



THE LONDON BOROUGH
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BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

TELEPHONE: 020 8464 3333

CONTACT: Lisa Thornley
lisa.thornley@bromley.gov.uk

DIRECT LINE: 020 8461 7566

FAX: 020 8290 0608

DATE: 12 May 2015

To: **ALL MEMBERS OF THE COUNCIL**

BY DECISION OF THE COUNCIL, THE AGENDA OF MEETINGS OF THE PLANS SUB-COMMITTEES ARE TO BE SENT TO ALL MEMBERS OF THE COUNCIL.

Subject to the Plans Sub-Committee being reconstituted and Members of the Sub-Committee being appointed by the Development Control Committee on Wednesday, 13 May 2015, there will be a meeting of the Plans Sub-Committee 1 at the Bromley Civic Centre on **THURSDAY 21 MAY 2015 AT 7.00 PM.**

MARK BOWEN
Director of Corporate Services

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

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

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

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

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

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

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

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PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 19 March 2015

Present:

Councillor Alexa Michael (Chairman)
Councillor Charles Joel (Vice-Chairman)
Councillors Douglas Auld, Teresa Ball, Nicholas Bennett J.P.,
Katy Boughey, Lydia Buttinger, Alan Collins, Ian Dunn and
Terence Nathan

Also Present:

Councillors Ruth Bennett, Will Harmer, William Huntington-
Thresher, Russell Mellor, Neil Reddin FCCA,
Michael Rutherford and Stephen Wells

26 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Ellie Harmer and Councillor Nicholas Bennett JP. attended as her substitute.

27 DECLARATIONS OF INTEREST

Councillor Nicholas Bennett JP. declared a personal interest in Item 4.11 as he was acquainted with the objector.

28 CONFIRMATION OF MINUTES OF MEETING HELD ON 22 JANUARY 2015

RESOLVED that the Minutes of the meeting held on 22 January 2015 be confirmed.

29 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

29.1 KELSEY AND EDEN PARK

**(14/04882/FULL1) - Unicorn Primary School,
Creswell Drive, Beckenham.**

Description of application – Construction of single storey extension and first floor extension to south elevation of school building to provide a meeting hall and 2 additional classroom spaces. Landscaping of car park to include 22 extra spaces and canopy

waiting area.

Oral representations in support of the application were received at the meeting. It was reported that a letter of support from the Executive Director, Education, Care and Health Services, Terry Parkin, had been received and circulated to Members. In addition, the development taking into account all relevant matters including the information submitted and the scale of the proposed development on the site, the development is not considered to be EIA development with the meaning of the regulations.

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.

SECTION 2

(Applications meriting special consideration)

29.2 HAYES AND CONEY HALL

(13/03743/FULL3) - All Saints Catholic School, Layhams Road, West Wickham.

Description of application – Demolition of all school buildings, with the exception of the Reception building, and part demolition of the North Stable block, and erection of 48 dwellings comprising 24x4 bed houses, 16x1 bed flats and 8x 2 bed flats and conversion of the stable block into 2x2 bed residential units, together with 108 car parking spaces. Associated landscaping, hardstanding areas, cycle stores and bin stores.

Conversion of existing Reception building to 799sqm of office floorspace (Class b1A) together with 8 dedicated car parking spaces and the construction of 2 tennis courts, designated car park. Erection of pavilion and amenity area for community use.

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Neil Reddin, were received at the meeting. The Chief Planner's Representative reported that a letter in objection to the application had been received from Wickham Court School and that the planning appeal for non-determination of the application was set for early April.

Members having considered the report, objections and representations, **RESOLVED to CONTEST THE APPEAL**, as recommended on the grounds set out in

the report of the Chief Planner.

**29.3
CHISLEHURST
CONSERVATION AREA**

(14/03754/VAR) - Darul Uloom, Foxbury Avenue, Chislehurst.

Description of application – Variation of condition 5 of permission reference 03/02501 to increase the number of pupils from 155 to 225.

Oral representations in support of the application were received at the meeting. It was reported that a number of emails in support of the application had been received together with a letter from Jo Johnson MP and a statement from Darul Uloom School had been circulated to Members. It was also reported that Highways Division had no objection to the application.

Ward Member, Councillor Katy Boughey, had visited the site and referred to its history and in her view an increase in pupil numbers and hence an increase in the use of the School playing field would impact on the rear gardens of the local residents who backed onto the school playing field. The additional support staff required by the proposed increase in school numbers would have an impact on traffic and parking on the surrounding roads. Councillor Auld referred to photographs showing the current impact of parking near to the School for Friday Prayers and in his view the parking had a detrimental impact on the green belt and in a conservation area.

Another Member had visited the site and in his opinion there was some distance between the residential properties and the School. He said that the Borough should be proud to have the only Islamic School in London and that the vast majority of boarders came from London and the South East.

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

1. The proposed increase in pupil numbers and boarders will give rise to additional noise and disturbance by reason of increased activity associated with the use, detrimental to the amenities of neighbouring residential properties, and contrary to Policy BE1 of the Unitary Development Plan.
2. The proposal would result in an undesirable intensification of activity within the site (which in itself does not constitute an appropriate use within the

Green Belt) resulting in additional activity within the site and surroundings, and is injurious to the open and rural character of the wider Green Belt, thereby contrary to Policy G1 of the Unitary Development Plan and Section 9 of the National Planning Policy Framework – Protecting Green Belt Land.

3. The proposal would intensify the use of the site and vehicular activity within surrounding roads, which would be likely to lead to conditions prejudicial to the free flow and general safety of traffic along these roads, contrary to Policy T18 of the Unitary Development Plan.

(THE CHAIRMAN USED HER CASTING VOTE)

29.4 BROMLEY TOWN

(14/04199/FULL1) - 165 Masons Hill, Bromley.

Description of application - Demolition of existing buildings at 165-169 Masons Hill and 1-3 Homesdale Road and erection of part 3/4/5 storey mixed-use development comprising 328sqm ground floor Class A1 (retail) unit, 29 flats (20x2 bed and 9x1 bed) with car park for 24 cars (19 residential and 5 retail), cycle and refuse storage and associated landscaping.

The Chief Planner's Representative referred paragraph 5 on page 47 of the Chief Planner's report. If this application were to be permitted then a condition would be applied, and not by way of a legal agreement, to restrict the eligibility of future occupiers of the units to apply to the Council for a Residents Parking Permit.

Members having considered the report and objections, **RESOLVED** that **PERMISSION BE GRANTED, SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT**, to secure affordable housing and a contribution for education and health infrastructure as recommended, and subject to the conditions and informatives set out in the report of the Chief Planner with a further condition to read:-

"21. Before the development hereby permitted is occupied arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the vicinity of the site at any time.

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

**29.5
KELSEY AND EDEN PARK**

(14/04503/FULL1) - 33 Upper Elmers End Road, Beckenham.

Description of application – Change of use of land to the rear of Nos. 39 - 57 Upper Elmers End Road from public car park (Sui Generis) to car parking in association with the use of the car showroom at No. 33 Upper Elmers End Road.

It was reported that further objections to the application had been received and that the ordnance survey plan on page 59 of the Chief Planner’s report was incorrect and a correct plan had been circulated to Members.

Members having considered the report and objections, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with an amendment to Condition 2 to read:-
“2. The land shall be used solely for the parking of vehicles in connection with Nos. 33 Upper Elmers End Road and no car sales or valeting, or repair works shall take place on the land at any time.

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

**29.6
DARWIN CONSERVATION
AREA**

(14/04878/FULL1) - Trowmers, Luxted Road, Downe.

Description of application – Detached two storey 4 bedroom dwelling with attached double garage and vehicular access from Luxted Road on Land Adjacent to Trowmers.

Members having considered the report and objections, **RESOLVED to CONTEST THE APPEAL**, as recommended on the grounds set out in the report of the Chief Planner.

29.7
DARWIN

(14/04955/FULL6) - Uplands, Single Street, Berrys Green, Westerham.

Description of application - First floor side extension and front and rear dormers.

Oral representations in support of the application were received at the meeting. Photographs from the Applicant had been received and circulated to Members.

Members having considered the report and representations, **RESOLVED that PERMISSION be GRANTED** subject to the following conditions:-

“1. The development to which this permission relates must be begun not later than the expiration of 3 years, beginning with the date of this decision notice.

REASON: Section 91, Town and Country Planning Act 1990.

2. Unless otherwise agreed in writing by the Local Planning Authority the materials to be used for the external surfaces of the development hereby permitted shall as far as is practicable match those of the existing building.

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

REASON: To enable the Council to consider future development of the site in the interests of the openness and visual amenity of the Green Belt, and to accord with Policies G1 and G4 of the Unitary Development Plan, and Section 9 of the National Planning Policy Framework – Protecting Green Belt Lane

**29.8
BROMLEY TOWN**

(14/05019/FULL1) - 74 Madeira Avenue, Bromley.

Description of application – Demolition of existing bungalow and replacement building comprising 5 x 2 bedroom apartment and off road car parking.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Michael Rutherford, in objection to the application were received at the meeting. It was reported that further objections to the application had been received. Objections to the application from the three Ward Members for Bromley Town Ward had been received and circulated to Members together with a statement from the Ravensbourne Valley Preservation Society.

Ward Member, Councillor Michael Rutherford, said he had been contacted by many members of the public and the Ravensbourne Valley Preservation Society who objected to the application. He was concerned that the density, mass and bulk of the proposed development would have an adverse impact on the residential amenity and street scene.

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

1. The proposal would, by reason of its scale, height, massing, density, site cover and type of housing proposed, constitute an overdominant and incongruous form of development, out of character with neighbouring development, and harmful to neighbouring amenity by reason of overlooking and loss of privacy; and, if permitted, would be likely to set a pattern for similar undesirable development along this part of Madeira Avenue which is made up of individual family houses, contrary to Policies BE1 and H9 of the Unitary Development Plan.

**29.9
COPERS COPE**

(15/00200/PLUD) - 89D Albemarle Road, Beckenham.

Description of application – Single storey rear extension for which prior approval was determined under ref: 14/04529/HHPA
CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT.

Oral representations from Ward Member, Councillor

Russell Mellor, in support of the application were received at the meeting.

Members having considered the report, **RESOLVED** that **A CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT BE GRANTED** as recommended, for the reason set out in the report of the Chief Planner.

SECTION 3

(Applications recommended for permission, approval or consent)

29.10 CHISLEHURST

(14/04436/FULL1) - Pavilion, Chislehurst Recreation Ground, Empress Drive, Chislehurst.

Description of application – Demolition of existing clubhouse and construction of new sports pavilion/changing rooms, cafe and spectator toilets.

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 PERMISSION be GRANTED** as recommended, subject to the conditions and informative set out in the report of the Chief Planner with three further conditions to read:-
“10. Details of a scheme of landscaping for the area to the rear of the building hereby permitted, and along the length of the boundary of the site with properties in Willow Vale, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development. The approved scheme shall be implemented in the first planning season following the first occupation of the building or the substantial completion of the development: whichever is the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

11. The building hereby permitted shall be used only by FC Elmstead and associated users of the park, and shall not be rented/hired out or made available to any other groups/individuals.

RESON: In the interest of the amenities of neighbouring residents and fellow park users, and to

accord with Policy BE1 of the Unitary Development Plan.

12. The building hereby permitted shall not be used before 08:00 hours or after one hour past sunset on any day.

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

**29.11
COPERS COPE**

**(14/04658/FULL1) - 10 Copers Cope Road,
Beckenham.**

Description of application – Erection of single storey building to rear with basement and external lightwell.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Russell Mellor, were received at the meeting. It was reported that photographs from a neighbour had been received and circulated to Members.

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 an amendment to Condition 10 and two further conditions to read:-

“10. The external lightwell area to the rear of the building shall not be used at any time.

REASON: In order to comply with Policy BE1 of the Unitary Development Plan and to protect the amenities of the neighbouring residents and to comply with the application.

13. No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the northern and eastern elevation(s) of the building hereby permitted, without the prior approval in writing of the Local Planning Authority.

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

14. No washing or drying machines within the permitted building shall be used before 08:00 hours or after 12 noon on any day.

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

**29.12
CHISLEHURST
CONSERVATION AREA**

(14/04688/FULL6) - 2 Green Lane, Chislehurst.

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

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

**29.13
ORPINGTON**

(15/00023/FULL2) - Berwick House, 8-10 Knoll Rise, Orpington.

Description of application – Change of use from of Block A from physiotherapist (Use Class D1) to residential (Class C3) use comprising of four residential flats.

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 set out in the report of the Chief Planner.

SECTION 4

(Applications recommended for refusal or disapproval of details)

**29.14
CRAY VALLEY EAST**

(14/02868/FULL2) - Waldens Farm, Crockenhill Road, Swanley.

Description of application – Continuation of use of land as an animal rescue centre RETROSPECTIVE APPLICATION

Oral representations in support of the application were received at the meeting. It was reported that further objections to the application had been received. It was also reported that the ordnance survey map on page 118 of the Chief Planner's report was incorrect and a correct plan had been circulated to Members. A statement from Kevington Residents' Association in objection to the application had been received and also circulated to Members.

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

“INFORMATIVE: You are advised that enforcement action has been authorised in respect of some or all of the development subject of this planning decision and you should contact the Planning Investigation Team on 020 8461 7730 or by email to planningappeals@bromley.gov.uk to discuss what you need to do to avoid formal action by the Council.”
It was **FURTHER RESOLVED** that **ENFORCEMENT ACTION BE AUTHORISED** to seek the discontinuance of the use of the site with a six month compliance period.

30 TREE PRESERVATION ORDERS

30.1
KELSEY AND EDEN PARK (DRR/15/031) - Confirmation of Tree Preservation Order No. 2601 at Land Adjacent to 131 Merlin Grove, Beckenham.

Members having considered the report, **RESOLVED** that **Tree Preservation Order Number 2601** relating to on oak tree **BE CONFIRMED WITHOUT MODIFICATION**, as recommended, in the report of the Chief Planner.

The Meeting ended at 9.14 pm

Chairman

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SECTION '2' – Applications meriting special consideration

Application No : 14/04249/FULL1

Ward:
Plaistow And Sundridge

Address : 67 Plaistow Lane Bromley BR1 3JF

OS Grid Ref: E: 540916 N: 170215

Applicant :

Objections : YES

Description of Development:

Demolition of existing Gate House and erection of a two storey 2 bedroom dwelling with detached garage, gates and Pillars to Willoughby Lane and alterations to vehicular and pedestrian access.

Key designations:

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

Proposal

Joint Report with application 14/04252

This application seeks permission for redevelopment of the Gate House Willoughby Lane Bromley. The Sundridge Park estate is set within Metropolitan Open Land (MOL), which extends to include the Gate House site. It is also within the designated Grade II Sundridge Park Historic Park and Garden, which also includes the two Golf Courses. The Gate House is located within the setting of the Grade I Mansion House.

It is considered that the lodge is listed by being within the curtilage of Sundridge Mansion.

This is a joint application with an associated application 14/04252 for a Listed Building Consent.

Location

The property is an existing gate house for the Sundridge Park Mansion located on the Northern side of Plaistow Lane. Plaistow Lane bends sharply to the West.

Consultations

Comments from Local Residents

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

In opposition:

The building has been allowed to fall into disrepair.
The building should be kept as a place to appreciate.
Few Listed in Bromley
Gate House was part of Sundridge Park Estate
Historic asset loss unacceptable

In support:

The gate house is of indifferent architectural quality and has sadly fallen into a derelict condition.

In favour of the replacement.

Environmental Health - no objections in principle. However, a contamination assessment on the adjacent site 2003-2005 found elevated concentrations of lead, zinc, arsenic across the site. A condition is recommended.

Revised plans for the access to the site have been submitted as part of this application. Highway Planning is of the view that the area shown in red on drawing number 5200/35/TCI drawn by TCI belongs to LBB and would be subject to Sec 278.

