached building consisting of 16 retirement apartments with 19 parking spaces, bin store, cycle store and associated landscaping.

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 SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT** for education, health and affordable housing as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with an amendment to Condition 17, an additional condition and Informative to read:-

“17. “Before the development hereby permitted is first occupied, the proposed window(s) in the eastern and western flank elevations of the development hereby permitted (excluding those windows to Bedroom 2 at lower ground floor level,) shall be obscure glazed to a minimum of privacy level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor of the room in which the window is installed, details of which are to be first agreed in writing by the Local Planning Authority and shall subsequently be permanently retained as such.”

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

20. Notwithstanding the details hereby approved no development shall commence until a revised parking scheme for the site increasing the number of parking

spaces to a minimum of 21 has been submitted to and approved in writing by the Local Planning Authority. Once approved the details shall be fully implemented prior to the use commencing and permanently maintained thereafter.

REASON: In the interest of residential amenity and sufficient parking capability, and to comply with Policy BE1 and T3 of the Unitary Development Plan.

INFORMATIVE: The applicant is advised that any trees subject to preservation orders on the site shall not be unduly harmed throughout the development process. Any works undertaken to the trees will be subject to a formal application to the Local Planning Authority and will need to be agreed in writing prior to the works being undertaken”.

27.3 PENGE AND CATOR

(14/04392/FULL1) - The Alexandra, 163 Parish Lane, Penge.

Description of application – Elevational alterations including ventilation ducting to the rear, change of use of public house (Class A4) to mixed public house/restaurant use (Class A4/A3) and conversion to provide HMO accommodation comprising 1 self-contained unit on the ground floor, 12 bedrooms with shared kitchen facilities on first and second floors, amenity space, cycle and refuse storage (at the rear).

Oral representations in support of the application were received at the meeting. It was reported that Highways Division had no objection to the application.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration for an increase in parking provision and to undertake a parking survey and to be reconsidered at Plans Sub-Committee 4 on 30 April 2015.

27.4 ORPINGTON

(14/04452/FULL1) - 87 The Walnuts, Orpington.

Description of application - Third storey extension, first and second floor rear extension together with change of use of part ground floor, first and second floors to provide a part one/part four storey 61 room Class C1 Hotel with elevational alterations and associated servicing and access.

Oral representations from Ward Member, Councillor William Huntington-Thresher, in support of the

application were received at the meeting.

Members having considered the report and representations, **RESOLVED that PERMISSION be GRANTED SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT** for public realm works as recommended, subject to the conditions and informative in the report of the Chief Planner with an additional Informative to read:-
“INFORMATIVE: The applicant is advised that as part of the Travel Plan it will be necessary to encourage the use of the Walnuts car park above any other on-street parking facilities and provision must be made for taxi pick-ups from the rear of the building (service area and coach drop off area).”

**27.5
CHISLEHURST
CONSERVATION AREA**

(14/04531/FULL1) - 37 High Street, Chislehurst.

Description of application – Demolition of existing buildings and construction of a two storey building to accommodate 6 two bedroom and 2 one bedroom dwellings with separate office unit (Class B1), associated parking, amenity space, bin and cycle storage on land to the rear of Nos. 35-41 High Street, Chislehurst.

Oral representations in support of the application were received at the meeting. Comments from Councillor Katy Boughey were reported and circulated to Members.

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

**27.6
CRAY VALLEY WEST**

(14/04624/FULL1) - Kemnal Technology College, Sevenoaks Way, Sidcup.

Description of application – Creation of 3G artificial turf sports pitch with 4.5m high perimeter ball-stop fencing, 8 x 15m high floodlights, hard surfacing for pedestrian access, and storage equipment container.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**27.7
CHISLEHURST
CONSERVATION AREA**

(14/04838/FULL1) - Builders Yard Rear Of 1-4 Albany Road, Chislehurst.

Description of application - Demolition of existing buildings and erection of a single storey building

comprising 1 one bedroom dwelling and offices (Bromley and Chislehurst Conservative Party).

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 March 2015.

The following comments from Councillor Ellie Harmer, the Chairman of the Bromley and Chislehurst Conservative Association were reported.

"I would like to clarify the situation. Although we have had several conversations with Mr Moyce regarding the potential purchase of the office, to date we have neither written nor verbal agreements with Mr Moyce for such a purchase. Furthermore although the Bromley and Chislehurst Conservation Association Executive and the Trustees have been informed of this potential office, neither party has given their approval for such a purchase."

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

**27.8
FARNBOROUGH AND
CROFTON**

(15/00403/FULL6) - 35 Crofton Road, Orpington.

Description of application – Enlargement of roof to provide first floor accommodation including rear dormer and single storey rear extension and conversion of garage to habitable room.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**27.9
SHORTLANDS**

(15/00546/FULL6) - 90 Malmains Way, Beckenham.

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

Comments from Councillor Mary Cooke in objection to the application were reported and circulated to Members.

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

SECTION 3

(Applications recommended for permission, approval or consent)

**27.10
WEST WICKHAM**

(14/03898/FULL1) - 128 Barnfield Wood Road, Beckenham.

Description of application – Single storey front extension and porch, single storey rear extension, first floor side extension and roof 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.

**27.11
PENGE AND CATOR**

(14/04287/FULL1) - Buildings Adjacent to 1-1A Kingswood Road, Penge.

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

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 and informatives set out in the report of the Chief Planner.

**27.12
DARWIN**

(14/04762/FULL6) - Redriff, Birdhouse Lane, Downe.

Description of application – Roof extensions to provide first floor accommodation including front/side/rear dormers and rooflights and elevational alterations RETROSPECTIVE APPLICATION.

Members having considered the report, **RESOLVED that PERMISSION be GRANTED** as recommended in the report of the Chief Planner subject to the following condition:-

“1. ‘The development hereby approved shall be retained in complete accordance with the plans approved under this planning permission.

REASON: In the interests of protecting the visual appearance of the property and character of the Green Belt in accordance with Policies BE1 and G4 of the Unitary Development Plan. ”

**27.13
CRAY VALLEY EAST**

**(14/04830/FULL1) - 23 Chalk Pit Avenue,
Orpington.**

Description of application – Single storey rear extension.

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

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration to request amended plans in which the extension will not project past the rear of the neighbouring rear extension.

SECTION 4

(Applications recommended for refusal or disapproval of details)

**27.14
BICKLEY**

**(14/04366/FULL1) - 49 Southborough Road,
Bickley.**

Description of application – Elevational alterations and roof extension to the existing dwelling at No.49 Southborough Road, demolition of the ancillary Coach House and construction of 1 two storey 5 bedroom replacement dwelling, 2 two storey 6 bedroom dwellings (including accommodation in the roofspace) attached double garages to plots 3 and 4 at the rear of the site, alterations to vehicular access, provision of associated private amenity space, parking and formation of new public footway.

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Catherine Rideout, in objection to the application were received at the meeting. Councillor Rideout's comments are attached as Appendix 1 to these Minutes.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reasons set out in the report of the chief planner with an amendment to Reason 1 to read:-

“REASON 1: The proposal including lack of parking provision, would represent a cramped form of development, harmful to the spatial standards, level of visual amenity and highway safety to which the area is currently developed and detrimental to the character of the locality, contrary policies BE1, H7,H9 and T3 of the Unitary Development Plan.”

29 **TREE PRESERVATION ORDERS**

29.1
CHISLEHURST

**Confirmation of Tree Preservation Order No.2603 -
Murray Downs, 6 Bromley Lane, Chislehurst.**

Members having considered the report **RESOLVED**
that TREE PRESERVATION ORDER NO 2603
relating to 1 sycamore tree **BE CONFIRMED**
WITHOUT MODIFICATION as recommended in the
report of the Chief Planner.

The Meeting ended at 8.20 pm

Chairman

MINUTE ANNEX

APPENDIX 1

ITEM 4.14 (14/04366/FULL1) – 49 SOUTHBOROUGH ROAD, BICKLEY.

COMMENTS REPORTED BY WARD MEMBER, COUNCILLOR CATHERINE RIDEOUT

Chairman,

Thank you for giving me to opportunity to speak. I wholeheartedly agree with the Chief Planners' recommendation to refuse this application. This constitutes a gross cramped over-development of the site, not I keeping with the spatial standards, and harmful to the visual amenities of the area. It would result in a significant loss of amenity to local residents.

Most of the houses were built in 1905 and because there was a covenant in existence at the time very little has changed in the ensuring years and in fact they characterize the area. I have been told by residents that the Applicant has threatened that if they cannot get what they want, they might consider demolition and the erection of something far more modernistic instead.

I would draw your attention to the massive alterations proposed for the main house as listed under the seven bullet points of the Proposal on page 2 of the Chief Planner's report, and the elevational alterations which would completely destroy the character of this beautiful Edwardian building and, in my opinion, is totally unacceptable. The intention to demolish the Coach House and replace it with three new dwellings would mean that most of the garden would be lost. This is not acceptable and, as you know gardens have now been classified as green sites and garden grabbing should be resisted at all costs. It would be totally out of keeping with the area and would have an adverse effect on the street scene and cause overlooking to adjacent properties

Road safety should also be borne in mind. Because the road is so narrow at this point, 49 has no pavement outside its boundary and the Coach House has only a narrow strip. The house is a multi-occupancy dwelling as evidenced by the number of dustbins in the front garden. The potential for excessive vehicular movements on a narrow bend could be hazardous.

Please endorse the recommendation for Refusal.

Thank you

Councillor Catherine Rideout
Ward Member for Bickley

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

Application No : 15/00754/FULL1

Ward:
**Bromley Common And
Keston**

Address : Keston Church Of England Primary
School Lakes Road Keston BR2 6BN

OS Grid Ref: E: 541578 N: 164419

Applicant : Mrs Julia Evison

Objections : YES

Description of Development:

All weather sports pitch with 1.8m high fence surround. Additional netting to 4.5 height on north, south and east pitch sides

Key designations:

Areas of Archaeological Significance

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

Green Belt

London City Airport Safeguarding

London Loop

Sites of Interest for Nat. Conservation

Smoke Control SCA 22

Sites of Special Scientific Interest Sites Of Special Scientific Interest - 08

Proposal

Planning permission is sought for an all-weather sports pitch with 1.8m high fence surround with additional netting to 4.5m height on the north, south and east pitch sides.

This will involve the provision of an artificial grass pitch on the site of the current playing field. The pitch would be contained within a 1.8m high mesh fence with 4.5m high netting at each end behind goal areas and also along the side between the pitch and woodland. No floodlighting is proposed. The pitch is to be used during daylight hours only. The pitch is a bespoke size at 70m length by 39m wide and would be line marked to provide the maximum number of sporting opportunities for the school. The surface selected is proposed for general use to include playtime use as well as sports activity. SUDS drainage would be designed and provided as part of the detailed submission of the scheme.

Location

Keston Church of England Primary School is located at the end of Lakes Road set behind gates and landscaping. The school buildings are single storey and brick built. Lakes Road is primarily residential with the village centre to the west. To the east are open fields.

The site is located outside of the Keston Village conservation area and is located adjacent to the Metropolitan Green Belt. A Site of Importance for Nature Conservation is located to the north and east boundaries of the school site. A Site of Special Scientific Interest is located to the north boundary of the school site.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and a large number of representations were received:

Support

Note: There have many representations acknowledging support only with no general comments.

- The pitch will be for educational benefit
- Keston needs a replacement sports pitch due to constantly poor quality current muddy pitch.
- Would enable year round sporting events of great benefit for the children.
- Would enhance the physical education activities within the Borough.
- A long sought after facility that would make a modern enrichment to the school.
- A much needed facility.
- This does not detract from existing property and not intended for additional non school use.
- Current pitch represents a safety hazard with pests and cracking. This will alleviate the problem and allow a greater use for the pupils.
- Keston has a long history of sporting achievements. This will help continue this.
- Please don't let a handful of objectors let our children suffer.
- Will provide the possibility of outdoor recreation in all weathers.

Objection

- The all-weather pitch is disproportionate and not needed at the school.
- High fencing will be an eyesore. Concerns regarding its visual impact.
- Long term impact to environmental concerns in this location
- Further expansion of this particular school is inappropriate causing more issues for parking, disruption to residents and loss of amenity.
- Setting of playing field is a natural environment and should be kept that way.
- School is likely to use the sports field for extracurricular sporting events and hire out the pitch negatively impacting on village and adjacent residents.
- Funding for sports pitch should be channelled into academia
- School already has enough facility for sports.

- Concerns regarding impact on visual amenity.
- Many concerns raised that the proposal will generate extra traffic and exacerbate parking problems in the area.
- Concerns regarding impact on natural environment and adjacent SSSI
- Concerns regarding future floodlighting.
- Concerns regarding future of annual events held on the field.
- Play in an unnatural environment is not beneficial for the children.
- Money should be spent on more worthwhile facilities.
- Fence surround would look ugly.
- Concerns why the Council is funding this when there are other more necessary areas that require funding at the school.
- Concerns regarding the impact on drainage towards local nature reserve.
- No prior consultation with neighbours/residents.

General comments

- No objection to use by children during school hours but object to other groups use outside of these hours. This would cause inconvenience and disruption to residents.
- Use in the evening or floodlighting should not be allowed otherwise no concerns.
- The Orpington Field Club has raised issues regarding the proximity to the SSSI and potential effects to water drainage around the site. Further comments have been made regarding tree work and potential effects on possible bats that may roost in the area and also concerns regarding potential installation of floodlighting at a future date.

Comments from Consultees

Sport England

The proposed development involves the provision of a fenced sand dressed artificial grass pitch. The proposed development would appear to be sited on an existing playing field. However, it has been confirmed that there is no existing community use of the playing field. As the development is for the provision of an outdoor sports facility and the provision of which would be of sufficient benefit to the development of sport, the proposal is considered to meet exception E5 of the Sport England Policy thus:

'The proposed development is for an indoor/outdoor sports facility of sufficient benefit to sport to outweigh the detriment caused by the loss of playing field.'

This being the case, Sport England does not wish to raise an objection to this application.

Environmental Health

No objection to permission being granted.

Drainage

The applicant is keeping the run-off rate post-development the same as the one pre-development. This approach not agreed with. The use of SUDS should be maximised and the surface water run-off should not be higher than the greenfield rate. This site is also within the area in which the environment agency require restrictions on the rate of discharge of surface water from new developments into the River Ravensbourne or its tributaries. Further details to be sought by condition.

