



THE LONDON BOROUGH
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DATE: 18 August 2015

To: Members of the
PLANS SUB-COMMITTEE NO. 4

Councillor Richard Scoates (Chairman)
Councillor Peter Dean (Vice-Chairman)
Councillors Vanessa Allen, Lydia Buttinger, Simon Fawthrop,
Samaris Huntington-Thresher, Russell Mellor, Melanie Stevens and Michael Turner

A meeting of the Plans Sub-Committee No. 4 will be held at Bromley Civic Centre on
THURSDAY 27 AUGUST 2015 AT 7.00 PM

MARK BOWEN
Director of Corporate Services

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

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

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

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

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

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

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

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 2 JULY 2015**
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- 4 PLANNING APPLICATIONS**

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4.3	Copers Cope Conservation Area	25 - 36	(15/02906/FULL1) - 61 The Avenue, Beckenham, BR3 5EE
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SECTION 3 (Applications recommended for permission, approval or consent)

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4.5	Chislehurst	45 - 52	(15/00830/FULL1) - Huntingfield, The Drive, Chislehurst BR7 6QS
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4.7	Cray Valley West	61 - 82	(DC/15/02006/DET) - Grays Farm Production Village, Grays Farm Road, Orpington, BR5 3BD
4.8	Plaistow and Sundridge	83 - 100	(15/02126/DET) - 25 Scotts Road, Bromley BR1 3QD
4.9	Petts Wood and Knoll	101 - 106	(15/02628/FULL6) - 2 Nightingale Road, Petts Wood, Orpington BR5 1BG
4.10	Shortlands	107 - 116	(15/03002/FULL1) - Land at North East Junction with Pickhurst Lane and Mead Way, Hayes, Bromley

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

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

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6 TREE PRESERVATION ORDERS

Report No.	Ward	Page No.	Application Number and Address
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PLANS SUB-COMMITTEE NO. 4

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

Present:

Councillor Richard Scoates (Chairman)
Councillor Peter Dean (Vice-Chairman)
Councillors Vanessa Allen, Lydia Buttinger, Simon Fawthrop,
Ellie Harmer, Samaris Huntington-Thresher, Russell Mellor and
Melanie Stevens

Also Present:

Councillors Kevin Brooks, Judi Ellis, Will Harmer, Terence Nathan
and David Livett

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Michael Turner; Councillor Ellie Harmer acted as substitute.

2 DECLARATIONS OF INTEREST

No declarations of interest were received.

3 CONFIRMATION OF MINUTES OF MEETING HELD ON 30 APRIL 2015

RESOLVED that the Minutes of the meeting held on 30 April 2015 be confirmed and signed as a correct record.

4 PLANNING APPLICATIONS

SECTION 2

(Applications meriting special consideration)

4.1 BROMLEY TOWN

(14/03400/FULL1) - Blyth Wood Park, 20 Blyth Road, Bromley BR1 3TN

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

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

from Ward Member Councillor William Harmer in objection to the application were received at the meeting.

Comments from Ward Member Councillor Nicky Dykes in objection to the application were reported. Comments from the Highways Division were also reported.

Councillor Fawthrop suggested that enforcement action be implemented in regard to the possible loss of trees covered by TPOs.

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

1 The proposal would prejudice the amenities of neighbouring residents along Bracken Hill Lane, by reason of additional noise and disturbance resulting from the proposed vehicular access and associated activity, contrary to Policy BE1 of the Unitary Development Plan.

2 The proposal, resulting as it does, in the loss of mature trees and foliage along the boundary with Bracken Hill Lane and replacement by a vehicular access and new fence and gate, would result in an undesirable feature, undermining the established verdant frontage and the character and appearance of the wider street scene, contrary to Policy BE1 of the Unitary Development Plan.

3 The proposed vehicular access would lack adequate sightlines, which would therefore prejudice road safety conditions along Bracken Hill Lane, contrary to Policy T18 of the Unitary Development Plan.

IT WAS FURTHER RESOLVED that planning investigations be undertaken to consider potential enforcement action in relation to the possible loss of trees covered by TPOs.

4.2 CRAY VALLEY WEST

(14/04624/FULL1) - Kemnal Technology College, Sevenoaks Way, Sidcup DA14 5AA

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

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member Councillor Terence Nathan in support of the application were received. Oral

representations from Ward Member Councillor Judi Ellis in objection to the application were also received at the meeting.

It was reported that further letters in objection to and in support of the application had been received (these were circulated to Members in the form of a written summary).

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

**4.3
WEST WICKHAM**

(15/00792FULL6) - 15 Copse Avenue, West Wickham BR4 9NL

Description of application – First floor side extension and roof alterations incorporating rear dormers and front rooflights to extend habitable accommodation.

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

**4.4
HAYES AND CONEY HALL**

(15/00987/FULL6) - 39 Hayes Wood Avenue, Hayes BR2 7BG

Description of application – Roof alterations to incorporate rear dormer and two storey front extension.

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

**4.5
COPERS COPE**

(15/01334/FULL1) Ground Floor, 2 - 4 Fairfield Road, Beckenham, BR3 3LD

Description of application – Change of use of ground floor from former members social club (Sui generis) to restaurant (Use Class A3) Front elevational changes to incorporate stairs.

THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.

4.6
PETTS WOOD AND KNOLL

**(15/01398/FULL1) - Mega House, Crest View Drive,
Petts Wood, BR5 1BY**

Description of application – Erection of roof extension over part of building to provide B1(a) office accommodation.

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

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to await the outcome of the appeal decision concerning ref. 14/04309.

4.7
WEST WICKHAM

**(15/01616/VAR) - Summit House, Glebe Way, West
Wickham, BR4 0RJ**

Description of application – Variation of condition 13 of ref. 14/03324 (granted permission for demolition of existing buildings and redevelopment to provide a four storey building comprising 1,623sqm Class A1 (retail) use at ground floor and 54 residential units at first, second and third floor (8x1 bedroom, 43x2 bedroom and 3x3 bedroom) with associated car parking, landscaping and infrastructure) to amend hours of delivery from between 8am – 6pm to between 7am – 10pm Monday to Saturday and 10am – 5am Sundays and bank holidays

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

Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE GRANTED SUBJECT TO THE PRIOR COMPLETION OF A SECTION 106 LEGAL AGREEMENT** as recommended and subject to the conditions and informatives set out in the report of the Chief Planner with condition 13 amended to read:-
'13 There shall be no deliveries to or from the Class A1 retail premises except within the hours of 07:00 to 18:00 Monday to Saturday; or 10:00 to 17:00 on Sundays and Bank Holidays.

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

4.8
DARWIN

**(15/01698/FULL6) - 121 Cudham Lane North,
Orpington, BR6 6BY**

Description of application – creation of enlarged first floor accommodation including increase in roof height, side dormer and rooflights, single storey front/side extension and elevational alterations.

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

Planning officer comments were reported.

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

1 The proposed extension would, by virtue of its size and location, have a detrimental impact on the visual amenity and openness of the Green Belt, thereby contrary to Policy G4 of the Unitary Development Plan and the National Planning Policy Framework, Section 9 “Protecting Green Belt Land”.

SECTION 3

(Applications recommended for permission, approval or consent)

4.9
PENGE AND CATOR

**(15/00357/OUT) - 213 Kings Hall Road,
Beckenham, BR3 1LL**

Description of application - Construction of 5 dwellinghouses comprising 2 pairs of semi-detached and 1 detached property, access road, parking and associated landscaping. **OUTLINE APPLICATION FOR ACCESS, LAYOUT WITH ALL OTHER MATTERS RESERVED.**

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member Councillor Kevin Brooks in objection to the application were received at the meeting.

The Chief Planner reported that an expert consultant's habitat survey had uncovered no evidence of bat habitation.

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

1 The proposed development by reason of the restricted plot size and amenity space would be an overdevelopment of the site which would not accord with the spatial standards prevailing in the locality and

the proposal would therefore not be sensitive to the character of the surrounding residential area. The proposal is therefore contrary to Policies BE1 and H7 of the Unitary Development Plan.

**4.10
PENGE AND CATOR**

**(15/00970/FULL3) - 110 Beckenham Road,
Beckenham. BR3 4RH**

Description of application – Change of use of ground floor A1 (retail) unit to mixed use A3 (restaurant) and A5 (takeaway) uses, together with the installation of flue to rear elevation of 108 Beckenham Road (revised plans submitted with ventilation arrangement amended and opening hours revised to 12 – 9pm Monday – Saturday).

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.

**4.11
HAYES AND CONEY HALL**

**(15/01106/FULL1) - 30 Harvest Bank Road, West
Wickham, BR4 9DJ**

Description of application – Demolition of single storey side extension and associated alterations to existing dwelling and erection of one, two storey detached four bedroom dwelling with roof space accommodation; parking provision to front.

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

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

**4.12
BROMLEY TOWN**

**(15/01177/FULL6) - 23 Stone Road, Bromley,
BR2 9AX**

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

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member Councillor William Harmer in objection to the application were received at the meeting.

Comments from Ward Member Councillor Nicky Dykes in objection to the application were reported. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

1 The depth, height, overall scale and bulky design of the proposed extension is such that it represents a disproportionate addition to the dwelling, which fails to respect the character of the dwelling. In addition, the significantly increased depth would be evident from the street and when viewed within the context of the streetscene, the resultant dwelling would appear overly large and bulky, therefore giving the dwelling undue prominence and adversely impacting upon the character of the area and the amenities of neighbouring properties. The proposal would therefore be contrary to Policies BE1 and H8 of the Unitary Development Plan and the Council's Supplementary Guidance 1 and 2.

**4.13
PETTS WOOD AND KNOLL**

(15/01312FULL1) - 6 Ladywood Avenue, Petts Wood BR5 1QJ

Description of application – Demolition of 6 Ladywood Avenue (former Friends Meeting House) and construction of 2 two-storey detached five bedroom dwellings with new vehicular access and associated parking and landscaping.

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

Comments from Tree Officers suggesting the addition of two further conditions were reported.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED** without prejudice to any future consideration, to seek a reduction in the proposal to one house.

**4.14
PETTS WOOD AND KNOLL**

(15/01604/VAR) 9 Irene Road, Orpington, BR6 0HA.

Description of application – Variation of Condition 8 of planning permission ref. 14/03673 (Demolition of existing dwelling and erection of 1 five bedroom and 1 four bedroom dwelling) to create provision of one rear dormer in roof slope of the two houses.

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.

**4.15
CHISLEHURST
CONSERVATION AREA**

**(15/01663/FULL3) - 37 High Street, Chislehurst,
BR7 5AE**

Description of application – Demolition of existing buildings and construction of two storey building to accommodate 5 two bedroom and 2 one bedroom dwellings with separate office unit (Class B1), associated parking, bin and cycle store on land to the rear of Nos 35-41 High Street.

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

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

5 TREE PRESERVATION ORDERS

**5.1
PLAISTOW AND
SUNDRIDGE**

**(DRR/15/068) - Consent to undertake Tree Works
within Woodland Areas adjacent to Sundridge
Park Manor. Willoughby Lane, Bromley, BR1 3FZ**

Description of application – To carry out works to trees situated within the area of woodland located immediately north of Sundridge Park Mansion and the subject of Tree Preservation Order No. 2432.

Oral representations in objection to and in support of the application were received at the meeting. Members having considered the report, objections and representations, **RESOLVED that the application be DEFERRED** without prejudice to any future consideration, to seek more specific details in the officer's report of the nature of the works sought and to provide recommendations.

6

SUPPLEMENTARY AGENDA

6.1
BROMLEY TOWN

(15/01822/FULL1) - Beacon House, Old Homesdale Road, Bromley BR2 9LJ

Description of application – Continued use as a training centre (Use class D1) and refurbishment works to existing building comprising entrance feature, replacement windows/doors, rooflights, rendering and landscaping works.

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

The Planning Officer recommended the inclusion of a further condition in relation to the submission of a Travel Plan.

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 the addition of a further condition to read:-

'7 Prior to the commencement of the use hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan should include measures to promote and encourage the use of alternative modes of transport to the car. It shall also include a timetable for the implementation of the proposed measures and details of the mechanisms for implementation and for annual monitoring and updating. The Travel Plan shall be implemented in accordance with the agreed timescale and details.

Reason: In order to ensure appropriate management of transport implications of the development and to accord with Policy T2 of the Unitary Development Plan.

The meeting ended at 9.25 pm

Chairman

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SECTION '2' – Applications meriting special consideration

Application No : 15/00602/FULL2

Ward:
Cray Valley East

Address : South View Hockenden Lane Swanley
BR8 7QH

OS Grid Ref: E: 549869 N: 169155

Applicant : Mr W Friend

Objections : YES

Description of Development:

Continued use of land for siting of 2 static mobile homes for residential use and 1 horse drawn wagon **RETROSPECTIVE APPLICATION**

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 20

Proposal

A 4 year temporary planning permission was granted on appeal in March 2011 (ref.10/00038) for the continued use of land for siting of 2 caravans for residential use, but this has now expired.

The current application has been submitted in order to continue the use of the land and retain the structure existing at the site. The application states that the Applicant and his family have lived at the site for 7 years and 8 months (at the time of submitting the application), during which time no changes have been made to the site which the exception of planting.

Location

This site is located on the southern side of Hockenden Lane, with the junction of Trunks Alley. The site is sited within the Green Belt.

Consultations

Comments from Local Residents

Letters of objection have been received from nearby residents, and the main points raised are summarised as follows:

- land is on greenbelt
- comments regarding a different site at land adjacent to 1 Vinson's Cottages

Comments from Consultees

Highways: no objections raised

Planning Considerations

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

G1 The Green Belt

H6 Gypsies and Travelling Show People

BE1 Design of New Development

National Planning Policy Framework (NPPF) March 2012:

Paragraphs 87 and 88 of the NPPF advise that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 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.

Planning Policy for Traveller Sites (PPTS) March 2012:

Policy H of the PPTS sets out guidance for determining planning applications for traveller sites. Paragraph 22 identifies relevant matters including:

- * the existing level of local provision and need for sites
- * the availability (or lack) of alternative accommodation for the applicants
- * other personal circumstances of the applicant
- * that the locally specific criteria used to guide the allocation of sites in plans or which form the policy where there is no identified need for pitches/plots should be used to assess applications that may come forward on unallocated sites.

Paragraph 25 indicates that if a local planning authority cannot demonstrate an up-to-date 5-year supply of deliverable sites, this should be a significant material consideration in any subsequent planning decision when considering applications for the grant of temporary planning permission.

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

Planning History

The planning history of the site is summarised as follows:

10/00038: Planning permission was allowed on appeal in March 2011 for 4 year temporary permission for the Continued use of land for siting of 2 caravans for residential use

06/02717: Planning permission allowed on appeal for the temporary use of land for siting of 2 caravans for residential use

05/04357: Planning permission granted for a stable block with concrete yard and access track

00/02227: Outline planning permission refused for 4 detached bungalows with detached garages

99/03278: Outline planning permission refused and dismissed on appeal for 12 detached bungalows with double garages and one detached house with detached garages

In the most recent appeal decision (ref.10/00038) the Inspector stated that the health needs of the appellant were substantial and significant and weigh considerably in the Applicant's favour. The Inspector concluded that the proposal was inappropriate development by definition, with some limited harm to the openness of the Green Belt, which taken together with the impact on the character of the area amounts to considerable harm. However, against this harm consideration must be given to other information put forward by the Appellant, in particular the need for additional Gypsy and Traveller site and the lack of a suitable alternative site. He found that the harm identified to the Green Belt by reason of inappropriateness was sufficiently outweighed by other considerations, including the personal circumstances of the Appellant to justify a temporary grant of planning permission. For that reason, the Inspector also limited the temporary permission to the applicant, Mr W Friend, Mrs M Friend, Levi Friend and Marie Chambers, and his resident dependants. The temporary permission would provide some temporary stability for the applicants, whilst the allocation of traveller sites is progressed through the local plan process.

Members will note that planning permission was refused at Plans Sub-Committee 2 on 30th July 2015 under ref.15/00500 at Rosedale, Hockenden Lane for the Continued use of land for stationing of residential caravans to provide 1 gypsy pitch, with associated works (hardstanding, fencing, septic tank and landscaping) and stable block and paddock on land adjacent to Vinsons Cottage, Hockenden Lane, Swanley (Renewal of permission ref 08/02489 granted on appeal for a temporary period of 5 years.) for the followings reasons:

"The site is located within the Green Belt wherein there is a general presumption against inappropriate development. No very special circumstances have been demonstrated to justify an exception to local plan policy and it is considered that the application is contrary to Policy G1 of the Unitary Development Plan and the National Planning Policy Framework."

Conclusions

The main issues in this case are whether there are very special circumstances to justify the continued use of the site as a gypsy pitch that would outweigh the harm caused by reason of its inappropriateness within the Green Belt, and the impact on the amenities of nearby residential properties.

The emerging Local Plan has to date involved four separate consultations, three of which have specified that the Council proposes to allocate this site as a Traveller Site in accordance with the PPTS. This exclusion from the Green Belt can only occur through the plan making process, and therefore, whilst the intention is clearly set out in published documents, the allocation would not take effect until the Local Plan is adopted, and the proposal therefore remains an inappropriate use in the Green Belt.

Although the proposed allocation of this site as a Traveller Site has not yet been adopted, and the granting of a permanent permission cannot remove the site from the Green Belt, the Council has accepted that "exceptional circumstances" exist to propose that this site be allocated as a Traveller Site inset within the Green Belt through the Local Plan process. The NPPF sets out the weight to be attached to emerging policies according to; the stage of preparation (the allocation has been through three public consultations with only the detailed boundaries to be consulted on); the extent to which there are unresolved objections (no objections have been raised to the allocation of this site); and the degree of consistency with the NPPF (the proposals are consistent with the PPTS which is the sister document to the NPPF).

These are considered to constitute very special circumstances that outweigh the harm to the Green Belt due to its inappropriateness, and a permanent permission (rather than a further temporary permission) would be considered appropriate in this case.

The site has been kept in a good condition, and the structures on the site are the same as those which were not considered by the previous Inspector to cause significant visual harm to the surrounding area.

The site lies to the southern side of Hockenden Lane, and the proposals are not considered to result in any undue loss of light, privacy or prospect to neighbouring properties.

Background papers referred to during production of this report comprise all correspondence on the file ref. 15/00602 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION: Subject to the following conditions:

- 1 The site shall not be occupied by any persons other than Gypsies and Travellers as defined in Annex 1 of the Planning Policy for Traveller Sites 2012.**

Reason: In order to ensure that the Council can effectively control the use of the site and protect the interests of the Green Belt in accordance with Policy G1 and G4 of the Unitary Development Plan.

- 2 The use hereby permitted shall be carried on only by Mr W Friend, Mrs M Friend, Levi Friend, Marie Chambers and their resident dependents.**

Reason: In order to ensure that the Council can effectively control the use of the site and protect the interests of the Green Belt in accordance with Policy G1 and G4 of the Unitary Development Plan.

