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DATE: 12 January 2016

To: Members of the
PLANS SUB-COMMITTEE NO. 2

Councillor Lydia Buttinger (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Kathy Bance MBE, Nicholas Bennett J.P., Peter Dean, Simon Fawthrop,
Samaris Huntington-Thresher, Russell Mellor and Richard Scoates

A meeting of the Plans Sub-Committee No. 2 will be held at Bromley Civic Centre on
THURSDAY 21 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 8313 4745

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

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

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

A G E N D A

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 2 DECLARATIONS OF INTEREST**
- 3 CONFIRMATION OF MINUTES OF MEETING HELD ON 19 NOVEMBER 2015**
(Pages 1 - 8)
- 4 PLANNING APPLICATIONS**

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

Report No.	Ward	Page No.	Application Number and Address
4.1	Bromley Common and Keston	9 - 16	(15/05048/FULL1) - Princes Plain Primary School, Princes Plain, Bromley.

SECTION 2 (Applications meriting special consideration)

Report No.	Ward	Page No.	Application Number and Address
4.2	Darwin	17 - 26	(15/00271/FULL1) - Bristol Street Motors, Sevenoaks Road, Pratts Bottom, Orpington, BR6 7LP
4.3	Darwin	27 - 32	(15/01917/ADV) - Bristol Street Motors, Sevenoaks Road, Pratts Bottom, Orpington, BR6 7LP
4.4	Bickley	33 - 66	(15/02145/FULL1) - St Raphaels Residential Home, 32 Orchard Road, Bromley BR1 2PS
4.5	Darwin	67 - 76	(15/02218/FULL1) - Bristol Street Motors, Sevenoaks Road, Pratts Bottom, Orpington, BR6 7LP
4.6	Penge and Cator	77 - 98	(15/04458/OUT) - 213 Kings Hall Road, Beckenham, BR3 1LL
4.7	Bromley Town	99 - 104	(15/04540/FULL6) - 90 Sandford Road, Bromley, BR2 9AN

4.8	Clock House	105 - 118	(15/04654/FULL1) - 1A Birkbeck Road, Beckenham, BR3 4SL
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SECTION 3 (Applications recommended for permission, approval or consent)

Report No.	Ward	Page No.	Application Number and Address
4.9	Bickley	119 - 130	(15/02420/OUT) - Dunelm, Bickley Park Road, Bickley, Bromley BR1 2BE
4.10	Kelsey and Eden Park	131 - 136	(15/04294/FULL6) - 342 Upper Elmers End Road, Beckenham, BR3 3HF
4.11	Chislehurst	137 - 144	(15/04490/FULL6) - 13 Waratah Drive, Chislehurst BR7 5FP
4.12	Orpington	145 - 150	(15/04577/FULL6) - 154 Spur Road, Orpington, BR6 0QW
4.13	Bromley Common and Keston	151 - 162	(15/05033/FULL1) - 129 Southlands Road, Bromley, BR2 9QT.
4.14	Farnborough and Crofton	163 - 168	(15/05456/TELCOM) - Land Outside 192 Crofton Road, Orpington, BR6 8JG
4.15	Hayes and Coney Hall	169 - 176	(15/05467/TELCOM) - Land at South East Junction with Pickhurst Lane Mead Way, Hayes, Bromley.

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

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

5 CONTRAVENTIONS AND OTHER ISSUES

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

6 TREE PRESERVATION ORDERS

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

PLANS SUB-COMMITTEE NO. 2

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

Present:

Councillor Lydia Buttinger (Chairman)
Councillor Michael Turner (Vice-Chairman)
Councillors Kathy Bance MBE, Nicholas Bennett J.P.,
Simon Fawthrop, Samaris Huntington-Thresher, Russell Mellor
and Richard Scoates

Also Present:

Councillors Douglas Auld, Michael Tickner and Angela Wilkins

13 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Peter Dean.

14 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

15 CONFIRMATION OF MINUTES OF MEETING HELD ON 24 SEPTEMBER 2015

RESOLVED that the Minutes of the meeting held on 24 September 2015 be confirmed.

16 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

16.1 CRYSTAL PALACE CONSERVATION AREA

(15/03106/FULL1) - Crystal Palace Park Cafe, Crystal Palace Park, Thicket Road, Penge, London
Description of application – Demolition of existing single storey cafe and terrace and erection of two storey building comprising cafe on ground floor and cafe/ event space on first floor; external ground and first floor terraces and construction of connecting bridge from first floor terrace to lakeside path.

Oral representations in objection to and in support of

the application were received. Oral representations from Ward Member, Councillor Angela Wilkins, and on behalf of her fellow Ward Member, Councillor Richard Williams, 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 informative set out in the report of the Chief Planner.

SECTION 2

(Applications meriting special consideration)

16.2 CHISLEHURST CONSERVATION AREA

(15/03407/FULL1) - Builders Yard Rear Of 1 to 4 Albany Road, Chislehurst, BR7 6BG

Description of application – Construction of a two bedroom single storey dwelling with associated car parking and landscaping.

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

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, to allow the applicant to review the developed area within the applicant site, to consider whether it would be possible to agree sole vehicular access into the site from the south and to allow the Council's highways team to review the application with particular regard to the access onto Albany Road and its suitability for vehicles.

It was noted that the applicant site had been referred to the Planning Enforcement Division.

16.3 CHELSFIELD AND PRATTS BOTTOM

(15/03511/FULL1) - Orpington Sports Club, Goddington Lane, Orpington, BR6 9SX

Description of application – Installation of 4 no. floodlight monopoles (2x 14m and 2x 17.5m) each supporting 4 no. lamps, and the 2no. 17.5m molopoles also supporting telecommunications antenna (for shared use by Vodafone and Telefonica), together with installation of 3 no. ground based equipment cabinets. (Location at Westcombe Park Rugby Club pitch).

Oral representations in support of the application were received at the meeting. It was noted that the applicant should have been listed on the Chief Planner's report as, 'London Borough of Bromley' and

should have been considered under Section 1 of the agenda.

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

SECTION 3

(Applications recommended for permission, approval or consent)

16.4 BROMLEY COMMON AND KESTON

(15/03762/FULL6) - 26 Cowper Road, Bromley, BR2 9RX

Description of application - Two storey side/single storey rear extension.

Oral representations in objection to the application were received at the meeting. A statement in objection to the application from Ward Member, Councillor Alexa Michael, was read and had been circulated to Members.

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

1. The proposed extension, by reason of its scale, design and close proximity to the boundary would result in a cramped overdevelopment of the site lacking in adequate side space, which would impact detrimentally upon the visual amenities of the streetscene and residential amenity of adjoining neighbours, thereby contrary to Policies BE1, H8 and H9 of the Unitary Development Plan.

16.5 MOTTINGHAM AND CHISLEHURST NORTH

(15/04062/FULL6) - 150 Castleton Road, Mottingham, SE9 4DE

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

It was reported that no objections to the application had been received. Members having considered the report and representations, **RESOLVED that PERMISSION be GRANTED** as recommended,

subject to the conditions set out in the report of the Chief Planner with a further condition to read:-

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

in writing of the Local Planning Authority.
REASON: In the interests of the visual amenities of the area and in order to comply with Policy BE1 and H8 of the Unitary Development Plan.

SECTION 4

(Applications recommended for refusal or disapproval of details)

16.6

(15/03933/FULL1) - 2 Woodland Way, Petts Wood, Orpington, BR5 1ND

Description of application – Proposed three bedroom dwelling on land adjoining 2 Woodland Way.

Oral representations in objection to the application were received at the meeting. It was reported that further objections to the application had been received. Ward Member, Councillor Simon Fawthrop, read a statement in objection to the application and requested it be attached to these minutes as 'Appendix 1'.

The Chief Planner's representative reported that a submission from the applicant had been received that included a planning appeal decision for another site in the area. He reminded Members that each application should be considered on its own merits. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reason set out in the report of the Chief Planner with a further reason to read:-

2. The application site is a singular plot within the Petts Wood Area of Special Residential Character and the proposal would deteriorate the special character of the area, thereby contrary to the agreed revised Petts Wood Area of Special Residential Character description and Policy H10 of the Unitary Development Plan.

16.7
BICKLEY

(15/04152/FULL1) - Durley Lodge, Bickley Park Road, Bickley, Bromley, BR1 2BE

Description of application - Demolition of existing dwelling and erection of two storey building, with accommodation in the roofspace, comprising of eight flats (4x one bedroom; 2x two bedroom; 2x three bedroom apartments), together with associated parking and landscaping.

Oral representations in objection to and in support of the application were received at the meeting. The Chief Planner's representative advised that a late

revised plan had been received from the applicant and it had not been reviewed by Highways Division. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** as recommended, for the reasons set out in the report of the Chief Planner with an amendment to Reason 1 and a further reason to read:-

REASON 1: The proposal, by reason of its excessive width, massing and site coverage, would constitute a cramped overdevelopment of the site, leading to an undesirable diminution in spatial standards of the Bickley Area of Special Residential Character, detrimental to its character and appearance, and contrary to Policies BE1, H10, H7 and H9 of the Unitary Development Plan and the Council's adopted Supplementary Planning Guidance 1 and 2.

REASON 3: The proposed building, by reason of its 3rd floor balconies, would result in a loss of privacy and increased degree of overlooking into nearby properties (in particular Elmhurst to the rear), thereby contrary to Policy BE1 of the Unitary Development Plan.

17 **REVISED URGENT SUPPLEMENTARY AGENDA**

The Chairman moved that the revised report, not included in the published agenda, be considered as a matter of urgency on the following grounds:-
'Following a site inspection and further consideration of the case, it is necessary that authority be given to amend the terms of reference in the Council's case in view of the pending appeal.'

17.1 **(DRR15/107) - Yonder Farm, Orange Court Lane, Downe, Orpington, Kent, BR6 7JD** (DRR15/107) - Yonder Farm, Orange Court Lane, Downe, Orpington, Kent, BR6 7JD

Members having considered the report **RESOLVED** to inform the appellant and PINS immediately that the Council would supplement their existing case in respect of the appeal against the refusal to issue a Certificate of Lawfulness in respect of a self-contained dwelling (PINS Reference APP/G5180/X/15/3087194) and to provide evidence to the Inquiry to the effect that the use did not comprise a self-contained dwellinghouse, but rather part of a mixed use of the site.

IT WAS FURTHER RESOLVED that the Council issue a single enforcement notice alleging that the site

had been occupied as a mixed use comprising a commercial livery yard and residential workers accommodation, as recommended in the report of the Chief Planner.

APPENDIX 1 TO MINUTES 19 NOVEMBER 2015 ATTACHED

The Meeting ended at 8.25 pm

Chairman

APPENDIX 1

London Borough of Bromley Plans Sub-Committee 2 – 19 November 2015

ITEM 4.6 - 2 WOODLAND WAY, PETTS WOOD.

COMMENTS RECEIVED AT THE MEETING FROM SUB-COMMITTEE AND WARD MEMBER, COUNCILLOR SIMON FAWTHROP

The original plans for Petts Wood date from the late 1920s and early 1930s. While Houses were built over a number of years, in a number of similar though varied styles, the road layout and plot sizes were established in an overall pattern. Today the layout remains largely intact. Within the overall area the Conservation Areas of the Chenies and Chislehurst Road already stand out.

The plots were originally designed on the garden suburb principle by developer Basil Scruby, with large plot sizes spaciouly placed. The characteristics of the Petts Wood ASRC include an open feel, predicated by low boundaries and visible front gardens, set back from the road; there is also spaciousness between the houses which is of a superior standard. This allows many of the trees and greenery which prevails throughout the area to be seen from the street scene giving the area its open and semi- rural feel in line with the garden suburb principle. This open and suburban aspect of the area underlines the special characteristic of the area. Development which erodes this principle will be resisted.

The separation between building and the rhythm and pattern of the houses adds to the special character. In many cases there is a much wider separation between houses than in other parts of the Borough which demands a higher degree of separation between buildings to maintain the special character, the openness and feel of the area. Where there are pairs of houses that complement the rhythm of the street scene there is also a prevailing symmetry between the houses. This symmetry can also be seen between neighbouring pairs. The plots are set out in such a way that the spacious character is one of a clear detached and semi-detached nature.

The front building and rear building lines are also of importance in defining the area. The buildings are of a 1930s design which adds to the character of the area. Whilst there have been some changes post war this design aspect of the area remains intact and future development should respect this characteristic. The front roof lines are also of a nature which enhances the characteristic of the area being largely untouched by roof extensions and conversions at the front.

The plot sizes and rear gardens are mostly of a size which is commensurate with the Garden Suburb principle and this characteristic also forms part of the amenity value which makes the area special.

When considering future development within the Petts Wood ASRC, the main focus will be on the impact of any proposed development on the ASRC, taking into account the design and spatial standards including the low density of existing development. Proposals which undermine the character, rhythm, symmetry and spatial standards of the area will be resisted unless very special circumstances can be demonstrated. Likewise new dwellings proposed on gardens and infill will also be strongly resisted unless very special circumstances can be demonstrated. In this context special is used in the dictionary sense to mean distinguished from others of the same category, because it is in some way superior or held in particular esteem. For a proposal to meet the very special circumstances test in this context would mean not only an enhancement to the ASRC but a consequence of not undertaking the proposal would undermine the Petts Wood ASRC or risk some form of harm to the ASRC.

London Borough of Bromley
Adopted UDP

4. Housing

4.40 Backland development, involving development of land surrounded by existing properties, often using back gardens and creating a new access, will generally also be resisted. Private gardens can be of great importance in providing habitats for wildlife, particularly in urban areas. Except in Areas of Special Residential Character, such development, however, may be acceptable provided it is small-scale and sensitive to the surrounding residential area. Lower residential densities than those outlined in Table 4.2 will usually be required and there should be adequate access. Additional traffic should not cause an acceptable level of disturbance to neighbouring properties, and a high standard of separation and landscaping should be provided.

Councillor Simon Fawthrop
Cllr Petts Wood & Knoll
London Borough of Bromley

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

Application No : 15/05048/FULL1

Ward:
Bromley Common And
Keston

Address : Princes Plain Primary School Princes
Plain Bromley BR2 8LD

OS Grid Ref: E: 542315 N: 166633

Applicant : Mr Barry Blakelock

Objections : YES

Description of Development:

Installation of a freestanding external canopy to existing Reception Year playground.

Key designations:

Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 22

Key Designations:

Adjacent- Conservation Area
Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control

Proposal

The application seeks planning permission for the construction of a freestanding external canopy to the existing Reception year playground. The proposed canopy will have an overall height of 5.25m and a width of some 12.5m.

Princes Plain Primary School covers approximately 2.58 hectares and is located on the North West Side of Church Lane. The site consists of several detached buildings. There have been various additions to the existing buildings over the years. The site is located within the Green Belt and is adjacent to Bromley, Hayes and Keston Common Conservation Area. The site is surrounded by a combination of secondary playing fields, Church land and allotments.

Consultations

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

Planning Considerations

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

BE1 Design of New Development
BE13 Development Adjacent to a Conservation Area
C1 Community Facilities
C7 Educational and Pre-School Facilities
G1 Green Belt
T3 Parking

Supplementary Planning Guidance 1 and 2

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

6.5 Education
6.6 Education Facilities
7.1 Parking
7.2 Relieving congestion
7.3 Access to services for all
8.14 Green Belt

National Planning Policy Framework 2012

London Plan 2015

Policy 3.18- Education Facilities

Planning History

00/02395/DEEM3-Single storey rear extension-Permitted-12.10.2000

91/01541/LBB-PRINCES PLAIN JUNIOR SCHOOL CHURCH LANE BROMLEY
SITING OF EIGHT BAY MOBILE UNIT-Permitted-12.09.1991

92/01231/LBB-PRINCES PLAIN SCHOOL CHURCH LANE BROMLEY
EXTENSIONS TO CAR PARKS-Permitted-06.08.1992

92/02270/LBB-PRINCES PLAIN SCHOOL CHURCH LANE BROMLEY
CONTINUED USE OF 8 BAY MOBILE CLASSROOM UNITS FOR
EDUCATIONAL USE
PER
10.12.1992

94/02796/LBB-PRINCES PLAIN EDUCATION DEVELOPMENT CENTRE SINGLE
STOREY REAR EXTENSION-Permitted- 19.01.1995

97/01401/LBB-PRINCES PLAIN PRIMARY SCHOOL PRINCES PLAIN BROMLEY
DETACHED SINGLE STOREY BUILDING FOR NURSERY UNIT FOR UP TO 26
PRE-SCHOOL AGED CHILDREN AT ANY ONE TIME-Permitted-07.08.1997

04/02019/DEEM3- Extension to existing temporary classroom-Permitted-
15.07.2004

07/02104/DEEM3-Construction of a new single storey building to provide improved
and extended accommodation for the existing nursery care including an outdoor
play area. Alterations to existing building to provide accommodation for the new
childrens centre catering for parent training and associated crèche-Permitted-
04.10.2007

07/02591/DEEM3-Single storey conservatory extension to provide new library
area-Permitted-04.10.2007

09/01730/DEEM3-Single storey building for use as classrooms-Permitted-
25.08.2009

10/01278/FULL1-Single storey extension to form group study room access ramp
with paved pathway playground fence enclosure and brick retaining wall. Single
storey infill extension to main building to form music room, covered walkway linking
kitchen and hall, entrance canopy and increase in hardstanding for play area and
fire appliance access route.- Permitted-19.07.2010

14/01436/FULL1-Single storey extension to Hall for use as Served and Store-
Permitted-10.07.2014

15/00487/FULL1-A single storey extension to an existing classroom, incorporating
an increase in roof height.-Permitted- 06.05.2015

Conclusions

The main issues relating to the application are the effects that it would have on the
character of the area, the openness and character of the Green Belt and the
impacts 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.

UDP Policy C7, London Plan Policy 3.18 and Paragraph 72 of the National
Planning Policy Framework set out requirements for the provision of new schools
and school places.

The NPPF, paragraph 72 states that:

The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen the choice of education. They should:

- Give great weight to the need to create, expand or alter school; and
- Work with schools promoters to identify and resolve key planning issues before applications are submitted

London Plan Policy 3.18 encourages new and expanding school facilities particularly those which address the current predicted shortage of primary school places.

Draft Policy 6.5 of the emerging Local Plan defines existing school sites as 'Education Land'. Policies 6.5 and 6.6 of the Draft Local Plan support the delivery of education facilities unless there are demonstrably negative impacts, which substantially outweigh the need for additional education provision, which cannot be addressed through planning conditions or obligations. In this first instance opportunities should be taken to maximise the use of existing Education Land. Paragraph 216 of the NPPF enables due weight to be given to emerging policies depending on their degree of consistency with the policies in the Framework. In this instance it is considered that there is significant compliance with existing policies and so greater weight can be given to the emerging policies.

Paragraph 87, 88 and 89 of the NPPF states that 'as with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstance'. When considered any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and other harm, is clearly outweighed by other considerations. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- 'The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of original building'

The proposal is for canopy to the existing reception year playground, which would have a height of 5.25m and a width of 12.5m, with an approximate footprint of 65.62sqm. The proposed canopy would be a freestanding structure, and is not considered to result in a disproportionate amount of development. As a result the construction of a canopy would maintain the openness of the Green Belt.

The proposal would be set well within the confines of the site, with allotment gardens and land belonging to the church to the west. Its location and size is considered acceptable, as such no harm would result to the visual amenities of that part of the Green Belt. In addition, the proposal will result in provision of an improved educational facility and is considered acceptable.

The site is adjacent to the Bromley, Hayes and Keston Commons Conservation Area, however as stated above the proposal is set within the confines of the site and would not impact the character or appearance of the adjacent Conservation 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 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 to secure a visually satisfactory setting for the development.

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Application:15/05048/FULL1

Address: Princes Plain Primary School Princes Plain Bromley BR2 8LD

Proposal: Installation of a freestanding external canopy to existing Reception Year playground.



"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 : 15/00271/FULL1

Ward:
Darwin

Address : Bristol Street Motors Ltd Sevenoaks
Road Pratts Bottom Orpington BR6 7LP

OS Grid Ref: E: 545528 N: 163224

Applicant : Mr Andy Johnson

Objections : YES

Description of Development:

Installation of ventilation ductwork and air handling unit and installation of acoustic fencing to enclose plant
PART RETROSPECTIVE APPLICATION

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Local Cycle Network
Flood Zone 2
Flood Zone 3
London City Airport Safeguarding
Local Distributor Roads
Local Distributor Roads
Stat Routes

Proposal

This application relates to a car showroom premises which also incorporates valet and wash areas and stores within the same building. Part retrospective planning permission is sought in respect of ventilation and air handling unit plant which has been installed to the western (rear) elevation toward the south-western corner of the building. Following the applicant's commissioning of an acoustic assessment, undertaken after this application had initially been submitted, the application has since been amended and now incorporates 2.7m-high acoustic fencing which will enclose the air handling units.

A supporting Sound Impact Assessment was received by the Council on 18.11.15, together with revised plans received on the same date.

This application is to be considered in conjunction with application ref. 15/02218 which relates to the installation of a new car washing facility within the site. In addition, application ref. 15/01917 relating to advertisements is also included in this agenda.

Location

The site is situated adjacent to the A21 Sevenoaks Road, by a major roundabout which adjoins High Street Green Street Green, Old Hill and Cudham Lane North. The site contains a sales building and workshop and an outside parking area used in connection with this dealership.

Comments from local residents

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

- ventilation ducts are in close proximity of neighbouring residential property, clearly visible above the fence, emit fumes and further degrade the area's habitat
- ventilation ducts are visible from Cudham Lane North and Old Hill
- detrimental to environment
- noise disturbance to neighbouring houses and gardens
- harm to residential amenity
- fumes from workshop drift across Cudham Lane North
- ventilation ducts will emit additional fumes
- sound level at present constitutes a statutory nuisance
- air conditioning system has been on throughout the day and at weekends
- applicant has failed to deal with faulty equipment expeditiously
- plant should be positioned close to A21 than residential properties
- jet wash on site does not benefit from planning permission either
- neighbours cannot agree to equipment with acoustic fencing without hearing the difference which it makes
- pipework outside the building is an eyesore and this can only be rectified by encasing it

Consultee Comments

Following submission of an acoustic assessment the Council's Environmental Health division has not raised objections to the application subject to installation of the acoustic fence around the plant fully in accordance with the submitted details and also subject to the following condition:

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

Once permitted, the acoustic fencing should be installed as early as possible.

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

7.15 (London Plan) Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Townscapes

Planning History

There is a detailed planning history associated with the application site, with details of applications since 1983 summarised in the table below.

Ref. Number	Description	Status	Decision Date
83/00561/DET	SINGLE STOREY EXTENSION FOR CAR DISPLAY AREA ANCILLARY OFFICE AND STAFF AMENITIES DETAILS 82/1129	PER	27.05.1983
85/00138/FUL	NEW BODY WORKSHOPS TOGETHER WITH RENOVATIONS AND ALTERATIONS TO EXISTING BUILDINGS	REF	21.03.1985
85/01259/FUL	DETACHED SERVICE WORKSHOP BUILDING TOGETHER WITH EXTENSIONS AND ALTERATIONS TO EXISTING BUILDINGS TO PROVIDE NEW SHOWROOMS AND BODY AND PAINT WORKSHOP	LEG	08.08.1985
88/02662/FUL	DETACHED BUILDING COMPRISING BODY AND PAINT WORKSHOP SHOWROOM AND ANCILLARY FACILITIES TOGETHER WITH CANOPY OVER USED CAR SALES AREA	PER	18.08.1988
89/03252/OTH	REVISION PROCEDURE TO 882662 GRANTED FOR DETACHED BUILDING COMPRISING BODY AND PAINT WORKSHOP SHOWROOM AND ANCILLARY FACILITIES TOGETHER WITH CANOPY OVER USED CAR SALES	WDN	08.03.1991
90/02971/ADVILL	ONE INTERNALLY ILLUMINATED DOUBLE SIDED POLE SIGN AND THREE INTERNALLY ILLUMINATED SINGLE SIDED LAWN SIGNS AND 3 INTERNALLY ILLUMINATED FASCIA SIGNS	PER	23.01.1991
91/00779/FUL	CHANGE OF USE FROM WORKSHOP BUILDING TO MOT TEST CENTRE	PER	04.07.1991
92/00909/OTH	VARIATION OF CONDITION 99 OF APPLICATION 910779 TO ENABLE THE USE TO OPERATE SUNDAYS AND BANK HOLIDAYS	REF	11.06.1992
93/00791/ADVILL	THE LARCHES SEVENOAKS ROAD	PER	10.06.1993

	GREEN STREET GREEN BR6 7LP FIVE FLAG POLES 29M IN HEIGHT		
93/03083/FUL	SINGLE STOREY EXTENSION TO ENLARGE SHOWROOM AND CAR PREPARATION AREA	PER	30.06.1994
95/00379/FUL	SINGLE STOREY EXTENSION TO PROVIDE THREE VEHICLE VALET BAY	REF	28.02.1996
95/01579/ADVILL	CONTINUED DISPLAY OF ADVERTISING BUNTING	REF	23.08.1995
97/01299/FUL	CONTINUED USE OF EXISTING MOT VEHICLE INSPECTION AND TESTING FACILITY	PER	09.07.1997
97/02599/FUL	LAND JUNCTION SEVENOAKS ROAD AND CUDHAM LANE NORTH BR6 7LP DETACHED BUILDING FOR FAMILY RESTAURANT/PUBLIC HOUSE AND BUILDING FOR A HEALTH AND FITNESS CENTRE ATTACHED TO EXISTING VILLA	REF	19.11.1998
97/02691/LBCDEM	LAND JUNCTION OF SEVENOAKS ROAD AND CUDHAM LANE NORTH BR6 7LP ATTACHED PART ONE/TWO STOREY BUILDING FOR LEISURE USE LISTED BUILDING CONSENT	REF	19.11.1998
04/00343/FULL2	Change of use to the display and sale of vehicles and alterations to existing boundary and landscaping treatment, use of land (formerly Larches Petrol Filling Station) for associated car parking for customers and staff	REF	25.03.2004
04/03446/FULL2	Change of use to the display and sale of vehicles; use of land (formerly Larches Petrol Filling Station) for associated car parking for customers and staff and use of building for storage	PER	16.12.2005
05/04512/FULL1	Installation of glazed shopfront to side elevation and elevational alterations including replacement of roller shutter doors with full height windows and render/paint finish to existing brick walls	PER	09.02.2006
06/00853/VAR	Variation of condition 6 of permission ref 04/03446 to read 'No movement of vehicles for sale shall take place on the land coloured orange on Plan AR5 on any Sunday, Bank Holidays, Christmas Day or Good Friday or before 8.30am or after 6.30pm on any other day'	APR	27.06.2006
06/01725/ADV	6m internally illuminated sign with 2 projecting box signs 1 internally illuminated freestanding sign 4 internally illuminated fascia signs 3 internally illuminated wall mounted signs 1 non-illuminated free standing sign	CON1	22.06.2006
06/03469/ADV	14 no. 6m high flag poles RETROSPECTIVE APPLICATION	REF	18.01.2007
08/02241/ADV	Internally illuminated fascia sign	CON1	22.08.2008

08/02241/SPLADV	Internally illuminated freestanding totem sign	REF	22.08.2008
08/03705/ADV	Internally illuminated free standing totem sign	CON1	15.12.2008
09/00521/FULL1	Detached building for MOT workshop.	PER	14.08.2009
13/04278/FULL1	Erection of parapet cladding screen, elevational alterations, new entrance, relocation of wash/valet bays and alterations to site entrance and car park.	PER	14.04.2014
14/03244/ADV	3 internally illuminated fascia signs, 1 internally illuminated entrance sign and 1 internally illuminated totem sign	CON1	27.10.2014
14/03244/SPLADV	1 totem sign adjacent to the roundabout (Sign A)	REF	27.10.2014
15/00271/FULL1	Installation of ventilation ductwork and air handling unit and instillation of acoustic fencing to enclose plant RETROSPECTIVE APPLICATION	PCO	
15/00454/FULL1	PVC strip curtain to wash valet bay to rear of showroom (Revision to permission ref 13/04278) RETROSPECTIVE APPLICATION	WDN	10.11.2015
15/01917/ADV	Three internally illuminated fascia signs and one part externally/part internally illuminated entrance sign (Signs A, B, D and E)	PDE	
15/02218/FULL1	Installation of new car washing building and installation of acoustic fencing adjacent to boundary with 11-15 Cudham Lane North	PCO	

Conclusions

The main considerations in this case relate to the impact of the proposal on neighbouring amenity, with particular regard to being able to achieve satisfactory noise attenuation.