The applicant has now submitted two more drawings. Drawing No 14.60 - 001 is for proposed junction improvement and drawing No W860 - 001 is for refuse vehicle swept path analysis. They are satisfied with the above mentioned drawings as they are an improvement to the junction, however, would also like to see drainage details for adjustment of any gullies if and when the application is accepted.

English Heritage:

English Heritage advise that The Gate House is located at the junction between Plaistow Lane and the historic carriageway to the Mansion which is now known as

Willoughby Lane. It forms part of a Humphry Repton designed landscape which is listed at Grade II in English Heritage's Register of Historic Parks and Gardens, and is specifically mentioned in the list entry.

The building is also listed within the curtilage of Grade I Sundridge Park Mansion which was built in late 18th century to a design by John Nash and Samuel Wyatt. As identified in the submitted Design and Access Statement, the Gate House is likely to be contemporary with the Mansion (p10) and although the architect remains unknown, the building bears architectural similarities to a number of gatehouses by both Nash and Wyatt. The building has suffered from undesirable later extensions and alterations, and now possesses a somewhat plain and dilapidated character. Nonetheless, it is considered by English Heritage to be a designated heritage asset of both architectural and historic interest.

Impact.

The proposals seek to demolish the existing Gate House and erect a two storey replacement gate lodge and garage. It is also proposed to reconstruct the removed gate piers using salvaged and new material. The design of the proposed new building traditional building materials. Improvements to the pavement along Plaistow Lane would be secured by the pulling back of the new build from the roadside.

Policy

In considering these proposals, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a duty on your Authority to consider the impact of development proposal upon listed buildings. It states that the determining authority 'shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

The National Planning Policy Framework (NPPF) sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. Conserving heritage assets in a manner appropriate to their significance forms one of the 12 core principles that define sustainable development.

Specific policies relevant to this case include Paragraphs:

- o 128 which refers to the need of fully understanding the heritage significance of a site when making decisions
- o 130 which indicates that where there is evidence of deliberate neglect or damage to a heritage asset, the deteriorated state of the asset should not be taken into account in any decision
- o 131 which advises local authorities to take into account the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation
- o 132 which states that any harm to a designated heritage asset should require clear and convincing justification

o 134 which states that when a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

English Heritage's Position:

The total demolition of the Gate House would cause a significant amount of harm which in our view has not been justified or supported in terms of national planning policy. As identified in this advice letter, we consider the Gate House to be of architectural significance and of much historic significance. It contributes to the significance of both the Grade I listed Mansion, and the Grade II Registered Park.

Although the submitted Design and Access Statement argues the acceptability of the proposed work, it does acknowledge that the building is likely to be contemporary with the Mansion and bears architectural similarity to similar lodges by both Nash and Wyatt. The submitted information stresses that the building is in a poor condition and does not provide sufficient accommodation to support refurbishment for sale on the open market. We understand the building has been in the same ownership for some time, and if so, the dilapidated state of the structure cannot be used as justification for the work (Para 130, NPPF). Furthermore, without market testing, or the submission of a full condition survey, we do not consider that clear and convincing justification for the demolition has been provided (Para 132, NPPF). We recognise that there would be some public benefit in improving the pavement around the lodge as expressed in Dermot McCaffery letter of 18th July. However, we do not consider that this public benefit is sufficient to offset the harm caused by the total loss of the original Gate House (Para 134, NPPF).

Recommendation

We are therefore currently unable to support these proposals and we would encourage revisions to be explored to retain the existing structure. The submitted documentation stresses the limitations of the existing accommodation and therefore English Heritage can accept an extension to the rear to meet these desires. Historic research has already been carried out by the applicant on similar lodges of the period, and this information could be used to inform the design of such an extension. For example, the East Lodge (Palmer's Lodge) at Holkham Hall bears a striking similarity to the Gate House at Sundridge Park. However, unlike the Gate House, East Lodge features pedimented entrances, and a generous range to the rear. The removal of the modern accretions, reinstatement of gate piers, and an appropriate extension based on scholarly research could present a real opportunity to enhance the significance of both the curtilage listed building and the Registered Park (Para 131, NPPF).

In addition, EH have commented on the Building Survey for Sundridge Park Gate House prepared by Kempton Carr Croft Property Consultants.

English Heritage's position is as we indicated, we consider the Gate House to be a designated heritage asset by virtue of its age and location within the curtilage of the Grade I listed Sundridge Park Mansion, as well as being a key feature within the Grade II Registered Park. As such, we do not consider that the current proposals to demolish the building comply with national planning policy. The submitted Report provides some additional justification for the proposals which we have now reviewed.

We note from the Report that the survey was subjected to limited visual inspections only and specialist tests have not been applied. Therefore the overall opinion in the Report that substantial rebuilding and underpinning is required has not been fully demonstrated in our view. Our Surveyor has indicated that whilst the building is in need of urgent attention, its condition appears typical to that of a building which has been left unoccupied for a significant period and subjected to theft of its roofing materials. The various repairs and improvements listed on page 3 of the Report are the usual works to be expected following such deterioration and each has a practicable solution, whether involving repair or local rebuilding. It is also considered that any need for underpinning or for chimney rebuilding could easily be achieved, and although the concrete flooring may have exacerbated the structural problems, there are several acceptable proprietary methods of upgrading solid masonry structures to the levels of insulation to acceptable standards. Regarding the concerns about insurance, there are countless examples of historic buildings throughout the country which have suffered severe structural deformations, often through settlement, and that have been subsequently very satisfactorily repaired for residential use utilising a range of professional advices available in the market place. In light of the Report and our on-site inspection, our Surveyor has stressed the need for secure access to the building to make it safe from illegal entry, and also for protective treatments to make the building wind and watertight including the fitting of a protective roof supported by scaffolding over the top of the building. Some monitoring of the building would also be required.

We therefore rest on the comments in the attached letter and would strongly recommend that options are explored to retain the existing structure.

From a Listed Building point of view:

EH deem its loss to cause "less than substantial harm" to the listed building and therefore paragraph 134 of NPPF applies. There is no public benefit proposed that would in my view justify its loss. Furthermore EH are of the view that it has not been satisfactorily demonstrated that the building cannot be repaired. On this basis I recommend we strongly resist

Planning Considerations

Policies within the Bromley Unitary Development Plan including

BE1
BE8
G2

In considering these proposals, Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) places a duty the Authority to consider the impact of development proposal upon listed buildings. It states that the determining authority 'shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses'.

The National Planning Policy Framework (NPPF) sets out the Government's policies for decision making on development proposals. At the heart of the framework is a presumption in favour of 'sustainable development'. Conserving heritage assets in a manner appropriate to their significance forms one of the core principles that define sustainable development.

In strategic terms the most relevant London Plan policies are:

2.8 Outer London: Transport
3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Quality And Design Of Housing Developments
5.3 Sustainable Design And Construction

Conclusions

Conclusions

The main issues to be considered are:

- the loss of Listed Building
- the quality of the replacement housing proposed
- the acceptability of residential development within the MOL
- the impact on the setting and character of the Statutory Listed Building
- the impact on the amenities of neighbouring residential properties
- the impact on highway safety and parking

Density and quality of housing

The replacement house in itself may be acceptable were it not for the fact the existing gate house building in within the grounds of Statutory Listed building and therefore Listed itself. The loss of which is unacceptable.

London Plan Policy 3.3 sets out minimum space standards and the unit would all provide a suitable internal layout in this regard.

Impact on the Metropolitan Open Land

The site lies within MOL, new buildings are inappropriate unless very special circumstances are demonstrated. It is noted that this would replace an existing building but with a similar footprint.

Impact on the Statutory Listed Building

The proposal remove the statutory Listed Building this would seem unacceptable following on from English Heritage advice.

Impact on the amenities of neighbouring residential properties

The proposed development is considered to have a limited impact on the amenities of neighbouring residential properties in terms of prospect, sunlight and daylighting, other properties are a considerable distance away.

Impact on highways and car parking

In terms of the revised access layout the development appears to be acceptable.

Summary

Having regard to the above it is considered that the proposal is unacceptable in terms of the loss of the Listed Gate house

It is therefore recommended that Members refuse planning permission.

Background papers referred to during the production of this report comprise all correspondence on file ref: 14/04252 and 14/4252, excluding exempt information.

In terms of the Listed Building Consent application the proposal seeks to demolish and replace building with a new lodge building. The building is at present in need of renovation The application for Listed Building Consent is, however, accompanied by a full planning application This corresponding planning application is considered unacceptable and therefore it is considered premature to grant Listed Building Consent without a suitable corresponding planning permission.

Having had regard to the above is recommended that Members refuse Listed Building Consent.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

01 The proposal would result in the unacceptable loss of the existing Statutory Listed Building, thereby contrary to Policies BE1 and BE8 of the Unitary Development Plan.

SECTION '2' – Applications meriting special consideration

Application No : 14/04252/LBC

Ward:
Plaistow And Sundridge

Address : 67 Plaistow Lane Bromley BR1 3JF

OS Grid Ref: E: 540916 N: 170215

Applicant :

Objections : YES

Description of Development:

Demolition of existing Gate House and erection of a two storey 2 bedroom dwelling with detached garage, gates and Pillars to Willoughby Lane and alterations to vehicular and pedestrian access. LISTED BUILDING CONSENT.

Key designations:

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

Proposal

Joint report with application 14/04249:

This application is for Listed Building Consent for Demolition of existing Gate House and erection of a two storey 2 bedroom dwelling with detached garage, gates and Pillars to Willoughby Lane and alterations to vehicular and pedestrian access.

Conclusions

Conclusions

The main issue relating to this application is the effect that the proposal would have on the Statutory Listed Building.

The proposal seeks to demolish and replace building with a new lodge building. The building is at present in need of renovation. The application for Listed Building Consent is, however, accompanied by a full planning application This

corresponding planning application is considered unacceptable and therefore it is considered premature to grant Listed Building Consent without a suitable corresponding planning permission.

Having had regard to the above it is recommended that Members refuse Listed Building Consent.

Background papers referred to during production of this report comprise all correspondence on file ref(s). 14/04249 and 14/04255 and , excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

01 In the absence of a suitable planning permission for the replacement of the Listed Building, it would be premature to grant consent for the Listed Building works, thereby contrary to Policy BE8 of the Unitary Development Plan.

SECTION '2' – Applications meriting special consideration

Application No : 14/04528/PLUD

Ward:
Bromley Town

Address : 17 Cameron Road Bromley BR2 9AY

OS Grid Ref: E: 540180 N: 167977

Applicant : Mrs B Hammond

Objections : YES

Description of Development:

Single storey side extension
CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT

Key designations:

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

Proposal

The application was deferred from Plans Sub-Committee No. 3 on 19th February 2015, without prejudice, to allow the applicant to submit existing and proposed plans to show the land at the front of the property.

At the time of writing this report, no such plans have been submitted. However, the applicant submitted the following supporting statement (dated 19/02/15):

I can confirm that the application is for a single storey side extension at ground floor level.

The works will provide a store for the family's bicycles etc, and not for a car as clearly the store is not large enough for a car.

In addition it is confirmed that there is no intention at this point in time to alter the topography of the frontage to provide vehicular access but merely maintain the current pedestrian access.

A copy of a land registry title showing the extent of the land included within the freehold of 17 Cameron Road.

Further comments have also been received from the owners/occupiers of 15 Cameron Road and have been included in the summary below

On 10th March 2015, the applicant submitted an appeal against non-determination. Members are therefore requested to consider the previous report, which is repeated below, and determine whether or not there are grounds to contest the appeal.

On 15th April 2015, the above GPDO was replaced by the GPDO 2015, however, as the application was received on 24th November 2014 the 1995 regulations (as amended) should be applied.

Location

The application site consists of a two storey detached dwellinghouse. The site is not within a designated Conservation Area, however, it is covered by a blanket Tree Protection Order (TPO).

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received from the owners/occupiers of No.15 which can be summarised as follows:

- effect on silver birch tree in neighbouring garden
- plans are inaccurate and misleading
- position of tree misrepresented
- insufficient clarity to enable the LPA to understand "exactly what is involved in the proposal"
- diagrams provided ignore the current lay of the land
- will require levelling and a pathway in front of the proposed store room to gain access
- such work would not be permitted development as it would extend beyond the current wall which fronts a highway
- nowhere is this work mentioned
- wall will have to be demolished
- works will affect grass area, driveway and stability of neighbouring land
- propose to build on land over which there is a dispute over ownership
- central heating vent will discharge onto neighbouring property
- position of tree is not shown accurately on plan - only 30 cm's away from boundary
- in breach of policy NE7
- application does not contain any statement referring to neighbouring owners interest in land under article 21(2)(c)
- no reference to any works which will be required to area in front of extension.

Planning Considerations

The application requires the Council to consider whether the extension would be classified as permitted development under Class A, Part 1 Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (as amended) and whether any permitted development rights are restricted.

Members will appreciate that Lawful Development Certificates are a legal determination based upon factual information. It is therefore not possible to take into account comments or other considerations related to the normal planning merits of the case.

Planning History

Under application ref.13/03893, an application for a part one/two storey side/rear extension and single storey front extension and elevational alterations was refused. The reason for refusal was:

The proposed extension is likely to adversely affect the long term future of the birch tree at the adjacent property, No. 15 Cameron Road, which contributes to the character and appearance of the area and which would be contrary to Policy NE7 of the Unitary Development Plan.

More recently, a planning application was submitted but subsequently withdrawn for a Part one/two storey side/rear extension and single storey front extension and elevational alterations (ref.14/02323).

Conclusions

Class A. The enlargement, improvement or other alteration of a dwellinghouse

The following criteria apply to this proposal:

- a) As a result of the works, the total area of ground covered by buildings (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage (excluding the ground area of the original dwellinghouse);
- b) the height of the part of the dwellinghouse enlarged would not exceed the height of the highest part of the roof of the existing dwellinghouse;
- c) the height of the eaves of the part of dwellinghouse enlarged would not exceed the height of the eaves of the existing dwellinghouse;
- d) the enlarged part of the dwellinghouse would not extend beyond a wall which -
 - (i) fronts a highway, and
 - (ii) forms either the principal elevation or a side elevation of the original dwellinghouse;
- e) the enlarged part of the dwellinghouse would have a single storey and would not extend beyond the rear wall of the original dwellinghouse, nor would it exceed 4 metres in height;

- f) the enlarged part of the dwellinghouse would have a single storey;
- g) the enlarged part of the dwellinghouse would be within 2 metres of the boundary of the curtilage of the dwellinghouse and the height of the eaves of the enlarged part would not exceed 3 metres;
- h) the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse and would not:
 - (i) exceed 4 metres in height,
 - (ii) have more than one storey, or
 - (iii) have a width greater than half the width of the original dwellinghouse;;
- i) the development proposed does not consist of or include any of the following:
 - a veranda, balcony or raised platform;
 - a microwave antenna;
 - a chimney, flue or soil and vent pipe;
 - an alteration to any part of the roof of the dwellinghouse.

The dwellinghouse is not on article 1(5) land.

Furthermore, the application site appears to benefit from full permitted development rights for a dwellinghouse.

The proposed extension would fall within permitted development under Class A, subject to the following condition being met:

- a) the materials used in any exterior work shall be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse.

Background papers referred to during production of this report comprise all correspondence on the files refs.14/04528, 14/02323 and 13/03893, set out in the Planning History section above, excluding exempt information.

Therefore Members are requested to resolve not to contest the appeal.

RECOMMENDATION: RESOLVE NOT TO CONTEST APPEAL

- 1 The proposed development is permitted by virtue of Class A, Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, (as amended).

