



THE LONDON BOROUGH  
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DATE: 22 December 2015

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

Councillor Alexa Michael (Chairman)  
Councillor Charles Joel (Vice-Chairman)  
Councillors Douglas Auld, Katy Boughey, Alan Collins, Ian Dunn, Nicky Dykes,  
Robert Evans, Terence Nathan and Angela Page

A meeting of the Plans Sub-Committee No. 1 will be held at Bromley Civic Centre on  
**THURSDAY 7 JANUARY 2016 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 8461 7566**

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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 5 NOVEMBER 2015**  
(Pages 1 - 6)
- 4 PLANNING APPLICATIONS**

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

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

### **SECTION 2** (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.1	Bickley	7 - 24	(15/04295/FULL1) - Holly Rigg, Woodlands Road, Bickley, Bromley BR1 2AP
4.2	Shortlands	25 - 32	(15/04542/FULL6) - 67 Bushey Way, Beckenham BR3 6TH

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

Report No.	Ward	Page No.	Application Number and Address
4.3	Copers Cope	33 - 42	(15/03847/FULL1) - 1 Canterbury Close, Beckenham BR3 5EP
4.4	Chislehurst Conservation Area	43 - 48	(15/04543/FULL6) - 2 Camden Park Road, Chislehurst BR7 5HG
4.5	Hayes and Coney Hall	49 - 56	(15/04760/FULL6) - 5 Hilldown Road, Hayes, BR2 7HX

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

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

Report No.	Ward	Page No.	Application Number and Address
5.1	Chislehurst	57 - 68	Builders Yard Rear of 1-14 Albany Road, Chislehurst BR7 6BG

**6 TREE PRESERVATION ORDERS**

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

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## PLANS SUB-COMMITTEE NO. 1

Minutes of the meeting held at 7.00 pm on 5 November 2015

### Present:

Councillor Alexa Michael (Chairman)  
Councillor Charles Joel (Vice-Chairman)  
Councillors Douglas Auld, Katy Boughey, Alan Collins, Ian Dunn,  
Robert Evans, Terence Nathan and Angela Page

### 14 DECLARATIONS OF INTEREST

Councillor Katy Boughey declared an Interest as the applicant in Item 4.3; she left the Chamber for the duration of this item.

Councillor Alexa Michael declared a Personal Interest in Item 4.5 as she knew the applicant personally through the local Conservative Association.

### 15 CONFIRMATION OF MINUTES OF MEETING HELD ON 10 SEPTEMBER 2015

**RESOLVED** that the Minutes of the meeting held on 10 September 2015 be confirmed.

### 16 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Nicky Dykes.

### 17 PLANNING APPLICATIONS

#### **SECTION 2**

(Applications meriting special consideration)

#### **17.1 CHISLEHURST CONSERVATION AREA**

#### **(15/03064/FULL6) - West Pelham, Manor Park, Chislehurst, BR7 5QE**

Description of application – Roof alterations to provide habitable accommodation in roofspace and single storey side extension.

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

#### **17.2 PENGE AND CATOR**

#### **(15/03184/FULL1) - 30 St John's Road, Penge, SE20 7ED**

Description of application – Construction of a ground floor rear extension together with provision of associated cycle and refuse storage.

Oral representations in support of the application were received at the meeting. It was reported that further objections to the application had been received. It was noted that on page 19 of the Chief Planner's report under the heading 'Proposal', the second paragraph, should be amended to read, 'This application was withdrawn from a previous Plans-Sub Committee meeting on 8<sup>th</sup> October 2015 for the roof extensions to be removed from the description of the application description and the conversion to flats. The application now solely relates to a single storey rear extension. Neighbours have been advised of a revision to the description of the application coupled with revised plans.'

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

**17.3  
CHISLEHURST  
CONSERVATION AREA**

**(15/04028/FULL1) - 6 The Meadow, Chislehurst  
BR7 6AA**

Description of application – Erection of four bedroom dwelling and attached garage (Minor Material Amendment Application to approved application Ref DC/15/01930/FULL1 for widened attached garage and redesigned and repositioned rear single storey family room).

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

**SECTION 3**

(Applications recommended for permission, approval or consent)

**17.4  
HAYES AND CONEY HALL**

**(15/00832/FULL6) - 74 West Common Road, Hayes,  
Bromley BR2 7BY**

Description of application - Two storey rear extension and rooflights.

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

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

**17.5**  
**CHISLEHURST**  
**CONSERVATION AREA**

**(15/01879/OUT) - 27 Heathfield, Chislehurst, BR7 6AF**

Description of application – Demolition of existing dwelling and erection of a 2 storey 4 bedroom dwelling. OUTLINE APPLICATION.

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

Members having considered the report, objections and representations, **RESOLVED that PERMISSION be GRANTED** as recommended, subject to the conditions and informatives set out in the report of the Chief Planner with three further conditions to read:-  
“15. Details of the proposed slab levels of the building(s) and the existing site levels and details of the proposed and existing ridge heights shall be submitted to and approved in writing by the Local Planning Authority before work commences 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.

16. A side space of a between 1 metre and 2 metres shall be provided between the northern flank wall of the development hereby permitted and the flank boundary of the property and a side space of between 1.5 metres and 2.5 metres shall be provided between the southern flank wall of the development hereby permitted and the flank boundary of the property as outlined on the submitted Block Plan drawing no. 102 dated 26 May 2015.

REASON: In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.

17. The roof space of the proposed dwelling shall not be used as habitable accommodation.

REASON: In order to prevent overdevelopment of the site in future, to protect the amenities of nearby residents and to comply with Policy BE1 of the Unitary Development Plan.”

**17.6**  
**CRYSTAL PALACE**  
**CONSERVATION AREA**

**(15/02847/LBC)- Crystal Palace Park, Thicket Road, Penge, London SE20 8DT**

Description of application – Conservation works to dinosaur sculptures, to include cleaning, repair and associated works.

A statement from the applicant was read.  
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.

**17.7  
CHISLEHURST**

**(15/02918/FULL6) - 1 Downs Avenue, Chislehurst, BR7 6HG**

Description of application - Part two storey/first floor side/rear extension.

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

**17.8  
FARNBOROUGH AND  
CROFTON**

**(15/02996/FULL6) - 125 Tubbenden Lane, Orpington, BR6 9PP**

Description of application – First floor side extension, single storey front porch and elevational alterations to incorporate conversion of garage to habitable accommodation.

It was noted that no objections to the application had been received.

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

“4. A side space of 1.2 metres shall be provided between the first floor flank wall of the extension hereby permitted and the flank boundary of the property.

REASON: In order to comply with Policy H9 of the Unitary Development Plan and in the interest of the visual amenities of the area.”

**17.9  
DARWIN**

**(15/03262/FULL1) - The Warren, Single Street, Berrys Green, Westerham, TN16 3AB**

Description of application – Demolition of existing bungalow and garage and erection of detached two storey 4 bedroom dwelling with detached garage.

A statement from Ward Member, Councillor Richard Scoates, was read.

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



**17.10  
CHELSFIELD AND PRATTS  
BOTTOM**

**(15/03284/FULL1) - 68 Windsor Drive, Orpington, BR6 6HD**

Description of application – Detached two storey 3 bedroom dwelling on land adjacent to 68 Windsor Drive with new vehicular access to No. 68 and associated parking.

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

1. The proposed development by reason of its size, design and lack of adequate space around the building, would constitute a cramped overdevelopment of the site, and would result in a loss of garden land, and would therefore be out of character with and harmful to the spatial standards of the area thereby contrary to Policies H7, H9 and BE1 of the Unitary Development Plan.

**17.11  
HAYES AND CONEY HALL**

**(15/03604/FULL6) - 58 Harvest Bank Road, West Wickham BR4 9DJ**

Description of application – Extension to lower ground and ground floors with balcony and terrace area and construction of an additional floor to form 3 storey dwelling.

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 a further condition to read:-

“6. Details of the proposed slab levels of the building(s) and the existing site levels and details of the proposed and existing ridge heights shall be submitted to and approved in writing by the Local Planning Authority before work commences 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.”

