



THE LONDON BOROUGH  
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DATE: 8 December 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 17 DECEMBER 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**

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**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](mailto:planning@bromley.gov.uk)**

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**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 22 OCTOBER 2015**  
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- 4 **PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
4.1	Crystal Palace Conservation Area	13 - 14	(15/04121/LBC) - Crystal Palace Park, Thicket Road, Penge, London SE20 8DT
4.2	Chislehurst	15 - 20	(15/04331/REG3) - Edgebury Primary School, Belmont Lane, Chislehurst BR7 6BL

### SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.3	Bickley	21 - 46	(15/00698/FULL1) - Scotts Park Primary School, Orchard Road, Bromley BR1 2PR
4.4	Bromley Town	47 - 66	(15/01031/FULL1) - 2 Riverpark Gardens, Bromley BR2 0BQ
4.5	Bromley Town	67 - 72	(15/02330/FULL1) - 7 Oaklands Road, Bromley BR1 3SJ
4.6	Chislehurst Conservation Area	73 - 82	(15/03407/FULL1) - Builders Yard Rear of 1 to 4 Albany Road, Chislehurst BR7 6BG
4.7	Bromley Town Conservation Area	83 - 98	(15/03982/FULL1) - 7 Beckenham Lane, Bromley BR2 0DA
4.8	Cray Valley East	99 - 106	(15/04653/FULL1) - Rosedale, Hockenden Lane, Swanley BR8 7QN

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

Report No.	Ward	Page No.	Application Number and Address
4.9	Chelsfield and Pratts Bottom	107 - 112	(15/02562/RECON) - Brinds Well Day Nursery, Hawstead Lane, Orpington BR6 7PH

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

Report No.	Ward	Page No.	Application Number and Address
4.10	Chelsfield and Pratts Bottom	113 - 120	(15/03067/FULL1) - Chelsfield Lakes Golf Centre, Court Road, Orpington BR6 9BX
4.11	Petts Wood and Knoll Conservation Area	121 - 130	(15/03834/FULL1) - 9 Station Square, Petts Wood, Orpington BR5 1LY
4.12	Bickley	131 - 140	(15/04351/FULL1) - 2 The Avenue, Bickley, Bromley BR1 2BT

**5 CONTRAVENTIONS AND OTHER ISSUES**

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

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

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## PLANS SUB-COMMITTEE NO. 4

Minutes of the meeting held at 7.00 pm on 22 October 2015

### Present:

Councillor Richard Scoates (Chairman)

Councillors Vanessa Allen, Lydia Buttinger, Simon Fawthrop, Samaris Huntington-Thresher, Melanie Stevens and Michael Turner

### Also Present:

Councillors Graham Arthur, Julian Benington, Stephen Wells and Angela Wilkins

## 11 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillors Peter Dean and Russell Mellor.

## 12 DECLARATIONS OF INTEREST

Councillor Michael Turner declared a personal interest in Item 4.5. Councillor Turner remained in the room but did not take part in the discussion or vote.

On 21 October 2015, Members of the Urgency Committee granted an unconditional dispensation for Councillor Katy Boughey to be permitted to attend the meeting either to address Members or listen to the debate on a planning application relating to her residential property (Item 4.11 – 46 Camden Park Road, Chislehurst). The dispensation applied to any subsequent meetings on the same application until the end of the current Council.

## 13 CONFIRMATION OF MINUTES OF MEETING HELD ON 27 AUGUST 2015

**RESOLVED** that the Minutes of the Meeting held on 27 August 2015 be confirmed and signed as a correct record.

## 14 PLANNING APPLICATIONS

### SECTION 1

(Applications submitted by the London Borough of Bromley)

#### 14.1 MOTTINGHAM AND CHISLEHURST NORTH

**(15/02210/FULL1) - Mottingham Primary School, Ravensworth Road, Mottingham, SE9 4LW**

Description of application – Refurbishment of existing buildings, including re-roofing and elevational alterations, in order to accommodate 2 bulge classes

and provide additional teaching space and kitchen/dining facilities with landscaping, external canopy, steps, ramps and sheds.  
RESTROSPECTIVE APPLICATION.

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

**14.2  
CRYSTAL PALACE  
CONSERVATION AREA**

**(15/03106/FULL1) - Crystal Palace Park Cafe,  
Crystal Palace Park, Thicket Road, Penge, London**

Description of application – Demolition of existing single storey café and terrace and erection of two storey building comprising café on ground floor and café/event space on first floor; external ground and first floor terraces and construction of connecting bridge from first floor terrace to lakeside path.

Oral representations in objection to the application were received.

Oral representations from Ward Member Councillor Angela Wilkins 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 alterations in respect of design and materials and to consider the proposed level of WC provision.

**14.3  
CRAY VALLEY WEST**

**(15/03538/FULL1) - Poverest Primary School,  
Tillingbourne Green, Orpington, BR5 2JD**

Description of application – UPVC doors to northern, southern and eastern elevations.

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

**SECTION 2**

(Applications meriting special consideration)

**14.4  
PENGE AND CATOR**

**(15/01951/FULL3) - 167-169 High Street, Penge,  
London, SE20 7DS**

Description of application – Change of use of ground, first and second floors from Class A1 retail shop with

ancillary office and commercial use on the second floor to mixed A3/A4 use as a café/restaurant/bar with function room and external alterations at the rear.

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.

**14.5  
PLAISTOW AND  
SUNDRIDGE**

**(15/02660/FULL6) - 99 Portland Road, Bromley,  
BR1 5AY**

Description of application – single storey front/side and rear extension, patio and alteration to driveway and steps (amendment to p/p ref: 12/00863) to alter the design of side and rear extension.

Referring to condition 3 on page 51 of the report, the Chief Planner confirmed that plans for the application had been approved.

Members having considered the report and objections, **RESOLVED that PERMISSION BE GRANTED** as recommended, subject to the conditions set out in the report of the Chief Planner with Condition 1 amended to read:-

‘1 The height of the built rear extension (closest to the boundary with No. 97) shall be reduced from 3.6m and 2.9m (as built) to 3.6m and 2.6m (including the removal of the parapet wall adjoining No. 97) and the depth reduced from 3.9m (as built) to 3.0m (closest to the boundary with No. 97), in accordance with Drawing No. SDC/POR/05PL and the works completed within 4 months of the date of the Decision Notice.

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.’

A further condition was added as follows:-

4 In respect of the entire development hereby approved, details of the finished roof level of the extension hereby permitted shall be submitted to and approved in writing by the Local Planning Authority for each element of the proposal before work commences on either element and the development shall be completed strictly in accordance with the approved levels.

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.

**14.6  
BIGGIN HILL**

**(15/03077/OUT) - Westerham Riding School, Grays Road, Westerham, TN16 2HX**

Description of application – demolition of existing stabling and commercial buildings and erection of 6 detached dwellings with access drive and landscaping. OUTLINE APPLICATION.

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.

**14.7  
DARWIN**

**(15/03133/RECON) - Yonder Farm, Orange Court Lane, Downe, Orpington, BR6 7JD**

Description of application – Removal of conditions 3 and 4 of planning permission reference 02/01905 (for use of building and land for stables and construction of sand school and use of land for keeping of horses) to enable use of buildings and sand school for commercial use.

It was reported that further comments from the application's agent in support of the application had been received.

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 with enforcement action to be continued.

**14.8  
BIGGIN HILL**

**(15/03298/FULL1) - 228 Main Road, Biggin Hill, TN16 3BD**

Description of application – Conversion of ground floor commercial premises to enable an additional 2 bedroom flat to be provided in association with implemented residential planning permission ref 14/01474 currently under construction.

Oral representations in support of the application were received.

Oral representations from Ward Member Councillor Julian Benington in support of the application were received at the meeting.

It was reported that further letters in support of the application had been received.

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

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

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

2 Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted.

The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development whichever is the sooner. 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.

3 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 1995 (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 a 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.

4 The amenity space to the rear of the property shall be made available for use by all of the flats within the development hereby permitted.

Reason: To provide a satisfactory living environment and to comply with Policy BE1 of the Unitary Development Plan and the London Plan (2015).

5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order amending, revoking and re-enacting this Order) no buildings, structures, alterations, walls or fences of any kind shall be erected or made within the curtilage(s) of the dwelling(s) hereby permitted without the prior approval in writing of the Local Planning Authority.

Reason: To prevent an overdevelopment of the site and enable the Council to consider future development at that location, in accordance with Policy BE1 of the Unitary Development Plan.

6 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: Compliance with submitted plan.

### **SECTION 3**

(Applications recommended for permission, approval or consent)

#### **14.9 BROMLEY TOWN**

#### **(15/02452/FULL1) - Bromley Court Hotel, Coniston Road, Bromley BR1 4JD**

Description of application – Hybrid planning application comprising full planning application for demolition of the existing plant rooms and refurbishment of the existing hotel including part one/three/four/five storey extensions and elevational alterations to provide function room, meeting rooms, beauty salon, kitchens, additional bedrooms, energy centre, staff accommodation and offices together with Outline Planning Application for the erection of a new leisure centre (including gym, activity room and swimming pool) (OUTLINE APPLICATION FOR APPROVAL OF LAYOUT AND SCALE) as well as alterations to the existing access and increased parking provision (total 92 spaces).

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

Comments from Ward Councillor Michael Rutherford were reported.

Further objections to the application had been received.

Comments from the Tree Officer and Bromley Fire Station had been received; no objections were raised. The Environment Agency had no objection to the application subject to conditions as outlined below.

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 to include amendments, deletions and additions as follows:-

Condition 4 amended to read: 'In respect of the full planning permission hereby approved, a scheme for landscaping, which shall include details of all proposed hard surfacing, means of enclosure (including details of all openings and gates and their management), lighting columns, bollards and any other street furniture and of planting (to include a schedule of the sizes and species of plants) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. 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 within 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.'

Condition 6 amended to read:-

'6 In respect of the entire development hereby approved (Outline and Full), details of the proposed slab levels and finished roof levels of the buildings and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority for each element of the proposal before work commences on either element and the development shall be completed strictly in accordance with the approved levels.

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.'

Conditions 9, 10 and 11 deleted and replaced with the following two conditions:-

'9 No development or demolition shall commence until an Arboricultural method statement and tree protection plan describing in detail construction methods relating to foundations and hardstanding is submitted to and approved in writing by the Local

Planning Authority. The details shall include an appropriately scaled survey plan showing the positions of trees affected by the proposed development, construction details including cross-sectional drawings describing the depth and width of footings where they fall within the root protection areas and means whereby the tree roots are to be protected in accordance with British Standard BS: 5837:2012.

Reason: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policy NE7 of the Unitary Development Plan.

10 Protective fencing and ground protection shall remain in place during the entire course of the demolition and construction phase and shall not be removed unless with the prior written consent of the Local Planning Authority.

Reason: To ensure that works are carried out according to good arboricultural practice and in the interests of the health and amenity of the trees to be retained around the perimeter of the site and to comply with Policy NE7 of the Unitary Development Plan.'

The following Environment Agency conditions were added:-

'35 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority), shall be carried out until the developer has submitted and obtained written approval from the Local Planning Authority for a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: To prevent contamination that could present an unacceptable risk to controlled waters and to accord with Policy 5.15 of the London Plan.

36 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been



demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason: To prevent contamination that could present an unacceptable risk to controlled waters and to accord with Policy 5.15 of the London Plan.

37 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To prevent contamination that could present an unacceptable risk to controlled waters and to accord with Policy 5.15 of the London Plan.'

**14.10  
COPERS COPE  
CONSERVATION AREA**

**(15/03099/FULL1) Unit 1 Limes Road, Beckenham  
BR3 6NS**

Description of application – The installation of 3 rooflights together with increasing the opening of the ground floor entrance door and the installation of half glazed timber doors and fan light.

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.

**14.11  
CHISLEHURST  
CONSERVATION AREA**

**(15/03351/FULL1) - 46 Camden Park Road,  
Chislehurst, BR7 5HF**

Description of application – Demolition of existing dwelling and erection of two storey 5 bedroom dwellinghouse with basement and accommodation in roof space, integral double garage and associated landscaping.

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

14.12  
BICKLEY

**(15/03378/FULL6) - 8 Wanstead Road, Bromley,  
BR1 3BL**

Description of application – Replacement garage to side.

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.

14.13  
COPERS COPE

**(15/03470/FULL1) - 56 Copers Cope Road,  
Beckenham, BR3 1RJ**

Description of application – demolition of existing dwelling and replacement three storey building plus basement comprising 5 one bedroom and 4 two bedroom apartments, undercroft and external car parking, bicycle parking and refuse/recycling store.

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

Comments from Ward Member Councillor Michael Tickner in objection to the application were reported. It was reported that further objections to the application had been received.

Members were advised to consider the application on its own merits.

Councillor Fawthrop raised concerns that the proposed parking provision would not be sustainable. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

1 The proposal, by reason of its excessive size, footprint and massing, would constitute a cramped overdevelopment of the site, harmful to local character and spatial standards and the appearance of the streetscene in general, contrary to Policies BE1, H7 and H9 of the Unitary Development Plan.

## **SECTION 4**

(Applications recommended for refusal or disapproval of details)

### **14.14 CHELSFIELD AND PRATTS BOTTOM**

**(15/01932/PLUD) - Knockholt Farm, New Years Lane, Knockholt, Sevenoaks TN14 7PQ**

Description of application – Change of use and operational development to create Class C3 dwellinghouse of 223.3sqm floorspace with residential curtilage of 223.3sqm in accordance with details submitted under ref. 14/04750/FLXAG.  
**CERTIFICATE OF LAWFULNESS FOR A PROPOSED CHANGE OF USE AND DEVELOPMENT.**

**THIS REPORT WAS WITHDRAWN BY THE CHIEF PLANNER.**

### **14.15 HAYES AND CONEY HALL**

**(15/03083/FULL1) - 56 Harvest Bank Road, West Wickham, BR4 9DJ**

Description of application – erection of 3 storey three bedroom dwellinghouse on land adjacent to no. 56 Harvest Bank Road with associated parking and terraces.

Oral representations from Ward Member Councillor Graham Arthur in objection to the application were received at the meeting.

It was reported that further objections to the application had been received.

The words 'No. 52' in the fourth line of the second paragraph on page 170 of the report were amended to read 'No. 54'.

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

## **16 TREE PRESERVATION ORDERS**

### **16.1 COPERS COPE**

**(DRR15/096) - Confirmation of Tree Preservation Order No. 2611 - 1 Braeside, Beckenham BR3 1ST**

Oral representations in objection to and in support of confirmation of the TPO were received at the meeting. Members having considered the report, objections and representations, **RESOLVED that Tree**

**Preservation Order 2611 relating to one oak tree  
located in the rear garden BE CONFIRMED  
WITHOUT MODIFICATION** as recommended in the  
report of the Chief Planner.

The meeting ended at 8.20 pm

Chairman

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

**Application No :** 15/04121/LBC

**Ward:**  
**Crystal Palace**

**Address :** Crystal Palace Park Thicket Road  
Penge London SE20 8DT

**OS Grid Ref:** E: 534475 N: 170872

**Applicant :** Ms Lydia Coelho

**Objections : NO**

### **Description of Development:**

Repairs to granite steps and sphinxes to include repainting of the statues

Key designations:

Conservation Area: Crystal Palace Park

Areas of Archeological Significance

Major Development Sites

Metropolitan Open Land

Proposal Sites

Sites of Interest for Nat. Conservation

### **Proposal**

Proposal to carry out repairs to Sphinx statues and adjoining granite steps. The statues are to either end of the terraces to the former Crystal Palace. The repairs will involve mortar repairs to existing cracks and the statues are to be repainted in a red ochre colour which was found to be the original colour following paint analysis and desk based research.

### **Consultations**

Historic England are supportive of the application.

One representation of support was received from a resident.

### **Planning Considerations**

The application falls to be determined in accordance with S.7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which requires work to a listed building that would affect its special architectural or historic interest to be authorised by the relevant planning authority. The following policies of the Unitary Development Plan and NPPF are further considerations:

BE8 Statutory Listed Buildings  
Chapter 12 NPPF

The area is within Metropolitan Open Land but this is not relevant to a Listed Building Consent application and Planning Permission is not required for these works.

## **Conclusions**

The main issue is the impact on the character, integrity and special interest of the Grade II listed statues and adjoining steps. The Crystal Palace, Designed by Sir Joseph Paxton for the Great Exhibition of 1851 in Hyde Park, was afterwards taken down and re-erected in 1852-4 on the site of Penge Place. The building itself was burned down in 1935, but the 2 terraces of the formal garden in front of it survive and the Sphinx statues are at the north and south ends of the upper terrace.

The Sphinx statues are in very poor condition with many cracks and broken/missing sections along with a heavy build-up of atmospheric staining and biological growth. A detailed specification written by a conservation engineer has been submitted and the works proposed are in accordance with best practice. These include; rebuilding sections of inner core, mortar repairs to cracks and new moulded sections. The existing paint colour is grey but the proposal is to return to the original red ochre which was originally intended to invoke the Egyptian reference of the Sphinxes. This proposal represents good conservation practice and will better reveal their significance. Some of the steps have become loose from the bedding mortar and are in a dangerous condition and they will be re-bed.

In conclusion the proposal is an acceptable one which will ensure the survival of these heritage assets.

## **RECOMMENDATION: GRANT LISTED BUILDING CONSENT**

### **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.**

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

**Application No :** 15/04331/REG3

**Ward:**  
**Chislehurst**

**Address :** Edgebury Primary School Belmont Lane  
Chislehurst BR7 6BL

**OS Grid Ref:** E: 544161 N: 171654

**Applicant :** Mr Mike Miles

**Objections :** NO

### **Description of Development:**

Replacement windows and doors, and new cladding and eaves to north-eastern and south-eastern elevations

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Smoke Control SCA 16

### **Proposal**

Permission was recently granted for extensions to this primary school to enable it to expand from one form of entry to two forms of entry. The current proposals are for the upgrading of the existing south-eastern façade of the main school building fronting Belmont Lane, along with part of the north-eastern façade of the building.

New replacement windows and doors are proposed, along with new cladding and eaves, with new brickwork cladding to the north-eastern elevation.

### **Location**

Edgebury Primary School is located within a residential area close to Chislehurst town centre. It lies on the western side of Belmont Lane, and its southern boundary abuts the rear gardens of residential properties in Edgebury. The whole of the site is designated as Green Belt.

The school was originally built in the 1960s, and comprises single storey buildings on the southern level part of the site, with large playing fields at a slightly raised level located to the north.

### **Consultations**

No local objections have been received to the proposals.

## **Planning Considerations**

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

BE1 Design of New Development

## **Planning History**

Permission was granted in November 2014 (ref.14/02730) for extensions to this primary school to enable its expansion from one form of entry to two forms of entry, and comprised a two storey extension to the north-eastern side of the main school building which would contain 7 classrooms, staff offices, toilet facilities, and a new reception area and lobby with ramped access, along with a single storey extension to the school hall with covered walkway.

The permitted scheme also included an extension to the existing staff car park accessed from Belmont Lane (increasing the number of spaces from 11 to 13) and the provision of an additional 5 spaces along the access way from Edgebury, giving a total of 7 new spaces. A new covered play area was proposed adjacent to the north-western buildings, along with an additional play area adjacent to the grassed embankment which would be re-shaped. The changing rooms for the existing swimming pool also needed to be re-located as a result of the proposed hall extension.

## **Conclusions**

The main issues in this case are the impact of the proposed elevational alterations to the existing school building on the visual amenities of the street scene.

The proposed replacement windows, doors, eaves and cladding would complement the existing buildings and would match those proposed for the new extensions. The new brickwork cladding to the north-eastern elevation would also match the proposed brick clad extensions.

The proposals would not therefore have a harmful impact on the appearance of the school buildings or new extensions, nor appear visually intrusive within the street scene.

## **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.**

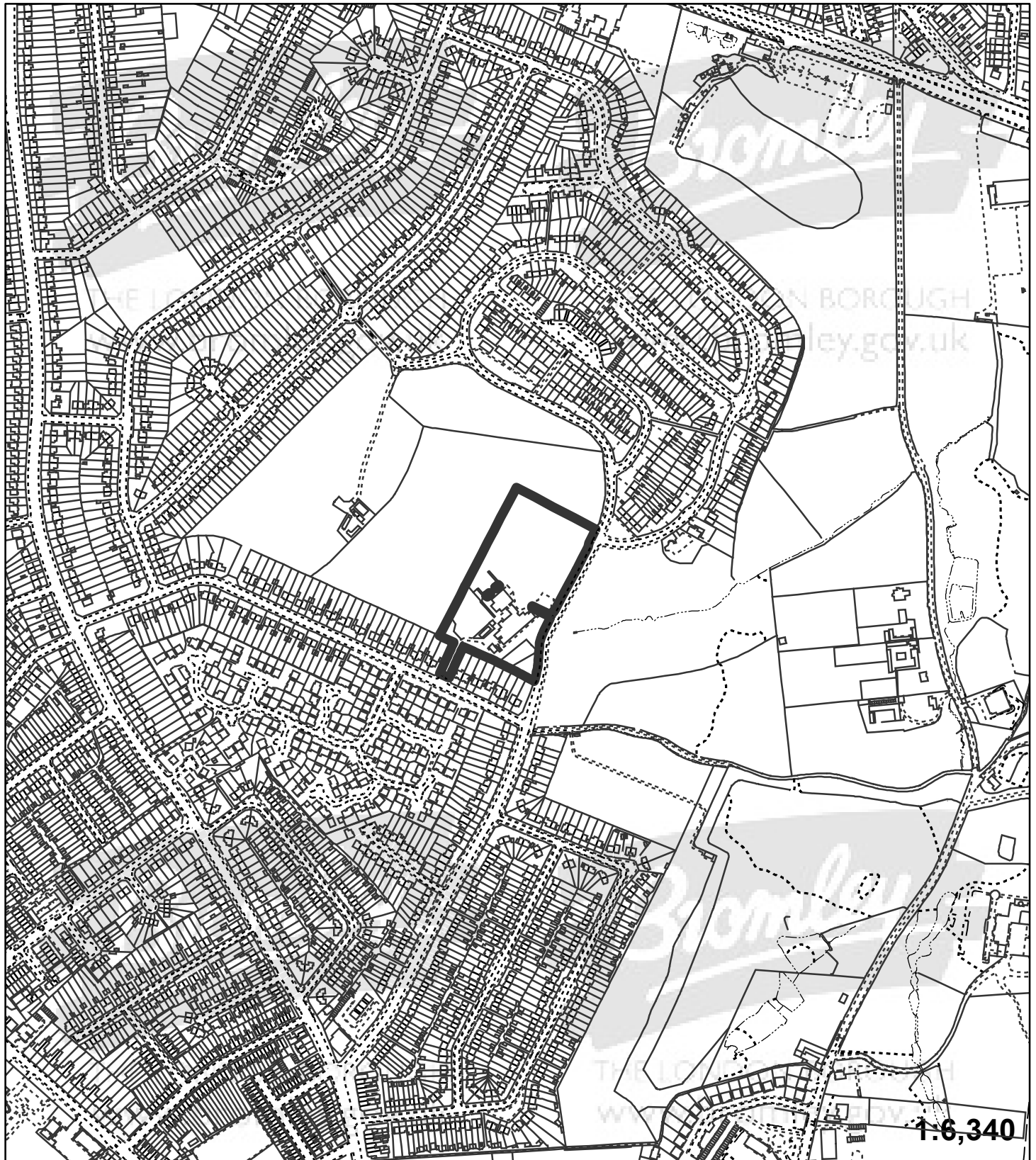
**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.**

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**Application:** 15/04331/REG3

**Address:** Edgebury Primary School Belmont Lane Chislehurst BR7 6BL

**Proposal:** Replacement windows and doors, and new cladding and eaves to north-eastern and south-eastern elevations



"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 :** 15/00698/FULL1

**Ward:**  
**Bickley**

**Address :** Scotts Park Primary School Orchard  
Road Bromley BR1 2PR

**OS Grid Ref:** E: 541341 N: 169948

**Applicant :** Mrs Ann Dempsey

**Objections :** YES

### **Description of Development:**

Demolition of 2 existing single storey classroom blocks and replacement with 2 linked 2 storey classroom blocks to provide 7 additional classrooms and ancillary and support accommodation and link bridge; single storey extensions to provide caretakers store and enlarged support accommodation rooms and entrance; canopies to existing classrooms. Demolition of existing caretakers house to provide additional car parking and nursery play space. New bicycle store and entrance gates. New pedestrian entrance to western boundary.

