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DATE: 22 July 2014

To: Members of the
PLANS SUB-COMMITTEE NO. 1

Councillor Alexa Michael (Chairman)
Councillor Charles Joel (Vice-Chairman)
Councillors Douglas Auld, Teresa Ball, Katy Boughey, Lydia Buttinger, Alan Collins,
Ian Dunn, Ellie Harmer and Terence Nathan

A meeting of the Plans Sub-Committee No. 1 will be held at Bromley Civic Centre on
THURSDAY 31 JULY 2014 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

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

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

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

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

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 5 JUNE 2014**
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- 4 PLANNING APPLICATIONS**

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

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4.1	Kelsey and Eden Park	15 - 18	(14/01567/REG3) - Recreation Ground, Stanhope Grove, Beckenham.
4.2	Bromley Common and Keston	19 - 22	(14/01813/FULL1) - Keston CE Primary School, Lakes Road, Keston.
4.3	Crystal Palace	23 - 28	(14/01999/FULL1) - James Dixon Primary School, William Booth Road, Anerley.
4.4	Copers Cope	29 - 34	(14/02013/FULL1) - Clare House Primary School, Oakwood Avenue, Beckenham.
4.5	Penge and Cator	35 - 38	(14/02017/FULL1) - Harris Primary Academy Crystal Palace, Malcolm Road, Penge.

SECTION 2 (Applications meriting special consideration)

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4.6	Chislehurst Conservation Area	39 - 46	(14/00848/FULL3) - 43 High Street, Chislehurst.
4.7	Penge and Cator	47 - 58	(14/01561/OUT) - 213 Kings Hall Road, Beckenham.
4.8	Bromley Common and Keston	59 - 62	(14/01573/ELUD) - 14 Cheyne Close, Bromley.

4.9	Hayes and Coney Hall	63 - 68	(14/01782/FULL6) - 1 Hartfield Road, West Wickham.
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SECTION 3 (Applications recommended for permission, approval or consent)

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4.11	Penge and Cator	75 - 78	(13/03644/FULL1) - 14-16 High Street, Penge.
4.12	Bromley Common and Keston Conservation Area	79 - 82	(14/00658/FULL1) - County Garage, 3 Commonsides, Keston.
4.13	Biggin Hill	83 - 86	(14/01194/FULL6) - 28 Sutherland Avenue, Biggin Hill.
4.14	Petts Wood and Knoll	87 - 90	(14/01298/FULL6) - 15 Priory Avenue, Petts Wood.
4.15	Bickley	91 - 96	(14/01391/FULL1) - 246 Southlands Road, Bromley.
4.16	Bickley	97 - 104	(14/01570/PLUD) - 11 Mavelstone Close, Bromley.
4.17	Petts Wood and Knoll	105 - 108	(14/01600/FULL6) - 18 Oatfield Road, Orpington.
4.18	Bickley	109 - 116	(14/01887/FULL1) - 102 Nightingale Lane, Bromley.
4.19	Petts Wood and Knoll	117 - 120	(14/02031/FULL6) - 3 Melbourne Close, Orpington.

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

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

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6 TREE PRESERVATION ORDERS

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PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 5 June 2014

Present:

Councillor Alexa Michael (Chairman)

Councillors Douglas Auld, Teresa Ball, Katy Boughey,
Lydia Buttinger, Alan Collins, Ian Dunn, Charles Joel and
Terence Nathan

Also Present:

Councillors Simon Fawthrop, William Huntington-Thresher,
Russell Mellor and Sarah Phillips

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Ellie Harmer. Councillor Alan Collins apologised for his early departure from the meeting.

2 DECLARATIONS OF INTEREST

There were no declarations of interest declared.

3 CONFIRMATION OF MINUTES OF MEETING HELD ON 3 APRIL 2014

RESOLVED that the Minutes of the meeting held on 3 April 2014 be confirmed.

The Chairman warmly welcomed the newly elected Members to Plans Sub-Committee 1.

4 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

4.1 BIGGIN HILL

(14/00096/FULL1) - Land adjacent to 1 Norheads Lane, Biggin Hill.

Description of application – Residential development comprising 4 two/three storey semi-detached 4 bedroom dwellings with attached garages fronting Norheads Lane, and terrace of 4 two/three storey 4 bedroom dwellings at rear with access and associated parking and landscaping.

Oral representations in support of the application were

received at the meeting. It was reported that further objections to the application had been received and comments from Ward Member, Councillor Julian Benington, were reported.

Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with the deletion of Condition 6 and the addition of seven further conditions and an Informative to read:-

“22. No wall, fence or hedge on the front boundary or on the first 2.5 metres of the flank boundaries shall exceed 1m in height, and these means of enclosure shall be permanently retained as such.

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

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

REASON: In order to comply with Policy T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

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

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

25. Details of a surface water drainage system (including storage facilities where necessary) shall be

submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

26. Road Safety Audit on the access layout to be provided at appropriate stages of design and construction.

REASON: In the interests of road safety and in order to comply with Policy T18 of the Unitary Development Plan.

27. No development to take place until the highway rights for the grassed area have been stopped up.

REASON: To ensure that appropriate access can be maintained for the development and to comply with Policy T18 of the Unitary Development Plan.

28. The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan and the submitted flood risk assessment (Ref: L00403 Version 2) dated February 2014 and Drainage Assessment (Ref: 418.04618.00001) dated January 2014 and the additional information (Ref: 418.04618.00001) dated 29th May 2014.

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

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

**4.2
COPERS COPE**

(14/00372/VAR) - 125 Park Road, Beckenham.

Description of application – Variation of conditions 10 of permission 10/02346 (granted at appeal for demolition of existing buildings and erection of four storey block comprising 2 one bedroom, 4 two bedroom and 3 three bedroom flats, and two storey block comprising 3 business units (Class B1) and 12 car parking spaces) to amend the requirement for fixed shut obscure glazed windows on the northern elevation of the block.

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

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

1. The proposed variation to the windows on the northern elevation would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of the neighbouring properties thus contrary to Policy BE1 of the Unitary Development Plan.

**4.3
CHISLEHURST**

(14/00518/FULL1) - Huntingfield, The Drive, Chislehurst.

Description of application – Demolition of existing dwelling and erection of two 5 bedroom detached dwellings with associated access, parking and landscaping.

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

1. The proposed dwellings would by reason of their size and siting, would constitute an overdevelopment of the site, out of character with the locality and contrary to Policy H7 and BE1 of the Unitary Development Plan.

**4.4
COPERS COPE
CONSERVATION AREA**

(14/00540/FULL1) - 22 Southend Road, Beckenham.

Description of application - Demolition of existing detached garage and erection of three storey side extension and conversion of building to 3 one bedroom and 4 two bedroom flats.

Oral representations in support of the application were

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

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

**4.5
HAYES AND CONEY HALL**

(14/00691/FULL6) - 66 West Common Road, Hayes.

Description of application – Two storey side extension incorporating rear dormer and bay window at rear.

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

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

**4.6
COPERS COPE**

(14/00742/FULL1) - 47 Manor Road, Beckenham.

Description of application – Conversion of existing dwelling to form 5 two bedroom flats with part one/two/three storey rear extensions, replacement roof with front rooflights, side and rear dormers and provision of three car parking spaces, refuse and cycle store.

Oral representations from Ward Member, Councillor Russell Mellor, were received at the meeting. It was reported that a representation from the agent had been received.

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

1. The proposal, by reason of its size and bulk, would result in overshadowing and loss of amenity to the occupiers of no. 49, thereby contrary to Policy BE1 of the Unitary Development Plan.

**4.7
PLAISTOW AND
SUNDRIDGE**

(14/00877/FULL6) - 18 Upper Park Road, Bromley.

Description of application - Part one/two storey side extension and roof extension incorporating 2 rear dormers with Juliet balconies.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

**4.8
WEST WICKHAM**

(14/00917/FULL6) - 24 Hayes Chase, West Wickham.

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

Oral representations in support of the application were received at the meeting. It was noted that on page 65 of the Chief Planner's report the first sentence under the heading, 'Location', should be amended to read, "The application site is located to the north of Hayes Chase and is a two storey detached single family dwelling."

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

**4.9
KELSEY AND EDEN PARK**

(14/00926/FULL6) - 5 Hillcrest Close, Beckenham.

Description of application – Roof alterations to incorporate rear dormer, front roof lights, two storey side and single storey rear extensions.

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

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

1. The proposed extensions, by reason of their overall size and bulk would constitute an over dominant addition to the main dwelling which would be out of character in this locality and would give rise to an unacceptable degree of overlooking and loss of privacy to surrounding properties, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan and the Council's Supplementary Planning Guidance.

**4.10
KELSEY AND EDEN PARK**

(14/00929/FULL6) - 5 Hillcrest Close, Beckenham.

Description of application – Two storey side extension.

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

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

1. The proposed extensions, by reason of their overall size and bulk would constitute an over dominant addition to the main dwelling which would be out of character in this locality, thereby contrary to Policies BE1 and H8 of the Unitary Development Plan and the Council's Supplementary Planning Guidance.

**4.11
PENGE AND CATOR**

(14/00932/FULL6) - 15 Whateley Road, Penge.

Description of application – First floor rear extension.

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

**4.12
PENGE AND CATOR**

(14/00957/FULL3) - 14 Anerley Station Road, Penge.

Description of application – Refurbishment and part change of use of existing Class B8/sui generis cash and carry to Class B8/A1 use with alterations site layout and associated works.

Members having considered the report, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions and informative set out in the report of the Chief Planner with amendments to Conditions 8 and 21 to read:-

“8. Parking bays shall measure 2.4m x 4.8m and there shall be a clear space of 6m in front of each space (or 7.5m if garages are provided) to allow for manoeuvring and these spaces shall be permanently retained as such thereafter.

REASON: In order to comply with Appendix II of the Unitary Development Plan and to the interest of pedestrian and vehicular safety.

21. Before any works on site are commenced, a site-wide energy assessment and strategy for reducing carbon emissions shall be submitted to and approved by the Local Planning Authority. The results of this strategy shall be incorporated into the refurbishment of the building prior to first occupation. The strategy shall include measures to allow the development to achieve a reduction in carbon emissions of 25% above that required by the 2010 building regulations.

REASON: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2011.”

4.13
CLOCK HOUSE

(14/01033/FULL6) - 17 Thornsett Road, Penge.

Description of application – Single storey side extension to be used as annexe.

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

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

4.14
DARWIN

(14/01046/FULL1) - 378 Main Road, Biggin Hill.

Description of application – Erection of a detached two storey three bedroom dwelling with associated car parking at front and new vehicular access on to main road.

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

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

2. The site does not compromise part of a clearly defined settlement or village and therefore 'limited infilling' as described in paragraph 89 of the National Planning Policy Framework would not be appropriate.

4.15
ORPINGTON

(14/01056/FULL1) - The Walnuts Shopping Centre, High Street, Orpington.

Description of application – Erection of part 4/part 5 storey building to provide 3x A3 (Restaurant/Cafe) units, cinema lobby area and 3x A1 (retail) units of the ground floor, gym at mezzanine level and 7 screen (950 seat) cinema on the upper floors, together with plant, servicing and refuse area at the rear and creation of new square with associated landscaping (at Crown Buildings site).

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** as recommended, subject to the

conditions and informatives set out in the report of the Chief Planner with an amendment to condition 8 and the deletion of condition 17.

“8. Two replacement walnut trees of a size to be agreed in writing by the Local Planning Authority shall be planted in the locations shown on approved plan ref. 110352-A-P-00-D104 C prior to the first occupation of the development hereby permitted. Any replacement tree which dies, is removed or becomes seriously damaged or diseased within 5 years of the date of this consent shall be replaced in the next planting season with another of similar size and species to that originally planted.

REASON: In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of the visual amenities of the area.”

**4.16
PLAISTOW AND
SUNDRIDGE**

(14/01163/FULL2) - 37 Park Road, Bromley.

Description of application – Change of use of part of ground floor from offices (Class B1) to children's day nursery (Class D1) with refuse storage and cycle storage and 1.8m high wall/railings.

Oral representations in support of the application were received at the meeting. It was reported that Ward Member, Councillor Ellie Harmer, supported the application.

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

**4.17
PLAISTOW AND
SUNDRIDGE**

(14/01291/LBC) - 37 Park Road, Bromley.

Description of application – Change of use of part of ground floor from offices (Class B1) to children's day nursery (Class D1) with refuse storage and cycle storage and 1.8m high wall/railings. LISTED BUILDING CONSENT.

Oral representations in support of the application were received at the meeting. It was reported that Ward Member, Councillor Ellie Harmer, supported the application.

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

SECTION 3

(Applications recommended for permission, approval or consent)

**4.18
BROMLEY TOWN**

(13/03495/FULL1) - 5 Farnaby Road, Bromley.

Description of application - Erection of 2x 2 storey (plus roof accommodation) dwellings and associated alteration.

It was reported that no objections to the application had been received from Housing Department or Environmental Health.

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

1. The proposal would constitute a cramped and unacceptable form of backland development detrimental to the amenities of the occupiers of the adjacent properties, contrary to Policy H7 of the Unitary Development Plan.
2. The proposal constitutes a cramped overdevelopment of the site, resulting in a retrograde lowering of the standards to which the area is at present developed, contrary to Policy H7 and BE1 of the Unitary Development Plan.

**4.19
PETTS WOOD AND KNOLL**

(14/00674/FULL6) - 46 Crest View Drive, Petts Wood.

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

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

1. The proposal, by reason of its size and rearward projection, would result in a detrimental impact and loss of amenity to the occupiers of no. 44, and be detrimental to the residential amenities of the occupiers of this dwelling, by loss of outlook and loss of light, thereby contrary to Policy BE1 of the Unitary Development Plan.
2. The proposal constitutes a cramped overdevelopment of the site, resulting in a retrograde lowering of the standards of the area, contrary to Policy H9 and BE1 of the Unitary Development Plan.

**4.20
BROMLEY TOWN
CONSERVATION AREA**

(14/00740/VAR) - 27-29 East Street, Bromley.

Description of application – Variation of condition 3 pursuant to planning permission ref: 95/01388 and

95/02581 to allow the premises opening to be extended on Friday and Saturday, Christmas Eve and New Year's Eve until 1am.

It was reported that there were no objections from Environmental Health and that the disability access arrangements were acceptable.

Members having considered the report, **RESOLVED that TEMPORARY PERMISSION FOR ONE YEAR be GRANTED** subject to the conditions set out in the report of the Chief Planner with an amendment to Condition 1 and the addition of a further condition to read:-

"1. Customers shall not be admitted to the premises before 09:00 hours or after 23:30 hours Mondays - Thursdays, or after 01:00 hours (following day) Fridays and Saturdays, Christmas Eve and New Year's Eve, or after 23:00 hours Sundays and Public Holidays.

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

6. The hours of opening hereby permitted as 09:00 hours to 23:30 hours Mondays – Thursdays, 09:00 hours to 01:00 hours (following day) Fridays and Saturdays, Christmas Eve and New Year's Eve, and 09:00 hours to 23:00 hours Sundays and Public Holidays are for a 1 year temporary period only and shall be discontinued on 9 June 2015 and the previous hours of opening as 09:00 hours to 23:30 hours Mondays – Saturdays, 09:00 hours to 23:00 hours Sundays and Public Holidays be reinstated.

REASON: In order that the situation can be reconsidered in the light of the circumstances at that time in the interest of the amenities of the area."

4.21 ORPINGTON

(14/00747/FULL1) - Orpington College, The Walnuts, Orpington.

Description of application – Single storey extension, internal and elevational alterations and ventilation ductwork to provide facilities for catering/hospitality courses including a training restaurant (Class A3/D1).

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

"6. Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be

submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

**4.22
PETTS WOOD AND KNOLL**

(14/01126/FULL6) - 15 Little Thrift, Petts Wood.

Description of application – Single storey rear extension.

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

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration to seek a further 1 metre increase in the distance between the extension and the side boundary with 14 Little Thrift. **IT WAS FURTHER RESOLVED that if the revised plans were received and were acceptable then they could be CONSIDERED UNDER THE CHIEF PLANNER’S DELEGATED AUTHORITY.**

**4.23
COPERS COPE**

(14/01174/FULL6) - Two Elms, Beckenham Place Park, Beckenham.

Description of application – Part one/two storey/first floor side and rear extensions incorporating first floor rear balconies, front porch with balcony above, new bay window in front elevation, roof extensions and alterations including front and rear dormers and roof lights to front and sides, and elevational alterations.

Oral representations from Ward Member, Councillor Russell Mellor, in support of the application were received at the meeting. It was noted that on page 165 of the Chief Planner’s report that the last sentence of the first paragraph should be amended to read, “Accordingly, Members may consider that the proposed roof alterations including the dormers are considered acceptable and would not cause a detrimental impact to the character of the area or neighbouring properties.”

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration to seek an increase in the side space to a minimum of 1 metre from the northern flank wall to the northern side boundary for the full length of the extension.

5 TREE PRESERVATION ORDERS

5.1 COPERS COPE (DRR14/053) - Tree Works Application to a Tree Protected by a Tree Preservation Order on land adjacent to 76B The Avenue, Beckenham.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

6 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

The Chairman to move that the Press and public be excluded during consideration of the items of business listed below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

7 EXEMPT MINUTES OF THE MEETING HELD ON 3 APRIL 2014

RESOLVED that the exempt Minutes of the meeting held on 3 April 2013 **BE CONFIRMED**.

The Meeting ended at 9.00 pm

Chairman

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

Application No : 14/01567/REG3

Ward:
Kelsey And Eden Park

Address : Recreation Ground Stanhope Grove
Beckenham

OS Grid Ref: E: 536691 N: 168139

Applicant : London Borough Bromley

Objections : YES

Description of Development:

Modular building adjacent to pavilion and security fencing to perimeter of pavilion.

Key designations:

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

Proposal

The proposal is for a concrete panel garage to the south of the existing recreation ground pavilion building. The garage will be 5.18m wide and 7.42m deep and 3.22m high to the ridge of the pitched roof. There will be a 2.53m high 'exempla' type panelled mesh security fence finished in 'moss green' around the garage and the existing pavilion building.

Location

The recreation ground is located to the rear of houses fronting Stanhope Grove and Eden Park Avenue. Beckenham Rugby Club is located to the west of the site and the David Lloyd Leisure Club is located to the south.

Comments from Local Residents

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

- pavilion is dilapidated and should be renovated
- fencing will spoil natural appearance of the recreation ground and create an 'air of suspicion'
- security should be provided through CCTV.

Comments from Consultees

There are no objections in terms of highways.

Planning Considerations

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

G8 Urban Open Space
BE1 Design of New Development

Conclusions

The main issues to be considered are the impact of the proposal on the residential amenities of the occupants of nearby dwellings and the impact on the character of the area, including the impact on the openness of Urban Open Space.

Policy G8 of the UDP states that proposals for built development in Urban Open Space will be permitted where the development is related to the existing use of the site and where the scale, siting and size of the proposal should not unduly impair the open nature of the site. The garage building will house ground maintenance equipment whilst the fencing will provide security for the garage and adjacent pavilion. The proposal is therefore related to the existing use of the site and it is considered that its siting adjacent to the existing pavilion building will ensure that the openness of Urban Open Space is adequately maintained. The proposal is considered acceptable in Urban Open Space terms.

The building and fence will be located a significant distance from the nearest residential properties and the development is not considered to result in undue harm in character terms. The proposal is considered acceptable.

Background papers referred to during the production of this report comprise all correspondence on file ref. 14/01567, excluding exempt information.

RECOMMENDATION: PERMISSION

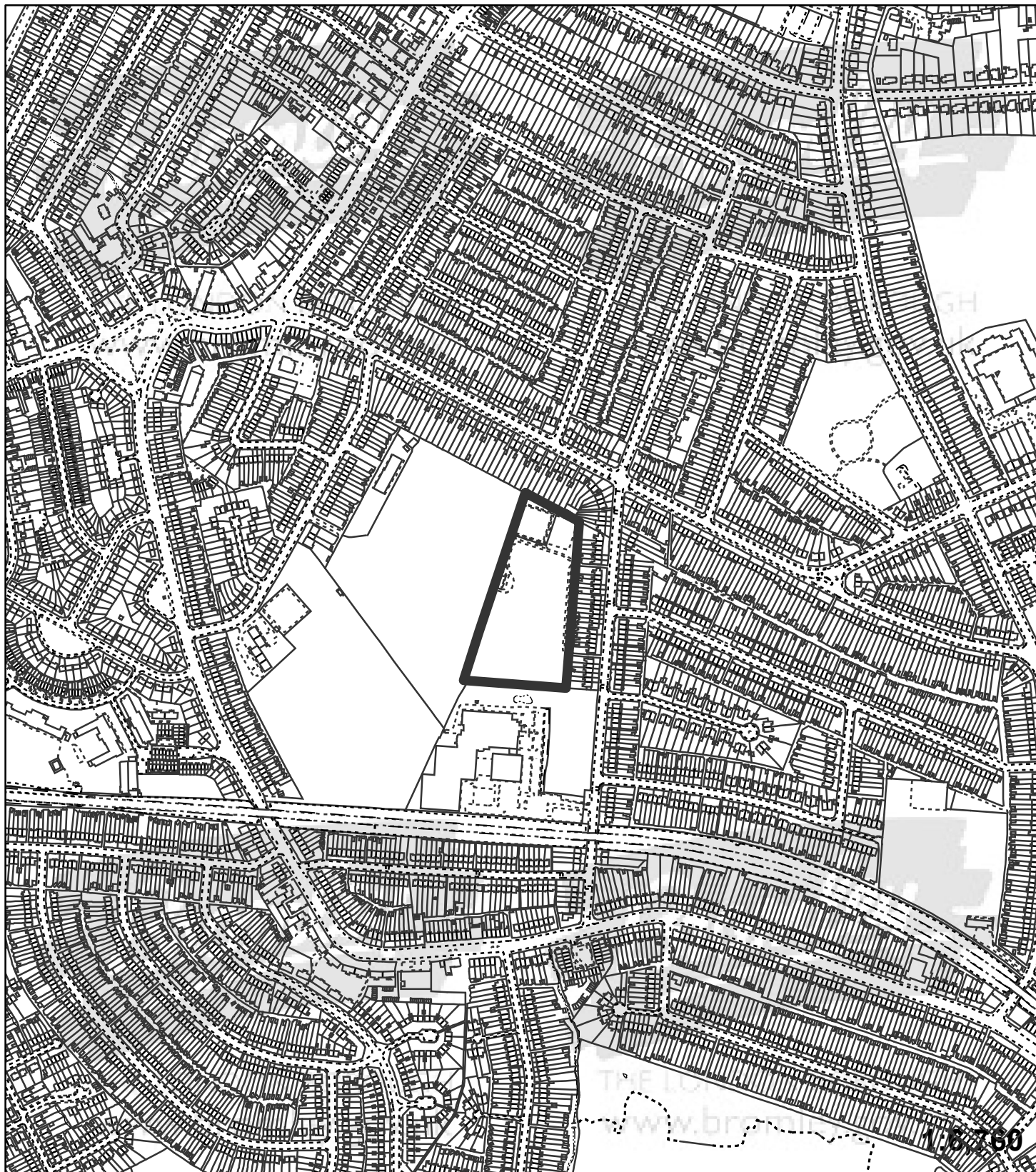
Subject to the following conditions:

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

Application:14/01567/REG3

Address: Recreation Ground Stanhope Grove Beckenham

Proposal: Modular building adjacent to pavilion and security fencing to perimeter of pavilion.