**SECTION 4**

(Applications recommended for refusal or disapproval of details)

**17.12  
CRAY VALLEY EAST  
CONSERVATION AREA**

**(15/03169/FULL1) - Old School Studio Main Road St Pauls Cray Orpington BR5 3HQ**

Description of application – Proposed conversion of existing school building into 1x 3 bed, 1x 2 bed and 1x studio apartments facilitated by the raising of the

ridge, introduction of dormer windows, alterations to the elevations and access ramp to front entrance.

Oral representations in objection to and in support of the application were received at the meeting. Ward Member, Councillor Angela Page, reported that she and her fellow Ward Members would support another application if it were more sympathetic to neighbouring properties but that they could not support this application.

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.

The meeting ended at 7.59 pm

Chairman

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

**Application No :** 15/04295/FULL1

**Ward:**  
**Bickley**

**Address :** Holly Rigg Woodlands Road Bickley  
Bromley BR1 2AP

**OS Grid Ref:** E: 543197 N: 169291

**Applicant :** Mr Jon Quay

**Objections :** YES

### **Description of Development:**

Proposed demolition of existing 2no dwellings and the development of 4no dwellings

Key designations:

Area of Special Residential Character  
Biggin Hill Safeguarding Birds  
Biggin Hill Safeguarding Area  
Flood Zone 2  
London City Airport Safeguarding  
London City Airport Safeguarding Birds  
Open Space Deficiency  
Smoke Control SCA 13  
Smoke Control SCA 12  
Smoke Control SCA 10

### **Proposal**

o The application site is approximately 40 metres in width and approximately 38.5m at the deepest point having an area of 0.142 hectares. The application seeks the demolition of two properties, Hollyrigg and Tall Trees and the erection of four properties with 5 bedrooms.

o The units will be three storey with a basement level, detached and of a town house design. The main living accommodation will be provided within ground and first floor with bedroom provision to the first and second floors. The properties front onto Woodlands Road with off street parking provided by an area of hardstanding to the front of the properties for up to two vehicles and one internal parking space within the basement level. Amenity space is provided to the rear which is accessed to the side of the properties.

o Permission has already been granted for four dwellings of similar siting, layout and proportions to this application under ref: 14/04097/FULL1 and some demolition has occurred on the site. This application seeks to alter the design of the dwellings from a modern design to a more traditional approach. Outline permission

has also been granted for two similar new properties at Hollyrigg within application 06/01376/OUT which was extended within application 12/00190/EXTEND.

o There are a number of protected trees on site and the layout of the design has been altered to account for these. The site slopes steeply, rising from front to rear. Beyond the rear boundary are several Oak trees which because of their elevated position are prominent in the local area. The trees are located on land believed to be under the control of Network Rail. Tree cover in the rear gardens of 'Holly Rigg' and 'Tall Trees' are of small to moderate stature and less prominent because of their lower elevation. To the front of the site there is a large Sycamore situated on the boundary between 'Holly Rigg' and 'Tall Trees'. There is also an Ash located within the adjacent property 'Ewhurst', close to the front boundary and adjacent the shared boundary with 'Tall Trees'.

o The Arboricultural Assessment states that 5 trees are to be removed from the site to facilitate development, these are of low landscape significance. T17 Chestnut, T16 Holly, G18 Sycamore, G21 Leyland Cypress and T22 Holly. These are the same trees as to be felled within the previously approved application with the addition of a sycamore to the front boundary closest to the neighbouring property Halcyon Heights.

o The development comprises detached properties within a suburban environment along transport corridors, therefore any proposal for new development should provide between 30-65 units per hectare. This scheme, on the basis of a site area of 0.142 hectares, has a density of 28.17 dwellings per hectare. The area has a PTAL rating of 2 however is in close proximity to Chislehurst Station and several bus routes.

o Whilst the current scheme maintains the overall massing, layout and number of units on the site, alterations to the scheme, other than the design, include a small increase to the rear at ground floor level by 1.5m to create a larger family room/kitchen, the introduction of a terrace off the living room and sloping driveways to give access to basement parking.

## **Location**

The site is located to the far eastern end of Woodlands Road, close to the junction with Bickley Park Road. The site currently hosts two large detached properties which are set back from the main highway accessed from a set of steep steps from Woodlands Road. The topography of the land is such that the dwellings are approximately 5 metres above highway level with the rear amenity spaces raising sharply in land level towards the railway line at the north of the site.

Properties along Woodlands Road, which is a private road, are a mix of designs and periods however the majority are large detached properties located within substantial plot sizes. Immediately adjacent to the site lies the property named 'Halcyon Heights' which is on similar plot size and design as the proposed four dwellings.

As stated above, the application proposes amendments to the previously approved scheme for four dwellings, ref: 14/04097/FULL1.

## **Consultations**

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

- Although the current proposals look to address some of the objection, it also proposes to enlarge the scale of the building size and simply assumes no impact on the neighbourhood
- Incorrectly states the border position of the previously approved scheme and brings the buildings 1.6m further towards the road as well as 1.5m to the rear.
- Adverse impact upon overshadowing, overbearing and obtrusiveness
- It is not clear whether the developer will make good any damage to the road
- Discrepancies in the plans bring the built form 3.5m in front of the neighbouring property, Ewhurst.
- Substantially more shadow on the front garden of Ewhurst
- Contrary to policy H8, BE1, H7 and H11
- Will appear more obtrusive in the street due to their forward position when compared with the originally approved scheme
- The plans are not the same as the original application, will be writing to watchdog if this goes ahead.
- The front wall of the plan is not the same as the original scheme as stated. The changes would have an adverse impact on my property and create an obtrusive and overbearing wider street scene.
- Road narrowing visually
- The new development will directly overlook my garden and it will no longer be private
- Immediate neighbours will have light restricted by three storey high wall
- Very aggressive and land grabbing
- Balcony will overlook the neighbouring gardens and bedroom windows
- Are previous conditions approved yet? Can the slab levels be confirmed?
- Do not allow developers to salami slice additional changes that would not have been approved in the previous application
- Increases the likelihood of the cars parked on the road

Amended plans were subsequently submitted following correspondence with the Agent. The Agent confirmed that the increase in footprint to the front of the site was due to a drawing error, and amended plans were received to rectify this. The following comments were then received following additional consultation:

- It is clear that the front elevation of the proposed dwellings will not extend further than the existing Tall trees.
- Still concerned with regards to the balcony overlooking garden and rear bedrooms

- Concerns regarding the raised roof profile overshadowing neighbouring properties and the front dormer windows which will overlook Merewood Close.
- Potential adverse impacts from basement excavation
- CGI image on the approved plans show that Ewhurst can be seen past the new development, on the new CGI they cannot be viewed at all. Are the houses moving forward?
- It is unprofessional and unacceptable for the Agent to submit multiple erroneous documents

Further amended plans were submitted addressing concerns with regards to the front dormer windows and rear balcony. Comments received from additional neighbour consultation will be reported verbally at committee.

### **Comments from Consultees**

Comments from Highways are the same comments as submitted within the previous application 14/04097. The proposed development is on an un-adopted road. The access and parking arrangements appear satisfactory and I would have no comments on the proposal subject to conditions. The Highways Officer also requests that an informative is attached with regards to the making good of the road to be at least commensurate with that which existed prior to commencement of the development

Drainage has no objections subject to conditions.

The Environment Agency referred to the standing advice for minor developments of which it was considered that the flooding would not be maximised with regards to the development of these properties.

Thames Water have no objections subject to the attachment of an informative.

Environmental Health have no objections subject to an informative.

Environmental Health (Housing) raise no objections however comment on lighting and ventilation.

Network Rail have been consulted despite this application being similar in nature to that as previously approved. Comments from network Rail if forthcoming will be reported at committee.

Comments have not been received from the Tree Officer at the time of writing this report, however he had no objections to the previous similar scheme subject to conditions. Any comments received prior to committee will be reported verbally.