This site appears to be suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water. Further details to be sought by condition.

Environment Agency

No objection to the proposal as submitted. Recommend condition is imposed regarding a drainage strategy and implementation of a SUDS hierarchy.

Natural England

No objection: No conditions requested. This application is in close proximity to Hayes and Keston Site of Special Scientific Interest (SSSI). Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the site has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application.

Planning Considerations

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

- BE1 Design of New Development
- BE16 Ancient Monuments and Archaeology
- NE1 Development and SSSI
- NE2 Development and Nature Conservation Sites
- NE5 Protected Species
- NE6 World Heritage Site
- NE7 Development and Trees
- G6 Land Adjoining Green Belt or Metropolitan Open Land
- C1 Community Facilities
- C7 Educational and Pre School Facilities
- T1 Transport Demand
- T3 Parking
- T18 Road Safety

London Plan

- 3.18 Education facilities
- 5.1 Climate change mitigation

- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable Design and Construction.
- 5.7 Renewable Energy
- 5.13 Sustainable Drainage
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road network capacity
- 6.13 Parking.
- 7.2 An Inclusive Environment.
- 7.3 Designing out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.21 Trees and woodlands
- 8.3 Community infrastructure levy

Planning History

83/02612/LBB: Detached single storey sports pavilion. Approved 1/12/1983

86/00013/LBB: Erection of 5 bay mobile classroom for educational purposes. Approved 20/02/1986

89/03641/FUL: Retention of mobile class room. Approved 1/2/1990.

94/02983/FUL: Retention of mobile classroom (renew of permission 89/03641) - Approved 1/2/1995

03/03572/DEEM3: Erection of mono-pitch roof within courtyard - Approved 18/12/2003

05/03690/DEEM3: Amphitheatre and extension to existing playground. Approved 9/11/2005.

06/03298/FULL1: Cycle store. Approved 18/10/2006

07/01977/DEEM3: Single storey front extension. Approved 17/9/2007
 08/03712/FULL1 - Erection of 2 canopies at front entrance of school. Approved 8/1/2009

12/03819/FULL1: Single storey extension to provide 2 classrooms, play area with canopy, extension of parking area to provide 7 additional spaces, bin store and associated external works. Withdrawn 30.04.2013

13/01666/FULL1: Single storey classroom extension, enclosed play area with canopy, artificial grass play area, additional car parking, bin store and associated works. Withdrawn 27.08.2014

14/01813/FULL1: Glazed entrance canopy and modification of ramp. Approved 5/8/2014

14/03021/FULL1 Construction of a single storey Early Years Foundation Stage classroom extension with enclosed play area and external canopy to the south east side of the existing school building, additional car parking, bin store and associated external works. Approved 28/10/2014

Conclusions

The main planning considerations relevant to this application are:

- The principle of the replacement of the existing school pitch with an artificial pitch.
- The design and appearance of the proposed scheme and pitch site alterations on the character and appearance of the locality as an area adjacent to Green Belt and sensitive natural environments.
- The impact of the scheme on the residential amenity of neighbouring properties.
- Traffic, parking and servicing.
- 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 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.

The replacement of the existing pitch area with an improved facility to serve the same purpose on site in order to enhance the teaching facilities at the school is therefore in line with policy. The use should also be located in an appropriate place that both contributes to sustainability objectives and provides easy access for users. In this respect the use will remain in the same area with improved operational use which is welcomed

Design and Siting

Policy G6 states that development proposals on land abutting the Green Belt will not be permitted if it is detrimental to the visual amenity, character or nature conservation value of the adjacent designated area.

Policy BE1 states that development should not detract from the existing landscape and should respect important views, skylines, landmarks or landscape features.

The artificial grass pitch will be located on the site of the existing grass pitch. The pitch will measure 70m by 39m and is proposed to be surrounded by a 1.8m high fence and 4.5m mesh on three of its sides in order to retain balls within the field of play. It is noted that the pitch is situated on a raised plateau of land. However, the pitch area is contained by extensive tree cover to the north east and south which will remain untouched. On this basis, it is not anticipated that the pitch or surrounding mesh fence will be greatly visible from surrounding property areas at any distance. The main effect will be from close proximity of the pitch area as an individual emerges from the wooded areas which would be from within the boundary of the school. The fence surrounding the pitch is relatively low level and the netting above will be minimal in terms of its visual impact due to its very nature. On this basis it is not considered that the replacement pitch and fencing will be detrimental to the visual amenity, character of the adjacent areas or detract from the existing landscape or important views from that landscape.

Residential Amenity and Impact on Neighbouring Property

Policy BE1 states that development should respect the amenity of occupiers of neighbouring buildings and ensure their environments are not harmed by noise and disturbance.

The proposed replacement pitch has been identified to improve the facilities and enhance the educational provision at the school. No increase in school numbers is proposed and the use has been stated as being solely for school use and is not being offered for any wider community use. On this basis it is not considered that the proposal would be detrimental to the amenities of neighbouring property in terms of any increased noise and disturbance as this would largely remain as existing.

Ecology and Landscaping

Policy NE1 states that a development proposal within or that may have an adverse effect on a Site of Special Scientific Interest will not be permitted unless it can be demonstrated that there is no alternative solution and the reasons for the development clearly outweigh the nature conservation or scientific interests of the sites or the value and interests of the site can be protected from damaging impact by mitigating measures secured by the use of conditions or planning obligations.

Policy NE2 states that a development proposal that may significantly affect the nature conservation interest or value a site of importance for nature conservation (SINC) will be permitted only if it can be shown that the reasons for the development or benefits to the local community from the development outweigh the

interest or value of the site, or any harm can be overcome by mitigating measures, secured through conditions or planning obligations.

An Extended Phase 1 Habitat Report has been submitted in respect of the above policies. The findings have been reviewed by Natural England and no objection is raised regarding any impact to the adjacent natural environment areas to the north and east of the site.

No trees will be affected by the proposal. A planning condition can ensure protection of trees during construction. It has been advised that due to the close proximity of the sports pitch to surrounding trees that should any tree/ building works be proposed during the bird breeding season, a nesting search should be undertaken to confirm presence/absence of nesting prior to works being undertaken. Also it has been identified that it is possible that bats may utilise the tree lines located on the boundaries/within the school for foraging/commuting. Therefore, efforts should be made to minimise impacts upon foraging commuting bats by minimising lighting impacts of the new proposals. The proposals do not indicate any floodlighting. This can be conditioned to control this element.

In addition to the replacement sports pitch, small general landscaping works in terms of steps and paths are proposed around the pitch which is considered acceptable.

Drainage

Surface water drainage will be affected by the proposal. Both the Council's Drainage Officer and the Environment Agency raise no objection in this regard subject to the submission of further detail regarding SUDS. This can be secured by planning condition.

Highways

There will be no increase in the use of the sports pitch outside of its use for pupils of the school. As such the proposal will not generate any additional traffic and therefore will not result in any detrimental effect on the local highway network.

Planning conditions to provide more information in respect of construction and logistics is recommended.

Summary

On balance, Officers consider that the proposal represents a sustainable form of development in accordance with the aims and objectives of adopted development plan policies. The proposed replacement school playing pitch and external works are considered to be of appropriate scale and design and relate well to their context in the locality. It is not considered that the proposal would have an unacceptable impact on visual amenity in the locality or the amenity of neighbouring occupiers and the scheme is therefore considered acceptable.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACK01 Compliance with submitted plan
 ACK05R K05 reason
- 3 ACB01 Trees to be retained during building op.
 ACB01R Reason B01
- 4 ACB02 Trees - protective fencing
 ACB02R Reason B02
- 5 ACB03 Trees - no bonfires
 ACB03R Reason B03
- 6 ACB04 Trees - no trenches, pipelines or drains
 ACB04R Reason B04
- 7 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).

- 8 No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details

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

9 ACH29 Construction Management Plan
ACH29R Reason H29

10 No floodlighting shall be installed to illuminate the replacement sports pitch hereby approved without the prior consent in writing of the Local Planning Authority.

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

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.

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

Application No : 15/01388/FULL1

Ward:
Bickley

Address : Bickley Primary School Nightingale
Lane Bromley BR1 2SQ

OS Grid Ref: E: 541350 N: 168971

Applicant : Bickley Primary School

Objections : NO

Description of Development:

Single storey detached modular building for toilet block and sports store

Key designations:

Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
Gas Holder Stations Gas_Holders_stations:
London City Airport Safeguarding
London City Airport Safeguarding
London City Airport Safeguarding Birds
Smoke Control SCA 13
Smoke Control SCA 12
Urban Open Space

Proposal

Planning permission is sought for a single storey detached modular building for toilet and sports store. The disabled WC and baby change would be accessible via a ramp.

Amended plans received dates 12th May show an additional rooflight proposed.

Location

The school is located on the southern side of Nightingale Lane, adjacent to The Widmore Centre. The site is designated as Urban Open Space.

Comments from Local Residents

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

Comments from Consultees

Thames Water- No objections raised

Planning Considerations

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

- BE1 Design of New Development
- G8 Urban Open Space
- C7 Educational and pre-school facilities

Policy G8 permits new buildings provided the development is related to the existing use of the site, and is small scale and does not erode the open outdoor space available for recreation and children's play facilities

London Plan - Policy 3.18- Education Facilities states that the Mayor will support provision of early years, primary and secondary school and further and higher education facilities adequate to meet the demands of a growing and changing population and to enable greater choice.

Planning History

Most recently, planning permission was granted for a detached garage/storeroom to front of the school under ref. 14/01903. A Certificate of Lawfulness was also granted for a single storey link extension and erection of sun canopy under ref. 10/01526/PLUD. A two storey extension to the rear of the school was also granted under ref. 07/00632.

Conclusions

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

The development accords with Policy G8 in that the canopy relates to the existing use (the school) and the development is small in scale. In addition, where built development is involved, the Council will weigh any benefits being offered to the community against a proposed loss of open space and in all cases, the scale, siting, and size of the proposal should not unduly impair the open nature of the site. Given that the proposal is for a relatively modest single storey toilet/storeroom located adjacent to an existing school building, car parking area and associated access way, Members may consider the proposal compliant with the above policy and that the building would not erode the openness of the surrounding area.

The proposed toilet block/storeroom will be of a relatively modest size when considered in the context of much larger site and school buildings. It will also be sufficiently separated and screened from the nearest residential properties so as

not to result in undue harm to the amenities enjoyed by the occupants of those residential properties

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

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.

Background papers referred to during production of this report comprise all correspondence on file ref.15/01388 excluding exempt information.

as amended by documents received on 12.05.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

Reason: In the interest of residential amenities and visual appearance of the Urban Open Space.

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SECTION '2' – Applications meriting special consideration

Application No : 14/03400/FULL1

Ward:
Bromley Town

Address : Blyth Wood Park 20 Blyth Road
Bromley BR1 3TN

OS Grid Ref: E: 539789 N: 169642

Applicant : Mr R Pooke

Objections : YES

Description of Development:

Change of use of ground and first floor from sports hall (use class D2) to C3, incorporating the existing residential unit in the roof space to form a single 4 bedroom dwelling, new vehicular access on to Bracken Hill Lane and associated replacement fencing and gates

Key designations:

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

Proposal

Update

Members will recall that this application was to be considered by the Plans Sub Committee held on the 18th December 2014. However, was withdrawn by the Chief Planner on the as additional consultation responses were required with regard to the impact of the proposal on the protected trees within the site.

The Councils Tree officer went on site in December and January to meet the applicant.

As a result, the applicant commissioned architects to prepare a revised parking layout (including input from the Councils Highways Officer). This revised plan is supported by an arboricultural assessment. Local residents have been advised of the revised information.

The application seeks permission for the change of use of the ground and first floor from sports hall (use class D2) to C3 incorporating the existing residential unit in

the roof space to form a single 4 bedroom dwelling and new vehicular access onto Bracken Hill Lane.

Comments from Local Residents

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

Objection:

- impact on privacy and ambiance
- existing access from Blythwood Park
- impact on trees
- safety and accident issue
- in 1989 condition that there was no access from Bracken Hill Lane
- works already underway
- set precedent

Support:

- using underutilised leisure building and converting to family house

The full text of all submissions are on the file to view.

Comments from Consultees

Highways Department:

The proposed vehicular access to a flat and gym is from Bracken Hill Lane, which is a cul-de-sac.

I would not have an objection to the application for a crossover as the application is for change of use of the building to residential and not for dual use as a gym and a flat.

A house on its own would not generate additional traffic on this quiet residential road. The access, because of its proposed use as a house, will not interfere with the free flow of traffic and will not be detrimental to highway safety.

Trees:

No objections are raised.

Planning Considerations

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

- BE1 Design of New Development
- H12 Conversion of non-residential buildings to residential use.

C1 Community facilities
SPG1 General Design Principles
SPG2 Residential Design Guidance

98/00340/FUL - Change of use of first floor leisure centre from offices to one residential self-contained flat. Conditional permission. Not implemented.

98/03273/FUL - Change of use of first floor of leisure centre from offices to 1 two bedroom flat with elevational alterations including dormers to north and south elevations, replacement of part roof on west elevation by glazed conservatory with projecting balcony. Conditional permission. Implemented.

99/01840/FUL - Additional rooflights and formation of open balcony within roof space on west facing elevations to new flat on first floor of leisure centre granted under application 98/3273. Conditional permission. Implemented.

14/03230/FULL1 - Formation of vehicular access. - refused

14/03278/FULL1 - Fence and gates fronting Braken Hill Lane (part retrospective).- Withdrawn

Conclusions

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

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

The application proposes the conversion of the ground and first floor of the building to residential use, to form part of the existing dwelling located on the second floor of the building. The existing ground and first floor of the building has a lawful use as a leisure centre for residents of Blyth Wood Park. Policy H12 of the Unitary Development Plan states that the Council will permit the conversion of genuinely redundant office and other non-residential buildings to residential use, particularly above shops, subject to achieving a satisfactorily quality of accommodation and amenity. Policy C1 also states that, in most circumstances, planning permission will not be granted for proposals that would lead to the loss of community facilities.