- 3 No more than 3 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (of which no more than 1 shall be a static caravan) shall be stationed on the site at any time.**

Reason: In order to comply with the requirements of UDP Policy H6, the NPPF (2012) and the PPTS (2012)

- 4 No vehicle over 3.5 tonnes shall be stationed, parked or stored on the site.**

Reason: In order to comply with the requirements of UDP Policy H6, the NPPF (2012) and the PPTS (2012)

- 5 No commercial activities except the breeding of horses shall take place on the land, including the storage of materials.**

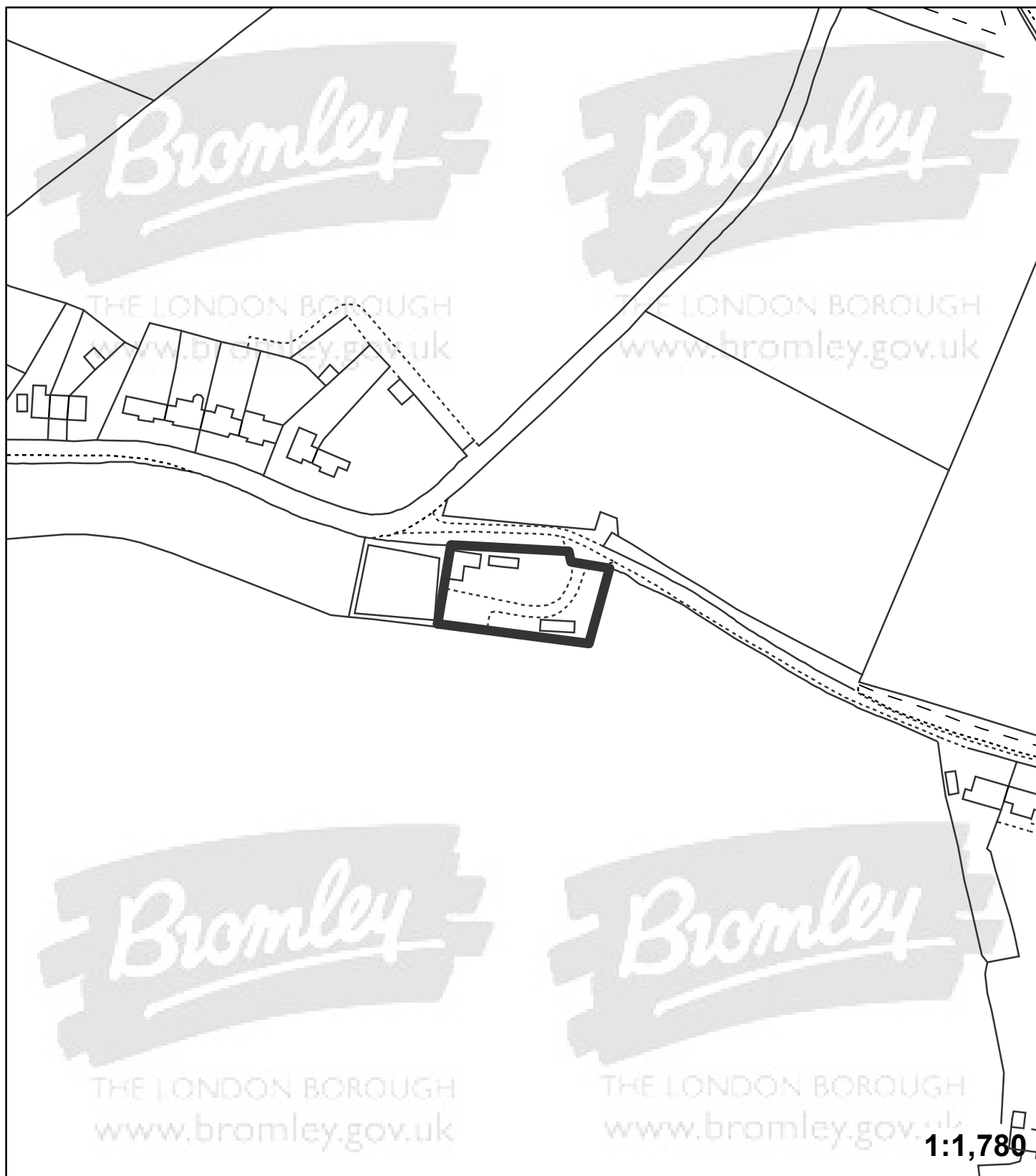
Reason: In order to comply with the requirements of UDP Policy H6, the NPPF (2012) and the PPTS (2012)

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Application:15/00602/FULL2

Address: South View Hockenden Lane Swanley BR8 7QH

Proposal: Continued use of land for siting of 2 static mobile homes for residential use and 1 horse drawn wagon
RETROSPECTIVE APPLICATION



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

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SECTION '2' – Applications meriting special consideration

Application No : 15/00887/FULL2

Ward:
Petts Wood And Knoll

Address : Chislehurst House 143 Chislehurst
Road Orpington BR6 0DS

OS Grid Ref: E: 545421 N: 167144

Applicant : Bromley Healthcare

Objections : YES

Description of Development:

Change of use of part of first floor from offices ancillary to respite care use (Class C2) to Class B1 offices unrelated to respite care use

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London Distributor Roads
Smoke Control SCA 4

Proposal

This property is currently in use as a facility for respite care for children with ancillary offices, and it is proposed to use part of the first floor office accommodation (175sq.m.), as offices for 8 staff who would operate separately to the respite care use. The staff would comprise 6 nurses working in the community, with 2 members of staff remaining in the office. Planning permission for a separate Class B1 office use is therefore sought for this part of the building which equates to approximately 20% of the total floor area.

The part of the first floor accommodation to be used for separate Class B1 office use is located within the north-western wing of the building, and lies adjacent to No.145 Chislehurst Road which is a residential property. No additional on-site parking would be available for the proposed additional staff, and no external changes would be made to the building.

The applicants have submitted a Transport Statement to support their application.

Location

This property is located on the southern side of Chislehurst Road, and lies within Petts Wood Area of Special Residential Character. It comprises a part one/two storey building which is currently being used for the provision of respite care services for children. Eight parking spaces are provided on site including 2 spaces for minibus parking.

Consultations

Letters of objection have been received from nearby residents whose main concerns are summarised as follows:

- detrimental impact on parking in surrounding residential roads
- office accommodation inappropriate in a residential area
- previous unauthorised use of offices by health visitors caused parking problems in Grosvenor Road
- a similar proposal was previously refused.

Comments from Consultees

The Council's Highway Engineer has assessed the Transport Statement submitted, and concurs with the conclusions that there would be sufficient parking available in surrounding roads to accommodate the level of parking likely to be required as a result of the proposals. Concerns would, however, be raised if vehicles were to be parked on Chislehurst Road, and a condition to prevent this is suggested.

Planning Considerations

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

BE1 Design of New Development
H10 Areas of Special Residential Character
T3 Parking
T18 Road Safety

The application has been called into committee by Ward Councillors.

Planning History

Permission was refused in October 2005 (ref.05/01587) for a change of use from a residential nursing home to a respite care facility with office accommodation on the first floor, including a pitched roof to the front and a single storey extension for a bathroom, on the following grounds:

- 1 The mixed use proposal, by reason of general noise and disturbance, would be detrimental to the enjoyment that the adjacent residential properties currently enjoy, contrary to Policy E.1 of the adopted Unitary Development Plan and Policy BE1 of the second deposit draft Unitary Development Plan (September 2002).
- 2 The missed use proposal will result in the unacceptable increase in on-street car parking in the nearby roads, contrary to Policy T.15 of the adopted Unitary Development Plan and Policy T3 of the second deposit draft Unitary Development Plan (September 2002)."

Permission was subsequently granted in January 2006 (ref.05/04398) for changes to the building including a pitched roof to the front, a single storey bathroom extension, a canopy to the main entrance, and a canopy to a new side access door.

Conclusions

The main issues in this case are whether the proposals would have a detrimental impact on parking within surrounding roads, and on the amenities of neighbouring residential properties.

Although permission was refused in 2005 for the use of this building as a respite care facility with ancillary office accommodation on the first floor, it appears to have been used as such since then. However, planning permission would not in fact have been required to change the use from a nursing home to a children's respite care facility with ancillary offices as both uses fall within Use Class C2.

The current proposals to use the ancillary first floor offices as a separate Class B1 office use is likely to intensify the use of the building as it would result in 8 additional staff that would be unassociated with the existing use, although 6 of them would be nurses working mainly within the community. The Council's Highway Engineer has concluded that there is sufficient capacity for the resulting additional parking within surrounding residential roads, including Grosvenor Road opposite and Willett Way. This may result in a certain amount of increased activity within these residential streets, but Members may consider that this would not be to such an extent to warrant a refusal in this case.

The first floor offices lie within the western wing of the building, and can be accessed via a side access door adjacent to No.145 Chislehurst Road which is a residential dwelling. The proposed separate Class B1 use of the offices is unlikely to cause any significant increase in noise and disturbance to adjacent residents given the existing permitted office use of the first floor accommodation.

With regard to the Highway Engineer's concerns about potential parking on Chislehurst Road which is undesirable in traffic terms, Members should carefully consider whether a condition would be appropriate in this case given that parking is currently unrestricted on Chislehurst Road, and that there is a reasonable level of unrestricted parking available in nearby roads which staff are perhaps more likely to use.

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 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 The premises shall be used for offices and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any**

provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

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

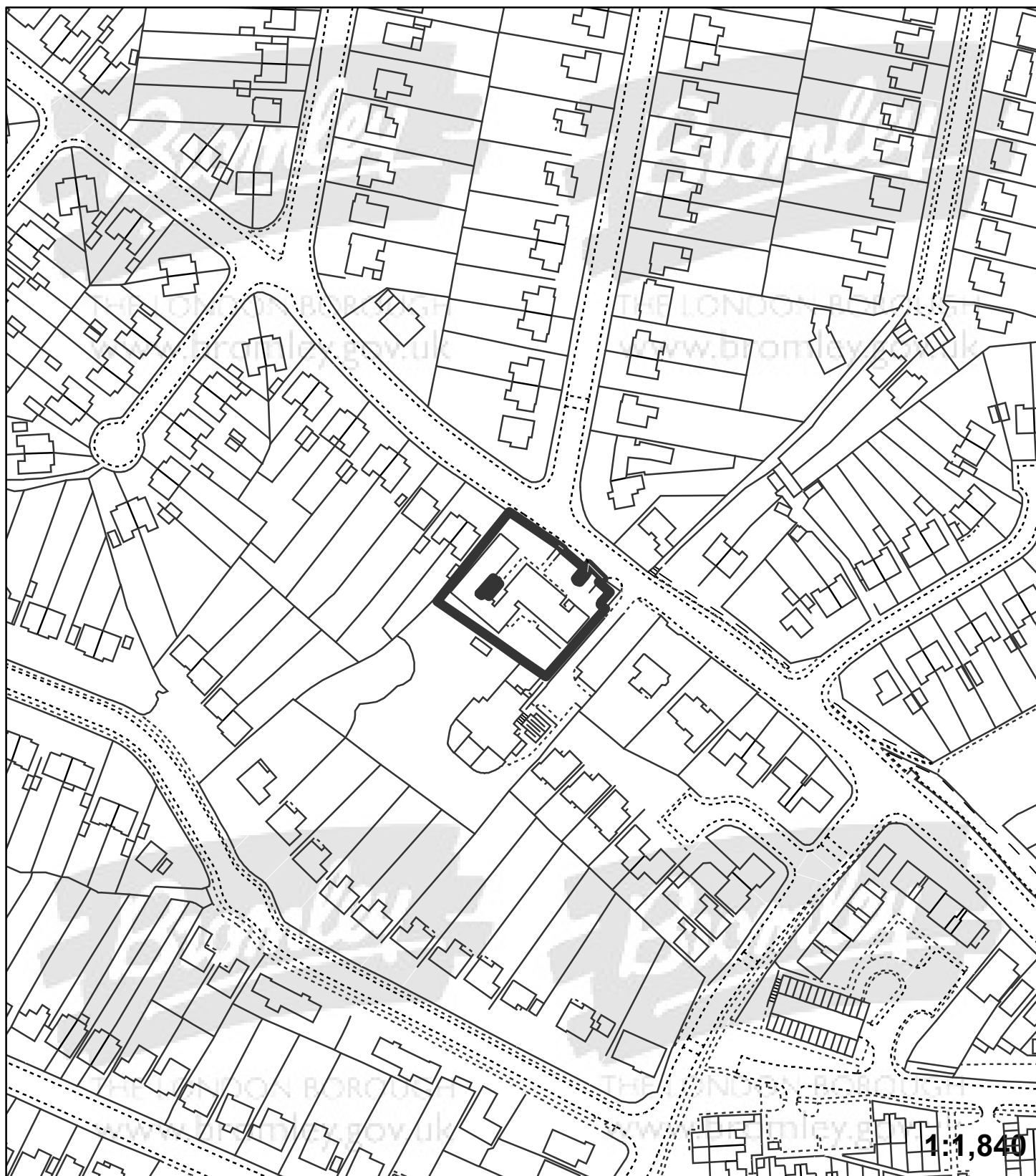
- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

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

Application:15/00887/FULL2

Address: Chislehurst House 143 Chislehurst Road Orpington BR6 0DS

Proposal: Change of use of part of first floor from offices ancillary to respite care use (Class C2) to Class B1 offices unrelated to respite care use



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

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SECTION '2' – Applications meriting special consideration

Application No : 15/02906/FULL1

Ward:
Copers Cope

Address : 61 The Avenue Beckenham BR3 5EE

OS Grid Ref: E: 538603 N: 169870

Applicant : C/O Stiles Harold Williams

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of 2 no. part two/ part three storey blocks, each comprising 4 no. two bedroom flats; associated car parking spaces and cycle and refuse enclosures; formation of 2 new vehicular accesses.

Key designations:

Conservation Area: Downs Hill
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Smoke Control SCA 12

Proposal

It is proposed to demolish the existing dwelling on the site and replace it with 2 two storey buildings incorporating accommodation within the roof. Block A would be sited towards the western boundary and Block B would be sited towards the northern boundary of this wedge-shaped site.

Each block is of a similar height, with a ridge line of approx. 9.4m, set marginally lower than the 9.75m height of the proposed gables. Block A would be approx. 11.8m deep over two storeys, with a total depth, including front and rear balcony and single storey projections of 14.5m. It would be 16.25m wide. The design of the block incorporates neo-Tudor detailing including timber beams to the front, side and rear elevations, and a front porch with decorative brick and timber gable. The windows would be multi-paned, and the front and rear balconies would be provided with decorative ironwork railings.

Block B would be of similar appearance, with the gable and dormer features handed. The block would be 12.5m deep over two storeys with a total depth of 15.25m. The design finish would match that of Block A and the block would be a similar width.

Each block would accommodate 4 two bedroom flats. The arrangement of Block A would provide 2 flats on the ground floor and the 2 upper flats being arranged over two storeys, including the roof space. In Block B, 2 ground floor flats are proposed. A further two bedroom flat would be wholly contained on the first floor and a further two bedroom flat would be arranged over the first and second (roof) floors.

A total of 8 car parking spaces would be provided, arranged in two distinct parking areas towards either boundary. Each parking area would be accessed via a new gated driveway and the existing centrally-located driveway would be removed. Refuse storage areas would be provided adjacent to the parking/manoeuvring spaces, surrounded by a 1.2m high brick bin enclosure. A covered cycle store for 8 bicycles would be located at the rear corner of the site.

The curved front boundary of the site would be provided with a metal railing fence which would extend for the full length of the front boundary, with the exception of short gated sections at the access points.

Location

The application site is located to the northern edge of The Avenue at its eastern end, towards the junction with Downs Hill. It forms the southern boundary of the Downs Hill Conservation Area. The Avenue is an unmade and unadopted highway.

The application site is occupied by a detached two storey dwelling close to the northern boundary of the site. The site is a prominent, large corner site, elevated above the road junction. The host dwelling is not considered to be of any particular architectural merit.

Other properties in the locality are of commensurate size and scale to the existing dwelling, although the nearest dwellings in The Avenue are generally set more modest plots than is characteristic to the north, west and east of the site, incorporating that part of Downs Hill that lies within the Conservation Area. The siting of the existing dwelling towards the northern boundary of the site leaves a generous area of garden land between the host property and the southern and eastern boundaries, and this retained space between built development makes a positive contribution to the Downs Hill Conservation Area since it can be seen from within Downs Hill. The site is densely treed and the mature trees, landscaping and spaciousness of the site contribute to a semi-rural quality to the area.

To the south of the site and on the opposite side of The Avenue is a flatted development known as West Oak, which falls outside of the Conservation Area. The four properties within the conservation area to the west are detached two storey dwellings. Beyond this to the west at both northern and southern edges of The Avenue the development comprises predominantly blocks of flats ranging in size and design.

The Downs Hill Conservation Area was designated in 1989 and the Council adopted a Supplementary Planning Guidance (SPG) document for the Downs Hill Conservation Area which was the subject of public consultation.

The Conservation Area is broadly characterised by detached dwellings, unified by their age and their incorporation of neo-Tudor and neo-vernacular elements, including timber beams and cottage effect modest dormer windows.

Consultations

Nearby owners/occupiers were notified of the application and the representations received in response to the consultation are summarised below:

- The reduction in the number of parking spaces increases the concern that The Avenue will become an overflow parking area and will encourage the Council to have the road made up.
- The number of parking spaces is inadequate for the number of flats and does not include any visitor parking
- Overflow parking on The Avenue would be disruptive and would lead to access difficulties
- It would be preferable for the site to be used to provide 2 smaller houses
- The site is within a Conservation Area
- The proposal would be out of character with the area
- Potential flooding risks
- Would set a precedent for more flats to be built
- The development would look unsightly and out of place
- Impact on views within the Conservation Area
- The design is an unattractive pastiche, insensitive and lacking in good architecture
- The road would not sustain the heavy works traffic without a negative impact on its condition
- Trees in The Avenue are frequented by owls and other wildlife that use the wildlife corridor that runs from Beckenham Place Park to The Avenue
- While the host dwelling is neglected, it is not uninhabitable.

Comments from Consultees

No objections are raised with regards to sewerage and water infrastructure capacities.

APCA raised no objections to the proposals.

No objections are raised from the Council's drainage advisor.

From a technical highways perspective, it is suggested that the cycle storage be relocated as close as possible to the entrance of the proposed development in order to maximise convenience and security.

The site is located in an area with PTAL rate of 2 (on a scale of 1-6 where 6 is the most accessible) and the Highways Engineer would prefer the provision of 2 visitor car parking spaces, one each for the two proposed buildings (i.e. 5 car parking spaces for each car park).

If Members are minded to grant planning permission, a number of planning conditions are suggested.

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

- BE12 Demolition in Conservation Areas
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side space
- NE7 Development and Trees
- T3 Parking
- T18 Road Safety

Supplementary Planning Guidance 1 & 2.

Supplementary Planning Guidance: Downs Hill Conservation Area.

The application falls to be considered in accordance with the following policies of the 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 consistent.

Planning History

81/01123 Permission refused for two detached houses

82/01136 Permission refused for four terraced dwellings

Both these applications relate to the erection of No. 59 and No. 59a on land that was formerly part of No. 61. The refusal of two dwellings under ref. 81/01123 was subsequently allowed at appeal.

Under reference 14/03502 planning permission was refused for the demolition of the existing detached dwelling and the erection of two storey buildings with

accommodation within the roofspace to provide eight two bedroom flats. The previously refused proposal incorporated 12 car parking spaces accessed via a total of 3 vehicular access points (2 new vehicular accesses and the retention of the existing access). Planning permission was refused on the following grounds:

"1. The proposals, by reason of the size, height, bulk and massing of the buildings, would result in an overdevelopment of the site, which would fail to preserve or enhance the character and appearance of Downs Hill Conservation Area, thereby contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan and London Plan Policy 3.9.*

2. The proposed rear balconies would result in overlooking of neighbouring properties which would be detrimental to residential amenity and contrary to Policy BE1 of the Unitary Development Plan."

*The appeal Inspector acknowledged at the subsequent appeal that this was a typographical error and that rather than Policy 3.9, Policy 3.5 of the London Plan was relevant.

A subsequent appeal against the Council's refusal of planning permission was dismissed under reference APP/G5180/W/14/3001656. The Inspector considered that the main issues for consideration were the character and appearance of the Conservation Area and the impact of the proposals on residential amenity.

With regards to the impact of the proposal on residential amenity, referred to in reason 2 of the Council's decision notice, the Inspector found that the screening and distance between the existing and proposed development would mitigate the level of overlooking to an acceptable extent. He also considered that although the scheme may have resulted in some additional overshadowing of neighbouring properties, that impact was not significant and that there would not be a conflict with Policy BE1 in respect of the impact of the proposals on residential amenity.

With regards to the impact of the proposal on the character and appearance of the area, however, the Inspector found that the scheme would fail to preserve or enhance the character and appearance of the Conservation Area. The Inspector reasoned that the appeal site is prominently located and elevated above the road junction. The depth of two storey development was considered to be greater than both neighbouring properties, and the height and depth of development, including a deep roof accommodating a second floor, would "give each block a substantial bulk and scale."

He considered that "The mass of development so close to neighbouring buildings would cause the scheme to have a cramped and dominant appearance, which would contrast unfavourably with the more spacious characteristics of the CA."