### **Planning Considerations**

H1 Housing Supply  
H7 Housing Density and Design

H9 Side Space  
H10 Areas of Special Residential Character  
BE1 Design of New Development  
T3 Parking  
T7 Cyclists  
T18 Road Safety  
NE7 Development and Trees

The following London Plan Policies are relevant:

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  
5.12 Flood Risk Management  
5.13 Sustainable Drainage  
7.4 Local Character  
7.6 Architecture

The following documents produced by the Mayor of London are relevant:

Housing Supplementary Planning Guidance

Housing Strategy

Accessible London: achieving an inclusive environment

The Mayor's Transport Strategy

Mayor's Climate Change Mitigation and Energy Strategy

Mayor's Water Strategy

Sustainable Design and Construction SPG

National Planning Policy Framework (NPPF) is also of relevance in the determination of this application.

## **Planning History**

Holly Rigg

05/04317/OUT - Demolition of existing dwelling and erection of 3 terraced four bedroom houses with accommodation in roofspace and integral garages

OUTLINE - Refused

06/01376/OUT - Demolition of existing dwellings and erection of 2 three storey five bedroom houses with integral garages and balcony to front (OUTLINE) - Approved

09/02834/DET - Details of design and landscaping pursuant to conditions 1 and 2 of outline permission reference 06/01376 granted for demolition of existing dwellings and erection of 2 three storey five bedroom houses with integral garages and balcony to front - Approved

12/00190/EXTEND - Extension of time limit for the implementation of Outline permission reference 06/01376/OUT granted for demolition of existing dwellings and erection of 2 three storey five bedroom houses with integral garages and balcony to front - Approved

14/04097/FULL1 - Proposed demolition of 2 no. dwellings and erection of 4 no. 4 bedroom dwellings and additional guest suite and associated landscaping - Permitted

### Tall Trees

83/01395/FUL - Proposed New Dwelling and Car Port - Approved

85/00017/FUL - Single storey side extension - Approved

07/01865/FULL6 - First floor side extension and single storey side extension - Approved

### **Conclusions**

Members will need to carefully consider whether the proposals comply with relevant development plan policies, specifically those within the Bromley Unitary Development Plan, the London Plan and the National Planning Policy Framework (NPPF).

The main issues in this case are considered to be whether the alterations to the previously approved scheme are accepted, the impact upon neighbouring residential amenity, parking within the wider street scene, impact to trees and the design upon an area of Special Residential Character.

Due to the submission of amended plans which removed dormer windows to the front of the dwellings and proposed screening to the rear balconies on each of the properties a re-consultation of neighbours and consultees was undertaken for 14 days. Any comments arising from this reconsultation, if materially different to those currently received, will be reported verbally to committee.

The site falls within a built up area of Bickley and is not allocated for any defined use within the Unitary Development Plan (UDP), however it does fall within the policy designation of an area of Special Residential Character as found within policy H10. Policy H10 states that applications will be required to respect and complement the established and individual qualities of the areas which in the case of Bickley is spacious inter war residential development with large houses within



substantial plots. The dwellings proposed to be demolished, although considerable in size, are not of notable architectural character and as such there is no objection to the removal of these properties. Members may also find that the loss of the existing two properties will have minimal bearing upon the architectural quality of the area of Special Residential Character. This would of course be subject to compliance with other relevant policies of the UDP.

Members may note that the principle of four dwellings on this site has already been established within application 14/04097/FULL1. This application proposes to make a number of changes from the previously approved application:

- Substantial changes to the design, inclusive of a mansard roof, rear dormer windows, alterations to the fenestration
- Inclusion of a balcony at first floor level
- Extension by 1.5m at ground floor level to allow for an enlarged living room/kitchen and balcony at first floor level
- Extension of 0.5m at ground and first floor level on the right hand side of the front elevation of the dwellings to allow for a projecting two storey flat roofed feature
- Integral garage proposed at basement level altering the appearance of the dwellings from three full stories from the ground level up, to three stories from the basement level, inclusive of habitable accommodation within the roof space. The driveways are also sloping to take account of the basement access.

As previously stated, the number of units on the site remains the same as that as previously approved, with the general proportions, siting, massing and height remaining unaltered with the addition of a minor increase in projection to the rear and front. The number of units proposed is not considered excessive for a site in this location, with a proposed density of 28.3 units per hectare. Although this is slightly lower than the required 30-65 units per hectare requirement for sites along transport corridors within policy H7 of the UDP, this fits with the character of the area of Special Residential Character which requires the retention of substantial plots.

Although it is evident the proposed sites are smaller than those existing for the two properties currently, it is also a consideration that the property to the east of the site, Halcyon Heights is of a similar plot size and massing, allowing for evidence of a variance in site sizes within the wider street scene. The plot sizes as proposed are considered to be large enough to warrant the construction of 4 x 5 bedroom dwellings as ascertained within application ref: 14/04097/FULL1.

As with all cases, the design of any development as stated within policy BE1 should be of a scale, form and density that complements the surrounding residential environment and does not detract from the character of the nearby development. It may therefore be considered that the dwellings are of a similar height as other dwellings in the immediate vicinity along Woodlands Road and do not project higher than the existing Tall Trees property and 850mm lower than the neighbouring Halcyon Heights. The height of the dwellings remains unchanged from that as approved within application 14/04097/FULL1. On balance, Members

may therefore agree that the height and scale of the proposed development will be in keeping with existing development within the area and already approved application (14/04097). The inclusion of the garage at basement level does add some bulk to the dwellings however when combined with the proposed development being set back from the road frontages to the same degree as the previous approval and the provision of landscaping that complements the nature of the surrounding development, the proposed development is not considered to detract from the wider street scene.

Throughout Woodlands Road it is evident there is a plethora of differing building designs from newly built large detached properties of traditional character to buildings constructed of an earlier 1960s/1970s period. It could be considered that there is considerable variance within the dwellings design within Woodlands Road. The Council were supportive of the design of the previously approved application as it was considered that it positively enhanced the wider street scene and the area of special residential character. It is disappointing that the previously innovative design and the stronger modern design elements have been diluted within this submission however this is not considered to a degree to warrant a refusal of this application.

The overall height, bulk and siting of the dwellings remains the same, and the introduction of more traditional design features is considered to respond well to the surrounding development. The increase in front projection by 0.5m, whilst visually prominent, adds an element of interest to the design of the front elevation. The dormer windows within the roof space have been removed following amendments in order to allow for a more cohesive design approach with neighbouring dwellings. Whilst there is an absence of mansard roof features within the wider locality, given the differences in architectural designs evident within Woodland Road, this is not considered sufficiently detrimental to warrant a refusal of the application. On balance members may consider that the design of the scheme is acceptable.

In terms of the level of amenity space afforded to each unit, the requirements set out in Policy BE1 should be met, which seek the provision of a high standard of design and layout, with space about the building to provide an attractive setting through hard or soft landscaping. On the basis of the drawings that form part of the current application, it is considered that the layout, spatial setting (over 100m<sup>2</sup> of private amenity space per dwelling) and building heights and window layout as proposed are unlikely to lead to a detrimental impact upon the visual and residential amenities of the area. A new terrace area is proposed to the first floor rear elevation, which following revisions to the scheme now includes suitable screening to prevent actual and perceived overlooking of the neighbouring properties.

The scheme includes a small increase at ground floor and first floor level by 1.5m. Due to the separation distances provided to the neighbouring properties, and the inclusion of suitable screening, this is not considered to unduly impact upon residential amenity. Turning to the small increase of 0.5m to the front elevation, this is considered a minor encroachment towards the highway in order to allow for some visual variance within the design of the front amenity space. Whilst the increase in depth will be visible on approach, this is not considered to adversely

impact upon residential amenity. The properties are also located between 15-20m from the dwellings to the south-west, which is considered sufficient to prevent actual and perceived overlooking.