With regard to the principle of the conversion of the ground and first floors of the building to residential use, Policy H12 requires the applicant to demonstrate that the premises are genuinely redundant. A supporting email has been submitted from the director of Blyth Wood Park management company, which sets out the history of the leisure centre, specifically that it has only ever been in use exclusively for the residents of Blyth Wood Park and has not been open to the general public. In light of this information, it is considered that the existing use of

the building does not constitute a community facility in terms of UDP Policy C1. The supporting email then goes on to explain that the leisure centre was funded and maintained through the service charge imposed on the leaseholders of the Blyth Wood Estate, however in 2005 the decision was made by the leaseholders and management company to close the leisure centre as it has become prohibitively expensive to keep open. The freehold of the building was then sold to the applicant earlier in 2014. The submitted information is considered to demonstrate that it was not viable for the building to be retained as a leisure centre to serve the residents of Blyth Wood Park and that the building is therefore a genuinely redundant facility. Given this, it is considered that the conversion of the building to residential use is acceptable in principle.

The application does not propose any external alterations to the appearance of the building, however the application does incorporate the formation of a vehicular access and the erection of associated fencing and gates. With regard to the highway safety implications of creating a new access from Bracken Hill Lane to serve the existing building, the Highways Engineer has raised no objection to the proposal, given that it will serve one dwelling and not a dwelling and a leisure centre. With regard to the impact of the erection of the fencing and gates on the character of the area, this side of Bracken Hill Lane is characterised by a relatively unbroken expanse of brick wall and fencing, behind which is sited a number of mature trees. It is noted that objections have been raised by the neighbouring properties regarding the removal of these trees, however the submitted plan does not indicate the felling of any trees. The access would create an opening in the existing fencing, approximately 5 metres wide. However it is not considered that this would adversely affect the character of Bracken Hill Lane, as vehicular accesses are not uncommon features in the wider street scene and the existing trees which contribute positively to the character would remain in place. As such, no objections are raised to the proposal in this regard.

Furthermore, given the nature of the proposal and that no external changes to the building are proposed, it is considered that there would be no adverse impact on the amenities of the neighbouring residential properties. In addition, the relationship of the building with the surrounding properties is such that the conversion would not result in an unacceptable level of overlooking of any neighbouring dwelling.

Having had regard to the above, it is considered that the proposed would not have a detrimental impact on the character of the area or result in a loss of amenity to local residents.

as amended by documents received on 24.04.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACI01 | Restriction of all "pd" rights |

Reason: In order to comply with Policy BE1 of the Unitary Development Plan and to prevent and overdevelopment of the site in the interest of the visual and residential amenities of the area and neighbouring residents.

- 3 ACH11 Visibility splays (new buildings) (3 in) . 43m x 2.4m x
43m 1m
- ACH11R Reason H11
- 4 ACK01 Compliance with submitted plan
- ACC03R Reason C03

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SECTION '2' – Applications meriting special consideration

Application No : 15/00403/FULL6

Ward:
Farnborough And Crofton

Address : 35 Crofton Road Orpington BR6 8AE

OS Grid Ref: E: 545294 N: 165774

Applicant : Mr And Mrs Cutts

Objections : YES

Description of Development:

Enlargement of roof to provide first floor accommodation including rear dormer and single storey rear extension and conversion of garage to habitable room

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 14
Smoke Control SCA 11
Stat Routes

Proposal

- The proposal is for a roof enlargement to provide first floor accommodation including a rear dormer and single storey rear extension and conversion of garage into a habitable room.
- The roof enlargement consists of a roof extension to incorporate a barn hipped roof which will raise the ridge height of the property from 5.3m to 5.8m in height. A rear dormer window is also proposed at 8.1m in length and 4.6m in projection from the roof slope on top of the new lounge/dining area at ground floor. The dormer hosts a hipped roof design and includes a Juliet balcony to the rear.
- A ground floor rear extension is also proposed projecting 4.5m from the rear elevation and 6.4m in width, partially replacing an existing conservatory.
- The garage is located to the western elevation of the property and is proposed to be converted into a store room and utility room.

Location

The site is located within a central position on Crofton Road within close proximity to the junction with Newstead Avenue. Properties along Crofton Road are varying

in designs however the host property is the only example of a bungalow within the wider street scene.

The site currently hosts a large detached bungalow set back from the main highway with off street parking capabilities for up to three cars facilitated by an area of hard standing to the front elevation. The topography of the land is predominantly sloping with the dwelling sited approximately 1m lower than highway level with the land sloping upwards to the west.

The host dwelling is sited up to the boundary with number 37 Crofton Road to the west, with a separation distance of 0.5m to the flank elevation of the neighbouring dwelling house. The property is sited approximately 5m from the flank elevation with number 33 Crofton Road to the east and maintains a distance of 25m from the southern rear boundary.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and one comment was received:

- No objection to the proposed ground floor single storey rear extension
- The dormer and roof extension will cause a significant loss of light to the bedroom, landing and dining room window which are all in the side of the house.
- The garage forms the boundary wall and is situated only 4.5ft from the side wall of our house

Comments from Consultees

Highways Comments - No objections subject to conditions.

Planning Considerations

BE1 Design of New Development
H8 Residential Extensions
T3 Parking

The following Council adopted SPG guidance is also a consideration:

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

The above policies are considered consistent with the objectives and principles of the NPPF. Policies within the London Plan are also a consideration.

Planning History

14/04222/FULL6 - Enlargement of roof to provide first floor accommodation including rear dormer and single storey rear extension and conversion of garage to habitable accommodation - Withdrawal

Conclusions

Members may consider the main issues relating to the application as being the effect that the proposal would have on the amenities of the occupants of surrounding residential properties and the design of the proposed rear extension.

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.

Since deferral of the decision from Planning Committee on the 30th of April amended plans have been received which include:

- Reduction in the length of the dormer window by 1m each side.
- Barn hips have been included in the place of a fully gabled elevation
- The gable windows have been removed
- Removal of roof light to the dormer pitched roof
- Roof lights to the front and rear elevations

Roof Extensions including Rear Dormer Window

Policy H8 states that dormer windows should be of a size and design appropriate to the roof scape and sited away from prominent roof pitches, unless dormer windows are a feature of the area. The proposed dormer window projects 4.6m from the roof slope and is facilitated by an increase in height of the property by 500mm. The dormer feature is sited 0.5m back from the eaves of the dwelling and sited 300mm below the newly constructed roof line. The dormer window is proposed to be constructed with a partial flat roof design which decreases the bulk and obtrusiveness of the feature upon the rear elevation. The dormer window has also been decreased in length by 1m each side which mitigates the impact of the dormer window upon the neighbouring habitable bedroom window within the side elevation of number 37 Crofton Road.

Although it is appreciated that there isn't a uniform design to residential dwellings within the wider street scene, it is considered that the hipped roof of the existing dwelling permits a subservient and harmonious design feature. The ridge height of the existing property is proposed to be raised by 500mm and through the submission of amended plans, now incorporates a barn hipped roof to allow for living accommodation within the first floor level. The retention of some of the hipped nature of the roof lessens the prominence of the development and bulky nature of the roof profile when viewed from the street scene. Furthermore Members may consider that the retention of an element of the hipped roof mitigates the impact of the structure upon the habitable bedroom window of the neighbouring property which, although it is still considered the structure would have some impact upon neighbouring residential amenity, it is considered that the amended plans mitigate this to a degree which could be considered acceptable and it is considered that the structure would be less imposing and would now allow for a degree of natural light to the aperture.

Comments have been received from the neighbouring property at 37 Crofton Road who have raised concerns with regards to the impact of the proposed dormer and hip to gable extension upon the light currently afforded to their bedroom. After visiting the neighbouring property it is clear that the bedroom has only one aperture within the eastern flank elevation which looks out onto the rear roof slope of 35 Crofton Road. The proposed western flank elevation of the dormer window will be approximately 4.7m in front of the bedroom window however now includes a barn hip to the design approximately 4m in front of the aperture. Whilst the concerns of the neighbours are noted, it is considered that the reduction in size and scale of the scheme has mitigated the impact of the development to an acceptable degree especially with regard to the amended roof profile pitching away from the window and the increased distance of the dormer from the aperture.

At the time of writing this report the neighbouring residents had not yet commented on the newly amended plans as submitted in May 2015, however any comments received will be reported verbally to Committee.

Proposed Single Storey Rear Extension

The proposed single storey rear extension measures 4.5m from the rear elevation and 6.4m in width, projecting no further than the existing garage and partially replacing an existing conservatory. The rear extension is included within the envelope of the host dwelling and away from the common side boundaries with the adjoining properties. Members may find that the single storey rear extension is considered acceptable.

Proposed Garage Conversion

A conversion of the garage space is proposed which will include alterations to the front elevation from a garage door to a single door and window. No objections have been received from highways however condition H3 has been imposed if permission was to be forthcoming which requests the submission of a fully detailed parking plan.

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 Before the development hereby permitted is first occupied, the windows within the side elevation or roof space of the development hereby permitted shall be obscure glazed and non opening up to 1.7m in height from floor level and shall subsequently be permanently retained as such.

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

SECTION '2' – Applications meriting special consideration

Application No : 15/00654/FULL3

Ward:
Bickley

Address : Bickley And Widmore Working Mens
Club Tylney Road Bromley BR1 2SH

OS Grid Ref: E: 541674 N: 168909

Applicant : Mr A Barrett

Objections : YES

Description of Development:

Change of use and conversion of first floor social club function room, first floor front and rear extensions and creation of mansard roof to provide additional floor for a total of 6 flats (4 x 1 bedroom and 2 x 2 bedroom) on upper floors

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
Gas Holder Stations Gas_Holders_stations:
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
Open Space Deficiency
Smoke Control SCA 13
Smoke Control SCA 12

Proposal

- It is proposed to retain and enhance the club house on the lower level, convert the existing function room on the upper floor to flats and add an extra floor above also for the provision of flats.
- The proposal seeks to extend the existing building forward by approximately 2.6 metres, including removing the existing single storey flat-roofed entrance and staircase structure.
- An additional floor will be built above the existing building; this will be contained within a mansard roof area;
- An extension is also proposed to the rear which will provide additional bedroom space to the flats at the rear of the property.
- The floor layout at both floors will be the same; one 1 bedroom flat towards the front of the building, and two flats at the rear of the building (one 1 bedroom and one 2 bedroom flats).

- Access to the flats will be from the front facing Tylney Road, and the entrance to the club will be altered and will utilise Canon Road, which is currently the rear garden area.

The main issues to be considered with regard to the proposal would appear to be:

- Size and scale of development
- Intensity of use
- Impact on neighbouring amenities
- Car Parking
- Amenities for the proposed flats

Location

The site hosts a social club located along Tylney Road in Bromley. The site appears to drop away from Tylney Road with the existing club house being built on lower and upper floors at present.

Comments from Local Residents

Local residents were notified of the scheme and responses were received which can be summarised as follows:

- Proposal appears to dense: 6 flats in a small space;
- Risk of overdevelopment, given the extensions;
- Further increase in noise affecting neighbouring properties;
- Parking appears to be an issue, especially given that the club will still be functioning;
- Tylney Road is currently a traffic disaster, and heavily parked at all times of the day, especially during rush hour and school run;
- Increase in depth and height of current building will further reduce light to neighbouring property;
- Loss of privacy due to creation of new window;
- Cars using proposed residents car park will have trouble entering and exiting;
- Design and Access Statement refers to an existing converted hall into residential use, however this has been well established for 130 years;
- There is planning history associated with the site, despite the D+A Statement stating there isn't any;
- Concerns should balconies be introduced;
- Harm to amenities of neighbours by noise and disturbance with regard to change in access to the club;
- Increase in noise by club patrons and future residents;
- Overlooking from new windows;
- Existing view from my flat is not picturesque, as it is of the club roof, there is a view and natural light;
- Proposal will result in loss of view and will block out natural light;
- Increased foot flow in and out of the road;

- Increased parking on the road due to front of the building now only containing residents parking (ratio 1:1) for the proposed flats;
- Relocation of club access to allow for extension would result in detrimental impact upon privacy and amenities of residents of Canon Road;

Support comments summarised as follows:

- Proposal will bring additional affordable apartments to the area;
- Maintains the amenity use of the club without sacrificing the facilities and enjoyment the club brings to its members or guests;
- Will enhance the appearance of the building and therefore the streetscene.

Comments from Consultees

No objections raised by Environmental Health (pollution), subject to a condition relating to sound insulation for future residents in the upper floors from noise within the ground floor premises.

Further to the submission of a parking stress survey requested by the Council's Highways Engineer, no objection has been raised to the development subject to standard conditions. In addition, in order to reduce pressure on the existing parking demand in the area, future residents of the development should not be eligible to apply for parking permits.

Environmental Health (Housing) stated the proposed floor plan for the first floor suggests it will be identical for the floor plan for the proposed second floor. The second floor will be within a mansard roof with partial dormer windows, so the useable floor area is likely to be less than that of the first floor.

The applicant is advised to have regard to the Housing Act 2004 Part 1 - Housing Health and Safety Rating System (HHSRS), which recommends separate bedrooms, kitchens and living/dining rooms to avoid hazards associated with combined functional space.

Planning Considerations

BE1 Design of New Development
 H1 Housing Supply
 H7 Housing Density and Design
 H9 Side Space
 T3 Parking
 T18 Road Safety
 C1 Community Facilities
 C2 Community Facilities and Development

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

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

3.3 Increasing Housing Supply

- 3.5 Quality and Design of Housing Development
- 3.8 Housing Choice
- 6.9 Cycling
- 7.2 An Inclusive Environment
- 7.3 Designing out Crime
- 7.4 Local Character

London Plan Housing Supplementary Planning Guidance

Planning History

Permission was refused under ref. 09/02583 for detached bungalow at land at the rear of 56 Tylney Road for the following reasons:

- The proposed dwelling would represent a cramped overdevelopment of the site, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan; and
- The proposal would represent an unacceptable subdivision of the existing site and would leave insufficient amenity space for the proposed dwelling thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.

Conclusions

It is proposed to retain and enhance the club house on the lower level, convert the existing function room on the upper floor to flats and add an extra floor above also for the provision of flats.

The existing building has a flat roof to the front and rear, with the central part of the building having a raised pitched roof element. The buildings either side of the club building in Tylney Road are both taller than the existing building. The existing function room will be converted into the first floor level of 3 flats, and an additional floor will be added within a mansard roof design for the further 3 new flats. The resulting height of the structure will remain lower than the converted building to the north and will be similar in height to the dwelling to the south.