SECTION '2' – Applications meriting special consideration

Application No : 14/04633/FULL1

Ward:
Chislehurst

Address : Old Woodlands Brenchley Close
Chislehurst BR7 5NQ

OS Grid Ref: E: 543345 N: 169720

Applicant : Robust Developments Ltd

Objections : YES

Description of Development:

Erection of detached two storey 4 bedroom dwelling

Key designations:

Conservation Area: Chislehurst

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

London City Airport Safeguarding Birds

Proposal

The proposal involves the subdivision of the existing site, the southern part of which would be occupied by a two-storey detached house, which would broadly incorporate a maximum 11.7m (depth) x 10.9m (width). It would rise to a maximum height of 10.m (as measured from the lowest part of ground level indicated on the submitted plans). The proposed dwelling will incorporate a prominent gable roof along its front elevation and dormers along the front, side and rear.

Following the receipt of revised plans (received 17.3.15) the proposed building has been re-sited to provide a wider separation to the western site boundary and enable the retention of a line of trees straddling that boundary.

The application is accompanied by an Arboricultural Report and a Planning, Design and Access Statement. The Arboricultural Report has been revised to take account of the revised plans (received 17.3.15).

Location

The site occupies a corner position adjacent to the junction of Old Hill which forms part of the B264 route and Brenchley Close which comprises a residential cul-de-sac.

The site falls within the Chislehurst Conservation Area.

Comments from Local Residents

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

- there is already existing parking congestion which will be accentuated as a result of the proposal
- entrance to Brenchley Close and Davema Close is narrow and congested with parked cars
- there have previous incidents of police being called to removed vehicles parked illegally
- loss of existing parking spaces
- when parking becomes too congested emergency vehicles cannot access some of the neighbouring properties
- excessive building size for the plot
- harm to the character of the Conservation Area
- house will be intrusive and out of character with the remainder of Brenchley Close
- character of Brenchley Close will be permanently damaged
- loss of trees would undermine outlook
- overlooking and loss of privacy
- building work will lead to noise, disturbance and disruption
- harm to visual amenities
- loss of trees will harm the Conservation Area
- risk to trees not proposed for removal is very high
- proposed scheme will have inadequate light

One email of support has been received stating that the proposal will enhance the area.

Following the receipt of revised plans (received 17.3.15, further objections were received reiterating the above points, and suggesting that the revisions did not address the thrust of the concerns.

No technical Highways objections have been raised.

No objection has been raised by Thames Water.

Objections have been raised by the Advisory Panel for Conservation Areas on the basis that the proposal represents back garden development and is contrary to Para. 3.50 of the SPG.

Comments from Consultees

No technical Highways objections have been raised.

No objection has been raised by Thames Water.

Objections have been raised by the Advisory Panel for Conservation Areas on the basis that the proposal represents back garden development and is contrary to Para. 3.50 of the SPG.

Following the receipt of the revised plans (received 17.3.15) no Tree objections are 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
BE11 Conservation Areas
NE7 Development and Trees
H7 Housing Density and Design
H9 Side Space
T3 Parking
T18 Road Safety

Supplementary Planning Guidance for the Chislehurst Conservation Area

National Planning Policy Framework

Supplementary Planning Guidance 1 and 2

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

3.4 Optimising Housing Potential
3.5 Quality and Design of Housing Developments

The Mayor's Supplementary Planning Guidance: Housing (SPG)

Planning History

Under ref. 03/00808, an application for a front, rear and side extensions and alterations to existing dwellinghouse and erection of 2 detached four bedroom houses fronting Brenchley Close was refused on the following grounds:

"The proposals would constitute an overdevelopment of the site by reason of the amount of site coverage by buildings and hard surfaces, would detract from the character of Old Woodlands and would harm the character and appearance of this part of the Chislehurst Conservation Area contrary to Policies H.2, E.1 and E.7 of the adopted Unitary Development Plan and Policies H6, BE1 and BE9 of the second deposit draft Unitary Development Plan (Sept 2002)."

"The trees on the site are considered to make an important contribution to the visual amenities of this part of the Chislehurst Conservation Area and

their loss as a result of the proposals for two houses on the site would be seriously detrimental to the amenities of the area as a whole, thereby contrary to Policies G.26 and G.28 of the adopted Unitary Development Plan and Policies BE10, NE6 and NE7 of the second deposit draft Unitary Development Plan (Sept 2002)."

"The alterations and extensions proposed to Old Woodlands would be harmful to the character and appearance of the property which makes an important contribution to the character and appearance of this part of the Chislehurst Conservation Area, thereby contrary to Policies H.3, E.1 and E.7 of the adopted Unitary Development Plan and Policies H8, BE1 and BE9 of the second deposit draft Unitary Development Plan (Sept 2002)."

Under ref. 03/02790 an application for a single storey rear extension to Old Woodlands and erection of detached four bedroom house with attached double garage was refused on the following grounds:

"The proposals would constitute an overdevelopment of the site by reason of the size of the proposed dwelling and the amount of site coverage by buildings and hard surfaces, would detract from the character of Old Woodlands and would harm the character and appearance of this part of the Chislehurst Conservation Area contrary to Policies H.2, E.1 and E.7 of the adopted Unitary Development Plan and Policies H6, BE1 and BE9 of the second deposit draft Unitary Development Plan (Sept 2002)."

"The trees on the site are considered to make an important contribution to the visual amenities of this part of the Chislehurst Conservation Area and their loss as a result of the proposal for a new house would be seriously detrimental to the amenities of the area as a whole, thereby contrary to Policies G.26 and G.28 of the adopted Unitary Development Plan and Policies BE10, NE6 and NE7 of the second deposit draft Unitary Development Plan (Sept 2002)."

The above application was subsequently dismissed at appeal.

Conclusions

The main issues relating to the application are the effect that it would have on the character and appearance of the Chislehurst Conservation Area; the impact that it would have on the amenities of the occupants of surrounding residential properties; and its highways implications.

The application site comprises part of the existing garden serving 'Old Woodlands', a substantial two-storey, semi-detached Victorian dwelling situated adjacent to the junction of Old Hill and Brenchley Close. The site is defined by its existing garden and sylvan setting which includes a number of trees along its western and southern boundaries fronting the highway. These contribute to the wooded appearance of the area which helps to define this part of the Conservation Area. This also provides something of a buffer between the Nineteenth Century development fronting Old Hill and the more recent housing at Davema Close Brenchley Close.

The Supplementary Planning Guidance for the Chislehurst Conservation Area (SPG) identifies a number of character sub-units within the Conservation Area. The appeal site falls within sub-unit 6, 'Old Hill to Railway Station' which the SPG, at Para. 3.50:

"The strong characteristic of this Character Sub-unit is the generally 'organic' nature of its development and consequent form relative to the careful planning and layouts, and innovative architecture being utilised in other parts of the Conservation Area. The area contains a cohesive but diverse mixture of building styles with a complex and stimulating layout. Despite the intensity of settlement, extensive woodland still remains in this pocket (such as in private gardens) providing a sylvan atmosphere and green setting, which should be maintained with any future development."

Policy BE11 of the UDP advises that in order to preserve or enhance the character or appearance of conservation areas, a proposal for new development, for engineering works, alteration or extension to a building, or for change of use of land or buildings within a conservation area will be expected to:

- (i) respect or complement the layout, scale, form and materials of existing buildings and spaces;
- (ii) respect and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and
- (iii) ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character or appearance of the area.

Paras. 4.14-15 of the SPG advise that:

"The siting and layout of new structures must be respectful of the character and appearance of the Conservation Area. This will require recognition of, and response to, the predominant scale, form and detailing of contributory buildings, and reflecting the bulk and spatial composition of structures and intervening spaces."

"Spaces around and between buildings are often an important part of the character and appearance of an area, and the setting of principal contributory buildings. Consequently, where areas or buildings are characterized by open settings, wooded grounds or large gardens, the introduction of additional substantial buildings may not be appropriate. Some large or irregular sites may provide opportunities for careful siting and design to introduce new structures in a manner, which enables this character to be retained."

Taking above of the above criteria, it is considered that the proposal would constitute a cramped overdevelopment of the site, by reason of the resultant site coverage of the existing and proposed development, and the loss of garden area and trees which contribute to the character of the area; the proposal would thereby harm the character and appearance of this part of the Chislehurst Conservation

Area. Accordingly, similar concerns raised in respect of previous applications at the site are sustained.

It is considered that the trees on the site, particularly those straddling the western perimeter make an important contribution to the visual amenities of this part of the Conservation Area. It is recognised that the submission of revised plans (received 17.3.15) do overcome earlier concerns relating to their loss and, accordingly, their retention is to be welcomed. However, this revision does not address the concerns relating to the cramped nature of the development and its effect on local character.

Turning to the impact on residential amenity, in view of the separation between the proposed dwelling and the existing building at 'Old Woodlands' it is not considered that this will be adversely affected by way of loss of light, outlook or visual amenity. Having regard to dwelling to the south at No 1 Brenchley Close, the proposed development will largely be screened from that side by a line of conifer trees which straddle the southern boundary.

Finally, whilst no Code Sustainability has been submitted - in accordance with the London Plan - this matter can be considered by way of condition.

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

as amended by documents received on 17.03.2015

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposal constitutes a cramped overdevelopment of the site, by reason of the resultant site coverage of the existing and proposed development, and the loss of garden area which contributes to the character of the area; the proposal would thereby harm the character and appearance of this part of the Chislehurst Conservation Area, contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan, the National Planning Policy Framework, and the Supplementary Planning Guidance for the Chislehurst Conservation Area

INFORMATIVE(S)

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

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

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

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SECTION '2' – Applications meriting special consideration

Application No : 14/04870/FULL1

Ward:
Cray Valley East

Address : Land Opposite Econ House Old
Maidstone Road Sidcup

OS Grid Ref: E: 548787 N: 170200

Applicant : Mr D Cheriton

Objections : YES

Description of Development:

Use of land as a waste transfer station and recycling facility involving minor change of land levels, the erection of a facilitative building, associated plant, site office, and provision of car parking and associated landscaping

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
Gas HP Zones Gas HP Zones:
Green Belt
London City Airport Safeguarding
London City Airport Safeguarding Birds

Proposal

Planning permission is sought to expand recycling facilities by reorganising two separate sites under the applicant's control. These comprise an area to the south-west of Old Maidstone Road (defined as Site No 3 on the proposed site plan); and Chalk Pit Caravan Park (defined as Site No 2 on the proposed site plan) part of which is currently used for recycling activities and which would be given over for amenity space for the caravan park use. The applicant wishes to consolidate activities within Site No 3, simultaneously vacating its presence at Site No 2.

The Planning Statement advises that the main proposal involves using approximately half of Site No 3 to provide a materials recycling and recovery facility for non-liquid inert, hazardous wastes from industrial, commercial, municipal and household sources. Wastes will be sorted using specialist machinery and segregated into homogenous streams and sent to dedicated treatment plants off site where they will be used as raw materials or included as recyclates in product manufacture. There would be potential employment for up to 30-40 new staff. It is proposed that the vehicular trip generation will involve a catchment of all areas

within the confines of the M25. The waste streams will be derived from the Industrial, Commercial, Municipal and Household sectors as defined by the Environmental Protection Act 1990. The proposed hours of operation listed on the application form are: Monday - Saturday: 08:00 to 18:00, and Sundays and Bank Holidays: 08:00 to 14:00.

In regard to the proposed site layout, the recovery and recycling equipment will be housed within a 10m high steel framed single span portal framed building, whose dimensions will measure 60m x 35m. A site office will be situated to the NW corner of the site immediately adjacent to the site entrance off Old Maidstone Road, and adjacent to the staff/general car park. A parking area for up to 10 lorries will be provided at the NE corner of the site. Land levels across the site from north to south will be sculptured and changed to form a gradual slope down to the main building's hopper, and there will be a strip of planting across the width of the site at approximately the mid-point. The level change will mean that the building and material piles will be positioned at a lower ground level with only the upper parts exposed. Storage areas will be delineated by the use of concrete A-frames for each recyclates stream. Details of the types of materials to be recycled and recycling processes are outlined in the Planning Statement. The proposed site plan outlines the proposed site layout, the position of the proposed steel framed building, parking areas, site office and screener, concrete and spoils heaps.

A Unilateral Undertaking dated 9.11.14 has also been submitted in connection with this application. This sets out to change the use of part of the land within Site No 2 (the Chalk Pit Caravan Park) that is currently used for storage purposes to that of open amenity space.

The Planning Statement also sets out details of current waste management provision in Bromley Borough, together with waste policies and details of an appeal decision concerning a site at Knockholt.

In addition, the supporting documentation includes a Noise Assessment Report, Flood Risk Assessment, Phase I Environmental Assessment, Phase I & II Geo-Environmental Assessment, and a Transport Statement. In addition, the Agent has provided a copy of a letter from the Environment Agency dated 21.8.14 concerning a previous similar withdrawn application, and an "initial" Sequential Test Report dated 27.4.15.

Location

The application site comprises of two separate areas of land fronting Old Maidstone Road. The main development site within which it is proposed to develop the proposed waste transfer station (defined as Site No 3 on the proposed site plan) occupies an area of approximately 1.7 hectares and fronts the SW side of Old Maidstone Road. At the time that the site was inspected (on 8.4.15) the site did not appear to be in use, although it was in part the subject of a Lawful Development Certificate for an Existing Use issued in 2012 concerning its use for storage. The site stretches to within relatively close proximity of the A20 which is situated approximately 30m to the south. The site is bounded by palisade fencing and there is a layer of coniferous screening adjacent to the western site boundary.

The associated site (defined as Site No 2 of the proposed site plan) is separated from the main site (No 3) by two detached houses, which occupy an overall site area of 0.2 hectare. Site No 2 forms "Chalk Pit Caravan Park" which at present is partly used for storage purposes (which it is proposed to be changes to amenity use). Aside from that use, the area is occupied by a number of caravans.

The facing side of the road is made up predominately of detached bungalows located on plots that adjoin the B2171 Old Maidstone Road and Maidstone Road, although the houses themselves front Old Maidstone Road. The applicant also utilises an area of land to the NW corner of Old Maidstone Road which is occupied by Econ House (defined as Site No 1 on the proposed site plan).

The site falls within the Green Belt.

Comments from Local Residents

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

- unnecessary additional development in the Green Belt
- inappropriate development in the Green Belt
- additional noise, odour, dust, pollution and vibration
- air quality will be undermined
- proposal will form an eyesore
- surrounding ground would be contaminated
- proposal seeks to process hazardous waste
- high noise levels in the area will be increased
- proposal will undermine local drainage and lead to a flood risk
- sufficient recycling facilities exist in the area within a 1.5 mile radius, including at Cookham Road
- close proximity to residential properties
- structural soundness of neighbouring properties could be undermined
- loss of neighbouring privacy
- proposal will undermine highway safety, particularly given the proposed access arrangements and HGV route
- Transport Plan is outdated
- residential character of the area is being eroded
- neighbouring compost plant already results in a potent stench in the area
- noise report does not address all noise generators
- site has never been properly landscaped and put back to agricultural use
- site sits on and adjacent to natural water aquifers
- wildlife has been rehabilitated in the surrounding area which could be undermined
- further additional HGV movements will be in breach of historic regime when planning A20(M) bypass, resulting in additional nuisance
- inappropriate use within the Green Belt
- inability of Council to control and enforce management of waste transfer station
- existing businesses already result in intensive use of the highway

- health hazard
- proposal will undermine neighbouring property values
- concern that this proposal will lead to similar problems as at waste site at Cornwall Drive, Orpington ("Waste4Fuel") in the form of fires, smoke and fumes
- inherent problem of fly-tipping in the area does not justify this proposal
- such sites are difficult to control or monitor

Objections have been raised by the North Cray Residents' Association on the basis that the proposal represents inappropriate development in the Green Belt without any mitigating very special circumstances to support it; that the proposal will undermine highway conditions along Old Maidstone Road and surrounding roads; that the processed waste will include asbestos; that any fires will be likely to generate noxious asbestos fumes which would undermine neighbouring living conditions and soil conditions; and that there have been recent bad experiences relating to other waste sites in the wider area.