The Tree Officer within the previous permission raised no objection to the removal of the trees subject to the addition of conditions. He also stated 'Front garden spaces are large enough to establish and sustain medium size tree planting to complement and enhance the road frontage and mitigate against previous losses. Tree and shrub planting should further focus on planting up of shared boundaries with Ewhurst and Halcyon Heights'. Comments from the Tree Officer with regard to this scheme and the submitted landscaping plan have not yet been received however will be reported verbally at committee.

I note that there has been considerable neighbour objection to discrepancies within the plans which have now been rectified. The proposed dwellings are now shown to be located on the same footprint as the previous approved application with the addition of a small front and rear addition.

Concerns have also been raised as to the impact of the change in roof profile on the natural light provision of the neighbouring properties. Whilst there will be some additional bulk resulting from the change in roof profiles, the height of the scheme remains the same. Given the separation distances provided between neighbouring properties it is not considered that the change in roof design would impact detrimentally upon residential amenity to a greater extent than the previously approved application.

Members may therefore consider that on balance the proposal to develop the site for residential use is acceptable in this location and will not cause demonstrable harm to the amenities of the occupants of surrounding residential properties; the level of development proposed is suitable in terms of density for this area and has already been established within previous permissions, and as a result the proposed residential development will not be detrimental to the character of the streetscene or wider area. As such the scheme is worthy of permission being granted on the basis of the plans and associated documentation submitted as part of the application.

Background papers referred to during production of this report comprise all correspondence on the files refs., 05/04317/OUT, 05/00245/FULL1 and 14/04097/FULL1 set out in the Planning History section above, excluding exempt information. as amended by documents received on 16/12/2015

as amended by documents received on 16.12.2015

## **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 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.

- 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 (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.

- 4 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.

- 5 The arrangements for storage of refuse (which shall include provision for the storage and collection of recyclable materials) and the means of enclosure shown on the approved drawings shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

- 6** Prior to the commencement of the development hereby permitted, a survey of the condition of the road shall be submitted and agreed by the Local Planning Authority and any damage caused to the surface of the road during the construction phase of the development will be reinstated to a standard at least commensurate with its condition prior to the commencement of the development.

**Reason:** In the interests of pedestrian and vehicular safety and the amenities of the area and to accord with Policy T18 of the Unitary Development Plan.

- 7** 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.

- 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:** 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.

- 9** 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..

- 10** 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(s) as shall be approved and shall be permanently retained thereafter.

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

- 11** 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 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:** In order to prevent overdevelopment of the site in future, to protect the amenities of future residents and nearby residents, and to comply with Policy BE1 of the Unitary Development Plan.

- 12** Before the development hereby permitted is first occupied the proposed window(s) in the north west and south east side elevations shall be obscure glazed to a minimum of Pilkington privacy Level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above the floor of the room in which the window is installed and the window (s) shall subsequently be permanently retained in accordance as such.

**Reason:** In the interests of the amenities of nearby residential properties and to accord with Policies BE1 and H8 of the Unitary Development Plan

- 13** Samples of all external materials, including roof cladding, wall facing materials and cladding, window glass, door and window frames, decorative features, rainwater goods and paving where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any above ground works are commenced. The development shall be carried out in accordance with the approved details.

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

- 14** No development shall commence until a pre-construction tree works schedule is submitted to and approved in writing by the Council. Once approved the works schedule shall be undertaken in

accordance with British Standard BS 3998 2010, and prior to the implementation of tree protection measures as detailed in the Tree Protection Plan.

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

- 15** No development shall commence until an arboricultural method statement and tree protection plan is submitted to and approved in writing by the Local Planning Authority. The details shall include means of protective fencing and ground protection measures for trees effected by the development both within the application site as well as adjoining the site, and will specify information relating to foundation design and construction including an appropriately scaled survey plan showing the positions of trees affected by the proposed buildings, cross sectional drawings describing the depth and width of footings and hardstanding 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 all existing trees to be retained are adequately protected and to comply with Policy NE7 of the Unitary Development Plan.

- 16** Details of the proposed slab levels of the building(s) and the existing site levels shall be submitted to and approved in writing by the Local Planning Authority before work commences 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 and land stability.

- 17**
- i) Specification details and drawings of the biodiversity living roof shall be submitted to and approved in writing by the Local Planning Authority
  - (ii) The specification and drawings shall set out details of the plug planted and seeded substrate (that shall vary between 80-150mm with peaks and troughs and average at least 133mm), the proposed plant species and management arrangements
  - (iii) the living roof shall not be used as an amenity or sitting out space of kind whatsoever and shall only be used in the case of essential maintenance or repair, or escape in case of emergency.

**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.

**You are further informed that :**

- 1** There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the options available at this site.
- 2** **Surface Water Drainage -** With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0800 009 3921. Reason - to ensure that the surface water discharge from the site shall not be detrimental to the existing sewerage system.
- 3** Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 4** 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.
- 5** If during the works on site any suspected contamination is encountered, Environmental Health should be contacted immediately. The contamination shall be fully assessed and an



**appropriate remediation scheme submitted to the Local Authority for approval in writing.**

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**Application:**15/04295/FULL1

**Address:** Holly Rigg Woodlands Road Bickley Bromley BR1 2AP

**Proposal:** Proposed demolition of existing 2no dwellings and the development of 4no dwellings



"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 :** 15/04542/FULL6

**Ward:**  
**Shortlands**

**Address :** 67 Bushey Way Beckenham BR3 6TH

**OS Grid Ref:** E: 538903 N: 167712

**Applicant :** Mr Andy Grant

**Objections :** YES

### **Description of Development:**

Two storey side extension and loft extension to provide additional habitable accommodation

Key designations:

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

### **Proposal**

It is proposed to erect a part one/two storey side extension. The two storey element would lie in front of the existing single storey element, above which a first floor extension is proposed. The resultant side extension would be set back by approx. 1.5m from the front gable, excluding the bay window, and the full two storey height of the flank elevation would lie 1.5m from the boundary with Malmains Way.

The flank extension would incorporate a pitched roof. The ridgeline of the host dwelling would be set approx.. 0.35m lower than the main ridgeline of the host dwelling.

The application has been submitted following the refusal of planning permission under ref. 15/03305. The application differs from that which was refused in that:

- The extension ridgeline has been lowered.
- The formerly proposed gable with small hipped element has been replaced by a fully hipped roof to correspond with that of the host dwelling.

### **Location**

The application site lies on the corner of Bushey Way and Malmains Way, within the Park Langley Area of Special Residential Character.

The host dwelling is detached and incorporates a single storey side/rear extension which is set 1.5m from the boundary with Malmains Way.

The host dwelling has a front gable feature and the total first floor separation to the flank boundary of the site is approx. 4.4m, with the hipped roof sloping away from the flank boundary. The front elevation of the single storey flank extension is set back approx. 4m from the front gable elevation (excluding the bay window).

## **Consultations**

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

- o Proposal would be sympathetic to the main house
- o Would complement the surrounding area
- o No impact on neighbouring amenities

## **Planning Considerations**

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

### NPPF

Para. 56 of the NPPF states that good design is a key aspect of sustainable development and indivisible from good planning. Para. 58 states that planning decisions should respond to local character and history and reflect the identity of local surroundings and materials

### UDP

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side space  
H10 ASRC

Supplementary Planning Guidance 1 & 2  
Appendix I of the UDP which relates to ASRC.

### London Plan

Policy 7.4 Local Character

### Planning History

Planning permission was refused under reference 15/03305 for a similar scheme to the current proposal. Permission was refused on the grounds:

1. The proposal does retain sufficient side space to the flank boundary of the prominent corner site and would therefore constitute a cramped form of development, out of character with the street scene, conducive to a retrograde lowering of the spatial standards to which the area is at present developed and contrary to Policies H8, H9, H10 and BE1 of the Unitary Development Plan.

2. The proposed extension would be incongruous, bulky and overdominant in appearance, which would be harmful to the appearance of the existing dwelling and detrimental to the visual amenities of the street scene and the distinctive character of the Park Langley Area of Special Residential Character, thereby contrary to Policies BE1, H8 and H10 of the Unitary Development Plan.