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Local Cycle Network  
Green Chain  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Local Distributor Roads  
Metropolitan Open Land  
Open Space Deficiency  
Smoke Control SCA 10

### **Proposal**

Permission is sought for the demolition of a central single storey element of the school that currently accommodates 7 classrooms with 2 areas for small group working. This part of the school will be replaced by a 2 storey extension. The proposed ground floor plans show that the new layout will cover the same site area and have the same layout as the existing ground floor layout. The first floor will provide a total of 6 classrooms, 2 smaller group rooms, WC facilities and circulation space. A first floor level footbridge will join the northern and southern parts of the building.

The original application was for a first floor extension but on further investigation the applicant found that the ground floor was not able to support an additional floor and the ground floor would need to be rebuilt.

The existing school has the capacity to take 510 pupils (there are 502 children on the roll for 2014-15). This comprises 3 forms of entry for Key Stage 1 (Reception, Years 1 and 2) and 2 forms of entry for Key Stage 2 (Years 3, 4, 5 and 6).

The proposal will increase the pupil intake to provide 3 forms of entry for Years 3, 4, 5 and 6. These classrooms will provide accommodation for existing Key Stage 1 pupils as they move to Key Stage 2. This will increase the number of pupils by 120 and the total number of pupils to 630. The Design and Access Statement advises that there are presently 21 full time staff and 35 part time staff. The number of full time staff will increase to 25 with some additional part time staff.

Several small single storey ground floor extensions are also proposed to facilitate the increased pupil numbers and address other deficiencies in teaching and support facilities as follows:

- o provision of another additional classroom (total 7 new full size classrooms provided) on the southern side of the building,
- o extend existing rooms around the main reception area and provide a caretakers store, and
- o numerous clear polycarbonate canopies for classrooms and the main hall.

The new central part of the building will have a mono pitched roof and materials will include render and cedar cladding to match materials used for the existing school.

The applicant advises that the overall increase in the footprint is 159 sqm and the floorspace is 974 sqm.

In addition the playground on the eastern side of the school will be extended by infilling the existing pond in this location. The playground will be finished in tarmac to match the existing playground here. The play area for the nursery will also be increased as a result of demolishing the caretakers house.

Revised plans and documents have been submitted showing that a new pedestrian gated access will be provided along the western boundary opening on to the public footpath that runs along this boundary. The new gate will be approx.120 metres from the junction of the footpath and Romney Drive.

The applicant advises that the temporary classrooms erected in 2014 will be removed and a large area of external play space reinstated to playground use should the application be approved and implemented.

Additional work includes

- o The existing caretakers house and garage (check it's a garage) will be demolished. This will provide space for 10 car parking spaces and an extension to the nursery play space,
- o 20 new bicycle stores will be provided,
- o 14 existing car parking spaces will be retained within the school grounds, one of which will be extended to provide a disabled parking space,
- o There are 6 car parking spaces along the private access road which will be re-laid and increased to 7 spaces, and

- o An existing pond at the rear of No 25b Orchard Road will be removed and laid to tarmac to provide an extension to the existing playground that lies to the rear of Nos 19, 21 and 23 Orchard Road.
- o One tree will be lost to provide the entrance extension and 2 groups of trees will need remedial work in the existing car parking area. An additional tree which will be surrounded by new buildings may be removed. Replacement trees are proposed.

The applicant has submitted the following documents to support this application: Design and Access Statement, an Addendum to the Design and Access Statement, Transport Statement, Arboricultural Impact Assessment, Plant Noise Assessment, Lighting Strategy, Phase 1 Contaminated Land Desk Study, Ground Inspection Report, Drain Inspection Report, GroundSure Environsight and GroundSure GeoInsight reports.

### **Location**

The application site is located on the north side of Orchard Road in Bromley North. Detached houses on the southern and western side of the site separate the single storey school from Orchard Road. To the east of the school building, but within the site, is a heavily wooded area beyond which is residential development in Edgeborough Way. To the north is further woodland with allotment gardens beyond.

Vehicular and pedestrian access to the site is via a private lane which comes off Orchard Road close to the junction with Plaistow Lane, Upper Park Road and Homefield Road. The lane also serves as the entrance to the allotments. There are 6 parking spaces along this lane but they are not exclusively available for the school.

Orchard Road and Plaistow Lane accommodate 2 other schools in addition to Scotts Park, namely St Joseph's Primary School and Breaside School. The vehicular access to all 3 schools is from either Plaistow Lane or Orchard Road.

The site lies on lane designated as Metropolitan Open Land in the Bromley Unitary Development Plan.

### **Consultations**

#### Comments from Local Residents

Nearby properties were notified and representations to the original unrevised proposal were received from 13 residents, St Joseph's Church and the Sundridge Residents Association. The proposal was amended during the application from a first floor extension across the central part of the site to the demolition of this part of the site and erection of a 2 storey extension and the provision of a new pedestrian access. Residents were consulted on these amendments and the comments received are summarised as follows:

### Principle of Need

- o 4 new classrooms are needed but 7 new classrooms and group rooms are proposed with little explanation as to why.

### Parking and Highways

- o Orchard Road is narrow due to existing on-street parking and very busy at rush hour and school pick up/drop off times. Frequent holds up due to buses not being able to get through. The proposed extension will make this worse.
- o There is insufficient on street parking spaces for the additional 120 pupils and extra staff proposed
- o Highway measures to slow traffic do not work.
- o Parents ignore measures to prevent dangerous parking and also park in driveways - this will get worse.
- o Use of St Joseph's Church car park for informal drop off/pick up has not been agreed - the Transport Assessment relies on this and it is incorrect.
- o The Transport Assessment doesn't take account of the demand for on street parking from Braeside School or the informal parking that takes place in Homefield Road, Upper Park Road and Plaistow Lane
- o The calculation in the Transport Assessment as to the number of on street spaces needed as a result of the proposal is incorrect.
- o Incorrect assumption that there will be space for staff and construction workers to park on the street during construction.
- o Double yellow lines or restricted parking hours to stop congestion on Orchard Road are requested.
- o Concern that adding more demand for parking on a busy, congested road will lead to accidents.

### Impact on Amenity

- o Windows in the first floor southern elevation will directly overlook properties in Orchard Road leading to loss of privacy
- o Increased noise from additional children added to the noise from after school events, summer activity camps, Sunday football matches
- o Additional noise from playground extension to the rear of properties in Orchard Road
- o The design of the first floor is poor and will lead to a loss to house values
- o Existing security lighting is very intrusive at night. Condition requested to limit any further lighting on the new building.

Following the receipt of revised plans and a revised Transport Assessment showing a new pedestrian gate in the western boundary neighbours were consulted and 34 letters were received from residents in Romney Drive, Elham Close, Woodchurch Drive, Rolvenden Gardens and Newing Green objecting to the proposal. A further 3 letters have been received from residents in Orchard Road and from St Josephs Church, Orchard Road largely reiterating previous objections that are summarised above. The most recent objections can be summarised as follows:

- o Lack of assessment of traffic accidents in Romney Drive or at junction of Romney Drive and Sundridge Avenue - the entrance to Romney Drive off



- Sundridge Avenue is already congested and dangerous with parked and queuing cars in both roads. Additional vehicles using this junction to drop off/pick up children for Scotts Park School will make this junction more dangerous leading to the potential for accidents.
- o Romney Drive is a steep hill off Sundridge Avenue and is narrow and winding, with blind corners, making it dangerous for increased volumes of traffic.
  - o It is also almost impassible in snow and ice. The footpath from Romney Drive to the school is steep and could become dangerous in icy conditions.
  - o The inclusion of Romney Drive in a revised Travel Plan seems to direct traffic to this road which will lead to more children than expected simply from the proposed expansion of the school. The impact of this is not addressed in the TA.
  - o There is already a pedestrian access to the school along the footpath - a second access is not required.
  - o Parking survey was carried out on a warm, dry day so underestimates the number of vehicles using Romney Drive when the weather is poor.
  - o Parking survey in the TA shows on street car parking spaces across drives, in the turning head and across the corner of Elham Drive which makes the total number of spaces available incorrect. There are already commuter cars for Elmstead Woods Station parked in Romney Drive and Newing Drive. This is be exacerbated when the on site parking spaces for staff are not available during construction
  - o The proposed parking arrangements will make Romney Drive a single carriageway road and it will be difficult for emergency, refuse and delivery vehicles to access the highway and restrict traffic flow.
  - o Vehicles travel far too fast along Romney Drive leading to danger for other vehicles and pedestrians. This will put school children and parents in danger too. A lower speed limit should be applied to this road and enforced.
  - o Have any traffic impact assessments and highway safety assessments been carried out - if not this should be done before the application is determined.
  - o Not all residents in Romney Road were formally consulted and a site notice was not put up for the revised scheme so not everyone has had the opportunity to comment.
  - o Proposed development contrary to highway and environmental policies as it will cause considerable harm to the amenities enjoyed by local residents and the right to a safe residential environment.
  - o New pedestrian entrance is unnecessary as the pathway leads directly to the entrance to the school already.
  - o The footpath, which is designated as part of the Green walk, is too narrow to take the number of children that will use it and there will be congestion at busy times that may overflow to Romney Drive.
  - o Police have been called to incidents on the public footpath which, if repeated, could have an impact of school children.
  - o The open mesh gate will allow people to look into the school grounds.
  - o Lighting to the footpath will have a detrimental effect on the amenity of the occupants of nearby houses.
  - o The proposal will make it dangerous for children to play in the road.
  - o The use of Romney Drive for school related parking is not sufficient to relieve parking pressure on Orchard Road.

## **Comments from Consultees**

The Council's Highways Officer raises no objection subject to conditions and the signing of a legal agreement to secure highway works.

The Council's Drainage Officer raises no objections subject to conditions

The Council's Environmental Health Officer raises no objection subject to conditions.

The Metropolitan Police Crime Prevention Design Adviser raises no objections subject to conditions.

The Council's Education Officer supports the proposals.

The Council's Waste Advisor raises no objections

From an ecological point of view the proposal is acceptable.

## **Planning Considerations**

In determining planning applications, the starting point is the development plan and any other material considerations that are relevant. The adopted development plan in this case includes the Bromley Unitary Development Plan (UDP) (2006), the Bromley Town Centre Area Action Plan (2010) and the London Plan (March 2015). Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) as well as other guidance and relevant legislation, must also be taken into account.

1. Relevant UDP policies include the following:

C1 Community Facilities  
C7 Educational Uses  
G2 Metropolitan Open Space  
T2 Assessment of Transport Effects  
T3 Parking  
T7 Cyclists  
BE1 Design of New Developments  
NE7 Development and Trees  
NE9 Hedgerows and Development  
IMP 1 Planning Obligations

Emerging Bromley Local Plan

A consultation on draft Local Plan policies was undertaken early in 2014 in a document entitled Draft Policies and Designations Policies. In addition a consultation was undertaken in October 2015 in a document entitled Draft Allocation, further policies and designation document . These documents are a

material consideration. The weight attached to the draft policies increases as the Local Plan process advances. The most relevant policies include Draft Policies and Designations Policies (2014)

6.5 Education

6.6 Educational facilities

7.1 Parking

7.2 Relieving congestion

7.3 Access to services for all

8.1 General design of development

8.7 Nature and trees

10.3 Reducing flood risk

10.4 Sustainable Urban Drainage Systems

10.10 Sustainable design and construction

10.11 Carbon reduction, decentralised energy networks and renewable energy

Draft Allocation, further policies and designation document (Sept 2015)

Chapter 6 and supporting maps

2. In strategic terms the most relevant London Plan 2015 policies are:

3.18 Education

5.1-5.7 Climate Change Mitigation and Renewable Energy

5.11 Green roofs and development site environs

5.12 Flood risk management

5.13 Sustainable Drainage

7.17 Metropolitan Open Land

8.2 Planning Obligations

3. The National Planning Policy Framework 2012 is also relevant. Paragraph 72 states that 'The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities.' Local authorities should take a proactive, positive and collaborative approach to meeting the requirements, and to development that will widen choice in education. They should give great weight to the need to create, expands or alter schools.'

From an arboricultural point of view there are no objections to the proposal.

### **Planning History**

The site has been the subject of numerous previous relevant applications the most of which are as follows:

DC/13/01900 - Erection of a single storey temporary classroom building. Approved 23.10.2013

DC/ 14/03285/RECON - Variation of condition 8 of permission 13/01900/FULL1 granted for erection of a single storey temporary classroom building to retain classroom until October 17th 2016. Approved 28.10.2015

## **Conclusions**

The main issues to be considered are

- Impact on Metropolitan Open Space
- Impact on the highway network
- Impact on the amenity of occupants of nearby residential properties
- Impact on trees
- Impact on biodiversity

### Impact on Metropolitan Open land (MOL)

The site lies within designated MOL and, as such, is protected from development by Policy G2 of the Bromley UDP. The policy affords the same level of protection as land in the Green Belt.

Therefore it is necessary to consider if the development is appropriate and if it is not whether there are 'very special circumstances' that outweigh the harm by reason of inappropriateness or any other harm. In addition 'the material change of use or engineering or other operations within the MOL will be inappropriate unless they maintain the openness and do not conflict with the purposes of including land in the MOL.'

The National Planning Policy Framework, paragraph 89 defines appropriate development and in this case it is considers the development of previously developed land as appropriate providing that the development would be no greater impact on openness.

Therefore, in principle, the proposal to extend the school is inappropriate due to the increase the bulk and height compared to the existing building and, as such, there will be an impact on the openness of the site.

In order to overcome the fundamental policy conflict it is necessary to consider whether there are very special circumstances that will mitigate against the harm caused by the development.

The primary consideration in this respect is whether there is a demonstrable need for additional built development. The school is currently 3 form entry at Key Stage 1 and admits 270 pupils. At Key Stage 2 the school is 2 form entry and admits 240 pupils. The proposal is to increase Key Stage 3 to 3 form entry which will result in a gradual increase of 30 pupils per year over 4 years (total increase of 120 pupils) until to a full capacity of 630 pupils. At present the school roll is 502 pupils.

The projected education need for additional primary school places has been identified in the Council's 'Primary Schools Development Plan' which was approved

in January 2015. Based on actual and forecast evidence there is a demonstrated need for 30 additional forms of entry and 5 new schools across the borough. Details of the proposed measures to meet this need are set out in the above document and the document entitled Draft Allocations, Further Policies and Designations Document which forms part of the emerging Bromley Local Plan. These documents identify the expansion of Scotts Park from 2FE to 3FE to contribute to meeting the overall identified need for primary school places and the need for pupil places in Central Bromley. The current proposal will make Scotts Park a full 3FE school.

The proposed plans show that an additional 7 classrooms will be provided rather than the 4 usually needed for each of the Key Stage 2 year groups. The Council's Education Officer advises that the school is currently below the recommended building size and is missing facilities that are normally expected at a primary school and that the proposed new building will address these deficiencies. The overall floorspace for the expanded school will be 2,742 sqm which is still lower than the recommended size of 2,933 sqm for a 3FE school.

In addition it is necessary to consider whether measures have been taken to minimise the visual impact of the development.

It is recognised that the proposed rebuilt and extension of the school buildings will have an impact on openness both in principle and on the ground. The case for increasing the impact on openness in principle relates to the need for additional education places and falls to be demonstrated under 'very special circumstances' and this has been discussed above.

The smaller extensions listed above amount to approx. 140 sqm. These are mostly infill extensions which will fall within the existing envelope of the building. The upper floor will sit above the area of some of the extended existing ground floor. The height of the new building will be between 5 and 6m higher than the flat roofed elements of the existing building and approx. 2m higher than the existing monopitched roofs of the school. The new roof will be monopitched to match the appearance of the existing school and to minimise the bulk of the new part of the building.

The proposed materials are a mixture of timber cladding and render which matches the current appearance of the buildings.

It is considered that the proposed 2 storey element of the new building is not excessive in size and height and is inkeeping with the scale and appearance of the existing school and will not look out of place.

In addition it should be noted that the existing temporary classrooms in the playground area, which accommodate 2 classrooms for the additional Key Stage 1 year groups, will be removed post completion of the proposed extension so that all of the Key Stage 1 and Key Stage 2 year groups will be accommodated within the new extended building. This will free up playground space that is currently not available and remove buildings that are outside the envelope of development on the site.. A condition to secure this has been recommended.

It is considered that the evidence for the need for immediate additional pupil places in the borough and in this part of the borough is sufficient to demonstrate that there are 'very special' circumstances' to support the provision of additional built development on Metropolitan Open Land. This is supported by the design measures taken to limit the visual impact of the building and minimise the impact of the development of openness in the MOL and to minimise the amount of additional floorspace that is being provided. In conclusion it is considered that the very special circumstances outweigh the harm to the MOL resulting from the development.

### Impact on the highway network

The applicant has submitted a Transport Assessment that sets out the impact of the proposed development on the local highways network.

The application site is one of 3 primary schools located within close proximity to each other, namely Scotts Park Primary School, Braeside School, which are both in Orchard Road, and St Joseph's School, which is in Plaistow Lane. As such there is significant existing demand for on street parking at pick up and drop off times.

The primary vehicle and pedestrian access to the school in Orchard Road will remain unchanged. However it is proposed to provide a new pedestrian access on the western boundary. This will provide access for pupils wishing to enter the school site from Romney Road.

The TA assesses the impact of car parking for the school when it is fully functioning with an extra 120 pupils. It should be noted that there will not be a sudden increase in pupil numbers as the 4 year groups will be introduced over a 4 year period.

The TA uses patterns of existing travel to and from the site for pupils and staff to forecast the likely demand for car parking as a result of the expanded school. This also takes account of the reduced demand associated with Key Stage 2 pupils compared to Key Stage 1 pupils. On this basis the applicant advises that out of the total intake of 120 children, 15 pupils are likely to be dropped off in the immediate vicinity of the school by car resulting in the demand for an additional 15 car parking spaces within a 200m radius of the school for drop off and pick up. The remainder of pupils either walk, cycle, use the bus, car share or park and stride. The 36 pupils that are forecast to 'park and stride' are likely to park beyond a 200m radius of the school and walk to the school gates. The projected demand for additional staff car parking is 5 spaces.

To fully meet pupil demand there is currently insufficient on-street parking space within 200m of the school on the roads around Orchard Road and Plaistow Lane. The applicant has identified that there is spare capacity in Romney Drive which is situated beyond the north-east boundary of the school. The parking surveys carried out by the applicant indicate that there is currently limited school car related activity in Romney Drive and the TA demonstrates that there is sufficient on-street capacity

to contribute to the accommodation of the additional projected demand for pupil drop off/pick up car borne journeys.

To facilitate this and provide parking spaces within 200m of an entrance to the school, the applicant proposes to provide a new pedestrian access in the western boundary which will open on to the existing public footpath. This is considered to be a secondary entrance to the school and, as such, will only be open between 8am and 4pm. This covers the arrival and departure time for the majority of pupils. Any pupils wishing to arrive or leave earlier will use the main entrance to the school. A condition is recommended reflecting these proposed times. In addition the repaving of the public footpath is proposed to improve the condition of the footpath and the cost of carrying out these works will be secured by legal agreement.

In order to provide safe access along this western boundary a lighting strategy has been submitted which shows a combination of 4m high column lights, wall lights and bollard lights. These will be situated within the school grounds and not on the footpath. The lighting plan shows that the closest are light fitting will be approx. 80m from the nearest residential property and it is considered that there will not be a detrimental impact on the amenities of the occupants.

In terms of staff parking the existing car park and driveway currently provides parking for 19 vehicles. It is proposed to demolish the existing caretakers house, which is currently used for storage, and use this space to provide additional play area for the Nursery and 10 additional car parking spaces. This will result in 31 car parking spaces, including 1 disabled space. The TA estimates that at present there are 26 full and part time staff that come to work by car. It is likely that there will be demand for 5 additional staff car parking spaces. The additional parking proposed is likely to provide off street car parking for all staff using cars to travel to work.

It is likely that the on-site car parking will be out of use during the construction period which may add to demand for on street parking from staff but this will be a temporary period only and will fall to the school to manage this for the duration of the contract period.

At present there is considerable congestion in Orchard Road during drop off and pick up times. To help ease this congestion at a pinch point on Orchard Road, the Council's Highways Officer recommends that 3 parking spaces are removed to extend the double yellow lines to a nearby bus cage. The applicant has agreed to contribute to the cost of works required to carry out this work, including the making of Traffic Orders, to the sum of £2000. It is recommended that this is secured by a legal agreement.

The TA provides accident data analyses of the number of personal injury accidents over the past 3 years in detail. The report concludes that the majority of the accidents are due to human error and that there is no evidence to suggest that the proposed expansion of the school is likely to have a demonstrable impact on highway safety.

There have been a considerable number of objections to the proposal that have been summarised above. Many have written objecting to the proposed development on highway grounds. The objectors are concerned that the already busy roads will become further congestion at school pick up and drop off times due to this proposal. Residents are concerned that additional traffic movements associated with the expanded school will lead to more accidents. In addition there are complaints about inconsiderate parking by parents over driveways which block access for residents.

Residents in the area around Romney Drive are concerned that existing car borne pick up/drop off traffic will be diverted to their streets and that this will further exacerbate the existing parking demand and the forecast additional demand from the increase in pupil numbers. To address these concerns several mitigating measures are proposed as follows:

- o Provision of waiting restrictions in the turning head area to ensure that cars can turn around safely.
- o Reference to 'encouraging parents to park in Romney Drive' will not be included in the proposed Travel Plan.
- o A 'before and after' study will be carried out so that the impact of parking from the increase in proposed pupil numbers can be assessed before the use commences and over the next 4 years as the number of pupils progressively increase.
- o A contingency fund of £6500 to pay for any remedial work that may result from the 'before and after' studies.

In conclusion it is recognised that Orchard Road is a busy through road from the east of the borough to the town centre and that there is congestion along this route at school pick and drop off times from Scotts Park School and the other 2 schools in the vicinity.

However the submitted TA indicates that there will be limited demand for on street parking within 200m of the school gates from additional pupils coming to school by car (16 car visits) and that the use of Romney Drive for drop off and pick up will help to ease parking pressure on Orchard Road. The additional on-site parking spaces will help to reduce the on street parking demand from existing and new school staff.

In addition the removal of 3 existing parking spaces on Orchard Road will reduce the opportunities for car parking in this road and will help to ease congestion, allowing for a better flow of traffic at busy times, particularly for larger vehicles.

Also the mitigating measures suggested above to the roads around and including Romney Drive may improve the management of traffic in this area.