Objections have been raised by the Old St. Paul's Cray Residents' Society on the basis that the proposal constitutes inappropriate development in the Green Belt is harmful to its visual amenities, will lead to highway disruption, and that very little has changed since a previous application for a similar development was withdrawn (ref. 13/02279).

Representations were also received from the Member of Parliament for Bromley & Chislehurst objecting to the proposal on the basis that the proposal is situated within the Green Belt; will undermine neighbouring amenity; goes well beyond what can be attributed to local need; and that the proposed nature of the hazardous waste to be processed is of serious concern.

Comments from Consultees

No objection has been raised by the Environment Agency, subject to conditions regarding contamination remediation, no infiltration or surface water drainage, and provision of a surface water drainage scheme.

The Council's Environmental Health Officer has raised no objection in respect of the proposal.

No objection has been raised by Transport for London, subject to conditions regarding a construction logistics plan, a delivery and service plan, and a Travel Plan.

The Greater London Authority has advised that the applicant should undertake a separate alternative site search to demonstrate meaningful comparison has been undertaken. There is a need to demonstrate that this is the most sequentially preferable site, given NPPF requirements and Green Belt designation. There is also a need to reconsider the layout of the proposal to minimise the impact on surrounding residents and the openness of the Green Belt.

The Council's Drainage consultant has requested a condition to ensure that the scheme complies with the terms of the Flood Risk Assessment.

No objection has been raised by Thames Water in regard to surface infrastructure capacity.

The London Borough of Bexley does not consider that there will be a significant impact to either the residential environment of Bexley or to the safe and efficient operation of the highway network within that neighbouring borough. However, the application does not provide robust justification for the loss of a significant area of Metropolitan Green Belt to inappropriate uses and associated buildings and structures. The proposal is therefore contrary to Green Belt policy.

The Metropolitan Police has noted that there is no specific reference to Secure by Design standards in the application. The proposal should therefore achieve those standards by incorporating Secure by Design principles. Measures should include perimeter fencing measuring 2.4m in height; adequate lighting to comply with BS5489-1:2013; and CCTV coverage. As such, a Secure by Design condition should be attached to any planning permission.

No technical Highways objections have been raised.

Any further comments will be reported verbally at the meeting.

Planning Considerations

National Policy for waste management is set in the "National Planning Policy for Waste" document published in October 2014. (The application has referred erroneously to the former policy in PPS10 the Planning Statement.) The new policy differs in several ways and is accompanied by a section in the NPPG. The emphasis on the protection of Green Belt has been enhanced from the stance in the superseded PPS10.

Supporting the new policy, the NPPG sets out guidance:

"There is no expectation that each local planning authority should deal solely with its own waste to meet the requirements of the self-sufficiency and proximity principles.... Furthermore, there could also be significant economies of scale for local authorities working together to assist with the development of a network of waste management facilities to enable waste to be handled effectively."

This supports the Council's position, along with the policy, that it is neither necessary nor perhaps sensible to require all waste to be managed in one's own area.

The 2014 policy was launched by the Secretary of State stating: "I am crystal clear that the green belt must be protected from development so it can continue to offer a strong defence against urban sprawl." The Press Release states that the new policy means councils can no longer give special consideration to locational needs,

or wider economic benefits the site could bring, over other considerations, as justification for building waste facilities on green belt land.

Bromley is currently assessing and analysing capacity for a range of land uses as part of developing the Local Plan. The Council will be consulting in the summer on the methodologies and the recommendations for site allocations. This consultation is part of several under Regulation 18 - without prejudice to the results of that consultation we aim to consult on our Draft Local Plan for Examination this winter.

The Technical Paper is a collaborative document in which five South East London boroughs, and the City of London, set out their waste apportionment targets, their waste arising and their waste facility capacity. This enables the boroughs to show that they can meet, and exceed the apportionment targets as a group. The Paper is updated in order to inform the Local Plan of each borough as they look to meet policy requirements and allocate waste management sites. The last published iteration of the Paper was for Greenwich's Local Plan Examination, and it will be reviewed as part of Bromley's evidence base during the summer.

The following saved policies from the Unitary Development Plan are applicable:

BE1 Design of New Development
G1 The Green Belt
NE7 Development and Trees
T3 Parking
T18 Road Safety
ER2 Waste Management Facilities

London Plan Policies: 5.16 (Waste Self Sufficiency) & 5.17 (Waste Capacity)

Planning History

Under ref. 88/00182 planning permission was granted in respect of the retention and enlargement of the existing caravan site to provide 30 units on a permanent basis.

Under ref. 12/01293 a Lawful Development Certificate was granted in respect of the use of the land and building for the storage of furniture, bricks, window frames, container lorry trailers and portable building. The Certificate which was granted related to the NW corner of what comprises Site No 3 on the proposed site plan.

Under ref. 13/02279 a similar planning application to this scheme and involving the use of the land as a waste transfer station and recycling facility with minor change of land levels the erection of a facilitative building, associated plant, site office, and provision of car parking and associated landscaping was withdrawn by the applicant September 2014.

Conclusions

The main issues for consideration relate to the appropriateness of the proposal, in the context of the Green Belt designation of the site, and whether the site benefits

from a sequential test assessment to support the proposed use. Further considerations relate to the impact of the proposal on neighbouring amenity, its impact on the surrounding highway network, and matters relating to land contamination and pollution.

As noted above, under the terms of the National Planning Policy for Waste published in 2014, the Government has sought to enhance protection of the Green Belt and discourage such development within the Green Belt. By definition, this proposal constitutes inappropriate development in the Green Belt, and no very special circumstances have been identified which might justify such a scheme.

Where such development is to occur within the Green Belt, the National Planning Policy for Waste requires a sequential test which demonstrates that there are no alternative viable sites. Whilst an "initial" Sequential Test Report accompanying this application suggests that a "sequential approach will be unlikely to identify new locations which would be policy complaint" this in itself does not provide the necessary justification to support this scheme. Such an assertion, lacking a substantive evidence base, fails to address the need for a sequential analysis.

Whilst the Environmental Agency and Highways Engineers have not raised objections to the proposal (subject to conditions) concerns are raised in respect of the impact of the proposal on residential amenity, given the close proximity of the site to neighbouring houses. Policy ER2 of the UDP advises that proposals for new waste management facilities will be assessed against the various criteria, including the following:

- proposals do not result in significant traffic-related environmental effects in residential areas or along lorry routes to and from the facility;
- adverse effects on the amenities of residential areas by reason of noise, smell, dust, odours, litter, vermin and birds can be minimised;
- visual intrusion is minimised

The site adjoins two residential properties along its eastern boundary, whilst a number of houses and a caravan site, are situated along the opposite side of Old Maidstone Road and beyond the two neighbouring houses to the east. Given the associated activity relating to the proposed use, including the use of heavy goods vehicles to transport waste to and from the site, it is considered that this scheme will result in an unacceptable decline in living standards. There will be a significant increase in activity beyond the existing activities which take place at the site. Whilst the application is accompanied by a Unilateral Undertaking which will result in the removal of all commercial activity from Site No 2 (which forms the Chalk Pit Caravan Park), it is considered that the adverse impacts resulting from this proposal on the wider area and, in particular, residential amenity, far outweigh any benefit that this Unilateral Undertaking will provide.

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

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 In the absence of a sequential test to demonstrate the suitability of the site to accommodate a waste transfer site, the proposal conflicts with the objectives of the National Planning Policy for Waste 2014.
- 2 The proposal constitutes inappropriate use in the Green Belt, and in the absence of very special circumstances is contrary to Policy G1 of the Unitary Development Plan, Section 9 of the National Planning Policy Framework - 'Protecting Green Belt Land', and the National Planning Policy for Waste 2014.
- 3 By reason of the close proximity to neighbouring residential development, the development would adversely affect the living conditions by reason of noise and disturbance associated with the proposed use, thereby contrary to Policies BE1 and ER2 of the Unitary Development Plan.

SECTION '2' – Applications meriting special consideration

Application No : 15/00464/FULL1

Ward:
Shortlands

Address : Land Adjacent 2 Hengist Way Hayes
Lane Beckenham

OS Grid Ref: E: 538980 N: 168230

Applicant : CTIL Ms Marta Zieminska

Objections : YES

Description of Development:

Siting of radio base station comprising 25m monopole with dual stacked antennas within shroud bt 20 and 25m, 4 equipment cabinets and 1 slim line meter pillar sited on grass verge to the South of Hengist Way, Hayes Lane, Bromley

Key designations:

Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads
Smoke Control SCA 21
Smoke Control SCA 9

Proposal

It is proposed to erect a 25m high telecommunication column, including dual stacked shrouded antennas from 20-25m. Two 0.3m transmission dishes at 20m, 4 cabinets and a meter pillar to house the electrical and electricity meter. The mast is required to provide new 4G coverage to the area and to enable site and network sharing between 02 and Vodafone.

Location

The application is a consultation by CTIL regarding the need for the approval of siting and appearance on land adjacent to 2 Hengist Way, Hayes Lane.

Consultations

Nearby owners/occupiers were notified of the application and a large number of letters of objection were received. These can be summarised as follows:-

- unsightly and out of place

- visually intrusive
- health Hazard
- mast is too tall
- impact detrimentally on the residential character of the area
- mast is too tall
- the mast will tower above the line of existing trees
- the mast and cabinets will be an eyesore

Comments from Consultees

The Street Trees Officer considers that the proposal should be rejected on the grounds that the excavation required for the installation would be significantly detrimental to the rooting areas of the 2 mature oak street trees. The location is inappropriate and if the installation were to proceed it could lead to a decline in the tree's health.

The Council's Highway Engineer does not raise an objection to the principle of the proposal but, given the location, states that there should be a construction management plan provided, which should also cover maintenance arrangements.

The Council's Rights of Way Officer concludes that there are no public rights of way affected by this application - it lies within the adopted highway. Refer to highway planning colleagues.

No comments have been received from The Council's Environmental Health Officer at the time of writing this report.

Planning Considerations

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

BE1 Design of new Development
 BE4 The Public Realm
 BE22 Telecommunications Apparatus

Planning History

There is no planning history associated with the site.

Conclusions

The main issues relating to the application is the effect that it would have on the character and visual amenities of the area and nearby residential properties. A number of objections have been received concerning the potential health risks associated with the installation of the proposal. The accompanying Design & Access statement states that the scale, massing and height of the proposed development have been considered in relation to that of the adjoining buildings, the topography, the general pattern of heights in the area and views, vistas and landmarks.

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

The proposed mast at 25m is likely to be appear over-dominant and an intrusive feature in the street scene, harmful to the visual amenities of the area and the amenities of nearby residential properties.

In view of the above, the Council considers the harm that would be caused to the visual amenities of the area including nearby residential properties that the application should be refused.

A material consideration to the determination of the application must be a similar development at Land adjacent 1 Romanhurst Gardens, Hayes Lane which was refused permission (application ref. 10/02125/TELCOM) for the installation of a 12.5m high shared telecommunications column with shrouded antennas together with a shared equipment cabinet and ancillary equipment.

The Council's Street Trees Officer has objected to the proposal on the grounds that installation would be significantly detrimental to the rooting areas of the two nearby mature oak street trees. The location is inappropriate and if the installation were to proceed it could lead to a decline in the tree's health

Given that a telecommunication mast was refused 5yrs ago for a nearby mast that was half the height, it is considered that this application is also unacceptable at this location and detrimental to local amenities.

Background papers referred to during production of this report comprise all correspondence on the file ref. 15/00464, set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 Due to their height, siting and design, the proposed mast and ancillary equipment would be obtrusive and highly prominent features in the street scene, out of character and detrimental to the visual and residential amenities of the surrounding area and contrary to Policy BE22 of the Unitary Development Plan.
- 2 The installation of the proposed mast would be significantly detrimental to the rooting area of two nearby Oak Street Trees which could lead to a decline in the tree's health contrary to Policy NE7 of the Unitary Development Plan.

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SECTION '2' – Applications meriting special consideration

Application No : 15/00763/FULL1

Ward:
Crystal Palace

Address : 24 Anerley Hill Anerley London SE19
2AD

OS Grid Ref: E: 533906 N: 170630

Applicant : GHR Holdings Ltd

Objections : YES

Description of Development:

Demolition of detached garage and erection of 3 x four bedroom dwelling houses fronting Cintra Park and demolition of single storey rear extension and replacement of first floor rear door with a window to No 24 Anerley Hill

Key designations:

Conservation Area: Crystal Palace Park
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Smoke Control SCA 6

Proposal

Planning permission is sought for the demolition of the existing rear single storey extension to 24 Anerley Hill and replacement of existing garages on Cintra Park, to the rear of 26 Anerley Hill, with three, three storey, four bed six person family houses and associated gardens and off street parking.

Update: The agent has provided a response in the form of a letter dated 27th April 2015 which seeks to response to the objections received by local residents in respect of the development. Members will be update of the contents.

Location

The application site is an L-shaped site located in Crystal Palace and fronts both Anerley Hill to the north and Cintra Park to the east. The site currently comprises a residential dwellinghouse facing Anerley Hill (No.24) and three detached garages facing Cintra Park.

Part of the site lies within the Crystal Palace Park Conservation Area. The surrounding area is predominantly residential with a number of four storey Victorian properties within the immediate vicinity. The site lies within a 5minute walk of

Crystal Palace Park and Crystal Palace train station. The proposal site has a high PTAL rating of 6a (on a scale of 1 to 6 where 6 is the most accessible).

Comments from Local Residents

Nearby owners/occupiers were notified of the application and several letters of representation were received which are summarised below:-

- The proposed development appears completely modern in style and not sympathetic to the rest of the street
- It would block daylight to the main living room of No.26 b
- The development would cause damage to the structure, foundations and Cedar Tree on Anerley Hill
- The contemporary features of the proposed new build do not currently provide an aesthetic fit within the Conservation Area
- Will be at risk and disruption from heavy construction machinery
- Would be at risk of subsidence
- The North East elevation would completely overlook my garden
- The new development is too high and will eliminate all sunlight into my garden and windows

Comments from Consultees

Highways

The site is located on the corner of Anerley Hill and Cintra Park. Anerley Hill is a classified road, the A214, and a London Distribution Route. Also the site is within a high PTAL area of 6a.

The proposal is to demolish the existing garages and replace it with 3 three storey houses.

Vehicular Access- is from Cintra Park utilising the existing arrangement. Six car parking spaces are indicated on the submitted plan; this is satisfactory; 2 parking per unit. Also six cycle parking/ storage would be provided, which is acceptable.

Environmental Health (Housing)

I have looked at the additional information provided by the applicant and have the following comments:

Mayor of London's Spatial Development Strategy for Greater London - The London Plan July 2011. Table 3.3 Minimum space standards for new development

The minimum recommended GIA for a three storey (4 bedroom 8 person) residential property is 133 sq.m. The GIA for the three proposed three storey (4 bedroom 8 person) residential properties is approximately 110 sq.m, which is below the minimum recommended.

Housing Act 2004 Part 1 - Housing Health and Safety Rating System (HHSRS)

Fire

The proposed Kitchen/Dining room is a high risk room and has no internal door separating it from the living room, which is also a high risk room.
Hazard: 24 Fire (k) Lack of internal door in appropriate materials.

Environmental Health (Pollution)

I have considered the above and I have no objections in principle however I would recommend that a K09 condition is attached.

Drainage

Please impose condition D02 relating to surface water drainage.

Thames Water

There are public sewers crossing or close to the development. In order to protect public sewers and to ensure Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3m of a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water.

Surface water drainage

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water drainage 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.

Reason: to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.

Water comments

On the basis of the information provided, Thames Water would advise that with regard to water infrastructure capacity, we would not have any objection to the above planning application. Thames Water recommend an informative be attached to any permission.

APCA

Objection. Inappropriate design which is out of character with the surrounding properties which have a predominantly pitched roofs and a homogenous design within which this proposal would be detrimental.