The two new driveways would to an extent offset the retention of trees along the site's frontage and the additional proposed landscaping, opening up some views into the site from the highway. At paragraph 14 of the decision notice the Inspector stated: "The 3 driveways together with hardstanding areas for 12 cars to the front and side of the buildings, and residents' bin enclosures, would result in a more

intensely used and urban character, which would contrast markedly with the CA's established character of single detached dwellings, and its semi-rural appearance."

In conclusion, the Inspector found:

"It is each block's substantial massing so close to neighbouring development, together with the introduction of large areas of parking, driveways and other facilities towards the front of this prominent plot that would harm the streetscene, and make the proposal significantly at odds with other development in the CA."

Conclusions

The current proposal seeks to overcome the grounds for refusal in respect of the previous application and the deficiencies in the scheme identified by the appeal Inspector in dismissing the subsequent appeal against the Council's refusal of planning permission.

The main issues in the determination of this application are considered to be the impact of the proposal on the visual amenities of the area in general and the impact of the proposal on the character and appearance of the Downs Hill Conservation Area in particular. In addition, the on-site parking provision falls to be considered, as does the impact of the proposals on residential amenity.

While the previous scheme was refused partly on the grounds that the proposals would have had an adverse impact on residential amenity, the Inspector found that there would not have been a conflict with Policy BE1's requirement that development should respect the amenities of neighbouring occupiers. The Inspector's decision is a material planning consideration in the assessment of this proposal which seeks to overcome the dismissal at appeal of the previous scheme. Since the current proposal sites the development with greater separation to the boundaries and at a reduced height to the scheme considered acceptable in residential amenity terms by the Inspector, it is considered that the impact of the proposal on residential amenity would not be significantly harmful.

It was acknowledged at appeal that the Council had no objection in principle to the loss of the existing building as the building itself is not considered to be of any particular architectural merit, and the Inspector did not disagree with this view. The main issues therefore to be addressed are the impact of the proposals on the character and appearance of the Conservation Area and the distinctiveness of the area in general, and the extent to which the proposed reduction in the total number of parking spaces would be considered to be acceptable taking into account the low PTAL rating of the site.

A summary of the differences between the current scheme and the previously unsuccessful proposal may be helpful in reaching a conclusion regarding the extent to which the current proposal has addressed the adverse impacts identified by the Inspector.

In terms of their siting in relation to each other, the blocks would be 1.9m apart in comparison with the 2.6m space between Blocks A and B provided under ref. 14/03502.

The flank elevation of Block A would be sited 4.4m from the flank elevation of 59A The Avenue, and a side space of 3m would be provided to the boundary on that side of the site, which represents an increase of approx. 0.9m.

The northern flank elevation of Block B would be sited approx. 2.8m to the southern flank elevation of No. 67 Downs Hill and the separation between the northern elevation and the boundary would be 1.8m which represents an increase of approx. 0.8m.

The depth of Block A would be 14.5m including the front and rear balconies which remains as previously proposed in terms of the fundamental footprint of the building. The depth of Block B has been reduced from approx. 15.3m to 14.5m. The height of both blocks has been reduced from 10.4m to 9.75m and the width of the blocks (excluding the overhanging eaves) has reduced, more so in the case of Block B which would have a reduced width of 16.2m rather than the 17.7m previously proposed. Block A lies towards the western boundary of the site with No.59a and is proposed to be 16.2m wide rather than the 17.2m width previously proposed.

The external design has been altered from a plain, reasonably contemporary appearance to a neo-Tudor appearance. The number of access points would be reduced from 3 to 2 as through the stopping up of the central access, and the car parking previously provided in a central position has been deleted, with a total of 8 spaces now provided in 2 distinct parking areas adjacent to the flank boundaries of the site. Refuse storage areas have been relocated and screening is proposed to limit direct views from the street.

It is considered that the proposals represent an improvement over the previous scheme in several respects. The reduction in the height of the buildings is welcomed, in addition to the increased separation to the site boundaries. The reduction in the number of parking spaces additionally concentrates the hard surfaces associated with the development towards the boundaries, leaving the centre of the site more generously landscaped.

However, the general reduction in bulk and mass is limited in its extent and the amendments to the physical proportions of the proposed buildings are considered to have an inadequate cumulative impact in addressing the concerns raised regarding the mass and bulk of development in proportion to the site and the surrounding Conservation Area.

Furthermore, the proposed blocks would actually be sited closer to each other than was the case in the previous proposal. The reduction in the space retained between what remain quite substantial buildings falls to be very carefully considered, taking into account the fact that the loss of separation results where each building is appreciably two-storey in height and that the general bulk and mass of the buildings in relation to the site is greater than the characteristic pattern of development within the site's surroundings.

The Inspector considered that the height and depth of the development "and the deep roof accommodating a second floor" gave each block a substantial bulk and scale. It is acknowledged that the current application incorporates a reduction in the height of each block. However, the retention of appreciable accommodation in the roof would tend to visually emphasise the bulk of the development comparative to other buildings within the Conservation Area despite the reduction in height.

In assessing the character of the Conservation Area, the Inspector noted that the sense of spaciousness in the area was sometimes reinforced by gaps between buildings "or those parts of a building which are located close to a side boundary being single storey or having a relatively low eaves line." The SPG for the Conservation Area states that some buildings are one-and-a-half storey and others are slightly larger two storey structures, with first floor formers set into the roof to achieve a 'cottage effect'.

Where dormers and other roof development is a feature in the Conservation Area, this tends to facilitate first floor accommodation; second floor/three storey accommodation is not a feature common to the character of the Conservation Area. The Inspector did not explicitly state that three storey development was unacceptable, but did refer to the mass of development close to neighbouring development and the substantial bulk and scale of the unacceptable proposals being informed by the deep roof accommodating a second floor.

Members may consider that while the increased separation to the boundaries of the site in conjunction with the reduction in the height of the roof would represent an improvement over the previous proposals, the modest extent of this reduction in scale, mass and bulk, the reduction in the separation between the blocks and the retention of second floor accommodation would fail to preserve or enhance the character and appearance of the Conservation Area. The illusion of space between dwellings within the Conservation Areas is provided at least in part by the stepping down of development on either side of the boundary. It is acknowledged that the application proposals would occupy the same site and that the central divide between the buildings within the site would be nominal rather than a defined flank boundary. However, in attempting to complement the form of development in the CA by providing distinct blocks rather than a large single development block, the separation between these blocks themselves becomes important in the assessment of the extent to which the scheme is complementary to the pattern of development in the area and the distinctive character of the CA. The wedge shape of the site and its prominence and elevation makes the separation between the blocks especially important in terms of contributing positively to and complementing the character of the Conservation Area.

With regards to the concerns raised in respect of the number of on-site car parking spaces, the site has a low PTAL of 1b. The applicant has provided a detailed list of nearby transport links, and states that the site is extremely accessible due to the closeness of Ravensbourne and Beckenham Junction stations. Parking spaces would be provided at a ratio of 1:1 and the reduction in the amount of the site given over to hardsurfaces to provide the previously proposed 12 parking spaces represents a visual improvement, although the resultant impact in terms of the reduced on-site car parking provision falls to be carefully considered.

The Highways Engineer does not raise objections in principle to the proposed development's parking and access provisions, but has identified ways in which the proposals could be improved from a technical highways perspective. The addition of an extra car parking space for each building would be welcomed in that it would provide for visitor parking. In addition, the relocation of the cycle parking facilities to a more convenient and accessible position is suggested. It is necessary to consider whether the deficiencies identified, in terms of lack of visitor parking and the siting of the cycle stores, would have so adverse an impact on conditions of safety and the free flow of traffic as to warrant the refusal of planning permission on these grounds alone, or whether the issues could be addressed by way of suitably worded planning conditions.

On balance, it is considered that the size, height and massing of the buildings and their in relation to each other and the boundaries of the prominent corner plot in which they would be sited would neither preserve nor enhance the character and appearance of the CA. The increased separation to boundaries and general reduction in the amount of hardsurfaces in front of the buildings in the centre of the site are welcomed; however it is not considered that the current scheme adequately overcomes the previous grounds for refusal and the Inspector's reasoning in dismissing the appeal. The proposals remain unsympathetic to the character and appearance of the conservation area and the distinctive residential qualities of the area in general.

While it is acknowledged that the proposal would provide additional housing units towards meeting the supply of new dwellings in the Borough, it is not considered that this aspect of the proposal would outweigh the significant harms identified above.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 14/03502 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

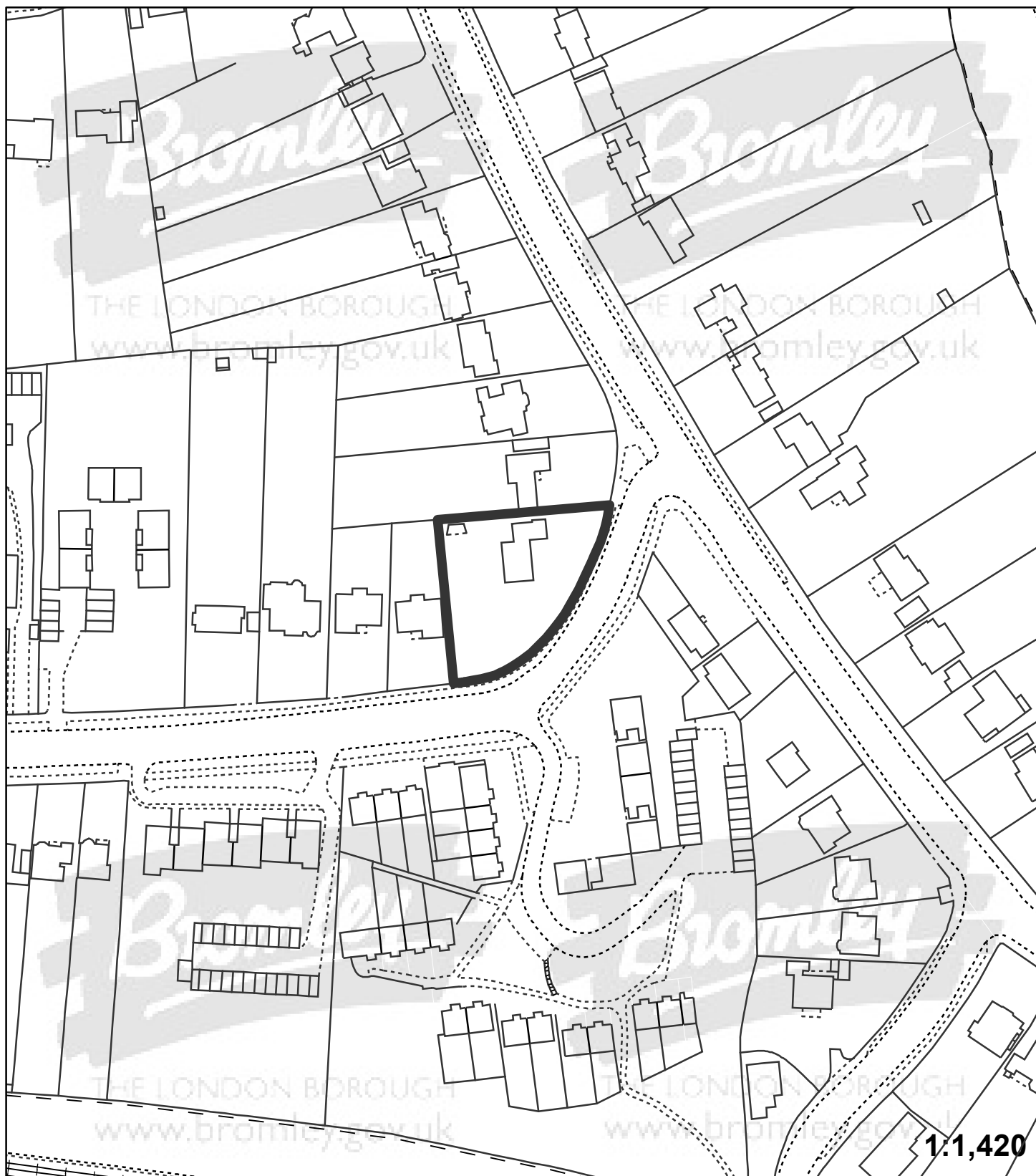
- 1 The proposals, by reason of the size, height, bulk and massing of the buildings, would result in an overdevelopment of the site and would fail to preserve or enhance the character and appearance of the Downs Hill Conservation Area, thereby contrary to Policies BE1, BE11 and H7 of the Unitary Development Plan and Policy 3.5 of the London Plan.**

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Application:15/02906/FULL1

Address: 61 The Avenue Beckenham BR3 5EE

Proposal: Demolition of existing dwelling and erection of 2 no. part two/ part three storey blocks, each comprising 4 no. two bedroom flats; associated car parking spaces and cycle and refuse enclosures; formation of 2 new vehicular accesses.



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

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SECTION '2' – Applications meriting special consideration

Application No : 15/03041/FULL6

Ward:
Hayes And Coney Hall

Address : 53 Kechill Gardens Hayes Bromley
BR2 7NB

OS Grid Ref: E: 540392 N: 167128

Applicant : Mr And Mrs Nevard

Objections : YES

Description of Development:

Part one/ two storey side and rear extension.

Key designations:

Smoke Control SCA 51

Proposal

The application property is a semi-detached dwelling situated at the northern end of the street which terminates to the north in a cul-de-sac.

The semi-detached dwellings at this end of Kechill Gardens generally have fairly long rear gardens which back onto the shorter rear gardens of houses in Bourne Vale. The houses in Kechill Gardens are also set back from the narrow road and comprise a mix of two storey and bungalow development and a variety in detail of roof design.

The application proposes a part one/two storey side and rear extension. The site has a large side space which was formerly partly occupied by a two storey extension. That extension has been removed, and the side garden area separated from the host dwelling by way of a flank boundary fence.

The scheme proposes a two storey extension at the same ridge height as the highest part of the original dwelling. A minimum 3.7m side space would be retained from the proposed flank wall to the southern boundary. The single storey rear extension proposes a 3.5m rearward projection.

Planning permission was granted under ref. 12/02589 for proposals similar to the current application. At the time of application the host dwelling had a two storey side extension with a flat roof, and the proposals partially retained that extension, albeit with a pitched roof over. In terms of the resultant form and mass of the extension, the proposals are the same.

The permission was subject to a condition requiring that the development be begun not later than 22nd October 2015. The permission was additionally subject to a planning condition which specified that the additional accommodation should only be used by members of the household occupying the host dwelling and shall not be severed to form a self-contained unit.

Consultations

Nearby owners/occupiers were notified of the application and a letter was received requesting clarification regarding the nature of the proposal. Any further comments received will be reported verbally at committee.

Planning Considerations

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

Policy BE1	Design of new development
Policy H8	Residential extensions
Policy H9	Side space

London Plan policy 7.4 Local Character

Supplementary Planning Guidance 1
Supplementary Planning Guidance 2

Planning History

There is a significant planning history which includes the following:

12/02589 - Part one/two storey side and rear extension - Permission

The side space to the southern boundary indicated on the plans the subject of this planning permission show 4.05m to the front tapering down to c 3.7m to the rear. The single storey rear element proposed a 3.5m rearward projection.

12/03353 - Two storey detached dwelling house. Planning permission was refused on the grounds that the proposal represented an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policy BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan. The subsequent appeal against the refusal of planning permission was dismissed

13/00228 - Demolition of two storey extension and erection of two storey detached dwelling together with associated work to provide off street parking. Planning permission was refused on the grounds that the proposal would have represented an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policy BE1 of the Unitary Development Plan and Policy 7.4 of the London Plan. An appeal against the Council's decision to refuse planning permission was dismissed.

13/03420 - Erection of two storey dwelling with garage and additional attached garage to serve 53 Kechill Gardens on land adjacent 53 Kechill Gardens. Permission was refused on the grounds that the proposal would have represented an overdevelopment of the site harmful to the spacious character of the surrounding area thereby contrary to Policies BE1 and H9 of the Unitary Development Plan and Policy 7.4 of the London Plan. A subsequent appeal against the Council's refusal was dismissed.

Under reference 14/02617 planning permission was refused and dismissed on appeal for the erection of an attached two storey 3 bedroom dwelling, with

extensions and alterations. The Inspector found that the bulk of the extensions proposed, with the exception of a single storey garage, would have been very similar to that permitted under ref. 12/02589.

The Inspector reasoned that the bulk of the extension and the subdivision of the front garden need not appear as a cramped overdevelopment. However, the replication of the design of the existing semi-detached pair incorporating a second front door, the extension of a porch canopy over both doors and the replication of the fenestration pattern would cumulatively have resulted in the property as enlarged "appearing as a terrace of three houses". The Inspector felt that this would have been uncharacteristic in the context of the semi-detached form and appearance of the surrounding development.

The Inspector considered that "it may well have been possible to create an imaginatively designed and attractive new dwellings here that would not have resulted in the semi-detached pair as extended having the uncharacteristic appearance of the a terrace block which, in turn, would give rise to an impression of overdevelopment."

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 previous grant of planning permission under ref. 12/02589 is a material planning consideration in the assessment of the proposals, as is the subsequent planning history including the appeal Inspectors' findings.

Given the siting and design and the proposed side space of the development it may be considered that the impacts on neighbour amenity to the south of the site would not be significantly harmed by the proposal. The main impacts to the north of the site will arise from the single storey 3.5m rear extension but it is not considered that this impact would be so adverse as to warrant the refusal of planning permission.

With regards to the visual impact of the proposal on the character of the street scene, the proposed extension is substantial and would have to be considered in relation to the existing pair of semi-detached dwellings. Previous appeal decisions are material to the consideration of this specific proposal. Inspectors have referenced the rhythm and uniformity of development within the area, and arguably the proposed extension would, in unbalancing the pair of semi-detached dwellings, impact upon the character and appearance of the street scene and that rhythm and uniformity which has been noted as contributing to the distinctive suburban residential character of the area.

In granting planning permission for the previous application, it was noted that the existing flat-roofed extension that would have been replaced already itself created a prominent and incongruous feature in the street scene. It was considered that the

proposed scheme, albeit large, would sit comfortably within its plot and may have helped to bring a visual improvement to the existing situation.

The current proposal does replicate that which was granted planning permission under ref. 12/02589 in terms of its scale, bulk and massing. In terms of planning policies, the relevant UDP planning policies and the SPGs are unchanged, and are consistent with the thrust of planning policies and guidance in the London Plan and the NPPF.

Members will note that the flat roofed extension which it was proposed to replace under ref. 12/02589 with the extension that is again proposed within this current application was demolished at some point last year. The replacement of the previous uncharacteristic and out of character flat roofed extension was a material consideration in the determination of the previous application, and the improved impact that the proposed extension would have on the street scene was afforded some weight. It is necessary to consider whether the changed circumstances of the site in the interim is so significant as to warrant the refusal of permission for the development that was previously considered acceptable.

If permission is granted it is considered appropriate to reiterate the previous conditions relating to the appearance of the extension, parking and the use of the extension should be reiterated, taking into account the site's sensitive history and the care with which the impact of the severance of the site has been considered.

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 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 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved**

under this planning permission unless previously agreed in writing by the Local Planning Authority.

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

- 4** Before commencement of the use of the land or building hereby permitted parking spaces and/or garages and turning space shall be completed in accordance with the approved details and thereafter shall be kept available for such use and no permitted development whether permitted by the Town and Country Planning (General Permitted Development) Order (England) 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on the land or garages indicated or in such a position as to preclude vehicular access to the said land or garages.

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

- 5** The additional accommodation shall be used only by members of the household occupying the dwelling at 53 Kechill Gardens and shall not be severed to form a separate self-contained unit.

Reason: In order to comply with Policy H8 of the Unitary Development Plan, to ensure that the accommodation is not used separately and unassociated with the main dwelling and so as to prevent an unsatisfactory sub-division into two dwellings.

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Application:15/03041/FULL6

Address: 53 Kechill Gardens Hayes Bromley BR2 7NB

Proposal: Part one/ two storey side and rear extension.



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

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

Application No : 15/00830/FULL1

Ward:
Chislehurst

Address : Huntingfield The Drive Chislehurst
BR7 6QS

OS Grid Ref: E: 545582 N: 168981

Applicant : Mr Nicholas Carey

Objections : YES

Description of Development:

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

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Sites of Interest for Nat. Conservation
Smoke Control SCA 17

Proposal

It is proposed to demolish the existing dwelling on the site and construct 2 detached two storey 5 bedroom dwellings with associated access, parking and landscaping.