Whilst it is acknowledged that the proposal will result in a building that is higher than the existing building on site, and there will as a result be some impact on outlook to neighbouring properties, the site benefits from being on a lower level and set back from the road frontage with Tylney Road, and adjacent buildings in the main are higher than the existing club house. It is therefore considered that the overall impact upon residential amenity in terms of view will be minimal.

Introducing residential units at this site is considered to be in keeping with the prevailing character of the area and as such is considered acceptable, however it is important to ensure that the overall density of the proposed scheme is acceptable in this particular location.

The proposal appears to provide a density of 95 units per hectare, and 222 habitable rooms per hectare, which is considered to sit comfortably within the

Council's density / location matrix within Policy H7 of the Unitary Development Plan.

The proposal is considered to comply with Chapter 3 of the London Plan (2011) and the Supplementary Planning Guidance 'Accessible London: Achieving an Inclusive Environment.' In addition, Environmental Health (Housing) have not raised objection to the proposal, although have drawn attention to ensure that the standard of accommodation proposed should comply with the Housing Act 2004 Part 1 - Housing Health and Safety Rating System (HHSRS) and ensure that each residential unit provides adequate levels of light, natural ventilation and means of escape in case of fire where necessary to accord with Policies H1, H7 and BE1 of the Unitary Development Plan and Policy 3.5 of the London Plan.

Furthermore, in relation to the current application the proposed residential accommodation would meet London Plan minimum sizes and would provide a good standard of accommodation for future occupiers, and no concerns were raised by Environmental Health notwithstanding the need 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.

Members will note that key planning considerations must include impact on the amenities of neighbouring properties, however it is considered that the relationship to existing buildings, overlooking, noise and disturbance by reason of the introduction of residential units to this site will not have a detrimental impact on the residential and visual amenities of the neighbouring properties, nor on the character of the area generally.

Concerns have been raised by nearby residents with regard to the general use of the club facilities, causing noise and disturbance at present and fears that relocating the club facilities to a new part of the building, plus introducing residential units to the site, will lead to a further increase in disturbance to nearby residential properties. However it is considered that future management of the club facilities would be a private matter, and the introduction of residential units to this site should in fact result in development on this site that is more in keeping with the character of the area and more likely to sit comfortably within the immediate vicinity of existing residential units.

Whilst an element of the proposed mansard roof will be located within 1 metre from the property boundary and is therefore not compliant with Policy H9 of the Unitary Development Plan, the essence of this policy is to prevent a terracing impact of any proposed development upon adjacent buildings and to retain the spatial standards of the area. It is considered that this element of the proposal will not result in unrelated terracing to neighbouring properties and will not have a detrimental impact upon the character or spatial standards of the area.

On balance it is considered that the proposed development and introduction of residential units at this site is considered to be in keeping with the prevailing character of the area. The proposed residential units will meet London Plan minimum sizes and provide a good standard of accommodation for future occupiers. Whilst it is noted that the addition of the mansard roof level will add

some further bulk to the site, the amount proposed will not be adverse enough to have such a detrimental impact upon the neighbouring properties that it warrants refusal of the scheme.

Background papers referred to during production of this report comprise all correspondence on the file ref. 15/00654 set out in the Planning History section above, excluding exempt information.

as amended by documents received on 01.05.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACK01 Compliance with submitted plan
 ACC01R Reason C01
- 3 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
- 4 ACC01 Satisfactory materials (ext'n'l surfaces)
 ACC01R Reason C01
- 5 ACC03 Details of windows
 ACC03R Reason C03
- 6 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
- 7 ACH08 Details of turning area
 ACH08R Reason H08
- 8 ACH09 Restriction on height to front and flank
 ACH09R Reason H09
- 9 ACH16 Hardstanding for wash-down facilities
 ACH16R Reason H16
- 10 ACH18 Refuse storage - no details submitted
 ACH18R Reason H18
- 11 ACH23 Lighting scheme for access/parking
 ACH23R Reason H23
- 12 ACH29 Construction Management Plan
 ACH29R Reason H29
- 13 ACH32 Highway Drainage
 ADH32R Reason H32
- 14 ACH33 Car Free Housing
 ACH33R Reason H33
- 15 ACI17 No additional windows (2 inserts) flank development
 ACI17R I17 reason (1 insert) BE1 and H7
- 16 ACI18 No additional hardstanding
 ACI18R I18 reason
- 17 ACI21 Secured By Design
 ACI21R I21 reason
- 18 A scheme for protecting the residential dwellings on the upper floors from noise arising from activities within the ground floor commercial premises

shall be submitted to and approved in writing by or on behalf of the Local Planning Authority. Before the development commences the scheme shall be fully implemented and sound transmission tests shall be carried out by a competent person to demonstrate compliance with the approved scheme. The results shall be submitted to the Local Planning Authority and the approved scheme shall be permanently maintained thereafter.

Reason: In order to protect the amenities of the future occupiers of the residential units hereby permitted and to comply with Policies BE1 and H7 of the Unitary Development Plan.

19 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

Reason: In order to comply with Policies T3 and T18 of the Unitary Development Plan.

INFORMATIVE(S)

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

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

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

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

3 The applicant is advised to have regard to the Housing Act 2004 Part 1 - Housing Health and Safety Rating System (HHSRS), which recommends separate bedrooms, kitchens and living/dining rooms to avoid hazards associated with combined functional space.

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SECTION '2' – Applications meriting special consideration

Application No : 15/00664/FULL1

Ward:
Plaistow And Sundridge

Address : 1 Burnt Ash Lane Bromley BR1 4DJ

OS Grid Ref: E: 540380 N: 170394

Applicant : Grayson Franks Ltd Stephen Grayson **Objections :** YES

Description of Development:

Demolition of existing bungalow and construction of a three storey building comprising 2 one bedroom and 4 two bedroom flats, parking, cycle parking, refuse and landscaping

Key designations:

Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
London Distributor Roads
Smoke Control SCA 7
Smoke Control SCA 5

Proposal

Planning permission is sought for the demolition of the existing bungalow and construction of a three storey building comprising 2 one bedroom and 4 two bedroom flats, parking, cycle parking, refuse and landscaping.

The building is contemporary in design with the principle orientation to the front and rear of the site. The building will be set away from the side boundaries with a side vehicle access to the site to a partial undercroft parking to the rear. Private garden areas are located to the front and side for ground floor flats and a separate communal area for the upper floors with additional balconies facing the streetscene. Materials are indicated as red and yellow London stock brick with rendered elements.

Location

The site is located on the east side of Burnt Ash Lane and currently comprises a single storey inter-war bungalow. The site has a wide frontage with a high boundary wall opposite a mini road gyratory and Plaistow Green. Vehicle access

and parking for up to three cars are currently provided on site. To the north and south of the site are two large Victorian properties with the property to the south currently occupied as flats. Opposite the site and nearing completion is a new Tesco store with 8 flats above.

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:

Objection

- Building design not in keeping with adjacent properties.
- Gyratory is already busy. Proposal will impact on parking, congestion and highway safety to create further problems.
- Concern regarding height of proposed structure regarding overlooking and loss of privacy.
- Concerns regarding the design to the predominant style of Edwardian properties in the area.
- Impact on safety in area due to new development.
- Concerns raised regarding the extent of notification of the application.
- Access to neighbouring property will be made more dangerous.
- Loss of trees will result due to the application. Concerns raised that it is not possible to protect them during construction.
- Concerns that adjacent property will be overlooked and in shadow.
- Site is unsuitable for this level of development.
- Development insensitive to neighbours. Will dominate and overshadow homes.
- Increased strain on local amenities.
- Ruin front garden to adjacent homes and be less pleasurable to live in.
- Proposal has not considered the amenities of upper floor flats adjacent.
- Concerns regarding noise and disturbance from the construction process.
- A smaller more sensitive development is more appropriate.
- Circumstances are different compared to the reasons for allowing the Tesco development opposite.
- Development is too dense.
- Use of rear area for car parking will increase noise and disturbance to rear of the site.

Support

- Support for the new flats in the area. This building will look good in this location opposite the new Tesco building

Comments from Consultees

Environmental Health - Pollution: No objections to permission being granted.

Highways: The site is located in Burnt Ash Lane at the junction with the one-way "square-about". Burnt Ash Lane is a classified road, the A2212, and a London Distribution Route. The proposal is to demolish the existing bungalow and replace it with a block of 6 flats. Vehicular access is from Burnt Ash Lane via a modified arrangement. The access road is approximately 3.0m wide leading to six car parking spaces. Six car parking spaces are indicated on the submitted plan; this is satisfactory. Also six cycle parking would be provided; which is acceptable. Refuse stores are indicated on the submitted plan. No objections.

Transport for London: The site of the proposal is not near to the Transport for London Road Network (TLRN) or Strategic Road Network (SRN), and therefore there are unlikely to be any significant impacts on these roads. The site however is on a busy junction that has a number of bus routes running through it, so your highways colleagues are best placed to advise on the acceptability of the proposals in terms of impacts on the operation of the local road network (and therefore potential impacts on bus services), both during construction and residually; the safety of the access and servicing with more intensive use, and on-site manoeuvring potential being obvious considerations.

Drainage: No objections subject to standard further details regarding drainage.

Housing: General comments regarding unit size compliance with the London Plan, layout of flats and provision of external recreational areas.

Crime Prevention: No reason why this project cannot achieve the physical security requirements of Secured by Design by incorporating the use of tested and accredited products.

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
NE7 Development and Trees
ER7 Contaminated Land
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

94/01334/FUL: Single storey front/side and single storey side extensions. Approved 18.08.1994.

08/03022/FULL1: Demolition of existing bungalow and erection of a four storey block comprising 1 three bedroom and 5 two bedroom flats with 4 car parking spaces. Refused 04.11.2008

PREAPP/14/00293: re-application enquiry - Demolition of existing bungalow and erection of 5 two bedroom and 2 one bedroom flats with associated car parking and refuse storage. Response sent 18.11.2014

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

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 currently developed as a single family dwellinghouse. Residential dwellings are situated on all sides of the property including flatted development. In this location the Council will consider residential redevelopment to a greater density 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 a new residential block 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 114 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 an urban area as 55-145 u/ha. The density of the proposal is within that guideline 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 site, which sharply tapers towards the rear, is currently occupied by a bungalow set between 2-storey and 3-storey houses of the Victorian/Edwardian period and as such is relatively constrained by the close proximity of these traditional residential buildings. In the vicinity of Plaistow Green there are many original buildings of a similar period, as well as examples of more modern development, including the medical centre, Purelake House (7 Plaistow Lane) and the three storey block nearing completion at 1 Plaistow Lane.

In terms of scale, design, materials and massing, the three storey building proposed would appear in keeping with the height of surrounding development and references for its design can be found in the surrounding area around Plaistow Green. In terms of the proposed elevational treatments involving a mix of brick and rendered areas with a predominance of brick over render is considered a

sympathetic design approach to the appearance of the building within the adjacent context of buildings.

The proposed building would occupy a similar position within the site to the existing bungalow which projects forward of the front of No3. However, whereas the existing bungalow is staggered at the front, away from No3, the proposed block would be wider at the front, resulting in more site coverage than the existing building. At the rear, the first floor would also project further back than the existing building. Due to the tapered nature of the site, the building narrows towards the rear and side spaces to between 1.7m from the boundary to the north flank elevation and 3m to the south elevation respectively. The building would also be set back from the highway boundary by a minimum of approximately 3m and soft landscaping in the form of private gardens and communal amenity space would be provided in the surrounding spaces.

While a greater separation between the development and No.3 Burnt Ash Lane would be preferred on this corner/tapered site, given the more generous gaps to the flank boundaries which would be retained towards the front of the building, on balance, the impact on the spatial standards of the area are considered acceptable. The setting for the development is also softened through soft landscaping and planting, in particular, adjacent to the front and side boundaries and around the bin store to minimise its visual impact.

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 recommended to secure the materials shown on the submitted elevation plans and require 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 six units is as detailed below:

Unit No.	No. Bedrooms	Occupancy	Floor Area m ²	London Plan Requirements m ²	
1	1	2	52	50	√
2	1	2	51	50	√
3	2	4	73	70	√
4	2	3	66	61	√
5	2	4	73	70	√

6	2	2	66	61	√
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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.

Policy BE1 requires that adequate private or communal amenity spaces are provided to serve the needs of the particular occupants. Private garden areas are provided for the ground floor flats. Balconies and a small communal external area for the upper floor flats to the front elevation facing the streetscene are also provided. While the parameters of the private 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 ground floor unit is acceptable. Similarly the sizes of the upper floor balcony areas are compliant with London Plan standards.

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

A Technical Note in respect of parking and highways impacts has been submitted with the application. Six car parking spaces have been provided for each unit as detailed above. The Council's Highways Officer has reviewed the submitted information and advised that they are satisfied with the provision and access indicated.

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 the units to the rear of the site within the car parking area. Further details can be conditioned 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 front curtilage. The location point is considered acceptable. 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 car parking areas and amenity space or overlooking the street. It is noted that representations have been made from neighbouring residents regarding impact to daylighting and outlook.

Concerns have been raised that the flank window at No115 London Lane would look directly onto the first and second floor private balconies of the proposed building. Full height privacy screening has been introduced at the sides of the balconies to prevent any mutual overlooking and loss of amenity to occupiers of No115 and to future occupiers of the proposed flats.

Concerns have also been raised regarding daylighting and a degree of loss of outlook to residents at No3 Burnt Ash Lane. The applicant has provided a Daylight and Sunlight Report in this regard that details that the impact of the block will comply with BRE Guidelines in terms of daylighting and sunlighting results. Officers note that there will also be some alteration to outlook. However, while the concerns are noted and taken account of and it is acknowledged that there will be some impact to the flank windows at No3 it is not considered that this is sufficient to warrant withholding planning permission.

Officers consider the outlook from the new blocks windows to maintain a suitable level of privacy to existing neighbouring property. Windows in the side elevations of the block have also been obscure glazed to maintain levels of privacy to properties to the north and south following concerns raised by neighbours during the application consultations.

Concerns have also been raised regarding noise and disturbance from the proposed rear car parking area. Given the limited number of spaces provided the level of noise in this respect is not considered to be significant to warrant refusal of the application in this respect.

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 submitted an Energy and Sustainability Strategy document in respect of the above policies to ensure that the development achieves the policy directives. The measures indicated appear satisfactory and compliant in this respect.