The application seeks to overcome the previous reason for refusal and has been supported by a planning statement providing examples of other similar development within the ASRC.

The examples provided by the applicant of similar side space to the boundary within the ASRC are:

#### 45 Bushey Way (flanking Woodmere Way)

Planning permission refused under reference 91/1211 for the erection of a first floor side extension on grounds relating to the prominent location of the development, on a corner plot, with the proposed development comprising a cramped form of development, detrimental to the spatial standards of the area. An additional ground for refusal related to the potential for overlooking of the adjacent properties.

Planning permission was subsequently permitted under reference 93/01975 for a first floor side extension which provided a side space of 1.2m from the first floor extension to the flank boundary at the front, increasing to 2.8m at the rear.

Planning permission was granted under reference 13/03728 for a single storey rear extension and roof alterations to the front and side ground floor existing extensions, which did not alter the relationship between the host dwelling and the corner boundary.

#### 47 Bushey Way (flanking Woodmere Way)

Planning permission was granted under reference 14/02664 for first floor/single storey side/rear extensions to the property. The existing dwelling had a two storey element adjacent to the boundary with Woodmere Way and the proposed extensions were sited behind this existing element; therefore the permitted scheme did not bring development closer to the flank corner boundary.

#### 30 Top Park (flanking Elwill Way)

Planning permission was granted in 1987 under reference 87/01758 for the erection of a two storey side extension to the dwelling.

#### 24 Brabourne Rise (flanking Elwill Way)

Planning permission was granted under reference 04/04543 for the erection of a replacement one/two storey detached dwelling with the erection of an additional detached dwelling fronting Elwill Way. A minimum of 1.9m side space was shown to be retained between the replacement dwelling fronting Brabourne Rise and the boundary with Elwill Way, with a stepped flank elevation retaining a more generous side space between the front gable and the boundary.

#### 57 Brabourne Rise (flanking Woodmere Way)

Planning permission was granted under reference 05/00635 for the erection of extensions to the host dwelling. These extensions did not impact on the relationship between the dwelling and the flank boundary with Woodmere Way.

#### 59 Brabourne Rise (flanking Woodmere Way)

Planning permission was granted under reference 85/0905 for the erection of a two storey side extension to the host property.

### **Conclusions**

The main issues in the determination of this application are the effect that it would have on the character of the Area of Special Residential Character, the visual amenities of the street scene and the impact of the proposals on the residential amenities of the occupants of neighbouring properties.

In assessing the merits of the proposal it is necessary to consider whether the application overcomes the previous grounds for refusal, and whether the examples of corner development in the locality referred to by the applicant would support the current proposals in the context of the spatial standards and character of the ASRC.

Consistent character in the street scene of Bushey Way is generally achieved through a similarity in side separation, dwelling footprints and plot widths. The ASRC represents a coherent, continuous and easily identifiable area which has maintained its character and unity intact.

It is considered that in reducing the ridge height of the extension and deleting the obtrusive gabled roof previously proposed, the current proposal overcomes the ground of refusal relating to the appearance of the extension and its impact on the visual amenities of the area and the integrity of the host dwelling. While the extension is sizeable, it is subservient to the main dwelling, being set back from the main front elevation with a lowered ridgeline.

The proposal does not however increase the side space provided to the boundary, which remains at 1.5m as previously proposed and considered unacceptable in the context of the previous application. It is necessary to carefully consider whether the reduction in the bulk of the extensions, which sought to address the concerns of



the first ground of refusal, to some extent have the effect of mitigating the proximity of the first floor/two storey extensions to the corner boundary.

With regards to the examples of development in the locality which provides a similar retention of space to the corner boundaries, in the most part the planning history of the examples cited indicates that permission was granted prior to the adoption of the 1994 Unitary Development Plan which included a policy relating to development within Areas of Special Residential Character.

Where permission has been granted more recently, the extensions either maintained the existing relationship between the host dwelling and the corner boundary (in the case of Nos. 47 Bushey Way and 57 Brabourne Rise), or provided a minimum space to the corner boundary exceeding that proposed with this current application (including 24 Brabourne Rise - minimum of 1.9m side space and 45 Bushey Way - 1.2m increasing to 2.8m).

The previous examples cited by the applicant are not therefore considered individually to strongly support the current proposal's proximity to the boundary. Cumulatively, however, the number of similar examples of two storey development/first floor extensions retaining a broadly similar separation to the boundary may be considered to form a pattern of development on corner properties which the current proposal would complement. It is noted that the retention of 1.5m side space to the boundary would be at the lower limit of what may normally be acceptable in this ASRC, and may not complement the side space retained in the case of the opposite corner property at No. 65.

In conjunction with the generous width and openness of the corner and the street scene in this location, and with reference to the other developments in the locality, it is considered that on balance the proposal would not have so adverse an impact on the character and appearance of the ASRC as to justify the refusal of planning permission on these grounds alone. The proposal is considered to overcome the previous ground of refusal relating to the bulky and incongruous appearance of the proposed extensions.

## **RECOMMENDATION: PERMISSION**

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

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

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

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

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

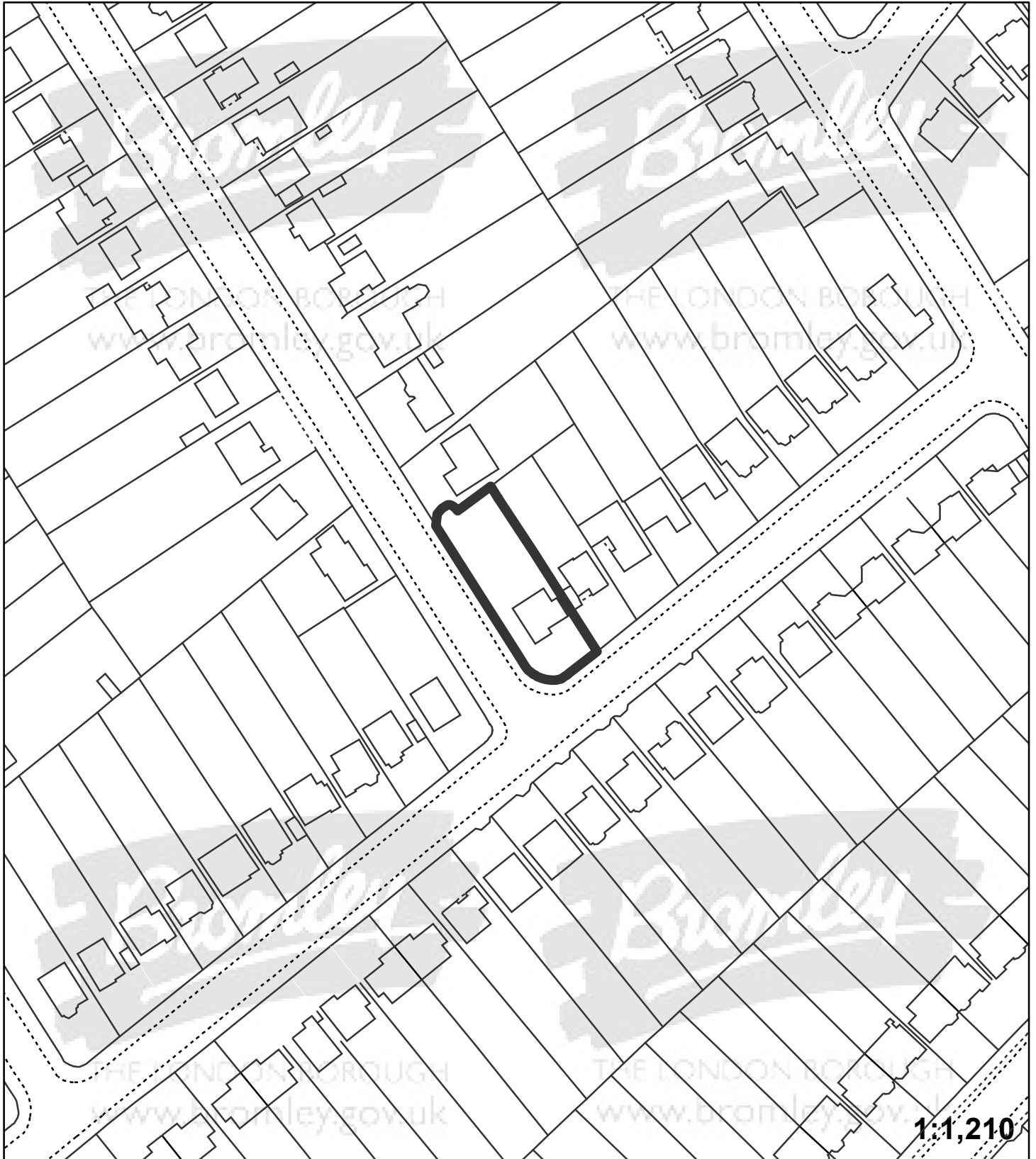
- 3** The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.