Location

The site is located on the northern side of The Drive, and is currently occupied by 'Huntingfield' which is a large detached dwelling set within a spacious plot.

The surrounding locality is residential in nature, characterised by individually designed detached dwellings in a range of architectural styles, resulting in a varied streetscene. The drive has a semi-rural character, with large protected trees lining the highway edge.

Consultations

Nearby owners/occupiers were notified of the application and representations were received, including from The Chislehurst Society, which can be summarised as follows:

- increased parking and traffic problems in The Drive
- proposals are similar to the previous refused scheme
- overdominant and cramped development
- dwelling on Plot 2 would overlook dwelling under construction at Lyridon
- The Drive is already overdeveloped

- noise and disturbance to neighbouring properties
- overdevelopment of the site
- further deterioration of road surface in The Drive.

Comments from Consultees

From a highways point of view, the parking and access arrangements are the same as the scheme that was allowed on appeal. Each property would have an integral garage and there is other parking available on the frontages. Turning on Plot 2 is tight but not impossible. No objections are therefore raised by the Council's Highway Engineer subject to safeguarding conditions including repair to damaged roads and a construction management plan.

No objections are raised to the proposals from an Environmental Health or drainage point of view, and Thames Water have no concerns.

Planning Considerations

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

BE1 Design of New Development
 NE7 Development and Trees
 H7 Housing Density and Design
 T3 Parking
 T11 New Accesses
 T18 Road Safety

Planning History

Permission was granted in December 2012 (ref. 12/02908) for the development of the side garden of Huntingfield with a detached two storey 4 bedroom dwelling with accommodation in the roof, and construction of this property is nearing completion.

Permission was refused in May 2013 (ref.13/00906) for the demolition of the dwelling at Huntingfield and the erection of 2 detached two storey 5 bedroom dwellings with accommodation in the roof and associated access, on the following grounds:

'The proposal constitutes an unacceptable sub-division of the existing plot that is out of character with the surrounding area, resulting in a cramped over-development of the site and a retrograde lowering of the spatial standards to which the area is at present developed, and if permitted would set an undesirable precedent for similar sub-divisions in the locality, thereby contrary to Policies BE1 and H7 of the Unitary Development Plan.'

The proposals were subsequently allowed on appeal in December 2013 wherein the Inspector considered that "compared against the other plots within The Drive, Huntingfield is set within a spacious plot and I consider it is of a sufficient size, and shape, to accommodate the proposed development. The proposed dwellings would sit in plots of a size and shape similar to those of existing dwellings on The Drive,

including those under construction. Space between the proposed dwellings and their boundaries would reflect that of existing dwellings on The Drive and would be sufficient to prevent the proposed dwellings from appearing cramped within their plots." She therefore concluded that the proposed development would not materially harm the character and appearance of the surrounding area.

Permission was later refused in June 2014 (ref.14/00518) for a similar scheme for 2 detached houses but which differed in that they projected approximately 1.5m further forward, thus increasing the overall depth of the dwellings. It was refused on the following grounds:

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

The subsequent appeal was dismissed in June 2014 wherein the Inspector considered that although the increased depth of the dwelling on Plot 1 would have little impact relative to that of the permitted scheme, the dwelling on Plot 2 would be positioned very close to the boundary with the new dwelling under construction (1.8m at its nearest point), and that this would indicate an unacceptably cramped form of development. Overall, he therefore considered that the revised scheme would amount to an overdevelopment of the site which would be harmful to the character and appearance of the surrounding area.

Conclusions

The main issues in this case are the effect that the revised scheme would have on the character and appearance of the surrounding area and the impact that it would have on the amenities of the occupants of surrounding residential properties and on highway safety issues.

The current proposals differ from the scheme recently dismissed on appeal in that the south-western corner of the dwelling on Plot 2 would be set back 1.5m to match that of the approved dwelling on this plot, and would therefore reduce the overall footprint of this dwelling, along with the depth of its western flank elevation. The revised scheme is therefore considered to satisfactorily overcome the Inspector's concerns with regard to the awkward relationship with the adjacent boundary, and the cramped nature of the development. Although the footprints of the two new dwellings would still be slightly larger than the permitted dwellings, this is not considered to result in an overdevelopment of the site, nor be harmful to the character and appearance of the surrounding area.

As with the previous schemes, the proposals are not considered to cause harm to residential amenity, and the impact on highway safety would not differ to that which was previously considered acceptable. Although the Council's Highway Engineer has suggested a condition requiring the repair of any damage caused to the carriageway of The Drive during the construction phase, in permitting the previous scheme, the Inspector considered that this would not be reasonable to impose, and that it would be difficult to detect damage solely caused by construction vehicles, thus making such a condition difficult to enforce.

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

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

- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

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

- 4 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwellings hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.**

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

- 5 No development shall take place until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, height and type of boundary treatment to**

be erected. The approved boundary treatment shall be implemented before the dwellings are occupied and retained as such thereafter.

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

6 Before the occupation of the dwellings hereby permitted the first floor windows on the side elevations shall be fitted with obscured glass and shall be permanently retained in that condition.

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

7 No dwelling shall be occupied until space has been laid out within the site, in accordance with the approved drawings, for vehicle circulation and parking. This space shall thereafter be kept available for such use at all times.

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.

8 Development shall not begin until details of surface water drainage have been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented before the dwellings are occupied and retained as such thereafter.

Reason: To ensure satisfactory means of surface water drainage for the site.

9 None of the dwellings shall be occupied until works for the disposal of sewage have been provided on the site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the local planning authority.

Reason: To ensure satisfactory means of foul water drainage for the site.

10 In this condition "retained tree" means an existing tree that is to be retained in accordance with the approved plans and particulars, including the Quafe Woodlands report (Ref:AR/2920/ci), and paragraphs (i) and (ii) below shall have effect until the expiration of 1 year from the date of the first occupation of the dwellings hereby permitted.

i) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning authority. Any topping or

lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

ii) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the local planning authority.

iii) The erection of fencing for the protection of any retained tree shall be undertaken in accordance with the approved plans and particulars before any equipment, machinery or materials are brought on to the site for the purposes of the development, including demolition and site clearance, and shall be maintained until development is complete and all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written approval of the local planning authority.

iv) No bonfires shall take place within 6m of the furthest extent of the spread of the canopy of any retained tree.

Reason: In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that as many trees as possible are preserved at this stage, in the interest of amenity.

11 No development shall take place until details of the construction of the drive and vehicle parking and circulation space have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

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.

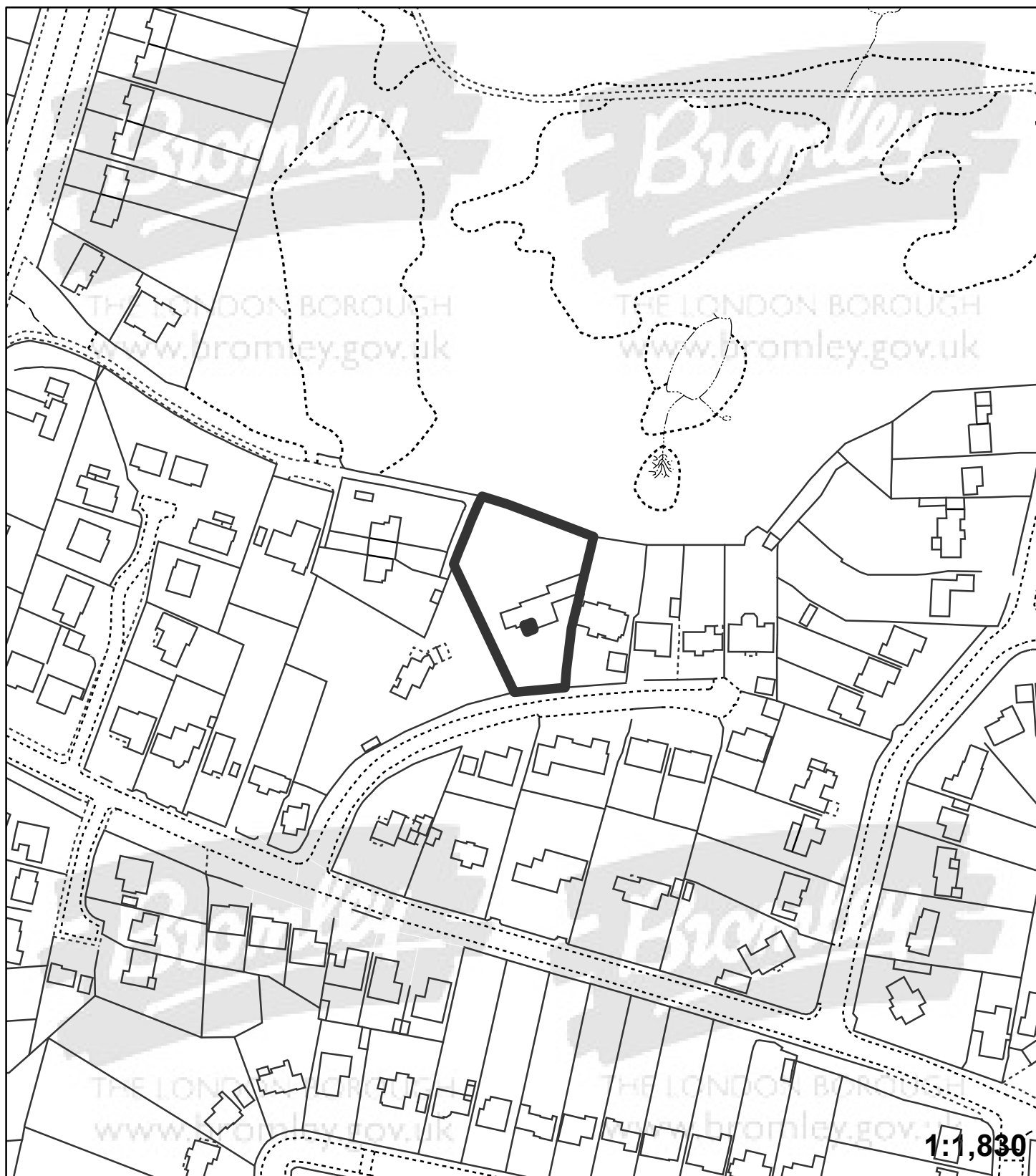
12 No development shall take place, including demolition or site clearance, until wheel washing facilities have been provided on site. The facilities shall be retained as such until the development is complete. Any vehicle leaving the site shall first use the wheel washing facilities and any accidental accumulation of mud on The Drive, caused by vehicles associated with the development, shall be cleared by the end of the working day at the latest.

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

Application:15/00830/FULL1

Address: Huntingfield The Drive Chislehurst BR7 6QS

Proposal: Demolition of existing dwelling and erection of two 5 bedroom detached dwellings with associated access, parking and landscaping



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

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

Application No : 15/01690/FULL3

Ward:
Orpington

Address : First Floor 155 - 159 High Street
Orpington BR6 0LN

OS Grid Ref: E: 546315 N: 166354

Applicant : C/o Mr Milan Babic

Objections : No

Description of Development:

Second floor extension above existing building and first/second floor rear extension and part conversion of upper floors from office (B1) to 9 x residential flats (4 x one bedroom, 2 x two bedroom, 2 x three bedroom and 1 x four bedroom) and alterations to front elevations (153-159 High Street Orpington)

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
Smoke Control SCA 29

Proposal

Planning permission is sought for the following:

- second floor extension above existing building and first/second floor rear extension
- part conversion of upper floors from office (B1) to 9 x residential flats (4 x one bedroom, 2 x two bedroom, 2 x three bedroom and 1 x four bedroom)
- alterations to front elevations (153-159 High Street Orpington)

The application is accompanied with a Flood Risk Assessment, Parking Survey, Design Statement and report into the availability of offices in Orpington.

Location

The application site currently comprises A1 retail shop on ground floor, with offices on the upper floor. The site forms part of the Orpington town centre Primary Shopping Frontage and also Flood Zone 2 and 3. The site is also within a moderate (4) PTAL area.

Consultations

Comments from Local Residents

Nearby neighbours were consulted about the application and no comments were received.

Comments from Consultees

Highways- No objections are raised in principle subject to the Applicant agreeing to provide the first occupiers of the residential units with 2 years membership to a car club and 20 driving hours.

EH (Pollution)- No objections raised

Drainage- No objections raised

Thames Water- No objections raised

Planning Considerations

In considering the application, the main policies are considered as follows:

- Policy BE1 - Design of New Development
- Policy H1- Housing Supply
- Policy H7- Housing Density and Design
- Policy H12- Conversion of non-residential buildings to residential use
- Policy EMP3- Office Development
- Policy T3- Parking
- Policy T18- Road Safety
- Policy S1- Primary Frontages

Supplementary Planning Guidance 1 and 2

London Plan Policy 3.4 Optimising Housing Potential
London Plan Policy 3.5 Quality and Design of Housing Developments
Mayor of London's Housing Supplementary Planning Guidance

National Planning Policy Framework

Planning History

3 similar applications were withdrawn under references 07/00554 in February 2010 and 07/02630 in September 2007. Records show that under ref. 08/00751 an application was heard at Plans-Sub Committee on 31st July 2008 where Members resolved to grant planning permission subject to the prior completion of a legal agreement. It appears that this agreement was never signed by the Applicant and the application was finally withdrawn by the Chief Planner in May 2010.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, the streetscene, the impact that it would have on the

amenities of the occupants of surrounding residential properties, and the impact on traffic and parking demand.

The principle of developing the site has been established by the granting of planning permission under ref. 08/00751. From assessing the previous plans (ref. 08/00751) there appears to be a number of differences between these plans and those now sought under the current application. The changes to the current scheme are notably the increase in the width of the rear extension (by approximately 4m) to include the section adjacent to the boundary with Nos 149-151 to the north, and the reduction of the amount of office space retained at first floor level. The height and scale of the proposed extension remains comparable to the approved applications and Members may consider the scale of the building to be acceptable in this location.

Members will need to give careful consideration to the proposed layout and the amount of development proposed. The proposed rear extension would extend over an existing flat roof by approximately 7.7m with a further area (approximately 3m) allowed for amenity spaces to these properties. The proposed residential units would remain accessible from the high street entrance as previously shown under ref. 08/00751.

The main impact of the proposal would be the addition of the new second floor over the existing building when viewed from the High Street. The proposal would increase the height of the building by approximately 3.3m resulting in a 3 storey building. When viewing the existing building from the streetscene, the application site is surrounded by buildings of varying heights (mainly two and three storeys). The building to the south of the site (No.161, is retail at ground floor and a fitness club on upper floors), however the building to the north (Nos 149-151 which is currently vacant) is slightly lower than the application building at only two storeys. The main effect of the increase in height at the application site would therefore be as you view the building coming southwards down the High Street. The proposal would be approximately 2.8m higher than Nos. 149-151 and there would be a large bare flank elevation facing this direction. However Members will note that the site is set back from the main building line along the High Street, which would assist in reducing the impact of the proposed development. Members may consider that the proposal would not be significantly different to the increase in roof height from two to three storeys which currently exists from the application site to the neighbouring property to the south (No.161) and on the basis that the principle of such development has been established through the granting of planning permission under ref. 08/00751 this type of development is acceptable.

To the rear of the property, the proposed development would involve a first/second floor extension. Although the extension at first and second floor would be reasonably deep, sufficient distances would be maintained to the adjoining buildings (approximately 3m to No.161 and between 4-5m to No. 151 and given that the properties surrounding the application site are office buildings and not residential properties and therefore Members may consider this aspect of the proposal acceptable.

The proposed residential units and room comply with The London Plan and Housing SPG (2012) minimum requirements outlined in the guidance, with a minimum of 8sqm for a single bedroom and 12sqm for a double bedroom. The proposed schedule of accommodation provided as part of the application (Page 9 of the Design Statement) shows that all 9 units exceed the minimum space standards and on that basis Members may agree that the resulting accommodation was be satisfactory for future occupiers.

In terms of the proposed loss of existing office space, Policy EMP3 states that the conversion or redevelopment of offices for other uses will be permitted only where;

- (i) it can be demonstrated that there is no local shortage of office floorspace and there is evidence of long term vacancy despite marketing the premises; and
- (ii) there is no likely loss of employment resulting from the proposal.

The plans provided indicate that approximately half of the existing office on the first floor will be lost as a result of the application which is less than previously indicated on the drawings provided under ref. 08/00751. From visiting the site, it was evident that the current offices at the site were in use. As part of the application, evidence has been provided from Jenkins Law Ltd which suggests that there is generally poor demand for offices Orpington. Given that that office space would still be available at the site and that the application would not result in a total loss of the commercial use on the upper floors, this aspect of the development is, on balance, considered acceptable.

The Council's Highways officer has been consulted and no objections have been raised in principle to the car free housing proposed at the site. The applicant is expected to provide the first occupiers of the residential units with 2 years membership of the local car club and 20 driving hours. This has been suggested as a condition attached to this report.

Background papers referred to during production of this report comprise all correspondence on the file ref. 15/01690 set out in the Planning History section above, excluding exempt information.

RECOMMENDATION: PERMISSION: 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 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.**

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

- 3** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

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

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

Reason: In order to comply with Policy T7 of the Unitary Development Plan and Policy 6.9 of the London Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

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

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

- 6** 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.

- 7** No part of the development hereby permitted shall be occupied until details have been submitted to and approved in writing by the Local Planning Authority of arrangements for future occupiers to join an established car club in the local area. The approved arrangements shall be in occupation of any part of the development.

Reason: In order to provide for the transport needs of the development and comply with Policies T3 and T18 of the Unitary Development Plan.

You are further informed that :

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

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

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

Application:15/01690/FULL3

Address: First Floor 155 - 159 High Street Orpington BR6 0LN

Proposal: Second floor extension above existing building and first/second floor rear extension and part conversion of upper floors from office (B1) to 9 x residential flats (4 x one bedroom, 2 x two bedroom, 2 x three bedroom and 1 x four bedroom) and alterations to front elevations (153-159 High



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

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

Application No : 15/02006/DET

Ward:
Cray Valley West

Address : Grays Farm Production Village
Grays Farm Road Orpington BR5 3BD

OS Grid Ref: E: 546899 N: 169722

Applicant : Mr Adam Stratford

Objections : YES

Description of Development:

Details of appearance, landscaping, layout and scale pursuant to outline permission DC/14/00820/OUT granted planning permission on 12 March 2015 for Demolition of existing buildings and redevelopment to provide 1,077 sqm of Use Class B1 floorspace in a detached 2 storey building with accommodation in the roof and 45 two storey houses (some with accommodation in the roof) with access road and car parking

Key designations:

Areas of Archeological Significance
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency
Smoke Control SCA 20

Proposal

Outline Planning Permission was granted under reference DC/14/00820/OUT on 12 March 2015 for demolition of existing buildings and redevelopment to provide 1,077sqm of use Class B1 floorspace in a detached 2 storey building with accommodation in the roof and 45 two storey houses (some with accommodation in the roof) with access road and car parking. The Outline Permission included approval of access and layout.

Outline Permission was granted subject to 26 conditions covering the following issues:-

- Submission of reserved matters
- Detailed landscaping proposals including boundary treatments
- Tree protection measures
- Submission of external material samples and details of slab levels
- Implementation of parking areas, cycle parking provision, refuse strategy
- Construction management plan, hardstanding and dust control measures
- Details of lighting and site security measures
- Detailed compliance with lifetime homes and wheelchair units
- Technical issues of drainage, land contamination and archaeology

This application seeks Approval for Reserved Matters (Scale, Appearance and Landscaping). It is proposed to provide:-

- 1 two bedroom coach house
- 5 two bedroom houses
- 35 three bedroom houses
- 4 four bedroom houses
- 2.5 storey commercial block fronting Grays Farm Road to the east of the 75 bed care home which is being built out under a separate planning permission by a separate landowner
- Access into the site would be provided from Grays Farm Road with one vehicular access entering the site to the west of the commercial block
- The houses will comprise a mixture of 2 storey and 2.5 storey dwellings
- The business units will be adaptable in terms of their internal layout and will provide facilities for 'start up' enterprises
- The buildings will feature traditional design with red brickwork, cream rendered upper storeys and brown roof tiles
- The landscaping will include the retention of existing mature trees together with extensive new planting

The applicant has submitted the following technical reports to support the application:

Design and Access Statement

This statement sets out the applicants assessment of the site and surrounding area and the rationale for the proposal having regard to relevant development plan policies. The statement confirms the amount of development proposed, parking strategy, refuse and sustainability strategy. The statement discusses the approach to access, landscaping, scale and appearance of the development.