Conservation Officer

The site is adjacent to the Crystal Palace Pk conservation area. The existing garages are fairly unsightly and I do not feel the proposed residential development would cause any harm to the setting of the CA in terms of views into or out of that area as per Policy BE13. The design is contemporary which will create an interesting contrast with the older houses in the area but I suggest a condition regarding materials.

Planning Considerations

- BE1 Design of New Development
- BE12 Development in a Conservation Area
- BE13 Development adjacent to a Conservation Area
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- T3 Parking
- T6 Pedestrains
- T7 Cyclists
- T11 New Accesses
- T18 Road Safety

Crystal Palace Park Supplementary Planning Guidance

London Plan

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

The following documents produced by the Mayor are also relevant:

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

Planning History

94/01058/EUC 24 ANERLEY HILL
INSTALLATION OF RAILINGS TO PROVIDE ROOF PATIO OVER
EXISTING GROUND FLOOR EXTENSION CERTIFICATE OF
LAWFULNESS FOR A PROPOSED DEVELOPMENT

92/00246/FUL R/O 24 ANERLEY HILL FRONTING CINTRA PARK SE19 2AD
FRONT BOUNDARY WALL AND RAILINGS 3 VELUX WINDOWS IN
REAR ELEVATION OF GARAGE ROOF AND REMOVAL OF CONDITION III OF
802825 TO ALLOW ANCILLARY DOMESTIC STORAGE ON
GROUND AND FIRST FLOORS

90/00161/FUL FORMATION OF VEHICULAR ACCESS - REFUSED

87/02049 USE OF TWO ROOMS FOR THE CARE OF ELDERLY PEOPLE -
PERMISSION

83/02532/FUL 24 ANERLEY HILL SE 19 SE192AD
VEHICULAR ACCESS TO CLASSIFIED ROAD - REFUSED

83/01364/FUL FORMATION OF VEHICULAR ACCESS - REFUSED

83/00062/FUL FIRST FLOOR SIDE AND PART ONE/PART TWO STOREY
REAR
EXTENSION FOR GRANNY UNIT AND SURGERYSEMI-DETACHED
HOUSE - PERMISSION

Conclusions

The primary issues in the assessment of this planning application are:

- Principle of development
- The design and appearance of the proposed residential development and its impact on the character and appearance of the area and locality
- Impact on the amenity of neighbouring residents
- The quality of living conditions for future occupiers
- Highways and traffic issues
- Sustainability and energy
- Refuse storage
- Drainage
- Previous S106 agreement

Principle of development

The application site comprises of three disused garages fronting Cintra Park. The garages have been used for ancillary domestic storage (rather than parking) since 2003.

The application seeks permission to demolish the existing garages and single storey rear extension attached to the rear of No.24 Anerley Hill, subsequently separating the site into two separate addresses.

Following the demolition of the garages it is proposed to build 3 x 4 bedroom properties over three storeys'. Each property would provide for two off road car parking spaces.

The demolition of the building and redevelopment of the site is considered acceptable as it would bring a vacant residential site back into use and would add to the Council's target to provide much needed housing within the Borough. The proposal therefore complies with Policy H1 of the UDP.

The proposal also encompasses the demolition of the existing single storey rear extension to No.24 Anerley Hill. The demolition of the rear extension will facilitate the occupiers of No.24 Anerley Hill with an adequate level of amenity space in view of the fact that some of the existing garden will be lost to the development on Cintra Park. The rear extension has no particular architectural merit and therefore the demolition of this structure is considered acceptable.

The design and appearance of the proposed residential development and its impact on the character and appearance of the area and locality

Policy BE1 highlights the need for proposals to be of a high standard of design and layout completing the scale, form and materials of adjacent buildings. Policy H7 sets out that developments should provide a mix of housing types and sizes.

Section 7 of the NPPF states that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development is indivisible from good planning and should contribute positively to making better places for people. As stated within the NPPF development should optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public space as part of the developments) and support local facilities and transport networks; respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.

The accompanying Planning Statement sets out at paragraph 5.11 that the scale, mass and appearance of the properties in Cintra Park have somewhat dictated the configuration of the proposed new development. The proposed new dwellings are all 4 bedroom family sized units.

The proposed new dwellings do proposes a striking contemporary design which is a contrast to the existing surrounding residential properties. The Conservation

Officer has highlighted that the design creates an interesting contrast with the older houses in the area whilst APCA feel the design is inappropriate out of character with surrounding properties.

The design concept has been to reflect the massing and height of the surrounding buildings. Each house has a front and rear garden. The front garden includes a parking space and bin store with access to the road as well as hard and soft landscaping.

The changes in levels across the site set out the arrangement for the room layouts in Each house has been arranged with a private entrance adjacent an integral garage that also incorporates bicycle storage, wc and utility room. From the entrance lobby, a stair rises to the upper ground floor containing living, dining and kitchen spaces. The courtyard gardens are directly accessed from the living areas. At first floor level, a family bathroom is positioned between two bedrooms, with a similar arrangement repeated at second floor level.

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

The proposal would result in a larger building footprint than that of the current detached garages although at a density of 62.5 u/ha complies with Table 4.2 of the Bromley UDP and Table 3.2 of the London Plan concerning housing density and design.

Policy H9 of the UDP states that a 1m gap should be maintained either side of a proposed development when more than one storey in height. The development has been designed to comply with this policy.

Impact to neighbours

Several letters of representation have been received from local residents. In terms of the impact to neighbours as a result of the development no windows are shown in either flank elevation. To the rear new windows will overlook the rear gardens of No.20,22 and 24 Anerley Hill. Given the orientation of the properties located on Cintra Park namely No.2-6 the overlooking will be more prevalent than is currently undertaken from these properties.

The proposed development has been designed to provide a 1m side space to each flank elevation to comply with Policy H9 (Side Space).

In relation to privacy, the proposed building has been designed to ensure that there are no principal windows in the flank elevation that would overlook neighbours to the north-east or west of the site.

The quality of living conditions for future occupiers

Policy 3.5 of the London Plan states the minimum internal floorspace required for residential units on the basis of the occupancy that could be reasonably expected within each unit. The building as a whole contains many windows and doors which would ensure a good level of natural light to each of the habitable rooms

Comments received from the Council's Environmental Health department, outline that The proposed Kitchen/Dining room is a high risk room and has no internal door separating it from the living room, which is also a high risk room. The agent has responded to this comment by stating that the dwelling will be subject to Building Regulation checks and is confident it will comply with part B1 Fire Safety. All the proposed doors are to be fire doors with smoke and heat detectors to be provided throughout.

The rear garden space for each dwelling will measure between 27-33sqm. Whilst the depth of the gardens are smaller than those of surrounding gardens it is considered that the space will provide some degree of private amenity space and Crystal Place Park is located less than 5minutes walk away which can also provide occupiers with additional outside amenity space.

Highways

The existing three garages have not been used for their primary purpose since 2003, instead they have been used for ancillary storage

Access to the site is from Cintra Park, which is a one way street. The Highways Officer has assessed the development and commented that the site is within a high PTAL area of 6a. Vehicular access is from Cintra Park utilising the existing arrangement. Parking for six car parking spaces are indicated on the submitted plan which is satisfactory; two parking spaces per unit. Six cycle parking/storage is also considered acceptable.

The site is also located within a 5min walk of Crystal Palace District Centre, bus terminal and train station.

The proposal is generally considered to be in accordance with UDP Policy T3 and Policy 6.13 of the London Plan (2011).

Sustainability and Energy

Policy 5.4 Retrofitting, of the London Plan 2011 states that boroughs should identify opportunities for reducing carbon dioxide emissions from the existing building stock by identifying potential synergies between new developments and existing buildings through the retrofitting of energy efficiency

The scheme would provide for six secured cycle storage which would provide for a sustainable method of transport to and from the site. No other energy saving measures are known to be provided other than the development complying with the Code for Sustainable Homes (Level 4).

Refuse storage

Space has been allocated for refuse and recycling bins at the entrance to each dwelling.

Previous S106 agreement:

It is noted that there is Section 106 agreement from 22nd July 1992 which states:

- 2.1 At no time will he sever the garage (or any part thereof) from the curtilage of the existing house nor undertake any alterations to the garage to enable it to be used (or capable of use) as a dwelling (other than the manor described in 2.2 below).
- 2.2 (a) Not to use the garage other than for storage of private vehicles or normal domestic storage or for any purpose ancillary to the use of the land (as described in the first schedule hereto) as a private residence.
(b) Not to use any part of the garage for habitable accommodation
(c) Not to carry on any trade or business from any part of the garage".

Summary

The proposal would create 3 x 4 bedroom units and six car parking spaces on a plot of land which is currently under utilised with three garages. The design, height and bulk of a development of this size and scale, in this location is satisfactory in light of local opposition to the scheme. The scheme complies with local and national planning policies. It is therefore recommended that planning permission is granted.

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.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACA04 | Landscaping Scheme - full app no details |
| | ACA04R | Reason A04 |
| 3 | ACA07 | Boundary enclosure - no detail submitted |
| | ACA07R | Reason A07 |
| 4 | ACC01 | Satisfactory materials (ext'nl surfaces) |
| | ACC01R | Reason C01 |
| 5 | ACD02 | Surface water drainage - no det. submitt |
| | AED02R | Reason D02 |
| 6 | ACH04 | Size of parking bays/garages |
| | ACH04R | Reason H04 |
| 7 | ACH22 | Bicycle Parking |
| | ACH22R | Reason H22 |

- 8 ACH29 Construction Management Plan
 ACH29R Reason H29
- 9 ACH32 Highway Drainage
 ADH32R Reason H32
- 10 No windows or doors shall at any time be inserted in either flank elevation(s) hereby permitted, without the prior approval in writing of the Local Planning Authority.
 ACI13R I13 reason (1 insert) BE1
- 11 ACK09 Soil survey - contaminated land
 ACK09R K09 reason
- 12 The removal of the existing single storey rear extension and construction of three detached dwellings shall only be constructed in conjunction with the other and be completed within 3 months of each other.

Reason: In the interest of the amenities of the neighbouring residents and in order to comply with Policies H8 and BE1 of the Unitary Development Plan.

INFORMATIVE(S)

- 1 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk
- 2 You should seek the advice of the Trees and Woodland Team at the Civic Centre on 020 8313 4471 or e-mail: trees@bromley.gov.uk regarding removal and replacement of the street tree affected by the access.
- 3 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 Any repositioning, alteration and/ or adjustment to street furniture or Statutory Undertaker's apparatus, considered necessary and practical to help with the modification of vehicular crossover hereby permitted, shall be undertaken at the cost of the applicant.
- 5 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

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

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SECTION '2' – Applications meriting special consideration

Application No : 15/00827/FULL6

Ward:
Bromley Common And Keston

Address : Barnet Mead Barnet Wood Road Hayes
Bromley BR2 8HJ

OS Grid Ref: E: 541876 N: 165604

Applicant : Mr Robert Jones

Objections : NO

Description of Development:

Single storey rear extension

Key designations:

Conservation Area: Bromley Hayes And Keston Commons

Biggin Hill Safeguarding Birds Aldersmead Road

Biggin Hill Safeguarding Area

Green Belt

London City Airport Safeguarding

Smoke Control SCA 22

Proposal

This application proposes the demolition of an existing single storey rear conservatory and detached shed and the erection of an orangery with a proposed rear projection of 4m and 7.8m wide (floor area of 31.2 square metres).

Location

The site is a detached two storey dwelling located on the south side of Barnet Wood Road within Bromley, Hayes and Keston Common Conservation Area and within the Green Belt.

Comments from Local Residents

Nearby owners/occupiers were notified of the application, a site notice displayed and press advert posted. No representations were received at the time of writing the report.

Comments from Consultees

No comments have been received from APCA or Conservation. Any comments subsequently received 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
BE11 Conservation Areas
H8 Residential Extensions
G1 Green Belt
G4 Extensions in the Green Belt

Planning History

The planning history includes permission reference 07/03783 for a first floor side extension incorporating front and rear dormers on adjoining garage together with front and rear dormers on main roof. This was preceded by two separate refusal reference 07/01109 for a two storey side extension, single storey rear extension and detached double garage and refusal reference 07/02333 for two storey side and single storey rear extensions/front and rear dormer extensions/detached double garage. A separate application reference 08/03042 for a single storey rear extension was withdrawn.

Refusal grounds for application 07/02333 were:

The proposed development would by virtue of its size and location have a detrimental impact on the visual amenity and openness of this Green Belt area and be contrary to Policy G4 of the Unitary Development Plan regarding development, alterations or conversions in the Green Belt.

The proposal would constitute an overdevelopment of the site by reason of the amount of site coverage by buildings and the bulk of the proposed extensions would detract from the character of the building and would harm the character and appearance of this part of the Bromley, Hayes and Keston Commons Conservation Area contrary to Policies BE1 and BE11 of the Unitary Development Plan.

The proposed two storey side extension, if permitted, would constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies H9 and BE11 of the Unitary Development Plan.

Refusal grounds for application 07/02333 were:

The proposed detached garage would by virtue of its size and location have a detrimental impact on the visual amenity and openness the Green Belt and would harm the character and appearance of the Bromley, Hayes and Keston Commons Conservation Area, contrary to Policies G4 and BE11 of the Unitary Development Plan.

The cumulative impact of the proposed extensions and detached building would result in an overdevelopment of the site, harmful to the character and appearance of the area, and contrary to the aims and objectives of Policies G4 and BE11 of the Unitary Development Plan.

Conclusions

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

Para 89 of the NPPF advises that the construction of new buildings is inappropriate in the Green Belt; exceptions to this include the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The additional accommodation provided by existing extensions represents a significant increase in floor area and falls outside the Council's 10% increase in floor area tolerance (Policy G4). It is therefore considered that the proposal constitutes inappropriate development in the Green Belt. The resultant harm should be given substantial weight in determining the application.

The site is in a Conservation Area and within the Green Belt. The planning history reveals that permission has been previously refused for development proposals which included a single storey rear extension. Whilst there is an existing single storey rear extension there is no planning history in relation to it. The agent has advised that the existing single storey rear extension was erected as permitted development; planning application reference 08/03042 for a single storey rear extension was withdrawn and there is no record of a lawful determination. The agent has advised that this current proposal has been submitted for planning consideration as it is unlikely to meet permitted development criteria.

Given the scheme is inappropriate development, consideration is to be given as to whether the harm by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development. It is noted that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

In terms of the effect of the development on the openness of the Green Belt, as noted there is an existing single storey rear extension located to the rear (west) and it is proposed to demolish this and an existing outbuilding and to erect a single storey extension to the rear (east). The combined floor area of the demolished buildings is 34 square metres. The applicant has advised that revised siting of a single storey extension (31.2 square metres) will result in an improved configuration of living space for the family. It may be considered that the visual intrusion arising as a result of a re-sited extension will have limited impact on the

openness of the Green Belt given the demolition of existing and the size and siting of the proposed development.

However, the original dwelling house has been significantly extended and in the event of a planning permission for the proposed development the case will remain that there may be potential for additional single storey rear extensions, under permitted development rights, which may cause harm to the Green Belt.

Given the proposed demolition of existing development consideration could be given to planning conditions relating to the demolition and clearance of the existing extension and the restriction of Permitted Development Rights which may, on balance, present the very special circumstances necessary to outweigh the usual Green Belt Policy considerations.

It is not considered that there will be any significant impact on nearby residential amenity or on the character and appearance of the Conservation Area.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
2ACK01 Compliance with submitted plan
ACC01R Reason C01
- 3 The existing buildings identified on Plan xx shall be demolished and the site cleared within three months of the first occupation of the development hereby permitted.