Ecology and Landscaping

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 ground floor flats 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, full details of hard and soft landscaping, boundary treatment and tree protection during construction 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 dwelling units by intensifying the use of the 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
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACK01
ACK05R | Compliance with submitted plan
K05 reason |
| 3 | ACA04
ACA04R | Landscaping Scheme - full app no details
Reason A04 |
| 4 | ACA07
ACA07R | Boundary enclosure - no detail submitted
Reason A07 |
| 5 | ACB01
ACB01R | Trees to be retained during building op.
Reason B01 |
| 6 | ACB02
ACB02R | Trees - protective fencing
Reason B02 |
| 7 | ACB03
ACB03R | Trees - no bonfires
Reason B03 |
| 8 | ACB04
ACB04R | Trees - no trenches, pipelines or drains
Reason B04 |

- 9 ACC08 Satisfactory materials (all surfaces)
ACC08R Reason C08
- 10 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 11 ACH18 Refuse storage - no details submitted
ACH18R Reason H18
- 12 ACH22 Bicycle Parking
ACH22R Reason H22
- 13 ACH29 Construction Management Plan
ACH29R Reason H29
- 14 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).

- 15 (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.

- 16 Before the development hereby permitted is first occupied, the proposed window(s) to the first and second floor north and south facing flank walls of the building shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such.

ACI12R I12 reason (1 insert) BE1 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 are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant

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

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

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

- 3 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- 4 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.
- 5 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.
- 6 Street furniture/Statutory Undertaker's apparatus: Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.

SECTION '2' – Applications meriting special consideration

Application No : 15/00696/FULL1

Ward:
Bromley Town

Address : Broadway House 3 High Street Bromley
BR1 1LF

OS Grid Ref: E: 540430 N: 168754

Applicant : Monetta Limited

Objections : NO

Description of Development:

Extension of third, fourth, eighth and ninth floor to provide 9 flats

Key designations:

Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
Bromley Town Centre Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Secondary Shopping Frontage
Smoke Control SCA 5

Proposal

Planning permission is sought to create 9 self-contained apartments. The following works are proposed:

- Construction of a 2 storey extension on the roof of the 3 storey building fronting onto the High Street
- Construction of a 2 storey extension on the roof of the 8 storey building to the rear of the site
- Extension of the common circulation core to maintain a lift and staircase to the upper floors.

The application also includes:

- Planning Statement
- Design & Access Statement (including Visual Impact Assessment)
- Noise Assessment
- Air Quality Assessment
- Existing and Proposed Photomontages
- Transport Statement
- Construction Management Plan
- CIL form

Location

The site is located at 3-5 High Street, Bromley. It is immediately adjacent to Bromley South train station and it is bound to the east by Elmfield Park.

Comments from Local Residents

No letters of representation have been received regarding the development.

Comments from Consultees

Highways

The site is within a high (6a) PTAL area. The site is within the inner area of the Bromley Town Centre controlled parking zone where there is very limited all-day parking available. No objection to the principle of a car free development, however, in order not to put pressure on the existing parking situation, future residents of the development should not be eligible to apply for parking permits.

The developer should provide its own car club vehicle and the developer covenants with the Council to:

- Provide on free membership of a locally based Car Club per unit for a minimum period of 3 years;
- Publicise annually and provide details on the local Car Club within its marketing materials for the Development and its own website for 3 years from the date of first occupation
- The Developer should make enquiries directly with City Car Club to discuss a deal for the respective development.

Update

The agent has responded to the Highway Officers comments which are outlined below.

We note the request to provide a car club vehicle and operation which we assume would operate from the car park within the site.

As identified in the submitted Transport Statement (see paragraphs 2.4 and 2.5), we understand there is an existing car club operation within a convenient walking distance of the site on Sherman Road. A further club is to be provided within a permitted scheme on Cromwell Avenue which is also conveniently located for the scheme's residents. Based on the site's excellent level of accessibility, the level of existing / planned club provision and the 8 car parking spaces that will be provided within the site, we believe there is no justification to provide a car club facility. It would also reduce the capacity of the car park and its availability to prospective residents.

As identified in the Transport Statement (see paragraph 4.3), existing / planned car club provision will instead more than adequately cater for any demand for this type

of car usage. The proposed development is also too small to warrant its own car-club vehicle. In our experience, only developments of circa 200+ units can support an individual vehicle. On this basis and in the absence of any specific policy justification, the Applicant does not intend to provide a car club facility.

Environmental Health (Housing)

- It is reasonable to assume a dwelling with two or more bedrooms will be occupied by a family with children.
- The only communal living space in the proposed flat is combined with the kitchen area which is not desirable due to the risk of accidents associated with areas used for both food preparation and recreation.
- Hazard: 11 Crowding and Space (b) Lack of separate kitchen area of adequate size

All Propose 2 Bedroom Flats - External Recreational Space

- The proposed 2 bedroom properties do not appear to be any provision for external recreational space.
- Hazard: 11 Crowding and Space (j) Lack of safely fenced or guarded recreational space, readily visible from within the property.
- In general unsatisfactory as the area is a high density commercial area. It may be that the developer would like to consider a number of 1 bedroom units which would imply no children and there would be no requirement for recreational space.

Flames, Hot Surfaces etc.

- All Proposed 2 Bedroom Flats - Combined Kitchen/Dining/Living Space
- The living space and kitchen area in the proposed property is combined which is not desirable due to the risk of accidents associated with areas used for food preparation and recreation.
- Hazard: 25 Flames, Hot Surfaces etc. (g) Inadequate separation - of kitchen from living or sleeping space.

Update

The agent has responded to the Environmental Health Officers comments, which are outlined below.

- The internal layout and arrangement of the scheme has been designed to comply with the Housing Act 2004 and the Mayor's Guidance.
- The internal living space is sufficiently separated and sized to reduce and manage the risk of accidents. This is achieved through the separation of kitchen and living areas by dining and circulation space. All of the proposed bedrooms under this application include external terrace areas to provide the required level of recreation space.
- The EHO's wider comments on other 2-bedroom units and recreational space appear to apply to the proposed conversion scheme. This

accommodation has been approved under Ref: 14/01711/RESPA and so it is not relevant to this application which is a separate / freestanding proposal. On this basis the comments are not relevant.

Environmental Health (Pollution)

I have considered the above and I would recommend the following conditions:

Noise

- A scheme for protecting the proposed dwellings from external noise (including glazing and ventilation specifications in line with the recommendations of Sound Advice Acoustics Report Reference SA - 3601 of 29th January 2015) shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before development commences and the scheme shall be fully implemented before any of the dwellings are occupied and permanently maintained as such thereafter.

Air Quality

- The application site is located within an Air Quality Management Area declared for NOx: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan)
- Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site identifying efficiency and sustainability measures to be undertaken during site construction of the development has been submitted to approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.

I would also recommend the following informative:

- 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.

Town Centre Renewal

In the pre-application discussion with the applicant, it had been specified that the planning (design and access) statement should ideally include a reference to high quality physical interventions to the area next to the stairway on the south side of the building which is a public right of way and the rear entrance of the building

facing Elmfield Park. Features of the interventions should include the principles of Designing Out Crime which should refer to providing well-defined routes, spaces and entrances that provide for convenient movement without compromising security; improving surveillance so that all publicly accessible spaces are overlooked with adequate lighting and providing spaces that are designed with management and maintenance in mind, to discourage crime in the present and the future.

To some extent they have complied with this in the Design and Access Statement para 3.09 and this is acceptable, taking into account the extent of improvements in relation to the size of the development proposed.

Within the Design and Access Statement, the applicant has also adequately demonstrated through the use of photographs. Details on the massing, scale and visual impact of the development including an assessment of its impact on key views and vistas as required by Policy BTC19 of the Bromley Town Centre AAP.

The Town Centre Renewal team therefore do not have any objections to this application.

Secure by Design Officer

Design Out Crime Group London will not be seeking to have planning conditions relating to crime and criminality and Secured by Design on application of less than ten residential units. However, having looked at the application in relation to this development, I see no reason why this project cannot achieve the physical security requirements of Secured by Design by incorporating the use of tested and accredited products. I would, therefore, encourage the use of the following measures for this application:

- Flat Entrance Doors to meet PAS24 2012. or alternative Secured by Design Standard
- Mail Delivery should be via boxes in a secure lobby area, through the wall or external boxes.
- Audio visual entry access control system to be employed.

Drainage - no objection.

Thames Water - no objection.

Planning Considerations

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

UDP Policies

BE1 Design of New Development
H1 Housing Supply

H7 Housing Density and Design
H9 Side Space
T3 Parking
T6 Pedestrians
T7 Cyclists
T11 New Accesses
T18 Road Safety

Area Action Plan

BTC1 Mixed Use Development
BTC2 Residential Development
BTC3 Promoting Housing Choice
BTC8 Sustainable Design & Construction
BTC1 Noise
BTC1 Design Quality
BTC1 Building Height

London Plan

3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Quality and design of housing developments
3.6 Children and young people's play
3.8 Housing choice
3.9 Mixed and balanced communities
5.2 Minimising carbon dioxide emissions
5.3 Sustainable design and construction
5.7 Renewable energy
5.13 Sustainable development
6.9 Cycling
6.10 Walking
6.13 Parking
7.1 Building, London's Neighbourhoods and Communities
7.2 An inclusive environment
7.3 Designing out crime
7.4 Local character
7.5 Public realm
7.6 Architecture
7.15 Reducing noise and enhancing soundscapes

The following documents produced by the Mayor are also relevant:

- Housing Supplementary Planning Guidance
- The Mayors Economic Development Strategy
- Providing for children and young people's play and informal recreation SPG
- Accessible London: achieving an inclusive environment
- Sustainable Design and Construction SPG

National Planning Policy Framework (2012)

Planning History

Pre-application enquiry - Third, fourth, eighth and ninth storey extensions to provide 9 additional flats (43 in total) with balconies and Juliet balconies.

Planning permission was granted for elevational alterations from ground to seventh floors including Juliet balcony windows (application ref.14/03783).

Prior approval was granted for the change of use of first, second, third, fourth, fifth, sixth and seventh floors from Class B1(a) office to Class C3 dwellinghouses to form 10 one bedroom flats and 24 two bedroom flats under Class J Part 3 of the GPDO (Application Ref.14/01711).

Conclusions

The key issues in the determination of this application are:

- Principle of Development
- Design & Layout
- Residential Amenity
- Noise
- Affordable Housing
- Highways and Transport
- Secure by Design
- Sustainable Development and Renewable Energy
- Refuse

Principle of Development

The application site consists of a ground floor retail unit with seven storeys of vacant office floorspace above. Prior approval was granted by the Council on 27th June 2014 under ref.14/01711/RESPA for the change of use of first to seventh floors from Class B1(a) office to Class C3 dwellinghouses to form 10 one bedroom flats and 24 two bedroom flats under Class J Part 3 of the GPDO. Works are due to start in the near future to implement the change of use approved under ref.14/01711/RESPA to convert 1-7 to residential.

It is proposed to increase the building height by 2 more storeys overall resulting in a total of 43 flats including those approved in the prior approval application. Three flats are proposed on the eighth floor while two are proposed on each of the third, fourth and ninth floors. All of the flats include an outdoor terrace area.

Members may consider that the addition of an extension to the third, fourth, eighth and ninth floors would add to the Council's target to provide much needed housing within the Borough, which is considered to be in a sustainable location. The proposal therefore complies with Policy H1 of the UDP.

Design and Layout

Policy BE1 of the UDP requires that new development is of a high standard of design and layout. It should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas, should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Policies BE18 of the UDP and BTC19 of the AAP are concerned with building height and seek to protect important views and major skyline ridges, such as the Keston Ridge from insensitive development.

Policy 7.7 of the London Plan also sets out its requirements for proposal for tall or large buildings. Of relevance, it states that tall and large buildings should:

- relate well to the form, proportion, composition, scale and character of surrounding buildings, urban grain and public realm (including landscape features), particularly at street level;
- individually or as a group, improve the legibility of an area, by emphasising a point of civic or visual significance where appropriate, and enhance the skyline and image of London;
- incorporate the highest standards of architecture and materials, including sustainable design and construction practices;
- contribute to improving the permeability of the site and wider area, where possible
- make a significant contribution to local regeneration;
- not affect their surroundings adversely in terms of microclimate, wind turbulence, overshadowing, noise, reflected glare, aviation, navigation and telecommunication interference; and
- not impact on local or strategic views adversely.

Proposals for taller buildings are also required to follow the guidance set out in the English Heritage/ Commission for Architecture and the Built Environment's Guidance on Tall Buildings (2007).

The application includes an urban design analysis and tall buildings study that demonstrates the proposal is part of a strategy that will meet all these criteria. The photo montages show that the addition of a further two storey's will make this building the tallest amongst those around it in Elmfield Park but that the views of the Keston Ridge would not impact on the character of the Town Centre.

The extensions comprise of vertical glazed elevations which will mirror the existing building. The Design & Access statement states that in order to maintain a strong eaves/frontage line it is intended to step the proposed extension back, firstly at 3rd floor level and the again at 4th floor level. The mass of the façade is further broken down by the introduction of recesses and extensive areas of glazing reducing the overall impact of the scheme on the streetscape. Private amenity space is afforded for each unit. Two further storeys are then to be added to create an 8th and 9th floor. The extensions will be clad in glass and aluminium with full height floor to ceiling glazing. The lift core and stair case will be extended to provide access to the upper floors.

Residential Amenity

In determining any application, the key considerations would include impact on the amenities of neighbouring properties and those of future occupants of the proposed development.

The proposal seeks to provide 7 x 2 bed/3 person apartments & 2 x 3bed/5 person apartments.

The schedule of floorspace can be broken down by each floor

Third Floor	Flat A1	66.5sqm
	Flat A2	66 sqm
Fourth Floor	Flat A3	63.5sqm
	Flat A4	63.5sqm
Eighth Floor	Flat B1	61sqm
	Flat B2	64.6sqm
	Flat B3	63.3sqm
Ninth Floor	Flat B4	86sqm
	Flat B5	86sqm

Each of the new flats has been designed to meet the residential design standards as set out in London Plan 2015. The size, mix and layout of each of the apartments has been designed to cater for marking housing in this location.

Private amenity space has been provided to each of the apartments in the form of roof terraces and balconies.