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

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

Application No : 14/01813/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 J Evison

Objections : NO

Description of Development:

Glazed entrance canopy and modification of ramp

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

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

Proposal

It is proposed to enclose an existing covered entrance area with a UPVC glazed enclosure and double doors. There will be a glazed canopy over the new entrance and an existing access ramp will be reconfigured. The application states that the proposal will increase security and provide for the more efficient operation of the school.

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.

Comments from Local Residents

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

Planning Considerations

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

- BE1 Design of New Development
- G6 Land Adjoining Green Belt or Metropolitan Open Land
- C1 Community Facilities
- C7 Educational and Pre School Facilities

In strategic terms the most relevant London Plan policies are:

3.18 Education Facilities

National Planning Policy Framework 2012

Conclusions

The main issues to be considered are the impact on the character of the area and the impact on amenities of residents of nearby residential properties.

The proposal involves the glazed enclosure of a covered entrance area with a glazed canopy and a reconfigured access ramp and is considered to have a minimal impact on the character of the area. The entrance is sited a significant distance from the nearest residential properties and the proposal will not result in harm to the amenities of the occupants of these properties.

This application is considered to be acceptable at this location.

Background papers referred to during the production of this report comprise all correspondence on file ref. 14/01813, 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

Application:14/01813/FULL1

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

Proposal: Glazed entrance canopy and modification of ramp



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

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

Application No : 14/01999/FULL1

Ward:
Crystal Palace

Address : James Dixon Primary School William
Booth Road Penge London SE20 8BW

OS Grid Ref: E: 534377 N: 169760

Applicant : Mrs K Reynolds

Objections : NO

Description of Development:

Erection of single storey classroom block to provide two additional classrooms for a 2 year period, plus associated temporary external works

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Metropolitan Open Land

Proposal

The proposal is to expand the school to accept two additional classrooms (one for a reception bulge class and one decant classroom), which would result in an additional 30 pupils a year and two additional staff. Planning permission is sought for a two year period.

The two classrooms would be located within the existing car park, with the building proposed to be 3.5m high and 18.2m wide. Other works including minor adjustments to the fencing and gate location to allow the school to use the existing play area securely are also proposed. A temporary hard surface and free standing canopy are proposed to provide sheltered outside space for reception class children.

Revised plans were received on 17th June 2014 which made slight adjustments to the proposed fencing, and an updated Transport Assessment was received on 7th July 2014 following discussions with the Councils Highways Engineer.

Location

James Dixon primary School is located off William Booth Road, in an area with a PTAL rating of 4. The proposals would increase total pupil number to 429 (from 399) and staff numbers to 76 (from the current staff number of 74).

Comments from Local Residents

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

Comments from Consultees

Technical Highways comments were received which requested some clarifications that were required in respect of parking provision relating to this. No objection was raised in respect of the anticipated increase in vehicular movements. One final clarification was requested in respect of the assessment using relevant to LBB refuse vehicles size data. At the time of writing no further comments had been received; any comments will be reported verbally to Members at the meeting.

From a Drainage perspective, no objection is raised.

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

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

Planning Considerations

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

- BE1 Design of New Development
- G2 Metropolitan Open Land
- C7 Educational and Pre-School facilities

London Plan policy 3.18: Education Facilities

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework which is a key consideration in the determination of this application.

The Councils adopted SPG design guidance is also a consideration.

Planning History

In terms of relevant planning history at the site:

99/01214/DEEM3 extension to playground PERMISSION

04/01497/DEEM3 Single storey extension to provide storage for childrens nursery, extension of playground for nursery with detached canopy over part and metal storage container, single storey extension to school entrance and hard and soft landscaping to school grounds PERMISSION

06/01682/DEEM3 Single storey building for use as childrens activity/training centre and extension to existing playground PERMISSION

08/00927/FULL1 New buggy storage shed adjacent to the Family and Children's Centre PERMISSION

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, the impact on the designated Metropolitan Open Land (MOL), and the impact the proposal would have on the amenities of the occupants of surrounding residential properties, as well as the surrounding highway network.

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.

Members will note that there is positive policy support at a national level in the NPPF which gives great weight to the need to create, expand or alter schools, and both regional policy (The London Plan) and the draft emerging Local Plan require that proposals for new schools should only be refused where there are demonstrable negative local impacts which substantially outweigh need for the provision, and which cannot be addressed through the appropriate use of planning conditions or obligations.

However, neither the NPPF nor the London Plan enable school development on MOL, where it is by definition "inappropriate" development, unless "very special circumstances" (VSC) can be demonstrated.

The applicants have submitted that VSC exist in this instance due to the pressing need to ensure sufficient school and in line with the Council's "Building a Better Bromley" strategy.

Members will be aware that the local authority has a statutory responsibility to provide sufficient school places in the borough, and failure to provide sufficient places will have a significant reputational impact on the local authority and damage the Council's ability to deliver its programme of school expansion. The applicants submit that development of new classrooms by way of additional forms of entry and ancillary facilities is required to meet the continued demand for school places in Bromley.

It is considered that the additional classroom at James Dixon will be integral to this strategy, and will be required in order to meet and assist in :

1. Meeting the demand in 2015/16 for primary places
2. Assist in providing additional temporary accommodation at the school whilst a feasibility study and master-plan is developed to expand the School from 2FE Primary School to a 3FE Primary School

As such, Members may consider that there is a very strong policy case to argue that the impacts of this development do not significantly outweigh the need for provision of school places. Members will also note the temporary nature of the proposal (a two year period), which could also be considered to alleviate the overall impact on the openness and visual amenity of the site, given the existing development at the site.

Assuming Members agree that VSC exist in this case, it is also considered that the proposed structure - set within the existing car park of the school - will not impact detrimentally on the surrounding highway network or nearby residential amenities.

The development would result in an additional 30 pupils and two additional members of staff. The supplementary Transport Assessment submitted alongside the application (received on 7th July 2014) states that this increase in pupil numbers will result in an additional 6 vehicle movements per day. No objection is raised by the Councils Highways Engineer.

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

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

as amended by documents received on 17.06.2014 07.07.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 This permission shall be for a limited period only, expiring two years from the date of this decision notice, and the temporary classrooms shall be removed from the site on or before that date, unless otherwise agreed in writing by the Local Planning Authority

Reason: In order to comply with Policy BE1 of the Unitary Development Plan, and in the interest of the openness and visual amenities of the site.

- 2 ACC07 Materials as set out in application
ACC07R Reason C07
- 3 ACD02 Surface water drainage - no det. submitt
AED02R Reason D02
- 4 ACD04 Foul water drainage - no details submitt
ADD04R Reason D04
- 5 ACK01 Compliance with submitted plan
ACK05R K05 reason

INFORMATIVE(S)

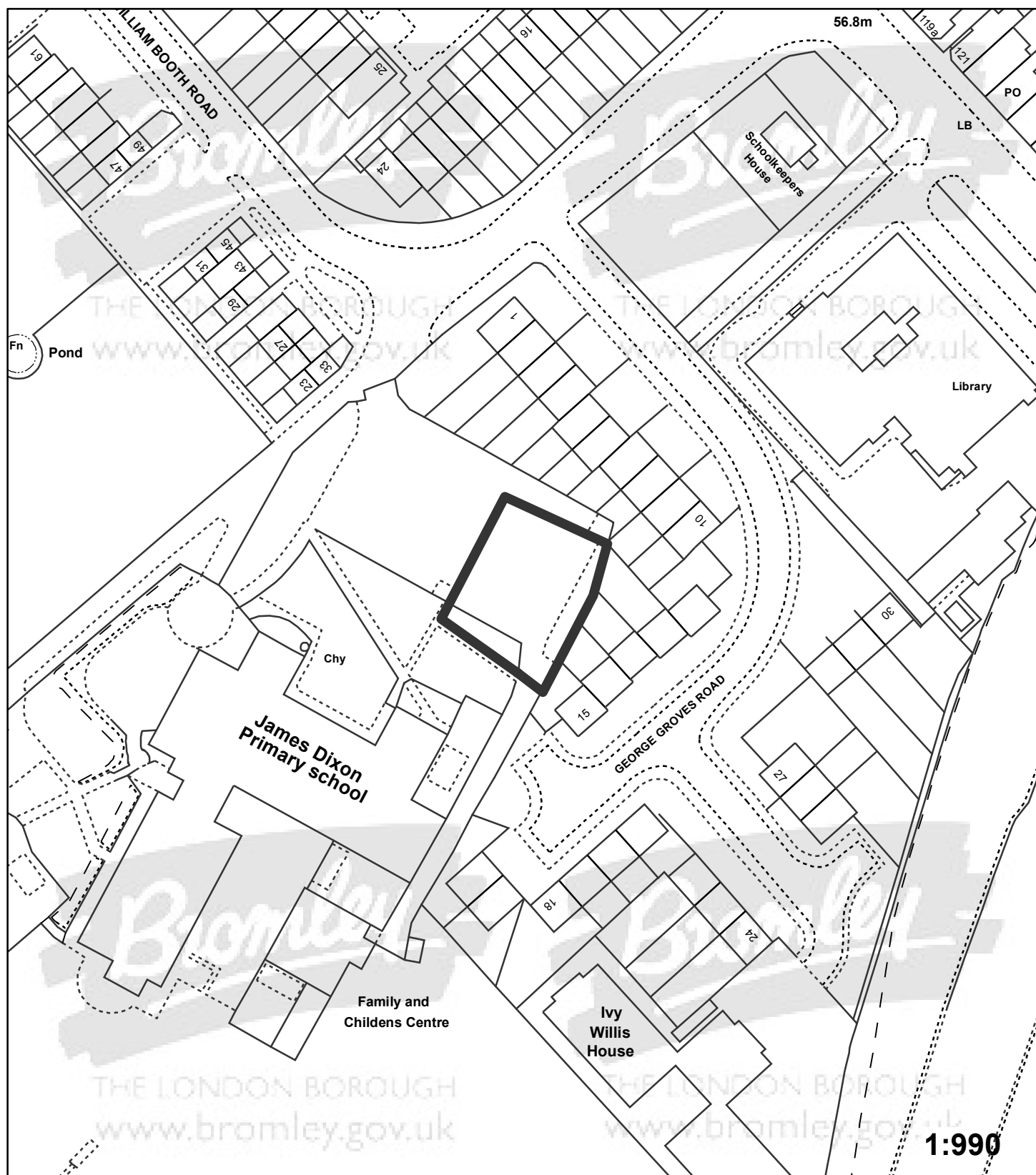
- 1 Before the works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution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

- 2 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.

Application:14/01999/FULL1

Address: James Dixon Primary School William Booth Road Penge London SE20 8BW

Proposal: Erection of single storey classroom block to provide two additional classrooms for a 2 year period, plus associated temporary external works



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

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

Application No : 14/02013/FULL1

Ward:
Copers Cope

Address : Clare House Primary School Oakwood
Avenue Beckenham BR3 6PJ

OS Grid Ref: E: 538295 N: 169170

Applicant : Mr John Budden

Objections : YES

Description of Development:

Temporary modular single storey classroom block with entrance lobby, toilets, stores and associated external works including ramp and steps.

Key designations:

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

Proposal

The proposal is for a temporary single storey classroom block (approx. 9m long by 8.6m wide) to provide an additional classroom with entrance lobby, toilets and storage area. The application also includes steps and a ramp to provide access to the temporary classroom. The application seeks temporary planning permission to 31 November 2015 and will provide additional accommodation whilst a decision is made on the permanent expansion of the school to two forms of entry.

A Transport Assessment has been provided to accompany the application it indicates that the proposals will result in an increase of only 10 vehicles. This is considered as a worst case scenario as the new intake will be primarily from the immediate area and the assessment therefore makes the assumption that the majority would actually walk to school. The assessment concludes that there are no highway or transportation reasons to object to the proposed development..

An Extended Phase 1 Habitat Survey Report was also provided to accompany the application, it summarises the outcomes of an ecological survey that was undertaken in June 2013. The report finds that the proposed development can proceed without detriment to protected species provided that the general

precautionary recommendations are adhered to. The report recommends the following;

- that any lighting installed should be bat sensitive lighting
- that a nesting search be undertaken prior to work being undertaken to confirm the presence/absence of nesting birds prior to works being undertaken
- that the ecologically poorer areas of the site can be enhanced by use of native species, tree planting and installation of habitats such as bird and bat boxes where considered appropriate within the context of the landscaping/scheme proposals.

Location

Clare House School is located on the north west side of Overbury Avenue, adjacent to the junction with Oakwood Avenue. The temporary classroom will be located on a grassed area to the southwest the existing school buildings and to the southeast of the existing tarmac playground. The site is designated Urban Open Space.

Comments from Local Residents

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

- increased traffic and congestion
- increased demand for on-street car parking
- detrimental impact on highway and pedestrian safety
- parents often double park on Overbury Avenue and obstruct driveways
- parking restrictions should be introduced on Overbury Avenue.

Comments from Consultees

- Metropolitan Police Crime Prevention Design Adviser - no objections
- Highways - no objections
- Environmental Health - no objections.

Any further responses to consultations including Sport England, trees and ecology comments will be reported verbally at the meeting.

Planning Considerations

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

- C1 Community Facilities
- C7 Educational and Pre-School Facilities
- G8 Urban Open Space
- L6 Playing Fields

BE1 Design of New Development
T1 Transport Demand.

Planning History

Planning permission (ref. 89/01651) was granted for a single storey front extension to form a dining area and entrance in July 1989.

Planning permission was granted for a cycle shed (ref. 07/00388) in March 2007 and detached single storey shed (ref. 91/02644) in May 1992.

Temporary planning permission (1 year) was granted for a single storey classroom block with entrance lobby, toilets and class stores, plus associated external works including canopy, ramp, steps and fences in October 2013 (ref. 13/02432). An application to extend this temporary consent to September 2015 has been received.

A planning application has been received for demolition of the existing school building and erection of a two storey school building with associated landscaping including and artificial multi use sports pitch (ref. 14/02367).

Conclusions

Clare House School has a projected increase in the number of pupils for the next academic year and this temporary classroom accommodation is to accommodate a 'bulge' in pupil numbers. The proposal will provide accommodation for an additional 30 children, which represents one additional 'bulge' class. The proposal will also generate a requirement for two additional members of staff.

The Council's Education Department is currently considering proposals to restructure the school from a 1 form entry primary school to a 2 form entry primary school, and if the proposal is approved and goes ahead (subject to the relevant permissions) it is envisaged that the work would be carried out in phases.

The building is a temporary structure and is constructed of plastisol coated sheet with aluminium double glazed windows, which is typical for these types of temporary classrooms. The building is located to the southeast of the existing playground in close proximity to the existing school buildings. It is important that the classrooms are located within easy reach of the school's existing facilities so alternative locations within the site are not considered practical or appropriate. Whilst the proposal does result in a reduction in the area of open space available to pupils, the existing grass pitches have been preserved.

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

building on the openness of Urban Open Space will not be permanent. The proposal is considered acceptable in Urban Open Space terms.

The siting of the building is considered to be appropriate in the context of the existing buildings on the site as it needs to be located in close proximity to the existing school buildings. The building will be sited close to the site boundary adjoining Overbury Avenue where there is some screening. The building will be at a lower ground level and on the basis that it will be a temporary structure its appearance is considered appropriate. The siting of the building will not result in harm to the residential amenities of the occupants of any nearby properties. The proposal is considered acceptable.

Background papers referred to during production of this report comprise all correspondence on file ref. 14/02013, excluding exempt information.

RECOMMENDATION: PERMISSION

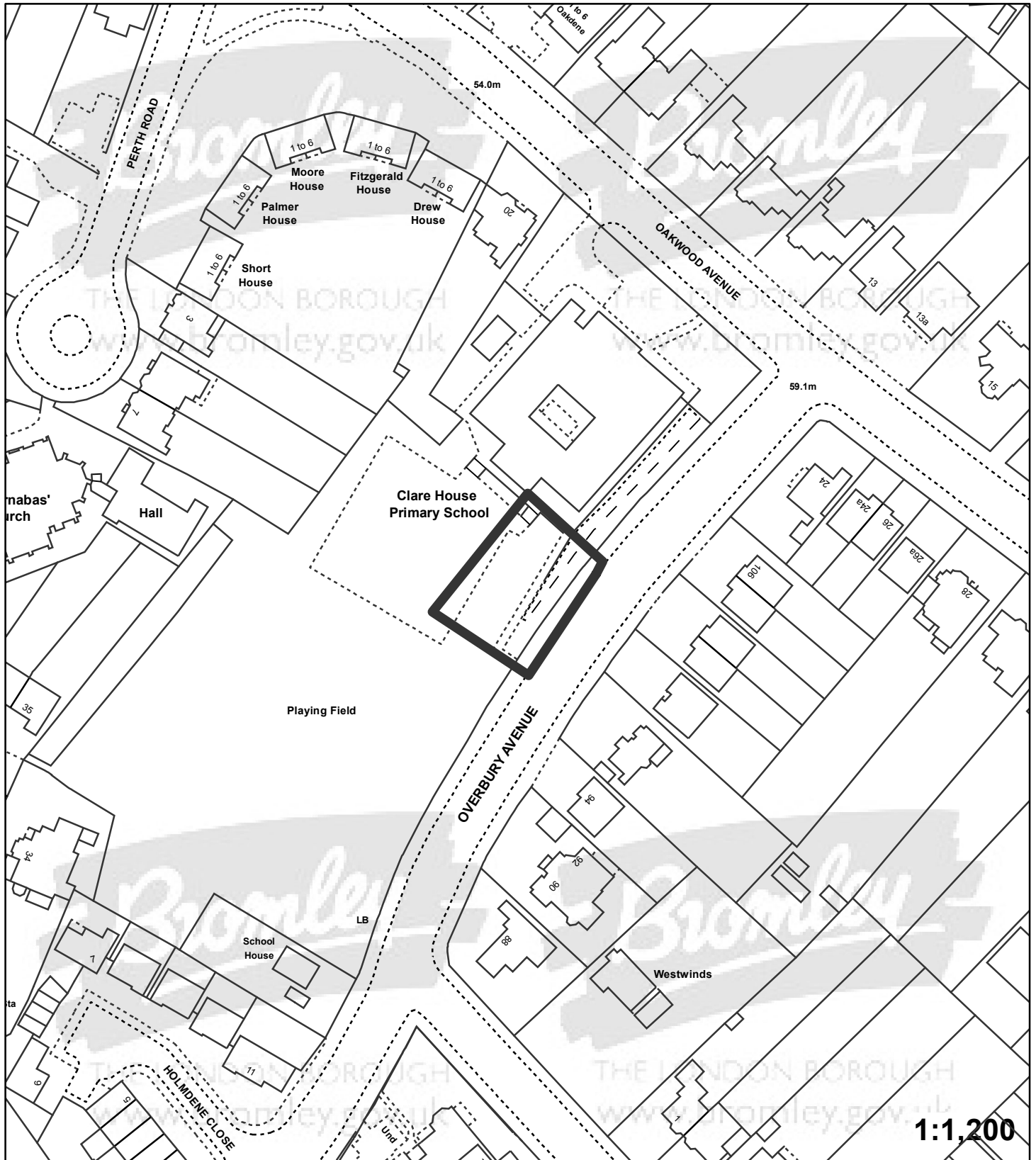
Subject to the following conditions:

- | | | | | |
|---|-----------------|--|----|----------|
| 1 | ACD02
AED02R | Surface water drainage - no det. submitt
Reason D02 | | |
| 2 | ACD04
ADD04R | Foul water drainage - no details submitt
Reason D04 | | |
| 3 | ACE01
ACE01R | Limited period - buildings (1 insert)
Reason E01 | 30 | November |
| 4 | ACI21
ACI21R | Secured By Design
I21 reason | | |
| 5 | ACK01
ACC03R | Compliance with submitted plan
Reason C03 | | |

Application:14/02013/FULL1

Address: Clare House Primary School Oakwood Avenue Beckenham BR3 6PJ

Proposal: Temporary modular single storey classroom block with entrance lobby, toilets, stores and associated external works including ramp and steps.



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

Application No : 14/02017/FULL1

Ward:
Penge And Cator

Address : Harris Primary Academy Crystal Palace
Malcolm Road Penge London SE20 8RH

OS Grid Ref: E: 535073 N: 170377

Applicant : Mr Jamie McFarland

Objections : NO

Description of Development:

Single storey infill extensions to existing Early Years Building, external window and door alterations to Early Years and Main Building, new canopies and associated external works.

REVISED PLANS RECEIVED

Key designations:

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

Proposal

This application proposes single storey infill extensions to existing Early Years Building, external window and door alterations to Early Years and Main Building and new canopies. Paved platforms are included within the associated external works.