The application site forms a major local car dealership which also incorporates vehicle maintenance, within which various activities have been consolidated over recent years. Whilst this application is also being considered at the same time as one for a car wash facility (ref. 15/02218) the two applications should be considered on their own individual merits. In this case, retrospective permission is sought in respect of the plant and ducting situated to the SW corner of the main building within the site, which also incorporates the showroom. In addition, this application proposes the installation of acoustic fencing around the plant to provide noise attenuation.

Following discussions with the applicant, a Sound Impact Assessment was undertaken which measured background noise levels around the site. The sound impact from the site was discussed with the Local Authority and it was agreed that, as far as practicable, the sound impact at the nearest sound sensitive locations should not exceed a level 10 dB below the background sound level. Background sound levels at the nearest sound sensitive location have been measured and

sound level measurements of the current car washing activities have been carried out.

The Sound Impact Assessment concluded that, on the basis of its measurements, the highest calculated rating level at the Nearest Sound Sensitive Location is 9 dB below the measurement background level, LA90, 1 hour, on the basis of mitigation measures, and therefore complies with the limits indicated by the Local Authority. Following consideration of this assessment, the Council's Environmental Health section has raised no objection to the application, subject to conditions that limit noise emissions, and for the installation of acoustic fencing around the plant (as set out in the revised plans of 18.11.15). Accordingly, it is considered that concerns relating to neighbouring amenity can now be satisfactorily addressed.

On the issue of visual amenity, whilst the proposed ducting is substantial in size, on balance it is considered that this is acceptable within the commercial context of the site and, furthermore, that its separation from neighbouring residential properties along Cudham Lane North (which incorporates a service road and boundary fencing), provided a suitable buffer. The plant itself will be screened by the acoustic fencing.

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

as amended by documents received on 18.11.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

Reason: In the interest of the amenities of neighbouring properties and to comply with Policies BE1(v) of the Unitary Development Plan and Policy 7.15 of the London Plan: Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Townscapes.

2 The acoustic proposed fencing (as per drawings AR56614-123, Rev A; AR56614-125, Rev A; and AR56614-127, Rev A) shall be installed and completed within 6 weeks of the date of this Decision Notice.

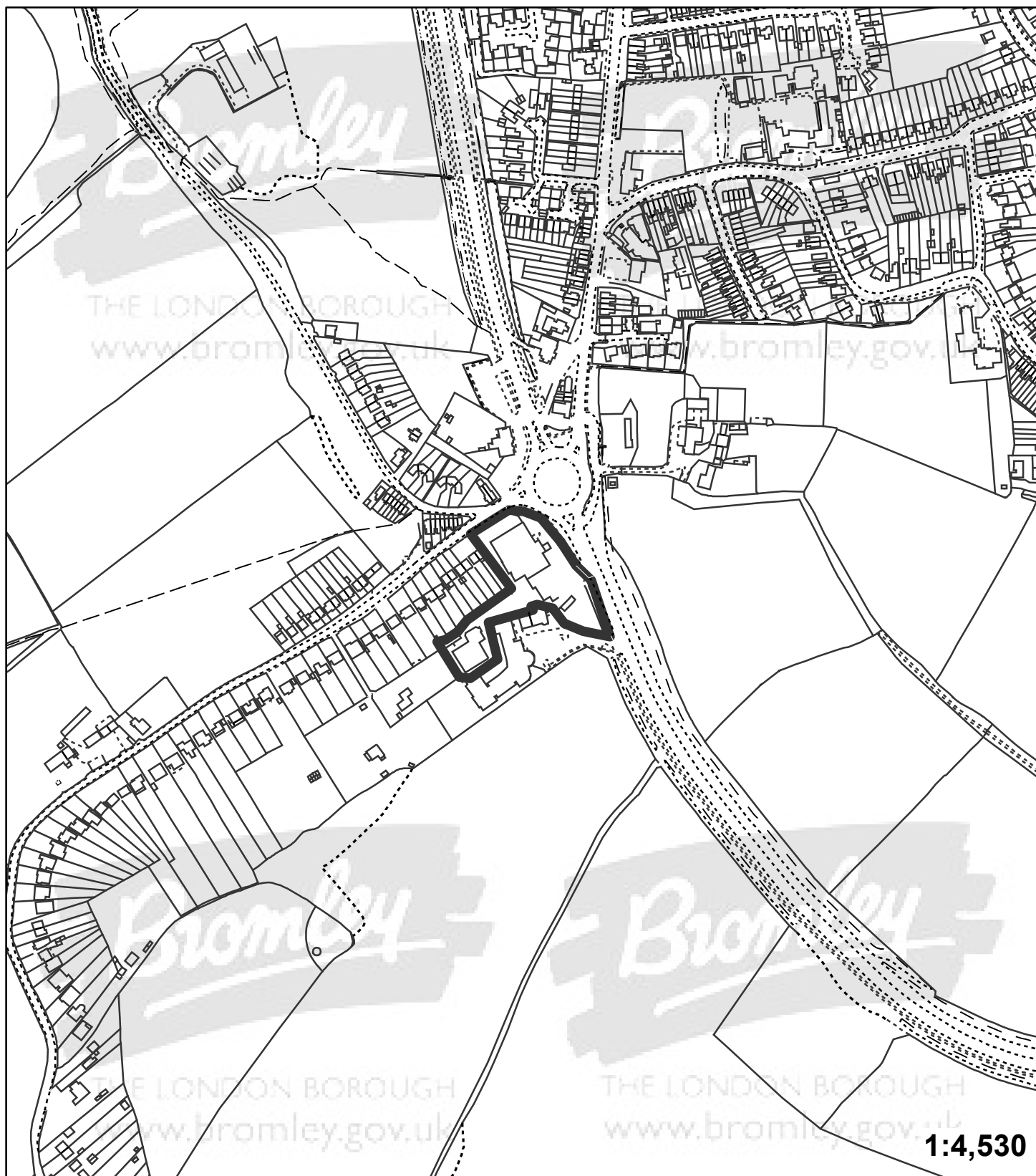
Reason: In the interest of the amenities of neighbouring properties and to comply with Policies BE1(v) of the Unitary Development Plan and Policy 7.15 of the London Plan: Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Townscapes.

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Application:15/00271/FULL1

Address: Bristol Street Motors Ltd Sevenoaks Road Pratts Bottom Orpington BR6 7LP

Proposal: Installation of ventilation ductwork and air handling unit and installation of acoustic fencing to enclose plant
PART RETROSPECTIVE APPLICATION



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

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SECTION '2' – Applications meriting special consideration

Application No : 15/01917/ADV

Ward:
Darwin

Address : Bristol Street Motors Ltd Sevenoaks
Road Pratts Bottom Orpington BR6 7LP

OS Grid Ref: E: 545528 N: 163224

Applicant : Mr Gavin Bradford

Objections : YES

Description of Development:

Three internally illuminated fascia signs and one part externally/part internally illuminated entrance sign (Signs A, B, D and E) – 15/01917/ADV

Internally illuminated flex box sign (Sign C) – 15/01917/SPLADV

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
Green Belt
London City Airport Safeguarding
Local Distributor Roads

Proposal

The proposal will replace/supplement existing signage relating to the services offered at the site. Sign F listed within the submitted plans will be located inside the building and is not subject to advertisement consent.

Location

The site is situated adjacent to the A21 Sevenoaks Road, by a major roundabout which adjoins High Street Green Street Green, Old Hill and Cudham Lane North. The site contains a sales building and workshop and an open-air car park within which vehicles are displayed.

Consultations

Comments from Local Residents

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

- visually intrusive
- no regard for area
- light pollution
- previous applications concerning the site are overdue
- there remain existing planning breaches at the site
- any wall not considered for signage should be left available for potential repositioning of air conditioning system

Comments from Consultees

No technical Highways objections have been raised.

Planning Considerations

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

BE21 Control of Advertisements and Signs
T18 Road Safety

Planning History

The site is the subject of a considerable planning history, details of which are set out in the accompanying reports (refs. 15/00271 & 15/02218).

Conclusions

The main issues in this case are whether the proposed signs are in keeping with the appearance of the surrounding area and whether it respects the amenities of neighbouring properties. A further consideration is the impact on pedestrian and vehicular safety.

The proposed signs will be situated on the outside of the main building within on the site which contains a salesroom. The proposed signs B, D and E are considered to be commensurate in scale and appearance with existing signage and it is not considered that these will undermine amenity. Sign A will surround the main entrance to the building and incorporate a large internally illuminated oval logo. Despite its overall scale, it is not considered that this will appear unduly prominent and harmful to the amenities of the area.

However, the proposed internally illuminated flex box Sign C which will occupy a position to the eastern elevation of the building and comprise an internally illuminated 'flex box' with overall dimensions of 12.4m x 3.9m is considered to be excessive in scale and over-dominant within the surrounding streetscene. Given its size, design and location, it is considered that Sign C would result in an excess of advertising matter within the site, detrimental to the visual amenities of the streetscene of the area in general.

For the above reasons, a split decision is recommended.

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

RECOMMENDATION:

In respect of signs A,B,D and E: ADVERTISEMENT CONSENT GRANTED

subject to the following conditions:

Standard Advertisement Conditions 1 -5 and:

- 6 This consent shall be for a period of 5 years, beginning with the date of this decision notice.**

Reason:Regulation 14(5), Town and Country Planning (Control of Advertisements) Regulations 2007.

- 7 The luminance output of the shall not exceed **** candelas per square metre from any part of the sign.**

Reason:In order to comply with Policy BE21 of the Unitary Development Plan and to ensure that excessive brightness of illumination does not detract from the amenities of the area.

in respect of Sign C: ADVERTISEMENT CONSENT REFUSED

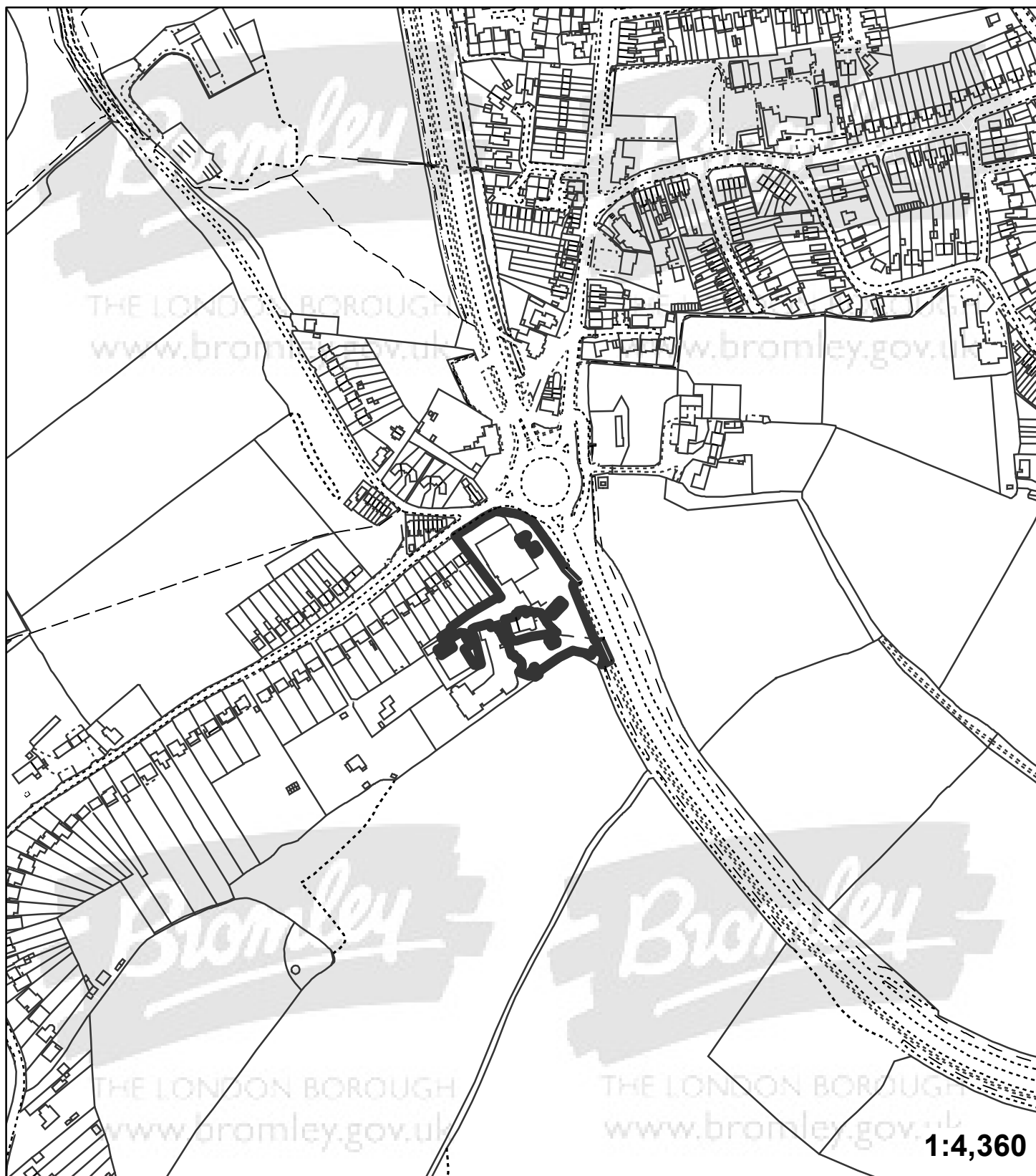
The proposed internally illuminated flex box sign (Sign C) would, by reason of its scale and design, result in an excess of advertising matter within the site, detrimental to the visual amenities of the streetscene and of the area in general, and contrary to Policy BE21 of the Unitary Development Plan.

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Application:15/01917/ADV

Address: Bristol Street Motors Ltd Sevenoaks Road Pratts Bottom Orpington BR6 7LP

Proposal: Three internally illuminated fascia signs and one part externally/part internally illuminated entrance sign (Signs A, B, D and E)



"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 : 15/02145/FULL1

Ward:
Bickley

Address : St Raphaels Residential Home 32
Orchard Road Bromley BR1 2PS

OS Grid Ref: E: 541423 N: 169768

Applicant : Methodist Homes (MHA)

Objections : YES

Description of Development:

Demolition of existing care home and erection of a part one/two/three storey building with an additional storey of accommodation within the roofspace comprising 77 retirement living apartments (54x2 bed and 23x1 bed) with basement level ancillary facilities, parking for 49 cars (30 at basement level, 19 surface level), cycle parking spaces, refuse storage and landscaping

Key designations:

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

Proposal

Planning permission is sought for the full demolition of the existing care home (Class C2) and the erection of a 1/2/3/4 storey building with rooms in the roof. The original plans showed the provision of the following accommodation

- o 77 units comprising 54x2 bedroom flats and 23x1 bedroom flats for retirement living with access to care provision.
- o The building will extend east to west across the northern part of the site facing Orchard Road with protruding wings extending southwards from the main part of the building
- o At basement level there will be 30 car parking spaces, 12 cycle parking spaces and a plant room, kitchen, laundry and storage area.
- o At surface level there will be frontage car parking for 19 cars and an access ramp to the basement in the north-west corner of the frontage. The total number of car parking spaces is 49 including 9 disabled spaces.
- o A buggy store and 6 cycle parking spaces are also provided on the ground floor.
- o The proposed bin store is located on eastern elevation

- o Communal facilities will be provided in the north east corner of the building around the main entrance ground floor level and below at basement level which include a cinema, resident's lounge/library, craft/multi-purpose room, dining room/café, hairdressing/therapy room, assisted spa bath room, a guest suite, admin facilities and Managers office.
- o A total of 26 trees and 5 tree groups of trees will be removed to facilitate the development.
- o Landscaping is proposed around the proposed building with a communal garden to the rear.
- o Private balconies or a terrace will be provided for most properties with the exception of the four 1st/2nd and 3rd floor flats facing Orchard Road
- o Three terraces are provided on the eastern, southern and northern elevations (2 communal and 1 private amenity space).

Following concerns raised by residents, amended plans and documents were received in October 2015 and the changes made to the original scheme are summarised as follows:

- o Cross sections to show changes in ground levels
- o Outline of existing buildings shown on plans
- o Obscure glazing provided to upper floor windows facing east (towards Baytree Close) that are closest to this boundary
- o Obscure glazing screens added to balconies in this location
- o External bin store has been omitted and incorporated into the building
- o The buggy stored has been relocated to the eastern rear 'wing'
- o Existing sub-station plotted and plans confirm it will be retained.
- o Existing landscaping on the eastern boundary has been reviewed and correctly plotted. All boundary planting to be retained and only cut back if required for the health of the trees and new planting provided to fill gaps on this elevation.
- o A photo montage to show the impact of windows in the upper floors of the eastern elevation on 7 Baytree Close
- o Existing planting on western boundary to be retained as above.
- o Additional planting is proposed for the southern boundary.
- o Reorientation and change in size of 1st floor windows facing the southern boundary to reduce the likelihood of overlooking to properties in Ashmead Gate and High Grove.
- o Provision of screens to balconies in sensitive locations to avoid overlooking

Quantum of development

The applicant advises the following floor areas:

- | | |
|---|----------|
| o Existing gross internal area | 2950 sqm |
| o Proposed overall gross internal floor area (including basement car park) | 9130 sqm |
| o Communal floorspace including all corridors | 1828 sqm |
| o Estimated communal space excluding corridors, lifts, cleaning and storage areas | 500 sqm |

The applicant has submitted the following documents to support the application: Planning Statement and Affordable Housing Statement, Addendum to Planning Statement and Affordable Housing Statement; Design and Access Statement, Tree Survey and Arboricultural Impact Assessment, Transport Statement and draft Travel Plan, Extended Phase 1 Habitat Survey and Bar Building Assessment, Bat Emergence and Reptile Survey report, Landscape Design Statement including Landscape Visual Impact Assessment, Statement of Community Involvement, Phase 1 Site Investigation and Energy Report (including sustainable development and BREEAM) and Proposed Drainage Strategy.

Location

This 0.885 ha site is located on the southern side of Orchard Road between Ashmead Gate to the south and west and Baytree Close to the east. Houses in High Grove also flank part of the southern boundary.

The area is primarily residential and is characterised by large detached houses in spacious plots with some semi-detached houses and flats. There are also 2 schools on Orchard Road (Scotts Park Primary School and Braeside School) in close proximity to the site.

Orchard Road is a busy primary road providing a through route into Bromley from the east. The properties along this road including the application site are set back from the pavement adding to the spacious character of the area.

The buildings on the site are not statutory listed buildings or locally listed and the site does not lie within or adjacent to a conservation area. None of the trees on site are protected by tree preservation orders.

Consultations

Consultations

Nearby properties were notified of the original scheme and representations from 6 properties in Baytree Close and Orchard Road and the Sundridge Residents Association have been received objecting to the proposals which can be summarised as follows. Four further letters were received as a result of reconsultation on the revised plans and documents that reiterate previous objections.

- o The proposed use is standard Class C3 residential dwellings and should not be classified as a Class C2 use. The scheme should provide affordable housing.
- o The existing building is attractive and should be retained and converted to flats or have a cul de sac development of large houses.
- o Overdevelopment of the site resulting in a cramped appearance on the site and out of character with the local area.
- o Bulk and height will lead to intrusive building which will be highly visible from neighbouring properties. The building adjacent to the eastern elevation is much wider and higher than existing building and setting it back further will not compensate for this.

- o The bin store for 77 flats will lead to unacceptable smells and vermin for the adjacent residents.
- o Previous appeal for a 2 storey extension to the Care Home was rejected in 1998 on the grounds that the building would be oppressive. The proposed building is much larger and should be similarly refused.
- o Significant loss of privacy from people using balconies that do not have adequate screening to protect neighbours from overlooking. Also overlooking from proposed windows that are too close to the boundary.
- o Loss of daylight and sunlight to gardens.
- o Disturbance from increased activity from additional residents and support services.
- o The existing boundary screening is not enough to screen the site on all sides and a sub-station on the eastern boundary will limit the amount of screen planting that can be provided.
- o The submitted plans incorrectly show the layout of an adjoining property so the impact on the residents of this property will be more adverse than it appears from the plans.
- o The impact on residents on the eastern boundary has not been properly assessed by the applicant. The applicant refers to 'less private parts' of these gardens which misrepresents the use of these gardens by their residents.
- o Noise and disturbance from users of the outside seating for the restaurant/café area, which is situated in the rear garden of the building.
- o Sundridge Avenue is very busy with traffic and parked cars and additional traffic movements. There is insufficient parking for residents who may have cars into their 70's and 80's which will lead to demand for on street car parking. This will make the existing difficult parking situation much worse.
- o The demand for on street car parking should take account of applications for increased pupil numbers at both of the nearby schools and the adverse impact this will have on neighbours, together with the proposed development on this site.
- o Not enough visitor parking on the site.
- o Provision of 16 cycle parking spaces is well below the minimum requirement.
- o The underground car park will be too dark for older car users. Forecourt parking will detract from the visual appearance of the road.
- o Disturbance during construction.

One letter recognises the importance of providing for specialist housing for people in need of care in the borough and supports the principle of redevelopment of the site for this purpose. However for the reasons above this objector objects to the excessive scale of the development and the adverse impact that this scheme will have on nearby residents.

Comments from Consultees

- o The Council's Highways Officer raises no objections subject to conditions.
- o The Council's Housing Officer (Public Protection) raises no objections.
- o The Council's Drainage Officer raises no objection to the proposed discharge rate but does not accept the measures to reduce surface water runoff

and recommends conditions seeking details to demonstrate how the principle of Sustainable Drainage Systems can be applied to this scheme.

- o The Council's Environmental Health Officer raises no objection subject to conditions.
- o Thames Water raise no objections subject to conditions and an informative.
- o The Metropolitan Police Crime Prevention Design Adviser raises no objections subject to condition.

The Stage 1 report from the Greater London Authority advises that the principle of development is supported in strategic planning terms. The provision of specialist accommodation for older people will help meet the requirements of London's age structure and, in particular, the varied needs of older people in accordance with London Plan Policy 3.8.

With regard to the provision of affordable housing, the GLA comment that the applicant should provide further information regarding the details of the extra care component of the scheme clarifying whether it is C2 or C3.

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) and the London Plan (March 2015). Relevant policies and guidance in the form of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) as well as other guidance and relevant legislation, must also be taken into account.

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

- H1 Housing Supply
- H2 Affordable Housing
- H4 Supported Housing
- H7 Housing Density and Design
- H9 Side Space
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T18 Road Safety
- BE1 Design of New Developments
- NE7 Development and Trees
- C1 Community Facilities
- C6 Residential Proposals for People with Particular Accommodation Requirements
- IMP 1 Planning Obligations

Supplementary Planning Guidance 1: General Design Principles
Planning Obligations SPD
Affordable Housing SPD

2. Emerging Bromley Local Plan

A consultation on draft Local Plan policies was undertaken early in 2014 in a document entitled Draft Policies and Designations Policies. In addition a consultation was undertaken in October 2015 in a document entitled Draft Allocation, further policies and designation document . These documents are a material consideration. The weight attached to the draft policies increases as the Local Plan process advances.