The Greater London Authority (GLA) in their Supplementary Planning Guidance (SPG) Shaping Neighbourhoods: Play and Informal Recreation (2012) recommends 10 square metres of useable play space is provided per child, depending on the likely child occupancy. Paragraph 3.05 of the Design and Access Statement show that between 5-16sqm of external space has been provided per unit. Development proposals that include housing should make provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs (London Plan Policy 3.6).

All developments with an estimated child occupancy of ten children or more should seek to make appropriate play provision to meet the needs arising from the development. If there is the opportunity from the new development to access existing provision that has excess capacity or is capable of enhancement from the new development, the benchmark standard of 10 sqm per child does not need to be applied. If it is not the case, it is recommended that benchmark standards should be applied to the anticipated child occupancy of new development. If there is the opportunity from the new development to access existing provision that has excess capacity or is capable of enhancement from the new development, the benchmark standard of 10 sq m per child does not need to be applied. If it is not the case, it is recommended that benchmark standards should be applied to the anticipated child occupancy of new development. This will give a more effective measure of need and will reflect variations in population characteristics and the mix of housing types and tenures (Para.4.25, GLA, 2012).

All of the proposed bedrooms under this application include external terrace areas to provide the required level of recreation space. Members will need to consider whether the balcony and terrace areas are considered sufficient by way of outdoor amenity space in light of some of the flats being larger than one bedroom and therefore potentially being occupied by parents with children.

Noise

A noise assessment has been submitted by the agent and assessed by the Council's Environmental Health Department. The site is located to the far end of Bromley High Street and next door to Bromley South station. The accompanying acoustic report considered the background noise level at the site and offered suitable mitigation measures to protect the amenity of future occupants. The Environmental Health Officer raised no objections to the scheme subject to suitable conditions.

Affordable Housing

Nine additional units are proposed (in addition to the 34 granted prior approval) which would not normally trigger the need to accommodate affordable units. However, Policy H2 of the Adopted UDP is worded to ensure that the policy is not circumvented in certain situations (i.e. where 9 units are proposed but 10+ units could be accommodated). The policy states:

"In order to meet the needs of the Borough, affordable housing will be sought on all housing sites capable of providing 10 dwellings or more, or housing sites of 0.4ha or larger, irrespective of the number of dwellings..."

This is reiterated in paragraph 6.1 of the Council's Adopted Affordable Housing SPD (2008):

"Thresholds: Affordable housing will be sought on all sites capable of providing 10 dwellings or more or 0.4ha or larger in accordance with Policies H2 and H3 of the Adopted UDP (July 2006)."

Policy 3.12 of the London Plan (2011): Negotiating affordable housing on individual private residential and mixed use schemes specifies that "The maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes having regard to..." clauses A a-f of the policy. Clause B also specifies that negotiations should take into account individual site circumstances including: viability, availability of public subsidy, implications of phased developments and other scheme requirements (London Plan Policy 3.12 B). The specifications of the Policy are also elaborated upon in the GLA's Housing SPG (November 2012).

The agent's covering letter sets out that the scheme has been deliberately formulated to provide two family-sized units to meet market requirements and policy objectives. If the units were adjusted to provide three two-bedroom units instead, this would undermine the schemes ability to meet the key policy objective and market requirement. The sizes of the three bed units are in line with the

minimum requirements recommended in the London Plan and Mayor's Housing SPG's and are not oversized. The density of the scheme matches the recommended density level in the London Plan. To provide three two-bedroom units within the 172sqm would result in units that are below the London Plan minimum size requirements.

As the scheme falls below this threshold the scheme appears not to be capable of providing more than 10 units and therefore affordable housing isn't required as part of the scheme.

Highways and Transport

The site is within a high (6a) Public Transport Accessibility Level (PTAL) area and also in the inner area of the Bromley Town Centre controlled parking zone where there is very limited all-day parking available. There are no objections to the principle of a car free development and there would be restrictions on the eligibility of future occupiers of the units to apply to the Council for Residents Parking Permits.

Broadway House is considered a highly accessible location, being located next door to Bromley South Station. The development will continue to provide eight car parking spaces with no increase in parking. 45 new cycle spaces are to be provided which are considered acceptable by the Highways Officer.

The Council's Highway Officer asked that conditions be attached to any permission for a car club to be provided by the developer of the site. The agent has provided as response to the Highways request for a car club, which are set out below.

As identified in the submitted Transport Statement (see paragraphs 2.4 and 2.5), we understand there is an existing car club operation within a convenient walking distance of the site on Sherman Road. A further club is to be provided within a permitted scheme on Cromwell Avenue which is also conveniently located for the scheme's residents. Based on the site's excellent level of accessibility, the level of existing / planned club provision and the 8 car parking spaces that will be provided within the site, we believe there is no justification to provide a car club facility. It would also reduce the capacity of the car park and its availability to prospective residents.

As identified in the Transport Statement (see paragraph 4.3), existing / planned car club provision will instead more than adequately cater for any demand for this type of car usage. The proposed development is also too small to warrant its own car-club vehicle. In our experience, only developments of circa 200+ units can support an individual vehicle. On this basis and in the absence of any specific policy justification, the Applicant does not intend to provide a car club facility.

The Highways Engineer has been contacted for further comments but at the time of writing this report an update had not been received. Members will be given an update should any further Highway comments be received prior to the committee meeting.

Secured by Design

The Secure by Design Officer has recommended that flat entrance doors meet Secure by Design Standards, Mail delivery boxes be used as well as an audio visual entry. provided the following comments in respect of the development.

Sustainable Development and Renewable Energy

The London Plan provides the policy framework in respect of sustainable construction and renewable energy, and your attention is drawn to chapter 5 of the London Plan and Draft Supplementary Planning Guidance entitled Sustainable Design and Construction. Development.

The proposed development incorporates a number of design features to maximise the sustainability of the scheme, which are included in the Design & Access Statement which includes a 16 point checklist to demonstrate that all of the proposed units will comply with Lifetime Homes Standards.

Refuse

The applicant has indicated that refuse storage bins will be located at basement level. No comments have been received from the Waste department but a suitable condition can attached to ask for a refuse plan to be provided.

CIL

The development will be liable for a charge under the Community Infrastructure Levy for Mayoral CIL if it involves residential floor area, including extensions or a new dwelling.

Summary

The proposed materials would appear sympathetic to the existing brickwork which is largely to be retained. While the adjacent development to the north is two/three storey Victorian/Edwardian development with a strong traditional appearance, Broadway House acts as a "bookend" at the southern end of the High Street and contrasts strongly with the adjacent development which consists of commercial uses at ground floor with residential soon to be developed above.

The principle of residential development for part of the building to be converted to residential development has already been granted under the prior approval process. The location of the development is also considered a sustainable location, next door to Bromley South train station and access to several bus routes.

The additional storeys have been designed to integrate the existing built form and the Bromley skyline. This has been shown through appropriate massing and the use of natural and neutral materials. Sustainable development features have also been incorporated into the design.

The number and size of the proposed units comply with UDP and Local Plan standards and would provide much needed housing within the Borough.

Background papers referred to during production of this report comprise all correspondence on the files refs. 15/00696, 14/03783, 14/01711 and 13/03869 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 ACD02 Surface water drainage - no det. submitt
 AED02R Reason D02
- 4 ACH18 Refuse storage - no details submitted
 ACH18R Reason H18
- 5 ACH22 Bicycle Parking
 ACH22R Reason H22
- 6 ACH27 Arrangements for construction period
 ACH27R Reason H27
- 7 ACH29 Construction Management Plan
 ACH29R Reason H29
- 8 ACH31 Car Club
 ACH31R Reason H31
- 9 ACH33 Car Free Housing
 ACH33R Reason H33
- 10 ACK01 Compliance with submitted plan
 ACK05R K05 reason
- 11 ACK03 No equipment on roof
 ACK03R K03 reason
- 12 A scheme for protecting the proposed dwellings from external noise (including glazing and ventilation specifications in line with the recommendations of Sound Advice Acoustics Report Reference SA - 3601 of 29th January 2015) shall be submitted to and approved in writing by or on behalf of the Local Planning Authority before development commences and the scheme shall be fully implemented before any of the dwellings are occupied and permanently maintained as such thereafter.
- 13 The application site is located within an Air Quality Management Area declared for NOx: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NOx emission rate of <40mg/kWh (To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan)
- 14 Construction works shall not begin until a Construction Logistics Plan to manage all freight vehicle movements to and from the site identifying efficiency and sustainability measures to be undertaken during site construction of the development has been submitted to approved in writing by the Local Planning Authority. The development shall not be carried out otherwise than in accordance with the approved Construction Logistics Plan

or any approved amendments thereto as may be agreed in writing by the Local Planning Authority.

INFORMATIVE(S)

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

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

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

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

- 3 Before 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.

SECTION '2' – Applications meriting special consideration

Application No : 15/00840/FULL1

Ward:
Chislehurst

Address : Old Elthamians Sports Club Foxbury
Avenue Chislehurst BR7 6SD

OS Grid Ref: E: 545071 N: 170932

Applicant : Mr R McMillian

Objections : YES

Description of Development:

Formation of a senior football pitch with two spectators stands comprising 100 seated and 100 standing, and associated floodlighting timber fencing and landscaping.

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
London City Airport Safeguarding
London City Airport Safeguarding
London City Airport Safeguarding
London City Airport Safeguarding Birds
Sites of Interest for Nat. Conservation
Smoke Control SCA 16

Proposal

The former Old Elthamians sports ground has been acquired by Glebe Football Club, and it is proposed to form a senior football pitch within the central part of the site, and provide two covered spectator stands to the eastern side of the pitch which would accommodate 100 people seated and 100 people standing. The seated stand would measure 13.2 x 3m, whilst the standing stand would measure 7.5m x 3m. Both stands would measure 3m in height.

The proposals also comprise the installation of six 15m high floodlights surrounding the senior pitch, and the erection of 1.83m high green-painted timber fencing to enclose the pitch which would have planting in front.

Location

This sports ground is located at the northern end of Foxbury Avenue, off Perry Street, and lies within Chislehurst Conservation Area. It occupies an area of 0.6ha and is designated as Green Belt land. It lies adjacent to other similar playing fields and school grounds on its southern and eastern sides, and contains mature trees along much of its boundaries, particularly along the western side of the site.

The site contains a sports pavilion within its south-eastern corner, and three floodlighting columns adjacent to the eastern boundary of the site. A parking area is provided adjacent to the pavilion within the southern part of the site, and a total of 100 cars can be accommodated on the site.

Comments from Local Residents

A number of letters have been received from local residents in support of the proposals, but The Chislehurst Society has raised some concerns which are summarised as follows:

- the two spectator stands and associated floodlights would intrude on the openness of the Green Belt, although it is acknowledged that the applicant has put forward the requirement by the Football Association to provide these facilities in order for them to support the establishment of the club as very special circumstances to justify the development
- the 1.83m high timber fence around the senior pitch would negatively impact on the openness of the Green Belt, regardless of any landscaping provided, and the applicant has failed to justify this aspect of the proposals.

Comments from Consultees

The Council's Highway Engineer requested further information to be submitted regarding the potential parking demand particularly during the peak time, and a further parking statement was submitted on 29th April 2015. In response to this, the Highway Engineer considers that there are sufficient parking spaces to meet current requirements, and no objections are raised subject to standard conditions.

Environmental Health raises no objections in principle, but recommends that use of the floodlights is restricted to between 8.30am - 10pm.

No drainage objections are raised and Thames Water has no concerns.

Planning Considerations

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

- G1 The Green Belt
- T3 Parking
- T18 Road Safety
- ER10 Light Pollution

Planning History

Permission was granted in 1986 (ref. 86/02447) for the erection of six floodlighting pylons which were subject to a restriction on the hours of use of between 8.30am-10pm. Three of these floodlighting columns remain along the eastern boundary of the site.

Outline permission was refused in 1988 (ref. 87/03586) for a covered sports facility and ancillary accommodation, and was dismissed on appeal.

Permission was granted in 2010 (ref. 09/03490) for the erection of a 50 seater spectator stand for the sports pitches, which included the removal of an existing dilapidated spectator stand.

Conclusions

The main issues in this case are the impact of the proposals on the visual amenities and openness of the Green Belt, and on pressure for parking in surrounding roads.

Policy G1 of the UDP states that permission will not be given for inappropriate development in the Green Belt unless very special circumstances can be demonstrated that clearly outweigh the harm by reason of inappropriateness or any other harm. Essential facilities for outdoor sport and recreation are not considered to be inappropriate development so long as they would preserve the openness of the Green Belt, and would not conflict with the purposes of including land in it.

The permitted use of the site is for outdoor sport and recreation, and the applicant has confirmed that the proposed spectator stands, floodlighting and surround fencing to the senior pitch would be of the standard required by the Football Association in order for the senior team to remain in the Kent Invicta League. The stands would be of fairly low scale (maximum 3m in height) and would be located towards the eastern side of the site, close to the existing pavilion, where they would be least obtrusive. It should be noted that a 50-seater spectator stand was previously permitted within the southern part of the site (to replace an existing stand), but this was never built. The proposed floodlights would be 15m high, and similar height floodlights were previously permitted in the eastern part of the site, three of which remain. The 1.83m high timber fencing surrounding the pitch would be painted green, and planting is proposed to soften the impact, which can be the subject of a condition.

It is considered that the proposed structures would be relatively unobtrusive when viewed from the surrounding area as the site is well screened with mature trees and planting, and are confined to the eastern part of the site close to the existing pavilion and parking area. They are required to improve the facilities for spectators and to safeguard the future of the club, and are not considered to unduly affect the openness of the Green Belt nor conflict with the purposes of including land in it.

The proposals are not, therefore, considered to be contrary to Policy G1 of the Unitary Development Plan.

With regard to parking, the Council's Highway Engineer is satisfied that there are sufficient parking spaces to meet current requirements.

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 29.04.2015 19.05.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC07 Materials as set out in application
 ACC07R Reason C07
- 3 ACK01 Compliance with submitted plan
 ACK05R K05 reason
- 4 The floodlights hereby permitted shall not be used before 08.30 hours or
 after 22.00 hours on any day.
 ACJ23R J23 Reason
- 5 The timber fencing hereby permitted shall be painted green, and a scheme
 for planting in front of the fencing shall be submitted to and approved in
 writing by the Local Planning Authority, and shall be implemented in the first
 planting season following the substantial completion of the development.
 Any plants which within a period of 5 years from the substantial completion
 of the development die, are removed or become seriously damaged or
 diseased shall be replaced in the next planting season with others of similar
 size and species to those originally planted.
 ACA04R Reason A04

INFORMATIVE(S)

- 1 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.
- 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.