Reason: In order to comply with Policy G4 of the Unitary Development Plan and to prevent overdevelopment of the site.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order amending, revoking and re-enacting this Order) no buildings, structure or alteration permitted by Class A of Part 1 of Schedule 2 of the 2015 Order shall be erected or made within the curtilage(s) of the dwelling hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: In order to comply with Policy G4 of the Unitary Development Plan and to prevent overdevelopment of the site.

SECTION '2' – Applications meriting special consideration

Application No : 15/00904/FULL1

Ward:
Shortlands

Address : 2B Winchester Road Shortlands
Bromley BR2 0PZ

OS Grid Ref: E: 539813 N: 168514

Applicant : Ms Nuala Close

Objections : NO

Description of Development:

Two storey rear extension with part 1st floor rear extension, new pitched roof over existing flat roofed two storey side extension, new pitched roof to garage and porch

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency
Smoke Control SCA 9
Smoke Control SCA 21

Proposal

Planning permission is sought for a two storey rear extension with part 1st floor rear extension, new pitched roof over existing flat roofed two storey side extension, new pitched roof to garage and porch.

Location

The site is a detached property which has a cat slide roof and is located on the eastern side of Winchester Road, Bromley. The neighbouring property 2a is very similar in design and character to No.2b whilst the rest of the road contains a variety of different housing types and designs.

Comments from Local Residents

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

Comments from Consultees

No consultee responses were required.

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

SPG1 General Design Principles
SPG2 Residential Design Guidance

London Plan:

5.3 Sustainable Design and Construction
7.4 Local Character
7.6 Architecture

The NPPF

Planning History

There is no planning history associated with the site.

Conclusions

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

The existing detached dwelling is set within an area predominantly residential area which is characterised by two and three storey semi-detached dwellings. The proposed side dormer would not result in a side addition that is taller than the existing ridge height although the resulting development would be in closer proximity to neighbouring property at No.2a. No.2a is a near identical property which appears to have been extended to the rear and partly to the side through the insertion of two small dormers, much like No.2b.

The two storey rear extension will involve infilling the ground floor to provide an enlarged lounge. This would measure 2.75m in depth x 4m in width. The resulting two storey extension will be built to a height of 8.6m, to be level with the existing ridge line to provide an enlarged bedroom and bathroom. The added bulk to the rear of the property is considered acceptable from a visual perspective is also unlikely to affect the amenity of the neighbour at No.2a.

The new roof over the existing garage and porch is considered acceptable from a visual and policy perspective.

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

The existing side space is 0.85m, the proposal would continue to maintain a 0.85m side space to each flank boundary. Given the two storey extension is confined to the rear of the property and the side dormer, which is set in from the road frontage and is also lower than the existing ridge height, it is considered that the spatial characteristics of the area and the buildings character are maintained and adequate separation exists to safeguard the privacy and amenity of adjoining residents. As such the proposal does not represent a cramped appearance and does not result in unrelated terracing and therefore maintains the spatial standards and level of visual amenity of the streetscene in this case.

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

Background papers referred to during production of this report comprise all correspondence on the file ref. 15/00904 as set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|---|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |
| 3 | ACI12 | Obscure glazing (1 insert) in the north-eastern flank |
| | ACI12R | I12 reason (1 insert) BE1 and H8 |
| 4 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

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SECTION '2' – Applications meriting special consideration

Application No : 15/00923/FULL6

Ward:
Plaistow And Sundridge

Address : 18 Upper Park Road Bromley BR1 3HT

OS Grid Ref: E: 540998 N: 169772

Applicant : Mr Nicholas Bennett

Objections : NO

Description of Development:

Part one/two storey side extension and roof extension incorporating rear dormer with juliet balcony and bin store at side

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
Local Cycle Network
Local Cycle Network
London City Airport Safeguarding
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency
Smoke Control SCA 10

Proposal

Planning permission is sought for part one/two storey side extension and roof extension incorporating a rear dormer with Juliet balcony.

Location

The appeal property is a semi-detached property on the south east corner of Upper Park Road with Henville Road within a predominantly residential area. The surrounding area is mixed in terms of buildings, with individual houses and blocks of flats dating from different periods and of different styles. However, none of the buildings is individually dominant in the street scene.

Comments from Local Residents

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

Comments from Consultees

No external or internal consultation required.

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 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

Ref. Number Date	Description	Status	Decision
01/03417/FULL1	Detached garage with room above	REF	28.11.2001
96/02413/FUL ROADPER 12.12.1996	FORMATION OF VEHICULAR ACCESS TO UPPER PARK		
97/00305/FUL	TWO STOREY SIDE EXTENSION	PER	07.05.1997
02/02623/FULL1 12.09.2002	Single storey rear extension for conservatory	PER	
13/03358/FULL6	Part one/two storey front and side extension and roof extension incorporating 2 rear dormers with Juliet balconies	REF	02.12.2013
14/00877/FULL6	Part one/two storey side extension and roof extension incorporating 2 rear dormers with Juliet balconies	PER	25.07.2014
14/00877/AMD	Non-material amendment: To alter rear dormer and to add refuse storage area to side elevation	REFAMD	16.02.2015

Conclusions

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and

relevant planning history on the site were taken into account in the assessment of the proposal.

The application dwelling occupies a corner site at the junctions of Upper Park Road and Henville Road. The dwelling forms one half of a pair of semis. Although both houses (Nos. 18 and 20) have been extended to incorporate two storey side extensions, the two houses have largely retained their symmetry with the said extensions set back in relation to the frontage and the main roof having retained its hipped ends.

In December 2013 (ref. 13/03358/FULL6) permission was dismissed at appeal for a 'part one/two storey front and side extension and roof extension incorporating 2 rear dormers with Juliet balconies'. In response to that refusal the applicant submitted a revised scheme in 2014 (ref. 14/00877/FULL6) which included the removal of the front bay at ground and first floor, the setting back of the front building line as well as the setting down of the ridgeline and removal of the half gable. This revised proposal was subsequently granted by Members in July 2014.

However, the applicant now seeks an amendment to that approved scheme in order to allow the consolidation of the two approved rear dormers into one larger roof addition and the addition of a small refuse storage chamber to the rear of the property. The proposed rear dormer would sit within the rear roof slope and would be visible from the public realm due to the corner location of the property. However, the principle of a rear dormer was already assessed and deemed acceptable by Members in 2014. Whilst the proposed dormer would be marginally bigger than the previously approved scheme, the overall design, size and proportions of the addition are considered to be in keeping with the application property. Officers noted on site that large rear dormers are visible on neighbouring properties, with an example found at No 22 Upper Park Road. The proposal would not therefore be out of the character with the area in general.

The proposed refuse storage chamber would be located behind the single-storey side extension and would not be visible from the public realm. The chamber would be a modest addition that would have virtually no impact on the character or appearance of the property or streetscene given its size and location.

In all other aspects the proposal remains as previously approved, including a part one/part two storey side extension. Although policy H9 of the UDP normally requires a minimum 1m side space, it is only the relatively modest single storey side element that is within 1m of the boundary and this still would maintain a 0.8m separation. The two-storey side extension would maintain side space of 1.5m from the boundary and this was deemed acceptable by Members within in 2014 application.

In relation to neighbouring amenity the bulk of the side extension would front the public highway and would not result in a visually intrusive form of development. There is already an established degree of overlooking towards the rear garden and the addition of a rear dormer and Juliette balcony would not give rise to a significantly greater level of overlooking or a loss of privacy. As noted above, two rear dormers, which included Juliette balconies, were assessed and deemed

acceptable by Members under the 2014 application. Officers consider that the revised scheme would not result in any greater impact.

Having had regard to the above, Members may consider on balance that the proposal is acceptable in that it would not harm the character and appearance of the host property nor the pair of semi-detached properties and the street scene in general.

Background papers referred to during production of this report comprise all correspondence on the files refs. 15/00923, 14/00877 and 13/03358, as set out in the Planning History section above, excluding exempt information.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- | | | |
|---|--------|--|
| 1 | ACA01 | Commencement of development within 3 yrs |
| | ACA01R | A01 Reason 3 years |
| 2 | ACC04 | Matching materials |
| | ACC04R | Reason C04 |
| 3 | ACK01 | Compliance with submitted plan |
| | ACK05R | K05 reason |

SECTION '2' – Applications meriting special consideration

Application No : 15/01235/FULL1

Ward:
Copers Cope

Address : 9 St Clare Court Foxgrove Avenue
Beckenham BR3 5BG

OS Grid Ref: E: 537994 N: 170143

Applicant : Jack Sengupta

Objections : YES

Description of Development:

Conversion of basement storage to two bedroom self-contained flat

Key designations:

Area of Special Residential Character
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
Smoke Control SCA 12

Proposal

Planning permission is sought to convert the existing basement of the property into a two bedroom self-contained flat.

For clarity amended planning application forms and revised certificate were received from the agent dated 25th March 2015 stating that Jack Sengupta was no longer the legal owner, but his son Daniel Sengupta was. The agent also confirmed that Platinum Estates (London) Ltd had been liquidated (however, the Local Planning Authority will not become involved in private legal matters).

Location

The application site is located at Nos. 9-10 St Clare Court, Foxgrove Road, Beckenham and is within the Area of Special Residential Character. The application site is a detached building located on the eastern side of Foxgrove Avenue, Beckenham.

St Clare Court currently consists of three blocks of two storey buildings adjacent to each other.

The land slopes steeply towards the east where a communal garden is provided which is accessed through a steeply sloping shared driveway. This drive also provides access to the existing garages and store rooms located underneath the existing flats. The external doors to these garages are located in the flank walls adjacent to the driveway. There are 2 small external doors and windows located on the side and rear elevations of both existing blocks which provide light and access to the store rooms.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and 35 letters of objection were received which can be summarised as follows:

- the applicant is no longer the freeholder for St Clare Court and the company Platinum Estates are no longer in existence.
- the site is already overdeveloped
- to convert the area into a self-contained flat would require major excavation work as the current basement is only 1.5m high and was built to house coal. It is not suitable as a habitable dwelling.
- there are no details regarding the provision of mains water, gas and electricity to the proposed flats and how this might affect the existing flats supplies.
- the privacy of the residents of Flat 8a, the basement of Block 5-8, will be severely impacted by the proposal. There will be a front door and two sets of windows in the proposed conversion which will overlook flat 8a.
- the residents in the two basement flats, previously converted by the same applicant have had serious problems with damp, plaster bulges and mildew.
- parking on the street is already a problem for residents, additional occupation would only add to this problem
- concern that the proposed plans do not take into account important issues of public services such as main sewer, water tanks on the roof, waste disposal, heating etc
- due to the age of the building it is unlikely the foundations will be adequate to take an extra load.
- there is no means of fire escape
- the development will cause noise and disturbance

Comments from Consultees

Environmental Health (Housing) -

- The bathroom, en-suite and kitchen do not appear to be provided with natural ventilation. Adequate means of mechanical ventilation should therefore be provided.
- There is a permanent physical obstruction within 3m of the window serving bedroom 2, which is consequently obstructed. By drawing a line from the top of the obstructing structure declining at a 30 degree angle down to the window any part of the window below the declining line when calculating the natural light provided by the obstructed window must be discounted. There

must be an area of unobstructed window glazing to the bedroom equivalent to at least one tenth of the bedroom floor area. All habitable rooms should be provided with a glazed area of at least 1/10th of the available floor area and a ventilation opening of at least 1/20th of the available floor area.

- Bedroom 1 is provided with insufficient outlook, with the window being obstructed by a permanent physical obstruction within 3m of the window.

Environmental Health (Pollution) - No objection

Highways -

- The development is for 2 two bedroom units. As there is a correlation of car ownership and type of dwelling people reside, this suggests that not all occupiers will own car(s). Furthermore I am of the opinion that the development would not have a significant impact on the parking in the surrounding road network. Therefore I raise no objection to the proposal.
- The applicant should provide 2 cycle parking spaces within the site's curtilage for the occupiers of the development.

Thames Water - No objection.

Drainage - No comment.

Waste Services - No comments 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
H1 Housing Supply
H7 Housing Density and Design
T3 Parking
T18 Road Safety

London Plan

3.3 Increasing Housing Supply
3.4 Optimising Housing Potential
3.5 Quality and Design of Housing Developments
3.8 Housing Choice
3.9 Mixed and Balanced Communities
5.12 Flood Risk Management
5.13 Sustainable Drainage
6.9 Cycling
6.13 Parking
7.1 Building London's Neighbourhoods and Communities
7.2 An Inclusive Environment
7.3 Designing Out Crime

- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.21 Trees and Woodland
- 8.3 Community Infrastructure Levy

The Mayor's Housing Supplementary Planning Guidance

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

Planning History

Under planning application ref. 10/01670, planning permission was granted for "Conversion of existing basement storage area into 2 two bedroom flats and installation of new windows and doors to the rear and side elevation. Formation of new storage cellar/communal store room /bicycle and bin store (at No. 1-8 St Clare Court)". This application is similar to that approved under ref. 10/00880. The internal layout was varied to create a central hallway and the layout of the flats was varied on the advice of the Council's Fire Officer that there was inadequate means of escape.

Under planning application ref. 10/00880, an amendment to the internal layouts and replacement of entrance doors to flats A & B (with integral windows) with kitchen windows was refused (at No.1-8 St.Clare Court).

Under planning application ref. 10/00880 planning permission was granted for the conversion of the existing basement storage area into 2 bedroom flats and installation of new windows and doors to rear and side elevation. Formation of new storage cellar/communal store room/bicycle and bin store (at Nos.1- 8 St. Clare Court).

Conclusions

The primary issues in the assessment of this planning application are:

- Principle of development
- The design and appearance of the proposed residential development and its impact on the character and appearance of the area and locality
- The quality of living conditions for future occupiers
- Impact on the amenity of neighbouring residents
- Highways and traffic issues

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

Principle of Development

The National Planning Policy Framework (NPPF) promotes the efficient and sustainable use of land for housing. Policy H7 of the UDP outlines the criteria that applications for new housing must meet. It requires the site layout, buildings and level of amenity space to be in keeping with the surrounding area. The Council will therefore resist proposals that would undermine local character or that would be likely to result in detriment to existing residential amenities.

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

The site is located within a predominantly residential area where the Council will consider residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed.

The provision of an additional dwelling by converting the existing basement needs to be considered subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

Planning permission was granted at the neighbouring courts for two basement extension under planning application ref. 10/01670.

The design and appearance of the proposed residential development and its impact on the character and appearance of the area and locality

The property is located on Foxgrove Avenue, Beckenham where there are a wide variety of differently designed large detached properties, and blocks of flats as in this case. Consistent character is, however, achieved through similar separation spaces, dwelling footprint and plot widths. The Foxgrove Avenue Area of Special Residential Character states that the area is in the main inter/post war with spacious rear gardens. The blocks of flats along this part of Foxgrove Avenue are all of a similar style and appearance.

The eleven flats located within the three blocks were constructed during the 1930's and the basement areas below flats 1-8 & 9-10 were originally used for the storage of coal and now forms part of a large storage area for residents of these flats.

The proposed changes will require both internal and external changes on the flank and rear elevations with windows and bi-folding doors to the rear to provide adequate means of escape in the event of a fire. A new entrance door is proposed together with larger windows on the north-east flank elevation.

The privacy of the residents of Flat 8a, the basement of Block 5-8, will be impacted by the proposal. There will be a front door and two sets of windows in the proposed conversion which will overlook Flat 8a.

The quality of living conditions for future occupiers

Policy 3.5 of the London Plan states the minimum internal floorspace required for residential units on the basis of the occupancy that could be reasonably expected within each unit. The floorspace of the proposed unit varies in size depending on the useable height area (owing to the sloping heaves height).

Table 3.3 of the London Plan requires a Gross Internal Area of 61sqm for two bedroom, three person apartment. With regard to the above it appears that the size of the apartments for its intended occupancy would not comply with the minimum standards (measuring approximately 40m²) contained in the London Plan 2015 unit size standards.