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

**Application:**15/04542/FULL6

**Address:** 67 Bushey Way Beckenham BR3 6TH

**Proposal:** Two storey side extension and loft extension to provide additional habitable accommodation



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

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## **Section '3' – Applications recommended for permission, approval or consent**

**Application No :** 15/03847/FULL1

**Ward:**  
**Copers Cope**

**Address :** 1 Canterbury Close Beckenham  
BR3 5EP

**OS Grid Ref:** E: 537674 N: 169844

**Applicant :** Mr Dean D'Eye

**Objections :** YES

### **Description of Development:**

Two storey side and single storey rear extensions.

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 12

### **Proposal**

It is proposed to erect a two storey side extension to the host dwelling. The two storey extension would abut the flank boundary of the site and would align with the main front and rear elevations of the existing dwelling. No windows are proposed to the flank elevation of the extension. The side element of the extension would be 3m wide, and would replace the existing single storey garage.

At the rear, a single storey extension is proposed which would be 3.3m deep and which would have a flat roof 2.7m high. The single storey extension would abut the flank boundary with the adjoining property and would continue the extended flank elevation.

As originally submitted, the application incorporated an externally sited flue and a roof terrace over part of the single storey rear extension. These elements have been deleted from the scheme.

### **Location**

Canterbury Close is a residential cul-de-sac accessed from The Avenue. The street is characterised by flat-roofed two storey terraced houses arranged to the north and south of the cul-de-sac. The application site comprises the easternmost end-of-terrace dwelling. Adjacent to the host dwelling is an open grassed area. The existing dwelling incorporates a single storey garage between the main two storey bulk of the dwelling and the boundary with the open grassed area. The soft

landscaping of the open area extends along the eastern side of the cul-de-sac access from The Avenue, and these open and soft landscaped spaces contribute to the character and appearance of the street scene by softening the appearance of the residential cul-de-sac.

## **Consultations**

### Local residents

Neighbouring owners/occupiers were notified of the application and the representations received in response can be summarised:

- loss of privacy as a result of overlooking from the terrace, to neighbouring residential gardens and the public green
- there are gaps running around the privacy screen and the height is insufficient
- the opaque side panel could be removed without permission allowing the whole of the roof of the extension to be used as a terrace
- no other dwellings in the street have been extended in this manner
- overdevelopment of the site, out of character with the width of the existing dwellings in the cul-de-sac
- lack of side space to the open space
- the internal layout resembles a student hostel, while the street comprises only family dwellings
- creation of a multi-occupancy dwelling
- restrictive covenants
- lack of detail on the plans of foul drainage, guttering and roof drainage
- the proposal would resulting bathrooms/toilets adjacent to party walls and macerators may be required
- creation of a foul sewage outlet close to the boundary
- insufficient detail of the screening to the terrace
- loss of light
- inaccurate plans
- the extension would align with the boundary of the site
- the flue has not been included in the daylight study
- the number of bathrooms would indicate that the development is not sustainable development
- noise and disturbance to neighbouring dwelling occasioned by the use of the bathrooms adjacent to the party boundary

Neighbouring owners/occupiers were notified of the submission of revised plans. In response, comments have been received from a neighbouring resident withdrawing the objection originally raised on the basis of the removal of the rear balcony area. A further letter has been received, reiterating concerns regarding the scale of the resultant accommodation.

## Comments from Consultees

Thames Water have commented on the proposal, stating that with regards to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. It is recommended that the applicant ensures 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 to the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval will be required. It is further recommended, with regards to building work within 3m of pipes, that the developer contact Thames Water for further information.

There are no objections regarding the sewerage or water infrastructure capacities of the development.

Any highways comments will be reported verbally at Committee.

## **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 Supplementary Planning Guidance 1 & 2, the London Plan and The National Planning Policy Framework (NPPF).

### NPPF

Section 7: Requiring good design is of particular relevance to the determination of this application.

### UDP

Relevant policies in the UDP are as follows:

Policy H8	Residential extensions
Policy H9	Side Space
Policy T3	Parking
Policy BE1	Design of New Development

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

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

## London Plan

### London Plan Policies:

- 3.5 Quality and Design of Housing Developments
- 7.4 Local Character

## Planning History

There is no relevant planning history to report.

## **Conclusions**

The main issues relating to the application are considered to be the impact of the proposal on the visual amenities and character of the street scene and the residential amenities of neighbouring residents. A number of additional concerns have been identified by local residents and listed in the consultations section of this report.

Policy H9 of the Unitary Development Plan requires that for proposals of 2 or more storeys in height a minimum of 1m side space shall be retained to the flank boundary, and greater standards of separation will be required in areas with a more spacious character. The proposed two storey extension would not provide a 1m space as set out in Policy H9.

However, the siting of the proposed extension adjacent to an open grassed area would limit the impact of the non-compliant extension on the spaciousness of the area, and the proposal would not result in the adverse impacts of loss of spaciousness and unrelated terracing that Policy H9 seeks to avoid.

It is not considered that the design and appearance of the proposed extension would have an adverse impact on the visual amenities of the street scene. While the proposal would extend the width of the host dwelling, the visual context within which the extension would be viewed would relate to a long terrace of dwellings within which alterations to the fenestration and the materials used for the elevations of the individual properties is not wholly uniform.

It is considered that the proposed two storey extension relates reasonably well to the general rhythm and appearance of the terrace in terms of its scale, height, massing and design. While it is noted that there is a general consistency in the width of dwellings in the cul-de-sac, the existing staggering of the front elevation of the terraced dwelling limits the extent to which the proposed extension would appear jarring or incongruous.

With regards to the single storey element, the proposed extension would immediately abut the boundary with the adjoining terraced dwelling, and would lie to the east of that property. As such the impact of the proposal on the residential amenities of the adjacent dwelling, including daylight and outlook should be very carefully considered. The depth of the extension, at 3.3m, is not considered excessive or unusually deep.



The applicant has submitted a daylight and sunlight analysis which it is stated demonstrates that the proposal would not have an adverse impact on amenity. This analysis shows that there would be a slightly increased shadow to the neighbouring property as a consequence of the extension.

The impact of the proposal on the daylight and sunlight to the rear facing windows of No.3 would be inherently related to the height of the sheer flank wall adjacent to that property. As scaled from the submitted elevations, it appears that the height would be approx. 2.7m and that the proposed extension would be approx. 1m higher than the boundary fence height. On balance, and taking into account the reasonably modest depth and height above fence line of the extension, it is not considered that the impact of the proposal on daylight and sunlight would be so adverse as to warrant the refusal of planning permission.

A number of representations have been received which raise concern regarding the drainage (foul and surface water) from the proposed extension. It is considered that if permission is granted, a condition could be imposed requiring more detailed information to be submitted, and Building Regulations approval will additionally be required which may address concerns relating to the construction of the extension.