In view of the above it is considered that the evidence of demand for parking and mitigating measures indicate that the highway network can accommodate the additional vehicle parking and activity generated as a result of the development without compromising highway safety and resulting in a significantly detrimental impact on the occupants of surrounding streets.



### Impact on the amenity of occupants of nearby residential properties

The impact of the development on nearby residents is likely to be from additional vehicle activity (which is dealt with above), additional activity within the school playgrounds and to privacy from overlooking.

The submitted plans show the provision of a larger playground adjacent to the boundary with properties in Orchard Road. In addition to this playground there is a tarmac playground on the eastern boundary and a grassed area between the two. There is also a wooded area that provides some playspace. It is considered that there is a significant amount of existing play space on the site meaning that the impact at playtime is spread across the site. As such, it is considered that whilst there is likely to be increased playtime noise resulting from an additional 120 children, this is likely to be spread across the site and it is unlikely to have a significantly greater impact on the amenity of residents than the existing noise at playtimes.

In terms of overlooking and loss of privacy, the proposed windows on the upper floors facing south will have the greatest impact on the nearest neighbours who occupy properties in Orchard Road. The majority of the houses are set back in excess of 60m with 3 properties closer to the boundary.

The windows in the proposed building have been designed to minimum standards to ensure acceptable levels of user comfort in terms of natural lighting, overheating and ventilation. The original fenestration shown on the submitted drawings failed to meet the standard so the window openings have been redesigned to meet these standards.

The first floor windows that are directly overlooking residential properties are on the southern elevation. These comprise 3 windows to 2 classrooms. These windows will be approximately 30m to the nearest residential boundary and in excess of 40m to the nearest first floor windows of a residential property. At present there are no windows that can overlook these properties.

Whilst it is accepted that there will be an increase in the capacity to overlook neighbouring residential properties from first floor windows it is useful to note that a 'rule of thumb' distance of 20m for back to back first floor windows between residential properties is an accepted standard of separation. Given the primarily daytime use of the school, the need to meet minimum standards and a separation that exceeds the 'rule of thumb' distance it is considered that the proposed windows in the southern elevation are acceptable.

A noise impact assessment assessing the noise levels of future plant and machinery on the site has been submitted. Specific plant has not been identified at this stage but the report concludes that new equipment would be able to be provided that does not have an adverse impact on the amenity of the nearest residential properties. The Council's Environmental Health Officer recommends a condition limiting the resultant noise levels from plant and equipment.

### Impact on trees

It is proposed to remove one small, low quality tree immediately to the front of the school building and carry out tree management works to numerous trees on the site. Tree protection methods are recommended in the Arboricultural Impact Assessment for works to trees that are near the provision of new hard surfaces. There are no trees affected by the proposed 2 storey extension.

It is considered that no significant trees will be affected by the proposed development

### Impact on biodiversity

An extended Phase 1 Habitat Survey and a Bat Roost Assessment of the school site and buildings have been submitted. The Habitat Survey concludes that providing all the proposed work is limited to areas that are currently comprising school activity and short mown grass areas, the impact on local biodiversity would be minimal.

The Bat Roost Assessment found no signs that bats used the Caretakers House and no further surveys or precautions are recommended. A condition is recommended to seek further advice if evidence of bats is found in the future.

### S106 legal agreement

The report identifies several measures to try to mitigate the impact of this development on the surrounding highway network. These measures are

- o The removal of 2 on street parking spaces in Orchard Road and the provision of yellow lines in their place to improve traffic flow.
- o Provision of waiting restrictions in the turning head area at the end of Romney Drive to ensure that cars can turn around safely.
- o Reference to 'encouraging parents to park in Romney Drive' will not be included in the proposed Travel Plan.
- o A 'before and after' study will be carried out in the area around Romney Drive so that the impact of parking resulting from the increase in proposed pupil numbers can be assessed before the use commences and over the next 4 years as the number of pupils progressively increase.
- o A contingency fund of £6500 to pay for any remedial work that may result from the 'before and after' studies.

### **Conclusions**

In assessing this application it is necessary to balance a number of factors that are at times conflicting.

It is considered that the most important factor is the demonstrated need for additional school places for pupils that already attending the school and for rising

pupils numbers in the borough. There is both a borough wide need for pupil places as well as a need within this part of the borough.

The proposed built form of the development will result in the school meeting current standards for teaching and support services and will accommodate 120 new pupils. It is recognised that there will be an impact on openness of the designated MOL and on some of the occupants of nearby residential properties but it is considered that the impact is not so significantly harmful to warrant refusal of this application.

Perhaps the most controversial impact is on the highway network and residents that live in close proximity to the school. The TA demonstrates that the area is already congested at pick up and drop of times, partly from Scotts Park but also from 2 other schools in the immediate vicinity. The forecast demand for car parking over the next 4 years will culminate in the need for parking for 15 additional pupils within a 200 metre radius of the school and 36 pupils in a wider radius that will 'park and stride' to the school gates.

To mitigate against all of this additional demand diverting to Romney Drive measures have been proposed above that are both immediate and ongoing and it is considered that these would act to minimise the increase in vehicles using streets in this area.

Taking all of these factors into account it is considered, on balance, that the proposal does not have such a seriously detrimental impact on the amenities of the occupants of properties in the area or highway safety and that the proposed changes will meet a demonstrated need for additional school places for residents of the borough. As such the application is recommended for permission subject to conditions and a S106 legal agreement.

Background papers referred to during the production of this report comprise all correspondence on file ref: 15/00976, excluding exempt information.

**RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL AGREEMENT to secure highway works to relocate parking bays in Orchard Road, repaving of the public footpath, waiting restrictions in Romney Drive, 'before and after' studies, at the applicants expense, to assess the impact of demand for parking in the around Romney Drive, a contingency fund of £6500 to be held by the Council towards remedial work to alleviate congestion or other parking issues arising from additional car related traffic in the area around Romney Drive)**

**and 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 development shall be carried out strictly in accordance with the application documents, drawing and plans as detailed below**

**Report entitled External Lighting to new front car park and new rear entrance dated August 6th 2015 and plan 26033-600-G-001**

**Building Physics and Part L compliance report dated October 7th 2015**

**Extended Phase 1 Habitat Survey (P2131.11) by agb environmental dated 24 November 2014**

**Bat Roost Assessment by agb environmental (P2131.14/LC/OR) dated February 24th 2015**

**Arboricultural Impact Assessment by agb environmental (P2131.12) dated January 27th 2015**

**Design and Access Statement dated March 2015**

**Addendum to Design and Access Statement dated October 2015**

**Plant Noise Assessment by Red Twin Ltd (REF: L0708.1 V) dated February 12th 2015**

**Transport Assessment by Yes Engineering dated October 2015**

**Ground Investigation by agb environmental P2131.10)**

**GroundSure Geolnsight report by agb environmental (P2131.2/P02099 dated June 19th 2014**

**GroundSure Envirolnsight report by agb environmental (P2131.2/P02099 dated June 19th 2014**

**Drain Investigation Report by Birmingham Drain Services Ltd**

**Travel Plan (undated)**

**Phase 1 Contaminated Land Desk Study by agb environmental (P2131.9) dated January 20th 2015**

**Approved Plans**

**Site Plans: 26033/101; 26033/102/C**

**Existing plans:26033/103; 26033/108; 26033/112/A; D613-AGB-6766 1 of 1**

**Proposed plans: 26033/102.1; 26033/104/A; 26033/105/B; 26033/106/B; 26033/107; 26033/109/B; 26033/110/A; 26033/111/A; 26033/113; 26033/114/PO**

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

- 3 No development shall commence on site on any phase until such time as a Construction Environmental Management Plan incorporating Traffic Construction Logistics and Site Waste Management has been submitted to and approved in writing by the local planning authority**

- o Full details of arrangements for the management and disposal of construction material and waste
- o Dust mitigation/management measures
- o The location and operation of plant and wheel washing facilities
- o Details of best practical measures to be employed to mitigate noise and vibration arising out of the construction process
- o Details of construction traffic movements including cumulative impacts which shall demonstrate the following:-
  - Rationalise travel and traffic routes to and from the site.
  - Provide full details of the number and time of construction vehicle trips to the site including the route for heavy goods vehicles, with the intention of reducing the impact of construction related activity.
  - Measures to deal with safe pedestrian movement.
- o Use of oil interceptors in trafficked areas so that there would be no discharge to ground via infiltration.
- o Security Management (to minimise risks to unauthorised personnel).
- o Details of the training of site operatives to follow the Construction Environmental Management Plan requirements and including Construction Logistics and Site Waste Management.
- o Details of methods to liaise with the public and neighbouring sites, including procedures for receiving and responding to complaints
- o Protocols for reviewing and monitoring the CEMP including timeframes for meetings and environmental audits.

**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.

- 4** The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan.

**Reason:** To reduce the impact of flooding both to and from the proposed development and third parties

- 5** Surface water from private land shall not discharge on to the highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local

**Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.**

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

**6 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.**

**7 Before any work on site is commenced, energy strategy assessments and strategies for reducing carbon emissions shall be submitted to and approved by the Local Planning Authority simultaneously for each phase. The result of these strategies shall be incorporated into the final design of the buildings prior to first occupation in accordance with the approved documents. The strategies shall include measures to allow the development to achieve an agreed reduction in carbon dioxide emissions of at least 35% above the TER level required by the Building Regulations 2013. The development should aim to achieve a reduction in carbon emissions of at least 20% from on-site renewable energy generation. The final designs, including the energy generation shall be retained thereafter in operational working order, and shall include details of schemes to provide noise insulation and silencing for and filtration and purification to control odour, fumes and soot emissions of any equipment as appropriate.**

**Reason: In order to seek the most up to date scheme at the time of implementation and to achieve compliance with the Mayor of London's Energy Strategy and Policy 5.2 and 5.7 of the London Plan 2011**

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

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

**9 Details of the proposed slab and finished roof levels of the building hereby approved and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences on the permanent buildings hereby approved and the development shall be completed strictly in accordance with the approved levels.**

**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**

- 10 Details of a scheme for the management of the car park shall be submitted to and approved in writing by the Local Planning Authority before any part of the development is first occupied and the car park shall be operated in accordance with the approved scheme at all times unless previously agreed in writing by the Authority.**

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

- 11 Details and samples of materials for hardsurfacing shall be submitted to and approved in writing by the Local Planning Authority before any work commences on the hard surfacing layout on the site. The works 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 development**

- 12 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**

- 13 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted, and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall achieve the "Secured by Design" accreditation awarded by the Metropolitan Police.**

**Reason: In the interest of security and crime prevention and to accord with Policies H7 and BE1 of the Unitary Development Plan**



**14** 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

**15** No development, site clearance works or building works (including trenches, pipelines for services or drains) shall be undertaken and no equipment, plant, machinery or materials for the purposes of development shall be taken on site until measures to protect existing and retained trees have been implemented in accordance with the details hereby approved hereby. The measures shall be retained throughout the construction period and removed from the site on completion of the approved development.

**Reason:** To ensure that all existing trees to be retained are adequately protected and to comply with Policy NE7 of the Unitary Development Plan.

**16** Replacement trees of sizes and species to be agreed in writing by the Local Planning Authority shall be planted in such positions as shall be agreed by the Authority within 12 months of the removal of the trees. Any replacement tree which dies, is removed or becomes seriously damaged or diseased within 5 years of the date of this consent shall be replaced in the next planting season with another of similar size and species to that originally planted.

**Reason:** In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of the visual amenity of the area.

**17** The development shall be carried out strictly in accordance with the details set out in the report entitled Arboricultural Impact Assessment by agb environmental (P2131.12) dated January 27th 2015

**Reason:** : In order to comply with Policy NE7 of the Unitary Development Plan and to ensure that all existing trees to be retained are adequately protected.

**18** The arrangements for storage of refuse and recyclable materials including the collection arrangements shown on the approved drawings shall be implemented in accordance with the approved plans before any part of the development is first occupied, and permanently retained thereafter.

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

**19** Before commencement of the use of the land or building hereby permitted parking spaces 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 1995 (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.

**20** While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

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

**21** 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 approved by the Local Planning Authority, and the bicycle parking/storage facilities shall be permanently retained thereafter.

**Reason:** In order to comply with Policy T7 and Appendix II.7 of the Unitary Development Plan and in order to provide adequate bicycle parking facilities at the site in the interest of reducing reliance on private car transport.

**22** At any time the combined noise level from all fixed plant at this site in terms of dB(A) shall be 5 decibels below the relevant minimum background noise level, LA90(15mins) measured at any noise-sensitive building. If the plant has a distinctive tonal or intermittent nature the predicted noise level of the plant shall be increased by a further 5dBA. Thus if the predicted noise level is 40dB(A) from the plant alone and the plant has a tonal nature, the 40dB(A) shall be increased to 45dB(A) for comparison with the background level. The

**L90 spectra can be used to help determine whether the plant will be perceived as tonal.**

**Reason: To comply with London Plan Policy 7.15 and to safeguard the amenities of the occupants of nearby properties**

**23 The temporary classrooms approved under permission DC/14/03285/RECON shall be removed from the site within 3 months of the first occupation of the development hereby approved and the land restored to a match the existing adjacent playground.**

**Reason: To comply with Policy G2 and in the interests of the visual appearance of the Metropolitan Open Land.**

**24 The new pedestrian gate in the western boundary shall not be unlocked before 8am or after 4pm on any day**

**Reason: To comply with Unitary Development Plan Policy BE1 and in the interests of the amenities of residents in Romney Drive**

**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](http://www.bromley.gov.uk/CIL)**

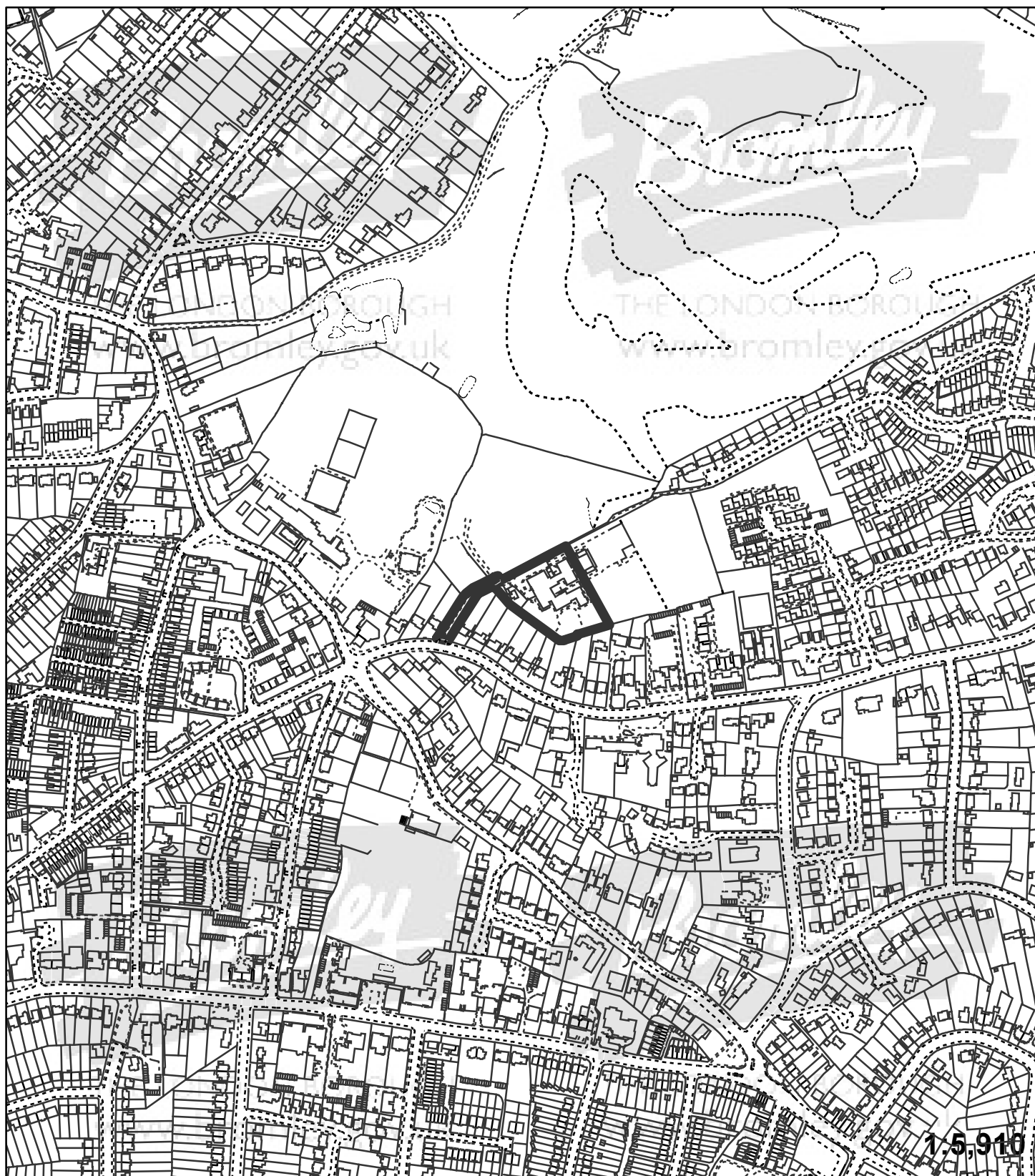
**2 Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health & Trading Standards regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution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

- 3** If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an appropriate remediation scheme submitted to the Local Authority for approval in writing.
- 4** The applicant is advised that bats are known to forage in this part of Chislehurst. All bat species are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended) making all species of bat European Protected Species. When demolishing the existing house, care should be taken in case roosting bats are present. If any bats are found, work should stop immediately and Natural England need to be informed. Even if not bats are found during demolition, the installation of bat bricks in the new build should be considered.
- 5** Please note that this application does not grant planning permission for the temporary classroom facilities shown on plan 26033/102C and a separate planning application will need to be submitted and considered for this development.
- 6** The applicant is advised that bats are known to forage in this part of Chislehurst. All bat species are protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and Schedule 2 of The Conservation of Habitats and Species Regulations 2010 (as amended) making all species of bat European Protected Species. When altering or extending the existing house, care should be taken in case roosting bats are present. If any bats are found, work should stop immediately and Natural England need to be informed. Even if not bats are found during demolition, the installation of bat bricks in the new build should be considered.

**Application:**15/00698/FULL1

**Address:** Scotts Park Primary School Orchard Road Bromley BR1 2PR

**Proposal:** Demolition of 2 existing single storey classroom blocks and replacement with 2 linked 2 storey classroom blocks to provide 7 additional classrooms and ancillary and support accommodation and link bridge; single storey extensions to provide caretakers store and enlarged support



"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 :** 15/01031/FULL1

**Ward:**  
**Bromley Town**

**Address :** 2 Riverpark Gardens Bromley BR2 0BQ

**OS Grid Ref:** E: 538815 N: 170232

**Applicant :** Mr Karl Phillips

**Objections :** YES

### **Description of Development:**

Demolition of a derelict shop with disused flat above and 3no. unused garages to create 8 new apartments, associated hard and soft landscaping and the relocation of an electricity sub-station

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
Green Chain Walk  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Smoke Control SCA 3

### **Proposal**

Planning permission is sought for the demolition of a derelict shop with disused flat above and 3 unused garages to create 8 new apartments, associated hard and soft landscaping and the relocation of an electricity substation.

The proposal will be 4 storeys in height.

Eight new flats are proposed as outlined in the following accommodation schedule.

#### Ground floor

2bed 3 person	62.3sqm
2 bed 3 person	63.6sqm

#### First floor

2 bed 3 person	66.2sqm
1 bed 2 person	50.1sqm
2 bed 3 person	64.8sqm

#### Second and third floor ( duplex)

3 bed 5 person	99.6sqm
2 bed 4 person	90.3sqm
2 bed 4 person	94.7sqm

The plans have been amended to show a 1m side space from the southern boundary.

The accompanying Design and Access Statement describes the design as a continuation of the existing 4 storey maisonette block to the north of the site. The proposal will have a brick ground floor which will act as a plinth bedding the development on the site. A section of the first floor will also be brick. The main entrance will be via a set back in the façade with a projecting canopy above.

The height of the building will be 13.1m at the highest point comparative to the building to the north which is 13.6m at its highest ridge point.

All units will have their own private open space in the form of terraces or balconies. A communal garden area to the rear of the building will also be accessible to all residents.

12 cycle spaces are provided cycle spaces are proposed internally and an additional 4 spaces externally.

9 car parking spaces are provided for the development and an additional three spaces will be reprovided, including a disabled bay. . The remaining area accommodates a bin store and soft landscaping.

The proposed materials are indicated to include brick, dark grey/blackened pre-weathered timber vertical cladding .

## **Location**

The site is located on the eastern site of Riverpark Gardens and currently comprises a derelict building that was formerly used for a shop on the ground floor and a flat above which has been vacant and boarded up since 2007. The site also contains 3 unused garages.

A public footpath runs along the southern boundary of the site which crosses the Ravensbourne River which runs alongside the eastern boundary of the site. To the immediate north of the site is a four storey residential block of flats and to the east is Warren Road playing fields. To the south and west of the site, two storey semi detached housing is located.

Further to the north is Summerhouse playing fields and Beckenham Place Park .

The subject site is located within Flood Risk Zone 2.

## **Consultations**

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



- o Loss of amenity space Riverpark Gardens
- o parking pressures
- o existing garages are in use
- o new parking pays will only be for the use of new development. Loss of 5 existing spaces along the estate road.
- o Daylight assessment does not assess existing residents.
- o Concerns regarding noise, pollution and disturbance from construction.
- o extra pressure on waste collection services
- o daylight sunlight issues
- o overlooking from roof terraces
- o inadequate surface water drainage
- o New building is incongruous as it is not compatible in style, colour or shape. It will be an eyesore.
- o Not been vacant since 2007
- o Does not comply with Council's 1m side space requirement
- o It will dominate the Green chain walk.
- o Lost opportunity to incorporate a local shop. No other shops in the area and one is much needed.
- o Impacts on already inadequate recycling facilities
- o Over intense development which will destroy the open plan, harmonious environment of these buildings
- o The substation is currently hidden from sight and does not detract from the estate. The new substation building will destroy the green space.
- o The small 100mm gap between the new development and the existing block 6 - 32 Riverpark Gardens does not meet the 1m side space.

Following the reconsultation of the plans, the same objections remain. The full text of representations received are on the file to view.

### **Comments from Consultees**

Technical highways:

The proposal is located to the east of River Park Gardens; also the site is in an area with low PTAL rate of 1b. River Park Gardens is private and therefore not maintained by LBB.

Proposed vehicular access- The main vehicle access to the site and proposed car parking will be via Riverpark Gardens. It is proposed to modify the local highway adjacent to the development site to accommodate car parking for the development and the removed garages. The car parking is to be provided perpendicular to the carriageway in marked bays. Riverpark Gardens will be modified to ensure a 6m running carriageway behind the bays to provide adequate manoeuvring for vehicles entering and exiting the car parking.

Car parking- During pre-application discussions with this office it was requested that the development provide nine car parking spaces. In addition to the proposed car parking for the development the proposals will re-provide the car parking lost through the removal of the existing garages within the site, although it is understood that they are not currently used. As such, the development will provide 12 car parking spaces on Riverpark Gardens. This is acceptable.

Cycle parking- Nine cycle spaces would be provided; however 15 spaces should be provided.

Environmental Health - Housing:

The plans indicate apartments G.01 and 1.03 will be 2 bedroom 3 person apartments. Both bedrooms in both proposed apartments will have floor areas in excess of 10 sq.m, which means the apartments will be 2 bedroom 4 person apartments.