Comments received from the Council's Environmental Health department, outline that the rooms would have inadequate ventilation and natural light, a permanent physical obstruction within 3m of the window serving Bedrooms 2 and Bedroom 1 has an inadequate outlook.

Residential Amenity and Impact on Adjoining Properties

The proposed conversion of the basement will have some impact on the amenities of neighbours below and in adjacent properties through noise and disturbance. Several neighbours have stated that the building of the basement flat at No.1-8 allowed in 2010 caused lots of noise, dirt, dust and debris.

Highways

The site is within a low (1a) PTAL area. No additional parking has been provided as part of the application and the Highways Officer is of the opinion that the development would not have a significant impact on the parking in the surrounding road network. Two cycle spaces have been asked for within the site's curtilage for the occupiers of the development.

Several of the neighbouring residents have complained that there is no off-street parking and that there is already inadequate parking in the road with evenings and weekends being particularly troublesome. They maintain that to add another dwelling would generate additional traffic.

Summary

In summary, while the general principle of a conversion may not be considered inherently out of character given the Council's decision to grant planning permission for a basement conversion at Nos.1-8 St Clare Court. However, the proposal fails to provide satisfactory accommodation in line with the minimum space standards set out in Annex 4 of the Mayor's Housing SPG and is therefore

contrary to strategic policies in the London Plan and relevant housing policies within the UDP.

Background papers referred to during production of this report comprise all correspondence on the files refs. 15/01235 and 10/00880, set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposed basement constitutes a cramped and over-intensive use of the property, resulting in accommodation that fails to meet minimum space standards for residential accommodation as set out in the Mayors Housing Supplementary Planning Guidance; lacks adequate facilities commensurate with modern living standards, and is thereby contrary to Policy 3.5 of the London Plan, the Council's general requirements for residential conversions and Policies BE1 and H11 of the Unitary Development Plan.
- 2 The proposed windows within the bedrooms of the proposed basement flat do not provide a reasonable view or outlook and the kitchen and bathroom do not provide adequate means of natural light or ventilation which would be harmful to the amenities of the user of the habitable room contrary to Policy BE1 of the Unitary Development Plan.

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

Application No : 15/00358/FULL6

Ward:
Bromley Town

Address : 36 South View Bromley BR1 3DP

OS Grid Ref: E: 540977 N: 169249

Applicant : Mr C And Mrs S Fagg

Objections : NO

Description of Development:

Part one/two storey side and single storey rear extensions

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Bromley Town Centre Area Buffer 200m
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency
Smoke Control SCA 12
Smoke Control SCA 13

Proposal

The application seeks consent for the construction of a two-storey side extension and single-storey rear extension.

The two storey side extension would measure 4.2m in depth and would include a part flat/part hipped roof, which would match the height of the existing two-storey side projection. Two windows are proposed within the side roof slope, a further door and window are also proposed within the flank elevation.

The single-storey rear extension would measure 4.4m in depth and would expand to the full width of the host dwelling. It would incorporate a pitched roof with an overall maximum height of 3.3m and an eaves height of 2.6m. The proposal would have a conservatory appearance with large glazed panels.

Location

The application relates to a two-storey demi-detached residential dwelling, which is located on the west side of South View Road. The application property has a strong form with a partially hipped roof, prominent front gable and double height

bay window. To the side, above an existing garage is a first floor flat roofed element which has the appearance of a side extension, but appears to be an original feature, as this design is replicated on neighbouring properties.

The property benefits from off-street parking and an existing single-storey side and rear extension. The garden measures approximately 30m in depth.

The surrounding area is residential in character and the property is not located 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:

- Letters of support and general comments relating to ensuring the build is structurally sound.

Comments from Consultees

No consultee consultation necessary.

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

SPG 1 General Design Principles
SPG 2 Residential Design Guidance

Planning History

Ref. Number	Description	Status	Decision
94/01436/FUL	SINGLE STOREY REAR EXTENSION	PER	03.08.1994

Conclusions

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

The application site was visited by the case officer and the aims and objectives of the above policies, national and regional planning guidance, all other material planning considerations including any objections, other representations and

relevant planning history on the site were taken into account in the assessment of the proposal.

Design

Policies H8, BE1 and the Council's Supplementary design guidance seek to ensure that new development, including residential extensions are of a high quality design that respect the scale and form of the host dwelling and are compatible with surrounding development.

The proposed two-storey side extension would be located behind an existing two-storey flat roofed element, which fronts the highway. A small single-storey extension sits behind this forward facing element. The proposal would first build up this existing single-storey rear extension at first floor level and would include a flat roof to match this existing side addition. The proposal would then extend to two-storeys in height for a depth of 4.2m, but would not project beyond the existing rear building line. The two-storey element of the proposal would include a pitched roof, which would meet the ridge line of the existing dwelling. The pitched element of the roof would sit above the existing forward facing side addition and would therefore be visible from the streetscene; however it would be set back from the front elevation by 7.3m. The design is therefore considered to be subservient to the main dwelling. This element would also be partially obscured by the set back and subsequent oblique angle when viewed from the highway.

Given the set back and limited visibility, it is considered that the overall design and proportions of the two-storey extension are sympathetic and in keeping with the host dwelling. Subject to a condition ensuring the use of matching materials, on balance it is considered that the proposal would not result in significant harm to the appearance of the host dwelling or area in general.

The proposed single-storey rear extension would be located to the rear of the property and would not be visible from the public realm. It would expand to the full width of the host dwelling and would have a conservatory appearance with full height glazed windows. The overall size and proportions of the extension are considered to be acceptable and would generally sit well on the rear elevation. In terms of massing the extension is considered to be in proportion with the application property and would not result in significant harm to the appearance or character of the dwelling.

Neighbouring Amenity and Side Space

Policy H9 requires proposals of two or more storeys in height to be a minimum of 1m from the side boundary.

Policy BE1 seeks to ensure that new development proposals, including residential extensions respect the amenity of occupiers of neighbouring buildings and that their environments are not harmed by noise and disturbance or by inadequate daylight, sunlight or privacy or by overshadowing.

The large majority of properties within South View have either no side space or less than a metre between the existing side extensions and the boundary. The application property is one of a run of properties in South View which have existing 2 story side extensions which come closer than a meter to the boundary.

The proposed side extension would be set back from the common boundary with No 34 South View by 0.6m and 1.2m respectively. It would have a maximum overall depth of 6.1m, however only 3.9m of the proposal would be within 0.6m of the boundary; this would then increase to 1.2m for the remaining depth. No 34 has a similar arrangement to application property with a partial two-storey side extension adjacent to the common boundary. This however, does not extend to the full depth of the host dwelling. There are a number of windows located within the flank elevation of No 34, which face the common boundary with No 36; however these appear to be secondary windows, with their primary windows facing towards the front and rear of the property.

The applicant has tried to minimise the visual impact of the scheme by maintaining the line the existing flat roof and incorporating a pitched element towards the rear of the property. This pitched element would pitch away from the boundary in order to try and reduce the overall bulk of the scheme. The extension would not project beyond the rear building line and would be set back from the boundary by 0.6m and 1.2m respectively. Given the above, officers consider that the design of the scheme would not result in a significant visual intrusion for the neighbouring property at No 34.

No 34 is located to the north of the application site. Whilst officers acknowledge that the proposal would result in the flank elevation of the building being slightly closer to the common boundary with No 34, the overall built form would not extend beyond the existing rear building line. As such, no significant loss of light to the side elevation of No 34 is anticipated.

Two windows are proposed at first floor level within the side elevation of the extension and a further two windows are proposed within the side roof slope. The proposed windows at first floor level would serve a toilet and bathroom, which would be obscured glazed and non-opening. No overlooking or loss of privacy is therefore anticipated. The remaining windows would be located within the rear elevation and would overlook the rear garden, where there is already an established degree of overlooking.

The proposed single-storey rear extension would measure 4.3m in depth. This would expand to the full width of the host dwelling and build up the party wall with No 38 South View. There is currently an existing single-storey rearward projection that would be demolished under the current scheme. No 38 has a small existing rear projection, which abuts the common boundary with the application property. The proposed extension would therefore measure 3.35m in depth when viewed from No 38. In relation to No 36 the proposal would be set back from the common boundary by 1.2m, The overall depth and size of the proposal is considered to be acceptable and not overly intrusive when taking into account the existing development at both No 36 and No 38.

No. 38 is located to the south of the site and as such no loss of light or overshadowing is anticipated. A solid party wall would be built along the common boundary with No. 38, which would result in no loss of privacy or overlooking.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 ACA01 Commencement of development within 3 yrs
ACA01R A01 Reason 3 years
- 2 ACC04 Matching materials
ACC04R Reason C04
- 3 ACK01 Compliance with submitted plan
ACK05R K05 reason
- 4 Before the development hereby permitted is first occupied, the proposed window(s) in north facing elevation of the extension shall be obscure glazed to a minimum of privacy level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor of the room in which the window is installed and shall subsequently be permanently retained as such.

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

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

Application No : 15/00377/FULL6

Ward:
Bickley

Address : 38 Hawthorne Road Bickley Bromley
BR1 2HH

OS Grid Ref: E: 542958 N: 168646

Applicant : Pellings LLP

Objections : NO

Description of Development:

Two storey side/rear extension, re-building of roof and second floor accommodation, elevational alterations and detached garage to rear with vehicular access to Hawthorne Road

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
Smoke Control SCA 13
Smoke Control SCA 12

Proposal

It is proposed to re-build the first floor and roof of this detached dwelling which was recently damaged by fire, and add a two storey side/rear extension to the eastern side adjacent to the access road to No.38A to the rear, along with a detached garage in the rear garden to the west of the dwelling. A new vehicular access would be provided to Hawthorne Road adjacent to No.36 to the west.

Location

This site lies on the southern side of Hawthorne Road and is occupied by a large detached locally listed two storey dwelling which has been seriously fire damaged.

A detached two storey dwelling has recently been constructed in the original rear garden of this property (known as 38A Hawthorne Road), and access to it is provided along the eastern flank boundary with No.40.

The surrounding residential area is mixed in character with mainly detached dwellings set in generous plots in Hawthorne Road, with higher density housing in Albyfield to the south-east.

Comments from Local Residents

No letters of objection have been received from nearby residents.

Comments from Consultees

No highways objections are raised to the proposals subject to safeguarding conditions.

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

This application has been called into committee by Ward Councillors.

Planning History

The planning history of this property relates solely to applications for residential development in the rear garden, rather than to the dwelling itself.

Conclusions

The main issues in this case are whether the proposals would result in an overdevelopment of the site which would be out of character with the surrounding area, whether it would result in a cramped form of development, and whether it would detrimentally affect the amenities of neighbouring residential properties.

The re-built first floor and roof would help to re-instate the original locally listed dwelling, which is welcomed, and the proposals would also involve the removal of a later single storey side addition and rear conservatory.

The proposed two storey side extension would extend up to the shared access drive along the eastern boundary of the site, but given the 5m separation distance to the flank boundary with No.40, and the subservient appearance of the extension which would be set back 5.3m from the front elevation of the dwelling and would have a lowered roofline, the proposals are not considered to have an unduly cramped appearance within the street scene, nor detract from the appearance of the locally listed building.

A similar detached garage for No.38 was originally allowed on appeal under ref.06/02201 when permission was granted for a dwelling to the rear, and a

detached garage in a similar location was also permitted as part of later schemes. It would be set far back from the front of the dwelling, and would not have a detrimental impact on the street scene.

The proposed two storey side/rear extension would cover a similar sized footprint as the existing single storey side/rear extension and rear conservatory which are to be removed, whilst the garden depth would range between 11-15m which would still be more generous than neighbouring properties. The garage has been permitted under earlier schemes, and the proposals are not, therefore, considered to result in an overdevelopment of the site.

With regard to the impact on neighbouring properties, the proposed two storey side/rear extension would be located approximately 11m away from the dwelling to the east at No.40, whilst the rear elevation facing No.38A has been designed to ensure that there would be no first floor facing windows.

The proposed garage would be set back at least 1m from the western flank boundary with No.36, and a garage of this size has already been accepted in this location.

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 | ACC04
ACC04R | Matching materials
Reason C04 | |
| 3 | ACH03
ACH03R | Satisfactory parking - full application
Reason H03 | |
| 4 | ACH09
ACH09R | Restriction on height to front and flank
Reason H09 | |
| 5 | ACH12
ACH12R | Vis. splays (vehicular access) (2 in)
Reason H12 | 3.3 x 2.4 x 3.3m
1m |
| 6 | | Before the development hereby permitted is first occupied, the proposed window(s) at first floor level in the flank elevations of the re-instated building shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained as such. | |
| 7 | ACI12R
ACI17
ACI17R | I12 reason (1 insert) BE1
No additional windows (2 inserts) first floor flank extensions
I17 reason (1 insert) BE1 | |
| 8 | ACK01
ACK05R | Compliance with submitted plan
K05 reason | |

INFORMATIVE(S)

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

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

Application No : 15/00636/FULL6

Ward:
West Wickham

Address : 74 Woodland Way West Wickham BR4
9LR

OS Grid Ref: E: 538206 N: 165361

Applicant : Mr Alfred Schembri

Objections : NO

Description of Development:

Single storey rear and first floor side extensions

Key designations:

Biggin Hill Safeguarding Birds Aldersmead Road
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 51

Proposal

Planning permission is sought for a single storey rear and a first floor side extension.

The existing rear conservatory extension is to be demolished. The replacement single storey rear extension will project 2.6m depth to bring the whole of the ground floor rear elevation in line with the existing separate rear extension adjacent to No72. A separation gap of 300mm and 225mm is maintained to the boundary with No76 and 225mm to the attached boundary with No72. A mono pitch roof structure with a small flat roof is indicated. Patio doors, a single door and a casement window are shown to the rear elevation.

A first floor side extension will build above the existing side extension adjoining No72. The extension is set back from the front elevation by 4.5m and measures 1.7m width by 3.9m depth. The flank wall of the first floor extension will be approximately 1.277m from the side. A hipped roof is indicated.

Materials are indicated to match the existing in render and a tiled roofing finish. Two small additional windows are also indicated in the existing flank wall facing No76 to provide extra light to the dining area.

Location

The site is located to the west side of Woodland Way and comprises a two storey detached dwelling house. An existing conservatory and separate single storey and side extension exists at the property.

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
H9 Side Space

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

SPG No1 - General Design Principles
SPG No2 - Residential Design Guidance

Planning History

Ref: 99/01390/FULL1: Permission was granted for a single storey front/side extension and 2 first floor front bay windows on 05.07.1999.

09/01180/FULL6: Permission was refused for a first floor side and part one/two storey rear extension and single storey extension to existing workshop at rear on 14.07.2009.

Note: This application related to a proposal that was for a full depth side extension at first floor level extending from the front elevation and set in 1m from the side boundary.

09/02626/FULL6: Permission was granted for a single storey rear extension and single storey extension to existing workshop at rear on 17.11.2009.

14/03590/FULL6: Single storey rear and first floor side extensions. Refused 08.12.2014

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

Conclusions

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

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

Note: This application is a resubmission of a previously refused application due to being contrary to side space Policy H9.

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

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

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

Rear Extension

The design of the extension is considered to be in keeping with the character of the existing building. The extension is not visible from the public streetscene and is entirely contained to the rear. Therefore the main effect will be on the character of the original building. As such, a high quality addition is acceptable in principle. In this case, with incorporation of matching materials are considered an acceptable addition in keeping and complimentary to the architectural style of the building.

The rear extension is relatively modest in terms of depth at 2.6m adjoining the rear elevation. This is within the limits generally considered to be acceptable for extensions of this nature in this location.

First Floor side extension

The design of the first floor extension is considered to be in keeping with the character of the existing building incorporating a hipped roof at the same pitch as the main dwelling. In terms of side space this revised application indicates the first floor extension is now set at a greater distance to the side boundary than 1m. Given the extensive set back of the extension by 4.5m from the front elevation and

lower roof line ridge it is considered that the spatial characteristics of the area and the buildings character is maintained to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. As such the proposal does not represent a cramped appearance and does not result in unrelated terracing and therefore maintains the spatial standards and level of visual amenity of the streetscene in this case.