The submitted plans show the formation within the existing ground floor of a guest suite, and the provision of three first floor bedrooms. The application is for the extension of a self-contained dwelling house and there has been no suggestion by the applicant that it is intended that the dwelling be used as a hostel. The provision of a guest bedroom is not considered likely to result in the over-intensive or uncharacteristic use of the extended house being used other than as a self-contained dwelling. The guest suite is located within the fabric of the existing dwelling and the proposed extension would not be easily capable of separation for use as a self-contained dwelling, and as such it is considered that a planning condition would not be necessary to control the future use of the dwelling.

On balance, the proposed extensions to the property would not be disproportionate, detrimental to the visual amenities of the area, nor would they be significantly detrimental to the residential amenities of neighbouring properties. On this basis it is recommended that planning permission be granted for the proposed development.

as amended by documents received on 14.09.2015 12.10.2015 07.12.2015  
08.12.2015 09.12.2015

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

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

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

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

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

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

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

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

**6** The flat roof of the single storey rear extension shall not be used as a balcony or sitting out area and there shall be no access to the roof area.

**REASON:** In the interest of the privacy of neighbouring residents and to accord with Policy BE1 of the Unitary Development Plan

**7** 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.

**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.

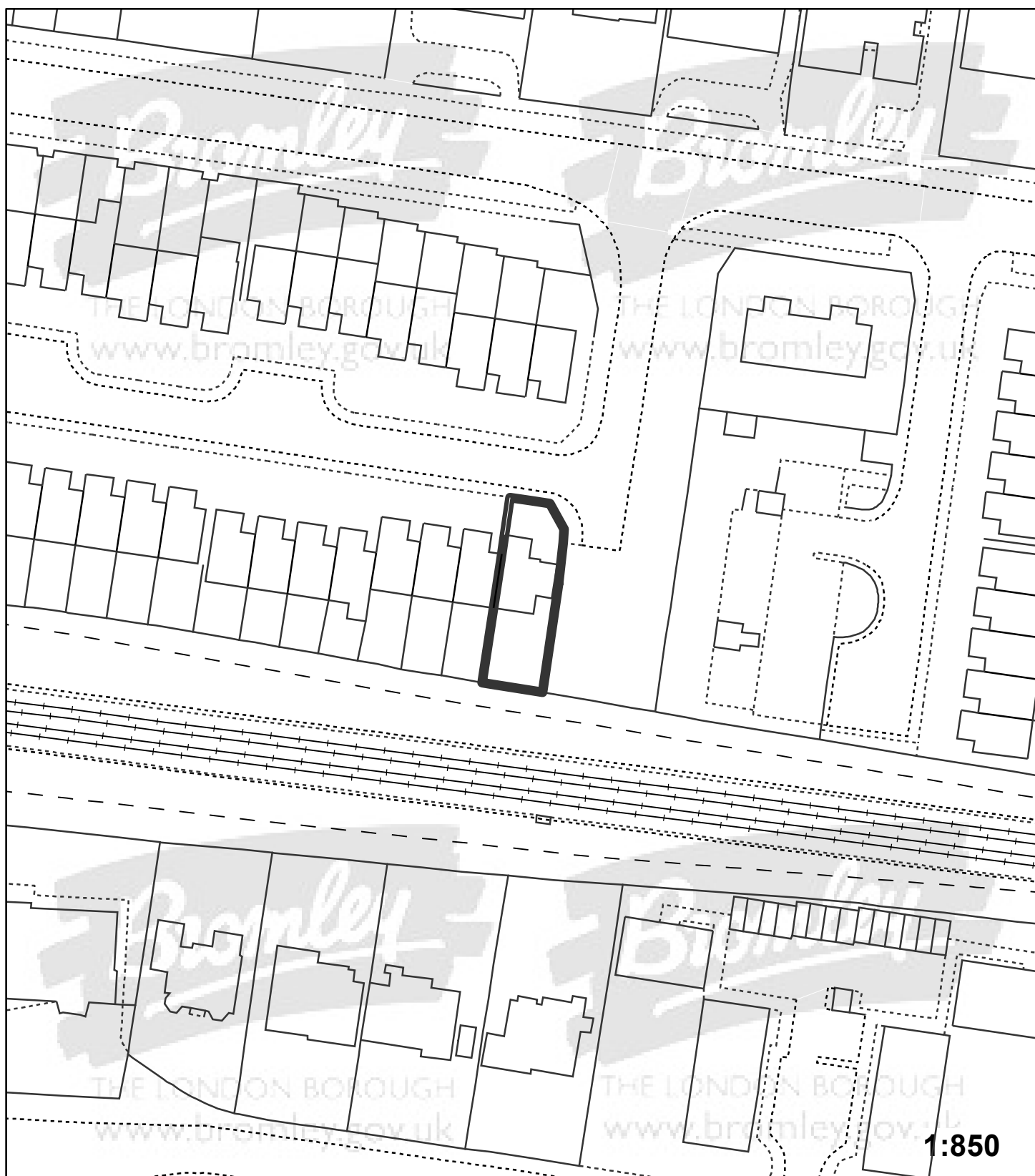
**REASON:** In order to comply with Policy T3 of the Unitary Development Plan and to avoid development without adequate parking or garage provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and prejudicial to road safety.

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**Application:**15/03847/FULL1

**Address:** 1 Canterbury Close Beckenham BR3 5EP

**Proposal:** Two storey side and single storey rear extensions.



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

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

**Application No :** 15/04543/FULL6

**Ward:**  
**Chislehurst**

**Address :** 2 Camden Park Road Chislehurst  
BR7 5HG

**OS Grid Ref:** E: 542668 N: 170223

**Applicant :** Miss Devine

**Objections :** YES

### **Description of Development:**

Part one/two storey extension and roof alterations to front.

Key designations:

Conservation Area: Chislehurst

Biggin Hill Safeguarding Birds

Biggin Hill Safeguarding Area

Flood Zone 2

London City Airport Safeguarding

London City Airport Safeguarding Birds

Open Space Deficiency

Smoke Control SCA 16

### **Proposal**

The application site is a detached property located on Camden Park Road, close to the junction with Lubbock road. The site is located within Chislehurst Conservation Area.

Permission is sought for a part one/two storey front extension to include alterations to the roof. The property has an existing front projection. The proposal is to increase the width of this front projection by 1.814m and extend the first floor to match this footprint. the roof alterations include raising the ridge of the projection to match the main roof to form a gable end.

### **Consultations**

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

The Conservation Officer raised no objection subject to matching materials.

APCA did not inspect the file.

## **Planning Considerations**

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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

The site has been subject to previous planning applications:

- o 07/03089/FULL6 - Single storey rear extension and first floor side extension with extension to existing front dormer/additional front dormer - Permitted 17.10.2007

## **Conclusions**

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

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

The property has two existing front projections; one large front gable projection with double garage at ground floor and bedroom over, and a separate smaller front gable projection with habitable room at ground floor only. The proposal is to increase the width of this smaller front projection by 1.814m and extend the first floor to match this footprint. The roof alterations include raising the ridge of the projection to match the main roof. The property is located within Chislehurst Conservation Area. The alterations to the property are located to the front of the property. The Councils Conservation Officer raised no objection to the proposal subject to matching materials. Given that the proposal will mirror the existing larger front projection, it is not considered to impact significantly on the character of the host property or the street scene in general.

The existing ground floor projection currently provides a side space of 0.7m. the proposal maintains this side space at first floor level therefore does not comply with Policy H9 of the Unitary Development Plan which requires a minimum of 0.7m for the full height and length of a two storey development. In this case whilst the Policy H9 would not strictly be adhered to, given that the ground floor element is existing, the extension as proposed would not cause a detrimental impact on the neighbouring property (No.4) in terms of loss of light, privacy or outlook, will not detract from the character of the property nor will it have an unacceptable impact upon the Chislehurst Conservation Area.