The minimum recommended GIA for a single storey (2 bedroom 4 person) flat (apartment) is 70 sq.m. The GIA for the proposed single storey (2 bedroom 4 person) apartments G.01 and 1.03 will be approximately 66 sq.m, which is below the minimum recommended.

The living space and kitchen area in the proposed property is combined which is not desirable due to the risk of accidents associated with areas used for food preparation and recreation.

External doors are not included when calculating the natural ventilation provision for a room. Unlike an external window an external door cannot be left open to provide natural ventilation without compromising the security of a property. In winter time leaving it open would also allow excessive heat loss. In summer time leaving it closed would prevent natural ventilation which may result in excessive heat gain in the room.

Environmental Health - Pollution: - no objection subject to conditions.

Crime Prevention Design Officer: The development shall follow the principles of Secure by Design.

Drainage: The site is restricted with high water table and it's proximity to main river. Recommend the applicant to use permeable paving as well as an attenuation tank to store surface water run-off.

Thames Water: No objections

Environment Agency - No objection subject to conditions

## **Planning Considerations**

The most relevant London Plan policies are as follows:

Policy 3.3 Increasing Housing Supply.  
Policy 3.4 Optimising Housing Potential

Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.7 Renewable energy  
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 5.21 Contaminated land  
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.14 Improving Air Quality  
Policy 7.19 Biodiversity and access to nature conservation  
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

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

BE1 Design of New Development  
BE7 Railings, Boundary Walls and Other Means of Enclosure  
H1 Housing Supply  
H7 Housing Density and Design  
H9 Side Space  
NE7 Development and Trees  
T3 Parking  
T7 Cyclists  
T18 Road Safety

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

SPG1 General Design Principles

## SPG2 Residential Design Guidance

### Relevant Planning History

No relevant history, however a preapplication was submitted in July 2014

### Conclusions

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

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

#### Principle of Development

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan (2015) generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

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

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

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the

movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

The subject site is located within an area characterised by residential development. A four storey block of flats are located immediately to the north and two storey dwellings is located to the south and west of the site with open recreational land to the east. The provision of 8 new units on the land is therefore considered to be acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

### Density

The applicants have submitted that the density of the proposal would be 100 units per hectare (u/ha). Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 1a in an suburban area as 35 to 65 u/ha.

Whilst the proposed density therefore exceeds this range, the London Plan does not preclude development where schemes are above the density range, subject to other criteria that weighs in their favour such as dwelling mix, quality of design. On balance, having regard to the factors summarised in the following sections and the adjacent four storey flats which would be of a similar density, the proposed density could be considered acceptable.

### Design, Siting and Layout.

Policy 3.4 of the London Plan 2015 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 58 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

Policy BE1 and H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy H9 requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained and where higher standards of separation already exist within

residential areas. Proposals will be expected to provide a more generous side space.

The design intention of the scheme is to be a continuation of the existing four storey terrace to the north. There will be a 100mm gap between the existing block and the proposed flank wall. It is understood from the agent that this is typically a 50mm clear cavity, however the 100mm gap is proposed to allow both building tolerances and the need to divert some of the existing extracts on this elevation. A vertical channel between the two buildings to disguise this junction is therefore proposed and this elevation will appear as a continuation.

The mass and scale of the building is comparative to the adjacent block of flats and therefore the reduces separation distance to the northern boundary is considered acceptable and representative of the established spatial and individual qualities of the layout within the immediate context.

The application has been revised during the application process and it is now proposed that the building will maintain a 1m space between the southern flank wall and the boundary. The footpath will also provide an additional natural break and therefore on balance the proposal is considered to be acceptable in terms of achieving the objectives of Policy H9.

In terms of the design of the new building, whilst the design is not traditional in its format the approach is reflective of buildings in the locality by using a similar palette of materials and building design features. Therefore it is considered that on balance the individual design approach of the building is of a good quality that will make a positive contribution to the streetscene and wider locality.

Moreover, the fourth floor includes roof terraces located between the individual duplex apartments at this level and therefore helps to break down the visual appearance of the building, reducing its perceived bulk from the west and eastern elevations.

The proposed relocation of the electricity substation is considered to be acceptable in terms of siting and design.

#### Standard of Residential Accommodation

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

The floor space size of each of the 8 units ranges between 50.1 m<sup>2</sup> and up to 999.6m<sup>2</sup> respectively. Table 3.3 of the London Plan requires various sizes of internal areas in relation to the number of persons and bedrooms provided in each unit. On this basis, the floorspace provision for all of the units is compliant with the required standards and is considered acceptable.

The proposed units are considered to provide a good internal level of amenity in terms of daylight/sunlight and outlook.

### Amenity Space

In terms of amenity space, provision is provided for all units. The two ground floor units will have private terraces at ground floor level of 62m<sup>2</sup>. The first and second floor units will have balconies ranging between 25m<sup>2</sup> and 35m<sup>2</sup> with the duplex apartments having an additional roof terrace of 109m<sup>2</sup> on the third floor. A further communal landscaped area will be provided to the rear for the use of all residents.

This provision is significantly higher than that required in the London Plan and will provide a high standard of accommodation for future occupants.

### Car parking

The main vehicle access to the site and proposed car parking will be via Riverpark Gardens. It is proposed to modify the local highway adjacent to the development site to accommodate car parking for the development and the removed garages. The car parking is to be provided perpendicular to the carriageway behind the bays to provide adequate manoeuvring for vehicles entering and existing the car parking.

12 parking spaces are provided; nine for the proposed flats and an additional 3 to replace the three lock up garages on the site,

Given the size of the units with a two and one bedroom provision this is acceptable. The Council's Highways Officer has not raised objection in this regard.

The London Plan requires that 20 per cent of all car park spaces shall be for electric vehicles with an additional 20 per cent passive provision for electric vehicles in the future. Further details can be obtained by planning condition in this regard.

### Cycle parking

Cycle parking is required to be 1 space per 1 bedroom flat and 2 spaces for all other dwellings. The applicant has provided details of a secure and lockable room in the basement for cycle storage for each unit comprising of 15 spaces. This is considered satisfactory.

### Refuse

All new developments shall have adequate facilities for refuse and recycling. The communal refuse storage area will be located on the ground floor which will be naturally ventilated by louvres in the access doors which will face out onto the street. The bins will be located via a dropped kerb opposite the bin store access. The location point is considered acceptable within close proximity of the highway.

## Impact on Adjoining Properties

Policy BE1 of the Unitary Development Plan states that development should respect the amenity of occupiers of neighbouring buildings and ensure they are not harmed by noise disturbance, inadequate daylight, sunlight, and privacy or overshadowing.

In terms of outlook, the fenestration arrangement will provide mainly front and rear outlook for each unit overlooking the park or overlooking the street and will maintain a suitable level of privacy at the intended distances to existing neighbouring property. No windows are proposed on the flank elevation. The upper floor balconies have 1.8m high privacy screening on the southern elevation to prevent overlooking to neighbouring balconies and gardens. Having regard to the siting, layout, orientation, design and landscaping of the scheme, the proposal would not result in overlooking or any adverse loss of privacy to nearby properties.

A daylight and sunlight test has been submitted with the application which concluded that the proposals would not result in a noticeable change in daylight and sunlight levels to any surrounding property and is therefore considered to be acceptable.

## Sustainability and Energy

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

The applicant has submitted an Energy Performance Statement which outlines that it will be possible for the development to meet these objectives. This approach is welcomed.

Given the proximity of the Ravensbourne River to the south, further conditions could be attached requesting a surface water drainage system.

## Lifetime Homes

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

## Landscaping and trees

The arboricultural report confirms that no trees on or adjacent to the site would need to be removed and provided appropriate tree protection measures are implemented, the proposal would have no adverse impact on any trees.

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity



for future occupiers. No objections are raised in this regard. Notwithstanding this full detail of hard and soft landscaping and boundary treatment can be sought by condition.

#### Flood Risk

The site is located within a Flood Risk Zone 2. A flood risk assessment was submitted with the application and subject to mitigation measures, it was concluded that the development should not be at a significant risk of flooding, and should not be susceptible to damage due to flooding.

The Environment Agency were consulted who raised no objections subject to conditions attached to any planning permission.

#### Community Infrastructure Levy

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

#### Summary

The development would be of a quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers, subject to suitable conditions. It is considered that the density and tenure of the proposed housing is acceptable and that the development would not be detrimental to the character of the area. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency.

Having regard to the additional separation between the proposed building and the public footpath to the south, the quality of design and high standard of accommodation for future occupants, Members may consider that, on balance, the scheme may not cause such harm to the character of the area as to warrant a planning refusal. Furthermore, Members are asked to consider that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents.

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

**As amended by documents received on 02.11.2015**

**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** No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building, including balcony treatments, 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 secure a visually satisfactory setting for the development.

**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 the interest of visual amenity and the amenities of adjacent properties.

**4** No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include boundary enclosures, paved areas and cycle storage facilities. Hard landscape works shall be implemented prior to the occupation of any part of the development or in accordance with the programme agreed with the local planning authority. Cycle storage facilities shall be permanently retained thereafter. Soft landscape works shall be implemented in the first planting season following first occupation of the flats or the substantial completion of the development, whichever is the sooner. 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 secure a visually satisfactory setting for the development.

**5** In the interest of visual amenity and the amenities of adjacent properties.

**Reason:** Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such

positions along the boundaries of the site as shall be approved and shall be permanently retained thereafter.

- 6 If any trees are felled in order to implement the development hereby permitted, trees of a size and species to be agreed in writing by the Local Planning Authority shall be planted as replacements in such positions as shall be agreed by the Authority in the first planting season following completion of the development. Any trees 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 similar size and species to those originally planted.

Reason: In order to secure a visually satisfactory setting for the development.

- 7 No demolition, site clearance or building works shall be undertaken, and no equipment, plant, machinery or materials for the purposes of development shall be taken onto the site until an arboricultural method statement detailing the measures to be taken to construct the development and protect trees is submitted to and approved in writing by the Local Planning Authority.

The statement shall include details of:

- o Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;
- o Type and siting of scaffolding (if required);
- o Details of the method and timing of demolition, site clearance and building works
- o Depth, extent and means of excavation of foundations and details of method of construction of new foundations
- o Location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of cement or concrete;
- o Location of bonfire site (if required);
- o Details of the location of underground services avoiding locating them within the protected zone
- o Details of the method to be used for the removal of existing hard surfacing within the protected zone
- o Details of the nature and installation of any new surfacing within the protected zone
- o Methods proposed for the watering of the trees during the course of the project

The method statement shall be implemented according to the details contained therein until completion of building works, and all plant, machinery or materials for the purposes of development have been removed from the site.

**Reason:** To ensure that all existing trees to be retained are adequately protected.

- 8** 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.

- 9** 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

- 10** While the development hereby permitted is being carried out a suitable hardstanding shall be provided with wash-down facilities for cleaning the wheels of vehicles and any accidental accumulation of mud of the highway caused by such vehicles shall be removed without delay and in no circumstances be left behind at the end of the working day.

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

- 11** The proposed refuse storage area as shown on the plans hereby approved, shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

**Reason:** In order to provide adequate refuse storage facilities in a location which is acceptable from the residential and visual amenity aspects

**12** The development permitted by this planning permission shall not commence until a surface water drainage scheme for the site based on sustainable drainage principles, and an assessment of the hydrological and hydro geological context of the development has been submitted to, and approved by, the Local Planning Authority. The surface water drainage strategy should seek to implement a SUDS hierarchy that achieves reductions in surface water run-off rates to Greenfield rates in line with the Preferred Standard of the Mayor's London Plan.

**Reason:** To reduce the impact of flooding both to and from the proposed development and third parties

**13** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking, re-enacting or modifying that Order), no windows or doors shall be inserted in the southern elevation, or above, of the extension hereby permitted.

**Reason:** In the interest of visual amenity and the amenities of adjacent properties.

**14** Arrangements for construction period  
Whilst the development hereby permitted is being carried out, provision shall be made to accommodate operatives and construction vehicles off-loading, parking and turning within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and such provision shall remain available for such uses to the satisfaction of the Local Planning Authority throughout the course of development.

**Reason:** In the interests of pedestrian and vehicular safety.

**15** 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 interest of the amenities of the adjacent properties.

**16** The application site is located within an Air Quality Management Area declared for NO<sub>x</sub>: In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NO<sub>x</sub> emission rate of <40mg/kWh

**Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area in line with NPPF and Policy 7.14 of the London Plan.**

- 17 An electric charging point shall be provided to a minimum of 20% of car parking spaces with passive provision of electric charging capacity provided to an additional 20% of spaces.**

**Reason: To minimise the effect of the development on local air quality within an Air Quality Management Area in line with the NPPF and Policies 6.13 and 7.14 of the London Plan.**

- 18 The development hereby permitted shall incorporate measures to minimise the risk of crime and to meet the specific needs of the application site and the development. Details of these measures shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted, and implemented in accordance with the approved details. The security measures to be implemented in compliance with this condition shall seek to achieve the "Secured by Design" accreditation awarded by the Metropolitan Police.**

**Reason: In the interest of security and crime prevention.**

- 19 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.**

**Reason: There is always the potential for unexpected contamination to be identified during development groundworks. We should be consulted should any contamination be identified that could present an unacceptable risk to Controlled Waters.**

- 20 Whilst the principles and installation of sustainable drainage schemes are to be encouraged, no infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.**

**Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.**

**21 Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.**

**Reason: The developer should be aware of the potential risks associated with the use of piling where contamination is an issue. Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters. We recommend that where soil contamination is present, a risk assessment is carried out in accordance with our guidance 'Piling into Contaminated Sites'. We will not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.**

**22 The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) by Herrington Consulting Limited and the following mitigation measures detailed within the FRA:**

- a. Flood resilient construction measures detailed within section 9.3 in the proposed development.**
- b. Finished ground floor levels are set no lower than 3235mAOD**
- c. The building including balconies shall maintain a distance greater than 8 metres from the river Ravensbourne.**

**Reason: To reduce the risk of flooding to the proposed development and future occupants and to ensure suitable access to the site.**

**23 Any boundary fencing or wall must be permeable to allow the site to receive flood flows.**

**Reason: To ensure no flood storage is taken and flood flows displaced to neighbouring sites.**

**You are further informed that :**

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

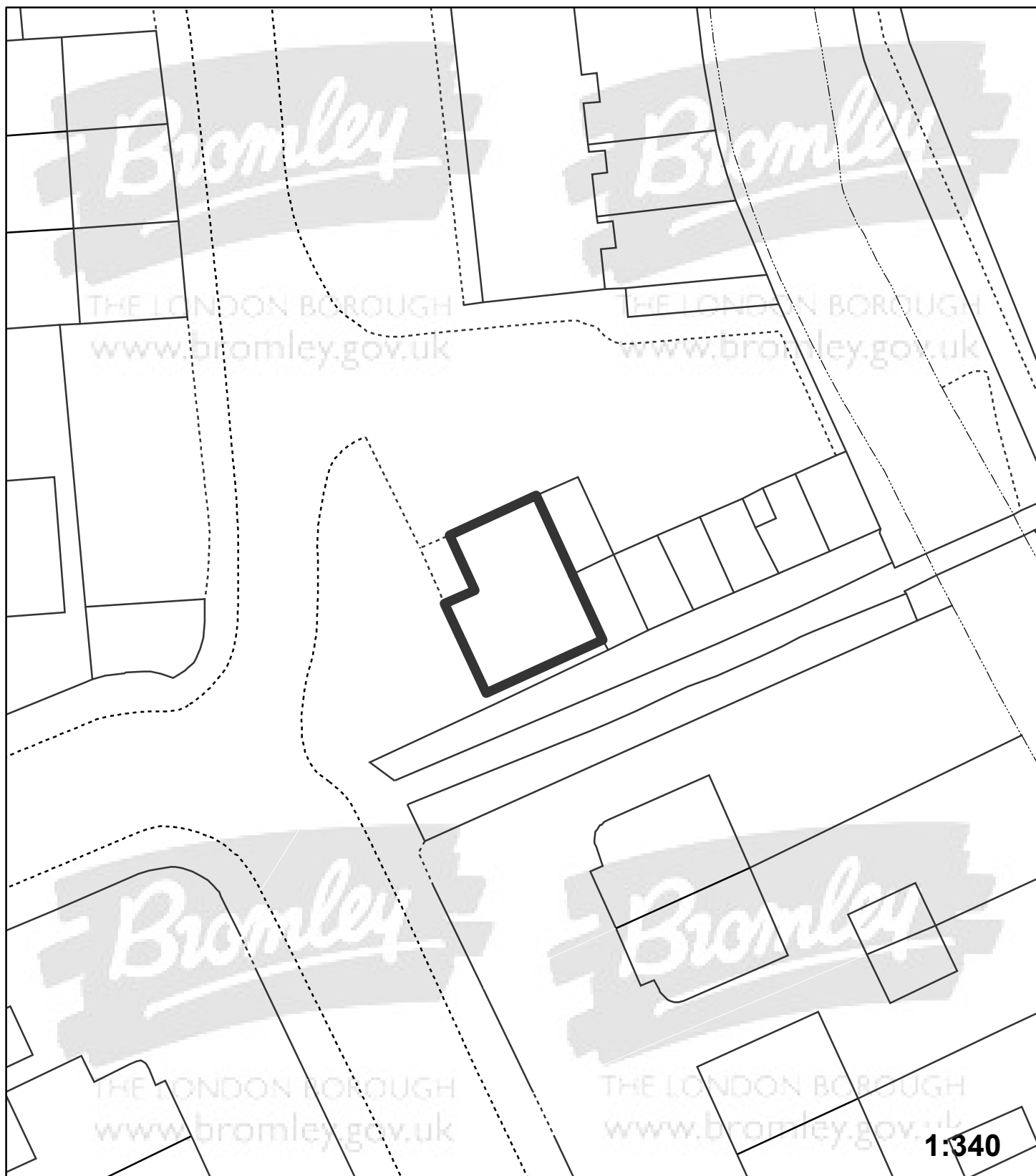
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**Application:**15/01031/FULL1

**Address:** 2 Riverpark Gardens Bromley BR2 0BQ

**Proposal:** Demolition of a derelict shop with disused flat above and 3no. unused garages to create 8 new apartments, associated hard and soft landscaping and the relocation of an electricity sub-station



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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 15/02330/FULL1

**Ward:**  
**Bromley Town**

**Address :** 7 Oaklands Road Bromley BR1 3SJ

**OS Grid Ref:** E: 539535 N: 170122

**Applicant :** London And District Housing LTD

**Objections :** YES

### **Description of Development:**

Retrospective application for retention of decking to rear garden

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Open Space Deficiency  
Smoke Control SCA 3

### **Proposal**

Retrospective planning permission is being sought for retention of decking to the rear garden.

Retrospective planning permission is being sought for a raised timber deck to the rear of the property. The decking has been built to the side of the property and measures 7m (width) x 12m (depth) x 3m (height). The decking was erected in May 2015.

The application site is a three storey semi-detached property located on the southern side of Oaklands Road, Bromley.

### **Consultations**

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

- o The structure results in a grossly elevated structure that over sees our property.
- o It results in privacy issues for No.2 & 4a Bromley Avenue
- o As properties in Bromley Avenue have never previously been overlooked, it is felt that we have a situation where we have no privacy, which is rather unfair that the greed of a developer has potential to reduce our quality of life.

- o Limits our view of the rear of our property
- o The 6ft fence has no effect due to the way that the structure was constructed and elevated
- o The structure should have been erected from the lowest point thus avoiding the privacy of both parties.
- o Request that the structure be removed and re-erected from the lowest point, removing the excess ground that results in an elevated structure.

## **Planning Considerations**

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

BE1 Design of New Development  
H8 Residential Extensions

## **Planning History**

Under planning application reference: 98/01362 planning permission was granted for conversion from multiple occupation into 5 two bedroom and 2 one bedroom flats.

Under planning application reference: 98/00062 planning permission was granted for use of premises at 7 Oakland's Rd, Bromley as eleven bedsit units within Sections 7a and 7b of the property and one flat within Section 7 of the property.

## **Conclusions**

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

The application property experiences a noticeable change in level at the rear of the property, and the decking has been constructed to allow access down from the main house. Photographs submitted by the agent, which form part of the application, show that the height of the decking has been built to a height of 3m.

It is also noted that fencing has been erected by the applicant at the shared boundary to mitigate the impact of the decking to some extent. The fencing does not form part application but may be within the tolerances of Permitted Development by virtue of its height (2m from the original ground level).

Documentation submitted as part of the application refers to concerns from the neighbouring properties (No.2 & 4a Bromley Avenue) regarding potential overlooking into that garden resulting from the height of the decking. It is suggested by the neighbours that the structure should have been erected from the lowest point thus avoiding the privacy of both parties.

Due to the topography of the garden, the original ground level is not easily identifiable, and the level changes throughout the garden. It is noted that the elevated position of the decking allows wider views of the adjoining gardens; however the existing trees do offer considerable screening and are not dramatically different from the views that are available from the rear garden of the property in general, or its first and second floor windows. Furthermore the gardens of No.2 & 4a are quite long (between 24-30m) and the main area that will be effected is confined to the rear part only.

The view when standing on the corner of the decking facing towards No.4 & 4a will allow sight of part of the rear gardens of the neighbouring properties, however it is considered that the users of the terrace are more likely to be interested in utilising the existing seating areas which is located in the middle of the decking. Photographs contained on the file show that only the fencing can be seen when viewed from the rear gardens of Bromley Avenue. The fence is also surrounded by evergreen trees and foliage.

On balance, the decking is not considered to result in a unduly harmful impact on the neighbouring properties. The raised area closest to neighbouring properties is not considered to result in an unacceptable degree of overlooking or harm to neighbouring amenities, particularly in light of the existing tree coverage which exists between No.2 & 4a Bromley Avenue.