Location

The application site is located in an area of mixed commercial /residential use but is primarily surrounded by residential to the west, south and east boundaries. It is located on the south-eastern side of Malcolm Road, Penge. The site occupies approx. 1.29ha of land and is host to Malcolm Primary School. The site is designated Urban Open Space.

Comments from Local Residents

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

Comments from Consultees

Any tree comments in respect of revised plans (which include the loss of a tree) will be reported verbally to Committee.

Planning Considerations

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

BE1 Design of New Development
C7 Educational Facilities
G8 Urban Open Space

Planning History

More recent planning history includes planning permission (ref. 11/02708) for an attached canopy and under ref. 13/01897, permission for a single storey toilet block.

Conclusions

The main issues for consideration in this case will be the impact of development on the character of the area and the amenities of nearby residents, and the impact on the open nature of the Urban Open Space.

The proposed works are considered relatively minor in nature given the use of the site as a school. It is noted that the application drawings identify the removal of the WC block. New external storage is to be provided in the future but does not form part of this application. The works are mostly set against the existing main and early years block and are not considered to have a detrimental impact on neighbouring residents given their siting and scale.

With regard to the impact on the Urban Open Space, the development is small scale and related to the existing use, and is therefore acceptable in principle in accordance with UDP Policy G8. Given the siting and scale of the development, it is not considered that the open nature of the Urban Open Space will be affected in this case.

Revised plans indicate the removal of a tree which will enable the proposed paved platform area to the main building to link up. Regardless of the planning application the agents have advised that the tree requires removal due to its proximity to the main building. Any comments in respect of the tree will be reported verbally to Committee

Having had regard to the above Members may consider that the proposed works would not result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

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

as amended by documents received on 15.07.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

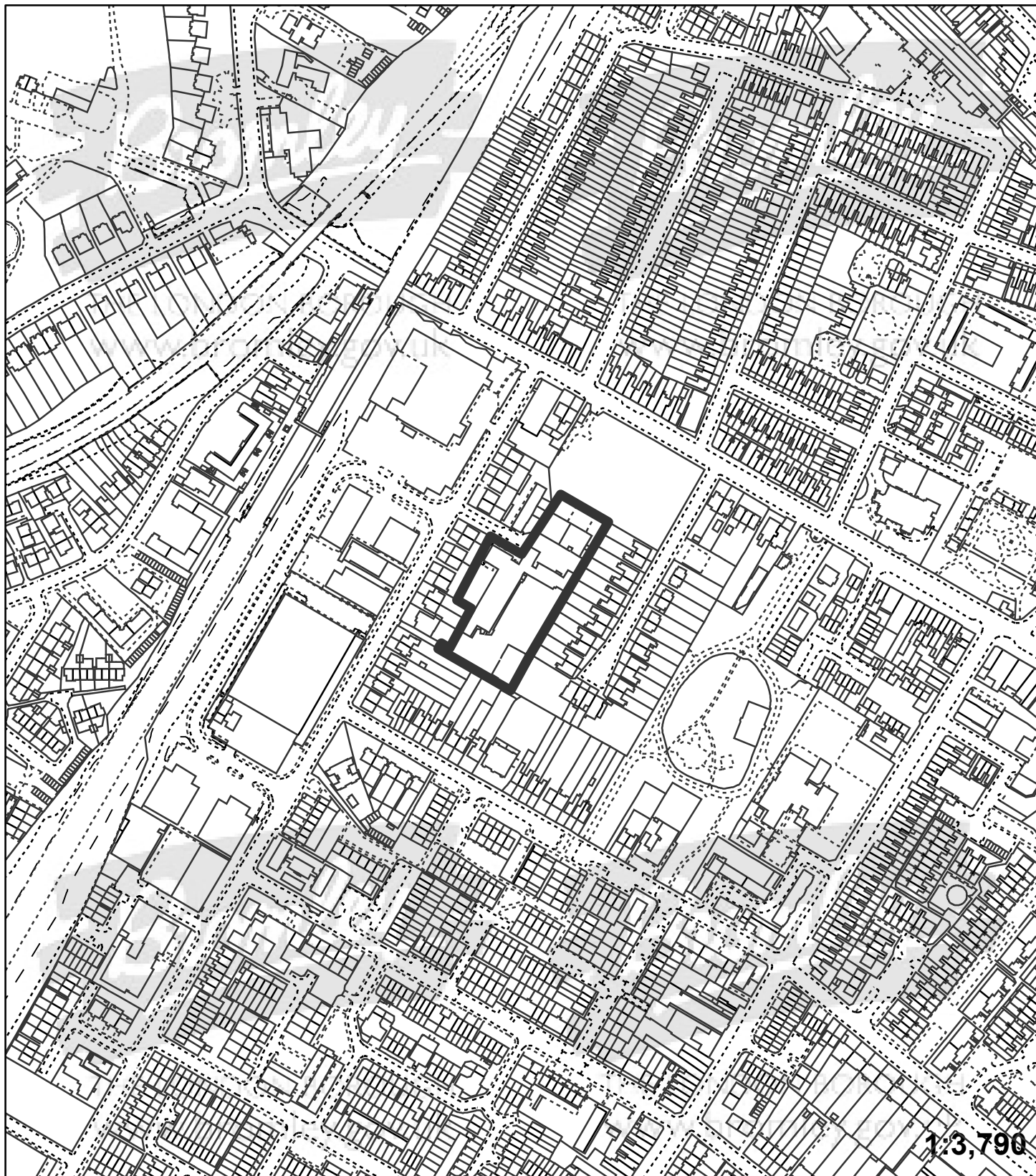
- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC07 | Materials as set out in application |
| | ACC07R | Reason C07 |
| 3 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

Application:14/02017/FULL1

Address: Harris Primary Academy Crystal Palace Malcolm Road Penge
London SE20 8RH

Proposal: Single storey infill extensions to existing Early Years Building,
external window and door alterations to Early Years and Main Building,
new canopies and associated external works.

REVISED PLANS RECEIVED



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SECTION '2' – Applications meriting special consideration

Application No : 14/00848/FULL3

Ward:
Chislehurst

Address : 43 High Street Chislehurst BR7 5AF

OS Grid Ref: E: 543869 N: 170778

Applicant : Cote Restaurants Ltd

Objections : YES

Description of Development:

Change of use of ground floor of No 45 High Street from Class A1 (Retail) to Class A3 (Cafe/Restaurant) and provision of single storey rear extension to Nos 43 and 45 both to be used as single enlarged restaurant. Alterations to shopfront at Nos 43 and 45 and installation of associated plant at rear.

Key designations:

Conservation Area: Chislehurst
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Chain Walk
London City Airport Safeguarding
London City Airport Safeguarding Birds
Retail Shopping Frontage Chislehurst

Proposal

This application was deferred by the Planning Sub-Committee (No. 3) which convened on 3rd July to be reconsidered under List 2 of this committee agenda. The report presented to Members of that previous committee is repeated below.

The proposal involves the following:

- single storey flat-roofed extension (with two skylights) which will project up to 20.3m beyond the existing rear building line of the host buildings at Nos. 43 and 45;
- the existing retail shop unit at No 45 will be converted to Class A3 use, and together with the existing restaurant unit at No 43, will form one enlarged restaurant (Class A3) encompassing the two existing shop units and the proposed extensions;
- replace the two existing shopfronts;
- provision of associated plant at the rear, above the proposed rear extension

The application is accompanied by a Planning Statement.

Location

The application site is situated along the western side of Chislehurst High Street, approximately 60 metres south of its junction with Willow Grove.

Comments from Local Residents

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

- property has been empty for many years
- high-end chain will improve the look of the area
- Chislehurst Town Team - appearance of shop front and locally listed building should be protected
- Chislehurst Town Team - positive proposal which offsets loss of retail space; better to be in use than empty
- two properties have been empty for a long time
- proposal will enhance the High Street and attract more visitors
- proposal will regenerate the area
- question how building works can be carried out at the rear with no rear access; and neighbouring home-owning resident would be affected by this
- Chislehurst Business Group - welcome addition to the High Street
- Portfolio Holder for Renewal and Recreation - having property occupied by such an excellent operator would be a very good thing for the town

Comments from Consultees

The following comments were received from the Environmental Health division:

1. In order to comply with Bromley's general specification, the kitchen extract system should discharge at least 1.0m above eaves level.
2. The amount of external plant at the rear of the building is likely to give rise to loss of amenity to neighbouring occupiers by virtue of the noise generated. Some form of enclosure or a system of baffles should be erected in order to protect the neighbours.

No technical Highways objections have been raised.

No objection has been raised by the Advisory Panel for Conservation Areas.

Planning Considerations

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

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

- S4 Local Centres
- S9 Food and Drink Premises
- S10 Non-Retail Uses in Shopping Areas

Chislehurst is a Local Centre designated in the UDP

Planning History

There is a detailed planning history relating to Nos. 43 and 45 High Street. These are summarised below.

Under ref. 86/01135, planning permission was refused to convert No. 45 from retail use to a wine bar. This was on the basis that the proposal would involve the loss of a retail unit and contribute to a significant break in the retail frontage; and on the basis that, due to inadequate parking in the area to accommodate the use, the proposal would prejudice the free flow of traffic in the area. The application was subsequently dismissed at appeal.

Under ref. 98/00604, planning permission was refused for the change of use of the ground floor and basement of No. 45 from retail to an employment bureau office (Class A2).

Under ref. 06/00764, planning permission for a change of use of the ground floor at No. 45 from retail to restaurant and bar (A3/A4) at these premises was refused on the following ground:

"The proposal would result in the unacceptable loss of a Class A1 retail unit, which would be harmful to the retail character of this Local Town Centre, and the proposed Class A3/A4 use would contribute to an overconcentration of similar uses, thereby contrary to Policy S.3 of the adopted Unitary Development Plan and Policies S4 and S7 of the second deposit draft Unitary Development Plan (September 2002)."

The 2006 application was subsequently dismissed at appeal, the Appeal Inspector considering that:

"...on balance, both national guidance and development plan policy objectives weigh against the proposal. An additional establishment of the type proposed would add to the concentration of similar uses in this part of the town centre and, in conjunction with the restaurants either side of the site, would harm the retail character of this sensitive location."

Under ref. 08/00756, planning permission was refused for a change of use of No. 45 from retail to estate agent (Class A2), on the basis that the proposal would be harmful to the retail character and vitality of the Chislehurst High Street due to the resultant concentration of similar uses within close proximity of each other.

Under ref. 08/02300, planning permission was granted for a single storey rear extension to No. 45.

Permission was also granted to extend the restaurant area at No. 43 under ref. 09/02615, although this too remains unimplemented.

Under ref. 09/02617, an application at No. 45 for a single storey rear extension and change of use of basement, first and second floors and the rear part of the ground floor from retail to restaurant (Class A3) was refused on the following ground:

"The proposal would result in the further proliferation of A3 uses in this part of Chislehurst High Street and would result in the loss of part of an A1 use, thereby harmful to the retail character of this local centre, and contrary to Policies S4 and S9 of the Unitary Development Plan."

Under ref. 10/03016, planning permission was granted in March 2011 for a single storey extension to the rear of Nos. 43 and 45 which would provide additional kitchen and dining space at the existing restaurant at No. 43. The front part of No. 45 would remain in retail use.

Conclusions

The main issues relating to the application are the effect that it would have on the retail character of Chislehurst High Street (with particular focus on the loss of the existing designated retail use at No 45) and on the character and appearance of the Chislehurst Conservation Area.

Policy S4 of the UDP relates to local centres where the Council will not normally permit a change to a non-retail use where:

- (i) it would not harm the retail character of the shopping frontage;
- (ii) have no adverse impact on residential amenity;
- (iii) would not create a concentration of similar uses;
- (iv) attract visitors during shopping hours; and
- (v) complement the shopping function of the centre

Amongst the criteria set out in Policy S9 (Food & Drink Premises) are that proposals should not result in an over-concentration of food and drink establishments, out of character with the retailing function of the area.

Policy S10, regarding non-retail uses in shopping areas, also advises that in retail frontages, the Council will not normally permit uses that do not offer a service to visitors unless:

- (i) there has been long term vacancy and a lack of demand for a retail or service use can be proven; and
- (ii) the proposed use is in premises where it would not undermine the retail viability of the centre.

As noted above No 45 has been the subject of previous planning applications that have sought a change of use away from A1 retail use, and which have consistently been refused by the Council, in part due to the harm to the retail character of the local centre.

Since No 43 benefits from an existing restaurant (Class A3) use, and planning permission has previously been granted (under ref. 10/03016) to enlarge this unit to encompass an area to the rear of Nos. 43 and No 45, the key consideration in terms of the retail character of Chislehurst High Street concerns the loss of the retail use at No 45 to form part of an expanded restaurant encompassing Nos. 43 and 45 in their entirety.

No. 45 is situated in a central position in the town centre, between the junction with Willow Grove in the north and the public car park at the southern end, where there are more than 30 ground floor units, with A1 uses substantially outnumbered by premises in other uses. No. 45 is flanked to the north by a restaurant (occupying the former police station at No. 47) and to the south by a restaurant use that is currently vacant (No. 43, which forms part of this planning application); No. 41 is in use as an estate agents. Elsewhere in the centre, uses in Classes A2, A3, A4 and A5 are well represented. However, there is a limited range of shops selling comparison goods.

Whilst it is acknowledged that the unit at No. 45 has been vacant for approximately 15 years, a key consideration in assessing this case is the marketing background of the property, and whether sufficient supporting evidence has been provided to demonstrate that there has been a long term vacancy as well as a lack of demand for a retail use (see Policies S4 and S10).

The Agent has provided comprehensive information in regard to the marketing background of Nos. 43 and 45, which has been carefully considered, and is summarised as follows:

- marketing commentary for the period June 2009 - March 2013, including sales brochure, provided by Davis Coffey Lyons relating to the prospective enlargement of the existing restaurant at No. 43, encompassing the rear of No. 45 for use as double fronted A3/A1 retail unit
- marketing commentary for period April 2013 - October 2013, including sales brochure, provided by Shelley Sandzer relating to the prospective enlargement of the existing restaurant at No 43, encompassing the rear of No. 45 for use as double fronted A3/A1 retail unit
- two marketing brochures by Linays and Ibbett Mosely (both undated) relating to No. 45
- representations from Linays confirming that No. 45 was marketed as an A1 unit from June 2003, but it is unclear when marketing efforts ceased
- a letter from Ibbett Mosely to a previous Agent dated 6 January 2011 confirming that No 45 had been marketed for more than 12 months as a shop premises and there has been a deterioration in trading conditions. The letter goes on to say that there have been "enquiries from retailers in the "A1 use" category, this has concerned "start up" businesses seeking quite different, smaller size premises. It has not been possible to find an existing business of sufficient financial standing, capable of making a success of the location." A further letter from that firm dated 15 April 2011 is provided to the applicant setting out potential marketing options.
- letter from Paul Williams (the owner of the shops) relating to tenure of premises, and citing one expression of interest in 2001

The Agent has not confirmed whether the currently-vacant restaurant unit at No. 43 has been marketed independently as a stand-alone restaurant since it was vacated in 2011. He confirms that the "eventual strategy of marketing the units" at Nos. 43 and 45 simultaneously was taken since no "realistic" offers had been received for No. 45, despite some 10 years of marketing. However, he does not quantify what he deems "realistic": an important consideration given the backdrop of low vacancy rates in Chislehurst High Street, and Ibbett Mosely's admission in 2011 that there had been enquiries of interest from retailers, albeit in their words, of insufficient "financial standing".

Based on the above information it appears that since 2011 (when planning permission was granted for an enlarged restaurant unit at No. 43, and when No. 43 was vacated by the previous restaurant owner) that marketing efforts have been concentrated at marketing Nos. 43 and 45 simultaneously as an enlarged unit. There is a lack of information to show that marketing efforts were also undertaken to market these two units individually, in order to maintain the existing status-quo so that No. 45 could be used for retail purposes.

Taking account of the above factors it is not considered that sufficient supporting evidence has been provided to demonstrate that there has been a lack of demand for a retail use at No. 45. Furthermore, it is not considered that the long-term vacancy at No. 45 provides sufficient justification in itself to support the loss of this retail unit. It is therefore not considered that concerns expressed by the Council in relation to previous applications regarding the harm to the High Street retail frontage have been overcome.

The Agent has stated that, under the terms of the 2013 General Permitted Development Order, a change of use from Class A1 to Class A3 can be undertaken for a period of up to two years. However, by the Agent's own admission, the applicant would seek a lease exceeding two years. Furthermore, the amalgamation of No. 45 to the enlarged restaurant unit at No. 43 would itself require planning permission (under the terms of the 2010 permission). These GPDO amendments provide a short-term measure by which to deal with vacant shop premises.

Turning to other considerations, no objections are raised in respect of the proposed replacement shopfront which will maintain a broadly similar appearance to the existing structure and maintain some distinction between the units at Nos. 43 and 45. In addition, since the single storey rear extension has previously been permitted this element is considered acceptable.

However, given the amount of the plant at the rear of the proposed restaurant, in the absence of some form of enclosure, this is likely to give rise to loss of amenity to neighbouring residents by reason of noise generated. It is also considered that this could harm the visual appearance of the development at the rear, to the detriment of the character and appearance of the host building and of the Chislehurst Conservation Area.

Background papers referred to during production of this report comprise all correspondence on files refs. 86/01135, 98/00604, 06/00764, 08/00756, 08/02300, 09/02615, 09/02617, 10/03016 and 14/00848, excluding exempt information.

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

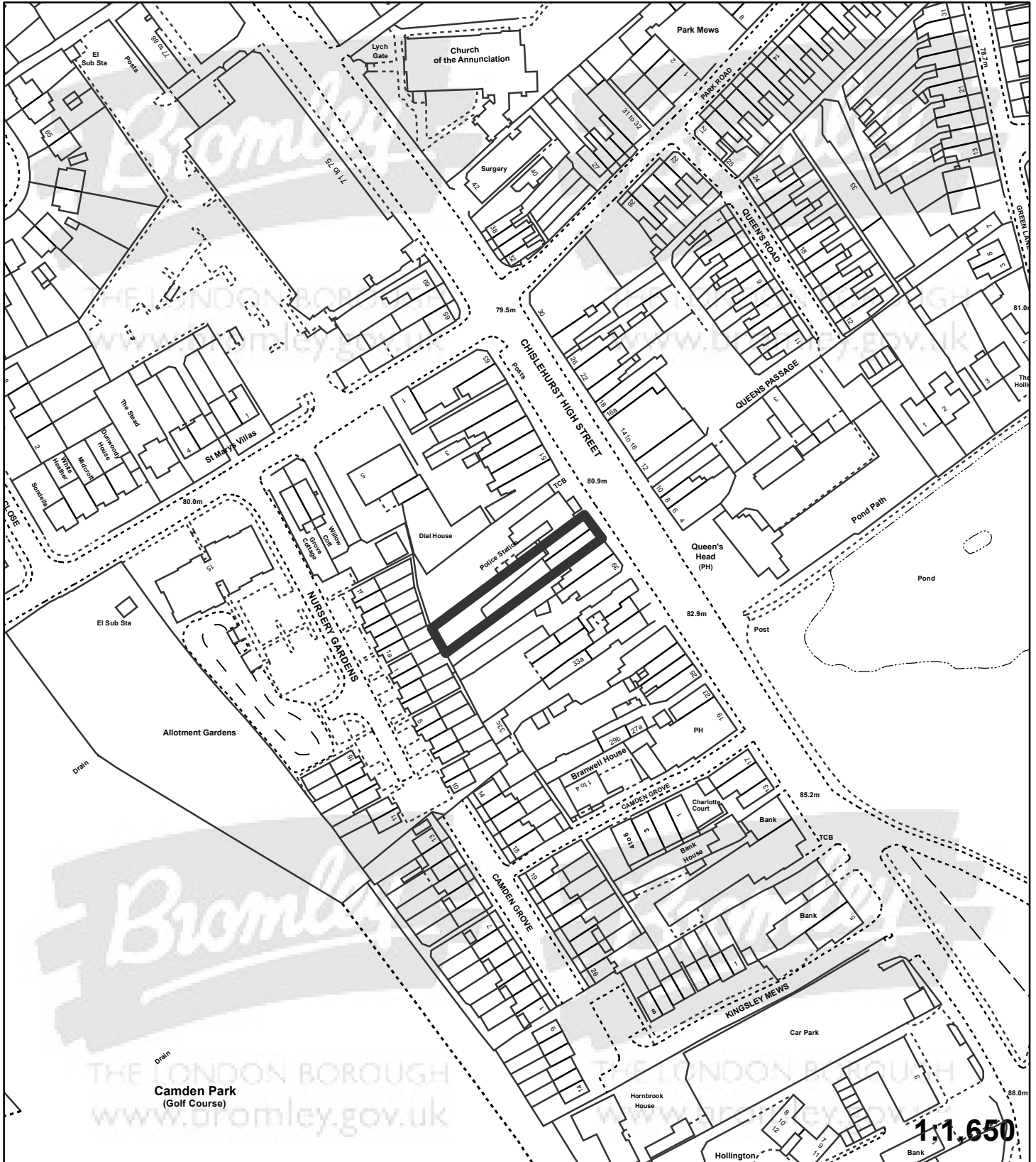
- 1 The proposal would result in the unacceptable loss of a Class A1 retail unit, which would be harmful to the retail character of this Local Town Centre, and would lead to an overconcentration of similar uses and an unacceptable break in the retail frontage along this part of Chislehurst High Street, contrary to Policies S4, S9 and S10 Unitary Development Plan.

- 2 The amount of the plant at the rear is likely to give rise to loss of amenity to neighbouring residents by reason of noise generated, and appear visually unsightly, thereby harmful to the character and appearance of the host building and of the Chislehurst Conservation Area, and contrary to Policies BE1, BE10 and BE11 of the Unitary Development Plan.