Drainage Strategy

The report states that shallow soakaways are not feasible on this site due to the presence of cohesive soils and potential for deneholes. The development layout approved as part of the Outline Permission does not provide sufficient space for the use of ponds, swales or other SUDs amenity features. It is proposed to connect to an existing sewer in Grays Farm Road at a controlled discharge rate. Preliminary drainage layout plans have been included.

Location

The application relates to a 1.74ha site located on southern side of Grays Farm Road between junction of Grays Farm Road and Croxley Green and Sevenoaks Way (A224). The site has a frontage onto Grays Farm Road of approx. 110m and a maximum depth from north to south of approx. 155m. The site is secured by way of a chain link fence to the front (northern boundary) but there are a number of trees and hedges along the east, south and west boundaries. The site was formerly occupied by a series of linked two storey and single storey buildings with a separate detached two storey building in the south eastern part of the site together with car parking and a substantial area of grassland to the western and southern part of the site. The former buildings on the site were originally erected and used as a primary school and were later used for various business and commercial

purposes mainly falling within Classes B1 and B8 of the Use Classes Order. Demolition has now taken place and the site is being prepared for redevelopment.

The site adjoins residential development to the west and south and Grays Farm primary school to the east. The wider area comprises mainly housing to the north and a mixture of development including commercial/business parks, retail parks and housing to the south.

Consultations

Comments from Local Residents and Amenity Societies

Nearby owners/occupiers were notified of the application by letter. Site notices were displayed and an advertisement was placed in the local press.

At the time of writing this report 1 letter of objection had been received. The following points were raised:-

- The bushes at the end of my garden (on the applicants side of the fence) are so overgrown they have damaged my fence and garden
- I would like the bushes maintained or removed

The applicant has been notified of the concerns raised and has responded as follows:

"I have met with the neighbour concerned to discuss the proposals and to understand her concerns. I explained that during the Outline application great concern was raised from the landscape officer regarding removal of the hedge as it provides a natural buffer between the existing and proposed properties and it is for this reason that it has been shown as retained. With regards to the current state of the hedge, it has become overgrown somewhat into the neighbouring garden and so I have organised for someone cut it back so it would no longer impact on the garden and rear fence. I have also arranged for someone to undertake landscaping works to rectify any damage caused to the neighbouring fence/garden".

Representations received after the publication of this report will be reported at the committee meeting.

Comments from Consultees

Historic England: The current scope of submitted material does not affect the detail of the planning archaeological evaluation of the site.

One of the documents previously submitted was the archaeological specification for a programme of Trial Trench Evaluation prepared by the developer appointed archaeological practice TVAS Ltd dated 16 January 2015.

I previously recommended its approval as a submission of detail towards the satisfying of the archaeology condition via a letter dated 19 February 2015 but relating to application 14/00809. I therefore hereby confirm its approval also applies to application 14/00820 condition 26.

Environment Agency (initial comments): We have reviewed the details submitted and we have the following comments. The site is situated in flood zone 1 and greater than a hectare, under National Planning Policy Framework (NPPF) the application would be acceptable subject to the submission of a suitable drainage strategy. Reviewing the submitted details we note that no detail has been provided in regards to drainage and therefore would not be able to comment on the layout and landscaping without an idea of the proposed surface water drainage. The submitted flood risk assessment (FRA) for the outline application recommended permeable paving and the use of underground cellular storage to provide some storage of surface water prior to discharge. We would recommend the use of SuDS (Sustainable Drainage Systems) to help reduce surface water flooding, provide benefits to habitat, water quality and amenity.

We would recommend the inclusion of soakaways and detention ponds which can increase amenity and biodiversity on site. Green Roofs and rainwater water recycling could be considered as a way to minimise potable water consumption and we would encourage where practicable other SuDS to benefit the site in both amenity and surface water reduction. Further information on SuDS can be found below: 1. Sustainable Drainage Systems-design manual for England and Wales 2. CIRIA C697 document SUDS manual 3. the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code of Practice provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. The Interim Code of Practice is available on both the Environment Agency's website: www.environment-agency.gov.uk and CIRIA's website: www.ciria.org.uk Publication: 'Designing for exceedance in urban drainage' (CIRIA C635).

Thames Water: Comments awaited

Highways (initial comments): This is a detailed application for a mixed B1 and residential development. There is also an application for a care home on part of the site which is the subject of another application (14/00809). The site is within a low (2) PTAL area.

This application has 1077m² B1 floor space with 23 car parking spaces. There is no parking standard in the UDP for this but using the next available figure, and the maximum shown in the London Plan, (1 space per 100m²) would give 11 spaces and so the provision is in excess of that. However looking at the TRICS data provided, the parking accumulation is well in excess of 23 vehicles during the morning peak which means that, if this is a good approximation, there will be parking on Grays Farm Road or the new access road. The peak arrival will coincide with the drop off for the school when short term parking in Grays Farm Road increases dramatically.

This proposal is the same as outline application i.e. for 45 houses but now with 80 spaces. 1.8 spaces per unit as the car parking spaces have been reduced by 8. The applicant has now indicated the size of the houses in this proposal. The requirement as per UDP is 69 parking spaces and the applicant has proposed 11 visitor parking spaces. The parking provided is in excess of the standards in the

UDP, so this is satisfactory, however, please ask the applicant how shared parking is going to work.

Routing for refuse vehicles should be configured so that the refuse collection can be made without the need for the vehicle to reverse as turning heads may be obstructed by parked vehicles and reversing refuse vehicles create a risk to other street users. The refuse vehicles used by LBB are 10.280m long and 2.550 wide. Please ask the applicant to provide Swept Path Analysis for refuse vehicles and delivery lorries through the bends and the turning heads on the main access road. Consideration should be given to widening the road.

There are swept path diagrams in the application drawing number PSE/E4364/2030 but the size of refuse vehicle used is 8.945m which is not acceptable.

The footway next to plot 33 is quite narrow. Please ask the applicant to demonstrate that 1m service margin on Minor Access Way is enough to accommodate the services and also the pedestrians.

If the roads inside the development are offered for adoption then the applicant must submit a relevant Road Safety Audit otherwise just on the access to the development and this has to be agreed in writing by the LPA at appropriate stages of design and construction. The applicant must agree the time of road safety audit with the representative of LBB traffic section.

The sightlines at Grays Farm Road should satisfy the sightline requirements set out in MfS i.e. 43m x 2.4m x 43m or in accordance with the speed of vehicles on the road.

As per The London Plan March 2015 cycle storage requirement is 1 space per studio and 1 x bedroom unit and 2 spaces per all other dwellings, however cycle parking was agreed as part of the outline consent so I would have no further comments on this.

The waste storage and collection arrangements will need to be agreed with Waste Services but from highway point of view I have concerns about how 10.3m refuse lorry would pass through the bends and turning heads to turn around.

Manual for Streets recommends a minimum of 5m and although it allows two cars to pass but can cause issues for larger vehicles particularly if parking takes place near the bends. Please ask applicant to demonstrate that there are no issues on the bends.

In response to these comments additional plans were submitted to show refuse vehicle swept path analysis and an explanation as to why the residential parking provision has been reduced by 8 spaces.

Highways (final comments): There could be an issue with regards to refuse vehicles being able to access site, move around the tight bends and dead-ends. As the internal road is a private road Bromley Highways Department will not be able to

enforce waiting restrictions and refuse collections would be a difficult operation if obstructed by parked cars. The waste storage should be agreed with Waste Services. Conditions recommended (NB: a number of the conditions recommended are already secured on the Outline Permission, additional conditions are recommended for this application).

Tree Officer: The landscaping proposals are satisfactory and I recommend that they are approved.

Environmental Health (Pollution): Contamination issues are being addressed via a condition on the original outline permission. I have no further comments specifically relevant to this submission of details application.

Environmental Health (Housing): I cannot see any major issues with development provided it meets all current Building Regulation standards during construction. However I suggest that the developer considers collection/storage and recycling of rainwater and greywater from the site for WC flushing and site irrigation purposes to help offset the huge demand for freshwater from the new dwellings and production of waste water from water using appliances.

Waste: From a waste collection perspective this is an EOC collection - whereby all waste and recycling is placed at the edge of property for collection - so there is no specific comment with regard to storage arrangements; such as there would be if there were flats.

There is swept path analysis that shows a refuse collection vehicle can navigate the site - but this would be a Highways issue and I understand that Highways has already made comment in this regard. Having said that - I have no concerns given the swept path analysis shows the route is achievable - so am happy for any condition attached relating to waste to be discharged.

Drainage Advisor: The submitted report by Rogers Cory Partnership with Project ref: PSE/E4364/15726 Dated 06/08/2015 is an initial assessment and is not meant to be making any conclusions. The fact that the applicant is discounting the use of soakaways based on the above report is not acceptable. I have accepted the previous strategy carried out by HERRINGTON LTD on the basis that detailed soil investigation in accordance with BRE digest 365 to be carried out to determine the permeability of the soil and eventually make a decision whether infiltration is applicable or not.

The applicant is required to carry out a more detailed soakage test in accordance with BRE digest 365 and if the results reveals that the soil is adequate for infiltration then SUDS (including Soakaways) must be introduced. If the result confirms the soil being cohesive then the use of oversized pipes as well as tanks would be acceptable.

Two conditions have already been attached to the Outline Permission to deal with and a detailed soakage test to be carried out at the later stage.

Planning Considerations

The proposal falls to be considered primarily with regard to the following policies:

Relevant UDP policies include:

H1 Housing Supply
H2 Affordable Housing
H7 Housing Density and Design
H9 Side Space
T1 Transport Demand
T2 Assessment of Transport Effects
T3 Parking
T5 Access for People with Restricted Mobility
T6 Pedestrians
T7 Cyclists
T11 New Accesses
T18 Road Safety
BE1 Design of New Development
BE7 Railings, Boundary Walls and Other Means of Enclosure
NE7 Development and Trees
IMP1 Planning Obligations

The following Supplementary Planning Documents (SPD) produced by the Council are relevant:

- Affordable Housing SPD
- Planning Obligations SPD

Bromley's Draft Local Plan: Policies and Designations Document has been subject to public consultation and is a material consideration (albeit it of limited weight at this stage). Policies relevant to this application include:

5.1 Housing supply
5.3 Housing design
5.4 Provision of affordable housing
5.8 Side space
6.3 Social infrastructure in new developments
7.1 Parking
7.3 Access to services for all
8.1 General design of development
8.7 Development and trees
10.1 Sustainable waste management
10.3 Reducing flood risk
10.4 Sustainable urban drainage systems
10.6 Noise pollution
10.7 Air quality
10.10 Sustainable design and construction
10.11 Carbon reduction, decentralise energy networks and renewable energy

Relevant London Plan policies include:

Policy 1.1 Delivering the strategic vision and objectives for London

Policy 2.6 Outer London: vision and strategy
Policy 3.3 Increasing housing supply
Policy 3.4 Optimising housing potential
Policy 3.5 Quality and design of housing developments
Policy 3.6 Children and young people's play and informal recreation facilities
Policy 3.8 Housing choice
Policy 3.9 Mixed and balanced communities
Policy 3.10 Definition of affordable housing
Policy 3.11 Affordable housing targets
Policy 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
Policy 3.13 Affordable housing thresholds
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.5 Decentralised energy networks
Policy 5.6 Decentralised energy in development proposals
Policy 5.7 Renewable energy
Policy 5.8 Innovative energy technologies
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 6.3 Assessing effects of development on transport capacity
Policy 6.9 Cycling
Policy 6.10 Walking
Policy 6.11 Smoothing traffic flow and tackling congestion
Policy 6.13 Parking
Policy 7.1 Building London's neighbourhoods and communities
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.5 Public realm
Policy 7.6 Architecture
Policy 7.14 Improving air quality
Policy 7.15 Reducing noise and enhancing soundscapes
Policy 7.19 Biodiversity and access to nature
Policy 7.20 Geological conservation
Policy 7.21 Trees and woodlands
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

The London Plan SPG's relevant to this application are:
Accessible London: Achieving an Inclusive Environment (2014)

Housing (2012)

Shaping Neighbourhoods: Play and Informal Recreation SPG (2012)

NPPF (2012) and NPPG(2014)

The National Planning Policy Framework 2012 (NPPF) is also relevant. The NPPF contains a wide range of guidance relevant to application specifically sections covering sustainable development, delivering a wide choice of quality homes, requiring good design, conserving and enhancing the natural environment, decision-taking and implementation. The NPPF makes it clear that weight should be given to emerging policies that are consistent with the NPPF.

The NPPG sets out guidance for dealing with Reserved Matters Applications. The guidance makes it clear that an assessment should only be made in respect of the matters that have been reserved and conditions relating to anything other than the matters to be reserved can only be imposed when outline planning permission is granted. The only conditions which can be imposed when the reserved matters are approved are conditions which directly relate to those reserved matters

Planning History

DC/12/00776/OUT: Demolition of existing buildings. Mixed use development comprising 2 two storey buildings for Class B1 use (total 2302sqm) with car parking and 52 two storey houses (some with accommodation in roof) with car parking. **Pending determination (subject to completion of s106)**

DC/14/00820/OUT: Demolition of existing buildings and redevelopment to provide 1,077sqm of use Class B1 floorspace in a detached 2 storey building with accommodation in roof and 45 two storey houses (some with accommodation in roof) with access road and car parking. **Permitted**

DC/14/00820/CONDIT: Details submitted in relation to planning permission ref. 14/00820/OUT -Condition 6 - arboricultural method statement, Condition 7 - arboricultural consultant, Condition 15 - construction management plan, Condition 21 - contaminated land assessment, Condition 26 - archaeological evaluation. **Conditions discharged.**

Relevant History for Adjacent Site

DC/14/00809/FULL1: Demolition of the existing buildings and redevelopment to provide a 75 bedroom care home with landscaping and associated car parking. **Permitted**

Conclusions

The main issues to be considered are:

- Principle of Development
- Design Issues - Scale and Appearance (Including Standard of Accommodation)
- Landscaping (Including Impact on Trees and Ecology)
- Highways and Traffic Issues (arising from the detailed submission)
- Neighbouring Amenity (arising from the detailed submission)

Principle

The principle of the development has been established by virtue of the Outline Permission. The amount of development, number of dwellings, size mix and density was established as part of the Outline Permission.

The plans submitted as part of this Reserved Matters application are largely in accordance with the Outline Permission save for the following alterations to layout and parking.

Amended layout by virtue of slight alteration to the position of the following properties. This has arisen as a result of detailed/technical design development:-

- Re-arrangement of parking area for commercial block - no change to number of commercial spaces
- Reduction in residential spaces (8 less)
- Plots 3-5 (previously staggered with Plots 1 and 2) brought into line with Plots 1 and 2 which means they are 4m closer to the western boundary
- Plots 6-10 moved 3m closer to the west boundary
- Plots 11-13 moved 2m further away from the west boundary
- Plots 18 and 19 repositioned from a north-south axis to an east-west axis to accommodate root protection zones for existing trees. This will bring the properties significantly closer to the boundary with the school but much further away from the shared boundary with residential properties
- Plots 20-22 moved 1.0m closer to the east boundary
- Plot 25 (previously staggered) brought into line with Plots 23 and 24
- Plots 38 and 39 moved 1m further away from the east boundary
- Plots 43-45 moved 1.0m closer to east boundary
- Internal access road increased in width by a maximum of 3m

It is considered that the above amendments to the original approved layout are minor in their nature; the amendments do not change the number or size of dwellings or overall layout of the site in terms of access and general layout of units. Appropriate side space would be retained between the new dwellings internally within the site and in relation to site boundaries in accordance with Policy H9 and whilst some of the units would be located closer to the site boundaries the difference is not so great that it would result in any additional impact on neighbouring amenity beyond that deemed to be acceptable at Outline stage. The closest properties would be located 9m from boundaries shared with residential dwellings, this is a relationship that was accepted at Outline stage. Furthermore it is noted that Condition 2 attached to the Outline Permission requires the submission of a detailed layout plan. Consequently despite the amendments to the layout this Reserved Matters proposal is considered to comply with the Outline Permission.

Design (Scale and Appearance)

Design is a key consideration in the planning process. Good design is an important aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. The NPPF states that it is important to plan positively for the achievement of high quality and inclusive design

for all development, including individual buildings, public and private spaces and wider area development schemes.

The NPPF requires Local Planning Authorities to undertake a design critique of planning proposals to ensure that developments would function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Proposals must establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit; optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks. Developments are required to respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation. New development must create safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and are visually attractive as a result of good architecture and appropriate landscaping.

London Plan and UDP policies further reinforce the principles of the NPPF setting out a clear rationale for high quality design. UDP Policy BE1 sets out a list of criteria which proposals will be expected to meet, the criteria is clearly aligned with the principles of the NPPF as set out above. The key elements of design are assessed below.

The layout of the site has already been agreed under DC/14/00820/OUT. The approved plans show some amendments to the layout (set out above) but the general arrangement of the site is as originally approved. The proposed dwellings are set within reasonable plots, well related to one another and the site boundaries. The family dwellings would benefit from appropriately sized front and rear gardens with a sufficient amount of soft landscaping around the perimeter of the site, between the new plots and along the internal routes and parking areas. A minimum of 1m side space would be retained between the individual terraces and properties adjacent to site boundaries.

Access into the site would be provided from Grays Farm Road, the access route into and within the site is clear and legible. This is an acceptable approach that reflects the approved Outline Permission.

This site lies in a mixed use area comprising a two storey school building to the east with industrial development beyond and residential development to the north, east and west. The residential development comprises predominantly 2 storey terraced and semi-detached dwellings set within spacious plots, many of the dwellings have roof extensions. The proposal comprises a mix of 2 and 2.5 storey buildings which is considered to be an appropriate scale for this area taking into account the surrounding development and established character of the area.

The proposed architectural treatment and materials pallet is of fairly traditional design with pitched roofs, gables and small dormers that will be well contained within the roofslope and a regular arrangement of fenestration and porches. The materials chosen (brick/render) are robust and will stand the test of time.

It is appropriate to secure material samples in order to ensure high quality execution; a condition has already been attached to the Outline Permission in this respect.

Overall the proposal is considered to represent a good quality design that would complement the established character of the area in accordance with relevant design policies listed above.

Site Security

Secure by Design principles have been considered as part of the design process. The layout and position of buildings within the site has been designed to maximise activity and natural surveillance within the site. Parking areas are well overlooked. Conditions in respect of Secure by Design and lighting have been attached to the Outline Permission.

Housing Issues

The proposed size and tenure of the development has already been agreed under the Outline Permission. However, it is appropriate to consider the standard of accommodation to be provided now that detailed plans have been submitted.

The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out baseline and good practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including cycle storage facilities) as well as core and access arrangements.

Table 3.3 of the London Plan and Standard 4.1.1 of the SPG sets out minimum space standards for new development. For 2 storey houses the standards require 1bed2person units to be a minimum 50 sqm, 2b4p units to be 83 sqm, 3b4p unit to be 87 sqm, 3b5p unit to be 96 sqm, 4b5p units to be 100sqm and 4b6p units to be 107 sqm. For 3 storey houses the standards require 3b5p unit to be 102 sqm, 4b5p units to be 106sqm and 4b6p units to be 113 sqm. All of the units meet the minimum unit sizes.

All units would be capable of meeting lifetime homes standards and would be afforded a good layout providing a good standard of accommodation in terms of outlook, privacy, daylight/sunlight and general amenity. All units would benefit from reasonably sized private gardens.

10% of units should be designed as wheelchair dwellings; this application confirms that the wheelchair dwellings would be located at Plots 1, 13, 40, 41 and 42. Detailed plans have not been provided to show compliance with wheelchair standards but compliance is secured by way of a condition that has been attached to the Outline permission in this respect.

It will be necessary for all units to be provided with cycle, refuse and recycling storage facilities that are secure, covered and well located in relation to the

dwelling. There is adequate space within the site for such facilities to be provided and appropriate conditions have already been attached to the Outline Permission.