Full details of the Council's Local Development Scheme is available on the website.

The most relevant emerging policies include:

Draft Policies and Designations Policies (2014)

Of particular relevance to this application are policies:

5.1 Housing supply

5.3 Housing design

5.4 Provision of affordable housing

5. 8 Side space

5.11 Specialist and Older Persons Accommodation

6.1 Community Facilities

7.1 Parking

7.2 Relieving congestion

8.1 General design of development

8.7 Nature and trees

10.4 Sustainable Urban Drainage Systems

10.10 Sustainable design and construction

10.11 Carbon reduction, decentralised energy networks and renewable energy

11.1 Delivery and implementation of the Local Plan

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

No relevant proposals

3. The most relevant London Plan 2015 policies include the following

2.6 Outer London: vision and strategy

3.3 Increasing housing supply

3.4 Optimising housing potential

3.5 Quality and design of housing developments

3.8 Housing choice

3.12 Negotiating affordable housing in individual private residential schemes and mixed use schemes

5.2 Minimising carbon dioxide emissions

5.3 Sustainable design and construction

5.6 Decentralised energy in development proposals

5.7 Renewable energy

5.8 Innovative energy technologies

5.9 Overheating and cooling

5.10 Urban Greening

5.11 Green roofs and development site environs

6.9 Cycling

6.13 Parking

7.1 Lifetime Homes

7.2 An inclusive environment

7.3 Designing our Crime
7.4 Local Character
7.6 Architecture
7.21 Trees and woodlands

London Plan Annex 5 - Specialist Housing for Older People
London Plan Annex 6 - Definition of specialist accommodation for older people
Mayor of London's Housing Supplementary Planning Guidance 2012

4. The National Planning Policy Framework 2012 (NPPF) is relevant, including Section 6: Delivering a wide choice of high quality homes, Section 7: Requiring good design and paragraphs 211 - 216 (status of adopted and emerging policies).

Planning History

DC/96/02492: Demolition of nuns accommodation and erection of 2 storey 40 bed nursing wing with part basement. Refused 16.6.1997. Appeal dismissed 16.4.1998.

Conclusions

It is considered that the main planning issues relating to the proposed scheme are as follows:

- o Principle of Development
- o Scale, Siting, Massing and Appearance
- o Impact on Neighbour Amenity
- o Standard of Accommodation and Amenity Space
- o Highways and Traffic Matters
- o Cycle Parking and Refuse
- o Trees and Landscaping
- o Other technical matters

Principle of proposed use

- o Loss of the existing building

The existing building is a 1-3 storey building and was last used as a traditional care home with 85 rooms providing a facility with nursing and dementia care for residents over 65. The building was vacated in March 2015.

The applicant advises that the property is substantially out of date and does not provide the level of facilities that would be expected in a modern facility. The property has a limited number of ensuite bedrooms and no rooms for couples. The property is no longer fit for purpose to provide the level of independence that residents seek to retain and expect today, nor does it deliver the high quality of accommodation that MHA (the applicants) seeks to provide for all its residents.

The existing building is not a statutory listed building, a locally listed building or in a conservation area. The original building, which appears to have formally been a large detached house, has been substantially altered over a number of years to

accommodate the existing use, including the erection of substantial modern extensions to the side and at the rear.

It is considered that the loss of all of the buildings will not result in the unacceptable loss of a heritage asset and is acceptable.

o Acceptability of the proposed use

It is considered that the current use of the building falls within Class C2 of the Use Classes Order 1987 which is defined as

'Use for the provision of residential accommodation and care to people in need of care (other than a use within Class 3 (dwelling houses)). Use as a hospital or nursing home. Use as a residential school, college or training centre.'

If the proposal resulted in the loss of the use of the building as a Class C2 use it is considered that this would be contrary to Policy C1 of the Unitary Development Plan which seeks to retain community uses, including health and social uses unless there is no longer a need for the facility or alternative provision is made for the facility.

This section of the report now considers whether the proposed use as set out in the submitted Planning and Affordable Housing Statement (May 2015) and the Addendum to the Planning and Affordable Housing Statement (October 14th 2015) is a use that falls with Class C2 of the Use Classes Order.

The most relevant and up to date policy guidance relating to the provision of accommodation that falls within Class C2 is in the adopted London Plan 2015 and the approved Housing Supplementary Planning Guidance November 2012.

Policy 3.8 of the London Plan highlights the need to take account of the need for housing choice and also the needs of older people in London. The Housing SPD encourages local authorities to plan positively for specialist provision and to address local and identified needs for specialist accommodation. The SPD recognises that some forms of specialist housing for the elderly can be on the cusp between Class C2 and Class C3 (dwelling houses).

The SPD goes on to suggest that a simple test as to whether a development is classed as C2 or C3 could be the 'front door' test where the provision of self-contained units with their own front door would usually be Class C3. However account should be taken of the identified components of care and support that are provided for residents for any particular scheme that mean that the development effectively functions as a C2 use. The SPD recognises that some development could be incorrectly categorised as Class C2 without the necessary level of care to avoid S106 contributions for affordable housing.

There have been numerous appeal decisions that seek to clarify the distinction between Class C2 and Class C3 use. The applicant refers to an appeal decision in the Portishead area of Bristol in which the Planning Inspector considered the

evidence submitted by the current applicant, MHA, to demonstrate that the model of retirement living with care falls within Class C2 rather than the Use Class C3. In this instance the Inspector granted permission for the development as a Class C2 use subject to conditions and a S106 legal agreement relating to occupancy, tenure, age restriction and care provision.

To demonstrate that the proposed use at St Raphaels is a Class C2 use, the applicant has submitted the following considerations in their Planning and Affordable Housing Statement :

- o MHA are a registered charity and are a recognised care provider,
- o MHA are registered with the Care Quality Commission
- o A requirement for a potential occupier to satisfy MHA's own eligibility criteria which includes having a care requirement,
- o The compulsory requirement for residents to pay a Well Being charge which includes 24 hour staffing with a specialist care staff member available 24/7, 365 days a year, daily contact and a provision of social activities and events programme,
- o The Well Being package is supplemented by a choice of care packages that are determined by individual assessment and can vary from a few hours per week to more intensive options for more advanced care needs.
- o Communal facilities are included as integral to the Well Being package - the development provides communal facilities that are available to all residents including a catering service which can be used in the restaurant or delivered to apartments. The Design and Access Statement indicates that the area given over to communal space is approximately 20% of the total Gross Internal Area of the development.
- o Staffing levels - the number of care assistants employed will vary according to the domiciliary and care requirements of the residents
- o Tenure mix - all properties are leasehold. MHA is a charity and provides the opportunity for purchase, part purchase (shared ownership) or rent depending on the demand of prospective occupiers
- o A proposed age restriction where one occupier must be over 60 and have a care and support requirement.

The applicant has submitted an Addendum to the Planning and Affordable Housing Statement that includes a Proposed Operational Management Plan. The applicant has advised that the Operational Management Plan will form the basis of a S106 agreement that will secure measures to distinguish this development as a Class C2 use rather than a C3 (dwellinghouse) use. This will need to include the same level of planning conditions and obligations as the previously mentioned Portishead appeal decision as the Inspector in that case considered the clauses in that S106 agreement to provide suitable level of control to secure a Class C2 use.

The applicant has advised that they will enter into a planning obligation to secure the Class C2 use.

Subject to planning obligations to secure C2 use, it is considered that the use of the site for retirement living apartments that fall within Class C2 is acceptable, in principle. The planning obligation will need to include provisions that ensure that

the proposed building will be occupied and managed consistent with the Use Class C2 and that this can be secured through the leases assigned to occupiers.

- o Affordable Housing

In the Planning and Affordable Housing Statement the applicant considers that the use of the proposed development will fall within Class C2 of the Use Classes Order. The applicant recognises that the most relevant policy guidance for this aspect of the scheme is within Policy 3.8 of the London Plan 2015 and, in particular, paragraph 3.51 which supports boroughs in seeking the principles of affordable housing for a range of accommodation including Class C2. It should be noted that Annex 5 of the London Plan identifies indicative annual requirement benchmarks for the provision of specialist housing for older people for the period 2015-2025. For Bromley the targets are 140 market units and 65 intermediate sale units per annum.

The Planning and Affordable Housing Statement also refers to Policy H2 of the UDP which seeks 35% affordable provision within a qualifying development.

Whilst the London Plan 2015 supports boroughs in seeking the application of principles of affordable housing policies to the range of development - including Use Class C2 - which cater for older people, the Bromley UDP and the current version of the emerging Local Plan do not include policies which seek this specific provision.

At this time it is considered that there is not sufficient policy provision to seek the provision of affordable housing should measures to secure the use of the development for Class C2 use be included in the S106 legal agreement as discussed in the previous section.

Scale, Siting, Massing and Appearance

To assess the impact of the overall massing of the proposed buildings, there are 2 main elements to consider, namely the site coverage of the building and the height of the building

- o Site coverage.

At ground floor level the proposed frontage building will extend partly along the same line and partly forward of the line of the existing front elevation. The eastern elevation of the frontage building will be approximately 6m further from the boundary with Orchard Close and 2.5m closer to the boundary with properties in Baytree Close.

There are 2 projecting wings to the rear.

The eastern wing replaces an existing single storey wing and the new wing will be set further back from the site of the existing buildings by approximately between 2m, 6m and 14 m. The wing will be set back between approximately 8m and 21m from the adjacent boundary to properties in Baytree Close. This wing will extend

further into the site than the existing wing but does not come closer to the southern boundary than the existing wing.

The western wing is a part of the new building that does not replace an existing structure. This new wing will extend approximately 30m southwards from the line of the existing building and will be between 8m and 14m from the western boundary of the site that adjoins Ashmead Gate

It should be noted that an existing central wing will be demolished.

In terms of overall site coverage it is considered that the footprint of the building is not significantly greater than the footprint of the existing building and, as such, would not result in excessive site coverage. In addition the building is generously surrounded by communal garden and retains a significant amount of undeveloped land on the overall site.

o Height

The frontage building will vary in height from 3 storeys adjacent to Baytree Close rising to 4 storeys within the centre of the site and dropping to 3 storeys adjacent to Ashmead Close. This results in a building that is similar height to the existing ridge height facing Baytree Close and a building a storey taller than the existing facing Ashmead Close.

The extent of 3 storey development as the building turns to face Baytree Close is more extensive than at present and will be visible from the gardens and rear elevations of 34 Orchard Road and 7 Baytree Close. This element will be set back from the boundary by 8m.

The eastern wing, facing Baytree Close, will be a mix of 2, 3 and 4 storeys in height where it was previously single storey. The 2 storey element is approximately 8.5m from the existing land level to ridge height. The existing building is at a lower land level than the boundary and this will be maintained for the proposed building. The 3 storey element is set back approximately 14m from the boundary. The 4 storey development is visible on this elevation but it is set back 22m from the boundary. The applicant has submitted a 3D photomontage to show the relationship of the building to 7 Baytree Close.

The western wing, facing Ashmead Gate, comprises 3 storey development as the frontage building turns towards this road and then reduces to 2 storeys. The overall height of the wing is 10m to the ridge. The building is set back between 6m and 13m from the boundary and is also an articulated design with set backs and bay sections to reduce the overall bulk.

The southern elevation facing properties in Ashmead Gate and High Grove range from single to 2 storeys. The single storey element faces the flank of 4 and 5 High Grove and are set back from the boundary by 6-7m which is similar to the position of the existing building. The 2 storey element is more central to the site and are set back between 15m and 18m from the flank boundaries with 6 High Grove and 5 Ashmead Gate.

The impact of the overall massing of the building, which is a combination of site coverage and height in this section, varies according to the location of the observer. In all instances it is considered that there will be some visual impact on neighbours surrounding the site. However it is necessary to consider whether the impact is such that it will result in a significantly detrimental impact on these neighbours as to warrant refusal of the planning application.

From Orchard Road it is considered that the overall height and massing is not out of keeping with the scale of development along this road. The frontage forms a long elevation but this is very similar in length to the existing building. The elevation is broken up with the use of a variety of materials and with elements of the elevation set back, the introduction of a communal garden, balconies and bay structures.

From Baytree Close the frontage 3 storey element will return along this elevation and will be closer to the adjacent boundary than the existing 3 storey element but there is still an 8m separation from the boundary. The 4 storey element of this elevation is 22m away from the boundary and the 2 storey element is between 17.5m and 21m from the adjacent boundary with 6 and 7 Baytree Close.

The applicant has designed this elevation with a mixture of pitched roofs and inset and bay elements to try and provide an articulated elevation to reduce the bulk of the building. On balance it is considered that the overall bulk of this element of the building will not be seriously harmful to the adjoining residents in terms of bulk and massing.

From Ashmead Gate the new wing element that is being introduced will be visible from the front rooms of houses in Ashmead Gate. However there is separation of between 31m and 35m between the flank elevation and the front elevation of 1 and 2 Ashmead Gate and approximately 25m to the flank elevation of 20 Orchard Road. In addition there is significant vegetation along this boundary which breaks up the visual appearance of this elevation. It is considered there will not be a seriously harmful impact on these properties from the massing of the proposed building.

On the southern boundary, it is the flank elevation of the existing houses that face the application site. The 2 storey elements are set back between 15m and 18m from this boundary and it is considered that, in terms of massing, there will not be a seriously harmful impact on these properties.

Another factor to consider in terms of the impact of the height of the development is side space. Policy H9 relates to side space and for proposals of 2 or more storeys, there should be provision of either a minimum of 1m side space from the side boundary of the site or, where higher standards of separation already exist, proposals will be expected to provide a more generous side space. In this instance a greater side space is provided to the western boundary and smaller side space is provided to the eastern boundary. In both instances the side space is 8m. The purpose of this policy is to consider the impact of the development on the

streetscene and to prevent a cramped appearance and unrelated terracing from occurring.

In terms of side space and separation between the elevations of the development and their adjacent site boundaries, it is considered that the separation offered by this proposal would not lead to unrelated terracing and would result in a building that reflects the visual separation that currently exists and, in this respect, the proposal is acceptable.

In addition to the comments above account should be taken of the existing boundary screening vegetation that can reduce the visual impact of the height and mass on neighbouring properties. Some of this is extensive but it is recognised that there are some gaps around the perimeter. This will be more limited during the winter but it does contribute to breaking up the bulk of the elevations. In addition the applicant has advised that additional planting is proposed to provide further screening. A condition is recommended to secure the submission of a landscaping scheme which will include retention of existing trees and new planting of additional semi mature trees.

Appearance

The appearance of the building picks up themes from the existing building on the site and other buildings in the locality. Reference has already been made in this report to features to articulate the elevations and add interest to the appearance to all elevations of the building.

In addition the materials will include a mixture of brick, render, tudor style timber and tile hanging for the walls with a red tile roof. Feature brickwork is shown on the submitted plans, particularly on the front elevation.

Policy BE1 of the Bromley UDP expects development proposals to be of a high standard of design and layout and should be imaginative and attractive to look at. They should not detract from the existing street scene and/or landscape.

It is considered that the proposed development, in terms of the appearance, of the building, meets the criteria of Policy BE1.

Impact on Neighbour Amenity

The relevant policy in the Bromley UDP relating to the impact of the development on the amenity of the residents of adjoining residential properties is Policy BE1 Design of New Development.

In addition to the site coverage, height and massing, which have been discussed previously in this report, it is necessary to assess the impact of overlooking that may result in the loss of privacy, and the potential loss of daylight and sunlight to fully understand the impact of the proposed development on the amenity of occupants of adjoining residential properties.

In terms of overlooking, the properties most likely to be affected are those in Ashmead Gate, High Grove and Baytree Close.

In considering the impact from overlooking on properties in Ashmead Gate it is relevant to consider an appeal decision in 1998 relating to a planning application for a 2 storey 'nursing wing' along the western boundary to provide 40 bedrooms for 'elderly mentally infirm' residents and a communal lounge and dining room. In this scheme the western flank wall would have been approximately 6m from the boundary resulting in a separation of 26m between the new building and the existing houses in Ashmead Gate.

The Inspector concluded that although the separation distance would be in excess of the 20m rule of thumb and therefore exceeding that where problems of overlooking and loss of privacy might be expected "because of the scale of the building and the nature of the proposed use with residents bedrooms on the first floor facing the houses, I believe there would be a perception on the part of residents (in Ashmead Gate) of being overlooked and that in itself would impinge on their living conditions."

On the southern elevation the Inspector considered there to be a degree of overlooking and loss of privacy for occupiers of no 5 Ashmead Gate in the front garden and going up the stairs and in the rear garden.

It is considered that there are significant differences between the appeal scheme and the current proposal that are relevant.

In respect of Nos 1 and 2 Ashmead Gate, the western facing elevation of the proposed development is between 10m and 13m from the adjacent site boundary which results in a separation of between 31m and 35m to the nearest habitable room window. In between is a significant area of screening that has matured since the appeal decision in 1998. On the development site this is shown to be retained and additional screening is provided by trees and shrubs outside the site boundary at this point which would be likely to give rise to a lesser degree of overlooking.

In addition the appeal development comprised windows for numerous bedrooms for residents and this room was their only living space. The first floor windows that would be facing these properties in the current scheme comprise secondary windows to living rooms and primary windows to 2 bedrooms.

The first floor proposed balconies for 3 flats are also provided on this elevation but these all face sideways (rather than directly facing Ashmead Gate) and are shown to have 1.8m high screening to the side elevation to reduce overlooking to Ashmead Gate.

For 20 Orchard Road, the separation to the side elevation of this property from the proposed development is approximately 17m with one first floor secondary living room and 2 bedroom windows facing this property. Again there is substantial screening in Ashmead Gate that will provide screening from overlooking.

For No 5 Ashmead Gate one balcony, a kitchen window and a secondary bedroom window directly face the flank of this property and are approximately 19m apart. The front garden of this property is well screened reducing the impact of the balcony.

The other south facing first floor windows are a secondary living room window, a bedroom window and a staircase window. Two side facing balconies are proposed in this elevation and these would both have 1.8m high screens to restrict overlooking. The separation distance to the boundary is approximately 17m and there is substantial screening to this part of the southern elevation.

It is considered that the perception of overlooking resulting from the appeal scheme and the proposed scheme is significantly different for the reasons set out above. Subject to conditions to provide relevant balcony screening it is considered that the proposed development would not result in a significant and harmful loss of privacy for the residents of these properties

Turning to the impact of overlooking on the side elevation and gardens of properties at 6 and 7 Baytree Close and 34 Orchard Road, the development along this boundary comprises a mixture of 2, 3 and 4 storeys.

At first floor level there are primary bedroom window and secondary living room windows for 6 flats and side facing balconies for 4 flats. Of these the balconies all have 1.8m high screens where they face Baytree Close. The secondary windows facing 34 Orchard Road are all obscure glazed. The remaining first floor windows are set back from the boundary between 18m and 22m.

At 2nd floor level there are primary windows for 3 bedrooms, secondary windows for 2 living room/kitchens and 2 side facing balconies. The secondary windows facing 34 Orchard Road are all shown to be obscure glazed. The balconies all have 1.8m high screens to reduce opportunities for overlooking. The elevation that includes the windows to 3 bedrooms are set back 22m from the adjoining boundary which is a significant distance.

At 3rd floor level there will be 1 living room window and balcony facing 7 Baytree Close and a side facing balcony. The side facing balcony will have a 1.8m screen. The separation distance between the boundary and the living room window is 22m.

In summary and taking account of the separation distances between the proposed windows and the adjacent boundary, the provision of obscure glazing, balcony screening and the presence of screening vegetation, it is considered that the windows and balconies would not result in a significantly harmful loss of privacy for the occupants of the adjacent houses.

In terms of the impact of the development on the daylight and sunlight received by habitable rooms, the closest residential properties that could be affected in this respect are considered to be 34 Orchard Road and Nos 6 and 7 Baytree Close.

All of these properties present a side elevation to the development and the development is between 8m and 22m from the shared boundary. Habitable room windows face south for 34 Orchard Road and 6 Baytree Close and north for 7 Baytree Close. In addition there is significant existing vegetation along this western

boundary that already casts shadow on to garden areas. The existing building is 2/3 storeys adjacent to No 34 Orchard Road. Both of these factors have an impact on the existing daylight and sunlight that these properties currently enjoy.

Whilst there may be some overshadowing to the gardens of these properties in the afternoon and evening, it is considered that the daylight and sunlight enjoyed by the habitable room windows would not be significantly altered and, as such, the development is acceptable in this respect.

Standard of Accommodation and Amenity Space

In policy terms there are no minimum unit size standards in the London Plan or the Bromley Unitary Development Plan for retirement living apartments.

However the applicant has submitted an accommodation schedule and plans showing typical layouts for 1 bed and 2 bed flats which show that all of the flats will meet the internal space standards set out in the Mayor of London's Housing Supplementary Planning Guidance. The applicant has demonstrated, in the Design and Access Statement that the development can meet Lifetime Homes Standards, although this is no longer a requirement for residential development and does not apply to retirement living apartments.

The majority of flats are single aspect served from internal central corridors which is contrary to the guidance for Class C3 residential dwellings. There are no specific standards in this respect for retirement living apartments. However the majority of the flats are either internal facing or facing side and rear boundaries so not likely to be significantly affected by traffic noise. A total of 16 single aspect flats are facing Orchard Road.

In terms of amenity space the majority of the flats will have access to private amenity space. Balconies will be provided for most properties with the exception of 4 flats facing Orchard Road. There will also be one private terrace serving a first floor flat facing south and 2 communal terraces facing Orchard Road and Baytree Close respectively.

In addition a significant amount of communal amenity space is provided around the proposed building with footpaths allowing access to all parts of the site. On the eastern side of the building there will be a ground floor external seating terrace for the residents and visitors using the proposed restaurant and a therapeutic garden. A formal courtyard will be formed in the centre of the site around the existing Cedar tree. There are also gazebo structures with seating.

In conclusion it is considered that the proposed development will provide an acceptable standard of accommodation for future residents.

Highways and Traffic Matters

This site lies on Orchard Road which is a busy through road taking traffic from the east of the borough to the Bromley town centre. As previously stated Orchard

Road has additional parking pressure at specific times of the day generated by 2 schools that are situated very close to the application site.

The applicant has submitted a Transport Statement that analyses the traffic generated by the development, the impact on the local highway network and the acceptability of the number of on-site car parking spaces. The document has been assessed by the Council's Highways Officer as follows:

- o The existing vehicular exit and entry access will be retained and slightly modified to provide an improved alignment. The proposals are considered to be acceptable.
- o In terms of traffic generation the average trip rates for the proposed development has been estimated and indicates that around 150 two-way vehicle movements per day it 75 arrivals and 75 vehicle departures per day with a peak flow of around 17 two-way movements per hour. Due to the nature of the resident group it is unlikely that the peak flow will coincide with the local highway network peak period.
- o The previous care home would have generated a peak two-way flow of around 11 vehicles per hour so the traffic generated by the proposed development does not represent a significant increase in traffic movements.
- o The site will accommodate 49 car parking spaces at basement and surface level. A total of 9 spaces will be allocated to people with disabilities. The Highways Officer is satisfied with the applicants assessment of the number of parking spaces required for residents and staff. In addition the appropriate number of electric vehicle charging points are proposed.
- o 12 cycle parking spaces are proposed at basement level and this is considered to be acceptable.

On this basis no objections are raised to the proposal in terms of its impact on the local highway network.

The Design and Access Statement indicates that the existing arrangements for refuse collection will remain and these are considered to be satisfactory.

Trees and Landscaping

A total of 26 trees and 5 tree groups of trees will be removed to facilitate the development. Four of the trees are in category B/C and defined as modest quality with a life expectancy of at least 20 years. The remainder are category C trees which are defined as trees of lower quality with a life expectancy of at least 10 years or young trees with a stem diameter below 150mm. The majority of the trees to be removed are located centrally within site.

Further tree planting and hedging is proposed around the boundaries to fill existing gaps in the boundary screening. Significant areas of shrub planting is shown throughout the site and details of the species and planting density will be sought by the application of appropriate conditions.

The submitted plans show a minor incursion of the north east corner of the building into the root protection area of the Cedar tree in this vicinity. The crown of the tree

will not be adversely affected and the Tree Report does not anticipate that this will be rise to a significant impact on the longevity of the tree in future.

It is considered that the proposed tree works and planting and landscaping proposals for this development are acceptable.

Other technical matters

o Sustainability and Energy

The applicant has submitted an Energy Strategy Report which sets out measures to meet London Plan Policies 5.2: Minimising carbon dioxide emissions and Policy 5.7: Renewable energy. The report concludes that there will be a significant reduction in carbon dioxide emissions with the new building. In addition the report proposes the use of a combined heat and power installation and photovoltaic panels on the roof. The report further concludes that the development can meet BREEAM accredited rating of 'Very Good.'

A condition requiring a detailed energy strategy is recommended.

o Sustainable Urban Drainage Systems

The site lies within a Flood Zone 1. The Council's Drainage Officer accepts the discharge rate for surface water but does not accept the proposed tank and oversized pipes as the only control measure to reduce surface water run-off. A condition requiring a drainage proposal that meets the criteria of London Plan policy 5.13; Sustainable Drainage is therefore recommended.

o Contaminated Land

A Phase 1 Site Investigation Report has been submitted and assessed by the Council's Environmental Health Officer who advises that there are no objections to the granting of planning permission in this respect subject to relevant conditions relating to the submission of a Demolition and Construction Noise and Dust Management Plan and Contaminated Land follow up requirements.

o Ecology

A Phase 1 Habitat Survey and Bat Roosting Assessment and a Bat Emergence and Reptile Survey Report have been submitted. The reports conclude that there are no rare or protected botanical species or habitats within the site. In addition no bats were seen emerging from the building and no further surveys or constraints in relation to demolition are required.