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

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

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

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

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

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

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**Application:**15/04543/FULL6

**Address:** 2 Camden Park Road Chislehurst BR7 5HG

**Proposal:** Part one/two storey extension and roof alterations to front.



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

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

**Application No :** 15/04760/FULL6

**Ward:**  
Hayes And Coney Hall

**Address :** 5 Hilldown Road Hayes Bromley  
BR2 7HX

**OS Grid Ref:** E: 539532 N: 166427

**Applicant :** Mr Quang Tu

**Objections :** YES

### **Description of Development:**

Part ground/part first floor side extension, single storey rear extension, front porch and elevational alterations

Key designations:

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

### **Proposal**

The application seeks consent for the construction of a part ground/part first floor side extension, single-storey rear extension, front porch and elevational alterations.

The proposed first floor extension would span almost the full depth of the property but would be set back from the front elevation by 0.8m.

The proposed ground floor side extension would incorporate the depth of an existing garage located to the side of the property and would add an additional 8.2m, which also incorporates the depth of a 4m single-storey rearward projection. The side extension would wrap around the rear of the property at ground floor level and would span the full width of the host dwelling.

The proposed porch would have a depth of 1m and would incorporate a pitched roof.

Elevational alterations would include the installation of two windows within the side elevation of the building.

### **Location**

The application relates to a two-storey semi-detached residential dwelling, which is located on the south west side of Hilldown Road. The property benefits from off-street parking and a rear garden which measures approximately 20m in depth. The

property is not located within a conservation area and the surrounding area is residential in character.

## **Consultations**

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

- o Enjoyment of neighbouring house/garden will be diminished
- o The proposed windows in the side elevation would overlook the neighbouring property and should be obscured glazed
- o Sides extension would retain 1m side space at ground and first floor level.

## **Planning Considerations**

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

BE1 Design of New Development  
H8 Residential Extensions  
H9 Side Space

SPG 1 General Design Principles  
SPG 2 Residential Design Guidance

Ref. Number	Description	Status	Decision
96/01209/FUL	SINGLE STOREY SIDE EXTENSION	PER	10.07.1996

## **Conclusions**

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

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

### Design

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

The application property forms one half of a semi-detached pair. The immediate adjoining neighbouring at No 7 benefits from a two-storey side extension similar to

the current proposal. The proposed first floor side extension has been set back from the front elevation and down from the main ridge of the dwelling. The overall appearance is considered to be subservient and sympathetic to the proportions and design of the host dwelling. The wider locality includes a variety of architectural styles and the proposed extension would not appear out of character or incongruous within this setting. Further, given the similar development at No 7 it is considered the proposed extension would improve the symmetry of the semi-detached pair.

Policy H9 normally requires proposals of two or more storeys in height to be a minimum of 1m from the side boundary. However, H9(ii) states that 'where higher standards of separation already existing in residential areas, proposals will be expected to provide a more generous side space. This will be the case on some corner properties'. Para 4.48 explains that the Council consider it 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'. The proposal would retain a 1m side space at first floor level, but would abut the common side boundary at ground floor level. The proposed side extension would be contained primarily behind an existing garage located to the side of the property. Its impact on the streetscene is therefore negligible. The application property is set back considerably from the front elevation of the neighbouring dwelling at No 3 Hilldown Road. This set-back would partially obscure the side addition. It's set back from the front elevation and set down at ridge level, together with the pitched design of the roof would ensure that an adequate level of side space would be retained in this context. Members may therefore consider that the proposed extension would not result in harm to the character, appearance or spatial qualities of the streetscene.

The proposed single-storey rear extension would be contained to the rear of the property and would have no impact on the streetscene. In terms of massing it is considered to be in proportion with the application property and would not look unduly dominant or bulky in this context.

The proposal would also include the construction of a front porch. This element of the proposal would be visible from the public realm but is considered to be in keeping with the style and proportions of the application property.

Given the above, Members may consider that the proposed extensions are acceptable alterations that would not result in harm to the character and appearance of the host dwelling or the spatial characteristics of the wider area.

#### Neighbouring amenity

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

The main impact of the proposal would be on the immediate neighbouring occupiers at No 3 and No 7 Hilldown Road.

No 3 is located to the south east of the application property and is set at a slightly lower ground level than the application site. It is also set forward of the application property, meaning the rear elevation of No 3 lines up approximately lines up with the front building line of the application property. No 3 benefits from a single-storey side extension and rear extension. There is also a detached outbuilding/garage and small lean-to conservatory located within the rear garden that abuts the common side boundary with the application site.

The proposed ground floor extension would sit alongside the common side boundary and would have depth of approximately 13m, however this includes the depth of the existing side garage. The existing side extension, rear extension and detached garage at No 3 would however act as a buffer between the rear patio area at No 3 and the proposed ground floor side/rear extension. It is therefore considered that the visual impact of the ground floor side/rear extension would be acceptable and would not be overly dominant or intrusive.

In relation to the first floor side extension, the proposal would retain a set-back of 1m at first floor level. The design would also incorporate a roof which pitches away from the common side boundary. It is acknowledged that the built form would move closer to No 3 as a result of the development; however there is already an established degree of visual bulk experienced by No 3 from the existing position of the main dwelling. The proposed extension would not extend beyond the existing front and rear building line and would be marginally set back from the front elevation. When taking into account the orientation of the site, with No 3 located to the south, and the existing development at No 3 which abuts the common boundary, the visual impact of the first floor addition is considered to be on balance acceptable.

The proposed single-storey rear extension would sit adjacent to the common boundary with No 7 Hilldown Road. No 7 is located to the north but benefits from an existing single-storey rear extension. The proposal would extend 0.7m beyond the rear elevation of this neighbouring extension. This is considered to be a modest projection and would have a limited impact on the visual amenities of the adjoining property.

In relation to overlooking and privacy there is already an established degree of overlooking towards the front and rear of the site. The additional windows in the front and rear elevation would not therefore result in a materially greater level of overlooking than the current situation. Two windows are however proposed within the flank elevation of the proposal. These would look directly onto the rear garden at No 3. It is therefore considered reasonable and necessary to condition these windows to be obscured glazed and non-opening in order to protect the privacy of the neighbouring property.

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

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

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

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

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

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

- 4        Before the development hereby permitted is first occupied, the proposed window(s) in the first floor South east flank elevation shall be obscure glazed to a minimum of privacy level 3 and shall be non-opening unless the parts of the window which can be opened are more than 1.7 metres above floor of the room in which the window is installed and shall subsequently be permanently retained as such.**

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

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**Application:**15/04760/FULL6

**Address:** 5 Hilldown Road Hayes Bromley BR2 7HX

**Proposal:** Part ground/part first floor side extension, single storey rear extension, front porch and elevational alterations



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

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Report No.  
DRR 16/010

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** PLANS SUB-COMMITTEE NO. 1

**Date:** Thursday 7 January 2016

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

**Title:** BUILDERS YARD REAR OF 1 TO 4 ALBANY ROAD,  
CHISLEHURST BR7 6BG (15/03407/FULL1)

**Contact Officer:** Tim Horsman, Planning Development Control Manager  
Tel: 020 8313 4956 E-mail: tim.horsman@bromley.gov.uk

**Chief Officer:** Chief Planner

**Ward:** Chislehurst;

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1. Reason for report

For Members to consider an additional condition to be added to the planning permission.

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2. RECOMMENDATION(S)

Members agree that a decontamination condition be added to the planning permission

### Corporate Policy

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

### Financial

1. Cost of proposal: No Cost:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre: Planning
  4. Total current budget for this head: £N/A
  5. Source of funding:N/A
- 

### Staff

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

### Legal

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

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected):N/A
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

Application 15/03407/FULL1 was subject of a resolution to grant planning permission at Plans Sub Committee on 17<sup>th</sup> December 2015 in accordance with the recommendation with the addition of a condition requiring submission of details of boundary enclosures. The original report is attached for information.

Following consideration of the application and whilst investigating works that have commenced at the site, comments were received from the Environmental Health Officer that the site may be subject to contamination and an appropriate condition should be imposed on any planning permission.

Members are asked to agree the previous resolution plus the addition of a standard contamination condition as follows:

*“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.”*

<b>Non-Applicable Sections:</b>	Policy, Financial, Legal, Personnel
Background Documents: (Access via Contact Officer)	Planning application files

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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.