Landscaping and Trees

Landscaping is an integral part of the development and is fundamental to ensuring that the development responds appropriately to the character of the site and surrounding area and provides a high standard of amenity for future occupiers.

The proposal offers a good amount of soft landscape compared to built form reflecting the indicative details provided at Outline stage. Areas of soft landscape with new tree planting will be provided along the northern boundary in front of the commercial block, existing hedges/trees and shrubs will be retained along the south and west boundaries complemented by new tree and hedge planting. Within the site it is proposed to provide a communal soft landscaped space (476 sqm) between Plots 5 and 6, as well as a number of new trees, shrubs and hedges throughout the site helping to break up the car park areas. Numbers and species of plants have been identified.

Hard landscape treatment will comprise Marshalls Tegular Block Paving (red/charcoal) for the vehicular access routes with car parking delineated by Marshalls concrete block pavers (grey) and footpaths delineated by Marshall smooth flag paving stones (buff). The proposed materials are hard-wearing, appropriate for vehicular and pedestrian traffic and are appropriate in visual terms.

Internally within the site boundary treatments have not been identified but a condition is already attached to the Outline permission in this respect.

The approach is considered to be suitable and will facilitate a high quality landscaping treatment. Full planting details have been provided but a condition has already been attached to the Outline Permission requiring submission of a detailed landscaping strategy. The condition doesn't cover maintenance or play space and ecological requirements (discussed below) and insufficient detail in these respects has been provided as part of the Reserved Matters, consequently a further condition is recommended.

Based on the Mayor's play space SPG, there is a child play space requirement of 208sq.m and a need to provide onsite facilities for under 5 year olds. This has not been addressed in the submission although there is space within the site for such facilities to be accommodated, consequently a condition is recommended.

There are a number of tree protection conditions attached to the Outline Permission.

The Council's Landscape Officer has confirmed that the proposals are acceptable.

Ecology

As part of the consideration of landscaping it is appropriate to consider ecological impact. The planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, geological conservation interests and soils; minimising impacts on biodiversity and providing net gains in biodiversity where possible. The NPPF addresses ecology in

paragraph 109 which states, the planning system should aim to conserve and enhance the natural and local environment by minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged. UDP Policies NE3 and NE4 seeks to protect wildlife features and protected species requiring development proposals to incorporate appropriate mitigation where damage may occur.

It is entirely appropriate that a development of this nature and scale should enhance opportunities for ecology and biodiversity as part of the redevelopment. A large proportion of the site would comprise soft landscaped areas which will help to enhance opportunities for biodiversity. It is also appropriate to require the development to incorporate log piles, bird and bat boxes as part of the detailed landscape strategy. This should be controlled by way of an additional condition attached to this permission.

Subject to suitable conditions as recommended below the proposal is considered to adequately address ecology and biodiversity.

Highways and Traffic Issues

Whilst access and layout have already been approved as part of the Outline Permission it is appropriate to consider any highways impacts arising from the detailed submission.

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, safe and suitable access to the site can be achieved for all people. It should be demonstrated that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the UDP should be used as a basis for assessment.

This application proposes a reduction in car parking spaces compared to the Outline scheme (reduction of 8 spaces). However, the proposed parking provision for residential and commercial elements still exceeds UDP standards and is therefore considered to be acceptable. Conditions have already been attached to the Outline permission to control parking and access.

Refuse

Refuse storage for the houses will be provided within the curtilage of each property. There is adequate space for bins and recycling. Refuse collection vehicles will enter the site for collections from the houses. In response to initial concerns raised by the Councils Highways Officer further information was submitted in respect of swept path analysis diagrams to show how refuse vehicles could access the site. The Councils Waste Team has confirmed that there are no outstanding concerns about the size and location of the waste collection points proposed or collection arrangements. Implementation of the refuse arrangements should be secured by condition; an appropriate condition has already been attached to the Outline Permission.

Impact on neighbouring amenity

Policy BE1 of the UDP seeks to protect existing residential occupiers from inappropriate development. Issues to consider are the impact of a development proposal upon neighbouring properties by way of overshadowing, loss of light, overbearing impact, overlooking, loss of privacy and general noise and disturbance.

The principle of the development has already been established by virtue of the Outline Permission where the amount of development and layout was agreed. The plans submitted with the Reserved Matters include changes to the layout as set out earlier in this report. However, the changes would not give rise to an increase in harm to neighbouring amenity as similar distances would be retained between the new dwellings and shared boundaries as those shown in the Outline application. Whilst there may be some potential for mutual overlooking between the new dwellings and neighbouring developments it is not considered that the level of harm that could occur is significant enough to warrant refusal of this application. There are often instances of overlooking in suburban locations such as this and it is considered that sufficient back to back distances will be retained to prevent an unacceptable level of overlooking or loss of privacy.

Given the siting and scale of proposed buildings in relation to the existing surrounding development it is not considered that the proposal would give rise to an unacceptable level of overshadowing or loss of light. Furthermore the proposal would not be overbearing or give rise to harm by way of loss of outlook.

It is recognised that during construction of the development there could be a significant amount of noise and disturbance from construction related activity including vehicular traffic. Construction related noise and activity cannot be avoided when implementing a development of this nature and scale. This is a relatively short term impact that can be managed as much as practically possible through measures such as a Construction Logistics Plan (CLP), dust prevention measures and control of construction hours. Such matters can be controlled by conditions already attached to the Outline Permission.

The concerns raised by the neighbour in respect of damage to her boundary treatment as a result of poor maintenance of the existing hedgerows on the site have been duly considered as discussed with the applicant as set out above. It is considered that a satisfactory solution has been reached.

Other Considerations

Flooding, drainage, sustainability, air quality and land contamination has already been addressed by way of conditions attached to the Outline Planning Permission.

Planning Obligations

The National Planning Policy Framework (NPPF) states that in dealing with planning applications, local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition. It further states that where obligations are being sought or revised, local planning authorities should take account of changes in market conditions over time and, wherever appropriate, be sufficiently flexible to prevent planned development being stalled.

The NPPF also sets out that planning obligations should only be secured when they meet the following three tests:

- (a) Necessary to make the development acceptable
- (b) Directly related to the development; and
- (c) Fairly and reasonably related in scale and kind to the development

Paragraph 122 of the Community Infrastructure Levy Regulations (April 2010) puts the above three tests on a statutory basis, making it illegal to secure a planning obligation unless it meets the three tests. From 5th April 2015, it is necessary to link pooled obligations to specific projects in the Borough.

In this instance the following obligations were secured as part of the Outline Permission:-

- Provision of an offsite affordable housing payment.

Environmental Impact Assessment

As part of the assessment of the Outline application the Council confirmed that this development does not amount to EIA development. It is not considered that there would be any significant environmental effects arising from the Reserved Matters taking into account the technical reports submitted with the Outline Permission and appropriate mitigation already secured.

Summary

The proposed redevelopment of the site has already been approved by virtue of the Outline Permission. This application for Reserved Matters (scale, appearance and landscaping) raises issues associated with the height, scale and mass of the development, detailed design including architectural appearance and standard of accommodation to be provided for future occupiers and landscaping. In that context the application must be assessed in terms of its impact on the local environment, the highway network and residential neighbouring properties. This report has considered those matters in the light of adopted and emerging development plan policies and other material considerations including statutory consultee responses. Officers consider that, with the recommended mitigation, planning conditions and obligations already secured as part of the Outline

Permission together with those additional conditions recommend below, the proposal represents an appropriate form of development.

Background papers referred to during the production of this report comprise all correspondence this application and relevant history files, excluding exempt information.

RECOMMENDATION: PERMISSION Subject to conditions set out below:

- 1 The development shall be carried out strictly in accordance with the application plans, drawings and documents hereby approved and as detailed below:**

Drawings Nos. P113, P116, P117, P118, P119, P120, P121, P122, P123, P124, P125, submitted 01 May 2015;

Drawings Nos. S101 Rev A, S102 Rev A, 14100/C101C, 14100/C102C, PSE/E4364/201, 202, 203, P102 Rev B, P114 Rev A, P115 Rev A, P310 Rev A, P311 Rev A, P312 Rev A, BLC150122 Rev D, BLC150124 Rev D, Design and Access Statement and Planning Statement submitted 08 June 2015;

Drawing Nos. PSE/E4364/206 and 207 and Emails from the Applicant clarifying highways issues submitted 31 July 2015 and

Drainage Strategy Report submitted 07 August 2015

Reason: To ensure that the development is carried out in accordance with the approved documents, plans and drawings submitted with the application and is acceptable to the local planning authority when judged against development plan policies in the London Plan 2015 and UDP 2006.

- 2 (i) Prior to commencement of Development a road safety audit on the access and works to the highway in front of the site shall be submitted to and approved in writing by the local planning authority.**

(ii) Prior to occupation of the Development a road safety audit on the access and works to the highway in front of the site shall be submitted to and approved in writing by the local planning authority.

(iii) The development shall be implemented in full accordance with the details approved under parts (i) and (ii)

Reason: In the interests of road safety and in accordance with Policy TR18 of the UDP.

- 3 A detailed scheme of landscaping which shall include**
- Details of bird and bat boxes
 - Details of log piles
 - Details and samples of any hard surfaces (NB: No loose materials shall be used for surfacing of the parking and turning area hereby permitted)
 - Proposed plant numbers, species, location and size of trees and tree pits,
 - Play equipment for the areas identified within the plans hereby approved
 - Furniture and lighting
 - Finished levels related to AOD and
 - Details of the management and maintenance of the landscaping for a period of five years

shall be submitted to and approved in writing by the local planning authority prior to construction of any above ground works.

(ii) The approved landscaping scheme shall be implemented in full and all planting, seeding or turfing shall be carried out in the first planting and seeding seasons following the completion of the development, in accordance with the approved scheme under part (i). Any trees or plants which within a period of five 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 similar size and species.

Reason: In order that the local planning authority may be satisfied as to the details of the proposal and to comply with Policies BE1 and NE7 of the UDP.

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

Reason: In the interests of Highway Safety and to comply with Policy T18 of the UDP.

You are further informed that :

- 1 You are reminded that the conditions of the outline permission still apply and must be complied with.**
- 2 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. 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.

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

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

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

- 4** You are advised that in respect of drainage provision it is not acceptable to conclude at this stage that the use of soakaways is not acceptable. Conditions 16 and 23 attached to Outline Permission DC/14/00820/OUT seek to secure detailed drainage proposals for the site. When it comes to discharging those conditions a detailed soil investigation in accordance with BRE digest 365 must be carried out to determine the permeability of the soil and eventually make a decision whether infiltration is applicable or not.

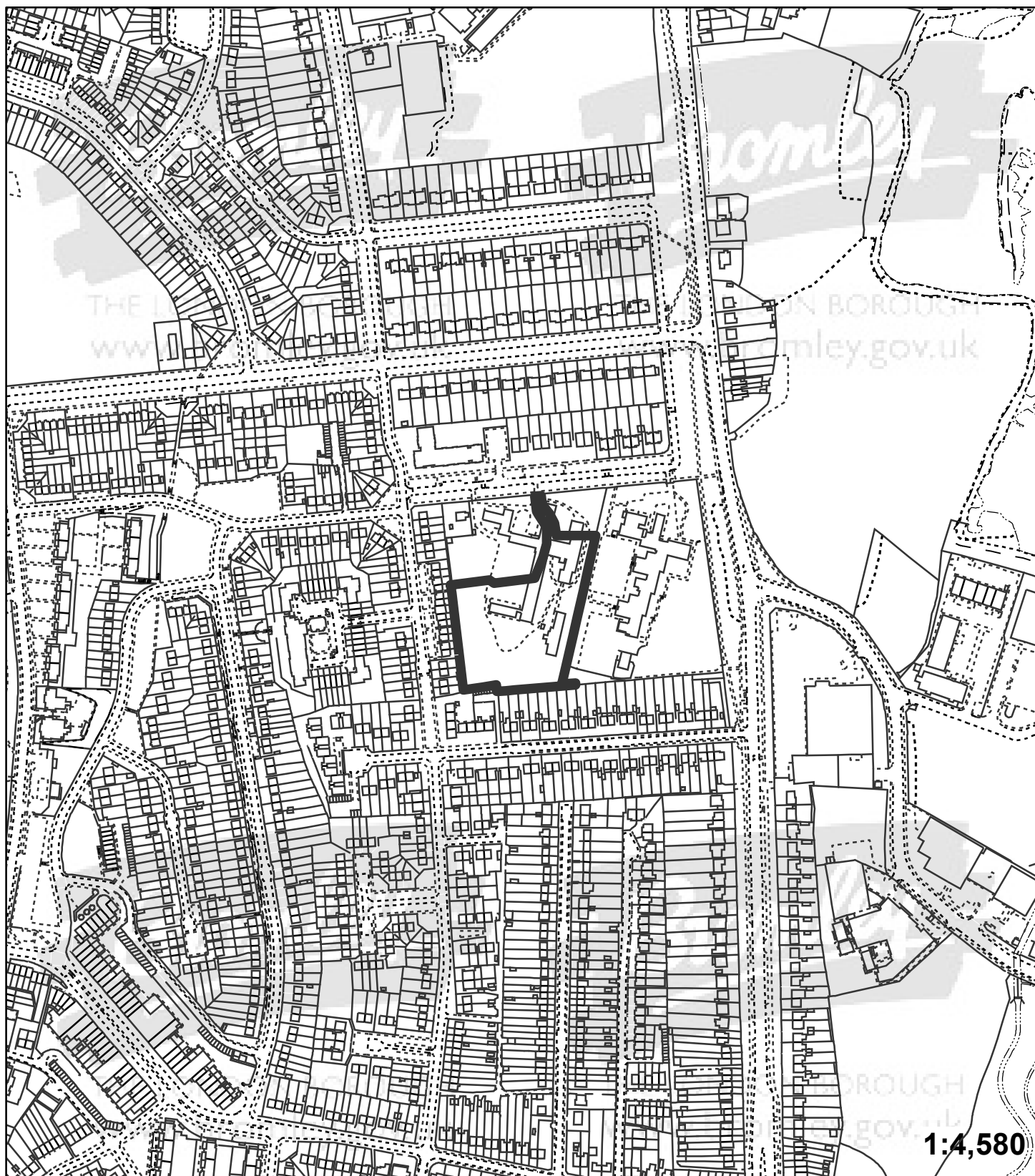
You are required to carry out a more detailed soakage test in accordance with BRE digest 365 and if the results reveal that the soil is adequate for infiltration then SUDS (including Soakaways) must be introduced. If the results confirm the soil as being cohesive then the use of oversized pipes as well as tanks would be acceptable.

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Application:15/02006/DET

Address: Grays Farm Production Village Grays Farm Road Orpington BR5 3BD

Proposal: Details of appearance, landscaping, layout and scale pursuant to outline permission DC/14/00820/OUT granted planning permission on 12 March 2015 for Demolition of existing buildings and redevelopment to provide 1,077 sqm of Use Class B1 floorspace in a detached 2 storey



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

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

Application No : 15/02126/DET

Ward:
Plaistow And Sundridge

Address : 25 Scotts Road Bromley BR1 3QD

OS Grid Ref: E: 540066 N: 170025

Applicant : Mrs Katherine Putnam

Objections : YES

Description of Development:

Details of appearance, landscaping and scale pursuant to outline permission ref. 13/00905/OUT for the redevelopment of commercial premises at Nos 24, 24A and 25 Scotts Road with part two/ three storey block and three storey block comprising 755sqm office floorspace (use Class B1) and 4 one bedroom, 31 two bedroom and 3 three bedroom flats with 41 car parking spaces, bicycle parking and refuse storage

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Business Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency
Smoke Control SCA 5

Proposal

Approval is sought for the reserved matters relating to the appearance, landscaping and scale (condition 1) of the outline application ref.13/00905 granted for the redevelopment of commercial premises at Nos. 24, 24A and 25 Scotts Road

- A part two/three storey block (Block A) and a three storey block (Blocks B and C) are proposed comprising 755sqm office floorspace (use Class B1) and 4 one bedroom, 31 two bedroom and 3 three bedroom flats with 41 car parking spaces, bicycle parking and refuse storage.
- Block A will be entirely residential consisting of 10 flats of private market tenure set over two floors plus accommodation within the mansard roof
- Blocks B and C are attached at first and second floors and separated by the proposed access road at ground floor
- Blocks B and C consist of 5 commercial office units (755 square metres) at ground floor (Use Class B1) and 28 residential flats (including 12 affordable units) at ground, first and second floors with the second floor being set within the mansard roof
- 2 wheelchair accessible units of private market tenure are provided within Block B at ground floor with a further 2 provided at first and second floors
- A number of Juliet balconies are proposed at first and second floor levels in all three blocks

- Block A includes some flat roof areas however these are no longer intended to be used as roof terraces as previously proposed in the outline application
- 41 car parking spaces are proposed (6 of which are wheelchair accessible), including 35 allocated spaces for the residential and 6 allocated for the commercial uses (the applicant confirmed these parking arrangements in an email received 21/7/15 which supersedes the figures state in their email received 16//06/15)
- Access is proposed via an existing access from Scotts Road to the east of the site
- Cycling and bin storage is proposed at various stores positioned around the perimeter of the site with flat green roofs proposed.
- A scheme of hard and soft landscaping is proposed including tree planting and the retention of some mature trees around the perimeter of the site

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

- Reserved matters application is substantially in accordance with the outline planning permission (ref.13/00905)
- It is entirely in accordance with the local and national requirements including other relevant material considerations
- A mixed use development located in a highly sustainable location near to Bromley town centre remains a strategic priority locally and regionally
- Will assist with the delivery of a variety of apartment types in Bromley whilst safeguarding a supply of business land
- A high quality designed mixed use development is proposed that is complimentary in terms of its use, functionality and appearance to the site's immediate vicinity
- The final layout satisfies all the technical constraints of the site as well as embracing the best principles of good urban design that respects the character and appearance of the local area.

Location

The application site is currently occupied by a mixture of one and two storey light industrial buildings, some of which are in poor condition. It is accessed via Scotts Road and between Nos. 28 and 30 Mooreland Road. Surrounding development predominantly comprises Victorian style terraced housing and there are business units fronting Farwig Lane to the south and southwest of the site. Nos. 24 and 24A Scotts Road lie within the Farwig Lane Business Area.

The site is within an area with of low - medium public transport accessibility rating of 2/3

Consultations

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

- Concerned about health and safety aspects specifically dust, smell and noise
- Young son suffers from chronic lung disease which building works will affect
- Background noise could affect child's speech
- Loss of privacy and overlooking
- Out of character with scale and proportions of surrounding development

Comments from Consultees

The Council's Highway Development Engineer: no changes in highways terms since outline application therefore no objections

The Council's Environmental Health Officer: no objections, recommend contaminated land condition

Planning Considerations

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

BE1 Design of New Development
 BE2 Mixed Use Developments
 BE7 Railings, Boundary Walls and Other Means of Enclosure
 EMP2 Office Development
 EMP4 Business Areas
 EMP5 Development Outside Business Areas
 ER7 Contaminated Land
 ER10 Light Pollution
 H1 Housing Supply
 H2 and H3 Affordable Housing
 H7 Housing Density and Design
 H9 Side Space
 IMP1 Planning Obligations
 NE7 Development and Trees
 T1 Transport Demand
 T2 Assessment of Transport Effects
 T3 Parking
 T7 Cyclists
 T8 Other Road Users
 T9 and T10 Public Transport
 T11 New Accesses
 T12 Residential Roads
 T15 Traffic Management
 T16 Traffic Management and Sensitive Environments
 T18 Road safety

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

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

A consultation on draft Local Plan policies was undertaken early in 2014 and is a material consideration. The weight attached to the draft policies increases as the Local Plan process advances. The most relevant draft Local Plan policies include:

- 5.1 Housing Supply
- 5.3 Housing Design
- 5.4 Provision of Affordable Housing
- 7.1 Parking
- 8.1 General Design of Development
- 8.7 Development and Trees
- 9.4 Development outside SIL and LSIS
- 11.1 Delivery and implementation of the Local Plan

In strategic terms, the application falls to be determined in accordance with the following policies of the London Plan (March 2015):

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.6 Children and young people's play and informal recreation
- 3.7 Large residential developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.10 Definition of affordable housing
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing on individual private residential and mixed use schemes
- 3.13 Affordable housing thresholds
- 4.2 Offices
- 4.3 Mixed use development and offices
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green Roofs and Development Site Environs
- 5.12 Flood risk assessment
- 5.13 Sustainable Drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.21 Contaminated land
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public Realm

- 7.6 Architecture
- 7.13 Safety, security and resilience to emergency
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.21 Trees and woodlands
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

Mayor's SPG: "Housing" (2012)

Mayor's SPG: "Accessible London: Achieving an Inclusive Environment" (2014)

Mayor's SPG: "Shaping Neighbourhoods: Play and Informal Recreation" (2012)

On 11 May 2015 the Mayor of London published for six weeks public consultation two sets of Minor Alterations to the London Plan - on Housing Standards and on Parking Standards. Where London Plan policies are quoted the changes in the MALP are shown in italics. The most relevant changes to policies include:

- 3.5 Quality and Design of Housing Development
- 3.8 Housing Choice
- 6.13 Parking

Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF) (2012) and National Planning Practice Guidance (NPPG) must also be taken into account. The most relevant paragraphs of the NPPF include:

- 14: achieving sustainable development
- 17: principles of planning
- 47-50: housing supply
- 56 to 66: design of development

Planning History

Planning permission was refused in September 2000 for 7 two bedroom terraced houses and 14 car parking spaces at No. 25 Scotts Road (ref. 00/01275). The grounds of refusal related to overdevelopment and the impact of the use of a proposed access from Mooreland Road. A subsequent appeal was dismissed after the Inspector concluded that the proposal would be an overdevelopment and would result in dangerous vehicle manoeuvres.