Application: 14/00848/FULL3

Address: 43 High Street Chislehurst BR7 5AF

Proposal: Change of use of ground floor of No 45 High Street from Class A1 (Retail) to Class A3 (Cafe/Restaurant) and provision of single storey rear extension to Nos 43 and 45 both to be used as single enlarged restaurant. Alterations to shopfront at Nos 43 and 45 and installation of



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

SECTION '2' – Applications meriting special consideration

Application No : 14/01561/OUT

Ward:
Penge And Cator

Address : 213 Kings Hall Road Beckenham BR3
1LL

OS Grid Ref: E: 536597 N: 170331

Applicant : Brookworth Homes Ltd.

Objections : YES

Description of Development:

Introduction of access road and erection of 6 dwellings comprising 3 pairs of semi-detached houses, parking landscaping OUTLINE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads

Proposal

Outline planning permission is being sought for the construction of 6 dwellings in the form of three pairs of semi-detached houses on land to the rear of 213 Kings Hall Road, Beckenham. The application seeks approval of the creation of an access point to the north of No.215 Kings Hall Road, and the layout of the development. While all other matters (scale, appearance and landscaping) are reserved, the applicants have provided some indicative elevational drawings.

The application is accompanied by significant body of further information including:

- Drainage Statement
- Flood Risk Assessment
- Transport Statement
- Phase 1 Habitat Survey (Ecology)
- Arboricultural Impact Assessment
- Tree Protection Plan

The site measures 0.38ha and is suburban in nature. The proposal for 6 dwellings represents a density of 15.8 dwellings per hectare. The site has a PTAL rating of 2.

Amended documents in the form of a revised swept path analysis of vehicle movements within the site were received on 23rd June 2014.

Location

The application site is currently a large parcel of residential garden land to the rear of Nos. 207-215 Kings Hall Road, currently serving No. 213. The site adjoins residential gardens to the north and east belonging to properties in Lennard Road and Kings Hall Road respectively. Whilst the site has no designation in the adopted UDP it is bound by Metropolitan Open Land (MOL) to the south and Pool River to the west.

The site falls within Flood Zone 2 and the far western edge is covered by a Tree Preservation Order (TPO).

Comments from Local Residents

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

- inappropriate backland development
- impact on wildlife
- additional traffic
- concerns over highway safety
- noise and disturbance
- concerns over loss of garden land
- stress on utilities
- negative impact on neighbouring amenity
- unwelcome precedent
- loss of trees
- concerns over security
- concerns over flooding
- loss of sunlight
- concerns over the findings of the traffic assessment
- concern over the impact of utilities infrastructure
- loss of a model railway
- the applicants misinformed local residents
- concerns that the environmental report is not thorough enough
- the development will not reduce pressure on housing shortage
- open space should be protected
- the houses would be visible from Lennard Road
- the houses should not have front dormer windows as this is out of character
- could lead to further development at adjacent land
- more trees should be planted
- the existing two ponds should be retained
- the proposed houses should be 2 storeys high only
- gardens should back on to gardens
- pressure on local schools

- the layout should be turned 90 degrees
- the scheme does not respect the surroundings
- the proposal does nothing to facilitate cycling
- gates should be installed at the development to reduce crime
- concerns over the possible future use of land r/o 207 Kings Hall Road

The full text of all representations received is available to view on the file.

Comments from Consultees

Technical Highways comments were received which commented initially that while the width of the access road (4.8m) is acceptable, a swept path analysis showing sufficient space for a LB Bromley refuse vehicle was requested from the applicants. On 23rd June this information was received; no objections are raised by the Councils Highways Engineer in respect of this additional information.

Two car parking spaces per new dwelling would be provided, along with secure cycle parking in line with Bromley standards. A series of planning conditions are suggested should consent be granted.

The Councils Drainage Officer has inspected the file and notes that the Council discourages the use of a pump to manage surface water, and the applicant is expected to find other means to store the excess of surface water run-off. This could be suitably controlled by way of an appropriate planning condition. No objection is raised.

Thames Water has advised that, with regard to surface water drainage and water infrastructure capacity, no objection is raised. The full text of the comments received is available to view on the file.

The Environment Agency has been consulted and considers the application as having a low environmental risk. Therefore, no comments are made.

The Councils Designing out Crime Officer has inspected the file and requests that the 'Secure by Design' condition be attached to any consent in order to ensure the development incorporates measures to prevent criminality and provide a safe environment.

The Councils Tree Officer has considered to submitted documentation and undertaken a site visit, and is of the opinion that the Council should not object to the proposal on tree grounds. It is considered that the proposal will have a negligible detrimental impact on the public visual amenity value of the trees within the site that are protected within the TPO numbered 1138A, and trees that adjoin the proposed development site when viewed from public open spaces of: 209 to 217 Kings Hall Road, 169 to 199 Lennard Road and from Cator Park. A series of conditions relating to arboricultural practice are suggested, as well as condition relating to a woodland management plan.

Planning Considerations

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

- BE1 Design of New Development
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- ER4 Sustainable & Energy Efficient Development
- NE7 Development and Trees
- T3 Parking
- T18 Road Safety

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

- 3.3 Increasing Housing Supply
- 3.5 Quality and Design of Housing Development
- 3.6 Children and Young People's Play and Informal Recreation
- 3.8 Housing Choice
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.9 Cycling
- 7.3 Designing out Crime
- 7.4 Local Character

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework (NPPF) which is a key consideration in the determination of this application.

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

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

Planning History

There does not appear to be any planning history relating to the site on Council records.

Conclusions

The main issues relating to the application are the principle of the development as proposed, 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. Particular regard must be had for noise, disturbance, outlook and the character of the locality.

Properties along this stretch of Kings Hall Road (Nos. 207-215) benefit from deep rear gardens of around 40m, with the application site historically forming an extended garden area at No. 213, although the site would also appear to incorporate an area of additional garden land to the rear of No. 209.

The application is made in outline form. At this stage, permission is being sought for the principle of development together with details of layout and means of access. Details of appearance, landscaping and scale are matters reserved for later consideration.

Principle of development

The site has no specific designation in the Unitary Development Plan, and Members will note that garden land is exempt from the definition of previously developed land in the National Planning Policy Framework (NPPF). Development on residential garden land is generally resisted, however Policy H7, states at paragraph 4.40 that such development can be acceptable where it is small scale and sensitive to the local area. Where such proposals are deemed satisfactory, residential density in respect of dwellings/ha would be required to be below the levels set out in the London Plan and Table 4.2 of the UDP. The primary objective is to ensure a high standard of residential environment; adequate access should be created, and additional activity arising from the development should not result in an unacceptable level of disturbance to nearby residents. A high standard of separation and high quality landscaping must also be provided.

The site is well separated from surrounding development, with the proposed houses positioned a significant distance from those houses on Kings Hall Road and Lennard Road which adjoin the site. The eastern flank of the new houses would be set between 47m and 50m away from the rear elevations of Nos. 209 to 215 Kings Hall Road, from which the proposed houses would be most visible. The submitted plans also indicate a separation of around 55m to the rear of properties in Lennard Road that back onto the site.

It is noted that the new houses will be visible from surrounding development, however, Members may agree that the level of separation is such that any harmful impact on surrounding amenity in respect of outlook is not sufficient to warrant refusal of planning permission. Suitable screening at the shared boundaries could further alleviate any visual impact. The proposed density would be well below the levels indicated as appropriate in the London Plan.

The houses have been designed with rear gardens of around 11m in depth and around 10m wide. Whilst the Council has no firm guidelines for the level of amenity space expected as part of new development, 3/4 bedroom family homes are most likely to be occupied by families with children. Accordingly, the level of garden space provided is a key consideration. In this instance the amenity spaces provided are commensurate with general standards expected of new housing developments.

Access onto Kings Hall Road

The application proposes to demolish an existing garage situated to the side of No. 215 Kings Hall Road. Initial comments received from the Councils Highways Engineer requested further evidence that the site had sufficient space for a LB Bromley refuse vehicle to manoeuvre within it. This information has been received and no objection is therefore raised. As far as its design, dimensions and geometry are concerned, the provision of an access way alongside No. 217 would provide a satisfactory means of access to serve the development.

The access itself is acceptable in terms of its physical dimensions, although Members will need to have regard for the potential noise and disturbance that could arise as a result of the development. The development is small scale with six executive style family homes proposed, each with provision of two parking spaces. While an increase in vehicular and pedestrian movements is an inevitable consequence of new development, the suitability of the access point in physical terms and the retained separation from nearby houses in Lennard Road is such that the development is not considered to result in such a level of impact so as to warrant refusal of planning permission.

With regard to landscaping, this would be dealt with a later date, however drawing ref. 13121/P150/A indicates that an acoustic fence would be utilised at the northern boundary towards the flank of No. 217 Kings Hall Road. The provision of new planting and vegetative screening along the northern boundary is a matter which could be secured through a planning condition, which Members may consider is appropriate in this context.

Layout

The layout, as indicated on the plans, demonstrates a form of development which would provide a level of accommodation in accordance with the minimum space standards and overall unit sizes as set out in the London Plan and the Mayors Housing SPG. Additionally, each unit would have a level of amenity space that would generally accord with the Council's standards for new development, again in accordance with the Mayors guidance.

The submitted plans indicate the houses to be set at 90 degrees to the houses in Kings Hall Road, with gardens facing south. It is assumed that the positioning is in part to allow a preferable alignment in terms of garden orientation. The positioning of the houses also maximises the separation from surrounding properties. Members may agree that the number, type and general style of housing will not undermine the character of the area.

The indicative elevational drawings indicate that the three pairs of semi-detached houses would be separated by around 8.5m, which would accord with the Councils expectations in terms of spatial separation and side space provision set out in Policy H9, and Policy H7 (Housing Density and Design) which states that the site layout and buildings should recognise as well as compliment the qualities of the surrounding area.

Other considerations

The application is in outline with the matters of layout and access to be determined at this stage. Members will note that the applicants have provided indicative elevation drawings detailing 2.5 storey development with attached single garages. Whilst the scale and appearance of the proposed development is reserved for future determination, the houses have been designed to be similar in nature to others along Kings Hall Road, giving Members a useful guide as to how the site could be developed. With regard to landscaping, this too would be dealt with a later date; however indicative landscaping and boundary treatments are alluded to in the submission and could be further secured by way of planning condition.

From a Trees perspective, the Councils Tree Officer has inspected the Arboricultural Impact Assessment and undertaken a site visit. It is considered that the proposal would have a negligible impact on the public amenity value of the protected trees that adjoin the site, and conditions are suggested that would safeguard against any harm during the construction phase.

The site is within Flood Zone 2, and the Environment Agency has been consulted. They consider the site to have a low environmental risk, and have no comments to make. Notwithstanding this, the Councils Drainage Officer has suggested conditions to ensure appropriate measures are in place from a surface water drainage perspective.

Conclusion

In summary, Members will be aware that a number of local objections have been raised in respect of the proposed development. Many of these objections are covered above, and Members may agree that suitable planning conditions (as suggested at the end of this report) would ensure appropriate measures are in place to ensure the impact of the development is acceptable. To reiterate, Members will be aware that issues of Appearance, Landscaping and Scale are matters reserved for later consideration.

It should be noted that Government guidance, and that contained within the London Plan and NPPF require Councils to maximise the best use of land where appropriate when considering new residential developments.

In this instance Members may consider that the proposed access is acceptable and in line with adopted standards, and the layout of six houses as detailed on the plans would sit comfortably in the site, making appropriate use of an otherwise underutilised parcel of land. Members may therefore conclude that the development proposed would be compatible with the character and appearance of the wider area. On this basis it is recommended that planning permission be granted, subject to conditions.

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

as amended by documents received on 23.06.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA02 Details req. pursuant outline permission appearance,
landscaping and scale
ACA02R Reason A02
- 2 ACA04 Landscaping Scheme - full app no details
ACA04R Reason A04
- 3 ACA07 Boundary enclosure - no detail submitted
ACA07R Reason A07
- 4 ACB18 Trees-Arbicultural Method Statement
ACB18R Reason B18
- 5 ACB19 Trees - App'ment of Arbicultural Super
ACB19R Reason B19
- 6 Woodland Management Plan - The design of the foundations of the proposed new dwellings must be sufficient to allow the trees within the woodland order W1 to remain in situ sustainably in close proximity to the new dwellings given the proposed development site is on London clay. The ownership and control of the trees within the woodland order W1 should be placed into a management company to reduce post development pressure on the trees from the proposed new dwellings.
ACB20R Reason B20
- 7 ACC03 Details of windows
ACC03R Reason C03
- 8 ACC08 Satisfactory materials (all surfaces)
ACC08R Reason C08
- 9 The development permitted by this outline planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the standard of the Mayor's London Plan.
Reason: To reduce the impact of flooding both to and from the proposed development and third parties, and in order to comply with Policies 5.12 and 5.13 of the London Plan.
- 10 ACH01 Details of access layout (2 insert)
ACH01R Reason H01
- 11 ACH02 Satisfactory parking - no details submit
ACH02R Reason H02
- 12 ACH04 Size of parking bays/garages
ACH04R Reason H04
- 13 ACH05 Size of garage
ACH05R Reason H05
- 14 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 15 ACH17 Materials for estate road
ACH17R Reason H17

16 ACH29 Construction Management Plan
ACH29R Reason H29

17 ACI01 Restriction of all "pd" rights

Reason: To ensure that any proposals for extensions or outbuildings to the properties hereby approved, can be considered by the Council and that the potential for any impact on the amenities of the occupiers of surrounding properties can be properly assessed and to accord with Policy BE1 of the Unitary Development Plan.

18 The dwellings hereby permitted shall not be more than 10.0m in height.

ACI17R I17 reason (1 insert) BE1

19ACI11 Obscure glaz'g/details of opening (1 in) in the first floor flank elevations

ACI11R Reason I11 (1 insert) BE1

20ACI20 Lifetime Homes Standard/wheelchair homes

ADI20R Reason I20

21ACI21 Secured By Design

ACI21R I21 reason

22ACK01 Compliance with submitted plan

ACK05R K05 reason

23ACK05 Slab levels - no details submitted

ACK05R K05 reason

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

Reason: In the interests of the residential amenities of the area and in order to comply with Policy BE1 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

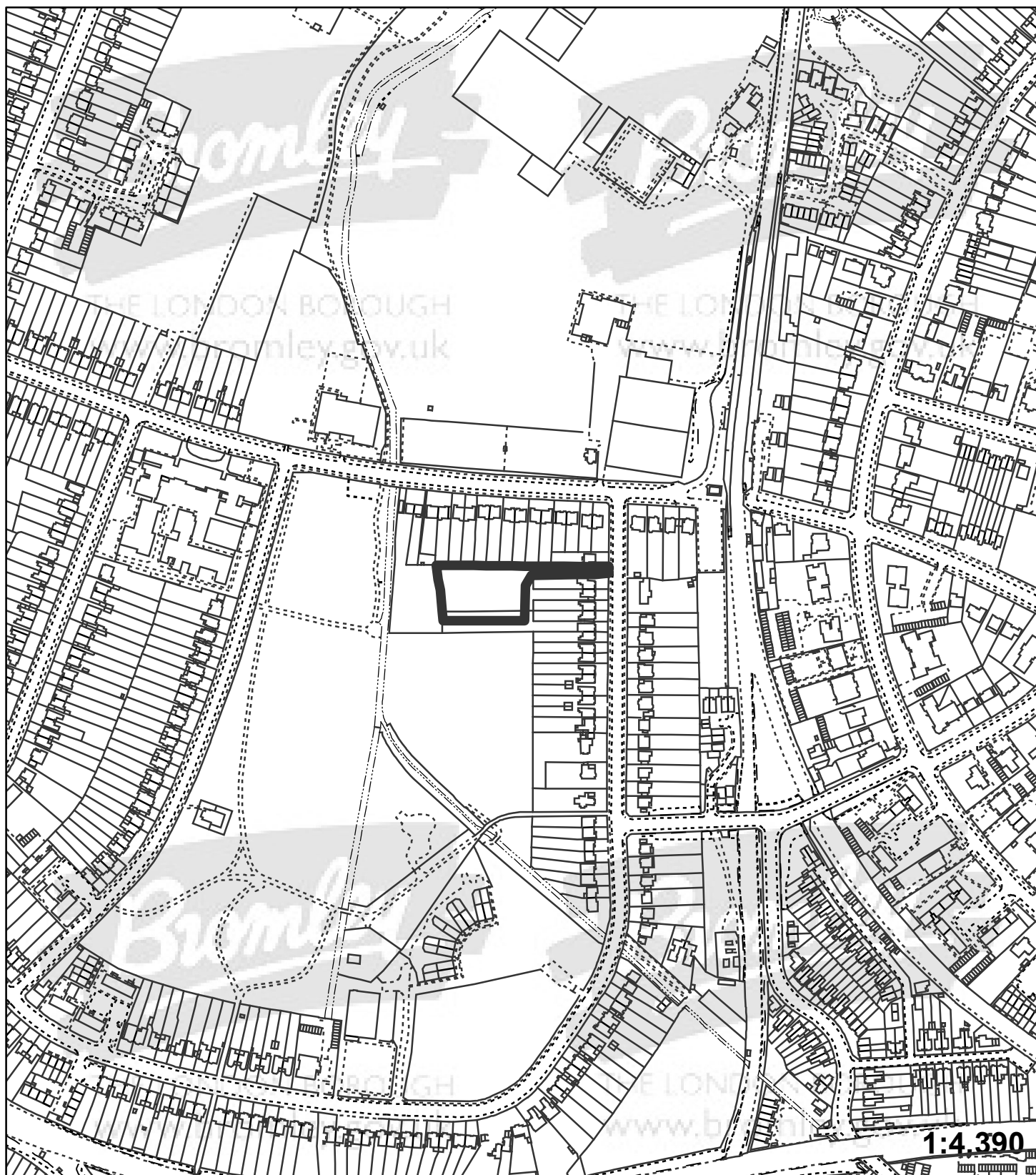
2 In order to discharge the condition relating to surface water drainage the following information is needed:

- A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe "node numbers" that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- A manhole schedule.
- Confirmation of the critical storm duration.
- Confirmation of the greenfield discharge rate, with any flow control devices indicated on the plan with the rate of discharge stated. -
- Calculations showing the volume of attenuation provided, demonstrating how the system operates during the 1 in 100 year critical duration storm event. If overland flooding occurs, a plan should also be submitted detailing the location of overland flow paths.
- Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.

Application:14/01561/OUT

Address: 213 Kings Hall Road Beckenham BR3 1LL

Proposal: Introduction of access road and erection of 6 dwellings comprising 3 pairs of semi-detached houses, parking landscaping
OUTLINE APPLICATION



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

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SECTION '2' – Applications meriting special consideration

Application No : 14/01573/ELUD

Ward:
**Bromley Common And
Keston**

Address : 14 Cheyne Close Bromley BR2 8QA

OS Grid Ref: E: 542052 N: 165183

Applicant : Mr Nimesh Desai

Objections : YES

Description of Development:

Use of front and rear garden space, living room and exercise room for teaching martial arts classes CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE

Key designations:

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

Proposal

This application seeks a lawful determination for the use of the front and rear garden space, living room and 'exercise room' at No.14 Cheyne Close, Bromley for teaching martial arts. The applicant has provided evidence to substantiate the claim that the property has been used as claimed for a period of 10 or more years.

The evidence submitted comprises:

- An undated petition of 11 signatures stating that the applicants has been teaching martial arts from the address
- A letter from a neighbouring occupant stating that the applicant has been teaching from then address since 'about 1999) and teaching children since 2001 or 2002
- A letter from Mr S Patel stating that his children have been taught at the address since 2002
- A letter from Mr P Nguyen stating that his children have been taught at the address since 2003
- A series of photographs that appear to show the applicant teaching martial arts to children. These photographs are undated and make no reference to the site address

Location

Cheyne Close is small close of residential properties to the east of Oakley Road, Bromley.

Comments from Local Residents

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

- the classes have not been carried out at the property for 10 years
- an abatement order was placed on the rear garden in 2008
- the comings and goings are disruptive
- neighbouring driveways are blocked
- there is an invasion of privacy
- constant noise and disturbance
- classes are carried out on weekends as well as weekdays
- health and safety concerns
- the classes have been taught since around 2006-2007
- the classes should be taught in a hall

Comments from Consultees

From a Legal perspective, in this instance, from the information provided, it appears that the applicants has provided insufficient evidence that the use has been on-going for the period claimed.

Planning Considerations

This application for a Certificate of Lawfulness of Existing Use is made under Section 191 of the Town and Country Planning Act 1990 (as amended by The Planning and Compensation Act 1991) which provides for local planning authorities to determine whether 'on the balance of probability' the evidence submitted proves that the existing use is lawful due to subsisting continuously for ten years or more under Section 171B (3) of the Town and Country Planning Act 1990.

Planning History

There is no planning history at the site.

Conclusions

In applying for a Certificate of Lawfulness for an Existing Use, the onus of proof is on the applicant to demonstrate that, on the balance of probability, the property has been used for the activities claimed without significant interruption, for a period of 10 or more years.

Looking at the evidence provided, there appears to be the applicant, supported by 3 letters and a petition supporting his claimed use. The petition is of limited weight as it does not state how long the use has been taking place.

In opposition to the applicant, there are a number of letters from neighbours. These letters appear to indicate that there is a current use for a fairly high level of the activity claimed by the applicant, but that this level of activity has not been taking place for the requisite number of years. It appears from these letters that whilst there may have been some low level activity consistent with a use ancillary to that of the dwellinghouse (for example some lessons to family and friends children), this has now intensified considerably to a point where there are a number of classes taking place each weekend.

Members will note that there appears to have been a low level of ancillary activity which has, in recent years, intensified to the point where there appears to be a change of use to a mixed use of dwellinghouse and teaching activities.

On the evidence presented by the applicant, it is considered to be difficult to state conclusively that this change happened 10 or more years ago, and therefore, without further evidence from the applicant, the view of the Councils Legal department is that the certificate should be refused,

From a planning perspective, the evidence must show that, on the balance of probabilities, the use of the site as claimed has been carried out for a continuous period of 10 or more years. On this basis, the application is considered to provide insufficient sufficient evidence to substantiate the applicants' claim, and it is recommended that the certificate be refused.