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

Other alterations

The additional windows in the flank elevation facing No76 are not considered to overlook or cause a loss of privacy as they face on to a blank flank wall. Nevertheless, to maintain privacy obscure glazing is recommended.

Summary

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

Reason: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

- | | | |
|---|--|--|
| 5 | The additional windows hereby permitted in the ground floor south flank elevation shall be obscure glazed and so maintained. | |
|---|--|--|

Reason: In order to comply with Policies BE1 and H8 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

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

Application No : 15/01034/FULL6

Ward:
Farnborough And Crofton

Address : 24 Meadow Way Orpington BR6 8LW

OS Grid Ref: E: 543222 N: 165326

Applicant : Mr Terry Negus

Objections : YES

Description of Development:

Roof alterations to incorporate rear dormer extension, part one/two storey side/rear extension, alterations to front porch to include canopy and elevational alterations (revisions to permission ref. 14/00744 to include single storey plant room to side, eaves level of main roof raised to North Eastern side, removal of pitched roof over single storey rear extension, changes to windows and doors, changes to roof materials and removal of chimneys)

RETROSPECTIVE APPLICATION

Key designations:

Conservation Area: Farnborough Park

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Smoke Control SCA 11

Proposal

Permission was granted in April 2014 (ref.14/00744) for a part one/two storey/first floor rear extension to this property, including a rear dormer and a slight increase in the height of the north-eastern part of the roof (by 0.4m) to come in line with the existing roof ridge, a canopy in place of the existing front porch, and minor elevational alterations to windows.

The building works have now been carried out, but the completed scheme varies from the permitted scheme in the following main ways:

- the single storey rear extension now has a flat roof instead of a pitched roof
- three of the rear-facing first floor windows have been replaced with double doors and balustrading
- a 2m x 2.2m single storey flat roof plant room has been constructed to the rear of the existing garage
- the main roof eaves to the eastern side have been raised by approximately 0.8m to balance with the western side

- two additional high-level rooflights have been added to the eastern flank elevation
- ground floor glazed doors in the side elevations have been replaced with small windows
- a first floor window in the eastern flank elevation has been removed
- two chimneys have been removed from the eastern flank elevation
- the roof tiles have been changed from clay tiles to slates.

Retrospective planning permission is now sought for the retention of these changes.

Location

This detached two storey property is located on the south-eastern side of Meadow Way, and lies between 2 two storey detached properties at Nos.22 and 26 Meadow Way. The property falls within Farnborough Park Conservation Area.

Comments from Local Residents

Nearby owners/occupiers were notified of the application and representations were received from No.26 Meadow Way which can be summarised as follows:

- the provision of a flat roof rather than a pitched roof over the single storey rear extension along with the addition of double doors could allow the flat roof to be used as a terrace which would cause unacceptable overlooking of neighbouring properties and gardens
- a pitched roof should be built over the rear extension and the doors replaced with windows in order to prevent future use as a balcony.

Comments from Consultees

The Advisory Panel for Conservation Areas has raised objections on the grounds that the rear flat roof would be contrary to Policy BE1(v) of the UDP in terms of loss of amenity to neighbouring properties.

Planning Considerations

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

BE1 Design of New Development
 BE11 Conservation Areas
 H8 Residential Extensions
 H9 Side Space

This application has been called in to committee by a Ward Councillor.

Planning History

Permission was refused in January 2014 (ref.13/03621) for roof alterations to incorporate a rear dormer extension, a part one/two storey side/rear extension, alterations to the front porch to include canopy and elevational alterations on the following grounds:

"The proposal, by reason of the excessive two storey projection beyond the rear of 26 Meadow Way, would result in a detrimental impact upon the visual amenities and prospect of the residents of that property contrary to Policies BE1 and H8 of the Unitary Development Plan and the National Planning Policy Framework."

A revised scheme was submitted under ref.14/00744 which reduced the depth of the first floor element of the rear extension by 1.5m, and permission was granted in April 2014.

Conclusions

The main issues in this case are the impact of the revisions to the scheme on the character and appearance of Farnborough Park Conservation Area and on the amenities of neighbouring residential properties.

The increase in the eaves height of the main roof to the eastern side of the dwelling is the main part of the revised scheme that is visible from the public domain. It has helped to balance the largely symmetrical appearance of the dwelling, and the use of roof slates does not appear out of character with the surrounding area. The proposals are not therefore considered to cause harm to the character and appearance of the Conservation Area.

With regard to the impact on neighbouring properties, the alterations include the provision of a flat roof to the single storey rear extension, and the replacement of three of the rear first floor windows with glazed double doors. Balustrading has been constructed immediately in front of the glazed doors, and the applicant has confirmed that the flat roof area will not be used as a balcony. This matter can be controlled by way of a planning condition.

The two additional rooflights within the eastern flank roof slope are high-level and do not result in overlooking of the adjacent property, whilst the other changes to windows are minor and are not harmful to residential amenity.

The revised scheme is therefore considered to be acceptable subject to an additional condition preventing the use of the flat roof of the rear extension as a balcony.

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 | ACI14 | No balcony (1 insert) | the single storey rear extension |
| | ACI14R | I14 reason (1 insert) | BE1 |
| 2 | ACI17 | No additional windows (2 inserts) | first floor flank |
| | | extensions | |
| | ACI17R | I17 reason (1 insert) | BE1 |
| 3 | ACK01 | Compliance with submitted plan | |
| | ACK05R | K05 reason | |

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

Application No : 14/04805/FULL1

**Ward:
Bickley**

**Address : White Wings Bickley Park Road Bickley
Bromley BR1 2BE**

OS Grid Ref: E: 542778 N: 169001

Applicant : Mr Neil Cooper

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of 2 detached two storey 6 bedroom dwellings with accommodation in roofspace, integral garage and new vehicular access to plot 1.

Key designations:

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

Proposal

It is proposed to demolish the dwelling and garage and erect two detached two storey dwellings which would each have an integral garage, and would include accommodation in the roofspace. The dwellings would be set back at least 11m from the road in a similar position to the existing dwelling, but would extend further to the rear. The new dwellings would have rear garden depths of at least 20m, and minimum 1m separations would be provided between the dwellings and to the flank boundaries.

The proposals originally submitted included two separate vehicular accesses to Bickley Park Road to serve the dwellings, but the scheme has now been revised to provide only one central access to serve both dwellings, which would involve stopping up the existing access to the eastern side of the site.

Location

This site is located on the northern side of Bickley Park Road, and lies within Bickley Area of Special Residential Character. It measures 0.19ha in area, and is currently occupied by a detached two storey dwelling with attached double garage. The site is bounded to the east by a detached dwelling known as Lone Pine, and to the west by a detached dwelling known as St Michaels, whilst St Georges Church and the Vicarage lie further to the west. Two properties in Woodlands Close (Old Cedars and Athelstan) back onto the rear of the site.

Comments from Local Residents

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

- overdevelopment of the site - dwellings are too large for the plot
- new dwelling on Plot 2 would be too close to the boundary with Lone Pine
- loss of light to and outlook from Lone Pine
- dwellings would encroach on the building line
- detrimental impact on flank window to habitable room at Lone Pine.

Comments from Consultees

No highways objections are raised to the provision of a central vehicular access to serve both dwellings, and the parking layout is considered acceptable, subject to safeguarding conditions.

Environmental Health do not raise any objections in principle, and there are no drainage objections seen to the proposals. Thames Water also has no concerns.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density & Design
H9 Side Space
H10 Areas of Special Residential Character
T3 Parking
T18 Road Safety
NE7 Development and Trees

Conclusions

The main issues in this case are the impact of the proposals on the character and spatial standards of Bickley Area of Special Residential Character, and on the amenities of the occupants of surrounding residential properties, and the effect on parking and road safety in the close vicinity and on important trees on the site.

Appendix 1 of the UDP sets out that "Developments likely to erode the individual quality and character of the ASRCs will be resisted." The Bickley ASRC is

described as being characterised by spacious inter-war residential development which consists of large houses in substantial plots.

The existing dwelling on the plot maintains a generous separation to the western flank boundary of 7m, whilst the eastern wing adjacent to Lone Pine is single storey only and maintains a separation of 2m to the eastern flank boundary. Although the subdivided plots may be of a width and depth that would be in keeping with the surrounding area, the size and width of the dwellings proposed and their close proximity to each other and to the neighbouring dwellings, would result in a cramped form of development on the site. The dwellings would be of a two storey design for their full width, (with accommodation in the roofspace included), and would be situated only 1m from their respective flank boundaries which would considerably reduce the spacious nature of this part of the ASRC which lies close to Bickley Park Conservation Area.

The majority of the dwellings in the close vicinity are set within more spacious grounds, whilst the neighbouring properties to the east at Lone Pine and Loxley contain single storey elements to one side which reduces the impact of the dwellings within the street scene.

With regard to the impact on neighbouring properties, the new dwellings would not project significantly forward of the neighbouring properties, and the deeper elements of the proposed dwellings would be set back from their respective side boundaries with St. Michaels and Lone Pine in order to reduce the impact on the adjacent dwellings. However, the new dwelling on Plot 2 would be set back only 2.4m from the western flank wall of Lone Pine which contains a clear-glazed first floor window to a bedroom, and is the only window to this habitable room. It is therefore considered that the light to and outlook from this room would be significantly affected by the proposals.

The proposed parking and access arrangements are considered acceptable by the Council's Highway Engineer.

With regard to trees on the site, the proposals would require the removal of several established trees located at the front of the property (including mature 12m high cypress trees and a 10m high sycamore tree) in order to form the new vehicular access and parking, and it is likely that the majority of the existing minor trees and shrubs located along the eastern part of the front boundary would also be removed. The loss of these trees are likely to have a noticeable effect on the character of the frontage, but the quality of the existing planting is generally poor, and a proposal for new landscaping to the front of the property would mitigate against the harm to the visual character.

Several trees along the western flank boundary are shown to be retained (including a cherry and a yew), but are likely to be impacted by proposed new hardstanding, and would therefore require the submission of a tree protection plan/method statement.

In conclusion, the proposals are considered to be unacceptable in that they would result in a cramped form of development that would be detrimental to the character

and spatial standards of Bickley ASRC, and would result in a significant loss of light to and outlook from the neighbouring property at Lone Pine.

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 09.02.2015

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1 The proposed dwellings would, by reason of their size, bulk and close proximity to the flank boundaries, result in a cramped form of development, detrimental to the character and spatial standards of Bickley Area of Special Residential Character, and would be contrary to Policies BE1, H7, H9 and H10 of the Unitary Development Plan.
- 2 The proposed dwelling on Plot 2 would, by reason of its size, height and close proximity to the eastern flank boundary with Lone Pine, be harmful to the amenities of the adjoining occupiers by reason of loss of light and outlook, thereby contrary to 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

Report No.
DRR/15/040

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PLANS SUB COMMITTEE NO. 1

Date: Thursday 21st May 2015

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

Title: CONFIRMATION OF TREE PRESERVATION ORDER NO. 2597A
6 LAUREL GARDENS, BROMLEY, BR1 2US

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

Chief Officer: Chief Planner

Ward: Bickley

1. Reason for report
 2. This report considers objections that have been made to the making of a Tree Preservation Order. The Committee must take the objections into account before deciding whether to confirm the order.
-

3. RECOMMENDATION(S)

That Tree Preservation Order No.2597A be confirmed without modification.

Corporate Policy

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

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Planning and Renewal
 4. Total current budget for this head: £2.194m
 5. Source of funding: Existing controllable revenue budget for 2015/16
-

Staff

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

Legal

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

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

3.1 The Site

3.2 The site at Laurel Gardens comprises modern 2 storey detached houses with landscaped front and rear gardens, and is located approximately 50m south of the junction between Southborough Road, Oldfield Road and Southlands Road.

3.3 The yew tree (T1) as shown on the attached Plan is located within amenity land close to the front boundary of 1 Laurel Gardens approximately 10m west of the main house and facing onto Southborough Road.

3.4 The cedar tree (T2) is situated within the rear garden of 6 Laurel Gardens immediately adjacent to the left flank northern boundary approximately 12m from the edge of the rear building line of 6 Laurel Gardens and approximately 3m from the rear elevation of No. 5 Laurel Gardens.

3.5 The surrounding area is predominately residential comprising mainly 2 storey semi-detached and detached dwellings, and characterised by the presence landscaped front and rear gardens and mature tree planting.

3.6 The Order

3.7 Tree Preservation Order No. 2597A was served upon all interested parties on 12th December 2014 to extend the provisional protection afforded to yew tree (T1) and cedar tree (T2) for a further 6 months, superseding both TPO Nos. 2597 and TPO 1058.

3.8 The order is effective for 6 Months. If the order is not confirmed within that period, the provisional protection will cease on 12th June 2015.

3.9. Issues

3.10 The Council received objections in July 2014 to the making of the order from the owners of Nos.5 and 6 Laurel Gardens, Bromley on the following grounds:

- a) The size and species of the tree are deemed unsuitable for the size of the garden.
- b) The tree has shed several large limbs in recent years and as a result has lost its amenity value and deemed to be a hazardous risk to both owner and nearby neighbours.

3.11 The Town and Country Planning Act (1990) section 198(1) states that:

‘If it appears to a Local Planning Authority that it is expedient in the interests of amenity to make provision for the preservation of trees or woodlands in their area, they may for that purpose make an order with respect to such trees, groups of trees or woodlands as may be specified in the order’.

3.12 Considerations

3.13 The principal considerations in relation to the confirmation of the order including the objector’s comments are:-

(a) In relation to the cedar tree situated within the rear garden of 6 Laurel Gardens:

- (i) Is the cedar tree (T2) of sufficient public amenity value and in a satisfactory condition to be made the subject of a permanent Tree Preservation Order in which case members should confirm the order without modification.
- (ii) If it is considered that the cedar tree is not of sufficient amenity value or condition, members should confirm the order with modification to exclude cedar tree (T2) from the order.

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

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

3.15 Tree Works Application ref. 14/02640/TPO was considered at the Plans Sub-Committee meeting on 5th February 2015 and it was decided that consent to fell cedar (T2) be refused for the following reasons:-

‘The removal of the tree is unnecessary and would have a detrimental effect upon the character and appearance of the area contrary to Policy NE7 of the Unitary Development Plan’.

3.16 On the 14th April 2015 the Council received formal notification from the Planning Inspectorate of an Appeal on behalf of the owners of 6 Laurel Gardens against the Council’s refusal to allow the removal of T1 Cedar tree. The Planning Inspectorate have stated that they will await the outcome of the Council decision to either confirm or not to confirm the inclusion of the cedar tree within Tree Preservation Order, before proceeding any further with the Appeal.

3.17 The Committee should take into account the recent decision made at Plans Sub Committee on 5th February 2015 to refuse consent to remove Cedar tree (T2).

3.18 A copy of the report to Plans Sub Committee Meeting on 5th February 2015 is enclosed as an appendix to this report.

4. POLICY IMPLICATIONS

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

5. FINANCIAL IMPLICATIONS

None

6. LEGAL IMPLICATIONS



None

7. PERSONNEL IMPLICATIONS

None

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	Copy of Tree Preservation Order No. 2597A Copy of report to Plan Sub Committee on 25 th February 2015.



RENEWAL AND RECREATION		TREE PRESERVATION ORDER TOWN AND COUNTRY PLANNING ACT 1990 LAND FRONTING & 6 LAUREL GARDENS, BROMLEY KENT, BR1 2US	
	JIM KEHOE CHIEF PLANNER CIVIC CENTRE STOCKWELL CLOSE BROMLEY, KENT, BR1 3UH	Scale 1,1250	12/06/2014
		N 	Plan: 2597A