Outline planning permission was granted in January 2002 for 4 semi-detached and one detached house with 6 garages and 4 car parking spaces at 25 Scotts Road (ref. 01/02045). Two of the houses would have been accessed via Mooreland Road. The permission was never implemented.

Outline planning permission was refused in July 2009 for a part two/three storey block and three storey block comprising 16 one bedroom/ 15 two bedroom/ 12 three bedroom/ 3 four bedroom flats with access from Scotts Road to 10 car parking spaces and from Mooreland Road to 18 car parking spaces (ref. 09/00664). The grounds of refusal related to overdevelopment, inadequate car parking and conflict with Policy EMP4 which seeks to safeguard a supply of

business land in the Borough to provide for the growth and development of business and industry.

Outline planning permission was refused in December 2009 for the erection of 3 three storey blocks comprising 38 flats (1 one bedroom, 15 two bedroom, 16 three bedroom and 6 four bedroom) with access from Scotts Road (ref. 09/02461). The ground of refusal was as follows:

'Part of the site is located in a Business Area in the Unitary Development Plan and the proposal would be contrary to Policy EMP4 which seeks to safeguard a supply of business land in the Borough to provide for the growth and development of business and industry.'

A subsequent appeal was dismissed in July 2010.

Outline planning permission was refused in July 2011 for a part two/ three storey block and three storey block comprising 4 one bedroom, 39 two bedroom and 4 three bedroom flats with 38 car parking spaces on the same ground as previously (ref.11/00781). A subsequent appeal was dismissed in January 2012 again, on the basis of the loss of the site for business use. However, the Inspector also considered that the contribution to the borough's housing supply was a benefit of the scheme.

In June 2014 under ref.13/00905 outline planning permission was granted for the redevelopment of commercial premises at Nos. 24, 24A and 25 Scotts Road with part two/three storey block and three storey block comprising 755sqm office floorspace (use Class B1) and 4 one bedroom, 31 two bedroom and 3 three bedroom flats with 41 car parking spaces, bicycle parking and refuse storage with details of appearance, landscaping and scale left as reserved matters. A legal agreement was attached to the permission relating to the provision of affordable housing at the site.

Conclusions

The principal of the redevelopment of this site for residential and office use has already been established through the granting of the outline permission under ref.13/00905. Access and layout were also approved under the outline permission. The applicant now seeks approval for the following reserved matters: appearance, landscaping and scale. The main issues to be considered in respect of the current proposal are therefore as follows:

- Acceptability in terms of scale, design and appearance;
- Density;
- Housing issues;
- Acceptability in terms of landscaping and impact on trees;
- Impact on neighbouring amenity in terms of outlook, daylight, sunlight and privacy
- Highways and Traffic Issues

Scale, Design and Appearance

The National Planning Policy Framework (NPPF) states that housing applications should be considered in the context of the presumption in favour of sustainable development. At the same time the Government attaches great importance to the design of the built environment. New development should reflect the identity of local surroundings and add to the overall quality of an area, whilst not discouraging appropriate innovation. The NPPF also encourages the effective use of land and states developments should optimise the potential of the site to accommodate development. Consistent with this, policies H7 and BE1 of the London Borough of Bromley Unitary Development Plan (UDP) require new developments to complement the scale, form, layout and materials of adjacent dwellings. Development should not detract from the existing street scene and the space about buildings should provide opportunities to create attractive settings.

The proposals closely follow those approved under the outline permission in terms of the scale and residential density of the proposed blocks. 38 residential units are proposed which was considered acceptable under the outline approval and no change to bedroom numbers is proposed in the current application. The amount of office floorspace proposed also remains the same.

The blocks are all two/three storey with the third storey accommodation being set within the mansard roofs. Roofs are pitched and a traditional palette of materials has been proposed including red bricks with a blue detail band in blocks B and C, grey slate for the roofs, grey uPVC windows and white soffit and fascias. The Juliet balconies will have glazed panels while the office units will have glazed frontages to the north and west elevations. Projecting square bay elements and parapet wall features are also proposed adding some visual interest to the building's form.

The larger scale and two-three storey height of the flatted development is contrast against the traditional two storey dwellinghouses in the immediate vicinity. However, given the site's existing industrial/commercial use and the adjacent warehouse and commercial units to the south/southwest of the site, it is considered that through the utilisation of traditional materials, architectural detailing and hipped roofs the development would appear to strike the correct balance between its residential and commercial/industrial surroundings. It is appropriate to secure material samples in order to ensure high quality execution; a condition has already been attached to the Outline Permission in this respect.

Density

Policy 3.4 in the London Plan seeks to ensure that development proposals achieve the optimum housing density compatible with local context, the design principles in Policy 4B.1 and with public transport capacity. Table 3.2 (Sustainable residential quality) identifies appropriate residential density ranges related to a site's setting (assessed in terms of its location, existing building form and massing) and public transport accessibility (PTAL). This site is considered to be in an 'urban' setting and has a PTAL rating of 2/3 giving an indicative density range of 70-170 units / 200 - 450 habitable rooms per hectare (dependent on the unit size mix). The London Plan states that residential density figures should be based on net residential area, which includes internal roads and ancillary open spaces.

UDP Policy H7 also includes a density/location matrix which supports a density of 100-150 units / 300-450 habitable rooms per hectare for locations such as this provided the site is well designed, providing a high quality living environment for future occupier's whilst respecting the spatial characteristics of the surrounding area. Development should comply with the density ranges set out in table 4.2 of the UDP and table 3.2 of the London Plan and in the interests of creating mixed and balanced communities development should provide a mix of housing types and sizes. The Council's Supplementary Planning Guidance No1 - General Design and No.2 - Residential Design Guidance have similar design objectives to these policies and the NPPF. Policies 3.3 and 3.4 of the London Plan seek to increase the supply of housing and optimise the potential of sites, whilst policy 3.5 seeks to protect and enhance the quality of London's residential environment.

The residential density of the development would equate to 282.5 habitable rooms per hectare and 95 units per hectare which is within the density guidelines set out in the London Plan and slightly below those set out in the UDP.

Housing Issues

Unit Size Mix

London Plan policy requires new housing development to offer a range of housing choices in terms of the mix of housing sizes and types taking into account the housing requirements of different groups. Policies within the Bromley UDP do not set a prescriptive breakdown in terms of unit sizes. Each application should be assessed on its merits in this respect. The proposal provides a mix of 1, 2 and 3 bedroom flats therefore providing a good mix of unit sizes.

Tenure

The development is considered liable for the provision of affordable housing on site as set out in the Policy H2 and contributions by way of planning obligations under Policy IMP1. The legal agreement dated 10th June 2014 sets out the exact size, layout and location of the 12 affordable units which accords with the approved outline submission. The affordable units are all two bedroom, located within block C and set over the first and second floors. The current application reflects what was approved. The legal agreement stipulates that six of the units are to be affordable rent while the other six are intermediate/shared ownership.

Standard of Residential Accommodation

The Mayor's Housing SPG sets out guidance in respect of the standard required for all new residential accommodation to supplement London Plan policies. Part 2 of the Housing SPG deals with the quality of residential accommodation setting out baseline and good practice standards for dwelling size, room layouts and circulation space, storage facilities, floor to ceiling heights, outlook, daylight and sunlight, external amenity space (including cycle storage facilities) as well as core and access arrangements.

Table 3.3 of the London Plan and Standard 4.1.1 of the SPG sets out minimum space standards for new development with which the proposal complies. All units

must benefit from private or communal outdoor amenity space which must comply with the requirements set out in the Mayor's Housing SPG.

Three large areas of communal amenity space are located across the development, the size and location of which have been dictated by the outline approval. The quality of the landscaping of these areas will be assessed later in the report. The ground floor apartments in block A and two wheelchair units in block B also incorporate small, private patios which are fenced off from the surroundings with railings. Based on the expected child occupancy of the development, the London Plan requires a minimum 96.1 square metres of communal play space which the proposed layout achieves with over 400 square metres of external amenity space.

London Plan Policy 3.8 requires all housing units to be built to Lifetime Homes standards and 10% should be designed to be wheelchair accessible. The accompanying Planning Statement and Design and Access Statement both advise that all units are designed to Lifetime Homes standards. Furthermore, 4 units are designed as wheelchair accessible and comply with the standards set out in the Mayor's SPG: "Accessible London: Achieving an Inclusive Environment" (2014).

Compliance with wheelchair standards and lifetime homes has already been secured by way of a condition attached to the Outline Permission.

It will be necessary for all units to be provided with cycle, refuse and recycling storage facilities that are secure, covered and well located in relation to the dwelling. There is adequate space within the site for such facilities to be provided and appropriate conditions have already been attached to the Outline Permission.

Overall the proposal would provide a good mix of dwellings which would provide a high standard of amenity for future occupiers.

Landscaping and Trees

With regard to the proposed landscaping the main issues to consider are the standard of landscaping proposed and whether it can be used safely and conveniently by all future occupiers; whether it would provide an adequate setting for the development, including screening the development from surrounding properties and the impact on trees.

Where communal open space is provided it should be overlooked by surrounding development, accessible to wheelchair users and other disabled people, be designed to take advantage of direct sunlight and have suitable management arrangements in place (Housing SPG, 2012).

The proposed communal amenity spaces would be well overlooked by ground, first and second floor windows in blocks A, B and C and accessed via level paths from building entrances. For security reasons, fences and gates are proposed at either end of the amenity area to the south of Block C, adjacent to the commercial units, however, the applicant has confirmed that this area will be accessible to all residents. While the area to the north/east of block may be somewhat

overshadowed the remaining external spaces would benefit from adequate sunlight and would not be unduly overshadowed.

The landscaping scheme proposes a number of different paving types for the proposed paths, patios, road and car parking area and the utilisation of railings around private patios would result in an open appearance. Various trees and shrub planting is proposed around the perimeters of the site and between buildings, which is considered acceptable, however, additional tree planting is recommended along the southern boundary adjacent to Whites Cottages, in order to provide a landscape screen to neighbouring occupiers. A condition is therefore recommended to reflect this.

Green roofs are proposed to be located on the single storey bin and cycle stores. The applicant has stated that there are technical difficulties in providing green roofs to the blocks due to the design and height of the parapet walls which would lead to undue overshadowing onto the green roofs likely to inhibit the growth of vegetation. Furthermore, the main blocks would be constructed using a timber frame leading to waterproofing and loading issues. The proposal to locate the green roofs over the bin and cycle stores would be more easily manageable and is considered acceptable in this instance. A condition is recommended for further details of the green roofs to be submitted.

With regard to existing trees on the site, these are situated within close proximity of existing garages and other built structures and it is unlikely that the development would lead to a loss of any significant trees on or adjacent to the site.

Overall the proposed hard and soft landscaping would provide adequate amenity space for occupiers of the development and as well as an attractive setting for the development and would not impact adversely on any significant trees.

Impact on Neighbouring Amenity

There are concerns regarding overlooking from the first and second floor southern facing windows in block C adjacent to the gardens of 1 - 4 Whites Cottages. These windows serve habitable rooms as well as bathrooms. The applicant states that the form of enclosure to the southern boundary of the site utilises the existing 2.3m high concrete panel fence which will be enhanced with a 600mm high trellis fixed to the top in order to protect the privacy and enmity of adjacent occupiers. In addition, Officers consider that additional tree planting along this boundary, in accordance with details to be submitted, would provide adequate screening for adjacent occupiers.

In terms of adjacent properties to the east in Scotts Road, there are first and second floor flank windows proposed in block C which would be in close proximity to the existing dwelling and garden of No.22 Scotts Road. In order to protect the privacy and amenity of adjacent occupiers, these flank windows should therefore be obscure glazed and a condition is recommended accordingly.

There are no north or south facing windows proposed in the projecting elements of Block B which would overlook adjacent properties in Howard Road (to the north) or Whites Cottages (to the south) and sufficient separation is retained between the

blocks and neighbouring properties around the remainder of the site for there to be no undue overlooking to neighbouring properties.

The applicant states that the flat roof areas are no longer to be used as terraces as was indicated in the outline application and there should be no access to these areas other than for maintenance purposes, thereby mitigating any associated significant overlooking issues. A condition prohibiting access to the flat roofed areas and use of them as sitting-out areas is recommended in this respect.

Highways and Traffic Issues

Whilst access and layout have already been approved as part of the Outline Permission it is appropriate to consider any highways impacts arising from the detailed submission.

The NPPF recognises that transport policies have an important role to play in facilitating sustainable development but also in contributing to wider sustainability and health objectives. All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, safe and suitable access to the site can be achieved for all people. It should be demonstrated that improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. The NPPF clearly states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

London Plan and UDP Policies encourage sustainable transport modes whilst recognising the need for appropriate parking provision. Car parking standards within the UDP should be used as a basis for assessment.

In this instance there are no changes that would affect the assessment made of highways impact at Outline stage. Appropriate highways related conditions have already been attached to the Outline Permission.

Summary

The principle of the development, including layout and access has already been deemed acceptable through the granting of the outline permission. The assessment above considers the reserved matters relating to scale, appearance and landscaping and the impacts associated with the development in terms of amenity for future occupiers, the amenity of the occupants of nearby buildings, and trees.

It is considered that the development would appear in keeping with the scale and form of adjacent development with a residential density appropriate for the area. The proposed accommodation would provide a high standard of amenity for future occupiers of the development with the affordable housing units set out in accordance with the legal agreement related to the outline permission. Wheelchair accessible accommodation is also provided in accordance with the London Plan requirements.

The proposed landscaping has also been considered and would provide an attractive setting for the development with ample communal amenity space of a good standard. A further condition relating to additional planting to the southern boundary of the development would mitigate any significant overlooking to adjacent properties as would a condition relating to obscure glazing to the eastern side of Block C.

Overall, it is therefore considered that the development in the manner proposed is acceptable in that it would not have an unduly harmful impact on the amenities of local residents.

Background papers referred to during production of this report comprise all correspondence on the file refs 00/01275, 01/02045, 09/00664, 09/02461, 11/00781, 13/00905 and 15/02126n set out in the Planning History section above, excluding exempt information

as amended by documents received on 05.06.2015 16.06.2015 21.07.2015 07.08.2015 03.06.2015

RECOMMENDATION: APPROVAL subject to the following conditions:

- 1 The development hereby permitted shall be carried out otherwise that in complete accordance with the following plans unless previously agreed in writing by the Local Planning Authority:**

Site wide plans/elevations/floor plans: P1097/01 Rev F; P1097.A.101 Rev B; P1097.A.102 Rev B; P1097.A.103 Rev B; P1097.A.104 Rev B; P1097.A.105 Rev A; P1097.A.106 Rev C; P1097.A.107 Rev C; P1097.A.108; P1097.B&C.101 Rev C; P1097.B&C.102 Rev D; P1097.B&C.103 Rev E; P1097.B&C.104 Rev B; P1097.B&C.105 Rev C; P1097.B&C.106 Rev B; P1097.B&C.107 Rev B; P1097.B&C.108 Rev B; P1097.B&C.109 Rev C; P1097.A.109 Rev A; P1097.A.110 Rev A; P1097.B&C.110 Rev B; P1097.A.111 Rev A; P1097.B&C.111 Rev B; P1097.B&C.112 Rev C

**Bins/Cycles: P1097/BINS/01 Rev B; P1097/CYCLES/01 Rev B
Planting and Landscaping: 3340_DR_001-A; 3340_DR_002-A**

Reason: In order to comply with Policies BE1, H2, H7, H9, T3, T6, T7 and T18 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area

- 2 No part of the development hereby permitted shall be commenced prior to a contaminated land assessment and associated remedial strategy, together with a timetable of works, being submitted to and approved in writing by the Local Planning Authority.**

a) The contaminated land assessment shall include a desk study to be submitted to the Local Planning Authority for approval in

writing. The desk study shall detail the history of the sites uses and propose a site investigation strategy based on the relevant information discovered by the desk study. The strategy shall be approved in writing by the Local Planning Authority prior to investigations commencing on site.

b) The site investigation, including relevant soil, soil gas, surface water and groundwater sampling shall be approved in writing by the Local Planning Authority.

c) A site investigation report detailing all investigative works and sampling on site, together with the results of analysis, risk assessment to any receptors, a proposed remediation strategy and a quality assurance scheme regarding implementation of remedial works, and no remediation works shall commence on site prior to approval of these matters in writing by the Authority. The works shall be of such a nature so as to render harmless the identified contamination given the proposed end-use of the site and surrounding environment.

d) The approved remediation works shall be carried out in full on site in accordance with the approved quality assurance scheme to demonstrate compliance with the proposed methodology and best practise guidance. If during any works contamination is encountered which has not previously been identified then the additional contamination shall be fully assessed and an appropriate remediation scheme submitted to the Authority for approval in writing by it or on its behalf.

e) Upon completion of the works, a closure report shall be submitted to and approved in writing by the Authority. The closure report shall include details of the remediation works carried out, (including of waste materials removed from the site), the quality assurance certificates and details of post-remediation sampling.

f) The contaminated land assessment, site investigation (including report), remediation works and closure report shall all be carried out by contractor(s) approved in writing by the Local Planning Authority

Reason: In order to comply with Policy ER7 of the Unitary Development Plan and to prevent harm to human health and pollution of the environment

3 Details of construction method, layout, species and a maintenance regime relating to the green roofs shall be submitted to and approved in writing by the Local Planning Authority before works are commenced on the relevant part of the development hereby permitted. The approved details shall be completed before any part

of the development hereby permitted is first occupied, and permanently retained thereafter. Details should include:

- Fully detailed plans (to scale showing and stating the area of the roof. This should include any contoured information depicting the extensive substrate build up and details of how the roof has been designed to accommodate any plant, management arrangements, and any proposed photovoltaic panels and fixings.
- A scaled section through the actual roof (i.e. not a generic section of a living roof) showing the details of the extensive substrate base and living roof components.
- Details of the proposed plug planting and seed composition and planting methodology
- A statement outlining a management strategy detailing how the living roof would be maintained and monitored for a period of at least 5 years post installation

Reason: To support sustainable urban drainage, enhance biodiversity, improve appearance of the development and to accord with policy 5.11 of the London Plan

- 4 Prior to occupation of the development, details of a scheme of 'screening' tree planting and soft landscaping adjacent to the southern site boundary adjacent to Whites Cottages shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in conjunction with the approved landscaping scheme and any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted

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

- 5 Before the development hereby permitted is first occupied the proposed windows in the eastern elevation of Block C adjacent to 22 Scotts Road shall be obscure glazed to a minimum of Pilkington 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 the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such

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

- 6 No flat roof areas shall be used as a balcony or sitting out area and there shall be no access to the roof area

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

You are further informed that :

- 1 You are reminded that the conditions of the outline permission still apply and must be complied with**
- 2 You are reminded of your obligation under Section 80 of the Building Act 1984 to notify the Building Control Section at the Civic Centre six weeks before demolition work is intended to commence. Please write to Building Control at the Civic Centre, or telephone 020 8313 4313, email buildingcontrol@bromley.gov.uk**
- 3 You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email address.management@bromley.gov.uk regarding Street Naming and Numbering**

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Application:15/02126/DET

Address: 25 Scotts Road Bromley BR1 3QD

Proposal: Details of appearance, landscaping and scale pursuant to outline permission ref. 13/00905/OUT for the redevelopment of commercial premises at Nos 24, 24A and 25 Scotts Road with part two/ three storey block and three storey block comprising 755sqm office floorspace (use



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

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

Application No : 15/02628/FULL6

Ward:
Petts Wood And Knoll

Address : 2 Nightingale Road Petts Wood
Orpington BR5 1BG

OS Grid Ref: E: 544302 N: 167498

Applicant : Mr Robert Wildman

Objections : NO

Description of Development:

Part one/two storey side/rear extension

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 8

Proposal

It is proposed to add a part one/two storey side/rear extension adjacent to the access road to the east, along with a first floor rear extension and a front porch.