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

## **RECOMMENDATION: PERMISSION**

### **Subject to the following conditions:**

- 1 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.**

- 2 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.**

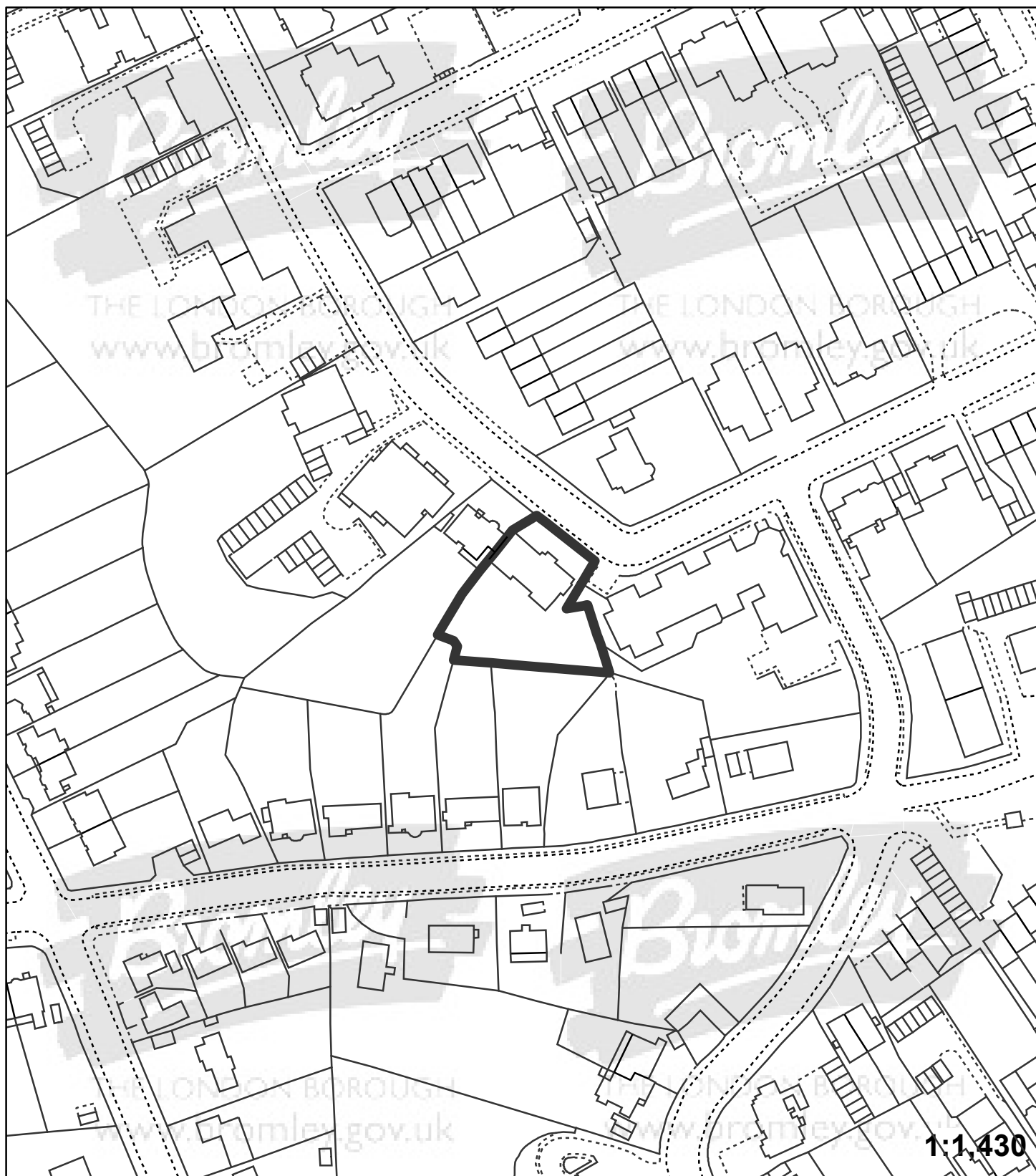
**Reason: In order to comply with Policy BE1 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.**

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**Application:**15/02330/FULL1

**Address:** 7 Oaklands Road Bromley BR1 3SJ

**Proposal:** Retrospective application for retention of decking to rear garden



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## **SECTION '2' – Applications meriting special consideration**

**Application No :** 15/03407/FULL1

**Ward:**  
**Chislehurst**

**Address :** Builders Yard Rear Of 1 To 4 Albany  
Road Chislehurst BR7 6BG

**OS Grid Ref:** E: 543784 N: 171032

**Applicant :** Mr Moyce

**Objections :** YES

### **Description of Development:**

Construction of a two bedroom single storey dwelling with associated car parking and landscaping

Key designations:

Conservation Area: Chislehurst  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Smoke Control SCA 16

### **Proposal**

The application was heard by Plans-Sub Committee 2 on 19th November 2015 and was deferred for the following reasons:

- To allow the applicant to review the developed area with the application site
- To consider whether it would be possible to agree sole vehicular access into the site from the South
- To allow the Council 's Highways team to review the application with particular regard to the access on Albany Road

The Applicant's Agent has submitted further information to clarify the issues raised above. It is stated that the entrance from Albany Road has a long established vehicular use to and from the former builder's year, the car garage and the rear garages serving other properties in the High Street. There is also pedestrian access to the rear of some of the properties in Albany Road although it is stated that this is prescriptive rather than a formal right of way. The land registry title plan has also been provided by applicant's solicitors that shows the boundary of the site.

The Council's Highways Officer states that although the access is not ideal, it is existing and in use by the garage and others.

The information submitted can be viewed on the planning file.

The previous report is repeated below:

Planning permission is sought for the construction of a detached single storey two bedroom dwelling with associated car parking and landscaping. The proposed dwelling would be sited fronting the rear of the properties in the High Street, with the flank and rear elevations facing the rear gardens of properties in Albany road. A minimum of 500mm would be provided between the northern and the boundary with Albany Road, and a separation of 2.2m to the south of the site (adjacent to the public carpark). The proposed dwelling would measure approximately 5.4m in height to the top of the ridge. Rooflights are proposed to the side roof slopes to serve an en-suite bathroom and the kitchen.

### **Location**

The application site is located to the south of properties in Albany Road and to the east of properties facing onto the High Street. The proposed building will be accessed via Albany Road and access road to the rear of the High Street. To the south of the site is a public Pay and Display car park. The southern and western boundaries of the site are adjacent to the Chislehurst Conservation Area.

### **Consultations**

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

- access from Albany Road is very tight with an almost blind junction with Albany Road
- better access from the Right of Way to the rear of Burlington Parade
- site should be served from the southern right of way in the interests of road safety- planning condition should be added
- development seeks a portion of the existing Right of Way from Albany Road. This is a shared Right of Way and Applicant has no legal right
- detrimental to adjoining owners
- condition should be added that the site development. Including fencing and landscaping should be contained within the original site boundary of the yard
- over provision of car parking
- planning condition should remove all permitted development rights
- will restrict use of the access road to the parade of shops
- new property will be accessed via the access road
- Applicant has built several brick walls and gate posts and recycling shed on service road
- solicitors are in contact with developers solicitors
- historically there was no access to the builders yard to the rear of 1-4 Albany Road
- single storey dwelling represents an overdevelopment of the site
- minimal space to boundaries
- private amenity space is inadequate

- similar to previously refused scheme
- boundary fence has already been moved by the Applicant
- building and use of materials will impact on Conservation Area
- impact upon Chislehurst as a whole
- building is ugly in comparison to the 100 year old terraces
- highway and pedestrian safety from exiting site
- add pollution, noise and disturbance
- overdevelopment of the site
- out of character with the road and the area

#### Comments from Consultees

Thames Water- No objections raised in principle subject to suggested informatives

Highways- Site is within a low (2) PTAL area. Site outline is different from the approved scheme, both access roads are private and subject to private right of way. No objections raised in principle to the application

Environmental Health (Pollution)- No objections raised subject to suggested informative

Drainage- no objections subject to standard conditions

#### **Planning Considerations**

Policy BE1- Design of New Development  
 BE13- Development Adjacent to Conservation Areas  
 Policy H7- Housing Density and Design  
 Policy NE7- Development and Trees  
 Policy T3- Parking  
 Policy T18- Road Safety

London Plan:

3.3 Increasing housing supply  
 3.4 Optimising housing potential  
 3.5 Quality and design of housing developments  
 3.8 Housing choice  
 3.9 Mixed and balanced communities  
 5.3 Sustainable Design and Construction  
 7.4 Local Character

The Mayor's Supplementary Planning Guidance: Housing

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

#### **Planning History**

The planning history of the site is summarised as follows:

- 15/02207- Planning permission refused for Construction of 2 semi-detached single storey dwelling with accommodation in roofspace with associated car parking and landscaping for the following reasons:

"1. The proposed dwellings to the rear of Nos. 1-5 Albany Road would, by reason of their size, site coverage and close proximity to neighbouring residential properties, result in a cramped overdevelopment of the site harmful to the character and appearance of the area and would have a seriously detrimental impact on the amenities of adjoining residents by reason of loss of light, privacy and outlook, thereby contrary to Policy BE1, BE11, H7 and H9 of the Unitary Development Plan.

2. The proposed car parking layout is inadequate in design, and as such, the proposals would be lacking in adequate parking provision to meet the needs of the development and likely to result in an increase in demand on on-street car parking thereby contrary to Policy T3 of the Unitary Development Plan."

- 14/04838- Planning permission granted for Demolition of existing buildings and erection of a single storey building comprising 1 one bedroom dwelling and offices (Bromley and Chislehurst Conservative Party)
- 11/00172- Extension of time limit for implementation of permission reference
- 07/04023 for Single storey detached office building with cycle store was granted permission
- 07/04023- Planning permission granted for a single storey detached office building with cycle store
- 06/00640 and 06/00643- Planning permission and conservation area consent refused for the demolition of existing buildings rear of 68-70 and a 2 two storey detached office units B1 at the rear of 68-70 High Street Chislehurst and 1 Albany Road Chislehurst with 5 car parking spaces
- 83/01715- planning permission granted for the continued use as builders storage yard and retention storage building

## 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 principle of developing the site has been established by the granting of planning permission under ref. 14/04838 for a 1 one bedroom dwelling and an office. Most recently, however, Members will note that planning permission was more recently refused under delegated authority for 2 semi-detached dwellings at the site. The current application seeks to overcome the previous grounds of refusal by reducing the proposed footprint of the building, reducing the number of dwelling proposed, increasing the separation distances of the proposed dwelling to the adjoining neighbours and by deleting the previously proposed roof accommodation.

The height of the proposed building is higher (approximately 1.4m) when compared to the most recently approved scheme (ref. 14/04838) , but the overall size of the currently proposed building is substantially reduced allowing for an increased amount of hard and soft landscaping at the site. Members may consider the scale of the building to be acceptable in this location.

Members will note that the proposed building is similar in design to the approved scheme (ref. 14/04838). Given the location of the site adjacent to the Chislehurst Conservation Area and that the building would be visible from a number of properties along Albany Road and by users of the car park, a high level of design quality is sought and Members may consider that the design of the building acceptable in this case.

With regards to the proposed residential unit, The London Plan paragraph 3.5, details outlined in Table 3.3 and the Mayor's Housing SPG outline the minimum requirements for new dwellings. The Mayor's housing SPG requires a minimum internal area for a 2 bedroom 4 person (flat) of 50sqm, or a 2 bedroom 4 person two storey house of 83sqm, with the proposed dwelling measuring approximately 124sqm. The proposed bedrooms also meet the minimum requirement of 12sqm for double bedrooms. The building retains an improved level of separation distance to the adjoining boundaries, and a rear garden measuring 5m in depth is proposed. On balance Members may consider that the proposed dwelling would provide a satisfactory living environment for future occupiers.

The Council's Highways officer does not object to the principle of the scheme on the basis of the parking proposed and Members may consider this adequate to overcome the previous second reason for refusal under ref. 15/02207. In terms of the proposed access to the site, there have been several concerns raised by local residents regarding the private right of way however this is primarily a private legal matter.

With regards to the impact of the building upon the residential amenities of nearby neighbours, Members may consider that the proposed building is unlikely to result in a more significant impact when compared to the previous permitted application (ref. 14/04838) and given the changes that have been made to the scheme, notably the increased separation to the neighbouring boundaries and the removal of the roof extension, on this basis the current proposal is recommended for permission to be granted.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) 15/03407 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** Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works 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

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

**Reason:**In order to comply with Policies H7 and BE1 of the Unitary Development Plan and to prevent overdevelopment of the site.

**5** 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.

**6** 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.

**7** Details of a surface water drainage system (including storage facilities where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved system shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

**Reason:** In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 4A.7 of The London 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](http://www.bromley.gov.uk/CIL)

**2** Before works commence, the Applicant is advised to contact the Pollution Team of Environmental Health and Trading Standards

regarding compliance with the Control of Pollution Act 1974 and/or the Environmental Protection Act 1990. The Applicant should also ensure compliance with the Control of Pollution and Noise from Demolition and Construction Sites of Code of Practice 2008 which is available on the Bromley website.

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

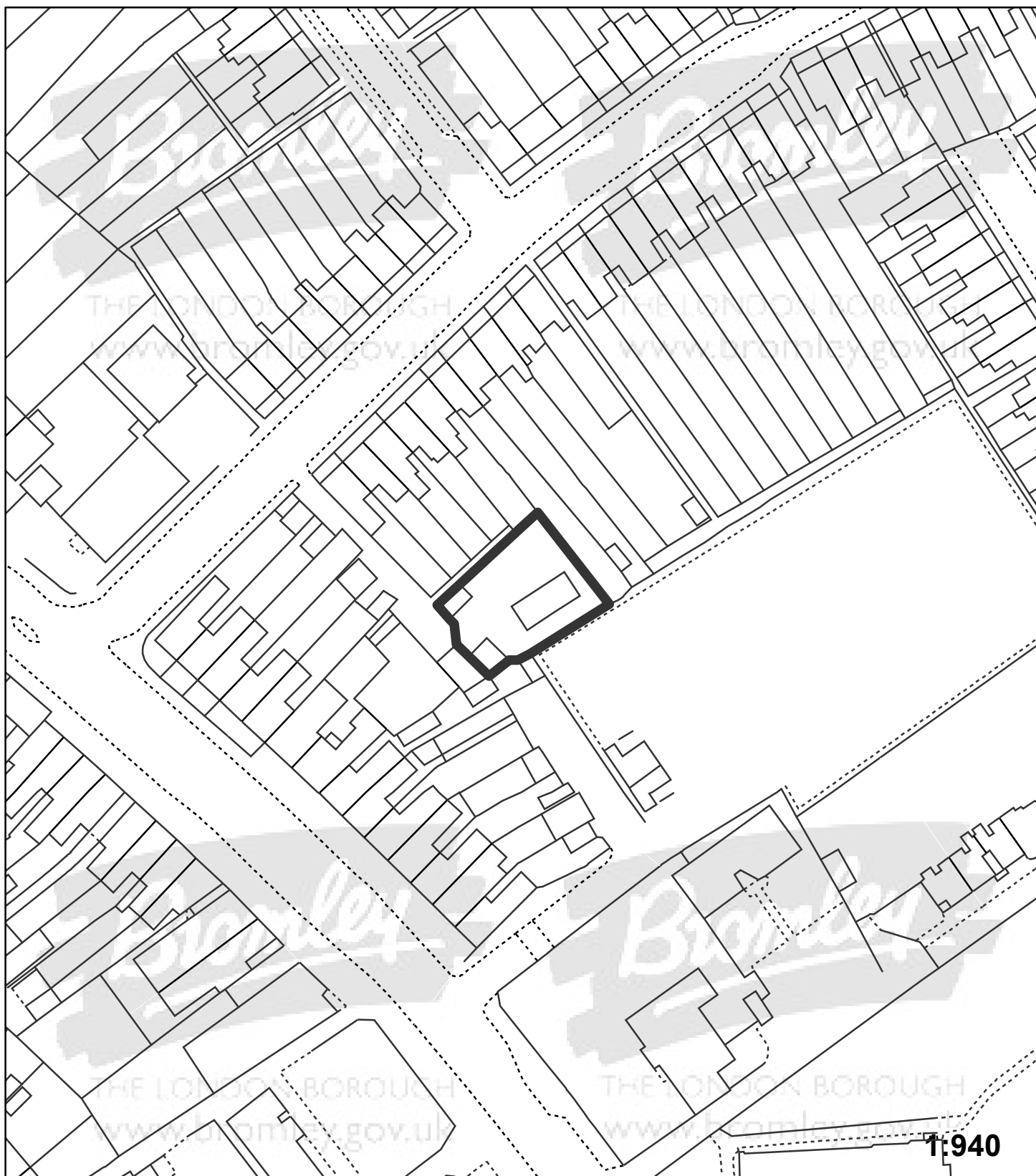
**(Reason)** To ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.



**Application:**15/03407/FULL1

**Address:** Builders Yard Rear Of 1 To 4 Albany Road Chislehurst BR7 6BG

**Proposal:** Construction of a two bedroom single storey dwelling with associated car 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 '2' – Applications meriting special consideration**

**Application No :** 15/03982/FULL1

**Ward:**  
**Bromley Town**

**Address :** 7 Beckenham Lane Bromley BR2 0DA

**OS Grid Ref:** E: 539798 N: 169404

**Applicant :** Mr M Hartley

**Objections :** YES

### **Description of Development:**

Demolition of existing building and construction of replacement two storey building with additional accommodation within roof space comprising 9 residential flats (7x2 bedroom and 2x3 bedroom), bin store, cycle store, 13 car parking spaces, alterations to existing vehicular/pedestrian access onto Beckenham Lane, front boundary and associated landscaping at Nos 7-9 Beckenham Lane

Key designations:

Conservation Area: Bromley Town Centre  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Bromley Town Centre Area Buffer 200m  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
London Distributor Roads  
Smoke Control SCA 3  
Urban Open Space

### **Proposal**

Planning permission is sought for the demolition of the existing building and construction of a replacement two storey building with additional accommodation within roof space comprising 9 residential flats (7x2 bedroom and 2x3 bedroom), bin store, cycle store, 13 car parking spaces, alterations to existing vehicular/pedestrian access onto Beckenham Lane, front boundary and associated landscaping at Nos 7-9 Beckenham Lane

The proposed building would follow roughly the same front building line as the existing pair of semi-detached properties and would have a width of 20.2m at its maximum extents. To the rear the building would project further back than the existing with a staggered rear building line fluctuating between 9.65m and 16m. The building has an eaves height of 6.25m and ridge height of 9.02m and will be set below the road level at ground floor. A distance of approximately 1.9m minimum side space would be retained to the eastern flank boundary of the site increasing to 3.5m on upper floors and approximately 3.3m minimum side space would be retained to the western flank boundary of the site. Balconies and Juliet

balconies are proposed at the rear first and second floor levels. A large communal landscaped garden is provided to the rear curtilage.

Materials are indicated as red clay brickwork above a black stone plinth with a natural slate roof finish and GRP lead finish to flat roof areas. Windows and doors to be powder coated aluminium frames.

The front curtilage will be hard landscaped for 13 parking spaces with some soft areas of planting to the peripheral areas. A bin store will be located adjacent to eastern boundary with Glebe Knoll. A single vehicle access utilising the existing western side access onto Beckenham Lane is proposed.

## **Location**

The site is located on the south side of Beckenham Lane and currently comprises a pair of two storey semi-detached dwellings, one of which has been extended at its first floor side.

The application site falls within the Bromley Town Centre Conservation Area. Pixfield Court, to the west of the application site is a statutory listed building (Grade II) divided into flats. Glebe Knoll, to the east is a locally listed building with a new flatted development in its grounds.

Beckenham Lane slopes upwards from west to east putting the application site at a higher level than Pixfield Court. The surrounding area contains mainly residential development and a primary school.

The current building on the application site is situated prominently further forward than Pixfield Court and Glebe Knoll. Beyond Pixfield Court is a modern terrace of houses. The site includes extensive external amenity space at the rear which is mainly laid to lawn and densely overgrown in some places with a considerable number of trees mostly located around the perimeter of the site. There are two existing vehicular accesses from Beckenham Lane.

## **Consultations**

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

- o Poor siting of existing building and consequent replacement of greater mass will have seriously negative impact on setting of three heritage assets - Grade II Listed Pixfield Court, Locally Listed Glebe Knoll and the character and appearance of the conservation area.
- o In appropriate to be built between two historic buildings.
- o Concerns regarding the effect by increased traffic on a dangerous and busy section of Beckenham Lane.
- o Building more homes at this location will increase congestion.
- o Too large, unattractive and does not contribute positively to the area and inappropriate in a conservation area.
- o Size and angle of development is unacceptable.

- o Another block of flats will have a negative impact on the area.
- o Still feel the building is too big for the plot.
- o Adjacent property will be overlooked by the flats with loss of privacy.
- o Two story building with three storeys of living space is misleading.
- o Overdevelopment.
- o Situated between 2 listed buildings in a conservation area.
- o Setting of listed buildings should be protected.
- o Bulky, unattractive and dominant design.
- o Concerns regarding invasive and long period of construction.
- o Negative impact on outlook, privacy and natural light.
- o Footprint of the building is closer to the boundary of Pixfield Court at upper levels.
- o Trees on boundary with Pixfield Court should be retained.
- o 13 car park spaces is not enough and will cause further congestion and parking issues in both Pixfield Court and Beckenham Lane.
- o Proposal will overshadow and reduce lighting and sun light to Pixfield Court
- o Proximity of new block is way too close to adjacent properties and extended much closer than existing building.
- o Too many character buildings demolished for inferior rebuilds.
- o Anything larger than the existing building will have a negative effect on the historical setting of adjacent buildings.

A petition against the development containing approximately 110 signatures was also received.

### **Consultees**

Advisory Panel for Conservation Areas:

Objection. The existing property is poorly sited in relation to the neighbouring listed buildings and any replacement should not exceed the volume of the existing building in any direction.

Heritage and Urban Design:

An application refused under 04/04718/FULL1 sought to demolish and replace this building, this decision was appealed. The two main findings of the Inspector were that the existing building could be demolished as it made a neutral contribution to the area but that it itself is harmful to the setting of adjacent listed building Pixfield Court and locally listed building Glebe Knoll, primarily because it sits well in advance of both of these buildings. The Inspector goes on to say that any larger building would only increase this harm. A larger building would affect to some degree views of, and from, the listed buildings.

I see no real reason why this assessment would now be seen differently and in fact it is likely that the setting of heritage assets has increased significance under the NPPF , for example para 129 and 132. I appreciate the applicant has significantly reduced the scale of the structure but it nonetheless conflicts with the inspectors view.

I would conclude therefore that harm would be caused to the setting of both Pixfield Court and Glebe Knoll, and therefore also to this part of the CA. This harm would be caused by the increase in volume over the existing house and I would see this harm as "less than substantial" as per the NPPF. Therefore para 134 would require a public benefit to outweigh this harm but I do not see that this would be provided other than the provision of further housing which would be modest in real terms. Therefore I feel this proposal should be resisted.

#### Technical Highways:

The applicant had submitted a Road Safety Audit Stage 1 with the previous application 14/02967, which was considered satisfactory and still holds good for this application. The applicant has kept the same number of units but reduced the sizes so there are 7 x 2 bedroom and 2 x 3 bedroom units which is better.

#### Drainage:

Details of a surface water drainage scheme are required. A condition is suggested in this regard.

#### Environmental Health - Housing:

In summary some flats are below recommended size for bedrooms; combined living and kitchen space is not desirable due to risk of accidents; lack of reasonable outlook from some rooms; lack of adequate natural ventilation

#### Environmental Health - Pollution:

No objections in principle.

#### Bromley Town Centre Team:

The development proposed is situated just outside the periphery of the town centre boundary, its location and scale will not to have a significant impact on AAP current policies. The Town Centre Development team therefore, have no objections to this scheme.

#### Crime Prevention Design Officer:

No concerns raised. Project should be able to achieve Secure by Design requirements by using accredited products.

#### Thames Water:

No objections raised.

### **Planning Considerations**

The most relevant London Plan policies are as follows:

Policy 3.3 Increasing Housing Supply.  
Policy 3.4 Optimising Housing Potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.7 Renewable energy  
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 5.21 Contaminated land  
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 7.8 Heritage assets and archaeology  
Policy 7.14 Improving Air Quality  
Policy 7.17 Metropolitan Open Land  
Policy 7.19 Biodiversity and access to nature conservation  
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

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

BE1 Design of New Development  
BE7 Railings, Boundary Walls and Other Means of Enclosure  
BE8 Statutory Listed Buildings  
BE10 Locally Listed Buildings  
BE11 Conservation Areas  
BE12 Demolition in Conservation Areas  
BE14 Trees in Conservation Areas  
H1 Housing Supply  
H7 Housing Density and Design  
H9 Side Space

NE7 Development and Trees  
T3 Parking  
T7 Cyclists  
T18 Road Safety

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

SPG1 General Design Principles.  
SPG2 Residential Design Guidance.  
SPG: Bromley Town Centre Conservation Area.

#### Planning History

87/02304/FUL: First floor side extension. Approved 09.09.1987.