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

RECOMMENDATION: THE EXISTING USE/DEVELOPMENT IS NOT LAWFUL

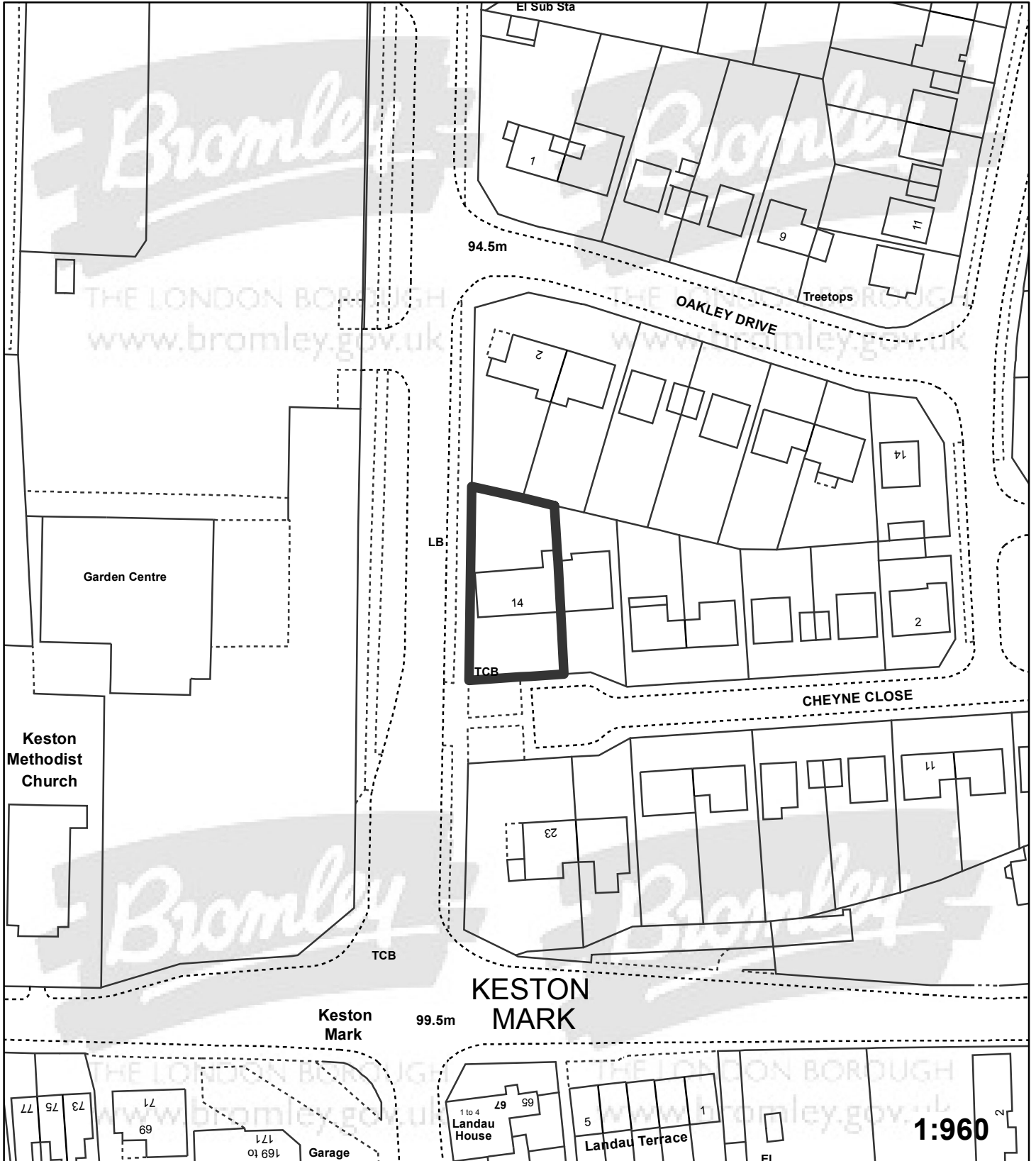
for the following reasons:

- 1 The use of part of the site for the teaching of martial arts classes has not subsisted, on the balance of probabilities, for more than ten years continuously, and as such does not constitute lawful development.

Application:14/01573/ELUD

Address: 14 Cheyne Close Bromley BR2 8QA

Proposal: Use of front and rear garden space, living room and exercise room for teaching martial arts classes **CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE**



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

SECTION '2' – Applications meriting special consideration

Application No : 14/01782/FULL6

Ward:
Hayes And Coney Hall

Address : 1 Hartfield Road West Wickham BR4
9DA

OS Grid Ref: E: 540203 N: 164956

Applicant : Mr Miller

Objections : YES

Description of Development:

Part one/two storey side/rear extension to include steps to rear

Key designations:

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

Proposal

Planning permission is sought for a part one/two storey side/rear extension to include steps to rear.

Under planning ref. 14/00684, planning consent was granted for a single storey element that wraps around the rear of the property, proposed to be 4.0m wide to the front and a total of 11m wide at the rear. This would have a rear projection towards the boundary with No.3 Hartfield Road of 3.5m and would provide additional living accommodation and a larger kitchen. At first floor, the extension will have a side projection of 2.5m and did not project beyond the rear elevation.

The current application seeks to add a further c.2.5m of additional side projection at first floor level to create an enlarged third bedroom and additional fourth bedroom.

Two first floor side windows are proposed in the southern elevation (towards the junction of Harvest Bank Road), with one bedroom window proposed in the rear elevation of the first floor extension.

Location

The application site comprises a chalet style house which occupies a prominent corner plot adjacent to the junction Hartfield Road and Harvest Bank Road. The

area is residential in nature, with examples of one/two storey extensions evident in the area.

Comments from Local Residents

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

- the occupants of No.1 Harvest Bank Road raise concerns over the two proposed first floor side windows leading to increased overlooking
- over-intensive use of the property
- the property would be out of keeping with the area
- pressure on parking
- The Wickham Common Residents Association (WCRA) raise concerns over the quality of the submitted drawings, insufficient parking to accommodate new cars, the side extension breaching the building line of Harvest Bank Road, and the restriction of sunlight to the rear of No.3 Hartfield Road

Comments from Consultees

No comments received.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

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

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework which is a key consideration in the determination of this application.

Planning History

The site has a detailed planning history relating to previous unsuccessful planning applications:

12/02186/FULL6 - first floor side and part one/two storey rear extensions to include steps to rear and roof alterations to provide accommodation in the roof space - refused. The reason for this refusal was:

"The proposed extension by reason of its size, height, bulk and incongruous design in a prominent location is detrimental to the character and appearance of the area and street scene in general and would unbalance

the symmetry of this pair of semi- detached properties thereby contrary to Policies H8 and BE1 of the Unitary Development Plan".

A revised application was submitted under ref. 12/03099 for a part one/two storey side/rear extension to include steps to the rear, which was also refused by the Council for the following reason:

"The proposed extension would extend beyond the established front building line of properties in Harvest Bank Road and together with its size, width and bulk sited on this prominent exposed corner plot would unbalance the symmetry of this pair of semi-detached properties and would be detrimental to the character and appearance of the area and street scene in general thereby contrary to Policies H8 and BE1 of the Unitary Development Plan".

In February 2013 a further application was submitted under ref. 13/00653 for part one/two storey side/rear extension to include steps to rear. This was refused by the Council for the following reasons:

"The proposed extension by reason of its design, size, bulk and rearward projection in view of its siting on this prominent exposed corner plot would lead to an incongruous form of development detrimental to the character and appearance of the area and harmful to the visual amenities of the street scene in general, thereby contrary to Policies BE1 and H8 in the Unitary Development Plan.

The proposed rear extension by reason of its proximity to the boundary with the adjoining property at No.3 and excessive depth of rearward projection would be harmful to the amenities that the occupiers of that property may reasonably be able to continue to enjoy with regard to visual impact, overdominance and overshadowing thereby contrary to Policies BE1, H8 and H9 of the Unitary Development Plan".

In September 2013, a further application (under ref.13/02437) for a part one/two storey side/rear extension to include steps to rear was again refused by Members for the same reasons as above.

The previous applicants submitted an appeal against the Councils decision. The Inspector shared the Councils view that the proposal would result in a harmful impact on the amenities of the occupants of No.3 Hartfield Road and the appeal was subsequently dismissed.

In May 2014, under ref. 14/00684 planning consent was granted for a part one/two storey side/rear extension to include steps to rear. The current application largely replicates this proposal, adding additional accommodation at first floor level as set out above.

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.

Members will be aware of the long planning history at the site, with a series of unsuccessful planning applications and a dismissed appeal, as set out in the planning history section above.

Planning permission was, however, granted for a one/two storey side and rear extension at the property under ref. 14/00684. This consent (granted by Members) followed the removal of a two storey element at the shared boundary with No.3 Hartfield Road. The current application seeks effectively to move the additional bulk proposed previously from the rear elevation to the side, in addition to the previously permitted first floor extension.

Members will note previous application at the site - notably application ref. 12/03099 - where a proposed first floor side extension of similar proportions was refused on the basis that the size, width and bulk would unbalance the symmetry of the host pair of semi-detached houses, and also extend beyond the established building line of the adjacent Harvest Bank Road.

Whereas the most recent, smaller first floor extension was deemed acceptable and similar to many other examples in the immediate area, the additional width at first floor level is considered excessive, especially given that it would be positioned above an already largely extended ground floor addition.

Having had regard to the above it was considered that the development in the manner proposed is not acceptable in that it would result in a loss of visual amenity and be harmful to the character and appearance of the area.

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

RECOMMENDATION: PERMISSION BE REFUSED

The reasons for refusal are:

- 1 The proposed first floor side extension would extend beyond the established front building line of properties in Harvest Bank Road, and together with its size, width and additional bulk sited on this prominent exposed corner plot would unbalance the symmetry of this pair of semi-detached properties, detrimental to the character and appearance of the area and streetscene in general thereby contrary to Policies H8 and BE1 of the Unitary Development Plan.

Application:14/01782/FULL6

Address: 1 Hartfield Road West Wickham BR4 9DA

Proposal: Part one/two storey side/rear extension to include steps to rear



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

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SECTION '2' – Applications meriting special consideration

Application No : 14/02130/FULL6

Ward:
Chislehurst

Address : Aleesha 15 Highfield Road Chislehurst
BR7 6QY

OS Grid Ref: E: 545713 N: 168988

Applicant : Mr Tim Magon

Objections : YES

Description of Development:

Part one/two storey front, side and rear extension and extension to existing garage and roof alterations

Key designations:

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

Proposal

The proposal comprises of the following elements:

- 1.5 single storey front extension to front garage
- 1.7m-wide two storey side extension set 1.35m off the southern boundary
- 2.7m single storey front extension to incorporate new entrance
- part one/two storey rear extension projecting 5.5m at ground floor level and 2.4m at first floor level incorporating two hipped roofs forming a central valley. The first floor element will be recessed by 2.0m relative to the northern flank wall of the dwelling.
- addition of pitched roof to existing flat roof above the original dwelling which will rise to a level of 0.89m above the existing roof height. The roofs above the proposed first floor rear extension will incorporate similar ridge heights.

The application is supported by a Daylight Study.

Location

The application site is situated along the western side of Highfield Road, approximately 150m north of its junction with Leasons Hill. The surrounding area is residential in character.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and the following representations have been received on behalf of neighbouring properties, which are summarised as follows:

- loss of light, outlook and privacy
- overshadowing
- proposal will result in an oversized dwelling for the site
- proposal would undermine the spacing between the dwellings
- previous application involving alterations to the roof line was refused in 2006
- trees will have to be removed to accommodate the extension
- party wall concerns
- noise disturbance
- imposing and intrusive proposal
- amendment to first floor design represents a diminutive change and the extension would still obscure a significant area of sky from the rear of No 17
- proposal will be visible from the public highway and will have a detrimental impact on the character of the streetscene

Comments from Consultees

Not applicable

Planning Considerations

Policies BE1, H8 and H9 of the Unitary Development Plan apply to the development and should be given due consideration. These policies seek to ensure that new development does not adversely affect the amenities of neighbouring properties; that it achieves a satisfactory standard of design which complements the qualities of the surrounding area; and to ensure that adequate standards of separation are maintained in respect of two storey development.

Planning History

Under ref. 06/00765, planning permission was refused for a first floor front extension and for single storey front side and rear extensions, and the formation a hip-to-gable roof above the existing flat roof on the following grounds:

"The proposed first floor front extension would be detrimental to the amenities that the occupiers of adjoining properties might expect to be able to continue to enjoy by reason of visual impact and loss of prospect, contrary to Policy H8 of the Unitary Development Plan.

The proposal, involving as it does substantial alterations to the existing roof line of the property, would be detrimental to the symmetrical appearance of the existing house and to the street scene generally, contrary to Policies H8 and BE1 of the Unitary Development Plan."

Under ref. 06/04380, planning permission was granted for single storey front side and rear extensions and the formation a hip-to-gable roof above the existing flat roof. That scheme has not been implemented. This included a pitched roof in lieu of the existing flat-roofed structure which would rise to a level of 0.85m above the existing roof height.

More recently, under ref. 13/03071, a similar proposal to this current application scheme was proposed; the main difference concerned the depth of the first floor rear extension which, in that case, projected further at 3.5m. However, that application was withdrawn before it was due to be determined.

Under ref. 14/00685, a proposed part one/two storey front, side and rear extension and extension to existing garage and roof alterations was refused by the Council on the following ground:

"The proposed first floor rear extension would be detrimental to the amenities that the occupiers of the adjoining dwelling at No 17 might reasonably expect to be able continue to enjoy, by reason of visual impact and loss of prospect in view of its size and depth of rearward projection, contrary to Policy BE1 of the Unitary Development Plan."

That final application is currently the subject of an appeal.

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.

In comparison to the previously-permitted application at this property, ref. 06/04380, the main changes relate to the inclusion of additional accommodation at first floor level and the enlargement of the existing attached garage at the front. The design of the proposed roof above the existing dwelling is in line with the 2006 approved proposal.

No concerns are raised in respect of the proposed ground floor elements which, in large part, remain similar to the approved 2006 scheme, and which will be adequately screened by existing walls and vegetation. It is considered that these will lead to minimal loss of light and amenity due to the orientation of the site and the separation to the houses either side. Similarly, no concerns are raised in respect of the proposed roof above the existing dwelling which is comparable to the aforementioned application.

In comparison to the previous proposal, refused under ref. 14/00685 (and now the subject of an appeal), the first floor element will be recessed by 2.0m relative to the

northern flank wall of the dwelling adjoining the boundary with No 17. Whereas previously it was considered that the enlarged dwelling would appear unacceptably dominant from the side of No 17 (taking account of the relative proximity and boundary line between those two neighbouring properties) it is now considered that the revision made in respect of the first floor rear extension adequately addresses those earlier concerns; it is considered that the extension will appear less dominant from the side of No 17 and introduce a degree of relief to the northern elevation of the proposal. This would also mean that the outlook from the side of No 17 is less affected.

As with the previous application no concerns are raised in respect of No 15 which, it is considered, will maintain an adequate separation and screening in respect of the enlarged dwelling.

Taking the above points into consideration it is considered that this proposal addresses previous concerns and is considered acceptable from a neighbouring amenity and design perspective.

Background papers referred to during production of this report comprise all correspondence on the files refs. 06/00765, 06/04380, 13/03071, 14/00685 and 14/02130 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

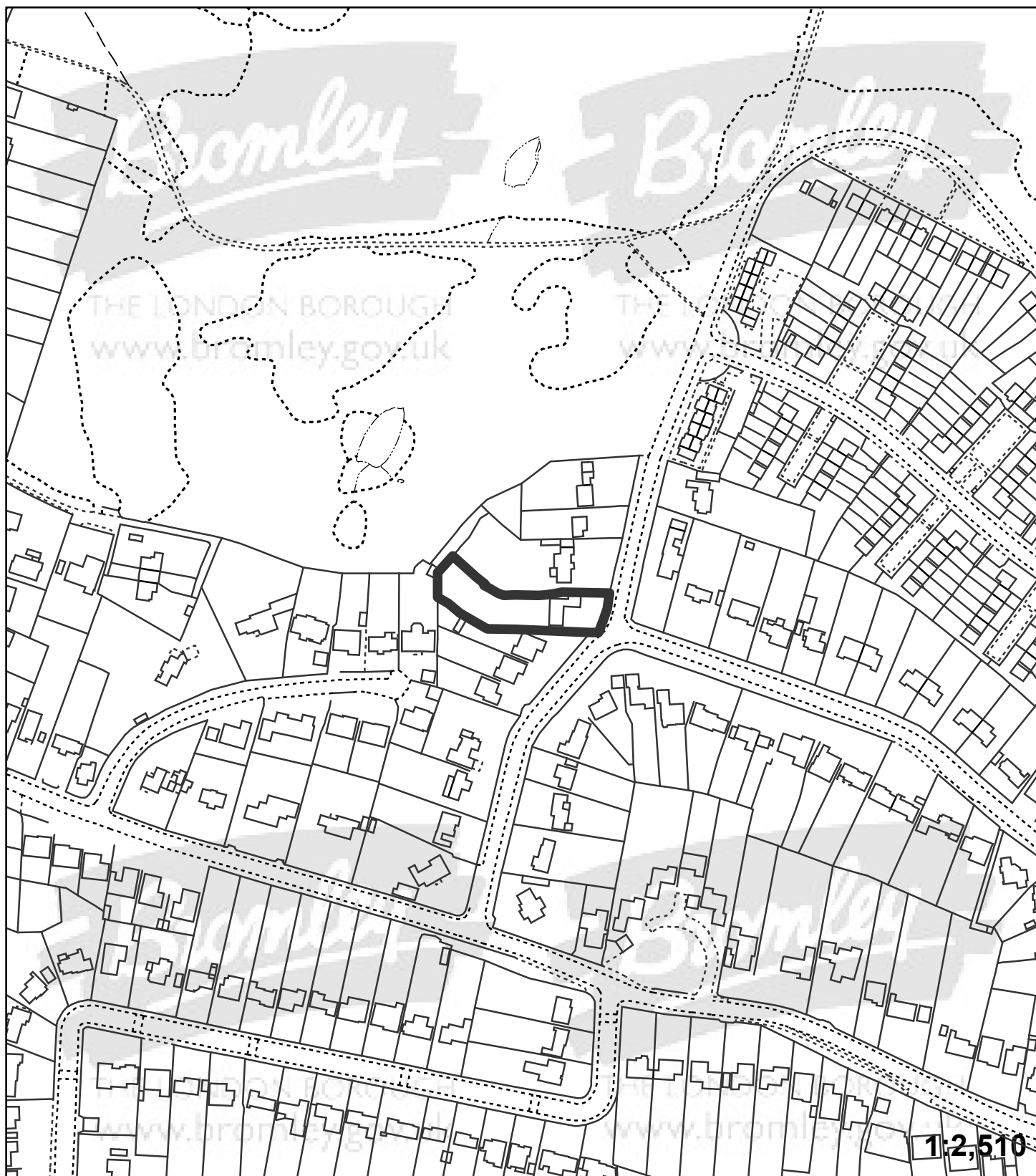
Subject to the following conditions:

- 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 ACI11 Obscure glaz'g/details of opening (1 in) along the first floor
 southern elevation
 ACI11R Reason I11 (1 insert) BE1
- 4 ACI17 No additional windows (2 inserts) flank extension
 ACI17R I17 reason (1 insert) BE1
- 5 ACK01 Compliance with submitted plan
 ACC03R Reason C03

Application:14/02130/FULL6

Address: Aleesha 15 Highfield Road Chislehurst BR7 6QY

Proposal: Part one/two storey front, side and rear extension and extension to existing garage and roof alterations



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

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

Application No : 13/03644/FULL1

Ward:
Penge And Cator

Address : 14 - 16 High Street Penge London SE20
7HG

OS Grid Ref: E: 535097 N: 170488

Applicant : One Stop Stores Limited

Objections : NO

Description of Development:

Alterations to shopfront entrance and installation of 4 air conditioning units to side elevation. (PART RETROSPECTIVE)

Key designations:

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

Members may recall this application was reported to Plans Sub Committee on 3rd July 2014. Members deferred the application in order to seek agreement from the applicant to amend the scheme to provide lattice shutters as opposed to the solid shutter currently installed.

The plans have now been amended and a lattice style shutter is now proposed. As this element of the proposal is retrospective it is considered that a condition should be added requiring the approved shutters to be installed within a specified 2 month period.

The previous report is repeated below suitably amended.

Proposal

The application is retrospective and works have been carried out to amend the shopfront as follows:

- removal of ATM installation and replacement with glazed shop entrance door measuring approx. 1m (w) x 2.3m (h)

- new glazed area adjacent measuring approx. 2m(w) x 2.3m(h) in place of previous shop entrance
- lattice style white roller shutter covering above-mentioned entrance and shopfront areas
- installation of 4 replacement air conditioning units on the side elevation of the building fronting Oakfield Road. Three of the a/c units measure 0.95m(w) x 1.4m(h) with one smaller unit measuring 0.75m(w) x 0.55m (h).

Location

The site is located at the western end of Penge High Street at the junction with Oakfield Road. The unit is some distance away from the designated area of Penge District shopping centre and is within an undesignated shop unit opposite a local parade.

Comments from Local Residents

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

Comments from Consultees

Environmental Health (Pollution) - No objections are raised to the air conditioning units subject to the following condition being attached to any permission:

"At any time the combined noise level from all air conditioning plant at this site in terms of dB(A) shall be 10 decibels below the relevant minimum background noise level, LA90(15mins) measured at any noise-sensitive location. If the plant has a distinctive tonal or intermittent nature the predicted noise level of the plant shall be increased by a further 5dBA. (Thus if the predicted noise level is 40dB(A) from the plant alone, and, the plant has a tonal nature, the 40dB(A) shall be increased to 45dB(A) for comparison with the background level.) The L90 spectra can be used to help determine whether the plant will be perceived as tonal."