SECTION '2' – Applications meriting special consideration

Application No : 15/00990/FULL1

Ward:
Crystal Palace

Address : 3 Anerley Park Road Penge London
SE20 8BZ

OS Grid Ref: E: 534550 N: 170319

Applicant : Mr Alan Coates

Objections : YES

Description of Development:

Single story rear extension

Key designations:

Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Smoke Control SCA 6

Proposal

Planning permission is sought for a single storey rear extension which extends into the rear garden of the property. The proposal includes; a new kitchen; dining room; extra bedroom and an outdoor patio area.

Location

The application site is a ground floor flat of a pair of semi-detached townhouses located on the south-western side of Anerley Park Road, Anerley.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and one letter of representation was received which can be summarised as follows:-

- Concerns about builders, dust, noise, power tools and radio's

Comments from Consultees

Highways

The proposal is located in an area with high PTAL rate of 4.

No car parking is provided, the site is considered accessible to public transport links, being within walking distance of bus routes and a Rail Station.

As there is a correlation of car ownership and type of dwelling people reside, this suggests that not all occupiers will own car(s). Furthermore I am of the opinion that the development would not have a significant impact on the parking in the surrounding road network. Therefore I raise no objection to the proposal.

Drainage Officer - no objection.

Thames Water - On the basis of information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application.

Environmental Health Officer (Housing) -

1. All partitions separating occupancies should be half-hour fire resisting to BS 476.
2. The bathroom and shower room do not appear to be provided with natural ventilation. Adequate means of mechanical ventilation should therefore be provided. I assume that Building Control would wish to comment on this matter.
3. The front bedrooms are effectively accessed via the kitchen/living/ study area. This is an unsatisfactory layout with regard to fire safety unless the bedrooms are provided with a secondary means of escape, such as an escape window. Alternatively, the unit should allow travel from the bedrooms to a final exit without passing through another risk room/area(s).

Planning Considerations

UDP Policies:

- BE1 Design of New Development
- H8 Residential Extensions
- T3 Parking
- T18 Road Safety

London Plan:

- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities

- 7.2 An Inclusive Environment
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology

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

Planning History

There is no planning history associated with the site.

Conclusions

Design and character

The rear extension will extend to 14m in depth along the western boundary of the property to accommodate a new kitchen, family dining room, guest bedroom and a second bathroom. All rooms will have direct access to the garden which includes a patio area.

The extension will be clad in brickwork to match the existing host dwelling and surrounding dwellings. The eastern and southern facades will be punctured with windows to allow natural light into each of the rooms as well direct access to views of the garden.

The existing kitchen will be relocated to form a glazed link between the existing house and new buildings.

The Council's SPG 2 states in paragraph 2.2 that extensions should be designed in order to remain subservient to the main building and extensions should respect the form of the host property without overwhelming the original design. The size of the proposed extension at 14m deep is considered particularly deep and not subservient to the main house.

Architecturally the building has been designed with a transparent connection to the new building connecting the existing flat through to the new extension. The main adjustment to the façade is to replace the existing kitchen window with a doorway leading from the existing house into the extension.

It is clear there is a general uniformity along the road with this particular row of properties 1-9 being similar in appearance to both the front and rear. There are no other rear extensions within the vicinity.

Impact to nearby residents

One neighbour located at the adjoining semi-detached property has raised concerns about dust and noise in light of the household containing a resident who is in ill-health.

The main impact will be to the neighbours above the ground floor flat of No.3 and the neighbours located at No.1 & No.5. All of the neighbours will be able to see the proposed development from their rear windows, which will occupy a large area of the garden. Concern is raised that neighbours would be able to look into the extension from the upper floors and privacy and overlooking is considered an issue in light of the end part of the extension being a bedroom.

The extension will project 1.3m above the shared boundary fence with No.5 and the brickwork will be clearly visible from the rear garden of No.5. Whilst the roof is proposed to be screened with a mixture of wild flowers and grasses to soften the appearance of the structure the impact to the neighbours is considered to be bulky and overbearing to their outlook.

Members will need to carefully consider whether the introduction of a rear extension with a modern 'green garden pavilion roof' with the dimensions proposed would set a precedent for the surrounding vicinity.

Background papers referred to during production of this report comprise all correspondence on the file ref. 15/00990 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposed extension would, by reason of its cumulative size, width and depth be overly dominant and detrimental to the amenities of adjoining properties and the appearance of the host dwelling and thereby contrary to Policies BE1 and H8 of the Unitary Development Plan.

SECTION '2' – Applications meriting special consideration

Application No : 15/01084/FULL1

Ward:
Chislehurst

Address : Farringtons School Perry Street
Chislehurst BR7 6PU

OS Grid Ref: E: 544956 N: 170418

Applicant : Farringtons School

Objections : NO

Description of Development:

Two storey rear and first floor extensions to existing science teaching block, glazed canopy to rear and re-landscaping around building with new footpaths, ramps and external lighting

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
London City Airport Safeguarding Birds
Smoke Control SCA 17

Proposal

It is proposed to add a first floor extension and a 4.65m deep two storey rear extension to the existing science teaching block, which is located to the rear of the main school buildings, in order to provide additional classrooms to house the re-located maths department and provide improved science facilities for the school. Further ancillary facilities would be provided within the extended building, including science preparation rooms, staff offices and toilet facilities.

A small glazed canopy would also be provided to the rear of the extended building, and the existing covered portico linking the science block to the main school building would be reconstructed.

New pathways and external lighting around the building would be provided, along with ramps to serve the two main entrances to the building in the northern and southern elevations.

The proposals would not result in an increase in the number of pupils at the schools, but are needed to improve the existing facilities.

Location

This school site is located within Chislehurst Conservation Area and also lies within the Green Belt. The southern part of the site is designated as a Site of Importance for Nature Conservation (SINC), and lies adjacent to Scadbury Park Nature Reserve.

The original school buildings within the northern part of the site are locally listed within the UDP, including the science block to which this application relates.

Two sweet chestnut trees to the north of the school buildings fronting Perry Street are protected by TPO 2580 (although all trees on the site are protected by their location within the Conservation Area).

Comments from Local Residents

No third party comments have been received to date.

Comments from Consultees

The Council's Highway Engineer raises no objections to the proposals as they would not result in an increase in the number of staff or pupils at the school.

The Advisory Panel for Conservation Areas raises no objections subject to conditions requiring the render to match other buildings on the site, and the re-use of the existing roof tiles instead of the proposed single-ply membrane, and retention of the existing roof pitch.

No drainage objections are seen to the proposals, and Thames Water have no concerns.

Planning Considerations

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

- G1 The Green Belt
- BE1 Design of New Development
- BE10 Locally Listed Buildings
- BE11 Conservation Areas
- T3 Parking
- T18 Road Safety
- C7 Educational and Pre-School Facilities

Conclusions

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

Belt; the impact on the locally listed building and on the character and appearance of Chislehurst Conservation Area; and the impact on the amenities of nearby residents.

The proposed extensions to the science teaching block would be considered inappropriate development within the Green Belt as educational uses (Class D1) do not fall within the appropriate uses defined by Policy G1 of the UDP. However, the extensions are required as part of an overall plan to improve facilities at the school, and are designed so as to minimise the impact on the open nature of the site (eg. the extensions would be confined to the existing built-up part of the site behind the main school buildings, and as the majority of the extension would be first floor accommodation, the increase in the overall footprint of built development on the site would be minimal). Members may, therefore, consider that these special circumstances outweigh the harm by reason of inappropriateness caused by the proposals, and that the open nature and visual amenities of the Green Belt would not be unduly impaired.

Policy C7 of the UDP generally supports extensions to educational facilities which would improve facilities for existing pupils, as in this case.

The proposals would add a first floor extension and 4.65m deep two storey rear extension to part of the school buildings which are locally listed, and they have been sensitively designed to blend with the existing building. The first floor would be rendered (as are parts of other school buildings), and it is proposed to use a single-ply roofing membrane on a highly insulated roof rather than re-use the existing clay tiles (as APCA have suggested) in order to reduce the loading on the existing foundations. The school buildings on the site vary in their design, style and materials used, and the extensions to the science block are not considered to have a detrimental impact on the locally listed building, nor on the character and appearance of the Conservation Area.

The small glazed canopy to the south of the building, the reconstructed covered portico linking the science block to the main school building, and the new pathways, ramps and external lighting around the building are considered acceptable, and would not be harmful to the open nature of the Green Belt.

With regard to the impact on neighbouring residential properties, the nearest dwellings are located some distance away in Shepherds Green and Holbrook Lane, and would not be unduly affected by the proposals.

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 13.05.2015

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 ACD02 Surface water drainage - no det. submitt
 AED02R Reason D02
- 4 ACK01 Compliance with submitted plan
 ACK05R K05 reason
- 5 Details of the colour of the render to be used for the external surfaces of the
 extensions hereby permitted shall be submitted to and approved in writing
 by the Local Planning Authority, and shall be implemented in accordance
 with the approved details before the extensions are first occupied.
 ACC01R Reason C01

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

Application No : 14/03187/ELUD

Ward:
Darwin

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

OS Grid Ref: E: 543161 N: 162702

Applicant : Ms Sarah Williams

Objections : YES

Description of Development:

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

CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE

Key designations:

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

Proposal

This application was deferred by the Planning Sub-Committee which convened on 5th March 2015, in order to seek further evidence to substantiate this Lawful Development Certificate application.

In response, the agent has provided a note from the applicant's accountant confirming that he has acted for her for well in excess of 10 years and that she has operated from the site (i.e. Yonder Farm) for 10+ years. In addition, the applicant has provided an affidavit supporting her previous representations regarding her activities within the site for the last 10 years.

The previous report is repeated below with minor changes.

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

The conditions in question concern the following:

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

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

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

In addition and, as noted above, following the previous committee meeting the agent has provided a note from the applicant's accountant confirming that he has acted for her for well in excess of 10 years and that she has operated from the that site (i.e. Yonder Farm) for 10+ years.

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

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

This application is accompanied by a second application for a Certificate of Lawfulness for an Existing Use relating to the use of part of one of the barns as a residential dwelling (ref. 15/01584/ELUD), which is also included in this Committee agenda.

Location

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

Comments from Local Residents

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

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

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

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

Comments from Consultees

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

Planning Considerations

This Lawful Development application is to be considered under Section 191 of the Town and Country Planning Act 1990 (as amended). The Town and Country Planning Act 1990, section 191 provides for consideration of a Lawful Development

Certificate for an existing use or development if any person wishes to ascertain whether any existing use of buildings or other land is lawful.

For the purposes of the Act uses and operations are lawful at any time if -

- (a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason);
- (b) it does not constitute a contravention of any of the requirements of any enforcement notice or breach of condition notice then in force.

Planning History

The site planning history is summarised in the table below:

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

An accompanying application for a Certificate of Lawfulness for an Existing Use involving the use of part of part of one of the barns as a residential dwelling (ref. 14/03188) was refused by the committee. A subsequent application with additional information has been received by the Council (15/01584) which is being considered alongside this current application.

Conclusions

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

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

In light of legal advice, it is considered that on the basis of the evidence submitted - namely in the form of a Witness Statement from the applicant and various supporting letters from associates of the applicant - on the balance of probability, there are sufficient grounds upon which to grant a Lawful Development Certificate for the existing use. Furthermore, following the deferral of this application from an earlier committee, further evidence has been provided to support the applicant's version of events.

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

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

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

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

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

Application No : 15/01584/ELUD

Ward:
Darwin

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

OS Grid Ref: E: 543164 N: 162712

Applicant : Ms Sarah Williams

Objections : YES

Description of Development:

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

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Sites of Interest for Nat. Conservation
Proposed World Heritage Site

Proposal

A Lawful Development Certificate for an Existing Use is sought in respect of the use of part of a building within the site as a residential dwelling. A previous similar application for a Certificate of Lawfulness for an Existing Use involving the use of part of one of the barns as a residential dwelling (ref. 14/03188) was refused by the Committee which convened on 5 March. This is a repeat application but includes a Statutory Declaration which has been signed by the applicant.

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

The application is accompanied by a Statutory Declaration made by the applicant and various evidence comprising of 12 exhibits, made up of the following items:

- time sheets provided by builder who converted the building to residential use
- invoices and receipts

- documents relating to rental of applicant's former property
- TV licenses
- car insurance details
- utilities bills
- bank statements
- letters
- letters from visitors and friends
- photographs

This application is accompanied by a second application for a Certificate of Lawfulness for an Existing Use relating to the use of buildings and land as a stable and riding school without complying with condition 3, 4 and 7 of permission ref 02/01905, which is also included in this Committee agenda (ref. 14/03187). Application ref. 14/03187 was deferred to seek additional evidence, and is again considered alongside this application in the same agenda.

Location

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

Comments from Local Residents

Nearby owners/occupiers were notified of the application and the following comments were raised by the Downe Residents' Association:

- this latest application is to be determined under the 4 year rule it seems. According to the minutes of Plans Committee 4 of 5 March, the previous application was refused under the 10 year rule
- it seems applicant has deliberately exercised concealment
- no planning permission was sought before work commenced in 2007, and it would be wrong to suggest that applicant was unaware of the need to do so
- question of whether this development can be classed as deliberate concealment, given the dwelling cannot be seen from adjoining footpaths

Comments from Consultees

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

Planning Considerations

This Lawful Development application is to be considered under Section 191 of the Town and Country Planning Act 1990 (as amended). The Town and Country Planning Act 1990, section 191 provides for consideration of a Certificate of Lawfulness of existing use or development if any person wishes to ascertain whether any existing use of buildings or other land is lawful.

For the purposes of the Act uses and operations are lawful at any time if -

- (a) no enforcement action may then be taken in respect of them (whether because they did not involve development or require planning permission or because the time for enforcement action has expired or for any other reason);
- (b) it does not constitute a contravention of any of the requirements of any enforcement notice or breach of condition notice then in force.

Planning History

The site planning history is summarised in the table below:

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

A previous and similar application for a Certificate of Lawfulness for an Existing Use involving the use of part of part of one of the barns as a residential dwelling (ref. 14/03188) was refused by the committee.