03/02890/OUT: Demolition of existing dwellings and erection of a three/four storey block comprising 11 two bedroom and 1 three bedroom flats, with new vehicular access and 11 car parking spaces at 7 and 9 Beckenham Lane OUTLINE. Refused 19.02.2004

04/02078/OUT: Demolition of existing dwellings and erection of a two/three storey building at front comprising 7 two bedroom flats and a three storey building at rear comprising 3 two bedroom flats, with new vehicular access and 14 car parking spaces at 7 & 9 Beckenham Lane (OUTLINE). Refused 12.08.2004.

04/04718/FULL1: Demolition of existing dwellings and erection of a two/three/four storey building comprising 9 two bedroom and 1 three bedroom flats with vehicular access and 12 car parking spaces at 7 & 9 Beckenham Lane. Refused 03.02.2005

The refusal reasons related to an overdevelopment of the site by reason of the amount of site coverage by buildings and hard surfaces and by the height and bulk of the proposed block of flats, which would harm the character and appearance of this part of the Bromley Town Centre Conservation Area. The proposal was also considered to be detrimental to the character and appearance of the adjacent Listed Buildings and their settings and visually intrusive when seen from neighbouring properties.

A subsequent Appeal was refused on 7/7/2006. The main considerations in the appeal were the effect on (i) the character and appearance of the Bromley Town Conservation Area; (ii) the setting of the adjacent listed buildings and (iii) the living conditions of occupiers of neighbouring buildings.

14/02967/FULL1: Demolition of existing building and replacement three storey building comprising 9 residential flats (3x2 bedroom and 6x3 bedroom), bin store, cycle store, 13 car parking spaces with alterations to existing vehicular/pedestrian access onto Beckenham Lane and front boundary wall max height 2 metres at Nos. 7-9 Beckenham Lane. Refused 29.01.2015



The refusal reasons related to the scale, height and bulk appearing cramped, obtrusive and detrimental to the character and appearance of the Bromley Town Centre Conservation Area. The proposal was also considered to be detrimental to the character and appearance of Pixfield Court which is a Grade II Listed Building and Glebe Knoll which is a locally listed building and harmful to their settings. The proposal would also be overdominant and detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of visual impact and loss of prospect in view of its size and depth of rearward projection. Finally, the proposed flats, by reason of inadequate space standards, room layouts, a poor level of outlook and insufficient information to demonstrate how they would meet the changing needs of occupiers over their lifetimes, provided a substandard form of accommodation, prejudicial to the functionality of the proposed dwellings and detrimental to the amenity of their future occupiers.

## **Conclusions**

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

- o Principle of Development
- o Design, conservation and the effect to the setting of locally listed and listed buildings
- o Standard of Residential Accommodation
- o Highways and Traffic Issues
- o Impact on Adjoining Properties
- o Sustainability and Energy
- o Trees and Landscaping

### Principle of Development

Housing is a priority use for all London Boroughs. Policy 3.3 Increasing housing supply, Policy 3.4 Optimising housing potential and Policy 3.8 Housing choice in the London Plan (2015) generally encourage the provision of redevelopment in previously developed residential areas provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space.

The National Planning Policy Framework (NPPF) states in Paragraph 49 that housing applications should be considered in the context of the presumption in favour of sustainable development.

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

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

Policy H7 of the UDP advises that new housing developments will be expected to meet all of the following criteria in respect of; density; a mix of housing types and sizes, or provides house types to address a local shortage; the site layout, buildings and space about buildings are designed to a high quality and recognise as well as complement the qualities of the surrounding areas; off street parking is provided; the layout is designed to give priority to pedestrians and cyclists over the movement and parking of vehicles; and security and crime prevention measures are included in the design and layout of buildings and public areas.

Residential dwellings surround the site lay to the north, south and west of the site with open recreational land to the rear designated as Urban Open Space. The site is currently developed for a less dense residential use. Therefore, in this location the Council will consider residential infill development provided that it is designed to complement the character of surrounding developments, the design and layout make suitable residential accommodation, and it provides for garden and amenity space. Any adverse impact on neighbouring amenity, conservation and historic issues, biodiversity or open space will need to be addressed. Therefore the provision of the new flatted dwelling units on the land is acceptable in principle subject to an assessment of the impact of the proposal on the appearance/character of the surrounding area, the residential amenity of adjoining and future residential occupiers of the scheme, car parking and traffic implications, sustainable design and energy, community safety and refuse arrangements.

### Density

The density of the proposal would be 53 units per hectare (u/ha). Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 3 in an urban area as 45-120 u/ha.

Given, the density of the proposal is within the guided density criteria the amount of development on site is considered suitable in principle at this location.

### Design, Siting and Layout.

Policies 3.4 and 3.5 of the Further Alterations to the London Plan (March 2015) (FALP) reflect the same principles. Policy 3.4 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range. This reflects paragraph 58 of the National Planning Policy Framework, which requires development to respond to local character and context and optimise the potential of sites.

Policy BE1 and H7 of the UDP set out a number of criteria for the design of new development. With regard to local character and appearance development should be imaginative and attractive to look at, should complement the scale, form, layout

and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

Policy H9 requires that new residential development for a proposal of two or more storeys in height a minimum of 1m side space from the side boundary is maintained and where higher standards of separation already exist within residential areas. Proposals will be expected to provide a more generous side space.

Policy BE11 states that in order to preserve or enhance the character or appearance of conservation areas, a proposal for new development within a conservation area will be expected to respect or complement the layout, scale, form and materials of existing buildings and spaces and incorporate in the design existing landscape or other features that contribute to the character, appearance or historic value of the area; and ensure that the level of activity, traffic, parking services or noise generated by the proposal will not detract from the character or appearance of the area.

Policy BE8 details that applications for development involving the setting of a listed building will be permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting.

The application site occupies a prominent location on a sharp bend in Beckenham Lane. In previous submissions as detailed above, the principle of a flatted development in this location or to the contemporary design of the building when taken in isolation was considered acceptable. However, given the area's conservation status and its location in relation to listed and locally listed buildings adjacent it was considered that the size and positioning of previous proposals failed to respect the historical setting of its neighbours and would appear overly large and harmful to the character and appearance of the conservation area.

The current proposal has been revised from the 2014 submission and substantially from the 2004 submission to reduce the mass and scale of the replacement building on site. It is noted that the height is now similar to the existing building, however the width is still significantly greater with a much closer proximity to the boundaries of the site.

On balance, it is not considered that the concerns of the 2004 Appeal Inspector have been overcome and the revised development proposal remains to neither preserve or enhance the character or appearance of the conservation area. In particular the building, despite being set back from the road, given its excessive width and scale would still appear unduly prominent within the street scene.

The 2004 Appeal Inspector also found that currently the siting of Nos 7 and 9 in front of the two listed and locally listed buildings, Pixfield Court and Glebe Knoll respectively, draws attention away from the listed buildings and adversely affects

their settings. It was further opined that the siting of a larger building in the same position as the existing houses would increase the detrimental effect on the settings of both Pixfield Court and Glebe Knoll.

The NPPF (2012) at paragraphs 129, 132 and 137 cumulatively address the issues of significance of heritage assets in relation to new proposals for development. Given this robust policy framework and conclusions of the 2004 Appeal prior to this, the current proposal is considered to result in a similar effect given its forward-siting, higher ground level, proximity to the boundary and overbearing façade facing Pixfield Court. This effect would remain to be exacerbated by the extra rearward projection of the development which although mitigated in part would protrude much further back than the existing pair of houses, particularly along the eastern side in close proximity to Glebe Knoll's entrance drive. Overall, this would remain to be harmful to the settings of both Pixfield Court and Glebe Knoll.

In terms of the design of the new building the elevations have been designed to have steps, gables, recesses and projections in order to provide visual interest and articulation to the elevation facades. While the design is only partly traditional in its format the approach is considered reflective of buildings in the locality by using a complimentary palette of materials and building design features. Therefore it is considered that the individual design approach of the building is a high quality design that will make a positive contribution to the streetscene and wider locality in this respect.

#### Standard of Residential Accommodation

Policy 3.5 of the London Plan (2015) Quality and Design of Housing Developments states the minimum internal floorspace required for residential units on the basis of the level of occupancy that could be reasonably expected within each unit.

The floor space size of each of the 9 units ranges between 62.3m<sup>2</sup> and up to 80.6m<sup>2</sup> respectively. Table 3.3 of the London Plan requires various sizes of internal areas in relation to the number of persons and bedrooms provided in each unit. On this basis, the floorspace provision for all of the units is compliant with the required standards and is considered acceptable.

The shape and room size in the proposed building is considered satisfactory. None of the rooms would have a particularly convoluted shape which would limit their specific use.

#### Amenity Space

In terms of amenity space, provision is provided for ground floor flats within an external raised terrace area to the rear of the building. At first and second floor balconies are provided for flats 4, 5, 7, and 8 at 4.5m<sup>2</sup> and 1.5m depth respectively. No external space is provided for flats 6 and 9. A large communal garden area is indicated to the rear to be landscaped with many of the mature trees retained. This will be for use by all residents and is accessed from a side gate. While it is noted that the provision for the balconies is below London Plan guideline standards in

respect of flats 6 and 9, the provision is broadly acceptable at this location given the large communal area provided.

### Highways and Car parking

Local residents have raised the issue of highway safety and are concerned that additional traffic generated by the development would result in a danger to road users, particularly given the site's location on a bend and the nearby primary school. The applicant has submitted a road safety audit stage 1 with the previous application which they have referenced in the submitted Combined Statement to the current application. The Council's Highway Officer has reviewed the current application and this is considered satisfactory subject to an appropriate visibility splay being provided. Thirteen spaces are to be provided on site which is considered satisfactory. Therefore, the proposal is considered acceptable from a highways safety perspective.

### Cycle parking

Cycle parking is required to be 1 space per studio and 1 bedroom flats and 2 spaces for all other dwellings. The applicant has not provided details of a location for cycle storage for the units. Further details in this regard would have been requested had permission been forthcoming otherwise.

### Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage for the units in the front curtilage accessed from Beckenham Lane. The location point is considered acceptable within close proximity of the highway.

### Impact on Adjoining Properties

Policy BE1 of the Unitary Development Plan states that development should respect the amenity of occupiers of neighbouring buildings and ensure they are not harmed by noise disturbance, inadequate daylight, sunlight, and privacy or overshadowing.

With regard to the amenities of occupiers of adjacent buildings, concerns have been raised from local residents over the visual impact from the flats at Pixfield Court as well as from Glebe Knoll. In previous schemes it was acknowledged that the outlook from some of the windows in Pixfield Court would change as there would be more built development within the curtilage of the site.

In the 2004 Appeal scheme, the Inspector concluded that given the separation distances to the neighbouring building, this would not have been unduly harmful. Furthermore, it was considered that views would be partly screened by the mature trees and shrubs on the boundary.

In the current proposal, further reduction of the building in terms of height, footprint and revised design are described by the applicant in the Design and Accesses

Statement to make the proposal no longer appear overly dominant in order to address the reason for refusal in the 2014 scheme. On balance, while it is noted that this improves the over dominance of the building to some extent, it is considered that while the overall rearward projection would be slightly less than previously proposed, the development, due to its staggered rear building line and increasing depth on the eastern side, would remain to appear cumbersome and would still detract from existing views from flats within Pixfield Court. Furthermore, it is not considered that tree and shrub planting would sufficiently overcome the harm incurred to neighbouring occupier's outlook.

With regard to concerns raised over loss of privacy arising from the proposed balconies and windows, given the angles between the two buildings, no significant overlooking into neighbouring flats at Pixfield Court is anticipated. With regard to Glebe Knoll and the new development in its grounds, these buildings are sited a minimum of around 20 metres from the proposed block and there is unlikely to be a significant impact on the amenities of these occupiers.

### Sustainability and Energy

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

The applicant has submitted a Sustainability Report and Energy Statement which outlines that it will be possible for the development to meet these objectives. This approach is welcomed.

The proposal includes roof mounted photovoltaic panels which the applicant says will generate a reduction in carbon emissions of between 38.7% and 59.7%. Details are also provided regarding the energy efficiency of the proposed building's fabric, internal fittings and appliances, however, limited details of sustainable construction methods are given. While the proposal does not therefore fully address the requirements of Policy 5.3 of the London Plan, the proposal for on-site renewables is noted and, on balance, the proposal is considered acceptable from a sustainable design perspective.

An informative is recommended with any approval to ensure that the development strives to achieve these objectives.

### Lifetime Homes

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

## Trees and Landscaping

An indicative landscaping layout has been submitted as shown on the proposed site plan drawing that details the areas given over to garden for external amenity for future occupiers. No objections are raised in this regard. Notwithstanding this full detail of hard and soft landscaping and boundary treatment can be sought by condition as necessary.

The application site is within a conservation area and due consideration should be weighted to the impact of the development on trees in and around the site. The plan proposes the retention of the majority of existing trees which are located mainly along the site perimeter including principal trees (T31, T32 and T33). Eleven trees are shown to be removed, however, these are not considered to be of significant amenity value. Some trees along the site's frontage are recommended for removal within the Arboricultural Report and this is considered acceptable in favour of replacement tree planting within a future comprehensive landscaping scheme.

Concerns are raised as to the potential impact on a group of mature sycamore forming a single canopy and located within Pixfield Court and whether they can be satisfactorily retained pre and post construction. Any future grant of planning consent should therefore include a condition requiring a schedule of pre-construction tree pruning/tree removal.

## Community Infrastructure Levy

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

## Summary

Taking into account the issues discussed above it is considered that the development proposed would fail to either preserve or enhance the character or appearance of the conservation area, would be harmful to the settings of the adjacent listed buildings and would detract from views from Pixfield Court, harmful to the amenities of its occupiers.

## **RECOMMENDATION: APPLICATION BE REFUSED**

### **The reasons for refusal are:**

- 1 The proposed development by reason of its prominent siting, scale, massing, sub-standard spatial relationship to the existing and adjacent buildings in the locality in this prominent location, represents a cramped overdevelopment of the site which would appear detrimental to the character and appearance of the Bromley Town Centre Conservation Area and harmful to the visual amenities of the area contrary to Policies BE1, BE11, H7 and H9 of the Unitary Development Plan.**

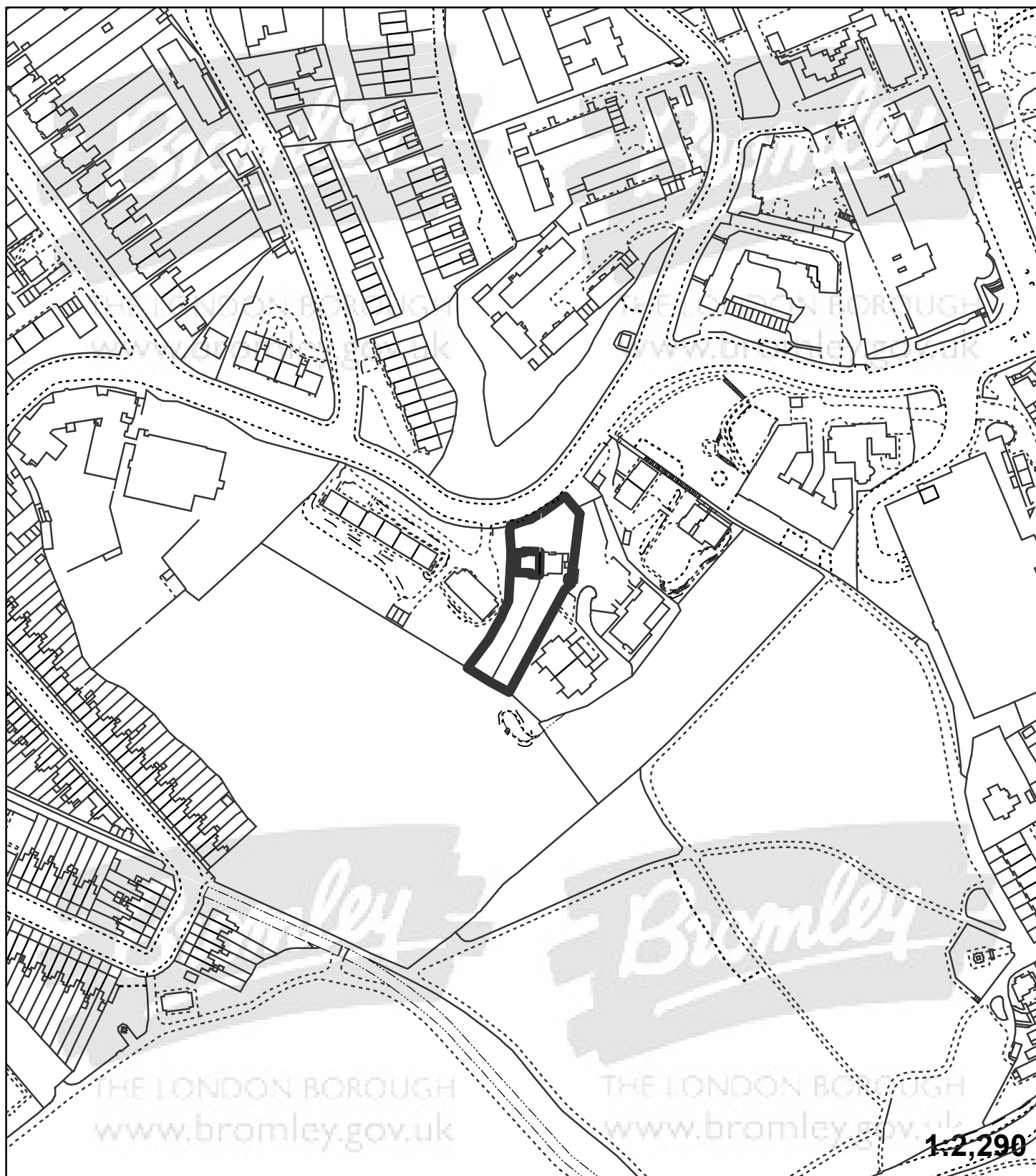
- 2 The proposed development would be detrimental to the character and appearance of Pixfield Court which is a Grade II Listed Building and Glebe Knoll which is a locally listed building and would be harmful to their settings, contrary to Policies BE8 and BE10 of the Unitary Development Plan.**
  
- 3 The proposed development would be over dominant and would be detrimental to the amenities that the occupiers of adjoining properties might reasonably expect to be able continue to enjoy by reason of visual impact and loss of prospect in view of its size, width and the depth of rearward projection, contrary to Policies BE1 and H7 of the Unitary Development Plan.**



**Application:**15/03982/FULL1

**Address:** 7 Beckenham Lane Bromley BR2 0DA

**Proposal:** Demolition of existing building and construction of replacement two storey building with additional accommodation within roof space comprising 9 residential flats (7x2 bedroom and 2x3 bedroom), bin store, cycle store, 13 car parking spaces, alterations to existing



"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 :** 15/04653/FULL1

**Ward:**  
**Cray Valley East**

**Address :** Rosedale Hockenden Lane Swanley  
BR8 7QN

**OS Grid Ref:** E: 549631 N: 169176

**Applicant :** Mr Robert Smith

**Objections : NO**

### **Description of Development:**

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.)

Key designations:

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

### **Proposal**

A 5 year temporary planning permission was granted on appeal in February 2010 (ref.08/02489) for the change of use of this area of land to the east of Vinsons Cottages for the stationing of residential caravans to provide 1 gypsy pitch, with associated works (hardstanding, fencing, septic tank and landscaping), but this has now expired. A permanent permission was also granted for the retention of a stable block consisting of 3 loose boxes and a store with associated paddock.

The current application has been submitted in order to continue the use of the land and retain the structures, other than the stable block which has a permanent permission. The application states that the use first commenced in September 2004, and that none of the structures permitted in 2010 have changed.

In support of the application, the applicant has submitted information regarding his son's educational needs, specifically his specialist speech and language provision.

### **Location**

This site is located on the southern side of Hockenden Lane, adjacent to Vinsons Cottages and opposite the junction with Cookham Road. It measures 0.15ha in area, and lies within the Green Belt.

## **Consultations**

No comments have been received from local residents to date. Any comments received will be reported verbally at the meeting.

## **Comments from Consultees**

The Council's Highway Engineer has commented that the proposals were previously granted on appeal for 5 years, and he is not aware that this has caused any impact on the highway, therefore, no objections are 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) Aug 2015 (updated from the March 2012 PPTS):

The PPTS requires Local authorities to set targets for pitch provision which address the assessed needs of travellers in their area. There is currently a need for 12 pitches in Bromley, comprising a need for 11 pitches currently on 5 existing unauthorised sites (including this single pitch site) and a single pitch requirement from the waiting list for the existing Council sites.

With regard to Local Plan policy development the updated PPTS is unchanged, with Policy E "Travellers in the Green Belt", as previously, enabling the limited alteration of defined Green Belt boundaries through the Local Plan in "exceptional circumstances" to meet a specific identified need for a traveller site.

PPTS Policy H sets the guidance for determining planning applications for traveller sites. Para 24 identifies relevant matters as 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

Paras 16 and 24 of the PPTS clarify that "Subject to the best interests of the child, personal circumstances and unmet need are unlikely to clearly outweigh harm to the Green Belt and any other harm so as to establish very special circumstances."

The glossary to the PPTS also provides guidance in respect of relevant matters to consider in determining whether persons are defined as "gypsies and travellers" for the purposes of planning policy. The revised definition continues to include those who have ceased to travel temporarily on grounds of their own or their family's or dependants' educational or health needs or old age, but excludes those who have ceased to travel permanently.

With regards to temporary planning permission Para 27 indicates that if a local planning authority cannot demonstrate an up-to-date five-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, but clarifies that this is not the case for certain designations, including Green Belt.

Emerging Local Plan:

In order to address the assessed need, 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 PPTS. The most recent consultation - the "Draft Allocations, Further Policies and Designations" document (September 2015) delineates two sites in Hockenden Lane as "Draft Traveller Site Allocations" (the other site at South View having recently been granted planning permission).

### **Planning History**

A 5-year temporary planning permission was granted on appeal in February 2010 (ref.08/02489) for the change of use of this land for the stationing of residential caravans to provide 1 gypsy pitch, whilst a permanent permission was granted for the retention of the stable block consisting of 3 loose boxes and a store.

The Inspector concluded that inappropriate development had taken place which reduced the openness of the Green Belt, led to encroachment into the countryside and failed to prevent urban sprawl. She found that the harm identified to the Green Belt by reason of inappropriateness was not sufficiently outweighed by other considerations to allow a permanent permission to be granted, but concluded that a temporary 5 year permission could be granted due to the significant unmet need for gypsy and traveller sites (which would not be resolved in the immediate short term), and the limited harm caused to the Green Belt by the temporary permission when compared with the significant harm that would be caused to the appellant's home and family life if they were forced to leave the site. For that reason, the

Inspector also limited the temporary permission to the applicant, Mr Robbie Smith, and his resident dependants. The temporary permission would enable the Council to bring forward allocated traveller sites.

The guidance around plan making subsequently changed with the simultaneous publication in March 2012 of the

- \* National Planning Policy Guidance (NPPG)
- \* Planning Policy for Traveller Sites (PPTS)

Once the 2010 temporary permission expired, an application (ref.15/00500) was made on the basis of the former appeal and the emerging Local Plan policy direction which indicated this as a location for a traveller site, however this application was refused at Plans Sub-Committee on 30th July 2015 as it was considered to be contrary to Green Belt policy in the absence of very special circumstances.

It should be noted that at a later Plans Sub-Committee on 27th August, Members granted permission for the continued use of a nearby site (South View) for the siting of 2 static mobile homes for residential use and 1 horse drawn wagon (ref.15/00602). This site had also been identified by the Council as a designated Travellers site within the draft Local Plan.