Planning Considerations

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

BE1 Design of New Development
 BE19 Shopfronts
 BE20 Security Shutters
 ER8 Noise Pollution

When considering shopfronts, the Council will require that proposals are of a high quality of design and well related to the host building, parade or wider street scene as a whole. Security shutters of a solid appearance will usually be

resisted as they tend to obscure the details of the shopfront and window display.

The scope of the current application is restricted to the replacement a/c units and the removal of the ATM, the glazed shop entrance and lattice style security shutters. The agent has also confirmed this by email dated 10th June 2014.

Conclusions

The changes to the shopfront under consideration are relatively minor and do not detract from the appearance of the shopfront. The extent of changes equate to approx. one quarter of the width of the main shopfront at the entrance way and incorporate lattice style shutters to this section only. It is considered that the latest revisions to the proposal further enhance the proposal and Members may now find the proposals acceptable.

Background papers referred to during production of this report comprise all correspondence on the files refs. 13/03644 and 14/00130, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 11.04.2014 10.06.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 At any time the combined noise level from all air conditioning plant at this site in terms of dB(A) shall be 10 decibels below the relevant minimum background noise level, LA90(15mins) measured at any noise-sensitive location. If the plant has a distinctive tonal or intermittent nature the predicted noise level of the plant shall be increased by a further 5dBA. (Thus if the predicted noise level is 40dB(A) from the plant alone, and, the plant has a tonal nature, the 40dB(A) shall be increased to 45dB(A) for comparison with the background level.) The L90 spectra can be used to help determine whether the plant will be perceived as tonal.

Reason: In order to comply with Policy ER8 of the Unitary Development Plan and in the interest of the amenities of nearby residential properties.

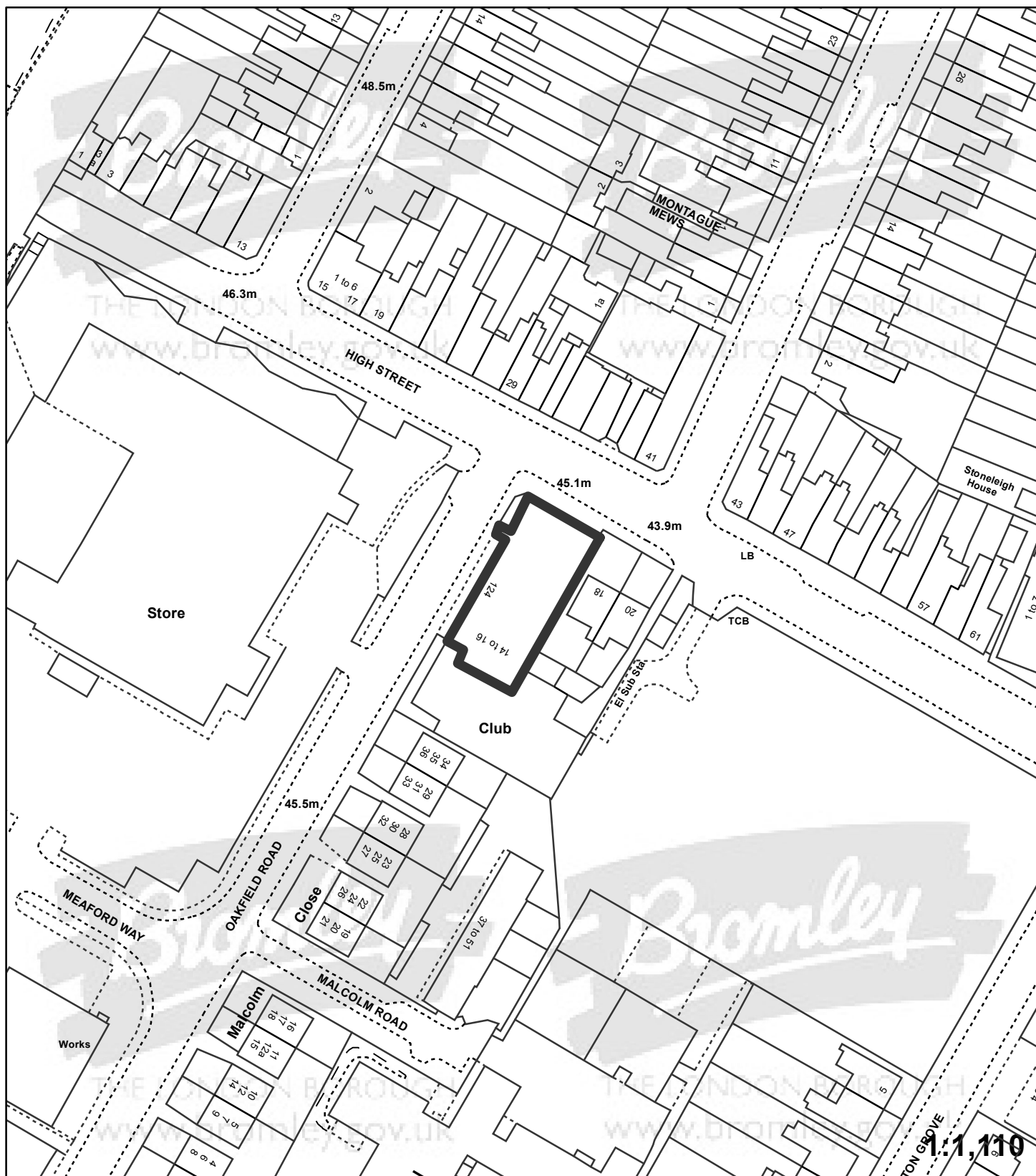
- 2 The lattice style shutters hereby approved shall be installed within 3 months of the date of the Decision Notice.

Reason: In order to comply with BE20 of the Unitary Development Plan and in the interest of the visual amenities of the street scene.

Application:13/03644/FULL1

Address: 14 - 16 High Street Penge London SE20 7HG

Proposal: Alterations to shopfront entrance and installation of 4 air conditioning units to side elevation. (PART RETROSPECTIVE)



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

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

Application No : 14/00658/FULL1

Ward:
Bromley Common And
Keston

Address : County Garage 3 Commonside Keston
BR2 6BP

OS Grid Ref: E: 541271 N: 164544

Applicant : Mr Pat Sullivan

Objections : YES

Description of Development:

Demolition of existing detached garage / store and new roof over existing outbuilding with extension to provide a new workshop.

Proposal

It is proposed to demolish the existing detached garage and store. A new roof will be provided over the existing outbuilding which will be extended to form an L shaped building which will accommodate a new workshop and vehicle preparation area. The proposed workshop is related to the existing lawful use of the site.

Comments from Local Residents

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

- development will be in close proximity to 1 Windmill Drive
- loss of light and outlook at No. 1 Windmill Drive
- building will direct noise from Greyhound Pub smoking area into garden of No. 1 Windmill Drive
- similar proposal was previously unsuccessful
- increased pollution
- increased traffic and parking
- increased noise and disturbance
- loss of view of village green from No. 6 Windmill Drive
- excessive height / overbearing visual impact.

Comments from Consultees

The proposal is considered acceptable from a heritage point of view.

The application was not inspected by the Advisory Panel for Conservation Areas.

Planning Considerations

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

BE1 Design of New Development
BE8 Statutory Listed Buildings
BE11 Conservation Areas

Planning History

Planning permission was granted under application ref. 01/00159 for a first floor office extension to showroom and single storey building for vehicle servicing, MOT testing and car wash/valeting uses. The permission was not implemented and has now lapsed.

Conclusions

The site lies adjacent to the Metropolitan Green Belt and a Site of Interest for Nature Conservation but there will be no significant impacts on either of these designated areas. The main issues relating to the application are the effect that it would have on the character and appearance of the Conservation Area and the impact that it would have on the amenities of the occupants of surrounding residential properties. The impact on the setting of the adjacent statutory listed Nos. 1 and 2 Commonsides is also a consideration.

The addition of a pitched roof to the existing building is considered to enhance the character and appearance of the Conservation Area, subject to appropriate materials.

The pitched roof to the existing outbuilding will have a ridge height of 4.6m and this will result in a degree of impact on the residential amenities of the occupants of No. 1 Windmill Drive in terms of visual impact and overshadowing. However, it is considered that the hipped design and height of the roof is such that this impact will not be unduly harmful to the residential amenities of the occupants of No. 1 Windmill Drive.

The workshop extension will have a ridge height of 5.35m and in view of its location it is considered that there will be no undue harm to the residential amenities of the occupants of adjacent residential properties.

The applicant has submitted details of the previously approved scheme (ref. 01/00159) at page 18 of the Design and Access Statement. This scheme is similar in scale and design to the currently proposed scheme and was previously considered acceptable. This is a material planning consideration.

The proposal will be likely to result in an increase in noise and disturbance relating to the workshop use. It should be noted that the workshop is related to the existing lawful use of the site and that the noise will be contained within the building and will occur during normal working hours. It is not considered that the workshop will

result in undue harm to the occupants of nearby residential dwellings by reason of increased noise and disturbance.

It is considered that there will be no undue harm to the setting of the statutory listed Nos. 1 and 2 Commonsides by reason of the siting and design of the extensions.

Having had regard to the above it was considered that the siting, size and design of the proposed extension is acceptable in that it would not result in a significant loss of amenity to local residents nor impact detrimentally on the character and appearance of the Conservation Area. Furthermore, it is not considered to result in harm to the setting of the adjacent statutory listed building.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

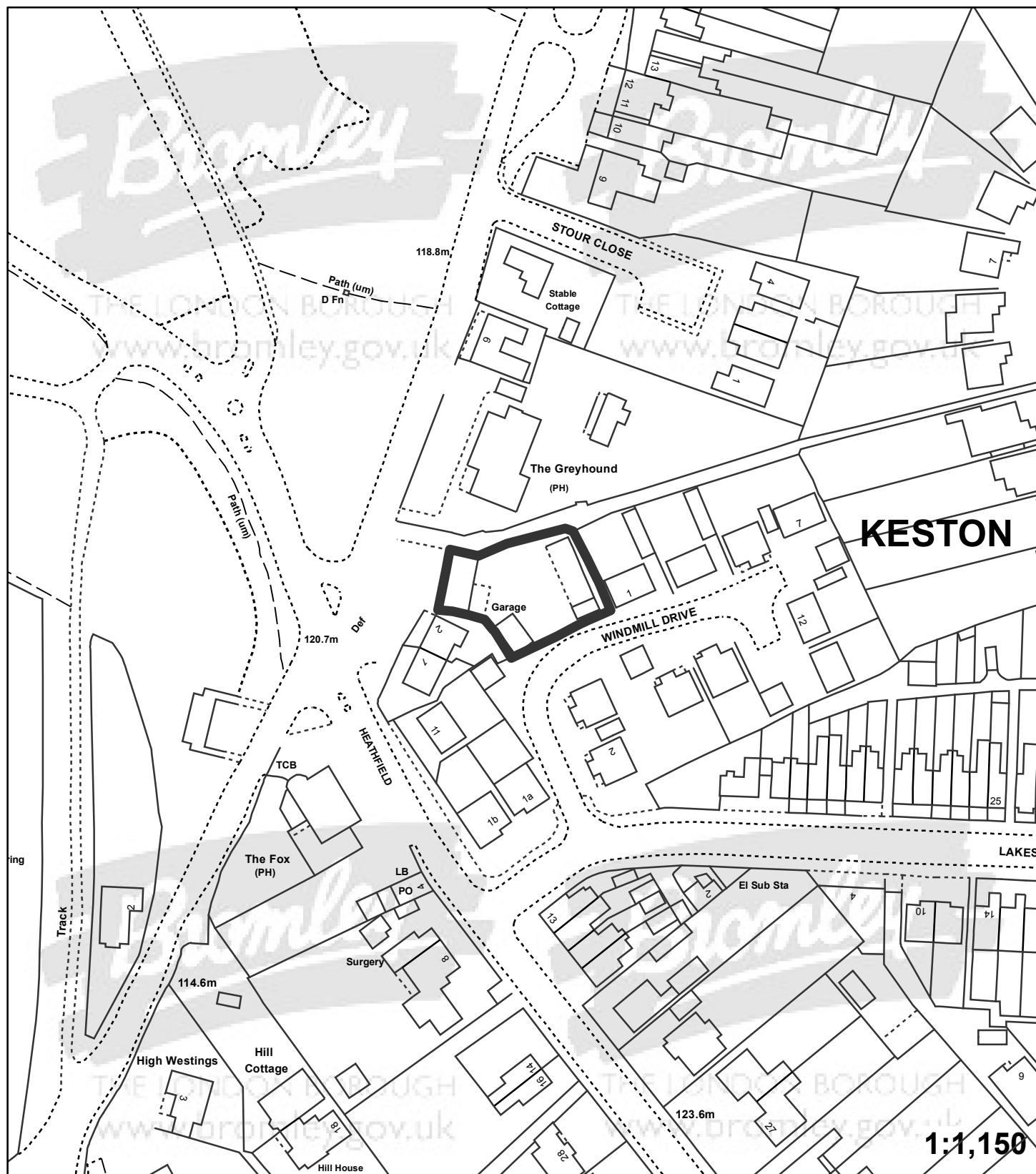
- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
- 2 ACC01 Satisfactory materials (ext'nl surfaces)
 ACC01R Reason C01
- 3 ACK01 Compliance with submitted plan

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

Application:14/00658/FULL1

Address: County Garage 3 Commonside Keston BR2 6BP

Proposal: Demolition of existing detached garage / store and new roof over existing outbuilding with extension to provide a new workshop.



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

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

Application No : 14/01194/FULL6

Ward:
Biggin Hill

Address : 28 Sutherland Avenue Biggin Hill TN16
3HE

OS Grid Ref: E: 541956 N: 158589

Applicant : Mr Roy Stacey

Objections : NO

Description of Development:

Timber decking at rear
RETROSPECTIVE APPLICATION

Key designations:

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

Proposal

This application was deferred from the meeting on 3rd July in order to seek further information on the enforcement history of the decking including the lower areas of decking at the rear of the garden, which is summarised as follows:

The Enforcement Notice which was issued on 6th August 2012 related to the construction of raised decking on 5 levels of the rear garden that exceeded 0.3m in height, which is the maximum height permitted under the 1995 Town and Country Planning GPDO (as amended). As no appeal was made, the Notice took effect on 6th October 2012.

No steps were taken to comply with the Notice, and the matter was referred to the Council's legal department on 26th February 2013 for prosecution for all the areas of decking.

There appears to be evidence that the area of decking immediately to the rear of the house was built at the same time as the house in 2003/2004 (letters from the developer Lawrie Park Developments Limited and the neighbours at No.30), but it is not clear when the lower levels of decking were constructed.

The earlier report is repeated below, suitably updated.

Permission is sought for the retention of an area of decking immediately to the rear of this property. The area of decking measures 9.4m wide and 3.8m deep, and is 1.2m high with balustrading above.

Location

This detached two storey property is located on the south-western side of Sutherland Avenue, and was built around 10 years ago (under ref.03/03179). This part of Sutherland Avenue has a staggered building line, with No.30 to the south set further back in its plot, whilst No.26 to the north is set further forward.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received from the adjoining residents at No.30 in support of the application. They state that the decking was built at the same time as the house (10 years ago), and that it has not caused them any problems.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions

Planning History

An Enforcement Notice was issued requiring the decking which is the subject of the current retrospective application, along with 4 other lower areas of decking in the steeply sloping rear garden to be reduced in height to 0.3m by 6th December 2012. No appeal was lodged and the Notice was not complied with, and the matter was referred to the Council's legal department for prosecution in February 2013.

A Certificate of Lawfulness for the Existing Development was submitted in August 2013 (ref.13/02926) which related only to the top level of decking adjoining the house, but was refused in November 2013 on the grounds that the decking was in contravention of the provisions of an effective Enforcement Notice, along with the other areas of decking in the rear garden.

Conclusions

The main issues in this case are the effect of the top area of decking on the character of the area and on the amenities of the occupants of neighbouring residential properties.

This area of decking is confined to the rear of the property, and does not have a detrimental impact on the character and appearance of the surrounding area.

With regard to the impact on neighbouring properties, the decking is set back 1.8m from the side boundary with No. 26, and 2.15m from the side boundary with No.30, and both boundaries have high fencing including trellising above.

The proposals are not, therefore, considered to result in a significant loss of amenity to local residents nor impact detrimentally on the character of the area.

If Members are minded to grant retrospective permission for the area of decking which immediately adjoins the rear elevation of the dwelling, they are also advised to withdraw the enforcement action against this part of the decking.

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:

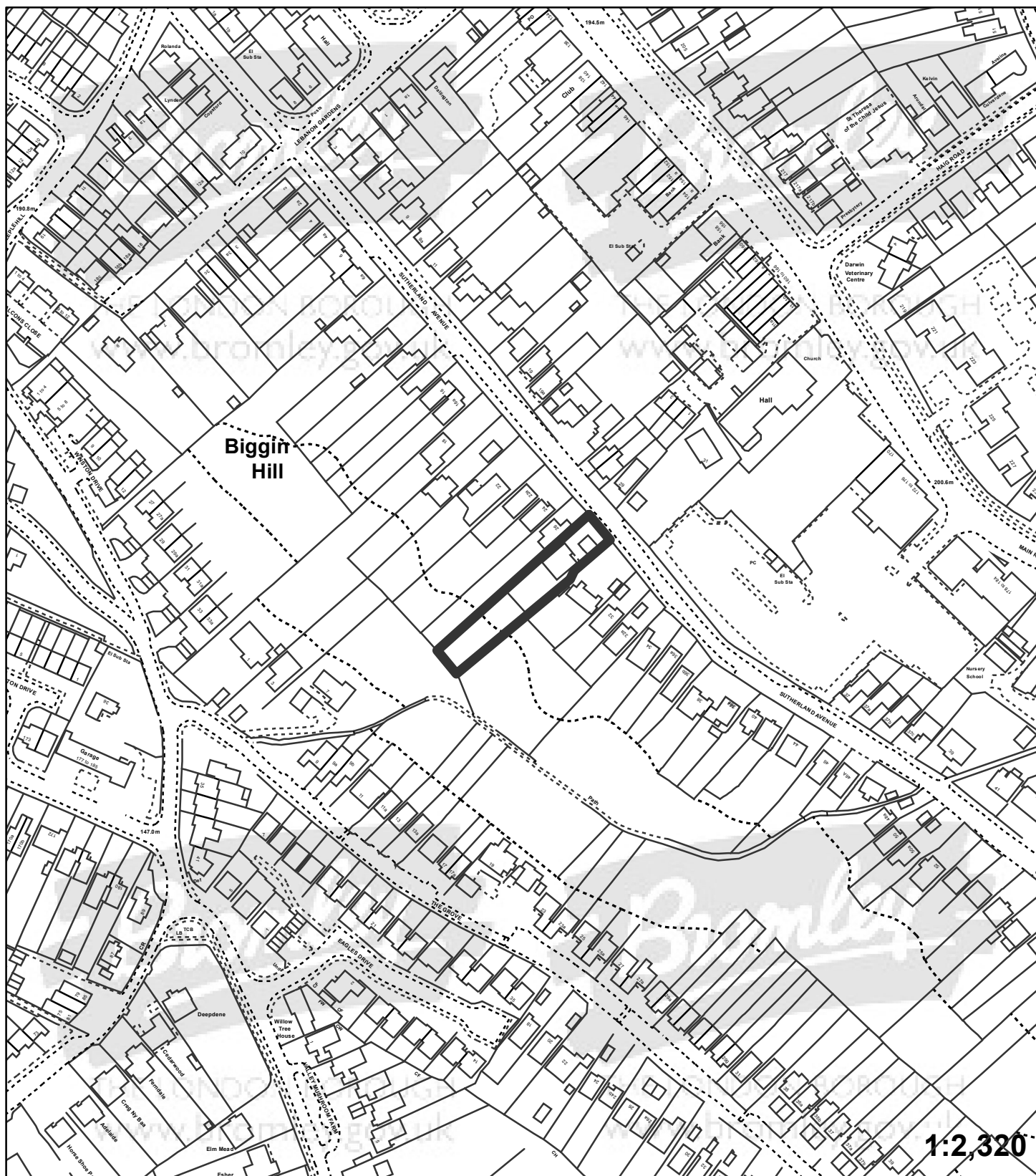
INFORMATIVE(S)

- 1 Further recommendation: Authorisation is sought to withdraw the enforcement action against the top area of decking.

Application: 14/01194/FULL6

Address: 28 Sutherland Avenue Biggin Hill TN16 3HE

Proposal: Timber decking at rear
RETROSPECTIVE APPLICATION



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

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

Application No : 14/01298/FULL6

Ward:
Petts Wood And Knoll

Address : 15 Priory Avenue Petts Wood Orpington
BR5 1JE

OS Grid Ref: E: 544818 N: 167418

Applicant : Mr And Mrs Barcz

Objections : NO

Description of Development:

Roof alterations to incorporate rear dormer, two storey front/side and single storey rear extensions

Key designations:

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

Proposal

It is proposed to demolish the existing side garage and rear conservatory, and erect a part one/two storey side extension which would be set back 1m from the side boundary with No.17, a single storey rear extension which would project 3m to the rear, and roof extensions including a partly hipped side gable and flat-roofed rear dormer.

Location

This semi-detached property is located on the western side of Priory Avenue, and backs onto No.11 Hawthorn Close. It lies within Petts Wood Area of Special Residential Character.

Comments from Local Residents

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

Planning Considerations

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

- BE1 Design of New Development
- H8 Residential Extensions
- H10 Areas of Special Residential Character

Conclusions

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

The part one/two storey side extension would provide a 1m separation to the side boundary with No.17, and the first floor would be set back 2.4m from the main front elevation. The roofline would be 0.7m lower than the main roof, and the side gable would have a half-hip thereby reducing the impact in the street scene. The proposals are not, therefore, considered to have a detrimental impact on the character or spatial standards of this part of Petts Wood ASRC.

The proposed single storey rear extension would be the same depth as the conservatory to be replaced (3m), and would not therefore have a significantly detrimental effect on the amenities of the adjoining property at No.13.