Conclusions

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

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

In light of legal advice, it is considered that the evidence submitted - namely in the form of utility statements, bank statements, insurance statements, and TV licenses all addressed to the applicant at the site address, as well as a Witness Statement from the applicant, various supporting letters from associates of the applicant - that on the balance of probability test, there are sufficient grounds upon which to grant a Lawful Development Certificate for the existing use. Furthermore, following the previous application (ref.14/03188) a Statutory Declaration has now also been provided by the applicant which adds further weight to the evidence in support of this application.

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

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

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

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

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

Application No : 15/01292/FULL1

Ward:
Orpington

Address : 23 The Drive Orpington BR6 9AR

OS Grid Ref: E: 545856 N: 165672

Applicant : Mrs Elaine Hamilton

Objections : YES

Description of Development:

Detached 2 bedroom dwelling house with vehicle parking for 2 vehicles in the rear garden of 23 The Drive. Accessed from The Avenue

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 29

Proposal

- The proposal seeks permission for a new three bedroom detached dwelling on a site created from part of the rear garden of No.23 The Drive, and the frontage of the new dwelling would be accessed via The Avenue.
- The new dwelling would be two storeys in height with car parking space for 2 vehicles. The proposed dwelling would have a width of approx 9 metres along the front elevation, approx 6. metres along the rear elevation, and approx 7 metres along the flank elevations notwithstanding the staggered elevation along the eastern flank. A minimum of 1 metre would be retained between the flank elevations and the newly formed property boundaries.
- The roof design would be hipped to the front and rear roof slopes and gable end features introduced to both roof flanks.

Location

The application site hosts a detached family dwellinghouse on a sizeable plot set along the southern side of The Drive, with a large garden to the rear. The application site relates to the rearmost part of the rear garden of the host dwelling, and the front boundary of the proposed new plot fronts onto The Avenue.

Comments from Local Residents

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

- Unhappy with proposed extra house being access via The Avenue, close to Brethren Church;
- Will set a precedent for gardens nearby in The Drive to be sold off for additional buildings to be built;
- Would lead to extra traffic congestion down an already congested road with traffic driving too fast;
- The fact the applicant is a "key worker" should have no influence on this application. If the proposal was turned down her job as a Teacher is not at risk.
- The impression given is that the relationship between the applicant and Father/Mother at 23 The Drive are close (they are planning at some stage to "switch" properties) so has she not considered moving into 23 The Drive as it is a large house ?
- The application states no trees are involved. There is a large tree directly outside the proposed property which would be at major risk if the development went ahead and change the local landscape character. Why is that not commented on in the application ? As a side issue there is a tree and associated vegetation that would need to be cleared on the proposed site.
- The proposal if approved will likely erode the individual quality and character of The Avenue. Not just the threat of a large tree (The Avenue is known for its tree lined route) but with 2 car parking spaces which would increase the already large volume of traffic in The Avenue. It should be remembered The Avenue is the main route for walking pupils from the station to St Olave's School and they would be at increased risk of injury.
- Surprised the application refers to access to the proposed property as "already in existence". Having lived in The Avenue for over 20 years I have not seen the existing wooden gates opened for car access. If the application suggests it is in current use, why does The Council allow paid parking right across the full boundary? If a proper drive I would expect a yellow line across to stop parking due to the Council's parking restrictions.
- The Knoll Residents Association (KRA) are currently gathering a petition to become an Area of Special Residential Character (ASRC) in line with other residential areas in Bromley. It plans to safeguard this as a well-established residential area to retain identifiable and distinctive characteristics. In other words it wants to stop developments such as the one being proposed at 23 The Drive plus commercial ventures that threaten the areas objectives.
- If this application goes ahead, it would give encouragement to houses at 21, 19, 17 and 15 The Drive to carry out similar ventures.
- Have told the applicant that, whilst we would prefer that the house is not built, we will not raise a formal objection to her plans. In coming to this decision, we have accepted her verbal promise that she will arrange for a restrictive covenant to be placed on No. 23 to guarantee that the existing Leylandii hedge between the edge of the rear garden of No. 23 and ours at

No.21 will be maintained at its present length and height, the latter being approximately 12 feet. This will obscure any view of the new house from ours at ground floor level. The applicant believes that this covenant would be binding on any future owner or occupier of No. 23. Therefore, we insist that you see evidence of such a covenant being in place before planning consent is granted.

- If consent is granted, this may be perceived as a precedent by others with a rear garden facing The Avenue, possibly encouraging them to put forward similar plans. For example, Mr John Heard of 17 The Drive may decide to submit a new planning application for a building on the site currently occupied by his single storey garage situated in his rear garden, with access from The Avenue. In 2007, he submitted plans for a two-storey office building plus basement on this site. These plans were rejected by the Bromley Planning Department and his subsequent appeal to the Planning Inspectorate was also turned down;
- The application is for The Avenue NOT The Drive;
- Residents of The Avenue were not informed;
- Rushed application to avoid any objection by residents of The Avenue;
- Encourages more access to The Drive from The Avenue;
- Applications for more housing will be made.
- Quality of life in The Avenue will suffer;
- The site is too small to squeeze a house onto. My house is directly opposite the proposed development and the privacy to my front bedrooms will be greatly reduced;
- As for the point of housing key workers I feel this is a moot point as there is no law to stop the house being sold as soon as its completed.

Comments from Consultees

Council's Drainage Engineer - no objections subject to conditions should permission be granted.

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

Highways Engineer stated there are 2 spaces proposed for the new dwelling. There is just more than the normally required 4.5m depth for a parking space, however the second space is at an angle and will require manoeuvring to access and is also directly adjacent to the front door of the proposed property.

The site is within a high (5) PTAL location and the surrounding roads have parking controls so there would be an incentive to park on the frontage. However, there are parking bays across the site frontage along The Avenue and there is a general assumption against removing such bays.

Thames Water raised no objection subject to informatives being imposed upon any permission granted.

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
T3 Parking
T11 New Accesses
T18 Road Safety

Supplementary Planning Guidance 1
Supplementary Planning Guidance 2

London Plan:

3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Quality and Design of Housing Developments
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

National Planning Policy Framework (NPPF)

Planning History

Permission granted under ref. 02/02173 for rear dormer extension and new flank window at the host dwelling No.23 The Drive.

Conclusions

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

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

The main issues in this case are considered to be:

- Siting and design of the development and the level of amenity space around the building;
- The level of amenity space afforded to No.23 The Drive;
- Impact of proposal upon the streetscene;
- Impact on the visual and residential amenities of the surrounding area;
- Impact on the visual and residential amenities of the occupiers of the surrounding residential properties;
- Highways impacts;
- The effect of the proposal on the living conditions of the occupiers of adjoining dwellings, with particular regard to outlook and general disturbance.

In cases such as this, which the Council would class as "backland development", the layout of the site and the level of amenity space that is provided around the buildings are critical to whether the proposal will be acceptable.

Policy H7 of the UDP requires that the site layout, buildings and space around buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas. It also required that adequate amenity space is provided to serve the needs of the particular occupants and the remaining host dwelling.

As the supporting text 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 this character or which would be likely to result in detriment to existing residential amenities." The supporting text goes on to state that "backland development, involving development of land surrounded by existing properties, often using back gardens and creating new access, will generally also be resisted". Such development is only likely to be allowed where it is small-scale and sensitive to the surrounding residential area.

Policy 3.5 of The London Plan seeks to ensure the quality and design of housing and developments. This policy requires that housing development should be of the highest quality internally, externally and in relation to their context and to the wider environment in order to protect and enhance London's residential environment and attractiveness as a place to live. In addition, the design of all new housing development should enhance the quality of local places, taking into account physical context, local character; density; tenure and land use mix; and relationships with, and provision of, public, communal and open spaces. It is considered that the proposal, by introducing new residential development into existing rear garden land, does not comply with Policy 3.5 of the London Plan and does not protect the existing context of the host site and character of the wider area.

Policy 3.5 of the London Plan further states that directly and indirectly back gardens play important roles in addressing many policy concerns, as well as being a much cherished part of the London townscape contributing to communities' sense of place and quality of life. Pressure for new housing means that they can be threatened by inappropriate development and their loss can cause significant local

concern, as has occurred in this instance with a number of local residents raising concern with regard to the proposal. The London Plan therefore supports development plan-led presumptions against development on back gardens where locally justified by a sound evidence base.

In terms of providing a strong evidence base, there is a strong and consistent pattern of spatial standards that exist in The Drive and along The Avenue, with front and rear gardens of broadly similar lengths. These standards are also reflected in the wider area, where properties were constructed during broadly the same period. As such it is considered that the introduction of the proposed new dwelling would ultimately reduce the garden size of the host dwelling at No.23 The Drive, and would also introduce a new dwelling with substandard amenity space in relation to the general prevailing character of the wider area, contrary to Policy 3.5 of the London Plan.

The application documentation refers to a number of properties in the area as examples of development that the current application is attempting to emulate. As part of the pre-application submission the properties highlighted were historical, granted approval in the 1960s, and others in 1979-1980. It was considered that planning policy has evolved since the other properties were approved and built, and backland development is now largely resisted by the Council where it is considered to be inappropriate.

As part of the current application, further and more recent developments have been cited as similar examples, however, these are not located within the immediate vicinity of the application site. These more recently approved developments appear to have been raised as examples of new dwellings with minimal level of amenity space. However, it is considered that each case must be assessed on its own merit and direct comparisons should not be drawn.

The rear garden amenity space for the proposed new dwelling is considered to be substandard, and largely out of context for the surrounding area which is characterised by residential properties with spacious rear gardens. It is acknowledged that the main part of the rear garden for the host dwelling No.23 The Drive would not be affected, as the new plot would be inserted to the side of the rear garden served by the main dwellinghouse, however the rear garden area which is to the rear of the kitchen and converted garage aspect of the host dwelling would be used for the new plot and the overall amenity space afforded to No.23 would therefore be significantly reduced.

Whilst the supporting documentation for the application states that the proposed new dwelling would be used for family members of the host dwelling, there is no way to protect or control who the future occupiers of any new dwelling would be, and no way to ensure that the new dwelling is not sold outside of the family. Whilst it is acknowledged that there have historically been new plots inserted into rear gardens of properties along The Drive, the proximity of the site to the host dwelling, combined with the lack of amenity space around the new and host dwellings, is such that the impact of the proposed dwelling upon the visual and residential amenities of the occupiers of No.23, whether future occupiers are family members or not, renders the proposal unacceptable.

In addition, the gross internal area (GIA) of the proposed new dwelling in terms of the resulting habitable accommodation will measure approximately 52.88m² (two bedrooms, lounge, study and dining room). Policy 3.5 (para. 3.36) of The London Plan states in effect that the relative size of all new homes in London is a key element of strategic planning, and minimum space standards for dwellings of different sizes have been introduced. For a 2 bedroom, 4 person, 2 storey house, the minimum GIA required for this type of development is 83m². As such, the proposal falls significantly short of this requirement and it is considered that the resulting development would not form an acceptable level of residential accommodation for future occupiers of the proposed dwelling.

With regard to the neighbouring property, No.25 The Drive, this property is sited further rearward on its plot than No.23, and as such, the rear elevation of the proposed new dwelling would be located within close proximity to the rear windows of No.25 which is considered to have a detrimental impact upon the visual and residential amenities of No.25.

Directly outside the front of the proposed new plot, located along The Avenue, are paid parking bays. The proposal to utilise the rear access for parking linked with the new dwelling would result in the loss of these parking bays, and there is an assumption against this. There is just more than the normally required 4.5m depth for a parking space and the second space is at an angle and will require manoeuvring to access. It is also directly adjacent to the front door of the proposed property. The site is within a high (5) PTAL location and the surrounding roads have parking controls so there would be an incentive to park on the frontage. On balance and given the scale of the development, the proposal is not considered likely to have a detrimental impact upon matters of road safety.

However notwithstanding this, it is considered that the proposal represents backland development that is not sensitive to the surrounding area, is contrary to the fundamental aims of Policy H7 of the UDP and should therefore be resisted. The proposal is considered to represent an overdevelopment of the site that would result in a significant lowering of spatial standards that would be out of character and detrimental to both the host dwelling and the surrounding area, and the proposal will also involve the removal of two parking bays located along The Avenue, where there is a general presumption against this.

It is noted that there are properties along The Avenue that have been built within the rear garden of other properties along The Drive, however these appear to be dated from the 1960s-1970s and planning policy has since evolved and now seeks to protect back garden land from built development of this type.

Having had regard to the above, it is considered that it would be difficult to achieve a plot of sufficient size in this location, particularly in view of the existing spatial standards of the area, that would both respect the spatial standards of the area and provide sufficient developable area and amenity space for an additional dwelling. In addition, the habitable space and GIA for the resulting new dwelling would fall significantly short of the London Plan requirements, indicating that the accommodation provided for any future occupiers would be insufficient and likely to lead to a poor standard of living.

As such, the principle of introducing a new dwelling and residential curtilage into the existing rear garden of No.23 The Drive is considered unacceptable and likely to result in an inappropriate form of development that would be harmful to the visual and residential amenities of the occupiers of the host dwelling, to the occupiers of neighbouring properties in particular those living at No.25 The Drive, would result in an uncharacteristically small plot in an area that is largely governed by large, spacious detached dwellings with sizeable rear gardens, and likely to lead to a substandard level of accommodation for future occupiers.

Background papers referred to during production of this report comprise all correspondence on the file ref. 15/01292, set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposal involves the unsatisfactory subdivision of a residential plot in order to introduce a new residential unit that would create an overintensive use of the site, that would be out of character in the area by reason of its limited curtilage and size of rear garden, and would be detrimental to the privacy and amenities of the occupiers of neighbouring properties, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5 of The London Plan.
- 2 The proposal, by reason of the restricted site dimensions and substandard GIA of habitable accommodation for the proposed new dwelling, would result in an unsatisfactory piecemeal form of development, out of character with and prejudicial to the proper planning of the area, and an unsatisfactory form of development for future occupiers of the proposed dwelling, contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5 of The London Plan.
- 3 The proposal, by reason of its size and design, would represent an overdevelopment of the site resulting in a significant lowering of spatial standards that would be out of scale and character with, and would be detrimental to the visual amenities of the street scene, contrary to Policies BE1 and H7 of the Unitary Development Plan and Policy 3.5 of The London Plan.
- 4 The proposal would result in the removal of two parking bays along The Avenue, where there is a general presumption against this, contrary to Policy T3 of the Unitary Development Plan.

INFORMATIVE(S)

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

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

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

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

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