## **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 proposed allocation of this site as a Traveller site has not yet been adopted, and whilst the granting of permanent planning permission cannot remove the site from the Green Belt, the Council's view as set out in the consultation document is that "exceptional circumstances" exist to propose that this site should be allocated as a traveller site inset within the Green Belt through the Local Plan process. NPPF para 216 advises that decision-takers may give weight to relevant policies in emerging plans from the day of publication subject to the stage of preparation, the extent to which there are unresolved objections and the degree of consistency of the policies to the policies in the Framework.

The applicant has supplied information relating to the special educational needs of his son, and whilst the revised PPTS advises that personal circumstances and unmet need are unlikely to clearly outweigh harm so as to establish very special circumstances, it clarifies that this is "subject to the best interests of the child".

The need for pitches has been robustly assessed and indicates an outstanding requirement. The lack of alternative accommodation for the applicants is a relevant consideration and whilst the PPTS advises that unmet need would be unlikely to outweigh harm, it specifically references the best interests of the child.

In this circumstance, where the Council proposes to allocate the site through the Local Plan, and the applicant's child is in school and receiving specialist education support, very special circumstances are considered to exist that outweigh the harm to the Green Belt due to its inappropriateness. Furthermore, 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 within a small residential enclave, 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(s) set out in the Planning History section above, excluding exempt information.

#### **RECOMMENDATION: PERMISSION**

##### **Subject to the following conditions:**

- 1 No more than 2 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 (2015)**

- 2 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 (2015)**

- 3 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 (2015)**

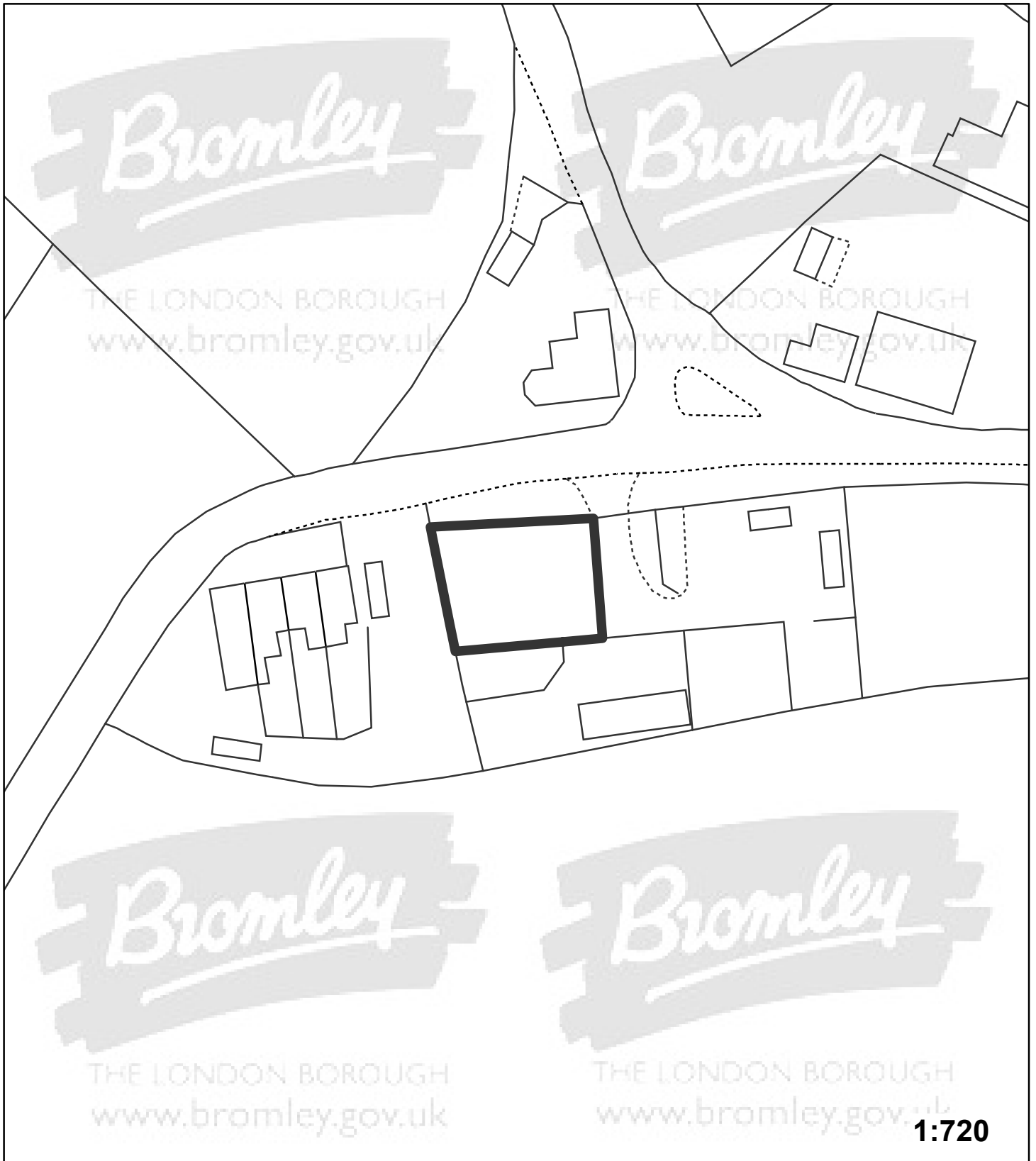
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**Application:**15/04653/FULL1

**Address:** Rosedale Hockenden Lane Swanley BR8 7QN

**Proposal:** 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



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

**Application No :** 15/02562/RECON

**Ward:**  
Chelsfield And Pratts  
Bottom

**Address :** Brinds Well Day Nursery Hawstead  
Lane Orpington BR6 7PH

**OS Grid Ref:** E: 548958 N: 164211

**Applicant :** Childbase Partnership Ltd

**Objections :** YES

### **Description of Development:**

Variation of conditions 15 and 16 of permission ref.10/02031 granted for detached single storey nursery building with associated play areas, car parking, cycle parking and refuse store, in order to remove restriction on number of children and to allow part of the first floor to be used for staff room, playroom and gallery ancillary to day nursery use, and addition of dormers, rooflights and rear roof terrace with external staircase

Key designations:

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

### **Proposal**

Permission was granted in 2011 (ref.10/02031) for this single storey day nursery building subject to a number of conditions. Condition 15 limited the number of children attending the day nursery to 120 at any one time in order to protect the amenities of nearby properties, whilst condition 16 restricted the use of the roof space of the building to storage purposes incidental to the nursery only, and stipulated that no rooflights be installed within the roof slopes. The reason for imposing condition 16 was to prevent overdevelopment of the site, and to protect the style and character of the building.

Permission is now sought to vary condition 15 in order to allow an additional 18-21 babies to be accommodated, and to vary condition 16 in order to allow part of the first floor to be used as a staff room, play room and gallery ancillary to the day nursery use.

Part of the first floor is already being used as a staff room accessed from an internal staircase and open gallery area in contravention of condition 16, and it is proposed to extend the amount of first floor accommodation to provide a playroom,

with the two first floor wings remaining as attic storage areas. Two rear dormers and a total of 19 rooflights would be added to serve the first floor accommodation and storage areas.

It is also proposed to add a rear roof terrace between the two wings which would be accessed from an external staircase and would lead into the first floor staff room and playroom. The roof terrace would be used by a maximum of 8 babies under the age of one at any one time.

## **Location**

Brinds Well Day Nursery is located adjacent to Cannock House School and Browns School, and lies within the Green Belt. To the north-east of the site is a recent development of detached houses known as Home Farm. The nursery lies within the historic curtilage of Cannock House which is a Statutory Listed Building.

## **Consultations**

Nearby owners/occupiers were notified of the application and representations were received from residents in Home Farm which can be summarised as follows:

- \* increased traffic along narrow lane
- \* increase in children would result in increased noise
- \* a similar proposal was previously refused
- \* overlooking of dwelling and garden at No.1 Home Farm.

## **Comments from Consultees**

Highways consider that there would be sufficient spare capacity within the car park to accommodate the additional vehicles associated with the increase in the number of children attending the nursery, and no highway objections are therefore raised.

No objections are raised by Environmental Health who consider that the additional number of children proposed would not give rise to undue noise disturbance to neighbouring properties.

## **Planning Considerations**

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

BE1 Design of New Development  
G1 The Green Belt  
BE8 Statutory Listed Buildings  
T3 Parking  
C7 Educational & Pre-School Facilities

## **Planning History**

Permission was refused in February 2010 (ref.09/02078) for a part one/two storey replacement nursery building on the site on the following grounds:

- 1 The site is located within the Green Belt and this form of development is considered to be inappropriate and the Council sees no very special circumstances which might justify the grant of planning permission to a development which will result in a loss of openness, harm to the character and appearance of the Green Belt, contrary to Policy G1 of the Unitary Development Plan.
- 2 The proposed development would be detrimental to the amenities of the neighbouring residential properties particularly by means of noise and disturbance, contrary to Policy BE1 of the Unitary Development Plan.

Permission was subsequently granted in July 2011 (ref.10/02031) for a single storey replacement nursery building to which this application now relates.

## **Conclusions**

The main issues in this case are the impact of the proposed intensification of the use of the day nursery on the open character and visual amenities of the Green Belt, on the amenities of the occupants of nearby residential properties, and on parking provision at the site.

The proposals would not involve the extension of the building but would use existing first floor storage areas to provide additional accommodation, whilst roof dormers and rooflights would be added to provide the required levels of light. A roof terrace is also proposed accessed via an external staircase, but this would be located to the rear of the building between the two existing wings, and the rooflights and dormers would be confined to internal-facing roof slopes or to the rear elevation. The style and character of the building are not considered to be unduly affected, and the proposals are not therefore considered to have a detrimental impact on the open character or visual amenities of the Green Belt.

With regard to the impact on residential properties in Home Farm, the nursery building is located approximately 50m from the nearest dwelling at 1 Home Farm, and whilst a rear first floor terrace is proposed, it would be set back between the two wings of the building and would therefore be largely shielded from neighbouring properties. Given the distance to the dwellings in Home Farm and the existence of tree screening in between, the proposals are not considered to result in undue overlooking of neighbouring properties nor cause a significant level of noise disturbance to nearby dwellings.

With regard to the proposed increase in the numbers of children attending the nursery, the Council's Highway Engineer has confirmed that there would be no highways objections raised, subject to safeguarding conditions.

**RECOMMENDATION: APPROVAL**

**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 Details of the materials to be used for the external surfaces of the building shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The works 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**

- 3 (a) The children attending the day nursery/play group shall be between the ages of 6 weeks and 5 years and not more than 141 children shall be accommodated at any one time.**

**(b) The use of the premises for the purpose permitted shall be limited to Mondays to Fridays inclusive between the hours of 08.00 and 18.00.**

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

- 5 The use of the outdoor play areas of the day nursery shall be limited to Mondays to Fridays inclusive between the hours of 09.00 and 17.00.**

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

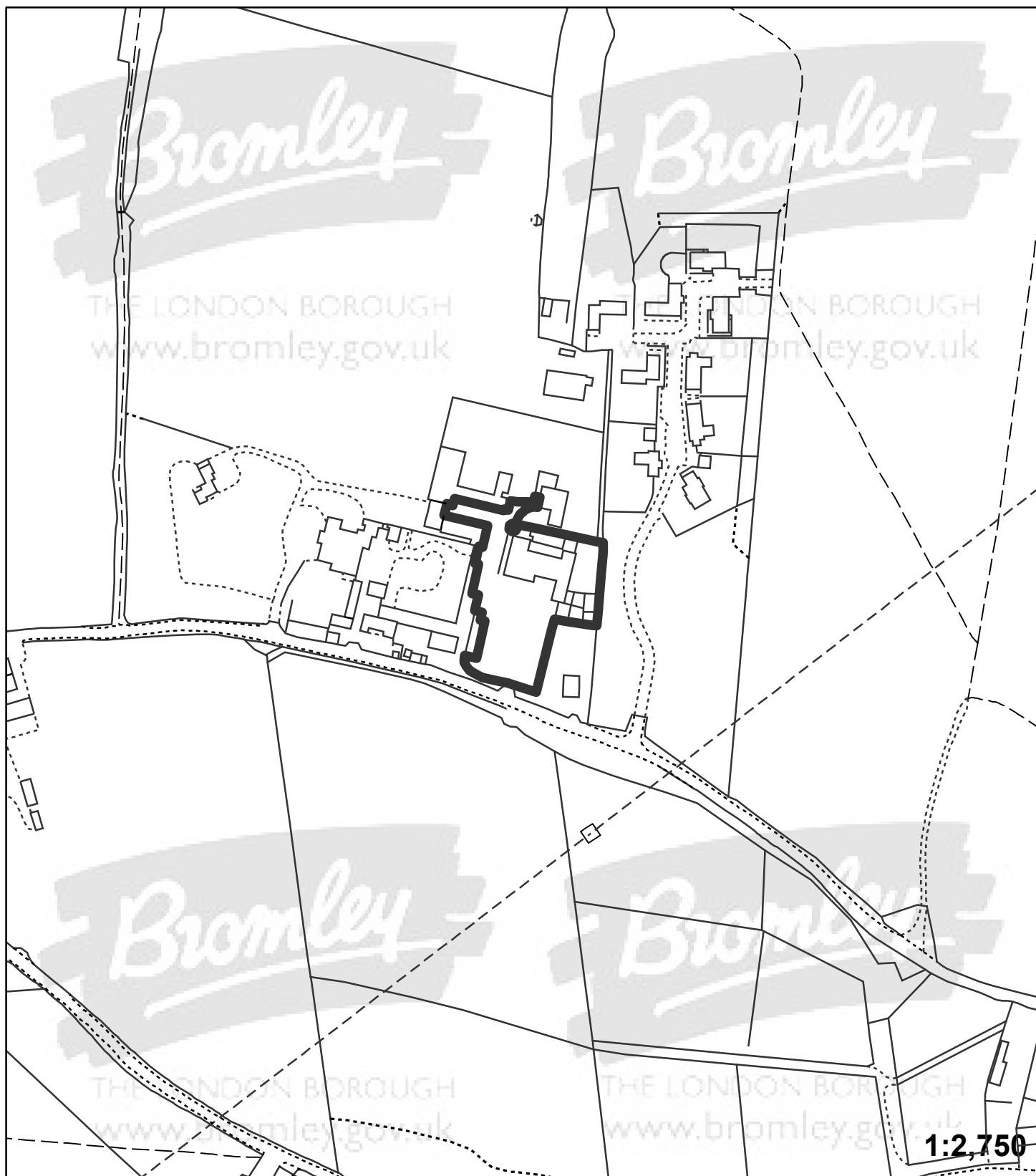
- 6 The roof terrace hereby permitted shall be used by a maximum of 8 babies under the age of 1 at any one time.**

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

**Application:**15/02562/RECON

**Address:** Brinds Well Day Nursery Hawstead Lane Orpington BR6 7PH

**Proposal:** Variation of conditions 15 and 16 of permission ref.10/02031 granted for detached single storey nursery building with associated play areas, car parking, cycle parking and refuse store, in order to remove restriction on number of children and to allow part of the first floor to be



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## **SECTION '4' – Applications recommended for refusal or disapproval of detail**

**Application No :** 15/03067/FULL1

**Ward:**  
**Chelsfield And Pratts**  
**Bottom**

**Address :** Chelsfield Lakes Golf Centre Court  
Road Orpington BR6 9BX

**OS Grid Ref:** E: 548314 N: 163280

**Applicant :** Mr Andrew Craven

**Objections :** YES

### **Description of Development:**

Proposed adventure golf course and associated ornamental features and landscaping

Key designations:

Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Green Belt  
London City Airport Safeguarding  
Local Distributor Roads  
Sites of Interest for Nat. Conservation

### **Proposal**

The site is located on the western side of Orpington By Pass (A224) and forms part of the wider Chelsfield Lakes Golf Centre which encompasses an 18 and 9 hole golf course, driving range and functions/events catering. The development is proposed to be located on the eastern side of the site, adjacent to the main entrance, car park and Driving Range. The site is approximately 0.4314 hectares and is located within the Green Belt.

The application proposes a new 18 hole, pirate themed adventure golf course with associated ornamental features, landscaping and lighting. The course will involve the regrading/contouring of the area but will not involve the removal of trees. A concrete base will be provided for the water features and concrete foundations for a number of features and obstacles. The course is proposed to measure approximately 3807sqm, 90m in length and 54m in width. Access to the adventure golf course will be via the driving range pro shop.

### **Consultations**

No comments from neighbours were received.

## Consultee Comments

Drainage - Please advise the applicant that contrary to his answer to the question on the form there is no public surface water sewer near to this site. Surface water will therefore have to be drained to soakaways - No objections subject to conditions

Highways - Following the submission of a parking survey no objections were raised to the application.

## Planning Considerations

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

BE1 Design of New Development  
G1 The Green Belt  
L1 Outdoor recreation and leisure  
T18 Road Safety

## History

There is a varied planning history with regards to the site of which the most pertinent applications include:

In 1991 (Ref 91/01779) permission was granted for the change of use from agricultural land to one 18 hole golf course, driving range and associated buildings.

In 1993 (Ref: 93/00/916/DETMAJ) revised details were submitted adding a 9 hole golf course, revised parking layout, additional lighting columns, sewage treatment plant and amended elevations, which was permitted.

05/03793/FULL1 - Regrading and landscape works to par 3 course extension to existing driving range, creation of short game practice area, new pond and creation of temporary access during construction - Permitted

10/00278/FULL1 - 6-10m high protective netting to 3 greens on golf course - Permitted

## Conclusions

The primary issues to be considered in the determination of this application are whether the proposal is appropriate development in the Green Belt and, if not, whether very special circumstances have been demonstrated to warrant the setting aside of the normal presumption against inappropriate development within the Green Belt. Highways safety and parking are also material considerations.

Paragraph 89 of the NPPF states that a Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:... Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries with the purposes of including land within it.

This is further reiterated with policy G1 of the Unitary Development Plan in which it states: the construction of new buildings or extension to buildings on land falling within the Green Belt will be inappropriate, unless it is for the following purposes:... (ii) essential facilities for outdoor sport and outdoor recreation and open air facilities and other uses of land in it.

In the Planning Statement and supplementary emails the agent makes the case that the proposed adventure golf course falls within the category of essential facilities for outdoor sport and recreation as it involves little building structure and therefore is appropriate development in accordance with policy G1 and the NPPF. The Council does not agree with this; whilst outdoor sport and outdoor recreation are considered appropriate development within the green belt, this is only where the openness of the site is retained and the use of the site in such a manner does not conflict with the purposes of including land within the green belt.

The application proposes the erection of several 3m high pirate features, 2 x 3m high kiosks, 2.4m high fencing and 10m high lighting columns around the periphery of the site. The topography of the land sloping steeply upwards from the car park is also considered to accentuate the prominence of the development. Whilst the tree screening mitigates the views of this area from the Orpington by-pass, views of the development will still be visible from the south and west of the site. It is noted that the Applicant states that the site will only be visible from the car park, however no evidence has been provided to substantiate this claim ie in the form of viewpoints or VIA.

With regard to the proposed lighting columns, it is noted that there are similar sized poles erected within close proximity to the site for the use of nets to protect the car park from golf balls, however these are located around the periphery of the open landscape, and not within a centralised position nor of the number proposed within this application.

On balance, Members may consider that whilst it is recognised that the number of structures are an integral part of the concept of adventure golf on the sporting experience of its users these structures may not be considered essential facilities for the provision of outdoor recreation. Members may consider that the scheme is inappropriate within the Green Belt given the level of built development and intervention on the land needed to allow for the use as an adventure golf course. Paragraph 87 of the NPPF states that "as with previous Green Belt policy, inappropriate development is by definition harmful to the Green Belt and should not be approved, except in very special circumstances".

The applicant does not explicitly state very special circumstances within the planning statement however does make a case with regards to the need for the development to keep the business viable, creating new jobs, bringing young people

into the game, encouraging people to participate in outdoor recreation and the overall lack of impact of the proposal on the Green Belt.

Some information has been provided with regards to golfing trends in the UK which show a gradual decline in participation since the late 2000's. The planning statement also makes reference to falling membership numbers at Chelsfield Lakes Club stating that the proposed development will reverse this trend. Whilst the viability of the club can in some instances be considered to contribute to a very special circumstance case, the Applicant in this case has failed to provide any specific data that relates primarily to this site. The financial situation of the club is unknown and no financial projection has been provided which may indicate the benefits to the club from the development.

It is noted that participation in sport is supported within policy 3.19 of the London Plan in which it states that development proposals that increase or enhance the provision of sports and recreation facilities will be supported, however, it also states that where sports facility developments are proposed on existing open space, they will need to be considered carefully in light of policies on Green Belt and protecting open space. As stated above, given the size and number of the proposed features, the number and location of the lighting columns and the extent of the boundary fencing, it is not considered that the proposal is considered appropriate within the Green Belt and conflicts with the purposes of including land within the Green Belt. Furthermore, whilst cross-sectional drawings have been provided demonstrating the heights of the features within the site, no evidence has been provided as to the wider impact on the Green Belt from the scheme including an absence of long views.

Whilst very special circumstances have been presented in support of this application, none of these - either in their own right, or collectively - are considered sufficiently compelling or far-reaching enough to outweigh the harm caused to the Green Belt and to justify such inappropriate development in the Green Belt. A lack of evidence as to the wider impact of the scheme is also absent. Overall the harm caused by this proposal to the Green Belt is considered to outweigh any benefits, and none of the circumstances put forward, in particular the argument that this proposal will improve the openness of the site, are considered to be very special.

It is noted that 6 lighting columns between 8-10m in height are proposed around the perimeter of the site. The location of the lights is within close proximity to the driving range and entranceway which both benefit from high level lighting however no evidence has been submitted to demonstrate that the potential for the additional lighting to impact on ecological species has been properly assessed given the sites location within the Green Belt adjacent to mature trees. Highways have not raised any objections to the hours of illumination.

In terms of highways, no objections have been raised.

Consideration must also be given to any impact upon the amenities of adjoining residential properties. The location of the site is away from residential dwellings and as such the scheme is not considered detrimental in this regard.

On balance, the proposed development within this location, and in the absence of information stating the contrary, represents inappropriate and harmful development within the Green Belt by virtue of its siting and design, and none of the benefits or very special circumstances outweigh the harm that this will cause.

**as amended by documents received on 02.11.2015**

**RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

- 1 The site is within the Green Belt where there is a presumption against inappropriate development. The Council does not consider that very special circumstances have been demonstrated that outweigh the harm caused to the openness and character of the Green Belt and the potential visual and ecological impacts of the scheme have not been fully assessed, as such the proposal is considered contrary to Policy G1 of the Unitary Development Plan and the NPPF.**

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**Application:** 15/03067/FULL1

**Address:** Chelsfield Lakes Golf Centre Court Road Orpington BR6 9BX

**Proposal:** Proposed adventure golf course and associated ornamental features 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 '4' - Applications recommended for REFUSAL or DISAPPROVAL OF DETAILS**

**Application No :** 15/03834/FULL1

**Ward:**  
Petts Wood And Knoll

**Address :** 9 Station Square Petts Wood Orpington  
BR5 1LY

**OS Grid Ref:** E: 544499 N: 167682

**Applicant :** Mr Paul McGill

**Objections :** YES

### **Description of Development:**

Part demolition and rebuilding of first floor and conversion of first and second floor flat into 1 two bedroom and 1 one bedroom flats; part two/three storey rear extension comprising extension to ground floor retail unit with 2 two bedroom flats on first and second floors, including balconies with privacy screens; and change of use of retail unit from Class A2 (financial and professional services) to Class A3 (restaurants and cafes)

#### **Key designations:**

Conservation Area: Station Square Petts Wood  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
Primary Shopping Frontage  
Smoke Control SCA 4

### **Proposal**

It is proposed to convert the existing first and second floor three bedroom flat above the ground floor shop into 1 two bedroom and 1 one bedroom flats, demolish the rear first floor accommodation, and construct a part two/three storey rear extension to the property which would comprise an extension to the ground floor retail unit, and the provision of 2 two bedroom flats, one on each floor above. It is also proposed to change the use of the ground floor retail unit from Class A2 (financial and professional services) to Class A3 (restaurants and cafes).