No reptiles were recorded during the survey and no further constraints are required. Any vegetation removal should consider the bird breeding season.

A condition requiring the submission of measures to enhance the development to improve biodiversity has been recommended.

- o Environmental Impact Assessment

It should be noted that an Environmental Impact Assessment Screening Opinion is not required for this site

- o Mayoral Community Infrastructure Levy

The development will also be liable for payment of the Mayoral CIL.

Summary

In summary the proposed development seeks to replace an existing care home that previously provided 85 rooms in a traditional care home arrangement for nursing and dementia care for those over 65 with 77 retirement living apartments comprising 1 and 2 bed self-contained apartments with communal space, a compulsory service charge package and well-being package and a separate range of care packages available to each resident depending on their individual level of care requirement.

The existing traditional care home use falls within Class C2 of the Use Classes Order. The applicant seeks to retain this designation for the existing development and a draft Operational Management Plan has been submitted setting out the measures that the applicant offers to demonstrate that the use of the proposed building will fall under Class C2 and not Class C3 (dwellinghouse). In addition the draft Heads of Terms for a S106 legal agreement have also been submitted setting out some of the detailed definitions that are crucial to securing a Class C2 use for the site. The planning obligation will need to include provisions that ensure that the proposed building will be occupied and managed consistent with the Use Class C2 and that this can be secured through the leases assigned to occupiers.

With regard to the impact of the development on the character and appearance of the surrounding area and also, more specifically, the occupants of adjacent residential properties, this has been considered in detail in the preceding paragraphs.

It is recognised that this development represents an increase in the built form of development on the site and that there have been objections on numerous grounds from residents in the immediate vicinity.

However due to the specific nature of the proposed use the additional impact on the highways network is limited and is unlikely to result in a significantly adverse effect.

In terms of the impact of the street scene and character of the area, the site is occupied by a large, elongated building which extends almost the full width of the site. The proposed building will occupy a similar footprint but will be a storey higher with a pitched roof. However the impact of this has been mitigated by the use of gables, bay windows, set backs, a wide range of materials, all of which pick up aspects of the prevailing character of the area. In this respect the development is considered to be acceptable.

With regard to the impact on immediate neighbours, it is considered that the rearward 'wings' could have the greatest impact. However in terms of the impact on privacy, the windows in the closest elevation to the western boundary will be obscure glazed. The remaining windows will be between 14m and 21m from the nearest boundary. To Ashmead Gate the separation distances are greater between habitable room windows. In each of these cases the screening vegetation has matured since development was last proposed on the site.

To the southern boundary, the number of overlooking windows is reduced and are primarily secondary windows and face the flank elevation and gardens of the adjacent properties. Separation distances to the boundary are 15m to 18m.

In this respect it is considered that there will be some impact on occupants of neighbouring properties but that this will not be significantly harmful and can be overcome with mitigation measures and additional tree screening.

In terms of the standard of accommodation for future residents it is considered that this is acceptable for the proposed Class C2 use, in principle.

Taking all of the factors into account and subject to continuing negotiations with the applicant, it is considered, on balance, that the provision of a Class C2 use in a development comprising self-contained flats with the proposed 27/7, 365 days specialist staff attendance on site is acceptable on this site, in principle, subject to the signing of a S106 legal agreement to secure the use of the site within Class C2 of the Use Classes Order 1987.

Background papers referred to during the production of this report comprise all correspondence on file ref: 15/02145, excluding exempt information.

RECOMMENDATION: PERMISSION SUBJECT TO THE PRIOR COMPLETION OF A LEGAL OBLIGATION to secure the proposed use of the site under Class C2 of the Use Classes Order

and the following conditions:

- 1 The development hereby permitted shall be begun before the expiration for 3 years from the date of the permission.**

Reason: To comply with Section 91 of the Town and Country Planning Act 1990

- 2 The development hereby permitted shall only be carried out in complete accordance with the details shown on the submitted plans and documents, as follows:**

Plans

PL001 Rev B; PLOO2 Rev B; PL003 Rev B; PL004 Rev B; PI005 Rev B; PI006 Rev B; PI008 Rev B; PL09 Rev B; PI010 Rev B; PL011 Rev

B; PL 012 Rev B; PL015 Rev A; PL016 Rev B; PL017 Rev APL018;PL024; PL025; PL026; PL 027; PL028; PL029; PL030; PL031; PL032; CWA-15-167-500 P1

Documents

Planning and Affordable Housing Statement dated May 2015

Addendum to Planning and Affordable Housing Statement including MHA Operational Management Plan dated October 2014

Design and Access Statement PRC Ref 10053

Arboricultural Impact Assessment dated May 7th 2015

Transport Statement dated May 2015

Landscape Design Statement dated May 7th 2015

Landscape Visual Impact Assessment dated May 7th 2015

Extended Phase 1 Habitat Survey and Bar Building Assessment dated April 2015

Bat Emergence and Reptile Survey report dated August 2015

Sustainability Statement dated May 15th 2015

Statement of Community Involvement dated May 2015

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with Policy BE1 of the Bromley Unitary Development Plan.

- 3** Details and sample boards of all external materials to be used for the development, including roof cladding, wall facing materials and cladding, windows and door frames, window glass, decorative features, rainwater goods and any parts of the site not covered by buildings, where appropriate, shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details.

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

- 4** Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces and planting plans, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

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

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

The statement shall include details of:

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

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

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

- 6** 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 Bromley Unitary Development Plan and in the interest of the visual and residential amenities of the area

7 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.

8 No development shall commence on site, including demolition until such time as a Demolition and Construction Noise and Dust Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented in accordance with the approved details and to the agreed timescale throughout the period of the works.

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

9 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, measures to secure provisions of on-site delivery, off-loading, turning and parking of construction and operatives vehicles 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 Policies T5, T6, T7, T15, T16 and T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

10 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 5.2 of the London Plan 2015

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

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

- 12 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.**

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

- 13 Details of the layout of the access road and turning area including its junction with Orchard Road and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be substantially completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of 1m in height within the approved splays except for trees selected by the Authority, and which shall be permanently retained.**

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

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

Reason: In order to seek to achieve compliance with the Mayor of London's Energy Strategy and to comply with Policy 5.2 and 5.7 of the London Plan 2015.

- 15 Before the development is first occupied details of screening to the balconies shown to be screened on the approved plans shall be submitted to and approved in writing by the Local Planning**

Authority. The screening shall be installed prior to the first occupation of the units and shall be permanently retained thereafter

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

16 Before any part of the development hereby permitted is first occupied boundary enclosures of a height and type to be approved in writing by the Local Planning Authority shall be erected in such positions along the boundaries of the site as approved and shall be permanently retained thereafter.

Reason: In order to comply with Policy NE7 and BE1 of the Unitary Development Plan and to ensure a visually satisfactory setting for the development.

17 If any trees are felled in order to implement the development hereby permitted, trees of a size and species to be agreed in writing by the Local Planning Authority shall be planted as replacements in such positions as shall be agreed by the Authority in the first planting season following completion of the development. Any trees which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

Reason: In order to comply with Policy NE8 of the Unitary Development Plan and to secure a visually satisfactory setting for the development

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

Reason: In order to comply with Policy NE8 of the Unitary Development Plan and to secure a visually satisfactory setting for the development.

19 Prior to first occupation an electric vehicle charging point shall be provided to a minimum of 20% of car parking spaces and for all buggy parking spaces with a passive provision of electric charging capacity for an additional 20% of car parking spaces

Reason: To minimise the effect of the development on local air quality in the vicinity of an Air Quality Management Area and to accord with National Planning Policy Framework paragraph 124 and Policies 6.13 and 7.14 of the London Plan 2015.

20 Details of any external lighting within the application site shall be submitted to and approved by the Local Planning Authority prior to its installation. The lighting shall be installed in accordance with the approved details and permanently retained thereafter.

Reason: To comply with Policy BE1 of the Unitary Development Plan and to safeguard the visual appearance of the building and the area

21 Detailed plans of the appearance of and the equipment comprising a ventilation system which shall include measures to alleviate fumes and odours (and incorporating activated carbon filters where necessary) shall be submitted to the Local Planning Authority for approval; after the system has been approved in writing by the Authority, it shall be implemented in accordance with the approved details before the use hereby permitted first commences and shall thereafter be permanently retained in an efficient working manner.

Reason: In order to comply with Policy ER9 of the Unitary Development Plan and in the interest of the visual and residential amenities of the area.

22 A Service and Delivery Plan shall be submitted to and approved in writing by the Local Planning Authority prior to occupation of any part of the development, and the Plan shall be implemented in accordance with the approved details and permanently retained thereafter.

Reason: In order to comply with Policy BE1 and in the interest of the amenities of the future occupants of the development and the adjacent properties.

23 Before any part of the development hereby permitted is first occupied parking for 12 bicycles shall be provided in the basement area in accordance with details to be submitted and approved by the Local Planning Authority and the approved facilities shall be permanently retained thereafter.

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

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

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

25 Prior to the completion of the superstructure, details of the provision of measures to encourage valued landscapes for bats, birds and reptiles in accordance with the Bat Emergence and Reptile Survey report dated August 2015 shall be submitted to and approved in writing by the Local Planning Authority and measures shall be carried out in accordance with the approved details and permanently retained thereafter

Reason: To accord with Policy NE5 of the Unitary Development Plan and Policy 7.19 of the London Plan 2015 and in the interest on improving biodiversity on the site.

26 (i) the use of the apartments within the building hereby approved shall, at all times and unless otherwise agreed by the Local Planning Authority in writing, be used for the designed purpose of providing self-contained independent living units of accommodation for person or persons who, for the purpose of acquiring purchase or lease of any of the approved apartments, are contracted into a care package and who will have a minimum age of not less than 60 years of age as required by condition 27 of this permission. Furthermore details of the supporting staff and resources associated with the management of the site and the delivery and implementation of the individual care package(s) associated with the terms of the purchase and occupancy of each apartment, together with the occupants' permitted use of facilities provided within the approved building, shall be submitted to and approved in writing by the Local Planning Authority prior to first occupation of any of the units and shall be retained as such unless agreed in writing by the Local Planning Authority.

(ii) The building shall not be used or occupied for any other purpose (including equivalent provision in Class C2 of the Schedule of the Town and Country Planning (Use Classes) Order 1987 or any equivalent provision, and notwithstanding the provisions of the Town and Country (General Permitted Development) Order 2015) no permitted changes of use shall occur, unless express written permission of the Local Planning Authority has been obtained.

Reason: The development is a form, density and type of accommodation which has been justified on the basis of meeting a defined need for this type of accommodation and this condition is required to ensure that the development is occupied and managed on this basis and to prevent the conversion of the property to other forms of residential accommodation which may not meet the specified need and which may have impact on the neighbouring uses and the character of the

area and to comply with Policy 3.8 of the London Plan 2015 and Policy BE1 and T3 of the Bromley Unitary Development Plan.

- 27 The occupation of the apartments hereby approved shall at all times, and unless otherwise agreed by the Local Planning Authority in writing, be limited to a person aged 60 or over and any resident dependent who satisfies the requirements referred to in condition 26 of this permission. No other person shall occupy any of the approved apartments.

Reason: The development is a form, density and type of accommodation which has been justified on the basis of meeting a defined need for this type of accommodation and this condition is required to ensure that the development is occupied and managed on this basis and to prevent the conversion of the property to other forms of residential accommodation which may not meet the specified need and which may have impact on the neighbouring uses and the character of the area and to comply with Policy 3.8 of the London Plan 2015 and Policy BE1 and T3 of the Bromley Unitary Development Plan.

- 28 Before first commencement of the use of the building hereby permitted parking spaces and turning spaces 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 (General Permitted Development) Order 2015 (or any Order amending, revoking and re-enacting this Order) or not shall be carried out on land indicated or in such a position as to preclude vehicular access to the said land.

Reason: In order to comply with Policies BE1 and T3 of the Unitary Development Plan and to avoid development without adequate parking provision, which is likely to lead to parking inconvenient to other road users and would be detrimental to amenities and road safety.

- 29 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 BE1 and T18 of the Unitary Development Plan.

- 30 Whilst the development hereby permitted is being carried out, provision shall be made to accommodate operatives and construction vehicles off-loading, parking and turning within the site in accordance with details to be submitted to and approved in writing by the Local Planning Authority and such provision shall

remain available for such uses to the satisfaction of the Local Planning Authority throughout the course of the construction period and shall be removed within 3 months of the first occupation 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

31 Before the development hereby permitted in first occupied, the proposed windows shown to be obscured glazed on the approved plans shall be glazed to a minimum 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 level of the room in which the window is installed and shall be subsequently permanently retained as such.

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

32 Other than structures shown on the approved plans, no other structures, including water tanks, plant and lift rooms shall be erected upon the roof(s) of the approved building without the written approval of the Local Planning Authority.

Reason: To comply with Policy BE1 of the Unitary Development Plan and to safeguard the visual appearance of the building and the area

33 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(Order) 2015, or any future re-enactment of that Order, no satellite dishes, telecommunications masts or equipment or associated structures, shall be installed on the building without the prior written approval of the Local Planning Authority.

Reason: To comply with Policy BE1 of the Unitary Development Plan and to safeguard the visual appearance of the building and the area.

34 The applicant should ensure that storm waters are attenuated or regulated into the receiving public network through on and off site storage. When it is proposed to connect to a combined sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

Reason: In the interests of the protection of the sewerage system and to comply with Policy 5.14 of the London Plan.

35 No impact piling shall take place until a piling impact method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface sewerage infrastructure, and the programme for the works) has been submitted to and approved in writing by the Local Planning Authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling statement

Reason: In the interests of the protection of the sewerage system and to comply with Policy 5.14 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 in Part2, 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 this site and/or take action to recover the debt.

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

2 Regarding the condition concerning provision of a ventilation system, the Planning Division have prepared a technical guidance note; this covers specification of

- the canopy or slot hood over fume generated equipment, which should be fitted with a readily cleanable grease filter**
- coarse and fine pre-filters**
- an insulated carbon filter unit**
- installation of the system (including fan(s)) to prevent transmission of noise and vibration onto adjacent premises.**

It is suggested that you may wish to seek advice from the Council's Environmental Services Division, though when you have finalised the details of the system they should be sent to the Planning Division, if possible for the attention of the planner dealing with the planning application. The Council will be concerned that the

ventilation system does not have a detrimental impact on the appearance of the building and the area generally. You are advised not to install it prior to Council approval and you should ensure that you have the agreement of any other landowners or tenants onto whose property the system will be attached.

A copy of the technical guidance note can be obtained from the Development Control Section at the Civic Centre. Please write to the Planning Division at the Civic Centre, telephone 020 8313 4956 or email planning@bromley.gov.uk

- 3 Thames Water aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9litres/minute at the point where it leaves Thames Water pipes. The developer shall take account of this minimum pressure aim the design of the proposed development.**

Thames Water Developer Services can be contacted on 0800 009 3921

- 4 You should consult Street Naming and Numbering/Address Management at the Civic Centre on 020 8313 4742, email address.management@bromley.gov.uk regarding Street Naming and Numbering.**

Application:15/02145/FULL1

Address: St Raphaels Residential Home 32 Orchard Road Bromley BR1 2PS

Proposal: Demolition of existing care home and erection of a part one/two/three storey building with an additional storey of accommodation within the roofspace comprising 77 retirement living apartments (54x2 bed and 23x1 bed) with basement level ancillary facilities, parking for 49 cars



"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 : 15/02218/FULL1

Ward:
Darwin

Address : Bristol Street Motors Ltd Sevenoaks
Road Pratts Bottom Orpington BR6 7LP

OS Grid Ref: E: 545528 N: 163224

Applicant : Mr ANDY JOHNSON

Objections : YES

Description of Development:

Installation of new car washing building and installation of acoustic fencing adjacent to boundary with 11-15 Cudham Lane North

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Flood Zone 3
Green Belt
London City Airport Safeguarding
Local Distributor Roads

Proposal

This application relates to a car washing building which will be situated centrally within the site along the southern site boundary, adjacent to the building known as "The Larches" which is unrelated to the application site. This will replace an existing unauthorised enclosure which occupies a similar albeit smaller area.

The proposed building will incorporate a footprint measuring approximately 7.6m(d) x 9.0m(w), and a partially sloping roof which will extend to a maximum height of 5.0m. It will incorporate two overhead doors and be constructed predominantly of cladding externally, although its eastern elevation will incorporate rendered blockwork with stone coping to achieve a similar finish to the neighbouring building at The Larches. A 5m concrete hardstanding area will also be provided forward of the proposed building.

In order to mitigate noise emissions to neighbouring properties, this proposal also includes 2m-high acoustic fencing adjacent to boundary with 11-15 Cudham Lane North

A supporting Sound Impact Assessment was received by the Council on 18.11.15, together with revised plans.

This application is to be considered in conjunction with application ref. 15/00271 which relates to the installation of ducting and plant within the site. In addition, application ref. 15/01917 relating to advertisements is also included in agenda.

Location

The site is situated adjacent to the A21 Sevenoaks Road, by a major roundabout which adjoins High Street Green Street Green, Old Hill and Cudham Lane North. The site contains a sales building and workshop and an outside parking area used in connection with this dealership.

Of particular note to this application, the proposed car wash building will adjoin the neighbouring property at The Larches which is a Statutorily Listed Building (Grade II), reportedly built in 1820. This was granted planning permission and Listed Building Consent in 2014 which involves its partial change of use of from office to residential (Class C3). Works relating to this scheme are at an advanced stage.

Comments from local residents

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

- intent to applicant to expand the commercial nature of the operation
- local area already adversely affected by existing activities at the site
- previous complaints regarding noise caused by external washing of cars
- noise and chemical spray from a car wash is not appropriate so close to a residential home
- there is already an existing temporary jet wash at the side, and a permanent one to the rear of Nos. 11 & 13 Cudham Lane North; the one at the side has no drainage facilities and chemicals are constantly sprayed into the open air to the back of neighbouring residential properties
- fitted doors to permanent facility are likely to be of little use
- excessive operational hours
- activities at the site should be investigated and monitored
- existing temporary car wash is very noisy
- previous car wash location was less noisy
- existing temporary car wash has exacerbated parking problems within the site
- concern at impact on light and view of adjoining residential property, specifically the kitchen
- concern as to whether structure will be built over existing inspection chamber to the sewers
- visually intrusive development
- site is already overdeveloped
- flagrant disregard shown by applicant to local residents over recent years
- acoustic fence will not overcome existing noise pollution
- acoustic report is not reliable
- loss of amenity and privacy

Consultee Comments

Following submission of an acoustic assessment the Council's Environmental Health division noted that the acoustic assessment finds that it is possible to control noise on site to within reasonable levels, even accounting for the new car wash building\activity. This is dependent on quite extensive mitigation including the following:

- upgrading the existing roller-shutter door on the existing car wash to a new door of a defined specification
- building envelope of the new car wash to a defined specification providing a very high level of sound insulation
- using the same roller door on the new wash bay as recommended above
- installing acoustic fencing around the site perimeter to the adjacent residential dwellings

The report also mandates a number of behavioural requirements which would need to be required by condition. These include:

- all pressure washing and hoovering should only take place within the wash bays.
- hand washing and polishing may be permissible outside of the bay but no powered tools or equipment should be used.
- while the wash bays are in use the doors should remain shut at all times.
- when the doors are open for access or egress washing activities should cease until the doors are fully closed.
- no radios should be used outside of the wash bays or when the wash bay doors are open.

From an acoustic perspective, this proposal should help to reduce noise levels to within Statutory limits. All of the above physical measures would need to be required by condition for submission of details for approval and also tight conditions on the behavioural aspects (perhaps by submission of a site noise management plan or similar for approval).

Thames Water did not raise objections to the proposal in principle.

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
BE8 Statutory Listed Building

7.15 (London Plan) Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Townscapes

Section 12 of the National Planning Policy Framework: Conserving and enhancing the historic environment.

Planning History

There is a detailed planning history associated with the application site, with details of applications since 1983 summarised in the table below.

Ref. Number	Description	Status	Decision Date
83/00561/DET	SINGLE STOREY EXTENSION FOR CAR DISPLAY AREA ANCILLARY OFFICE AND STAFF AMENITIES DETAILS 82/1129	PER	27.05.1983
85/00138/FUL	NEW BODY WORKSHOPS TOGETHER WITH RENOVATIONS AND ALTERATIONS TO EXISTING BUILDINGS	REF	21.03.1985
85/01259/FUL	DETACHED SERVICE WORKSHOP BUILDING TOGETHER WITH EXTENSIONS AND ALTERATIONS TO EXISTING BUILDINGS TO PROVIDE NEW SHOWROOMS AND BODY AND PAINT WORKSHOP	LEG	08.08.1985
88/02662/FUL	DETACHED BUILDING COMPRISING BODY AND PAINT WORKSHOP SHOWROOM AND ANCILLARY FACILITIES TOGETHER WITH CANOPY OVER USED CAR SALES AREA	PER	18.08.1988
89/03252/OTH	REVISION PROCEDURE TO 882662 GRANTED FOR DETACHED BUILDING COMPRISING BODY AND PAINT WORKSHOP SHOWROOM AND ANCILLARY FACILITIES TOGETHER WITH CANOPY OVER USED CAR SALES	WDN	08.03.1991
90/02971/ADVILL	ONE INTERNALLY ILLUMINATED DOUBLE SIDED POLE SIGN AND THREE INTERNALLY ILLUMINATED SINGLE SIDED LAWN SIGNS AND 3 INTERNALLY ILLUMINATED FASCIA SIGNS	PER	23.01.1991
91/00779/FUL	CHANGE OF USE FROM WORKSHOP BUILDING TO MOT TEST CENTRE	PER	04.07.1991
92/00909/OTH	VARIATION OF CONDITION 99 OF APPLICATION 910779 TO ENABLE THE USE TO OPERATE SUNDAYS AND BANK HOLIDAYS	REF	11.06.1992
93/00791/ADVILL	THE LARCHES SEVENOAKS ROAD GREEN STREET GREEN BR6 7LP FIVE FLAG POLES 29M IN HEIGHT	PER	10.06.1993
93/03083/FUL	SINGLE STOREY EXTENSION TO ENLARGE SHOWROOM AND CAR PREPARATION AREA	PER	30.06.1994
95/00379/FUL	SINGLE STOREY EXTENSION TO PROVIDE THREE VEHICLE VALET BAY	REF	28.02.1996
95/01579/ADVILL	CONTINUED DISPLAY OF ADVERTISING BUNTING	REF	23.08.1995
97/01299/FUL	CONTINUED USE OF EXISTING MOT VEHICLE INSPECTION AND TESTING FACILITY	PER	09.07.1997

97/02599/FUL	LAND JUNCTION SEVENOAKS ROAD AND CUDHAM LANE NORTH BR6 7LP DETACHED BUILDING FOR FAMILY RESTAURANT/PUBLIC HOUSE AND BUILDING FOR A HEALTH AND FITNESS CENTRE ATTACHED TO EXISTING VILLA	REF	19.11.1998
97/02691/LBCDEM	LAND JUNCTION OF SEVENOAKS ROAD AND CUDHAM LANE NORTH BR6 7LP ATTACHED PART ONE/TWO STOREY BUILDING FOR LEISURE USE LISTED BUILDING CONSENT	REF	19.11.1998
04/00343/FULL2	Change of use to the display and sale of vehicles and alterations to existing boundary and landscaping treatment, use of land (formerly Larches Petrol Filling Station) for associated car parking for customers and staff	REF	25.03.2004
04/03446/FULL2	Change of use to the display and sale of vehicles; use of land (formerly Larches Petrol Filling Station) for associated car parking for customers and staff and use of building for storage	PER	16.12.2005
05/04512/FULL1	Installation of glazed shopfront to side elevation and elevational alterations including replacement of roller shutter doors with full height windows and render/paint finish to existing brick walls	PER	09.02.2006
06/00853/VAR	Variation of condition 6 of permission ref 04/03446 to read 'No movement of vehicles for sale shall take place on the land coloured orange on Plan AR5 on any Sunday, Bank Holidays, Christmas Day or Good Friday or before 8.30am or after 6.30pm on any other day'	APR	27.06.2006
06/01725/ADV	6m internally illuminated sign with 2 projecting box signs 1 internally illuminated freestanding sign 4 internally illuminated fascia signs 3 internally illuminated wall mounted signs 1 non-illuminated free standing sign	CON1	22.06.2006
06/03469/ADV	14 no. 6m high flag poles RETROSPECTIVE APPLICATION	REF	18.01.2007
08/02241/ADV	Internally illuminated fascia sign	CON1	22.08.2008
08/02241/SPLADV	Internally illuminated freestanding totem sign	REF	22.08.2008
08/03705/ADV	Internally illuminated free standing totem sign	CON1	15.12.2008
09/00521/FULL1	Detached building for MOT workshop.	PER	14.08.2009
13/04278/FULL1	Erection of parapet cladding screen, elevational alterations, new entrance, relocation of wash/valet bays and alterations to site entrance and car park.	PER	14.04.2014
14/03244/ADV	3 internally illuminated fascia signs, 1 internally illuminated entrance sign and 1 internally illuminated totem sign	CON1	27.10.2014

14/03244/SPLADV	I totem sign adjacent to the roundabout (Sign A)	REF	27.10.2014
15/00271/FULL1	Installation of ventilation ductwork and air handling unit and instillation of acoustic fencing to enclose plant RETROSPECTIVE APPLICATION	PCO	
15/00454/FULL1	PVC strip curtain to wash valet bay to rear of showroom (Revision to permission ref 13/04278) RETROSPECTIVE APPLICATION	WDN	10.11.2015
15/01917/ADV	Three internally illuminated fascia signs and one part externally/part internally illuminated entrance sign (Signs A, B, D and E)	PDE	
15/02218/FULL1	Installation of new car washing building and installation of acoustic fencing adjacent to boundary with 11-15 Cudham Lane North	PCO	

Conclusions

The main considerations in this case relate to the impact of the proposed on neighbouring amenity, with particular regard to noise attenuation, visual amenity, and the effect of the proposal on the setting of the Statutory Listed Building at The Larches.