The proposed rear dormer extension would be 6.2m wide, but would have a flat roof and would not be visible from the front.

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

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACC07 Materials as set out in application
ACC07R Reason C07
- 3 ACI09 Side space (1 metre) (1 insert) northern
ACI09R Reason I09
- 4 Before the development hereby permitted is first occupied, the proposed window(s) at first floor level in the northern flank elevation of the part one/two storey side extension hereby permitted 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 | |
| 5 | ACI17 | No additional windows (2 inserts) | | first floor northern flank |
| | ACI17R | I17 reason (1 insert) | BE1 | |
| 6 | ACK01 | Compliance with submitted plan | | |
| | ACK05R | K05 reason | | |

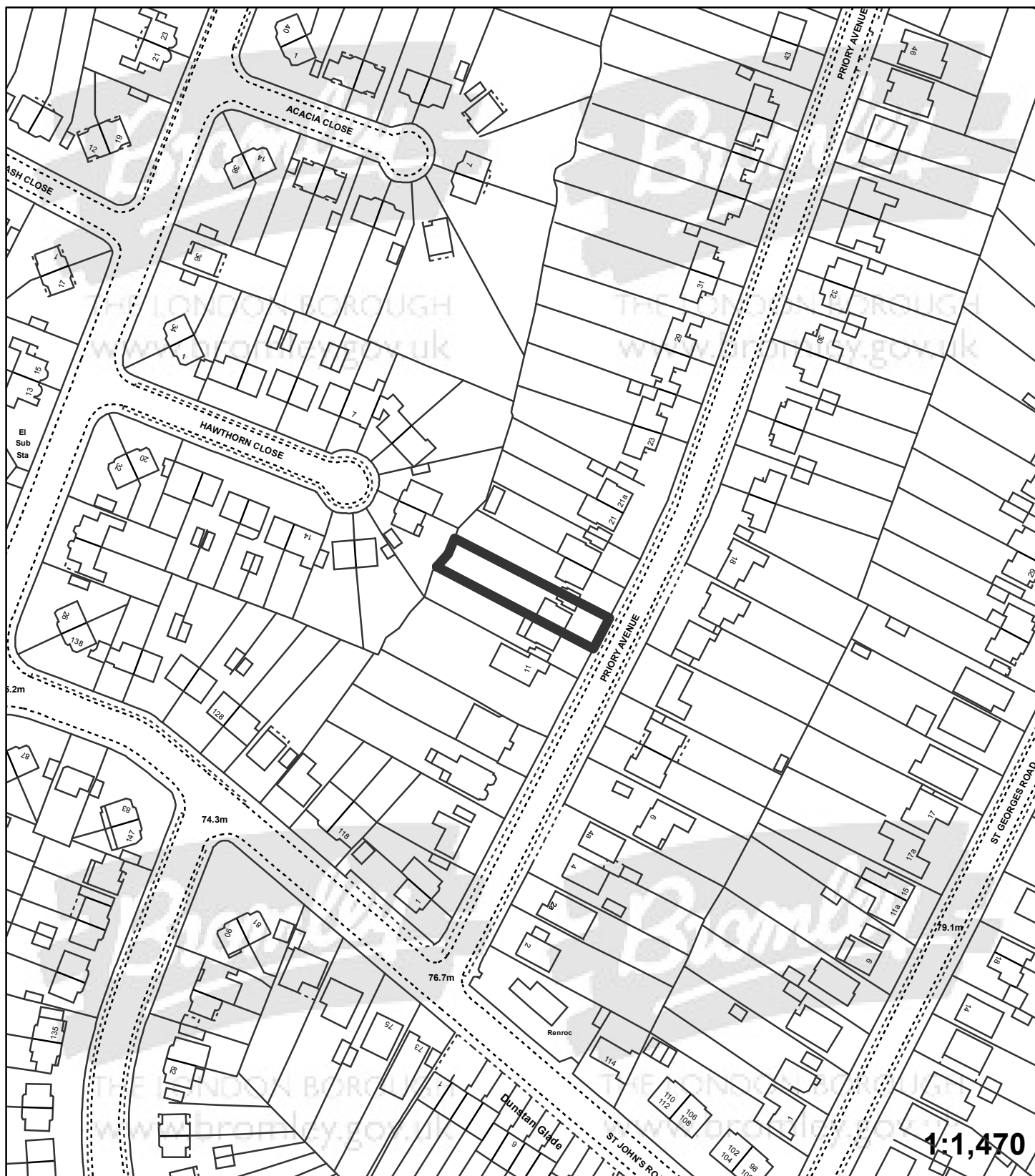
INFORMATIVE(S)

- 1 Before work commences on the extension hereby permitted you should satisfy yourself that the required 1 metre side space to the boundary can be achieved. Failure to comply with the Council's requirements set out in the conditions above may result in enforcement action being authorised.

Application:14/01298/FULL6

Address: 15 Priory Avenue Petts Wood Orpington BR5 1JE

Proposal: Roof alterations to incorporate rear dormer, two storey front/side and single storey rear extensions



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

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

Application No : 14/01391/FULL1

Ward:
Bickley

Address : 246 Southlands Road Bromley BR1 2EQ

OS Grid Ref: E: 542256 N: 168347

Applicant : Regalia Homes Ltd

Objections : YES

Description of Development:

Erection of a two storey with lower ground floor side extension to provide 3 x 2 bedroom flats with refuse storage and parking.

Key designations:

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

Proposal

Planning permission is sought for the erection of a two storey (with lower ground floor) side extension to provide 3 x 2 bedroom flats with refuse storage and parking.

Location

The application site is on the southern side of Southlands Road and is occupied by a 3-4 storey detached building divided into flats with a large side space to the western boundary. The site is neither listed nor within a conservation area.

Comments from Local Residents

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

- will be extremely disruptive and cause unnecessary noise and dust to the surrounding area;
- adding extensions solely for rental purposes means that consideration for the property is not going to be put first;
- proposal appears to close to adjoining property (#244);
- will make adjoining property claustrophobic (#244);

- will increase the number of units in the part of Southlands Road which is already too congested and scarce in parking;
- will block the views of properties opposite;
- a danger of creating a precedent when intruding into garden space;
- proposal is preferable to knocking down the whole adjoining building; and
- extension appears to have been designed to fit in with the existing building and to preserve the character of Southlands Road in that location.

Comments from Consultees

Thames Water: No objection.

Highways: No objection subject to conditions.

Drainage: No objection subject to standard condition.

Planning Considerations

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

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

The following Council adopted SPG guidance is also a consideration:

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

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

Planning History

No relevant planning history.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the streetscene, the standard of accommodation that it would provide for future occupiers, the impact on the amenities of the occupants of surrounding residential properties and the impact of the proposal in terms of parking and highway safety.

With regard to the design of the proposal and its impact on the character of the area, Members may consider that the extension is satisfactorily stepped down from

the main building with a hipped end which gives it a subservient appearance. In addition, a separation of approximately 1.5m is maintained to the western side boundary complying with relevant side space policy (H9 of the UDP). Furthermore, the extension is proposed to be constructed in materials to match existing which Members may also consider acceptable. To ensure the character and amenity of the surrounding area is maintained, a condition requiring the submission and approval of a suitable landscaping plan is recommended.

The proposed dwellings would meet the London Plan minimum space standards, are dual aspect and will have a sufficiently sized rear garden providing outdoor amenity space. Members may therefore consider that the proposed dwellings would provide an acceptable standard of accommodation for future occupiers.

The rear building line has been reduced in depth so as to no longer project such as to harm the neighbouring amenity of the existing flats on the site by way of sense of enclosure, dominance or loss of outlook. With regard to the neighbouring properties to the north and south, they are sufficiently separated so as not to be unduly harmed by way of unacceptable loss of outlook, increased sense of dominance or enclosure. Whilst an objection has been received on the grounds of loss of view, planning regulations do not protect views or give a right to a view and therefore this cannot be taken into consideration. With regard to the adjoining property to the west (#244), the proposal's front and rear building lines are approximately in line with those of that adjoining property. Furthermore, the closest adjacent window (in the front elevation) of the #244 is sufficiently separated so as to comply with the 45 degree BRE guidelines and will therefore not suffer any undue harm by way of loss of light, increased sense of enclosure or dominance. It is also noted that a separation to the side boundary of approximately 1.5m will be maintained. Overall, Members may consider that the proposal will not unduly impact on the amenities of the occupants of surrounding residential properties.

Council's Highway Planning Division, subsequent to the applicant providing tracking/swept path information, is now satisfied with the proposal subject to standard conditions and Members may therefore consider the application acceptable with regarding to parking and highways matters.

Having had regard to the above, Members may consider that the development in the manner proposed is acceptable in that it would not impact detrimentally on the character of the area or the streetscene, it would provide a suitable standard of accommodation for future occupiers, it would not result in a significant loss of amenity to local residents and it would not have a harmful impact in terms of parking and highway safety.

Background papers referred to during production of this report comprise all correspondence on the file ref. 14/01391, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 13.06.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
 ACA01R A01 Reason 3 years
 - 2 ACA04 Landscaping Scheme - full app no details
 ACA04R Reason A04
 - 3 ACK01 Compliance with submitted plan
- Reason:** In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.
- 4 ACC07 Materials as set out in application
 ACC07R Reason C07
 - 5 ACI17 No additional windows (2 inserts) eastern and western flank
 development
 ACI17R I17 reason (1 insert) BE1
 - 6 ACD02 Surface water drainage - no det. submitt
 AED02R Reason D02
 - 7 ACH03 Satisfactory parking - full application
 ACH03R Reason H03
 - 8 ACH16 Hardstanding for wash-down facilities
 ACH16R Reason H16
 - 9 ACH19 Refuse storage - implementation
 ACH19R Reason H19
 - 10 ACH22 Bicycle Parking
 ACH22R Reason H22
 - 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 No loose materials shall be used for surfacing of the parking and turning
 area hereby permitted.

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

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.

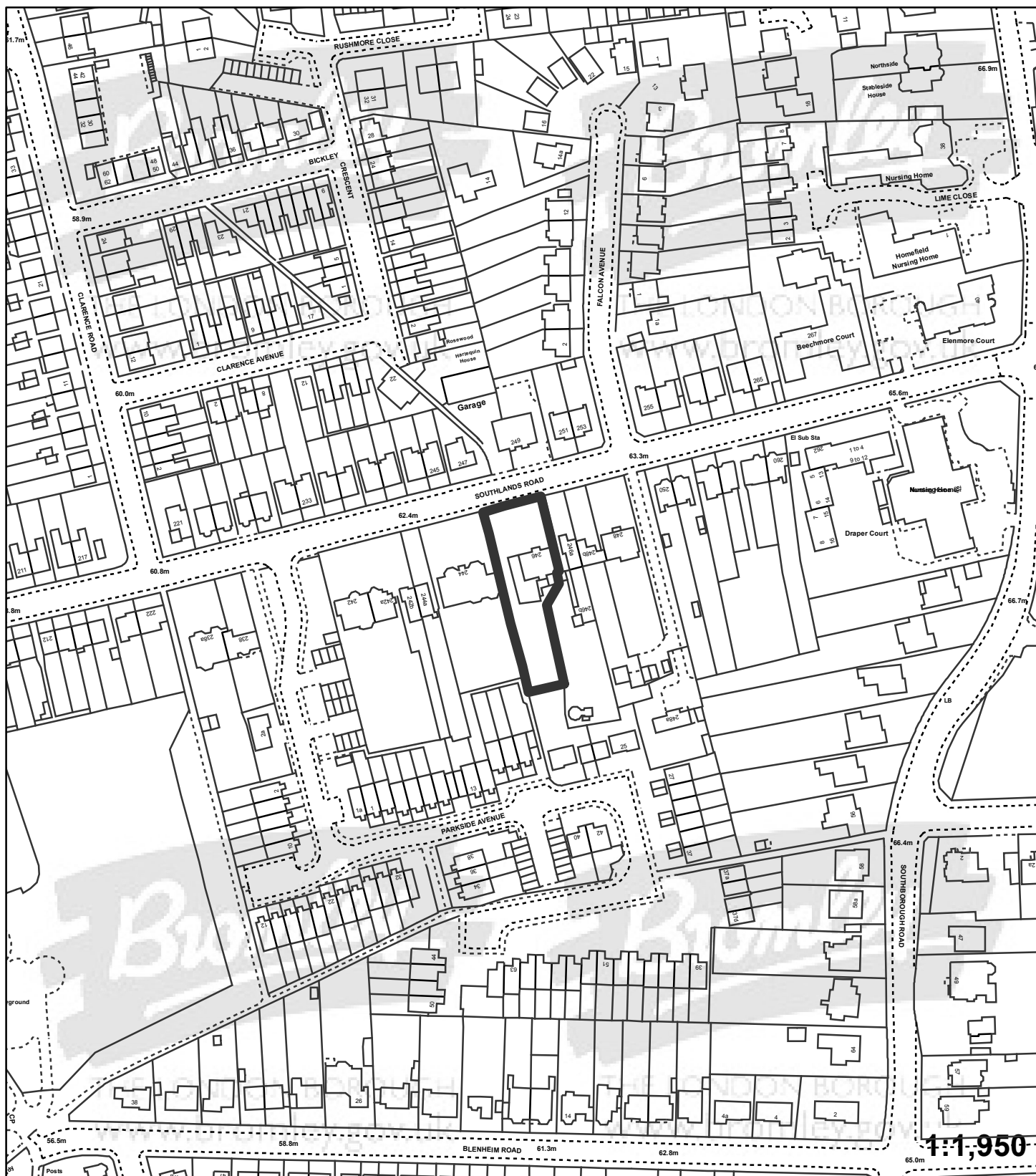
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

- 2 In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Application:14/01391/FULL1

Address: 246 Southlands Road Bromley BR1 2EQ

Proposal: Erection of a two storey with lower ground floor side extension to provide 3 x 2 bedroom flats with refuse storage and parking.



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

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

Application No : 14/01570/PLUD

Ward:
Bickley

Address : 11 Mavelstone Close Bromley BR1 2PJ

OS Grid Ref: E: 542207 N: 169997

Applicant : Mr Joseph Osunde

Objections : YES

Description of Development:

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

Key designations:

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

Proposal

A Certificate of Lawfulness is sought for the erection of 2 structures comprising:

- 1) a single storey rear porch extension measuring 1.35m (d) x 2.2m (w) x 2.35m (h)
- 2) a detached single storey building measuring 14.45m (d) x 6.8m (w) x 2.2m-3m (h) comprising hydrotherapy pool [measuring 2.25 (w) x 4.2m (d)], therapy room, treatment room, shower, plant room and storage cupboards.

The detached building would be separated from the porch extension and main house by just 25mm. It would be set back 0.9m from the eastern flank boundary with No.12.

An existing detached garage located in the rear garden adjacent to the eastern boundary would be demolished to make way for the proposal. Both proposed structures would have flat roofs.

Location

The application property is a detached chalet bungalow located at the far eastern end of the cul-de-sac, to the north of the turning head, and lies between two detached bungalows at Nos. 10 and 11 Mavelstone Close.

The surrounding area is characterised by a mixture of detached bungalows and two storey dwellings and is wholly residential in character.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 4 letters of representation were received from and on behalf of occupants of the neighbouring properties at Nos. 10, 11 and 12a which can be summarised as follows:

- the planning committee refused permission for a similar proposal
- the complexity and comprehensive nature of the building makes it akin to a full scale medical facility rather than a simple ancillary hydrotherapy family use, this raises questions for its potential use
- the 'therapy centre' is of a size more suited to commercial use than domestic and it could be used as a business either now or in the future
- there is no scope for additional off-road parking at the property for the inevitable additional vehicles which would bring clients or make deliveries, this would result in the turning circle at the end of the cul-de-sac being used as an unofficial car park
- the introduction of a cynical 2.5cm gap between the therapy centre and a porch extension is a travesty of permitted development rules and a slap in the face to neighbour concerns
- the proposal is within 2m of the boundary with No.12, both the side elevations clearly show that the eaves height for the whole building does not comply with the maximum eaves height of 2.5m
- the technical guidance published by the Department of Communities and Local Government states that to be permitted development, the building should be 2.5m in height at its highest point
- the proposed therapy centre section of the building is not a clearly separate outbuilding and therefore cannot be considered a Class E building
- in order to comprise permitted development, the Council will need to be satisfied that the building is so required for purposes incidental to the enjoyment of the house. In this regard it is submitted that the building is of an excessive size and proportions to be truly required for purposes incidental to the enjoyment of the house particularly with it occupying a sizeable footprint when compared to the dwelling itself
- the additional information submitted does not represent Government Guidance

Planning History

An appeal against the non-determination of application ref. 95/00467 for a side extension to this property along with a new roof with front and rear dormers was dismissed in November 1995 due to the proximity of the extension to the boundary and the positioning of a chimney.

A subsequent application (ref. 95/02829) for a single storey side extension, bay windows to the front, side and rear, and the increased height of the roof to provide first floor accommodation along with front and rear dormers was permitted in February 1996, and has been implemented. Apart from the introduction of a bay window projecting approx. 0.7m beyond the rear wall of the dwelling. There do not appear to be any other extensions to the rear.

Front boundary walls with railings and gates were permitted in 2010 under ref. 09/03223.

Under planning ref. 13/02565, planning permission was refused for a very similar proposal comprising a single storey rear extension for use as therapy centre. The grounds for refusal were as follows:

"The proposal would, due to its scale, height, bulk and proximity to the boundary, be harmful to the amenities currently enjoyed by the residents of 12 Mavelstone Close, by reason of an unacceptable visual impact and of loss of prospect, contrary to Policies BE1 and H8 of the Unitary Development Plan."

Planning Considerations

The main considerations are whether the proposals would fall within "permitted development" under Classes A and E of part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2008.

In particular consideration should be given to the following matters:

- 1) whether the detached single storey structure can be properly described as being provided for purposes which are incidental to the enjoyment of the dwellinghouse.
- 2) whether the 25mm gap between the porch extension and the detached single storey structure is sufficient separation for it to be classified as a Class E building.
- 3) whether the height of the detached structure exceeds the tolerances for a Class E building.
- 4) whether the extension single storey rear porch extension is considered to fall with Class A of the permitted development rights.

Conclusions

- 1) Is the detached structure incidental to the enjoyment of the dwelling house?

The applicant's child has severe cerebral palsy and therefore a number of complex medical needs. This is supported by factual medical evidence submitted in support of the previous planning application for the hydrotherapy pool. There were two visits made to the site which covered inspections of (ground floor) internal parts of the dwelling and external parts of the site. It was found that a proportion of the ground floor comprising a bedroom and bathroom had been permanently adapted to meet the child's needs. In addition the applicants agent has clarified the following in writing:

"The proposed single storey rear extension and the proposed outbuilding would be used by the applicant and his family for their own purposes in connection with their on-going family life with no commercial or other uses."

Notwithstanding the above, there is nothing within the General Permitted Development Order (GPDO) to prohibit the erection of an outbuilding for recreational use for the occupants of the dwellinghouse should it not be needed in connection with the special medical needs of the child. On this issue it is considered that the proposal is consistent with a use that is incidental to the enjoyment of the dwellinghouse.

The objector's agent has raised the question of the size of the building stating that the building is too large [in relation to the main house] to be truly required for purposes incidental to the enjoyment of the dwellinghouse. The GPDO requires that the size of the Class E structure be considered in relation to the percentage of ground covered and states that it should not exceed 50% of the total area of the curtilage(excluding the ground area of the original dwelling house).The subject proposal together with the previous extension to the property covers less than 50% of the curtilage threshold.

- 2) Proximity of the detached structure to the dwellinghouse

Prior to 2008, any curtilage building of more than 10 cubic metres constructed within 5 metres of an existing dwelling would have been treated as an enlargement to the dwellinghouse and so considered under Class A of the GPDO. That limitation was explicitly removed from the GPDO amendments which came into force in October 2008. The subsequent technical guidance (January 2013, April 2014) is not specific on this point but does not require Class E incidental buildings to be beyond a certain distance from the dwellinghouse. The submitted drawings indicate a building that whilst exceptionally close to the dwellinghouse is clearly and unambiguously detached.

Consideration has been given to 2 recent appeal decisions which deal with similar Class E incidental buildings. One related to a building within 25mm of the

dwellinghouse. The Inspector states at para 9-10 of APP/Q5300/X/10/2125856 as follows:

" it is argued that the proposal would be contrary to the intentions of the amended GPDO. However, that is belied by the explicit removal in October 2008 of the limitation relating to the curtilage buildings of more than 10 cubic metres. Had it been intended that some curtilage buildings should not be permitted because of their proximity to the dwelling, then it would be reasonable to expect that to be explicitly stated in the GPDO amendments...Under these circumstances, I consider that despite its proximity to the dwellinghouse the building would be a separate structure within the curtilage and not an enlargement of the dwelling."

The appeal decisions support the view that a Class E building need only be separated from the dwelling. (Appeal refs. APP/Q5300/X/10/2125856 & APP/J3530/X/12/2179210) The full text of the appeal decision is available on file.

3) Does the height of the detached structure exceed 2.5m

The height of the structure is shown on the plans to extend between 2.5m and 3m. The guidance states that a Class E building should not exceed: "(ii) 2.5 metres in height in the case of a building, enclosure or container within 2 metres of the boundary of the curtilage of the dwellinghouse." Furthermore it states that the height of the building should be measured from the ground level immediately adjacent to the building. On this basis it appears the building would be at odds with this guidance, however the General Issues preface to the GPDO guidance refers to general terms from the General Permitted Development Order 1995 that remain relevant (for the purposes of interpretation of the GPDO) as defined at that time with regards to the definition of height the following is stated:

" 'Height' - reference to height (for example, the heights of the eaves on a house extension) is the height measured from ground level. Ground level is the surface of the ground immediately adjacent to the building in question. Where ground level is not uniform (e.g. ground is sloping), then the ground level is the highest part of the surface of the ground next to the building."

An initial site visit clarified the fact that there were a number of levels on the site including a paved area and a raised patio both of which are adjacent to the house. There is an area of lawn beyond these areas from which the ground also slopes away.