The two flats in the rear extension would have balconies at the rear, but privacy screens would be provided to the rear of the balconies, leaving only the northern side of the balconies open. Access to all four flats would be via the flat roof area between the main building and the rear extension, which would also act as communal amenity space for the flats.

No car parking is proposed for the development, although there would appear to be space for 2 or 3 vehicles at the rear of the extension accessed from the rear service road. Cycle and refuse storage would be provided at the rear.

The application is accompanied by a Design and Access Statement and a Transport Report.

An application for the change of use of the ground floor from Class A2 to Class A3 purposes (ref.15/04212) is currently under consideration.

## **Location**

The application site is occupied by a three storey mid-terrace building located on the eastern side of Station Square, which forms part of the primary frontage of Petts Wood District shopping centre. It also lies within Station Square, Petts Wood Conservation Area.

The property comprises a vacant unit on the ground floor which was previously used as a bank, with a 3 bedroom flat on the first and second floors above accessed from the rear via an external staircase. The ground floor currently extends 12/13m further to the rear of the main frontage building, and first floor accommodation is provided over the rearmost part of the building which has access to the flat roof area.

A detached garage is located to the rear, and whilst there is currently room for parking in this area, the agent confirms that this is of an informal nature, and is not currently used by occupiers of the flat.

## **Consultations**

Nearby owners/occupiers were notified of the application and representations were received, including from Petts Wood and District Residents' Association, which can be summarised as follows:

- \* overlooking of neighbouring properties in Petts Wood Road and West Way
- \* building would be an eyesore
- \* application is virtually the same as the recently refused scheme
- \* overdevelopment of the site
- \* noise and disturbance to neighbours during construction works
- \* there is already a proliferation of eating establishments in the close vicinity
- \* Flat 1 would not meet the minimum space standards set down by the London Plan
- \* increased pressure on parking in surrounding roads
- \* proposed privacy screens to rear flats would give reduced light and outlook for future occupiers
- \* materials, size and design of the extension would not be in keeping with the area
- \* inadequate outdoor amenity space for the flats
- \* previous reasons for refusal have not been addressed
- \* building will be higher than the Sainsburys building next door
- \* screening does not prevent overlooking of neighbouring properties
- \* relocated side bedroom windows would overlook neighbouring properties
- \* inadequate cycle parking
- \* no details of any ventilation system for the restaurant have been provided

\* no opening hours of the restaurant are given.

### **Comments from Consultees**

The Council's Highway Engineer has commented that although no car parking would be provided for the development, the submitted surveys indicate that the majority of the on-street parking demand during the day is likely to be non-residential. Most of the roads have restrictions or parking charges during the day, but Petts Wood Road and West Way, which are close to the site, have free parking, it would therefore be difficult to sustain a ground of refusal.

The Advisory Panel for Conservation Areas (APCA) raises no objections.

There are no drainage objections seen to the proposals, and Thames Water has no concerns.

With regard to crime prevention, the measures proposed within the Secure by Design document are considered acceptable.

Environmental Health (Housing) raise concerns regarding the lack of any window to the bedroom in Flat 3, and the obstruction to natural light to Bedroom 2 in Flats 2 and 4 by the flank elevation wall to the balcony which would be within 3m. Further concerns are raised in relation to Flat 2 as there would be inadequate means of escape in the event of a fire from Bedroom 2.

Environmental Health (Pollution) raise concerns that no details of a ventilation system have been submitted to support the proposed change of use of the ground floor premises to a Class A3 restaurant/café use, in the absence of which, the proposals could cause harm to the amenities of neighbouring residential properties.

### **Planning Considerations**

The application falls to be determined in accordance with the following policies and guidance:

UDP Policy BE1 (Design of New Development)  
UDP Policy BE11 (Conservation Areas)  
UDP Policy S9 (Food & Drink Premises)  
UDP Policy H7 (Housing Density & Design)  
UDP Policy H11 (Residential Conversions)  
UDP Policy T3 (Parking)

The London Plan (2015):

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments (including Table 3.3 - Minimum space standards for new development)

## Planning History

Permission was refused in September 2015 (ref.15/01485) for the part demolition and rebuilding of the first floor and the conversion of the first and second floor flat into 1 two bedroom and 1 one bedroom flats, along with the construction of a part two/three storey rear extension comprising an extension to the ground floor retail unit and the provision of 2 two bedroom flats on the first and second floors which included balconies, on the following grounds:

- 1 The proposals would result in an unacceptable level of overlooking of neighbouring residential properties in Petts Wood Road from rear windows and balconies within the rear extension, which would be seriously detrimental to the amenities of those residents and contrary to Policy BE1 of the Unitary Development Plan.
- 2 The proposal by reason of its size and the number of units would constitute an overdevelopment of the site out of character with the locality, harmful to the character and appearance of the Station Square Conservation Area and contrary to Policy H7, BE11 and BE1 of the Unitary Development Plan.
- 3 The proposed development would not provide sufficient on-site parking which would lead to on-street parking pressure harmful to the character and amenities of the area and contrary to Policy T3 of the Unitary Development Plan.

An appeal against the refusal was lodged on 17th November.

## Conclusions

The main issues in this case are the impact of the proposed Class A3 use on the vitality and viability of this District Shopping Centre, on the character and appearance of Station Square, Petts Wood Conservation Area, on the amenities of neighbouring residents, and on pressure for parking in the surrounding area.

Policy S9 of the Unitary Development Plan allows for a new Class A3 use where:

- (i) it would have no adverse impact on residential amenity
- (ii) it would not cause undue traffic congestion or be detrimental to the safety of other road users and pedestrians
- (iii) it would not result in an over-concentration of food and drink establishments (Classes A3, A4 and A5) that would be out of character with the retailing function of the area.

The premises are located within the primary frontage of this shopping centre, and a number of premises nearby already open during the evening hours, therefore, the proposed Class A3 restaurant/café use is not considered to cause an unacceptable level of noise disturbance to neighbouring residential properties, subject to

restrictions on the opening hours. However, in the absence of any details regarding the proposed ventilation system, including the external ducting, the proposals may give rise to an unacceptable level of smells which would be harmful to the amenities of neighbouring properties.

With regard to the impact on traffic congestion, the proposed Class A3 use of the premises is not considered to cause significant levels of traffic congestion within this shopping centre, and would not have a detrimental impact on road or pedestrian safety.

With regard to the retail character of the shopping centre, 19 out of 75 units are currently in Class A3, A4 or A5 use, 7 of which lie within the Primary frontage. The proposals would not result in the loss of a Class A1 retail unit (as the permitted use is for Class A2 purposes), therefore, the proportion of retail units would not change. The existing Class A3, A4 and A5 uses are spread throughout the shopping centre, and the addition of an extra Class A3 use would only increase the proportion from 25% to 27%. The proposals are not therefore considered to result in an overconcentration of food and drink uses.

The previous scheme was considered by Members to result in an overdevelopment of the site by reason of its size and the number of residential units, however, the current proposals have not changed in this respect. Members will therefore need to carefully consider the following assessment regarding the density of the proposed development, and consider whether such a ground for refusal could be sustained.

Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan (2015) gives an indicative level of density for new housing developments, and in this instance, the proposal represents a density of 105 dwellings per hectare with the table giving a suggested level of between 45-170 dwellings per hectare in an urban area with a 3 PTAL location. The proposals would therefore result in an intensity of use of the site that would be within the thresholds in the London Plan. However, the proposals need to be assessed against the wider context in terms of the character, spatial standards and townscape value of the surrounding area.

The proposals comprise 3 two bedroom three person flats (Flats 1, 2 and 4), and 1 one bedroom two person flat (Flat 3). The London Plan suggests that the minimum size of a two bedroom three person flat should be 61sq.m., and whilst Flat 1 would be under this at 56sq.m., it is one of the converted flats and would not be unacceptably small to warrant a refusal on those grounds. Furthermore, permission was recently granted for the conversion of the upper flat at No.7A adjacent into 2 flats under ref.14/03822.

The other converted flat (Flat 3) would be a one bedroom two person flat, and at 59sq.m., would exceed the minimum 50sq.m., whilst the two new flats in the extension (Flats 2 and 4) would, at 75sq.m. and 95sq.m. respectively, significantly exceed the minimum space standard of 61sq.m.

However, it is clear that the accommodation provided within three of the flats (Nos.2, 3 and 4) would be substandard and would not meet Environmental Health standards. Concerns are raised about the lack of any window to the bedroom in

Flat 3, whilst natural light to Bedroom 2 in Flats 2 and 4 would be obstructed by the flank elevation wall to the balcony which would be within 3m. Further concerns are raised in relation to Flat 2 as there would be inadequate means of escape in the event of a fire from Bedroom 2.

As with the previous scheme, the proposed development would not be visible from Station Square, and views of the development would be limited to the rear of the shopping parade and neighbouring residential properties. The proposals are not, therefore, considered to have a detrimental impact on the character and appearance of the Conservation Area, and no objections have been raised by APCA.

With regard to the impact on neighbouring properties, the previous scheme proposed living room and primary bedroom windows within the rear elevation of the extension in addition to rear-facing balconies which were considered to result in overlooking of neighbouring properties in Petts Wood Road. The proposals have now been revised to re-locate the rear-facing windows to the northern side elevations, and privacy screens have been added to the rear of the balconies to prevent undue overlooking of neighbouring properties. Members may now consider that the revised proposals would not result in a significant level of overlooking of nearby residential properties, and that this ground has now been sufficiently overcome.

As with the previous scheme, the first and second floor rear extension would be located between 7-11m from the rear elevation of the converted flats, and although their close proximity may impact on mutual outlook from the flats, this may not be to such an extent to significantly affect the residential amenities of future occupiers. Some loss of outlook may occur to adjacent flats within this terrace, but this would be mainly limited to oblique views, and given the separation distances involved, this is not considered to be unduly harmful to the amenities of adjoining occupiers.

With regard to the impact on parking in the surrounding area, the Council's Highway Engineer considers that a car-free development would be acceptable in this case, therefore, Members will need to carefully consider whether a ground for refusal relating to the lack of on-site car parking would be sustainable in this case.

Limited amenity space is provided for the flats, but this is not uncommon in a District Shopping Centre, and some private and shared provision has been made for future occupiers.

In conclusion, the proposals are considered to result in an unacceptable standard of residential accommodation for future occupiers, and in the absence of ventilation details for the proposed Class A3 use on the ground floor, may be harmful to the amenities of nearby residents in terms of air pollution.

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

## **RECOMMENDATION: APPLICATION BE REFUSED**

The reasons for refusal are:

- 1** The proposals would result in an unacceptable standard of accommodation for future occupiers by reason of the lack of a window to the bedroom in Flat 3, the obstruction of natural light to Bedroom 2 in Flats 2 and 4 by the flank elevation wall to the balcony, and the inadequate means of escape in the event of a fire from Bedroom 2 in Flat 2, which would be seriously detrimental to the amenities of those residents and contrary to Policy BE1 of the Unitary Development Plan.
- 2** In the absence of details of the proposed ventilation system to serve the Class A3 use on the ground floor premises, the proposals may give rise to cooking odours and noise detrimental to the occupiers of nearby properties, and contrary to Policy S9 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](http://www.bromley.gov.uk/CIL)

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**Application:**15/03834/FULL1

**Address:** 9 Station Square Petts Wood Orpington BR5 1LY

**Proposal:** Part demolition and rebuilding of first floor and conversion of first and second floor flat into 1 two bedroom and 1 one bedroom flats; part two/three storey rear extension comprising extension to ground floor retail unit with 2 two bedroom flats on first and second floors, including balconies



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

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## **SECTION '4' – Applications recommended for refusal Or disapproval of details**

**Application No :** 15/04351/FULL1

**Ward:**  
**Bickley**

**Address :** 2 The Avenue Bickley Bromley BR1 2BT

**OS Grid Ref:** E: 541959 N: 168605

**Applicant :** Mr Adam Jude Grant Esq

**Objections :** YES

### **Description of Development:**

Proposed two bedroom detached dwelling

Key designations:

Biggin Hill Safeguarding Birds Aldersmead Road  
Biggin Hill Safeguarding Area  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Smoke Control SCA 13  
Smoke Control SCA 12

### **Proposal**

The proposed dwelling will be sited to the rear of No. 2, subdividing the plot to create a new residential curtilage. The dwelling will have a height of 5.9m and a maximum width of 6.1m. The dwelling is of modern design with a pitched roof feature located within a centralised position within the roof space.

The dwelling will provide side space of between 630mm to the front of the dwelling and 1.475m to the rear along the western boundary and 1.4m to 3.3m to the rear along the eastern flank boundary. The proposed dwelling provides a separation of 9.5m to the rear boundary and 4.5m from the highway and is proposed to be sited within a centralised position within the plot.

The proposal will provide one car parking space and two cycle spaces and will utilise the existing access onto Beaconsfield Road.

### **Consultations**

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

- Entirely out of keeping
- This may not be limited to a two bedroom dwelling
- Overlooks the rear of 3A Beaconsfield and is intrusive in terms of overlooking the back garden and into the property at both levels
- contravenes the minimum side space to the boundaries

No technical drainage objections are raised subject to a standard conditions.

No Thames Water objections are raised.

Environmental Health (Housing) make comments with regards to the open plan nature of the dwelling

Environmental Health (Pollution) - No objections subject to informatives

Technical highways comments have been received raising no objection to the scheme subject to conditions.

### **Planning Considerations**

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

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

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

London Plan (July 2011)

Policy 3.3 Increasing Housing Supply.  
Policy 3.4 Optimising Housing Potential  
Policy 3.5 Quality and design of housing developments  
Policy 3.8 Housing choice  
Policy 5.1 Climate change mitigation  
Policy 5.2 Minimising carbon dioxide emissions  
Policy 5.3 Sustainable design and construction  
Policy 5.10 Urban greening  
Policy 5.12 Flood risk management  
Policy 5.13 Sustainable drainage  
Policy 5.18 Construction, excavation and demolition waste  
Policy 6.9 Cycling  
Policy 6.13 Parking  
Policy 7.2 An inclusive environment  
Policy 7.3 Designing out crime  
Policy 7.4 Local character  
Policy 7.6 Architecture  
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

### Planning History

13/00552/FULL1 - Erection of a detached two storey five bedroom dwelling with accommodation in roof space and associated car parking using access onto Beaconsfield Road - Refused (Dismissed on appeal - APP/G5180/A/13/2199796)

14/00784/FULL1 - Detached two storey four bedroom dwelling with accommodation in roof space and associated car parking using existing access onto Beaconsfield Road. (Dismissed on appeal - APP/G5180/A/14/2229115)

15/02992/FULL1 - Proposed two bedroom dwelling - Refused

### 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 impact on parking and highway safety is also a consideration.

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

The most recent application 15/02992/FULL1 concerned a proposed two bedroom dwelling. The proposed house was of modern design with a flat roof profile. The reasons for refusal were as follows:

1. The proposal, by reason of its flat roof design would be overtly prominent and considered detrimental to the character and visual amenities of the locality contrary to Policies BE1 and H7 of the Unitary Development Plan, chapter 7 of the London Plan and the aims and objectives of the NPPF.
2. The proposed development, due to the size and scale of outdoor amenity space and inadequate outlook and provision of natural light would fail to provide a satisfactory standard of living accommodation for its future occupants. The proposals are therefore contrary to Policy 3.5 Quality and Design of Housing Developments of the London Plan (2011), The London Plan Supplementary Planning Guidance: Housing (November 2012) and Policies BE1 and H7 of the Unitary Development Plan.
3. The development, by virtue of its siting, would unduly compromise the residential amenity afforded to the owner occupiers of 3a Beaconsfield Road and would allow for an unacceptable overbearing impact and overshadowing contrary to Policy BE1 and H7 of the Unitary Development Plan.

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

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

- o Principle of Development
- o Design
- o Standard of Residential Accommodation
- o Highways and Traffic Issues
- o Impact on Adjoining Properties

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

#### Principle of Development

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

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

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

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

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

Members may consider that the principle of the sub division of the site has been agreed in principle by the Inspector within Appeal reference APP/G5180/A/13/2199796 . Plot sub-division in the immediate area appears to have already occurred over the years in several instances. The issue is therefore not the sub-division itself but, instead, the ability of the plot to satisfactorily accommodate the dwelling proposed and the design of the dwelling house inclusive of the impact on neighbouring residential amenity.

#### Design, Siting and Layout.

The site is situated facing Beaconsfield Road with vehicular access also from this location. The land previously hosted single storey garaging forming the boundary with the adjacent amenity space. The land forms a buffer between numbers 3a and 3 along the south of Beaconsfield Road. The site is tapered so that it narrows significantly towards the north.

The dwelling is sited in a centralised position within the plot, with the front elevation 3.4m in front of the front elevation of number 3 and 5.6m behind the front elevation of number 3a. The front elevation of the dwelling is located approximately 4.5m from the edge of the highway and 10m from the rear boundary.

The siting of the dwelling is led by the constraints of the plot, with the design of the dwelling narrowing at the front to fit the tapered nature of the site from 4m to 6.2m at the rear. The dwelling is sited within a centralised position and is reduced in projection from the previously refused application, allowing for a distance to the rear boundary of 10m to be retained.

Saved Policy H9 requires proposals of two or more storeys in height to be a minimum of 1m from the side boundary. H9(ii) states that 'where higher standards of separation already exist in residential areas, proposals will be expected to provide a more generous side space. Para 4.48 explains that the Council considers that it is important to 'prevent a cramped appearance and is necessary to protect the high spatial standards and visual amenity which characterise many of the Borough's residential areas'. Amended plans were received which provided a space of 1.09m to the common side boundary with number 3A to the front and 1.25m with the common side boundary of number 3 in compliance with policy H9.

## Residential Amenity

### Standard of Residential Accommodation

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

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

The floor space size of the dwelling is approximately 84 square metres. Table 3.3 of the London Plan requires a Gross Internal Area of 87m<sup>2</sup> for a 2 bedroom 4 person dwelling house. On this basis the floor space provision is considered acceptable.

The room shapes, size and layout in the proposed dwelling are considered satisfactory. Previous concerns as to the provision of a reasonable outlook and natural light of the habitable rooms due to the extensive use of louvred screens to mitigate the impact of overlooking into neighbouring residential properties/amenity space have been overcome. The Applicant now proposes larger windows within the north and south elevations with minimal apertures at ground floor level within the side elevations.

### Standard of Amenity Space

Amenity space has been provided measuring 10m from the rear elevation to the rear boundary with 2 The Avenue. Members may consider that this is a reasonable and functional size, commensurate with a family dwelling house.

### Impact on Adjoining Properties

Policy BE1 states that new development should respect the amenity of occupiers of neighbouring buildings and those of future occupants and ensure their environments are not harmed by noise and disturbance or by inadequate daylight and sunlight or privacy or by over shadowing. The proposed dwelling is to be sited within 2m-2.3m of the common side boundary with number 3A for 6m past the main rear elevation of the dwelling. Whilst this is considered a betterment to that as previously refused, the extent in which it projects into the rear amenity space is still considered to be an overbearing form of development that would overshadow and dominate the rear amenity space of the neighbouring dwelling. It is appreciated that some of the built form will be partially mitigated due to the siting of the single storey garage along the boundary however given the extent of the projection of the blank, unrelieved elevation, Members may consider that the development would be unneighbourly and overbearing. Furthermore, the siting of the proposed dwelling would also negatively impact upon the outlook from the habitable room windows at the rear contrary to the standards as laid out within Policy BE1.

By virtue of the separation distances provided between the proposed dwelling at that at number 3, it is not considered that the development would adversely impact neighbouring amenity in this regard.



## Design

It is noted that there is a variety of plot shapes and curtilage areas in Beaconsfield Road, within which modern dwellings have been erected. Beaconsfield Road also hosts a plethora of differing architectural styles inclusive of single and two storey dwellinghouses of both detached and semi-detached nature. It is not considered that there is a regimental form of development within the surrounding locality therefore a modern and contemporary style of architecture may be considered acceptable.

The application bears some similarities in terms of siting and footprint to the application refused under ref: 14/00784/FULL1, with the front projecting element in this case sited further forward within the plot. The Inspector in this case stated that 'due to the narrow width of its front projecting wing the proposed dwelling would have visually strong vertical lines. The verticality of the dwelling would be further increased by the high eaves height on part of the front elevation, the overall depth of the roof and the split frontage. Together these features would accentuate the actual and perceived height of the dwelling'. Whilst it is appreciated that this dwelling is proposed of a more modern and contemporary style, Members may consider that the Inspectors comments in this case are a material consideration. By comparison, the dwelling at number 3A that shares a similar floor level, is not as tall as that proposed, has lower eaves and is significantly wider.

Amendments were received which changed the design of the roof however concerns are still raised in this regard. Due to the tapered nature of the plot, the rear element of the dwelling is considerably wider than the front projecting wing of the house which includes a flat roof element that runs down the ridge of the property. The two elements of the property do not appear cohesive with one another due to the differences in roof profile and the awkward relationship that occurs because of this. Furthermore, the roof is proposed to be constructed utilising matching materials to the neighbouring properties which Members may consider at odds with its modern design and would appear out of place upon the proposed dwelling house.

Concerns are also raised as to the treatment of the side elevations of the dwellinghouse. When viewed on approach from the east and west, the elevations appear stark and unrelieved due to the absence of fenestration. The choice of white render exacerbates the starkness of elevations further increasing the prominence of the dwelling within the wider locality. Further to this, the location of the proposed parking when coupled with the projection of the proposed dwelling in front of the property at number 3 would increase the prominence of the dwelling.

On balance, Members may consider that the design of the scheme is considered unacceptable in that it will appear out of character and prominent within the wider locality. Concerns are also raised as to the impact of the proposed dwelling upon the property at number 2a given its unrelieved appearance, extent of the projection into the rear amenity and the close proximity of the built form to the common side boundary.

## Highways

The Highways Officer has not objected to the scheme subject to conditions.

Having had regard to the above Members may consider that the proposed development is unacceptable in that it would result in a significantly detrimental impact on the character of the area, is of an unacceptable design and would impact harmfully on the amenities of nearby residential properties.

**as amended by documents received on 17.11.2015**

### **RECOMMENDATION: APPLICATION BE REFUSED**

**The reasons for refusal are:**

- 1**            **The development, by virtue of its siting, would unduly compromise the residential amenity afforded to the owner occupiers of 3a Beaconsfield Road and would allow for an unacceptable overbearing impact and overshadowing contrary to Policy BE1 and H7 of the Unitary Development Plan.**
  
- 2**            **The proposal, by reason of its design would be overtly prominent and considered detrimental to the character and visual amenities of the locality contrary to Policies BE1 and H7 of the Unitary Development Plan, chapter 7 of the London Plan and the aims and objectives of the NPPF.**

**Application:**15/04351/FULL1

**Address:** 2 The Avenue Bickley Bromley BR1 2BT

**Proposal:** Proposed two bedroom detached dwelling



"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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