The application site forms a major local car dealership which also incorporates vehicle maintenance, within which various activities have been consolidated over recent years. Whilst this application is also being considered at the same time as one for ventilation ducting and plant (ref. 15/00271) the two applications should be considered on their own individual merits. In this case, the applicant is seeking to regularise car washing activities at the site by erecting this structure within a similar location to an existing unauthorised enclosure which occupies a similar albeit smaller area. The activities associated with car washing at the site have been the subject of local complaints and objections, and this proposal seeks to provide a purpose-built and enclosed car washing facility.

Following discussions with the applicant, a Sound Impact Assessment was undertaken which measured background noise levels around the site. This concluded that, on the basis of its measurements, the highest calculated rating level at the Nearest Sound Sensitive Location is 9 dB below the measurement background level, LA90, 1 hour, on the basis of mitigation measures, and therefore complies with the limits indicated by the Local Authority. Following consideration of this assessment, the Council's Environmental Health section raised no objection to this application, subject to various (onerous) conditions that limit noise emissions, and for the installation of acoustic fencing along the boundary with adjoining Cudham Lane North properties (as set out in the revised plans of 18.11.15).

As outlined above, the car wash is proposed to be erected within close proximity of the boundary with the neighbouring Statutory Listed Building at The Larches with a minimum separation of 0.6m maintained between the proposed structure and the neighbouring building which abuts the boundary. In seeking to address this

proximity, the eastern elevation of the proposed structure will incorporate rendered blockwork with stone coping to achieve a similar finish to The Larches. Nonetheless, there are concerns that this proposal will form an unneighbourly form of development, both from a listed building perspective and in terms of the prospect and visual amenity of the adjacent property.

Policy BE8 of the UDP requires that *applications for development involving a listed building or its setting, or for a change of use of a listed building, will be permitted provided that the character, appearance and special interest of the listed building are preserved and there is no harm to its setting.* In this case, it is considered that the proximity of the proposed car wash buildings will undermine the setting of the listed building; whilst the existing setting of The Larches comprises mainly of hardstanding with a distinct lack of soft landscaping, the building itself maintains a distinct separation from neighbouring buildings, so remaining sufficiently conspicuous within the wider setting which befits the local and historic interest of this structure. The proposed facility will undermine this setting with the car wash appearing as something of an extension to it, particularly in view of its siting and the recessed footprint of The Larches.

Additional concerns are raised in respect of the proposed structure which will be situated within close proximity of a ground floor kitchen window along the northern flank of The Larches within the original part of the building. This is the sole window serving that room and it is considered that the proposal would be overdominant and detrimental to the amenities that the occupiers of adjoining property might reasonably expect to be able to continue to enjoy by reason of visual impact and loss of prospect in view of its siting and design.

Whilst this application represents an attempt by the applicant to address the matter of car washing at the site (and ensuing concerns) by providing a purpose-built and enclosed facility, this approach is considered unsatisfactory, in the process spawning additional concerns in terms of its impact on the setting of the adjoining listed building and on its residential amenity. Meanwhile, it remains the case that unauthorised activities continue to be undertaken at the site in the form of the unauthorised car wash structure and Members' consent is sought for authority to progress with enforcement action to cease these activities. Until such time that a satisfactory approach is found to address noise concerns, it is considered unacceptable that external car washing activities should take place at the site which breach statutory requirements.

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

as amended by documents received on 18.11.2015

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

- 1. The proposed building, by reason of its siting and design, would seriously undermine the setting of the adjoining Grade II Listed Building at The Larches, Sevenoaks Road, contrary to Policy BE8 of the Unitary Development Plan and Section 12 of the National Planning Policy Framework: Conserving and enhancing the historic environment.**
- 2. The proposal would be overdominant and would be detrimental to the amenities that the occupiers of the adjoining property at The Larches, Sevenoaks Road, might reasonably expect to be able continue to enjoy, by reason of visual impact and loss of prospect in view of its siting and design, contrary to Policy BE1 of the Unitary Development Plan.**

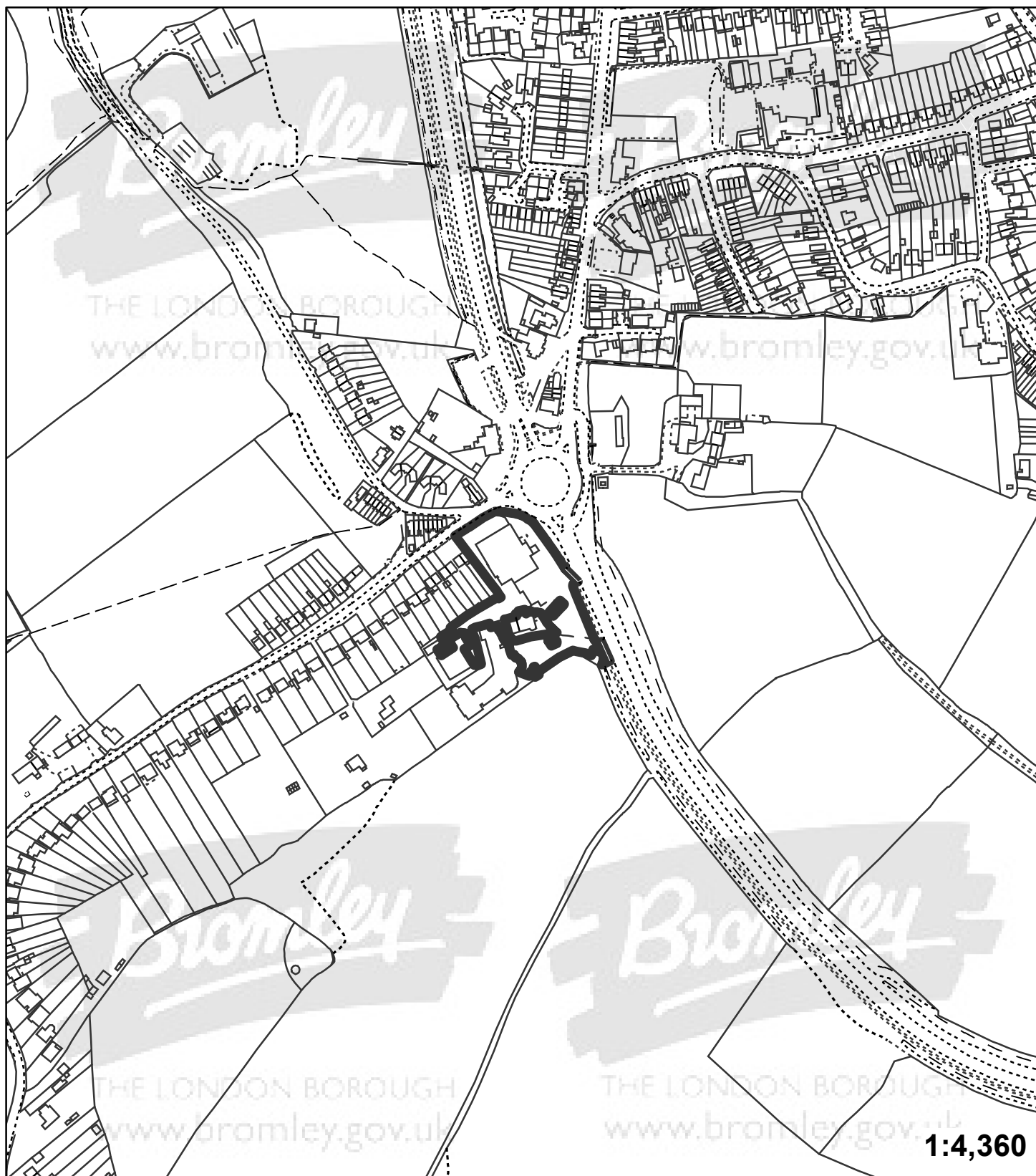
You are further informed that:

You are advised that enforcement action has been authorised in respect of some or all of the development subject of this planning decision and you should contact the Planning Investigation Team on 020 8461 7730 or by email to planningappeals@bromley.gov.uk to discuss what you need to do to avoid formal action by the Council.

Application:15/02218/FULL1

Address: Bristol Street Motors Ltd Sevenoaks Road Pratts Bottom Orpington BR6 7LP

Proposal: Installation of new car washing building and installation of acoustic fencing adjacent to boundary with 11-15 Cudham Lane North



"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 : 15/04458/OUT

Ward:
Penge And Cator

Address : 213 Kings Hall Road Beckenham BR3
1LL

OS Grid Ref: E: 536597 N: 170331

Applicant :

Objections : YES

Description of Development:

Outline application in respect of access and layout for the introduction of an access road and erection of three detached dwellings, each with a double garage, parking and associated landscaping.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
Flood Zone 2
Green Chain
London City Airport Safeguarding
London City Airport Safeguarding Birds
Local Distributor Roads
Metropolitan Open Land
Smoke Control SCA 25

Proposal

Outline planning permission is sought for the construction of 3 detached dwellings, each with a double garage, parking and associated landscaping.

The application has been submitted in 'outline' for provision of an access road to the north of No. 215 Kings Hall Road and layout of the development with all other matters reserved. While all other matters (scale, appearance and landscaping) are reserved, the applicants have provided some indicative elevational drawings.

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

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

The site area will be 0.44ha and remains considered as suburban in nature. The revised proposal for 3 dwellings represents a density of 6.8 dwellings per hectare. The site has a PTAL rating of 2.

Location

The application site is a large parcel of residential garden land to the rear of No's 207-215 Kings Hall Road, currently serving No.213. The site adjoins residential gardens to the north and east belonging to properties in Lennard Road and Kings Hall Road respectively with the area being predominantly residential in nature, although the ground floor of No213 is currently used as offices. The site has no designation in the adopted UDP but it is bounded by Metropolitan Open Land (MOL) to the south and Pool River to the west.

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

Consultations

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

- o Continued reservation of essential matters makes it impossible to consider the application fully.
- o Inappropriate backland development should be resisted. Materially the same as the previous application. Exactly the same in appearance and footprint. Second application is still at appeal.
- o Response to Inspectors comments is too selective.
- o No further advice has been sought from Bromley planners
- o Development fails to respond to local character or be sensitive to it.
- o Detached property will abut boundary to 177/179 Lennard Road.
- o Revised scheme does not respect neighbouring amenity.
- o Out of scale with properties in the locality
- o Clashes with architectural style of properties in Lennard Road. Properties will be visible through gaps in the houses.
- o Fails to meet criteria for sustainable homes.
- o Rumble strips will generate noise and disturbance
- o Increase in light pollution
- o Access road will be a risk to security
- o Concerns regarding Arboricultural and Habitat reports.
- o Comments that Bromley is able to meet its housing supply with existing sites.
- o Concerns regarding impact on highway safety and parking on surrounding roads.
- o Concerns regarding the impact to trees on site.
- o Concerns regarding the impact to habitat on site.
- o Issues with regard to impact on drainage and utilities in the locality.
- o Concerns regarding impact to flooding.

- o Acoustic fence should extend to rear of 191 to 175 Lennard Road.
- o Increase in land uses retained tree area and effectively does not increase land available.
- o Revised design does not eliminate the loss of privacy from an effectively 3 storey development.
- o Development is opportunistic. Need affordable housing in areas that suit it, not upmarket homes that suit it.
- o Could lead to further development at adjacent land
- o Pressure on local schools
- o Concerns over the possible future use of land r/o 207 Kings Hall Road
- o Application ignores Inspectors findings that such a development at this location would not be sympathetic to the environment.
- o Commercial pressures to maximise the profits from the land are compromising the interests of the environment and locale.
- o No pre-consultation exercise has been carried out with residents.
- o Information provided ignores key issues.
- o Loss of natural light to neighbouring outbuildings.
- o Concerns regarding the impact of construction works causing disruption.
- o Additional houses will contribute to poor air quality.
- o The Orpington Field Club have commented that scrub should be retained as well as existing trees and endorses recommendations in the habitat survey.

It should be noted that the above is a précis of the main themes of objection which have been repeated in different objectors comments. The full text of all representations received is available to view on the file.

Comments from Consultees

Highways:

Garage should normally have minimum internal dimensions of 2.6 metres in width by 6 metres in length and required measurement of a parking bay is 2.4m x 5m with a clear manoeuvring space of 6m

Swept Path Analysis using AutoTrack Road of refuse vehicle have been overlaid on the proposed site layout and satisfied that the vehicle can manoeuvre safely and efficiently within the site layout.

Drainage:

The submitted drainage statement report will raise finish floor levels by 600 mm, provide permeable paving in the access road and parking area and an attenuation tank to store surface water run-off is acceptable in principle. No objection is raised subject to further details of a surface water drainage strategy is supplied to implement a SUDS hierarchy.

Thames Water:

With regard to surface water drainage and water infrastructure capacity, no objection was raised on the previous application.

The Environment Agency:

Comments on the previous application stated that the application is covered by the EA's Flood risk standing advice. Therefore, no further comments are made.

Environmental Health - Pollution:

No comments have been received on this application. However the comments from the previous application are applicable to the current application which were no objection in principle subject to the submission of details through a standard land contamination condition.

Trees:

No comments have been received on this application. However the comments from application 14/01561/OUT remain relevant and are applicable to the current application.

No objection to the proposal on tree grounds. It is considered that the proposal will have a negligible detrimental impact on the public visual amenity value of the trees within the site that are protected within the TPO numbered 1138A, and trees that adjoin the proposed development site when viewed from public open spaces of 209 to 217 Kings Hall Road, 169 to 199 Lennard Road and from Cator Park. A series of conditions relating to arboricultural practice are suggested, as well as condition relating to a woodland management plan.

Planning Considerations

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

BE1 Design of New Development
BE7 Railings, Boundary Walls and Other Means of Enclosure
H1 Housing Supply
H7 Housing Density and Design
H9 Side Space
NE3 Wildlife Features
NE7 Development and Trees
NE8 Conservation and Management of Trees and Woodland
ER10 Light pollution
T3 Parking
T7 Cyclists
T18 Road Safety

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

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

London Plan (July 2011)

Policy 3.3 Increasing Housing Supply.
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and design of housing developments
Policy 3.8 Housing choice
Policy 5.1 Climate change mitigation
Policy 5.2 Minimising carbon dioxide emissions
Policy 5.3 Sustainable design and construction
Policy 5.7 Renewable energy
Policy 5.9 Overheating and cooling
Policy 5.10 Urban greening
Policy 5.11 Green roofs and development site environs
Policy 5.12 Flood risk management
Policy 5.13 Sustainable drainage
Policy 5.14 Water quality and wastewater Infrastructure
Policy 5.15 Water use and supplies
Policy 5.16 Waste self-sufficiency
Policy 5.17 Waste capacity
Policy 5.18 Construction, excavation and demolition waste
Policy 5.21 Contaminated land
Policy 6.5 Funding Crossrail and other strategically important transport infrastructure
Policy 6.9 Cycling
Policy 6.13 Parking
Policy 7.2 An inclusive environment
Policy 7.3 Designing out crime
Policy 7.4 Local character
Policy 7.6 Architecture
Policy 8.2 Planning obligations
Policy 8.3 Community infrastructure levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

Planning History

PREAPP/14/00065: PRE-APP: Demolition of existing garage and side extension at 215 Kings Hall Road, formation of new access road and erection of seven dwellings. Response sent 07.04.2014.

14/01561/OUT: Introduction of access road and erection of 6 dwellings comprising 3 pairs of semi-detached houses, parking landscaping OUTLINE APPLICATION. Refused 05.08.2014.

Refusal reason:

The proposed development by reason of the restricted plot size and amenity space would be an overdevelopment of the site which would not accord with the spatial standards prevailing in the locality, and the proposal would therefore not be sensitive to the character of the surrounding residential area. Traffic accessing the

site will harm the amenities of adjoining residential properties by reason of fumes, noise and disturbance. The proposal is therefore contrary to Policies BE1 and H7 of the Unitary Development Plan.

The decision was subsequently appealed and dismissed with the Inspector concluding that good design is a key aspect of sustainable development and is indivisible from good planning. Given the Inspectors conclusion about the adverse effect on the character and appearance of the area, it was not considered that the development as proposed was sustainable in environmental terms. This was considered to significantly and demonstrably outweigh the benefits of providing six additional houses.

The Inspector also commented that in terms of the relationship with the surrounding properties that given the distances, and the orientation of the properties, it was not considered that there would be significant overshadowing of the adjoining houses and gardens. It was also commented that the outlook of surrounding residents would evidently change from the view over the existing extensive garden area and orchard, but there would be sufficient separation for the proposed houses not to be overbearing in views from the neighbouring dwellings.

In terms of traffic accessing the site it was not considered that there would be likely to be excessive noise and disturbance for existing occupiers. Similarly with regard to drainage with implementation of a suitable SUDS scheme there is no evidence that a satisfactory drainage scheme could not be devised.

The above Inspectors conclusions are a material consideration in the assessment of the current application.

15/00357/OUT Construction of 5 dwellinghouses comprising 2 pairs of semi detached and 1 detached property, access road, parking and associated landscaping.

Refusal reason:

The proposed development by reason of the restricted plot size and amenity space would be an overdevelopment of the site which would not accord with the spatial standards prevailing in the locality, and the proposal would therefore not be sensitive to the character of the surrounding residential area. The proposal is therefore contrary to Policies BE1 and H7 of the Unitary Development Plan.

An appeal is currently in progress.

Conclusions

The main issues relating to the application are the principle of the development and the effect in principle that a residential development would have on the character and appearance of the locality, the effect of the design layout on the locality and visual amenity of the area, access arrangements and the impact the scheme would have on the living conditions and amenities of nearby properties.

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

Principle of Development

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

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

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

Policy 3.4 Optimising housing potential of the London Plan seeks to optimise housing potential, taking into account local context and character, the design principles and public transport capacity.

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

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

Density

The density of the proposal would be 6.8 units per hectare (11.3 units on the previous application). Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 2 in a suburban area as 35-65 u/ha. The density of the proposal is below that guideline by this measure and is therefore considered to be acceptable.

Design, Siting and Layout.

Policy 3.4 of the London Plan 2011 specifies that Boroughs should take into account local context and character, the design principles (in Chapter 7 of the Plan) and public transport capacity; development should also optimise housing output for different types of location within the relevant density range.

Policy BE1 states that development should be imaginative and attractive to look at, should complement the scale, form, layout and materials of adjacent buildings and areas. Development should not detract from the existing street scene and/or landscape and should respect important views, skylines, landmarks or landscape features. Space about buildings should provide opportunities to create attractive settings with hard or soft landscaping and relationships with existing buildings should allow for adequate daylight and sunlight to penetrate in and between buildings.

In order to address the previously refused scheme the application now proposes a reduction in the number of houses to three detached houses, two facing north to their principle elevation and one facing east at 90 degrees to the other houses in close proximity to the northern boundary of the site. As a result of the reduction to three houses (previously 5), each dwelling will now be located on a larger plot, ensuring greater amenity space. The spatial standards of the proposal is therefore considered to be acceptable, and would not be detrimental to the character of the area. The detached property is located 6.4m distance to its main flank from the northern boundary resulting in an approximate distance of 44m to the rear elevations of properties at No179 and 181 Lennard Road respectively.

The indicative design of the dwellings remains traditional in format. Detached garages are provided to the side of plots 1 and 3 with an additional two spaces in front. Plot 2 has an attached garage to the flank. The area of preserved trees on the western side of the site would largely be retained with some removals as would the existing trees along the boundary with the gardens of the houses in Lennard Road which would be supplemented with additional planting.

The previous Inspectors comments are a material consideration in the assessment of this application. It was considered by the Inspector that Kings Hall Road is characterised by substantial detached and semi-detached houses on a wide, tree-lined road. Those in Lennard Road are smaller, but again there is an open, tree-lined setting with playing fields on the opposite side of the road. The houses have generous rear gardens which is an integral part of the character of the area.

In that scheme the proposed houses had a long, straight access road with significant planting only on one side and views straight through to the back of the site. It was concluded that this would appear rather incongruous as backland development is not a common feature of the area and that this arrangement would be out of keeping with the prevailing form of development

This scheme has addressed this conclusion by re orientating one of the dwellings to face the access way to create a sense of arrival in a traditional 'close' road layout in a conventional urban layout form. Views from Kings Hall Road will be perceived as a conventional urban vista indicating residential housing akin to what would be expected in a predominantly residential area.

The sizes of the proposed gardens are now considered to be comparable to surrounding provision in the immediate locality Furthermore, landscaping is provided to the southern and eastern boundaries. Most of the properties in the area have shrubs and/or trees around the boundaries which add to the visual quality of the area. There are trees and bushes within and on the boundary to the site to the south. Many of these are retained within the site. Indicative screen planting has been shown along this boundary to soften the visual impact when seen from the rear of the Kings Hall Road houses.

Given the reduction in the number of dwellings and the larger plot sizes, it is now considered that with the revisions the proposal would be sensitive to the character of the surrounding area.

Standard of Residential Accommodation

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

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

No details have been supplied in respect of the internal layout of the houses as this is not required for an outline application. This can be conditioned as part of the reserved matters to ensure a suitable quality of living space and compliance with the Mayors standards.

Impact on Adjoining Properties

In terms of outlook, the fenestration arrangement will provide front, rear and anticipated flank outlook for each unit overlooking amenity space or overlooking the street.

In terms of privacy, concerns were raised by a number of adjacent properties on Kings Hall Road and Lennard Road in terms of overlooking and loss of privacy. Officers have previously visited a number of these addresses and viewed the concerns raised from rear gardens and from within upper levels of the properties.

The distance between the properties as detailed above exceeds the minimum distance referred to within the Mayor's guidance. On this basis while the concerns are noted and taken account of, and it is acknowledged that there will be some interruption to currently unobstructed views from adjoining property, it is not considered that this is sufficient to warrant withholding planning permission. Indeed, there is no right to an uninterrupted view from a planning position.

The outlook from windows from the proposed properties is considered to maintain a suitable level of privacy at the intended distances to existing neighbouring property.

Light pollution has also been raised as an issue. However, given the separation distances between properties and the submission of suitable details in respect of a lighting scheme for the site this is also not considered a reason to withhold planning permission.

In terms of noise and disturbance an acoustic fence is proposed along the access way to deflect noise from vehicles entering and existing the site. It is considered that this can be extended along the northern boundary to cover the whole of the access way and hardstanding areas in front of the houses to protect neighbouring amenity and improve security. Further details can be sought by condition.

Access

The access road is sufficiently wide to allow passing of vehicles. Access gates are indicated and speed restricting rumble strips. In terms of access the Council's Highways Officer has not raised any objection as detailed above. On this basis the principle of access to the site is considered acceptable subject to further details.

Drainage, Ecology and landscaping

An indicative landscaping layout has been submitted as shown on the proposed site layout plan drawing that details the areas given over to garden for external amenity for future occupiers. Individual gardens are provided for each dwelling and these would provide opportunities for landscaping and greening of the site. These would be enclosed by a boundary structure individually and surrounding the site. Notwithstanding, the details shown on this plan, should permission be forthcoming, full details of hard and soft landscaping and boundary treatment could be sought by condition.

Details of land contamination measures have also been recommended to be sought by condition.

Sustainability and Energy

Policy 5.3 Sustainable Design and Construction of the London Plan states that the highest standards of sustainable design and construction should be achieved in London to improve the environmental performance of new developments and to adapt to the effects of climate change over their lifetime. Policy 5.2 Minimising Carbon Dioxide Emissions of the London Plan states that development should

make the fullest contribution to minimising carbon dioxide emissions in accordance with the hierarchy; Be Lean: use less energy; Be clean: supply energy efficiently and Be green: use renewable energy.

The applicant has submitted a number of criteria to achieve a sustainable development listed in the Design and Access Statement which outlines that it will be possible for the development to meet these objectives.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL contributions will be sought in connection with any subsequent reserved matters applications.

Summary

It is considered that the proposal would bring forward additional much needed dwellings by intensifying the use of a currently underutilised site. The development would have a high quality design and would not have an unacceptable impact on the amenity of neighbouring occupiers, subject to suitable conditions. It is considered that the density and tenure of the proposed housing is acceptable and that the indicated standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. The proposal would be constructed in a sustainable manner and would achieve good levels of energy efficiency. It is therefore recommended that planning permission is granted subject to the imposition of suitable conditions.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 (i) Details relating to the**
 - a) appearance**
 - b) landscaping**
 - c) scale**
 - d) internal layout of dwellings**

shall be submitted to and approved by the Local Planning Authority before any development is commenced.

(ii) Application for approval of the details referred to in paragraph (i) above must be made no later than the expiration of three years beginning with the date of this decision notice.

(iii) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the details

referred to in paragraph (i) above, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: No such details have been submitted and to comply with the requirements of Section 92 of the 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** Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted

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

- 4** 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

- 5** No trees on the site shall be felled, lopped, topped or pruned before or during building operations except with the prior agreement in writing by the Local Planning Authority. Any trees removed or which die through lopping, topping or pruning shall be replaced in the next planting season with trees of such size and species as may be agreed with the Authority.

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

- 6** No demolition, site clearance or building works (including trenches, pipelines for services or drains) shall be undertaken until Chestnut Pale fencing not less than 1.2 metres in height has been erected around every tree or tree group on the site shown to be retained on the submitted drawings at the furthest extent of the spread of the canopy of any tree or tree group except where development is hereby permitted within this area.