The highest natural ground level is shown on the plans and was confirmed on site as the area adjacent to existing garage. The height of the subject building has been calculated as rising from this point. On this interpretation the height of the building does not exceed 2.5m above the highest "natural" ground level adjacent to the building.

Recent appeal decisions on this issue in 2009 and 2013 concur with this view and on this basis the structure [which appears to comply with the other thresholds for building of this type] would be within tolerances specified within Class E.

4) Is the porch extension considered to comply with Class A of the GPDO

The planning history appears to show that the dwelling has not been extended to the rear beyond the bay window extension under planning ref. 95/02829. It is considered therefore that the small rear porch extension which measures 1.35m (d) x 2.2m (w) x 2.35m (h) would comply with Class A of the GPDO. Notwithstanding, the above it is noted that the extension complies with thresholds set out under Class D of the GPDO which relates to permitted development rights for the erection of a porch.

In conclusion, the Certificate of Lawfulness should be granted as it complies with Classes A and E of the 2008 amendments to the GPDO.

Background papers referred to during production of this report comprise all correspondence on the files refs. 14/01570, 13/02565 and 95/02829, set out in the Planning History section above, excluding exempt information.

as amended by documents received on 17.06.2014

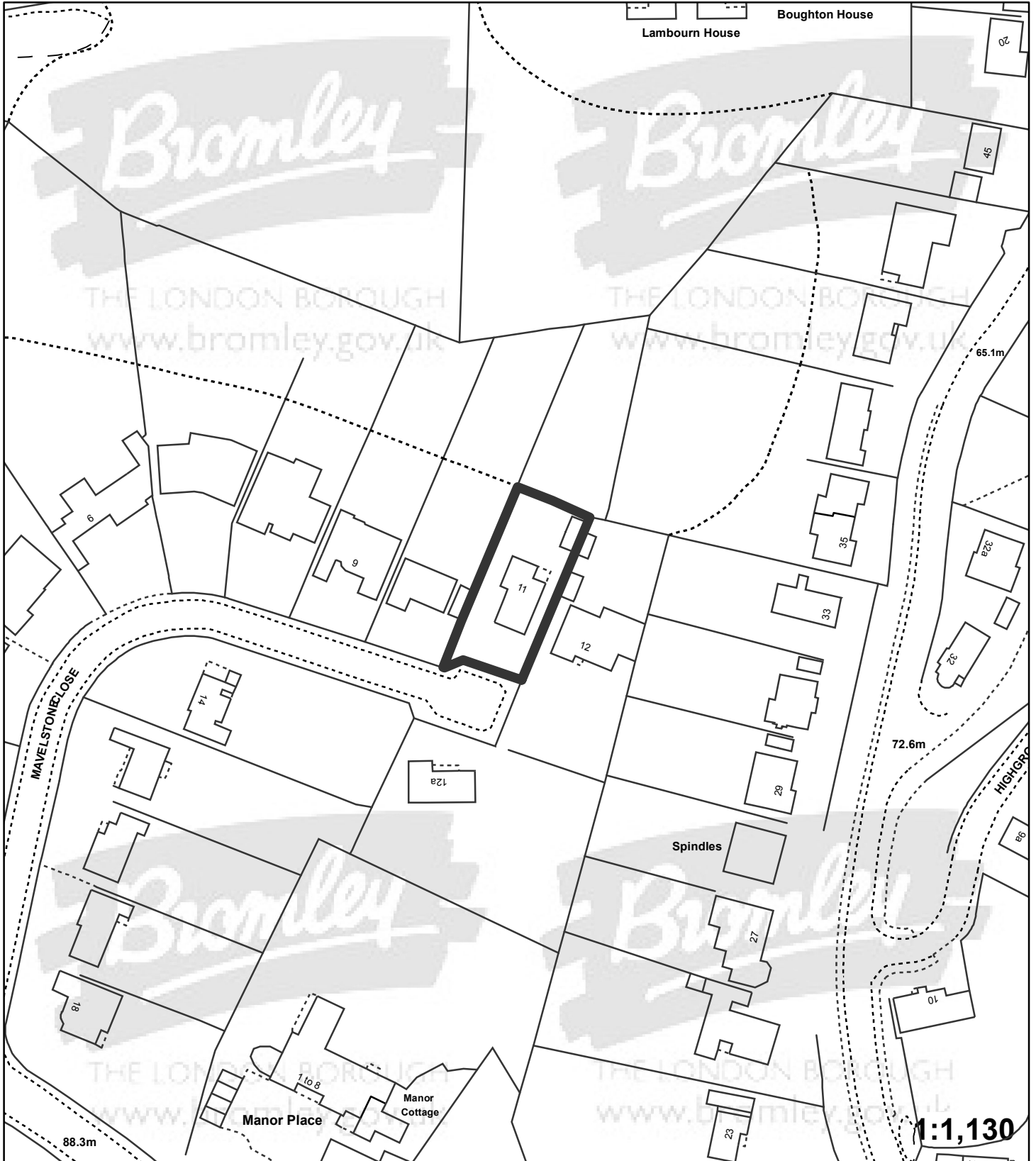
RECOMMENDATION: CERTIFICATE BE GRANTED

1 The proposed single storey rear extension and detached single storey building would fall within "permitted development" by virtue of Classes A & E Part 1 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995 (as amended)

Application:14/01570/PLUD

Address: 11 Mavelstone Close Bromley BR1 2PJ

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



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

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

Application No : 14/01600/FULL6

Ward:
Petts Wood And Knoll

Address : 18 Oatfield Road Orpington BR6 0ER

OS Grid Ref: E: 546051 N: 166238

Applicant : Mr R Williams

Objections : YES

Description of Development:

Two storey side, first floor extension with dormers to front and rear, two storey front extension and elevational alterations

Key designations:

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

Proposal

It is proposed to add a first floor extension over the side garage to the north of the dwelling, a two storey extension to the southern side of the dwelling, and a two storey front extension to provide a front porch with bedroom over. Front and rear dormers are also proposed, along with minor alterations to windows.

Location

This detached chalet bungalow is located at the far eastern end of Oatfield Road, and backs onto the rear garden of No.11 Vinson Close. The northern side boundary abuts a public footpath, whilst the southern flank boundary adjoins the rear garden of No.9 Vinson Close. To the west lies No.16a Oatfield Road which is set at a higher level.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received from Nos.9 and 11 Vinson Close which can be summarised as follows:

- overdevelopment of the site
- overshadowing of public footpath

- some trees to the rear have been removed which provided screening to 11 Vinson Close
- overlooking of garden and house at 11 Vinson Close
- private matters relating to the security of the site.

Planning Considerations

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

BE1 Design of New Development

H8 Residential Extensions

H9 Side Space

Conclusions

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

The proposed first floor extension over the existing garage would lie immediately adjacent to the northern flank boundary of the site, and would not therefore comply with the Council's side space policy which requires a minimum 1m side space to be retained to the side boundary for the full height of the building in respect of two storey development. However, the extension would abut a public footpath to the north, and would be separated by some distance from the nearest dwellings.

The two storey extension proposed to the southern side would be set back between 1-2.5m from the southern flank boundary, and both extensions would have a partly hipped side gable roof. The proposals are not, therefore, considered to result in a cramped form of development nor would they detract from the character and spatial standards of the surrounding area.

The proposed two storey front extension would project forward 2m, but there is no general building line due to the property's location at the far end of the cul-de-sac, and it is set at a lower level than the rest of the road, giving a more subservient appearance.

The proposed front and rear dormers would be modest in size, and would be well contained within the roof slopes.

With regard to the impact on neighbouring properties, the existing dwelling is set at a lower level than No.16a to the west which is a bungalow, and the extensions would be set back over 8m from the western boundary with this property. The proposals are not, therefore, considered to unduly affect light to or outlook from this property.

The extensions would be set back approximately 35m from the nearest dwelling to the rear at No.11, and there is some screening along this boundary, thereby adequately protecting the amenities of this property.

In conclusion, the proposals are not considered to have a detrimental effect on the character and spatial standards of the surrounding area, nor on the amenities of neighbouring properties.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC07 | Materials as set out in application |
| | ACC07R | Reason C07 |
| 3 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

Application:14/01600/FULL6

Address: 18 Oatfield Road Orpington BR6 0ER

Proposal: Two storey side, first floor extension with dormers to front and rear, two storey front extension and elevational alterations



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

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

Application No : 14/01887/FULL1

Ward:
Bickley

Address : 102 Nightingale Lane Bromley BR1 2SE

OS Grid Ref: E: 541262 N: 169111

Applicant : Mr Faisal Younus

Objections : YES

Description of Development:

Erection of part subterranean detached 3 bedroom dwelling with associated access road at land at rear of 102 Nightingale Lane.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency

Proposal

Planning permission is sought to construct a part subterranean dwelling within the rear part of the plot at 102 Nightingale Lane within what currently forms part of its rear garden. The dwelling would be accessed via a "grasscrete" drive between 102 and 104 Nightingale Lane (within land situated within No 102's existing curtilage). The proposed dwelling would be of irregular shape and occupy a fairly central position within its plot and incorporate a flat roof with the lower level accommodation partly visible below the proposed upper floor.

The application is the essentially the same as that previously refused. However, the previous decision was appealed and although dismissed, it was only on one of the original five reasons for refusal and concerned access and parking arrangements. All other aspects of the proposal were considered acceptable by the Inspector. The current application has been submitted in an attempt to overcome the sole remaining reason for refusal following the subsequent appeal decision.

Location

The application site forms part of the rear garden area of a detached two storey dwelling and is 0.1ha in area. The surrounding area is wholly residential in character and is characterised by predominantly individual houses, the majority of which are set within generous plots.

The site contains a large detached house constructed in the early-twentieth century which fronts Nightingale Lane. The site also adjoins the properties 17 and 19 Wanstead Road located to the west. The eastern site boundary adjoins a flatted development at Field Close which forms a self-contained development of 14 apartments.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 5 representations objecting to the proposal were received. The representations are available to view in full on file and can be summarised as follows:

- overlooking and resulting loss of privacy;
- loss of light;
- out of character with surrounding area;
- access road will insufficient for emergency and refuse vehicle access;
- separation distance between buildings as well as access drive harmful to living conditions of neighbouring properties;
- exacerbate parking problems;
- plans are inaccurate and should be looked at in the context of recent extensions and additions to neighbouring properties;
- property is not 'heavily treed' rather it is overgrown and unkempt;
- proposed trees will impact significantly on light;
- application an attempt to confound and deceive usually planning polices applied in Bromley and by the Planning Inspectorate;
- limited boundary screening;
- will set a precedent for back-garden development; and
- affect future values of adjoining properties.

Comments from Consultees

Thames Water: No objection.

Highways: Subsequent to receipt of revised drawings has no objection.

Environmental Health (Pollution): No objection.

Drainage: No objection.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density and Design
T3 Parking
T18 Road Safety
ER13 Foul and Surface Water Discharges from Development

The following Council adopted SPG guidance is also a consideration:

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

London Plan policies:

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

Planning History

The most relevant planning history is the planning application (Council ref. 13/00929/FULL1) refused in June 2013 for the erection of part subterranean detached 3 bedroom dwelling with associated access road at land at rear of 102 Nightingale Lane. The reasons for refusal being:

1. The proposed development, which would result in the loss of undeveloped garden land, constitutes a cramped and unacceptable form of backland development, out of character with adjoining development and harmful to the spatial characteristics of the area, thereby contrary to Policies H7 and BE1 of the Unitary Development Plan and Paragraph 53 of the National Planning Policy Framework.
2. The proposed access would harm the living conditions of the existing properties at Nos. 102 and 104 Nightingale Lane by reason of noise and disturbance, contrary to Policy BE1 of the Unitary Development Plan.
3. If permitted the development would be likely to set a pattern for similar undesirable backland development which would undermine the character and spatial standards associated with the area, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.
4. The layout of the access roads and turning arrangements to the proposed dwelling is inadequate and as such would be prejudicial to vehicle movement within the development, contrary to Policy T18 of the Unitary Development Plan.
5. The proposal lacks adequate on-site car parking and will be likely to lead to increased demand for on-street car parking in surrounding roads detrimental

to the amenities of nearby residents and prejudicial to the free flow of traffic and conditions of general safety along the highway, thereby contrary to Policies T3 and T18 of the Unitary Development Plan.

The decision to refuse the application was appealed (PINS ref. APP/G5180/A/13/2203458) with the appeal subsequently dismissed. However, whilst the appeal was dismissed, it is important for Members to note that it was only dismissed on one of the original five grounds for refusal relating specifically to access and parking arrangements. All of the other reasons for refusal were dismissed.

Conclusions

As noted above, the current proposal is essentially the same as the previous application. The only difference is improvements to the access and parking arrangements. These changes have been made in order to overcome the sole remaining reason for the previous refusal as determined by the Inspector in the previous appeal decision. In the conclusion of the appeal decision, the Inspector states:

The Government is seeking to significantly boost the supply of housing and requires applications for housing development to be considered in the context of the presumption in favour of sustainable development. The appeal site is within a residential area and there can be no objection in principle to its development, provided that this can be achieved without material harm to the local environment. The appeal proposal would make efficient use of land and provide an additional modest-sized home. I have found that it would not be harmful to the character and appearance of the area or to the living conditions of occupants of adjoining properties.

The Inspector goes on to state:

However, these positive aspects of the proposal are outweighed by my findings in relation to the proposed access and parking arrangements, which I have concluded would be potentially unsafe and inadequate to serve the development.

Given the above, it is respectfully considered that despite the objections of neighbours on other grounds, Members should limit consideration of the current application to the sole remaining reason for refusal relating to access and parking arrangements as identified by the Inspectorate in the previous appeal.

Following initial assessment of the application, the applicant was asked to demonstrate how an ambulance or delivery lorry would manoeuvre through the gate with a swept path analysis using auto track as well as indicating the location of the refuse storage. In consultation with Council's Highways Engineer the applicant improved the access for the emergency vehicle and the turning area as well as indicated the refuse storage area as being within a cupboard in the garage. Subsequent to assessment of the further information submitted by the applicant on 24 June 2014 the Highways Engineer no longer objects to the application subject to the imposition of standard conditions.

In conclusion, having had regard to the above Members may consider the proposed development acceptable as it would not be harmful to the character and appearance of the area or to the living conditions of occupants of adjoining properties. Furthermore, Members may consider that the proposed development is acceptable with regard to access and parking arrangements thereby overcoming the sole remaining reason for refusal as determined by the previously dismissed appeal.

Background papers referred to during production of this report comprise all correspondence on files refs. 14/01887 and 13/00929, excluding exempt information.

as amended by documents received on 24.06.2014

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 3 ACA04 Landscaping Scheme - full app no details
ACA04R Reason A04
- 4 ACA07 Boundary enclosure - no detail submitted
ACA07R Reason A07
- 5 ACK05 Slab levels - no details submitted
ACK05R K05 reason
- 6 ACC07 Materials as set out in application
ACC07R Reason C07
- 7 ACD02 Surface water drainage - no det. submitt
AED02R Reason D02
- 8 ACH03 Satisfactory parking - full application
ACH03R Reason H03
- 9 ACH05 Size of garage
ACH05R Reason H05
- 10 ACH08 Details of turning area
ACH08R Reason H08
- 11 ACH16 Hardstanding for wash-down facilities
ACH16R Reason H16
- 12 ACH19 Refuse storage - implementation
ACH19R Reason H19
- 13 ACH27 Arrangements for construction period
ACH27R Reason H27
- 14 ACH32 Highway Drainage
ADH32R Reason H32
- 15 No loose materials shall be used for surfacing of the parking and turning area hereby permitted.

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

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

Reason: In the interest of the visual amenities of the area and in order to prevent an overdevelopment of the site, to accord with Policy BE1 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 Before the use commences, the Applicant is advised to contact the Pollution Team of Environmental Health and Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites Code of Practice 2008 which is available on the Bromley web site.
- 3 If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 4 In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

Application:14/01887/FULL1

Address: 102 Nightingale Lane Bromley BR1 2SE

Proposal: Erection of part subterranean detached 3 bedroom dwelling with associated access road at land at rear of 102 Nightingale Lane.



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

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

Application No : 14/02031/FULL6

Ward:
Petts Wood And Knoll

Address : 3 Melbourne Close Orpington BR6 0BJ

OS Grid Ref: E: 545482 N: 166797

Applicant : Mr M Shearman

Objections : NO

Description of Development:

First floor side extension

Key designations:

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

Proposal

Permission is sought for a first floor side extension to the western side of this dwelling which would extend over an existing utility room, set behind the garage. The extension would be set back 5.4m from the front wall of the dwelling, and would have a separation to the western side boundary of between 0.9-1.65m.

Location

This two storey detached property is located at the end of a small cul-de-sac known as Melbourne Close, and is bounded to the west by No.2, and to the south-east by No.4.

Comments from Local Residents

No comments have been received from local residents.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Conclusions

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

The proposed first floor side extension would provide a separation to the side boundary of between 0.9-1.65m but would not strictly speaking comply with the Council's side space policy which requires a minimum 1m side space to be retained to the side boundary for the full height of the building in respect of two storey development. However, the extension would be set back 5.4m from the front of the dwelling behind the existing garage, and only a very small part of the extension would be closer than 1m to the side boundary.

The extension would have a low subservient hipped roof design, and the proposals are not considered to have a detrimental impact on the character and spatial standards of the surrounding area.

With regard to the impact on the amenities of neighbouring properties, the extension would be set back 0.9-1.65m from the western side boundary with No.2, and no flank windows are proposed. The proposals are not, therefore, considered to lead to a loss of light, privacy or outlook from the adjacent property.

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

RECOMMENDATION: PERMISSION

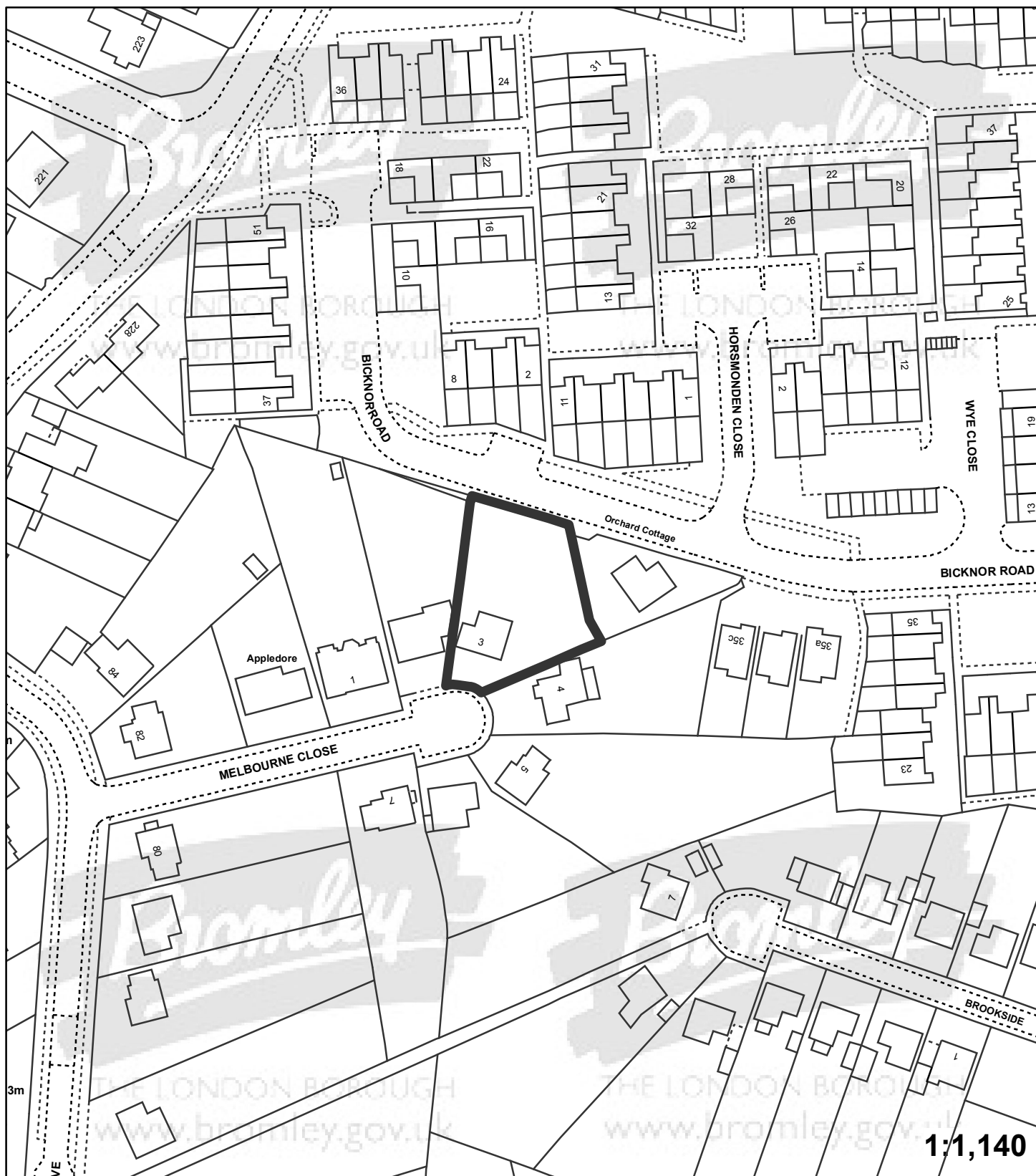
Subject to the following conditions:

- | | | |
|---|-----------------|---|
| 1 | ACA01
ACA01R | Commencement of development within 3 yrs
A01 Reason 3 years |
| 2 | ACC07
ACC07R | Materials as set out in application
Reason C07 |
| 3 | ACI13
ACI13R | No windows (2 inserts) western flank extension
I13 reason (1 insert) BE1 |
| 4 | ACK01
ACK05R | Compliance with submitted plan
K05 reason |

Application:14/02031/FULL6

Address: 3 Melbourne Close Orpington BR6 0BJ

Proposal: First floor side extension



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

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