The part one/two storey side extension would be set back a minimum 0.2m from the flank boundary with the access road, and would project up to the rear of the existing single storey rear extension at ground floor level (4.2m from the original rear wall of the dwelling). The two storey element and first floor rear extension would project 2.7m to the rear, and would be set back 2.4m from the western flank boundary with No.4.

Location

This semi-detached property is located on the north-western side of Nightingale Road, adjacent to an access road which serves commercial properties in Queensway. The property currently has a 4.2m deep single storey rear extension.

Consultations

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

Planning History

Permission was refused in February 2015 (ref.14/04861) for roof alterations to incorporate a rear dormer and a part one/two storey side/rear extension on the following grounds:

"The proposals would include substantial alteration to the existing roof line of the property which would appear overdominant within the street scene, and would be detrimental to the symmetrical appearance of this pair of semi-detached houses, thereby contrary to Policies H8 and BE1 of the Unitary Development Plan."

The subsequent appeal was dismissed on grounds relating to the ungainly size and design of the roof extensions and the overbearing expanse of the side wall of the extension when viewed from the side access road.

Conclusions

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

The proposals differ from the scheme previously dismissed on appeal in that the roof accommodation has now been removed, resulting in a far less bulky roof design, and the first floor element has been reduced in overall depth by 1.5m. The part of the first floor closest to the adjoining semi has increased in depth from 2m to 2.7m, but it would still be set 2.4m away from the flank boundary to protect the amenities of the adjoining property. Furthermore, the expanse of the side elevation has been reduced by the reduction in the depth of the first floor element and the less bulky design of the roof, and would not now appear unduly overbearing when viewed from the side access road.

As with the previous scheme, the proposed two storey side extension would fall within 1m of the side boundary of the property, and would not, strictly speaking, comply with the Council's side space policy. However, the extension would be adjacent to a side access road, and the nearest properties would be some 20m away, thus lessening the impact on the street scene.

Other properties nearby have similar two storey side extensions with a hipped roof design (eg. 1, 12, 13 and 15), and the proposals would not therefore appear out of character with the area.

With regard to the impact on residential amenity, the adjoining property at No.4 has a similar sizeable single storey rear extension, and the proposed first floor rear extension would project only 2.7m to the rear set back 2.4m from the flank boundary. The proposals are not, therefore, considered to have a detrimental impact on light, privacy or prospect to the adjoining property.

In conclusion, the revised proposals are considered to adequately overcome the previous Inspector's concerns.

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 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 The materials to be used for the external surfaces of the building shall be as set out in the planning application forms and / or drawings unless otherwise agreed in writing by the Local Planning Authority.**

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

- 3 No windows or doors shall at any time be inserted in the western flank elevation(s) of the first floor rear extension hereby permitted, without the prior approval in writing of the Local Planning Authority.**

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

- 4 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

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

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Application:15/02628/FULL6

Address: 2 Nightingale Road Petts Wood Orpington BR5 1BG

Proposal: Part one/two storey side/rear extension



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

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

Application No : 15/03002/FULL1

Ward:
Shortlands

Address : Land At North East Junction With
Pickhurst Lane And Mead Way Hayes
Bromley

OS Grid Ref: E: 539457 N: 167379

Applicant : H3G UK Limited

Objections : YES

Description of Development:

Replacement of existing 9.8m telecommunications monopole with 9.7m high monopole with 3. number antennae and wraparound equipment cabinet and additional equipment cabinet.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Local Distributor Roads
Smoke Control SCA 2

Proposal

This full application for planning permission proposes the replacement of the existing telecommunications monopole with a new monopole incorporating a wraparound cabinet integral to the monopole base, in addition to the installation of an additional cabinet.

The existing monopole is 9.8m high and has a slimline appearance, being of uniform width for the full height of the mast. The replacement mast would have a less conventional appearance, with a wider base to accommodate the integral cabinet, a vertical section and then a wider element at the top of the mast.

An additional equipment cabinet is proposed to be sited in conjunction with the existing array of cabinets on the verge.

Location

The application site lies on the northern side of the junction of Mead Way with Pickhurst Lane and comprises a grassed open area bounded by Mead Way to the south, Pickhurst Lane to the west and to the north by a narrow access road serving residential dwellings set back from the main carriageways and fronting Pickhurst Lane and Mead Way.

The junction is busy and is controlled by traffic lights. The open grassy area currently hosts a 10m high existing T-mobile telecommunications monopole, 3 T-mobile equipment cabinets, 2 electricity cabinets and a memorial bench.

Consultations

A site notice was displayed and local residents notified. A letter of objection was received which raised the following issues:

- The existing monopole is approx. 1m from an ornamental prunus which was planted on the grass verge to enhance the appearance of the corner. If this tree is damaged or removed it should be replaced.
- The additional antennae within the monopole may increase the electro-magnetic emissions to which some people are sensitive.
- Concern regarding the EMF emissions
- The additional equipment cabinet would add to the clutter of cabinets already on the corner. Some planting would make the green space more attractive, particularly since there is a bench already there.

Planning Considerations

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

BE1 Design of New Development

Of particular relevance to this application is BE1(ii) which states that "Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features."

BE22 Telecommunications Apparatus

This Policy states that in a development involving telecommunications installation, the developer will be required to demonstrate that there is a need for the development. The equipment should meet the ICNIRP guidelines on the limitation of exposure to electro-magnetic field. The installation shall not adversely affect the character and appearance of the area nor the visual and residential amenities of neighbouring properties and the visual impact of the development should be minimised by the use of screening by trees or other landscaping.

The National Planning Policy Framework

Paragraph 14 of the National Planning Policy Framework states that "At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking."

Chapter 5 of the National Planning Policy Framework relates to "Supporting High Quality Communications Infrastructure. Paragraph 43 states that local planning authorities should support the expansion of electronic communications networks while aiming to keep the number of masts and sites for such installations to the minimum consistent with the efficient operation of the network. The need for a new site must be justified and where new sites are required the equipment associated with the development "should be sympathetically designed and camouflaged where appropriate."

It is emphasised that the planning system is not the appropriate arena for the determination of health safeguards so long as the installation would comply with International Commission guidelines for public exposure.

With regard to the importance of good design, the National Planning Policy Framework states at Paragraph 56 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 make places better for people. Paragraph 60 states that it is proper to seek to promote or reinforce local distinctiveness.

London Plan 2015

Paragraphs 1.38 - 1.41 of the London Plan relate to the need to ensure the infrastructure to support growth within London, referring to the strategic importance of providing adequate infrastructure, including modern communications networks.

Chapter 4 of the London Plan includes the strategic objective in Policy 4.11 of "encouraging a connected economy." The policy itself states that the Mayor, GLA and all other strategic agencies should facilitate the delivery of an ICT network to ensure suitable and adequate network coverage across London which will include "well designed and located street-based apparatus."

Planning History

00/00761/TELCOM:10 metre high telecommunication pole with 2 antennae and associated equipment cabin CONSULTATION BY ONE 2 ONE COMMUNICATIONS REGARDING NEED FOR APPROVAL OF SITING AND APPEARANCE. RQAPP

00/02462/TELCOM:10 metre high telecommunication pole with single antenna and associated equipment cabin CONSULTATION BY ONE 2 ONE COMMUNICATIONS REGARDING NEED FOR APPROVAL OF SITING AND APPEARANCE. RQAPP

01/03339/TELCOM:8 metre high telecommunications tower with antenna and equipment cabinet (CONSULTATION BY ONE 2 ONE REGARDING NEED FOR APPROVAL OF SITING AND APPEARANCE) RQAPP

01/03543/TELCOM:10 metre high telecommunications column with equipment cabin CONSULTATION BY BT CELLNET REGARDING NEED FOR APPROVAL OF SITING AND APPEARANCE RQAPP

03/04244/TELCOM:12.5m high telecommunications column with antenna and 2 equipment cabinets (CONSULTATION BY 02 UK LTD REGARDING NEED FOR APPROVAL OF SITING AND APPEARANCE) RQAPP

06/02518/TELCOM:10m high telecommunications monopole with shrouded antennae and ancillary equipment cabinet

(CONSULTATION BY 02 UK LTD REGARDING NEED FOR APPROVAL OF SITING AND APPEARANCE).RQAPP

06/04027/TELCOM:10m high telecommunications monopole with shrouded antennae and ancillary equipment cabinet (CONSULTATION BY 02 UK LTD REGARDING NEED FOR APPROVAL OF SITING AND APPEARANCE) RQAPP

15/01994/TELCOM Installation of 12.5m high telecommunications monopole supporting antennae; 4 no. radio equipment cabinets and ancillary development works CONSULTATION BY TELEFONICA UK LTD AND VODAFONE LTD REGARDING THE NEED FOR APPROVAL OF SITING AND APPEARANCE . RQAPP

The Inspector's decision in dismissing the appeal against the Council's disapproval of siting and appearance of a 12.5m high telecommunications column with antenna and 2 equipment cabinets (ref. 03.04244) is a material consideration in the assessment of the proposal.

The Inspector considered that there were 2 main issues, the first relating to the effect of the proposal on the character and appearance of the locality and on residential amenities, having regard to the technical need for the development and possible alternative sites. The second matter was the implications of the proposal for the health of persons in the vicinity.

The Inspector noted that the mast would be prominently visible from all directions around the junction itself, although longer views would be more limited from Pickhurst Lane to the north. The Inspector accepted that the street lights at the junction would prevent the mast from being an isolated vertical feature and that its lower parts would often be seen against the background of houses, trees and shrubs. Nevertheless, the Inspector felt that there were some important negative factors which would result in a significant adverse impact on the busy junction and the suburban residential environment:

- the mast would not only be thicker, but also markedly taller than the adjacent street light in the grass verge. While lighting columns in Pickhurst Lane appeared to be somewhat taller than the proposed mast, the Inspector considered that the mast would project so far above the adjacent column and others at the junction that it would stand out as an incongruous feature;

- the Inspector noted that an appeal proposal for a One2One 8m street works mast on the same grass verge had been allowed, and saw no evidence to suggest that the mast would not be erected. He considered that the mast proposed, at 12.5m high, would be substantially taller and would add another item of that type of street furniture at close quarters and near the street light. The Inspector considered that site sharing would result in an obviously uncoordinated array of columns of different heights and/or designs. Colouring the mast would do little to reduce the impact. When considering an appeal by 02 relating to a 10m high mast on much the same site, another Inspector concluded in 2003 that the mast would not appear obtrusive in the overall collection of vertical elements of street furniture. As the

mast then proposed would have been 2.5m taller the Inspector reached a different conclusion;

- the two existing cabinets were already substantial in size. The two further cabinets associated with the approved One2One installation would be side-by-side, but close to the existing ones, and these would be in addition to the two cabinets proposed in association with the 12.5m high monopole the subject of the appeal. The Inspector considered that the overall group of cabinets in the grassy and open focal point would appear cluttered, unsightly and poorly co-ordinated. The Inspector considered that the combined effects of the permitted and proposed masts, the existing and proposed cabinets and existing street furniture would significantly harm the character and appearance of the locality.

With regards to the impact on residential amenity, the Inspector did not consider that the mast or cabinets would cause unacceptable harm to the amenities of nearby residential property in terms of an overbearing of oppressive visual impact. That said, residents able to see the mast from their dwellings would be aware of the harm to the wider locality.

The Inspector accepted that 'perceived health fears' were a factor to be taken into account despite the lack of objective evidence to support them. On balance, the Inspector believed that perceived fears and anxiety did not justify the dismissal of the appeal. However, taking into account the need for the mast and consideration given to alternative sites, the Inspector concluded that the degree of visual harm would be sufficient to outweigh the need for and benefits of the proposal.

Under reference 15/01994 the siting and appearance of a 12.5m monopole and 4 radio equipment cabinets was disapproved on the grounds:

"The proposed monopole and equipment cabinets, by reason of their height, design, prominent siting and discordant appearance, would result in an unacceptable and undesirable proliferation of clutter on the open verge, seriously detrimental to the visual amenities of the street scene and the area in general and contrary to Policies BE1 and BE22 of the Unitary Development Plan."

Conclusions

The main issue in the determination of this application is the impact that the proposal would have on the character of the area and the visual amenities of the street scene.

The proposed mast would replace an existing mast of a similar height. While the proposed monopole would have a slightly more bulky appearance at the top and bottom it is considered that the appearance of the mast would not be so alien as to warrant the refusal of planning permission in this instance. The profile of the mast at its wider base would not be dissimilar to the profile of a street light, with a wider girth at the base. The top of the mast would be significantly wider than the existing mast, but would balance the width of the base and as such the design and appearance of the mast may be considered on balance to be acceptable.

The proposal would incorporate the installation of an additional equipment cabinet on what is already a rather congested verge. The proliferation of clutter was considered unacceptable in the most recent application, although that application related to an additional 12.5m high mast and the installation of 4 equipment cabinets rather than the replacement of an existing mast and installation of 1 extra equipment cabinet in this case. The impact of the proposal in terms of proliferation has been limited by the incorporation of 1 cabinet at the base of the mast itself.

On balance, the replacement of the existing mast and the installation of 1 additional equipment cabinet would not have a seriously detrimental impact on the visual amenities of the area. The development of the electronic communications systems and networks is supported by local, regional and national planning policies and guidance, and the benefit of the replacement mast in terms of upgrading the local telecommunications infrastructure is considered to outweigh the limited impact of the proposal on the visual amenities of the street scene.

It is acknowledged that the existing mast is sited close to a prunus which screens the base reasonably effectively, and that the increased width of the mast at its base would bring the proposed mast approx. 0.15m closer to this shrub. Given the prominence of the site it is therefore considered appropriate that any permission should be subject to a condition to secure the long term health or replacement of the prunus should it be damaged as a consequence of the telecommunications development.

RECOMMENDATION: PERMISSION: 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 Any telecommunications equipment hereby permitted which subsequently becomes redundant shall be removed from the site within a period of 2 months and the land shall be reinstated to its former condition.**

Reason: In order to comply with Policies BE22 and BE23 of the Unitary Development Plan and in the interest of the visual amenities of the area.

- 3 The siting and appearance of the monopole and cabinet shall be carried out in complete accordance with the submitted drawing(s) unless previously agreed in writing by the Local Planning Authority.**

Reason: In order to comply with Policies BE22 and BE23 of the Unitary Development Plan and in the interest of the visual amenities of the area.

- 4 No trees or shrubs shall be felled, lopped, topped or pruned before or during the installation of the telecommunications apparatus hereby permitted without the prior agreement in writing by the Local Planning Authority. Any trees or shrubs removed or which die through lopping, topping or pruning shall be replaced in the next planting season with trees or shrubs of such size and species as may be agreed with the Authority.**

Reason: In order to comply with Policy BE22 of the Unitary Development Plan and to ensure that the visual impact of the development can be minimised by the use of screening by trees or other landscaping.

- 5 Details of a landscaping scheme to screen the proposed equipment cabinet shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development hereby permitted. The landscaping details shall be implemented in the first planting season following the first use of the telecommunications installation 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.**

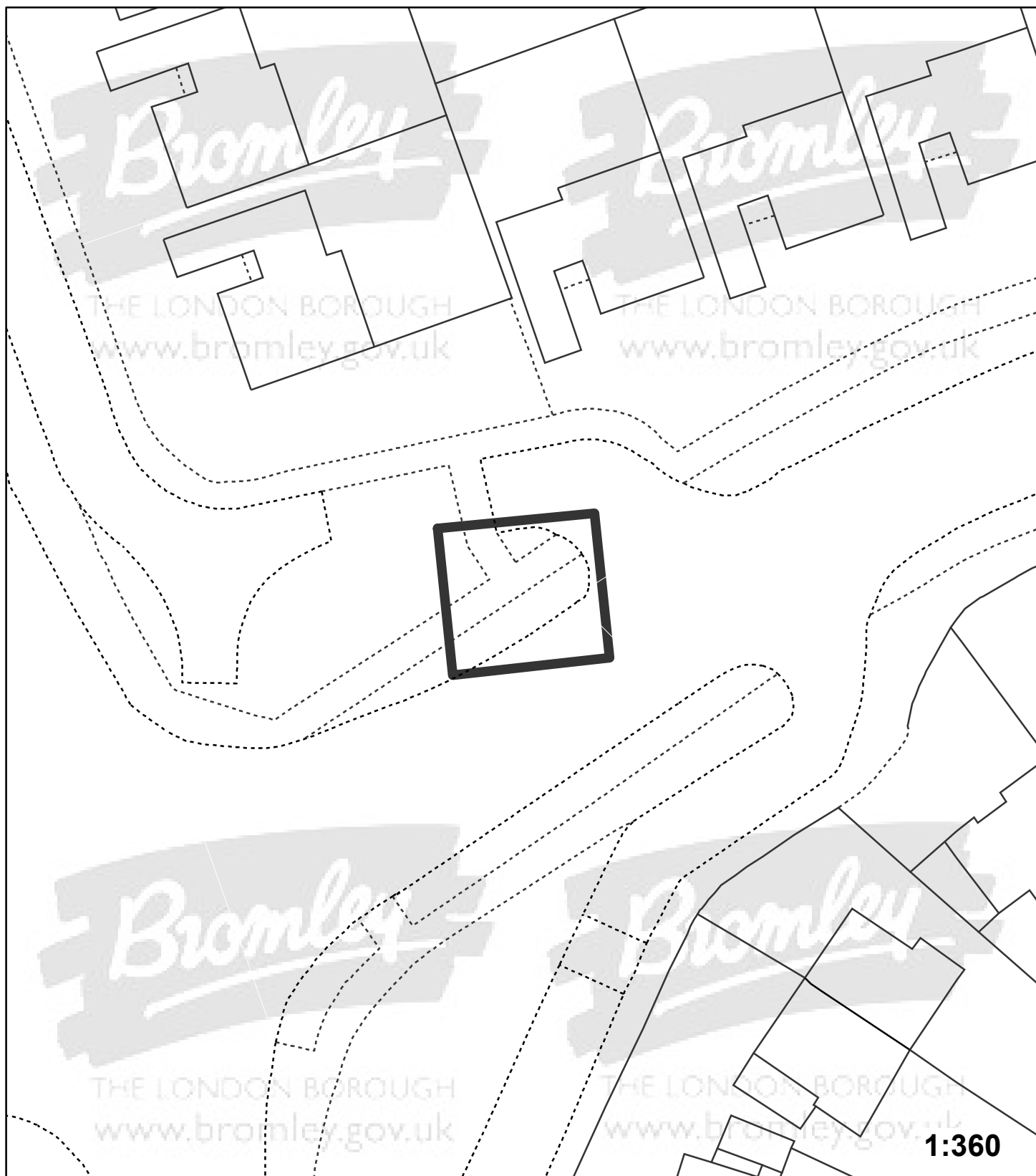
Reason: In order to comply with Policy BE22 and in the interest of the visual amenities of the area.

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Application:15/03002/FULL1

Address: Land At North East Junction With Pickhurst Lane And Mead Way Hayes Bromley

Proposal: Replacement of existing 9.8m telecommunications monopole with 9.7m high monopole with 3. number antennae and wraparound equipment cabinet and additional equipment cabinet.



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

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