The fence shall be placed so as to exclude the site of the said development but otherwise as far as possible from the trees. The areas enclosed by fencing shall not be used for any purpose and no structures, machinery, equipment. Materials or spoil shall be stored or positioned within these areas Such fencing shall be retained during the course of the building works hereby permitted.

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

- 7 No bonfires shall take place within 6 metres of the furthest extent of the spread of canopy of any tree or tree group shown to be retained on the submitted drawings

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

- 8 No trenches, pipelines for services or drains shall be sited under the spread of the canopy of any tree or tree group shown to be retained on the submitted plans without the prior agreements in writing by the Local Planning Authority

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

- 9 A woodland management plan, including tree and shrub planting, habitat enhancement, long term design objectives, management responsibilities and maintenance schedules for shall be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of the development hereby permitted. The plan shall include arrangements and timetable for its implementation and shall be carried out in accordance with the approved details.

Reason: In order to comply with Policy NE8 of the Unitary Development Plan and in the interest of good arboricultural practice and the visual amenities of the area.

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

The statement shall include details of:

Type and siting of protective fencing, and maintenance of protective fencing for the duration of project;
Type and siting of scaffolding (if required);
Details of the method and timing of demolition, site clearance and building works
Depth, extent and means of excavation of foundations and details of method of construction of new foundations

Location of site facilities (if required), and location of storage areas for materials, structures, machinery, equipment or spoil, and mixing of cement or concrete;

Location of bonfire site (if required);

Details of the location of underground services avoiding locating them within the protected zone

Details of the method to be used for the removal of existing hard surfacing within the protected zone

Details of the nature and installation of any new surfacing within the protected zone

Methods proposed for the watering of the trees during the course of the project

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

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

- 11 The applicant shall at his own expense instruct an arboricultural consultant, approved by the Council in writing to liaise with the developer and/or his architect or engineer to approve details of construction methods, oversee the works and report to the Council throughout the period of the works in so far as the works may affect trees within the site. Works shall not commence on site until a consultant has been appointed. After commencement of the project, all persons employed or engaged on the project shall immediately comply with any reasonable instruction, advice or request given or made by the arboricultural consultant in respect of works in so far as they relate or affect trees within the site, including an instruction to cease work if the arboricultural consultant considers that works have deviated from the agreed working methods and in these circumstances works shall not recommence until or unless written authority has been given by the Council or the arboricultural consultant that such works may recommence.**

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

- 12 Details of the windows (including rooflights and dormers where appropriate) including their materials, method of opening and drawings showing sections through mullions, transoms and glazing bars and sills, arches, lintels and reveals (including dimension of any recess) shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The windows shall be installed in accordance with the approved details.**

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

13 Details 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 work is 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 development and the visual amenities of the area

14 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

In order to comply with Policy BE1 of the Unitary Development plan and in the interest of the appearance of the development and the visual amenities of the area

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

Reason: To reduce the impact of flooding both on and from the proposed development and third parties and in order to comply with Policies 5.12 and 5.13 of the London Plan.

16 Details of the layout of the access road and turning area including its junction with and dimensions of visibility splays shall be submitted to and approved in writing by the Local Planning Authority and these access arrangements shall be substantially completed before any part of the development hereby permitted is first occupied. There shall be no obstruction to visibility in excess of **** in height within the approved splays except for trees selected by the Authority, and which shall be permanently retained.

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

17 Before any work is commenced details of parking spaces and/or garages and sufficient turning space shall be submitted to and approved in writing by the Local Planning Authority and such provision shall be completed before the commencement of the use of the land or building hereby permitted and shall thereafter be kept available for such use. No development whether permitted by the Town and Country Planning (General Permitted Development Order) 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.

18 Parking bays shall measure 2.4m x 5m and there shall be a clear space of 6m in front of each space (or 7.5m if garages are provided) to allow for manoeuvring and these spaces shall be permanently retained as such thereafter.

Reason: In order to comply with Policy T3 of the Unitary Development Plan to ensure that adequate on site parking is provided and in the interest of pedestrian and vehicular safety.

19 Garages shall have minimum internal dimensions of 2.6m x 6m and there shall be a minimum clear space in front of their doors of 6m (or of 7.5m where the garages are in a compound or opposite a structure or means of enclosure) to allow for manoeuvring and these dimensions shall be permanently retained as such thereafter.

Reason: In order to comply with Policy T3 of the Unitary Development pan to ensure that adequate on site parking is provided and in the interest of pedestrian and vehicular safety.

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

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

21 Details of the finished surfaces of the access road, garage drives and parking areas, which shall include coloured materials and block paving, and of the street lighting installations, shall be submitted to and approved in writing by the Local Planning Authority before the development commences and the access road, drives, parking areas and street lighting shall be completed in accordance with the approved details before any of the dwellings hereby permitted are first occupied.

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

22 Details of a scheme to light the access drive and car parking areas hereby permitted shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted is commenced. The approved scheme shall be self-certified to accord with BS 5489 - 1:2003 and be implemented before the development is first occupied and the lighting shall be permanently retained thereafter.

Reason: In order to comply with Policies BE1 and T11 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

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

Reason: In order to comply with Policies BE1 T5, T6, T7, T15, T16 & T18 of the Unitary Development Plan and in the interest of the amenities of the adjacent properties.

24 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.

25 Each of the dwellings shall meet the Lifetime Home Standards (in accordance with the 2010 (Revised document). Details of these measures shall be submitted and approved in writing by the Local Planning Authority prior to commencement of the development hereby permitted and implemented in accordance with the approved details.

Reason: In order to ensure an adequate supply of accessible housing in the Borough in accordance with Policy 3.8 of the London Plan

26 The development hereby permitted shall incorporate measure to minimise the risk of crime. No development shall take place until details of such measure, according to the principles and physical security requirements of Secured Design, have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented before the development is occupied and thereafter retains.

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

27 The acoustic fence indicated to the northern boundary of the site shall extend from the site entrance from Kings Hall Road to the rear of 175 Lennard Road.

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

28 No extensions or alterations to the building (s) hereby approved, whether or not permitted under Article 3 to Schedule of the Town and Country Planning (General Permitted development) (England) Order 2015 (or any other revoking, re-enacting or modifying that Order, shall be carried out without the prior written permission of the local planning authority.

Reason : To ensure that any proposals for extensions or outbuilding to the properties hereby approved can be considered by the Council and that the potential for any impact n the amenities of the occupiers

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

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

30 Before the development hereby permitted is first occupied the proposed window(s) shall be obscure glazed in accordance with details to be submitted to and approved in writing by the Local Planning Authority and details of any opening shall be submitted to and approved in writing by the Local Planning Authority and shall subsequently be permanently retained in accordance with the approved details. In the interests of the privacy of adjoining properties any openings should be at high level.

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

You are further informed that :

- 1 You should consult the Land Charges and Street Naming/Numbering Section at the Civic Centre on 020 8313 4742 or e-mail: address.management@bromley.gov.uk regarding Street Naming and Numbering. Fees and application forms are available on the Council's website at www.bromley.gov.uk**

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

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

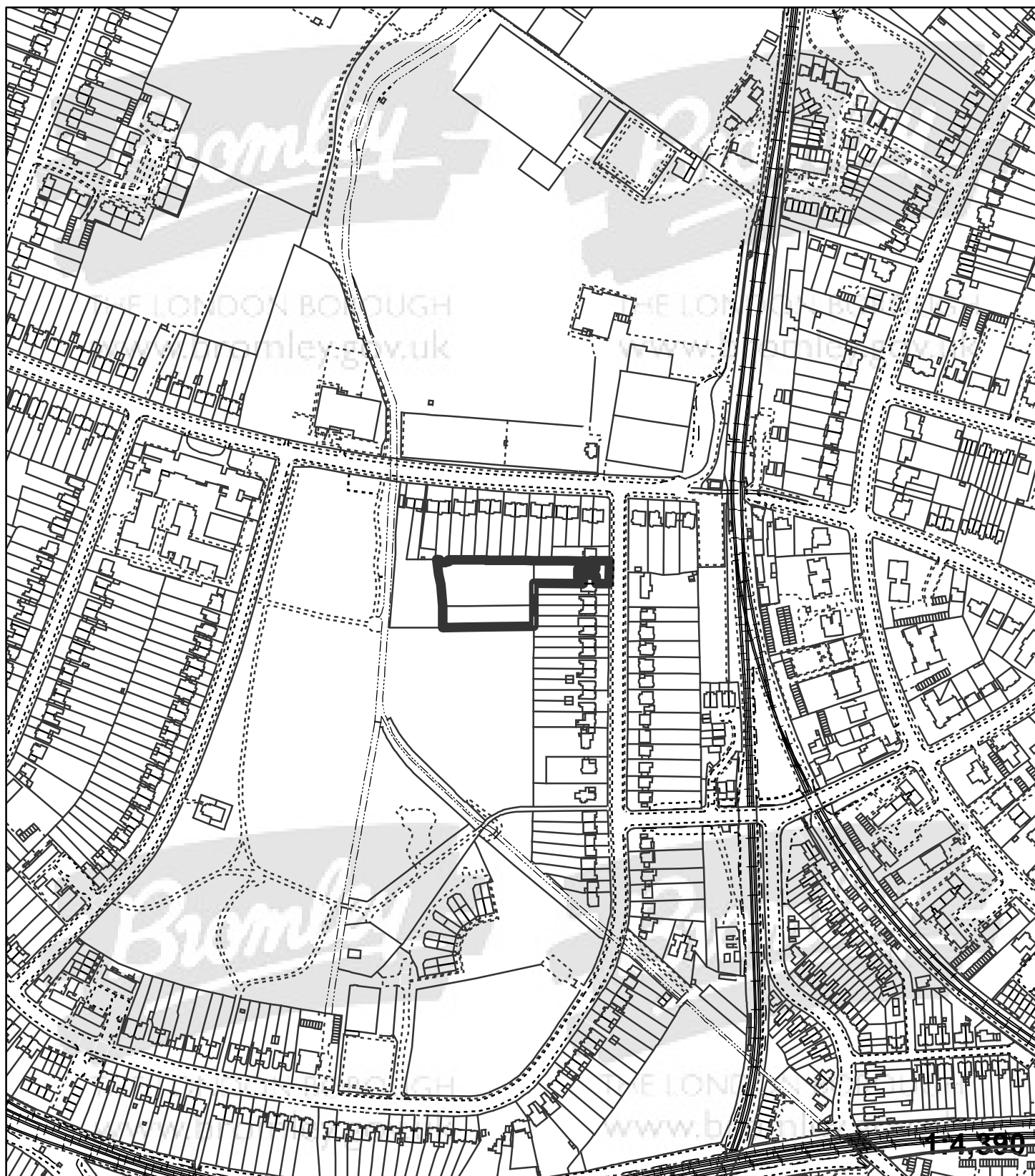
Further information about Community Infrastructure Levy can be found on attached information note and the Bromley website www.bromley.gov.uk/CIL

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Application:15/04458/OUT

Address: 213 Kings Hall Road Beckenham BR3 1LL

Proposal: Outline application in respect of access and layout for the introduction of an access road and erection of three detached dwellings, each with a double garage, parking and associated landscaping.



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

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SECTION '2' – Applications meriting special consideration

Application No : 15/04540/FULL6

Ward:
Bromley Town

Address : 90 Sandford Road Bromley BR2 9AN

OS Grid Ref: E: 540574 N: 168166

Applicant : Mr _ Mrs Harris

Objections : YES

Description of Development:

First floor side extension

Key designations:

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 51
Urban Open Space

Proposal

The proposal is for a first floor side extension which will sit above the existing converted garage. The extension will project 3.8m in depth and is set back from the main front wall of the house by 225mm.

The ridge height of the extension will be lower than the existing property and materials are proposed to match the existing.

Location

The application site is a two storey semi-detached property on the southern side of Sandford Road. The existing garage to the side has been converted to a store room and utility room and the property also has a rear dormer.

The property is within Flood Zone 2. It is not listed and not located within a Conservation Area.

Consultations

Nearby owners/occupiers were notified of the application and no letters of representation have been received.

There were no external or internal consultations made on this application.

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

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

The London Plan and National Planning Policy Framework are also key considerations in determination of this application.

The above policies are considered to be consistent with the principles and objectives of the National Planning Policy Framework.

Relevant planning History

Ref. Number	Description	Status	Decision Date
06/02562/FULL6	Single storey rear extension	PER	05.09.2006
06/04216/FULL6	Single storey side extension	PER	24.01.2007

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.

Impact upon character and appearance of the host dwelling and the surrounding area.

Policy H9 refers to what the Council will normally require in terms of retaining a side space. In some instances where there is appropriate justification, it may not be that a full height and length of the flank wall be required to be set back. The purpose of Policy H9 is to retain space around residential buildings to ensure adequate separation and to safeguard the privacy and amenity of adjoining residents. Furthermore, the policy seeks to prevent a cramped appearance and unrelated terracing from occurring.

Whilst the first floor extension does not technically comply with Policy H9, given it will retain the existing side space of 750mm between the boundary and the ground floor side wall, it will only project 3.8m deep rather than the full length of the property and is therefore considered to be acceptable on this occasion. Additionally the first floor extension will be setback 225mm from the front wall and the ridge height will be lower than the existing, which will be subservient to the main dwelling. The proposal is therefore not considered to be detrimental to the character and appearance of the surrounding area and will comply with the purpose of Policy H9.

Impact on neighbouring properties

Given the neighbouring property No.92 is at an angle to the application site and maintains an adequate setback to the boundary, a first floor extension which only projects 3.8m in depth is not considered to be detrimental to the amenities of the occupiers of No.92.

The proposal will have no impact upon the amenities of the attached property No.88.

Having regard to the existing side space of 750mm and the moderate depth of 3.8m, at first floor level, Members may consider that, on balance, the scheme may not cause such harm to the character of the area as to warrant a planning refusal. Furthermore, Members are asked to consider that the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents.

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.

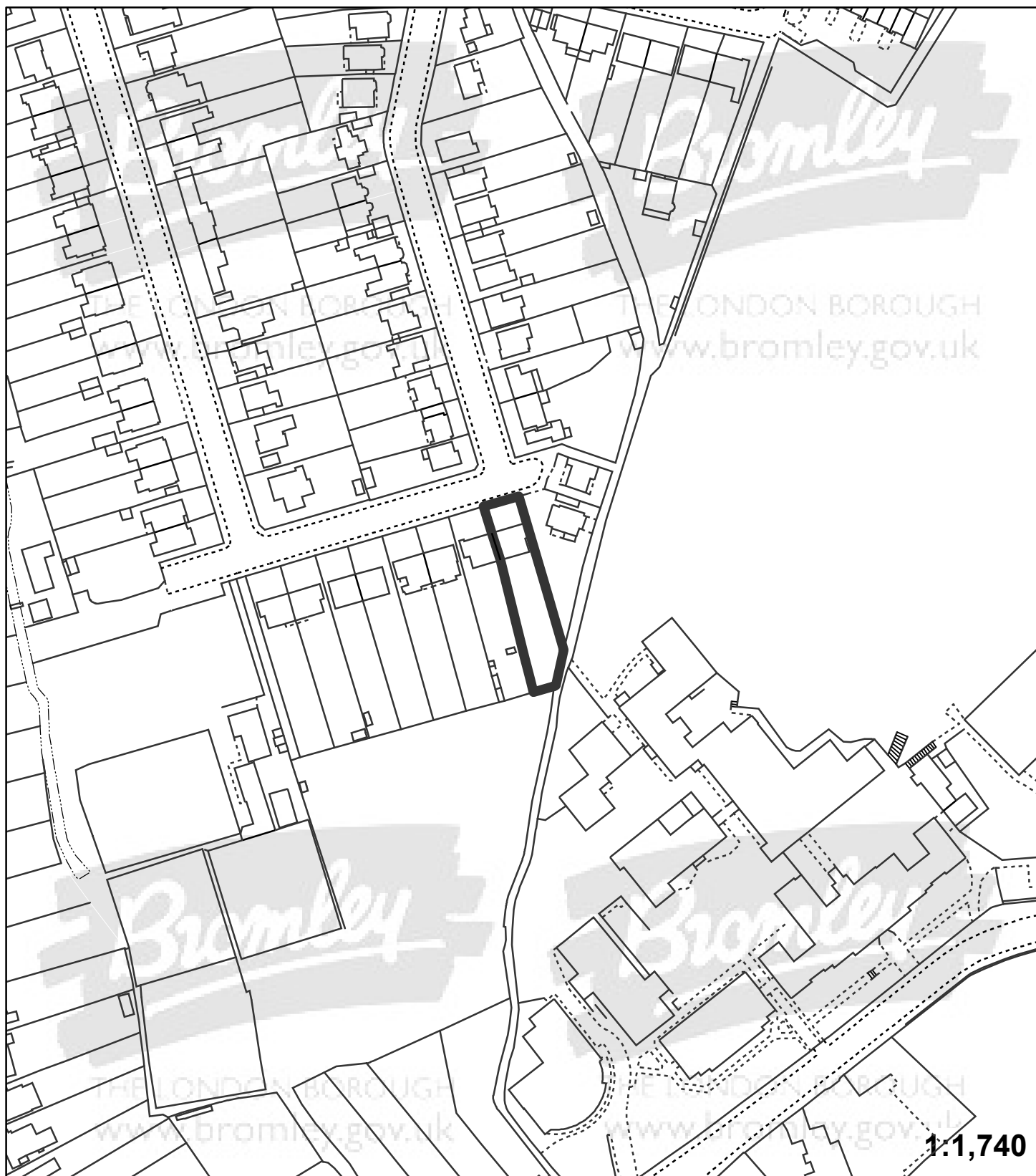
- 3 The development hereby permitted shall not be carried out otherwise than in complete accordance with the plans approved under this planning permission unless previously agreed in writing by the Local Planning Authority.**

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: 15/04540/FULL6

Address: 90 Sandford Road Bromley BR2 9AN

Proposal: First floor side extension



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

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SECTION '2' – Applications meriting special consideration

Application No : 15/04654/FULL1

Ward:
Clock House

Address : 1A Birkbeck Road Beckenham BR3 4SL

OS Grid Ref: E: 535985 N: 169663

Applicant : Mr Nigel Claridge

Objections : YES

Description of Development:

Change of use from Class B8 to C3 and redevelopment of existing site and storage building to form a three bedroom single family dwellinghouse with off-street parking area, front access gates, refuse storage area and courtyard garden.

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
Open Space Deficiency
Smoke Control SCA 30

Proposal

Change of use of site from class B8 to C3 and erection of 2 storey 3 bedroom dwelling house with off street parking area, front access gates, refuse storage area and installation of high level glass visibility screens adjacent to nos. 1 and 3 Birkbeck Road.

The application site lies on the southeastern side of Birkbeck Road, close to the junction with Beckenham Road.

The site was formerly used as a Class B8 'light industrial machine workshop storage shed' although it is currently disused.

The building is set back from the Birkbeck Road frontage by approx. 22m, accessed via a narrow ramped driveway which narrows towards the entrance to 3.5m wide. The building comprises a double height brick wall on three sides with an internal steel frame and a roof covering of corrugated asbestos cement sheeting. It is enclosed on three sides: to the northeast by single storey stable blocks at the rear of the Beckenham Road shopping parade, to the southeast by the rear gardens of dwellings fronting Mackenzie Road and to the southwest by the rear gardens of No. 3 Birkbeck Road. The front part of the site also partly abuts the flank wall of No. 1 Birkbeck Road and the flank boundary wall between the driveway and the small rear yard at No. 1.

Flank windows at No. 1 Birkbeck Road overlook the access way, in the side return elevation as well as at ground and first floor level in the main flank elevation.

It is proposed to change the use of the site from Class B8 to residential and to erect a two storey structure within the existing brick walls to provide a three bedroom dwellinghouse. The existing roof would be removed and replaced by a slate pitched roof and the front elevation would be rebuilt.

On the ground floor, the dwelling would provide a kitchen/living/dining space with access to an enclosed courtyard garden with undercroft area.

On the first floor level three bedrooms are proposed to be provided, including one set above the ground floor courtyard garden. The master bedroom would have a window facing towards the entrance and decked area as well as a small side light. A wall-mounted glazed privacy screen is proposed adjacent to the window. The rear bedroom would have a window facing into the courtyard area, next to a landing window. Each of these windows would face towards the retained flank boundary wall adjacent to the rearmost section of the garden of No. 3 Birkbeck Road. The smallest bedroom would have a south east facing window which would overlook the courtyard area and which would lie approx. 7.2m from the rear boundary wall of the site which abuts dwellings fronting Mackenzie Road.

A car parking space would be provided within the site in addition to cycle and refuse storage. The parking space would be at the front of the site, with pedestrian access path adjacent. The pedestrian access would lead past a small front timber decked terrace to an entrance area and side access to the courtyard garden.

Consultations

Comments from local residents

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

- o Concern regarding the disturbance resulting from the construction.
- o Increased noise
- o Scale of the roofline
- o There may be demand for the premises from small businesses, crafters and local artists
- o Proposal is too big for the site
- o Loss of privacy, outlook, light and light pollution to neighbouring property
- o The rear and flank elevations are visible from No. 10 Mackenzie Road
- o Overshadowing and visual impact to the garden at No. 10 Mackenzie Road and lack of space to provide screening within the adjacent site
- o Issues relating to the marketability of neighbouring sites

Comments from consultees

Thames Water

No objections are raised with regards to the water and sewerage infrastructure capacities. It is recommended that an informative be attached if permission is granted regarding water pressure provision.

Highways

The site is located to the north of Birkbeck Road, Beckenham. There are waiting restrictions (no waiting at any time) around the site on both Beckenham Road and Birkbeck Road. The area has a high on-street parking occupancy with little parking available. However, the applicant is providing off-street parking by utilising the existing arrangement. Up to two cars can be accommodated within the site's curtilage.

No objections are raised to the proposal, subject to conditions relating to car parking, cycle parking and highway drainage.

Environmental Health (Housing)

Comments are on file. The applicant is to have regard to the Housing Act 2004.

Environmental Health (Pollution)

There are no objections in principle, although conditions are recommended in the event that planning permission is granted, with reference to contamination and Air Quality Management.

Environment Agency

The EA were consulted regarding the previous application on the site, and commented that that application was assessed as having a low environmental risk.

Planning Considerations

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

- BE1 Design of New Development
- H12 Conversion of non-residential buildings to residential use
- H7 Housing Density and Design
- T3 Parking
- T18 Road safety
- EMP5 Development outside business areas

Supplementary Planning Guidance 1

Supplementary Planning Guidance 2

The following policies of the London Plan are material considerations in the determination of this application:

- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children and young people's play and informal recreation facilities
- Policy 7.4 Local Character

Mayor's Housing SPG

Planning History

Planning permission was refused under reference 87/0563 for the change of use of the premises from garage/store to industrial use on the grounds that the change of use was inappropriate in the predominantly residential area and the access into the site was considered inadequate.

An application for a Certificate of Lawfulness for an existing use of the site for the repair, maintenance and storage of machine tools was refused under ref. 87/03342 on the grounds that insufficient evidence had been submitted to substantiate the use claimed.

Under ref. 93/01905 permission was granted for the continued use of the building for storage (previously granted on a temporary basis under ref. 89/1208). The permission was subject to conditions which made the permission personal to a specific user, limited the type of storage, the hours and days of vehicle movements and the areas within which machine tools were permitted to be stored.

Planning permission was refused under reference 15/02519 for the change of use of the site from Class B8 to C3 and the erection of a 2 storey three bedroom dwellinghouse with off-street parking, front access gates, refuse storage area and visibility screens. Permission was refused on the grounds:

1. The proposal, by reason of its size and siting, would have a detrimental impact on the residential amenities of neighbouring residential dwellings thereby contrary to Policies BE1, H7 and H12 of the Unitary Development Plan and Policy 3.5 of the London Plan.
2. The proposed dwelling would be capable of family accommodation and by reason of its size and layout would be lacking in adequate amenity space and a reasonable outlook to secure a satisfactory standard of accommodation for prospective occupants, thereby contrary to Policies BE1, H7 and H12 of the Unitary Development Plan and Policy 3.5 of the London Plan.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area, the impact that it would have on the amenities of the occupants of surrounding residential properties, the standard of accommodation provided for the proposed residential dwelling and the principle of the loss of a B8 premises.

In assessing the merits of the proposal it is important to consider whether the current scheme successfully addresses the grounds for refusal of planning permission under reference 15/02519. The main differences between the applications can be summarised:

- The first floor space has been reduced.
- The courtyard garden has been increased in size from 14m² to 45.5m² (although part of this amenity area lies beneath a first floor element).
- The roof design has been altered to a dual pitched roof, with a reduced site coverage in particular when viewed from the rear of the site. The maximum ridge height of the roof would be approx. 1.2m lower than that previously proposed and approx. 1.5m higher than the height of the existing roof. The rooflights which were previously proposed to the flank elevation facing towards No. 3 Birkbeck Road have been deleted and instead, a row of rooflights are proposed along the north eastern roofslope.

The transport and highways impacts of the development are considered acceptable.

With regards to the principle of the change of use of the site, Policy EMP5 provides that the redevelopment of premises outside of designated business areas will be permitted provided that the site's characteristics make it unsuitable for such use. The policy requires that full and proper marketing of the site should confirm the unsuitability and financial non-viability of the site for that use.

The use of the site has ceased and the premises are currently vacant. The permission granted in 1993 (93/1905) was personal to the then user, and specified the type of use within the site and therefore planning permission would be required for an alternative use within the class or operator from the site.

The site is not designated as a business or employment area and the conversion to residential must be considered against Policy H12 of the UDP which states that the Council will normally permit the conversion of genuinely redundant office buildings and other non-residential buildings to other uses subject to achieving a satisfactory quality of accommodation and amenity for future occupiers.

The NPPF states that Local Authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings currently in the B use class where there is an identified need for additional housing in that area, provided there are not strong economic reasons why such development would be inappropriate.

With regards to the impact of the proposal on the character of the area, the pattern of development locally comprises a broad mix of development types and appearances, taking into account the recently developed former MOT workshop at the rear of 261 Beckenham Road (ref.13/00401). It is not considered that the built form and appearance of the proposed dwelling would be out of character with the

pattern of development in the area. However, whereas the development at the rear of 261 Beckenham Road was capable of providing a more open frontage to Birkbeck Road, the application building occupies a more physically constrained and sensitive site.

In granting planning permission for application ref. 13/00401 a material consideration was the unrestricted nature of the use of that particular site. Unlike that proposal, the application site is subject to restrictions relating to its use, in particular hours and days of operation in the interest of residential amenity. As a consequence of the siting of the premises in such close proximity to surrounding residential development, the nature of the use and the hours of operation would be very carefully considered if an application for an alternative business use was submitted. On balance, it is considered that the residential use of the site would be acceptable in principle.

The previous application was refused on 2 grounds, the first of which specifically related to the impact of the proposal on the residential amenities of neighbouring residents. It was considered that the size and siting of the proposal would have had a detrimental impact on the amenities of neighbouring dwellings.

The proposals would result in the roof being a maximum of approx. 1.6m higher than existing (contrasting with a 2.5m increase in height proposed under the previous scheme). The provision of a dual pitched roof would have the effect of reducing the visual impact of the proposal, improving on the more monolithic appearance of the previous proposal.

The enlarged open area adjacent to No. 3 Birkbeck Road and the rear corner of the garden of No. 6 Mackenzie Road, in addition to the siting of development in the context of the existing walls of the site, would reduce the impact of the proposal in comparison with the previously refused scheme.

In modifying the internal layout and proportions of the building, the proximity of the raised height rear elevation to the boundary with the rear gardens of No. 4 has increased, with the development coming closer to the boundary at this point. It is noted that the rear gardens of the dwellings fronting Mackenzie Road are approx. 15m deep to the side return element, with an increased depth to the main rear elevation of those dwellings. On balance, taking into account the depth of the rear gardens and the improved design and more modest increase in height of the roof ridgeline, the proposal would not have a significantly adverse impact on the amenities of the occupiers of dwellings fronting Mackenzie Road.

The relationship between the proposed development and the rear garden of No. 3 Birkbeck Road has been improved by the provision of open amenity space on either side and under the modest first floor projecting element. The height of the building adjacent to the boundary with No. 3 would be only slightly higher than that of the existing building, and it is therefore considered that the visual impact and impact on light and prospect would be satisfactory. The proposal would result in a large area of roof being removed adjacent to the boundary, which with the higher pitched roof set well away from the flank boundary, would mitigate the impact of

the modest increase in height of the first floor element containing the smallest bedroom.

With regards to the impact on privacy, it is noted that the proposed flank elevation incorporates 2 flank windows which face over the courtyard garden towards the boundary with No. 3 which lies 3.5m from the flank elevation. However, these windows would be positioned such as to provide a very limited outlook beyond the courtyard, taking into account internal floor levels and the relationship between the windows and the retained flank boundary wall. Views from the windows towards the rear elevation of No.3 would be constrained by the bedroom projection, and only the top 20cm of the windows would be higher than the flank boundary wall which, taking into account the separation to the boundary, would prevent overlooking of the rear garden at No. 3.

It is noted that the proposal would introduce the comings and goings associated with the residential use of the site into an existing unused storage premises, including the noise and disturbance associated with the use of the enclosed amenity area. However, dwellings in the streets adjacent to the site commonly back onto residential gardens, and it is not considered that the noise and disturbance associated with the residential use of the site and its associated garden would have a significantly detrimental impact on the amenities of neighbouring residents, taking into account the authorised use of the site.

The main impact of the proposal on residential amenity is considered to relate to the somewhat awkward relationship between the proposed development and the dwelling at No. 1A Birkbeck Road. This relationship is finely balanced. The revised scheme sets back the first floor element directly opposite the rear elevation of No. 1A in comparison with the previous scheme, effectively moving development further from the boundary than the existing building, and with an increased set back in comparison with the previously refused proposal. The first floor front facing window/door would incorporate a projecting glass privacy screen which would limit the extent to which direct overlooking of the neighbouring property would occur, taking into account the position of the window flush with the main front elevation, with no external balcony or first floor terrace area.

The proposed front decked amenity area would be sited opposite the brick wall enclosed yard at the rear of No. 1a, but it is considered that the solidity of the flank boundary wall and the provision of screening to the timber decked area would mitigate the impact that the use of the area might have on the residential amenities of the neighbouring property. The vehicular comings and goings associated with the car parking towards the front of the side access would not have a significant adverse impact on the amenities of the neighbouring property, taking into account the permitted use of the site and the comings and goings that might have been associated with the commercial use of the premises.

Concerns have been raised with regards to the standard of accommodation provided within the application site. It is noted that the outlook from the first floor rear bedroom would be limited to a view of the retained flank boundary wall, 3.2m distant. The applicant has amended the proposal to allow the provision of separate window ventilation. The safety of the full length window would be addressed under

building regulations and since the details of the openings of the windows has not been submitted, it is not unreasonable to consider that the full height glazed area could be fixed shut, with ventilation afforded by the higher level glazing. On balance, it is not considered that the more limited concerns relating to the adequacy of the accommodation currently proposed in comparison with the previously refused proposal would provide strong grounds for refusal if in other respects the proposal is considered acceptable.

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.

Having had regard to the above it was considered that the proposed change of use and elevational alterations would not have a significantly adverse impact on the amenities of neighbouring residential properties, and while concerns have been expressed regarding the resultant accommodation, these concerns would not provide sufficiently strong grounds for refusal of the scheme as a whole, taking into account the separate legislative regimes relating to housing standards.

as amended by documents received on 17.12.2015

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

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

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

Reason: In the interest of the visual and residential amenities of the area and in accordance with Policies BE1 and H7 of the Unitary Development Plan.

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

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

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

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

- 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** 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.

8 The application site is located within an Air Quality Management Area declared for NO_x. In order to minimise the impact of the development on local air quality any gas boilers must meet a dry NO_x emission rate of <40mg/kWh.

Reason: In order to minimise the impact of the development on local air quality within an Air Quality Management Area in line with NPPF p124 and Policy 7.14 of the London Plan.

You are further informed that :

- 1 Please be advised that 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 Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.**

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

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Application:15/04654/FULL1

Address: 1A Birkbeck Road Beckenham BR3 4SL

Proposal: Change of use from Class B8 to C3 and redevelopment of existing site and storage building to form a three bedroom single family dwellinghouse with off-street parking area, front access gates, refuse storage area and courtyard garden.



"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 : 15/02420/OUT

Ward:
Bickley

Address : Dunelm Bickley Park Road Bickley
Bromley BR1 2BE

OS Grid Ref: E: 543023 N: 169055

Applicant : Mr Matthew Oliver

Objections : YES

Description of Development:

Demolition of existing dwelling and erection of detached building comprising 4 two bedroom flats with associated parking and vehicular access OUTLINE

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding Birds
London Distributor Roads
Open Space Deficiency
Smoke Control SCA 10

Proposal

Outline permission is sought for the demolition of the existing dwelling and the erection of a detached building comprising 4 two bedroom flats. Only the layout and means of access are to be determined at this stage, but illustrative plans have been submitted which show a two storey building with accommodation in the roofspace.

Revised plans were submitted on 2nd October 2015 which amended the parking layout, and a Highways Technical Appraisal was submitted on 16th October 2015.

A total of 5 car parking spaces are proposed at the front of the site (including one visitors space) with a refuse store provided adjacent to the front boundary. The vehicular access to the site would be moved to a more central position on the frontage, whilst cycle storage would be provided towards the rear of the building on the northern side adjacent to Dormers.

Location

This site is located on the western side of Bickley Park Road to the north of the junction with Blackbrook Lane, and is occupied by a detached chalet bungalow

style dwelling which is set back in its plot behind the neighbouring replacement dwelling built recently at Lane End to the south. The site lies within Bickley Area of Special Residential Character, and is bounded to the north by a detached two storey dwelling at Dormers, whilst the rear boundary backs onto a detached dwelling at Elmhurst.

Consultations

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

- * loss of light to neighbouring properties
- * main entrance to the building is in the side elevation facing Dormers which would result in noise and general disturbance
- * overdevelopment of the site
- * excessive size of the building
- * lack of adequate landscaping
- * overlooking of neighbouring properties from rear balconies
- * inadequate parking provision
- * tree screening should be retained
- * no side elevation drawings are provided which would help to assess the impact of the proposals (these are not required for an outline application)
- * building should be lowered in the site
- * vehicular access would be very close to busy roundabout junction
- * loss of garden land would be detrimental to wildlife
- * inadequate parking layout
- * loss of trees
- * trees along the north-eastern boundary are within the adjacent site of Dormers, and their retention cannot be assured.

Comments from Consultees

No highways objections are raised to the revised parking layout which now includes a visitor's parking space, and no issues were raised as part of the Stage 1 Road Safety Audit submitted apart from some items that would need to be considered during the detailed design stage (Stage 2). However, the refuse store would be quite close to the adjacent parking bay, and it is not clear how you would get the bin out if there is a car parked there, therefore further details of the refuse storage would be required by condition.

With regard to the trees on the site, five trees would be lost as a result of the proposals: a yew tree (T1) on the front boundary, a holly tree (T6) adjacent to the boundary with Lane End, and a group of 2 cherry trees and 1 ash tree (T7, T8 and T9) close to the front of Dunelm. The cherry and ash trees are insignificant and no objections are raised to their loss. The yew tree is in a prominent position on the front boundary, but it is not in good form, and its loss could not therefore be resisted. The holly tree adjacent to Lane End could provide an element of screening to the proposed parking area, but its loss would not be significant enough to warrant a refusal on tree grounds.

No drainage objections are raised to the proposals in principle, and Thames Water have not raised any concerns.

Planning Considerations

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

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

The London Plan (2015):

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

The Major's Housing SPG and the National Planning Policy Framework (NPPF) are also relevant.

Conclusions

The main issues relating to the application are whether the proposals would constitute an overintensive use of the site, the effect on the character and appearance of Bickley Area of Special Residential Character and the amenities of the occupants of nearby residential properties, and the impact on traffic generation and road safety in the highway and on important trees on the site.

With regard to the density of the proposed development, Table 3.2 of Policy 3.4 (Optimising Housing Potential) of the London Plan (2015) gives an indicative level of density for new housing developments. In this instance, the proposal represents a density of 44 dwellings per hectare with the table giving a suggested level of between 35-95 dwellings per hectare in suburban areas with a 2 PTAL location. The proposals would therefore result in an intensity of use of the site that would be within the thresholds in the London Plan.

The London Plan suggests that the minimum size of a two bedroom four person flat should be 70sq.m., and the illustrative details submitted show that the proposed flats would range in size from 93.6sq.m. to 136.4sq.m.

Whilst the principle of residential development on this site may be acceptable in this location, the proposals would still need to be assessed against the wider context in terms of the character, spatial standards and townscape value of the surrounding area.

Policy H7 of the UDP allows for the redevelopment of older, lower-density properties, but stresses that such development should be sympathetic to and complement the surrounding residential area. It recognises that many residential areas are characterised by spacious rear gardens and well-separated buildings, and that developments which would undermine this character or would be harmful to residential amenity will be resisted.

Policy H10 of the UDP requires proposals to respect and complement the established and individual qualities of each Area of Special Residential Character. In this regard, the character of Bickley ASRC is "essentially that of spacious inter-war residential development, with large houses in substantial plots adjacent to the Conservation Areas of Chislehurst and Bickley."

This part of Bickley Park Road is generally characterised by detached dwellings set within generous plots, and the adjoining plot was recently developed with a larger detached dwelling at Lane End. However, Red Tree Cottage which lies to the west of Lane End is currently being developed with a block of 5 flats at a density of 42 dwellings per hectare, for which planning permission was granted under ref.13/03646.

The illustrative plans submitted for the application site show 4 flats contained within a building which has the appearance of a large detached dwelling, and minimum separations of 1.5-2m would be provided to the flank boundaries of the site, whilst a rear garden of 19-22m in depth would be retained to the rear. The building would take a slightly staggered form on the northern side adjacent to Dormers, but it would still project 8.6m further forward than the current dwelling on this side, although the building would be angled away from Dormers due to the curve of the road. Lane End to the south is set significantly further forward in its plot, and the proposed building would not project forward of this dwelling.

In view of the above, it is considered that the proposals demonstrate that a building containing 4 flats using the layout shown could adequately be provided on this site without compromising the character or spatial standards of the Bickley Area of Special Residential Character, and that it would not appear out of character with the surrounding area.

With regard to the impact on neighbouring properties, the site at Dunelm is at a slightly lower level than Lane End to the south, and although the proposed building would project significantly further to the rear of Lane End, the existing dwelling is already set to the rear, and the first floor element of the proposed building is shown on the illustrative plans to be staggered away from Lane End in order to lessen the impact on this property.

With regard to the impact on Dormers to the north, the proposed building would project significantly further forward in its plot, but the forward projection would be staggered away from the adjacent dwelling in a south-easterly direction, and there is currently a good level of tree screening along this boundary. The dwelling at Dormers would be 7m away from the new building at its nearest point (at the rear corner of the building), and the proposals are not considered to result in undue loss of outlook or light to this dwelling. The parking and refuse store for the

development would be contained at the front of the building, and would not therefore be unduly harmful to the amenities of the occupiers of Dormers.

Elmhurst to the rear of the site would be situated approximately 23m away from the proposed building, and is set at a higher level, therefore the impact of the proposals on the amenities of those adjoining residents would be limited.

Front and rear balconies are shown on the illustrative plans, but these could be conditioned to provide flank screening if proposed under a subsequent detailed application.

The proposals are not considered to have a detrimental impact on important trees on the site, and the Council's Highway Engineer has confirmed that the proposals are acceptable from a highway point of view, subject to safeguarding conditions.

Whilst the proposals would bring built development further forward on the plot, this is not considered to have a detrimental impact on the character and spatial standards of Bickley ASRC, nor would the proposals unduly affect the amenities of adjoining residents to such an extent to warrant a refusal.

as amended by documents received on 02.10.2015 16.10.2015

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 (i) Details relating to the
(b) appearance
(c) landscaping
(e) scale

shall be submitted to and approved by the Local Planning Authority before any development is commenced.

(ii) Application for approval of the details referred to in paragraph (i) above must be made not later than the expiration of three years beginning with the date of this decision notice.

(iii) The development to which this permission relates must be begun not later than the expiration of two years from the final approval of the details referred to in paragraph (i) above, or in the case of approval on different dates, the final approval of the last such matter to be approved.

Reason: No such details have been submitted and to comply with the requirements of Section 92 of the Town and Country Planning Act 1990.

- 2 **The landscaping details, which shall include the materials of paved areas and other hard surfaces, submitted in accordance with condition 1 and subsequently approved in writing by the Local Planning Authority shall be implemented in the first planting season following the occupation of the buildings or the substantial completion of the development whichever is**

the sooner. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species to those originally planted.

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

- 3** 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.

- 4** No trees on the site shall be felled, lopped, topped or pruned before or during building operations except with the prior agreement in writing by the Local Planning Authority. Any trees removed or which die through lopping, topping or pruning shall be replaced in the next planting season with trees of such size and species as may be agreed with the Authority.

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

- 5** No demolition, site clearance or building works (including trenches, pipelines for services or drains) shall be undertaken until Chestnut Pale fencing not less than 1.2 metres in height has been erected around every tree or tree group on the site shown to be retained on the submitted drawings at the furthest extent of the spread of the canopy of any tree or tree group except where development is hereby permitted within this area. The fence shall be placed so as to exclude the site of the said development but otherwise as far as possible from the trees. The areas enclosed by fencing shall not be used for any purpose and no structures, machinery, equipment, materials or spoil shall be stored or positioned within these areas. Such fencing shall be retained during the course of the building work hereby permitted

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

- 6** No bonfires shall take place within 6 metres of the furthest extent of the spread of the canopy of any tree or tree group shown to be retained on the submitted drawings.

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

- 7** No trenches, pipelines for services or drains shall be sited under the spread of the canopy of any tree or tree group shown to be retained on the submitted plans without the prior agreement in writing by the Local Planning Authority.

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

- 8** 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

- 9** 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 5.12 of the London Plan

- 10** No development shall take place until details of drainage works have been submitted to and approved in writing by the Local Planning Authority, and drainage works shall be carried out in accordance with the approved details prior to first use of any dwelling. Prior to the submission of those details, an assessment shall be carried out into the potential for disposing of surface water by means of a sustainable drainage system in accordance with the principles of sustainable drainage systems set out in Annex F of PPS25, and the results of the assessment provided to the Local Planning Authority. Where a sustainable drainage system scheme (SuDS) is to be implemented, the submitted details shall:

i) provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and / or surface waters;

ii) specify the responsibilities of each party for the implementation of the SuDS scheme, together with a timetable for that implementation; and

iii) provide a management and maintenance plan for the lifetime of the development, which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall be implemented, maintained and managed in accordance with the approved details

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 5.13 of the London Plan

11 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.

12 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.

13 Details of arrangements for storage of refuse and recyclable materials (including means of enclosure for the area concerned where necessary) shall be submitted to and approved in writing by the Local Planning Authority before any part of the development hereby permitted is commenced and the approved arrangements shall be completed before any part of the development hereby permitted is first occupied, and permanently retained thereafter.

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

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

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

15 The existing access shall be stopped up at the back edge of the highway before any part of the development hereby permitted is first occupied in accordance with details of an enclosure to be submitted to and approved in writing by the Local Planning Authority. The approved enclosure shall be permanently retained as such.

Reason: In order to comply with Policy T11 of the Unitary Development Plan and in the interest of pedestrian and vehicular safety.

16 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.

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

Reason: To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan and Planning Policy Statement 25.

18 Before the development hereby permitted is first occupied, any windows proposed in the first and second floor flank 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

19 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.

20 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.

21 Before any work is commenced on the access/highway works a Stage 2 Road Safety Audit shall be submitted to and approved in writing by the

local Planning Authority. The works shall be implemented strictly in accordance with the approved details to the satisfaction of the local Planning Authority before any part of the development hereby permitted is first occupied. A Stage 3 Audit shall be submitted to and approved in writing by the local Planning Authority following satisfactory completion of the works and before they are opened to road users.

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

22 Details of the means of privacy screening for any balconies proposed shall be submitted to and approved in writing by the Local Planning Authority before any work is commenced. The development shall be carried out in accordance with the approved details and permanently retained as such.

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

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

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

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

Application:15/02420/OUT

Address: Dunelm Bickley Park Road Bickley Bromley BR1 2BE

Proposal: Demolition of existing dwelling and erection of detached building comprising 4 two bedroom flats with associated parking and vehicular access **OUTLINE**



"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 : 15/04294/FULL6

Ward:
Kelsey And Eden Park

Address : 342 Upper Elmers End Road
Beckenham BR3 3HF

OS Grid Ref: E: 537104 N: 167634

Applicant : Mr John Jackson

Objections : YES

Description of Development:

Single storey rear extension RETROSPECTIVE

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London Distributor Roads
Smoke Control SCA 18
Smoke Control SCA 51

Proposal

Retrospective planning permission is sought for the retention of the existing extension.

Under reference 14/02468 householder prior approval was granted for the erection of a single storey rear extension with a depth of 4m and a maximum height of 3.8m (2.5m to the eaves).

The extension has been erected without complete accordance with the Householder Prior approval plans. As a consequence, this retrospective application seeks to regularise the development.

Location

The application site lies on the southern side of Upper Elmers End Road and comprises an end-of-terrace dwelling. It is separated from the eastern neighbouring end-of-terrace dwelling by a rear accessway leading to garages at the end of gardens. It adjoins No. 340 Upper Elmers End Road which is a mid-terrace dwelling with an existing single storey rear extension.

The properties in the terrace benefit from generous rear gardens. The boundary between the application property and the neighbouring dwelling at No. 340 is in the

most part formed by a low brick wall, a section of which has been removed in the implementation of the extension the subject of this application.

Consultations

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

- o The property has had previous retrospective applications
- o The investigation into the unauthorised development was delayed
- o The application does not make reference to the additional cubic feet and width
- o The application refers to a wooden fence when the original application referred to a brick wall and insufficient space has been retained to rebuild a brick boundary wall
- o There has been a boundary encroachment
- o The boundary belongs to No. 340, not No. 342.

A letter has been received from the occupier of the other neighbouring property at No. 344 raising no objections to the development.

Planning Considerations

National Planning Policy Framework (NPPF)

"Section 7: Requiring good design" includes the statement that good design is a key aspect of sustainable development, and indivisible from good planning. Development should contribute positively to making places better for people.

Unitary Development Plan

In assessing the merits of the proposal, Policies BE1 (Design of New Development) and H8 (Residential Extensions) are of particular relevance to the determination of the application.

The London Plan

Policies 3.5: Quality and Design of Housing Developments and 7.4: Local Character are of particular relevance to the assessment of the proposals.

Planning History

Under reference 14/02468 householder prior approval was granted for the erection of an extension of similar built form to that which has been constructed. However the application development was not built in complete accordance with the approved plans. The approved extension had a width of 5.95m and a depth of 4m. The extension which has been erected has a width of 6.15m and a depth of 4.07m.

The extension replaced a lean-to extension which lay immediately on the flank boundary of the property with No. 340. The approved plans under ref. 14/02468 did

not show any detail of the boundary treatment proposed between or up to the extensions at the neighbouring properties. Photographs taken by the case officer show that there was a brick all on the boundary up to the rear of the extension at No. 340 and the lean-to at No. 342, but it is unclear where the wall terminated.

Under reference 14/00790 planning permission was granted for roof alterations including a rear dormer extension.

Conclusions

In assessing the merits of the proposal, it is necessary to consider whether the extension as erected has a significantly adverse impact on the amenities of the neighbouring residents such that would warrant the refusal of planning permission.

In the light of the development granted Householder Prior approval, in comparison with the extension as erected, it is not considered that the application development has a significantly greater impact on the amenities of the occupiers of the neighbouring dwelling. The extension is only very slightly closer to the boundary than that which was approved, and indeed many single storey extensions are routinely constructed up to and abutting the boundary. In the case of the development in question, a narrow gap is retained to the boundary.

The depth of the extension is broadly commensurate with that which was granted prior approval, and taking into account the existing rear building line at the neighbouring property, itself the subject of an extension, it is considered that the proposal does not result in a significant loss of outlook or visual impact to the neighbouring property. Similarly, the depth of the extension beyond the rear elevation of the neighbouring extension is approx. 1.28m and as such the extension does not result in a substantial impact on daylight or overshadowing. The extension is approx. 7cm deeper than that which was granted prior approval and it is considered that no greater impact on the amenities of the neighbouring property result than would have ensued if the prior approval development had been implemented in complete accordance with the approved plans.

It is noted that significant concerns have been expressed regarding the way in which the boundary between the dwellings will be marked at the point where the extensions lie alongside each other, and in relation to the existing flank boundary wall which is understood to be in the ownership of the neighbouring property. It has been advised that the ownership of the boundary is a private legal matter, and the removal of part of the wall between the properties in the erection of the extension is not a planning consideration where concerns expressed relate to the legality of the removal of or tampering with the boundary treatment. It has been observed on site and in the submitted plans that the extension does not encroach over the boundary, with the totality of the development lying within the application site.

It is understandable that neighbouring residents have sought reassurance regarding the way in which it is intended to treat the boundary between the properties. The applicant was asked for further clarification of the situation and it is considered on balance that the information provided shows a reasonable solution to the treatment of the boundary between the properties in planning terms, in that

the scale of the treatment and the materials used would be commonplace and would not have a material impact on the amenities of either the host dwelling or its immediate neighbour.

The submitted information shows the erection of a brick wall being erected alongside the flank elevation of the extension where it projects beyond the rear elevation of the neighbouring property. The drawing shows the provision of a timber fence for the remainder of the boundary, with a timber panel linking the fence to the rear corner of the extension.

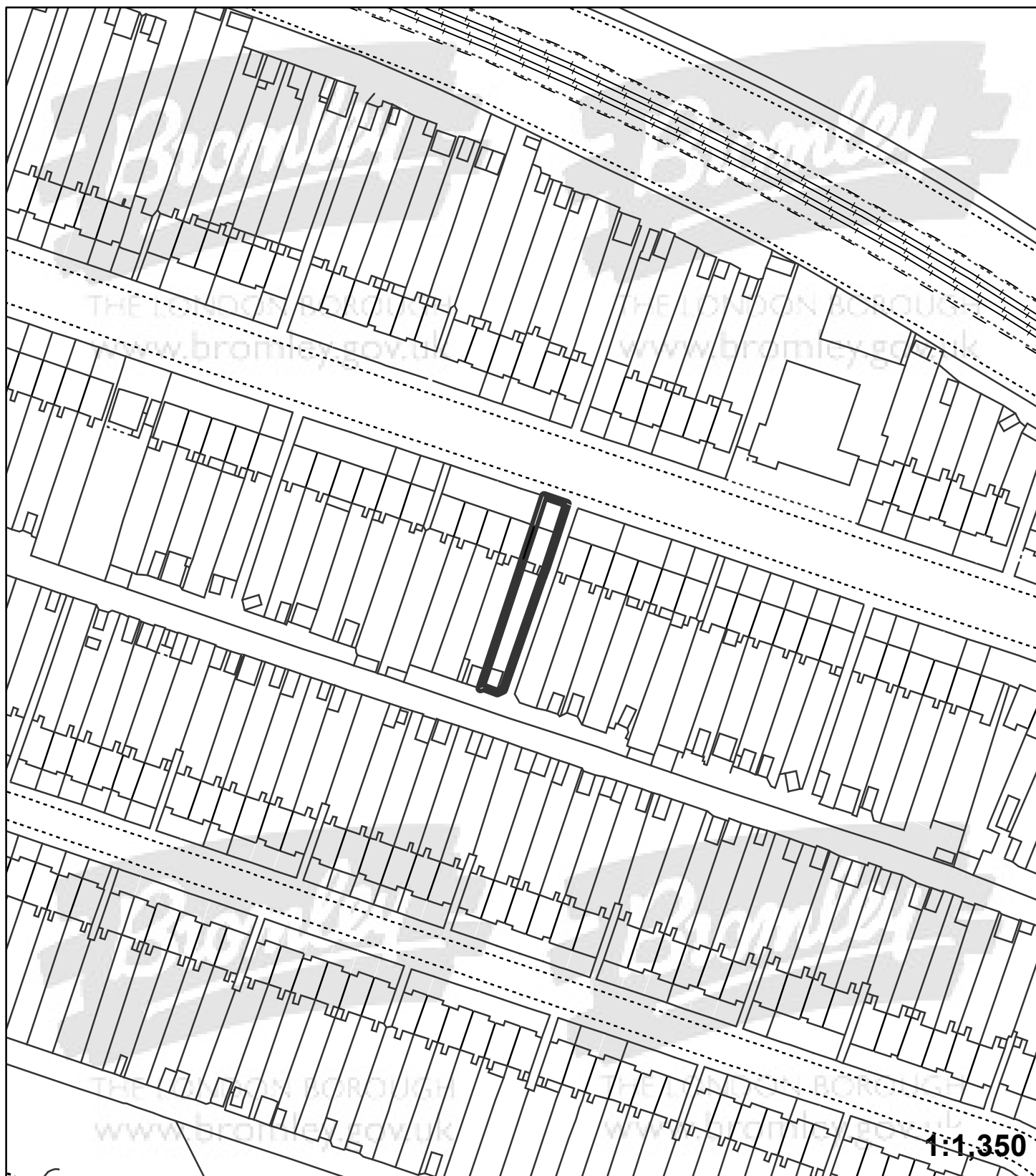
On balance it is not considered that the difference between the development approved under the householder prior approval process and the extension which has been erected has an appreciably greater impact on the residential amenities of the neighbouring properties. While it is acknowledged that the extension has not been constructed in complete accordance with the approved plans, it is not considered that this renders the development unacceptable. The scale, appearance and siting of the extension is considered acceptable and to have no significant impact on visual and residential amenity.

RECOMMENDATION: PERMISSION

Application:15/04294/FULL6

Address: 342 Upper Elmers End Road Beckenham BR3 3HF

Proposal: Single storey rear extension RETROSPECTIVE



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

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

Application No : 15/04490/FULL6

Ward:
Chislehurst

Address : 13 Waratah Drive Chislehurst BR7 5FP

OS Grid Ref: E: 542886 N: 170981

Applicant : Mr Alex Jackson

Objections : YES

Description of Development:

First floor rear extension.

Key designations:

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

Proposal

- The proposal involves a first floor rear extension which would be situated over an existing rear extension and would have a rearward projection of 3.5m, a width of 4m and would incorporate a Juliet balcony to the rear.
- The proposed extension would have a pitched roof with a height of 8.4m and gable to the rear.

Location

The application site consists of a three storey detached dwelling on the south side of Waratah Drive. The area is characterised by predominantly detached and semi-detached two storey dwellings.

The application site and the neighbouring dwelling to the east at No. 11, to which the site is attached at ground level by single storey side garages, are positioned further forward in their plots and set back from the rear building line of Nos. 15 and 9 and the other dwellings along this side of Waratah Drive by around 1.8m.

Consultations

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

- o Dwellings in Kings Quarter are modest in size
- o Height and bulk overbearing for neighbours

- o Overdevelopment of the site
- o Proposed rear window significantly larger than existing
- o Glazed doors appear to open outward onto a balcony
- o Overlooking
- o Already significant ground floor extension
- o Densely massed site
- o Juliet balcony is unacceptable intrusive on privacy
- o Could create a precedent in the area
- o Already an uncomfortable and unsatisfactory relationship in privacy between Waratah Drive and Walden Road
- o Lack of trees and vegetation on the site

Comments from Consultees

No comments received

Planning Considerations

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

BE1 Design of New Development
 H8 Residential Extensions
 H9 Side Space

SPG1 General Design Principles
 SPG2 Residential Design Guidance

The National Planning Policy Framework

Planning History

Outline planning permission refused and subsequently allowed on appeal under DC ref. 06/00749/OUT for Demolition of existing college building and students residential accommodation. Erection of Residential Development comprising 251 dwellings with amended vehicular access landscaping and open space OUTLINE APPLICATION. Details pursuant to this outline permission were approved under ref. 07/03764/DET. The site formed part of this residential development.

A non-material amendment was approved under ref. 07/03764 for the re-siting of a number of dwellings including No. 13 Waratah Drive.

Planning permission was granted under ref. 12/03470/FULL6 for a single storey rear extension.

Revised details were permitted under ref. 13/02583/CONDIT Revised details of landscaping and boundary enclosures pursuant to Condition 12 of planning permission ref. 06/00749/OUT

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 first floor extension is situated to the west of the rear elevation, aligning with the flank wall and is situated above an existing single storey rear extension, the proposal would therefore not erode any additional space around the dwelling or garden land and it is not considered to overdevelop the site. The extension is built up to the west flank wall and would be around 0.8 m from the side boundary which would technically be in breach of side space Policy H9. The extension would not however extend beyond the side elevation of the property and the existing dwelling sits less than 1m from this side boundary, as a result the extension would not be clearly visible from the street scene and it is not considered to lead to a reduction in the existing spatial standards or lead to any harmful impact on the visual amenities of the area.

The proposal will not result in any reduction in garden land and the property would therefore retain a suitable rear garden. The pitched roof of the extension would be stepped down by 0.8m from the ridge height of the main house and will be in context with the host dwelling, therefore the character of the house and wider area would not be compromised.

The proposal would have a depth of 3.5m to line up with the existing single storey rear extension and would have a Juliet balcony in the rear elevation. The rear garden of properties on Waratah Drive are modest for the size of the properties and the rear building line of the proposed extension would be around 10.5m from the rear boundary of the site which would provide a sufficient level of separation from the rear boundary. Furthermore, the gardens of properties on Walden Road are considerably larger in length with distances of between around 18-19.5m and the boundary between the site and the properties on Walden Road is tall and composed of a low brick wall and closed boarded timber fencing with further screening provided by interspersed tall vegetation which would screen views between these properties to some extent and mitigate the impact of the increased depth at first floor level and any additional overlooking.

The site and the houses on Walden Avenue are in close proximity and a degree of mutual overlooking is already experienced with the opposite neighbours at Nos. 36 and 38 Walden Avenue. Furthermore, the proposal would have a significantly larger window in the rear of the extension than the existing first floor rear windows which are small and the proposed window would be double glazed doors. Having said this, the depth of the rear garden and distance between the site and Nos. 36 and 38 Walden Road (opposite) of over 28m is considered to provide a sufficient

level of separation to mitigate the depth of proposal and, on balance, it is not considered to result in any significant additional overlooking over and above the current mutual overlooking between these adjoining neighbours and no seriously harmful loss of privacy or any significant loss of residential amenities to the adjoining neighbours would result to an extent to warrant a refusal of the application.

The proposed extension would have a pitched roof with an eaves height of 6.3m and depth of 3.5m along the common side boundary shared with No. 15 which is significant considered it is a first floor extension and the proximity to the boundary. However, No. 15 has a separation of 1.7m from the host dwelling and is set further back than the property on the site and therefore the rear projection beyond this neighbour would be only 1.8m which would lessen the visual impact on this neighbouring property. Additionally, the roof of the extension would be stepped down by 0.8m from the original roof which would reduce the bulk of the extension. Having said this, the first floor extension would be within close proximity to the site boundary shared with No. 15, with a separation of 0.8m, and this neighbour has first and second floor rear window which would be near to the proposed extension. On balance, by reason of the siting of No. 15 being further back than No. 13 on the site by 1.8m which would make the proposal visible only very obliquely from the rear windows of this neighbour and considering the roof being stepped down from original roof height, the proposal is not considered to have any harmful visual impact on No. 15 and no serious loss of amenity would result.

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 loss of amenity to local residents nor a harmful impact on the character of the area. It is therefore recommended that Members grant planning permission.

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 flat roof area of the existing building shall not be used as a balcony or sitting out area and there shall be no access to the roof area.**

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

- 4 The proposed first floor extension shall have a Juliet balcony only and no platform or balcony to the exterior of the first floor rear extension hereby permitted to provide a space to stand or for sitting out should be provided.**

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

- 5 No windows or doors additional to those shown on the permitted drawing(s) shall at any time be inserted in the first floor flank elevation(s) of the extension hereby permitted, without the prior approval in writing of the Local Planning Authority.**

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

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

Reason: In order to comply with Policy BE1 and H8 of the Unitary Development Plan and in the interest of the appearance of the building and the visual amenities of the area.

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Application:15/04490/FULL6

Address: 13 Waratah Drive Chislehurst BR7 5FP

Proposal: First floor rear extension.



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

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

Application No : 15/04577/FULL6

Ward:
Orpington

Address : 154 Spur Road Orpington BR6 0QW

OS Grid Ref: E: 546880 N: 165658

Applicant : Ms Mia Farlam

Objections : YES

Description of Development:

Two storey rear extension and single storey front/side extensions

Key designations:

Biggin Hill Safeguarding Birds
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 29

Proposal

This application seeks permission for a two storey rear extension and single storey front and side extensions.

The two storey rear extension would have a maximum depth of 3.5m and a width of 8.2m. The ridge and eaves height would both match the existing dwelling and the roof would be pitched at an angle similar to the existing.

The single storey front extension would be 2.1m deep and 3.9m wide to square off the property at the front. The single storey side extension would replace the existing porch and would measure 7.2m deep and 1.5m wide. The maximum height and eaves height would both match the existing single storey front element.

Location

The application site is a two storey semi-detached property located on the southern side of Spur Road, at the junction with Orpington By Pass. The site is not located within a conservation area, nor is it listed.

Consultations

Comments from Local Residents

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

Planning Considerations

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

BE1 Design of New Development
H8 Residential Extensions
H9 Side Space

Planning History

The application site has no previous planning history.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the area and the 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 proposed two storey extension located to the rear of the property would have a maximum depth of 3.5m and a width of 8.2m. The ridge and eaves height would both match the existing dwelling and the roof will be pitched at an angle similar to the existing. The extension also includes a Juliet balcony to the rear at first floor level and one window in the flank elevation facing No.156.

Policy H9 states that a space of 1 metre should be retained for the entire height and length of a proposed flank elevation of two or more stories in height. The proposed two storey rear extension would be built at the boundary with No.156 and therefore the proposal would not comply with Policy H9 of the Unitary Development Plan.

The existing dwelling at No.156 currently benefits from a part one/two storey rear extension. The two storey element projects 3.5m and has a flat roof. The flank elevation facing No.154 is blank. No planning permission appears to exist for the two storey element however when looking at the planning history of the property it is noted this extension was constructed prior to 1988.

The proposed two storey rear extension would project in line with the two storey element of the neighbouring property and it is therefore not considered to have any impact above that existing on the amenities of No.156. In this case whilst Policy H9 would therefore not strictly be adhered to, it is considered that the proposed two storey extension would not cause a detrimental impact on the street scene or neighbouring property in terms of loss of light, privacy or outlook.

With regards to the neighbouring property at No.152 the two storey extension provides a side space of 1.2m to the boundary, and only projects 1m further rearwards than the existing at this point. This would not be considered to significantly impact on light or outlook of the neighbour. The flank elevation contains one window at first floor level serving a bedroom and it is considered appropriate to condition this window to be obscure glazed in order to prevent overlooking and loss of privacy to the neighbour. The rear extension would therefore not be considered to have a significant impact on the amenities of the neighbouring properties.

The single storey front extension would be 2.1m deep and 3.9m wide and would square off the property at the front. The neighbouring property at No.156 benefits from an existing front projection and the proposed front extension would project in line with this. It would match the ridge and eaves height of the existing single storey front element, to which a front door would be added. Given the modest size of the front extension and elevational alterations it would not have a significant impact on the amenities of adjoining properties nor the streetscene.

The single storey side extension would be 7.2m deep and 1.5m wide and would replace the existing porch. It would have a maximum height of 3.5m and eaves height of 2.8m. The side extension would be set back 0.5m from the front of the property and is not considered to have a detrimental impact upon the streetscene. The extension would project approximately 4.8m further to the rear than the existing porch. Given that it would not be visible from the neighbour at No.156 and the facing flank wall of the property at No.152 is blank it is not considered to have a significant impact above that existing on the neighbouring properties.

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.

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

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

- 2 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 flank elevation 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.

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

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

Application:15/04577/FULL6

Address: 154 Spur Road Orpington BR6 0QW

Proposal: Two storey rear extension and single storey front/side 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 : 15/05033/FULL1

Ward:
Bromley Common And
Keston

Address : 129 Southlands Road Bromley BR2 9QT

OS Grid Ref: E: 541767 N: 168231

Applicant : Mr Kevin Hartland

Objections : YES

Description of Development:

Elevational alterations, installation of rear dormer extensions and rooflights, first floor extension to building at rear and conversion of Nos. 129- 133 from offices to 3 four bedroom and 1 one bedroom dwellinghouses with forecourt parking spaces, refuse and cycle parking.

Key designations:

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

Proposal

It is proposed to convert the existing buildings from Class B1 use to Class C3 use, providing a total of 4 self-contained units:

- Plot 1 - 4 bedroom end of terrace accessed from Southlands Road with rear amenity access between dwelling and No. 135 Southlands Road
- Plot 2 - 4 bedroom mid terrace accessed from Southlands Road with rear amenity access between Plot 1 and No. 135 Southlands Road
- Plot 3 - 4 bedroom end of terrace accessed from Fashoda Road, sited on the corner of Southlands Road and Fashoda Road.
- Plot 4 - 1 bedroom detached unit accessed from Fashoda Road.

Elevational alterations to the front of the main buildings would provide traditional style fenestration in place of the existing shopfronts and alterations to the first floor windows. 2 ground floor windows and 2 doors accessing the rear of the site are proposed to be provided on the boundary of the site with Fashoda Road, in addition to a first floor window to the detached unit and a small high level window at roof height to provide light to the stairway of Plot 3.

Three small rear dormer extensions are proposed to the main rear roofslopes to provide light and space within the proposed loft bedrooms.

At the rear of the site, the existing single storey outbuilding would be replaced by a larger building. This would form Plot 4. The proposed building would lie adjacent to the boundary as is the case with the existing structure, and would be approx. 0.3m higher than the existing rear wall. A dual pitched roof would be provided with gable ends to the front (Fashoda Road) and rear elevations, with the roof sloping away from the boundary. The roofslope would incorporate a side rooflight.

The overall height of the structure would be 6.4m at the ridgeline which would be perpendicular to the Fashoda Road frontage, reducing to 2.5m at eaves level. The formed first floor would provide a bedroom for the proposed 1 bedroom unit, with the ground floor providing a living room and separate kitchen/diner. The detached unit would be sited approx. 4.3m from the ground floor rear elevation of Plot 3

Each dwelling would have access to private amenity spaces within which cycle storage would be provided in the case of Plots 1 and 2, with dual bin and cycle storage for the Fashoda Road fronting Plots 3 and 4. The private amenity space for the one bedroom detached unit would be sited between the rear elevation of the building and the formed boundary with the amenity space of Plot 2 and would measure approx. 3.7m by 1.4m deep.

The existing parking area would be used to serve the proposed dwellings, and 4 car parking spaces are shown on the amended submitted plans. A double-yellow line restricts parking on the corner of Southlands and Fashoda Roads, although a marked and unrestricted parking bay lies adjacent to the flank wall of the building facing Fashoda Road.

Location

The buildings presently have the appearance of terraced dwellings with large glazed shopfronts on the ground floor. The terrace is located on the north-western side of Southlands Road, at the junction of Southlands Road with Fashoda Road.

The building is currently in Class B1 use on the ground and first floor. The corner building has a substantial single storey rear projection which extends to the rear boundary of the site with the side of dwellings fronting Fashoda Road.

Informal parking exists on the frontage forecourt, accessed via 2 separate dropped kerbs. The double yellow lines around the junction extend over the western dropped kerb, which lies between a post box and a streetlamp.

The forecourt measures approx. 16.9m in width, although within this area is a ramp access with metal handrails which reduces the amount of space available for parking on the hardstanding. The side passage leading to the rear of No.133 lies towards the north-eastern boundary, and in addition, rear access to the adjacent dwelling at No. 135 lies off the general hardstanding area.

The area is mainly residential in character, interspersed with business and other commercial uses, particularly to the south-west of the junction with Fashoda Road.

Consultations

Comments from local residents

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

Comments from consultees

Technical highways comments raised concerns about the parking layout as originally proposed, as a consequence of which the layout and number of frontage spaces has been decreased from 6 to 4. It is stated that the site is in a low PTAL area, and that Fashoda Road has a parking restriction on Monday - Saturday 12pm to 2pm (permit holders only). Given the site's low PTAL it is considered that all residents will own cars and ideally 7 car spaces should be provided. The refuse bins should be sited close to the highway.

From a crime prevention perspective no objections are raised in principle, although the security of doors, windows, bicycle stands and utility boxes are recommended to be considered.

No objections are raised from a technical environmental health perspective. The applicant is advised to have regard to the Housing Act 2004's housing standards contained within the Housing Health and Safety System under Part 1 of the Act.

From a drainage perspective it is recommended that the parking area be permeable.

Planning Considerations

National Planning Policy Framework

Paragraph 56 refers to the need for good design, and the indivisibility of good design and good planning.

Section 6 of the NPPF relates to the need to deliver a wide choice of high quality homes, stating inter alia that Local Planning Authorities should normally approve planning applications for change to residential use and any associated development from commercial buildings where there is an identified need for housing in the area and provided there are not strong economic reasons why such development would be inappropriate.

Unitary Development Plan policies of relevance to the determination of this application are:

H7 Housing Density and Design

H9 Side space

H12 Conversion of non-residential buildings to residential use

BE1 Design of new development

T3 Parking

T18 Road safety

The London Plan policies listed below are of particular relevance to the proposals:

Policy 3.3 Increasing Housing Supply
Policy 3.4 Optimising Housing Potential
Policy 3.5 Quality and Design of Housing Developments
Policy 7.4 Local Character
Policy 6.13 Parking

Planning History

The site has an extensive planning history in relation to the existing Class B1 use and the former retail use of the property which ceased in or before 1995 (application reference 95/02025 was granted for the change of use of the first floor from Class A1 retail to Class B1 offices. The history associated with the existing and former commercial use of the property relates principally to the formation of the vehicular access at the front of the property (90/01570) and signage (refs. 84/00590 and 85/00590). Planning permission was granted for the retention of the shopfront under reference 90/02172.

Under reference 15/01535 prior approval was granted for the change of use of the offices at 129 - 133 from Class B1(a) offices to Class C3 dwellinghouses. The prior approval related to the transport and highways, contamination and flood risk issues and was submitted pursuant to Class J Part 3 of the Town and Country Planning (General Permitted Development)(England) Order, 2015.

The change of use granted prior approval related to the reuse of the site including outbuildings at the rear without external elevational alterations or extensions. The frontage building was proposed to be converted to 2 two bedroom single aspect dwellings and 1 three bedroom dwelling, with single aspect to the ground floor. At the rear, it was proposed to provide 1 three bedroom single storey unit. The application originally proposed 6 off-street parking spaces, but was amended to improve the parking layout and the relationship between the spaces and street furniture and front access to the dwellings. Prior approval was granted subject to conditions including that the future occupiers of the dwellings would not be able to apply for residents' parking permits.

Conclusions

The main issues in the determination of the planning application are the extent to which the proposed dwellings would provide a satisfactory level of accommodation, the impact of the proposed elevational alterations and extensions on the residential amenities of neighbouring properties and the visual amenities of the area and the impact of the development in terms of highways safety and the freeflow of traffic.

The fallback position in terms of the use of the site would be the implementation of the prior approval change of use granted under reference 15/01535.

The proposal would result in an increase in the number of bedrooms provided within the site in comparison with the development associated with reference

15/01535, although the number of residential units is unchanged. While the concerns expressed regarding the potential demand for parking associated with the residential use of the site are noted, the proposed parking layout replicates that which was granted prior approval under reference 15/01535. While the proposal would increase the size of three of the residential units through the provision of attic accommodation, the provision of 1 space per dwelling is as previously considered. It is therefore considered that the refusal of planning permission on the basis of lack of off-street parking would be difficult to sustain in the light of the fall-back position and the broad similarity between the prior approval resultant accommodation and that currently proposed.

It is noted that the parking standards in the UDP do not differentiate between 3 and 4 bedroom dwellings, and that the rear unit would provide one bedroom. If permission is granted it would be reasonable to replicate the parking/highways conditions of the prior approval to limit on-street parking demand in the locality, taking into account the residents' parking restrictions in neighbouring streets.

With regards to the impact of the proposal on the residential amenities of neighbouring properties, it is acknowledged that the proposed two storey development at the rear of the site would be sited close to the rear boundary of the site with the flank boundary of No. 1 Beech Terrace. The proposal would not comply with Policy H9 which requires that a minimum of 1m space should be retained to the boundary in respect of proposals of two or more storeys in height. While the proposal would be sited close to the boundary, it is not considered that the proposal would result in unrelated terracing and cramped development, those adverse impacts that the policy seeks to prevent. The increased width of the rear building results in a roof profile which slopes away from the boundary, and a generous space at first floor level between the flank elevation of Beech Terrace and the proposed residential unit would be retained. Further space at first floor level would be retained between the south eastern roof slope of the unit and the rear of the frontage building.

The increase in the height of the flank wall of the unit is reasonably modest, and while the resultant building would be sited forward of the Beech Terrace frontage onto Fashoda Road, it is not considered that this would result in a significant adverse impact on the outlook from and light to the front-facing windows of No. 1 Beech Terrace since the main area of increased height would be concentrated towards the centre of the building, adequately separated from the boundary. The site lies to the south east of the adjacent property given the existing buildings on the front and rear of the site, it is not considered that the proposal would have a significant impact on the residential amenities of the neighbouring property.

The siting of the proposed one-bedroom unit is quite prominent in the street scene and accordingly it is appropriate to carefully consider the impact of the proposal on the visual amenities of the street scene. On balance, and taking into account the existing development at the rear of the frontage building, and the siting of the unit away from the street corner, the impact is considered acceptable. The site lies opposite the flank elevation of No. 127 Southlands Road and the commercial premises sited further into Fashoda Road and the width of the street and the

orientation of the site is considered to mitigate the impact of the proposal on the visual amenities of the street scene.

The proposed rear dormer extensions are relatively modest in their size and in relation to the proportions of the rear roofslope are would not have a detrimental impact on the visual and residential amenities of the area.

In terms of the adequacy of the proposed accommodation, it is noted that the fall-back development granted prior approval under reference 15/01535 provided very limited amenity space and the layout of the proposed units included single aspect ground floor accommodation to the frontage dwellings as a consequence of the extent of the single storey unit at the rear. The proposed development would provide an improved level of amenity for prospective occupants with regards to the configuration of the frontage dwellings and a more traditional layout with rear amenity space for the dwellings at the rear. It is acknowledged that the rear amenity space for the proposed one-bedroom dwelling is limited in size and that the boundary treatment between the amenity area and that of Plot 2 would impact on the extent to which the proposal would provide a reasonable level of private amenity space. However, as a one-bedroom unit the amount of private amenity space is considered to be acceptable.

Taking into account all the material planning considerations the proposal is on balance considered to provide a satisfactory standard of accommodation for future occupiers. The impact of the proposal on the visual and residential amenities of the area is acceptable. The implementation of the fall-back proposal would result in the same number of residential units with parking as currently proposed (subject to conditions). Accordingly, this proposal is recommended for permission.

as amended by documents received on 22.12.2015

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

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

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

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

- 4** Details of a scheme of landscaping, which shall include the materials of paved areas and other hard surfaces, shall be submitted to and approved in writing by the Local Planning Authority before the commencement of the development hereby permitted. The approved scheme shall be implemented in the first planting season following the first occupation of the buildings or the substantial completion of the development, whichever is the sooner. Any trees or plants which within a period of 5 years from the substantial completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species to those originally planted.

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

- 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** 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.

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

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

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

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

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

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

You are further informed that :

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

obtained by telephoning the Highways Customer Services Desk on the above number.

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

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Application:15/05033/FULL1

Address: 129 Southlands Road Bromley BR2 9QT

Proposal: Elevational alterations, installation of rear dormer extensions and rooflights, first floor extension to building at rear and conversion of Nos. 129- 133 from offices to 3 four bedroom and 1 one bedroom dwellinghouses with forecourt parking spaces, refuse and cycle parking.



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

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

Application No : 15/05456/TELCOM

Ward:
Farnborough And Crofton

Address : Land Outside 192 Crofton Road
Orpington

OS Grid Ref: E: 543961 N: 165757

Applicant : Telefonica Ltd And Vodaphone Ltd

Objections : YES

Description of Development:

Installation of 10m high telecommunications mast and associated cabinet at ground level

CONSULTATION BY CORNERSTONE TELECOMMUNICATIONS LIMITED (CTIL) REGARDING THE NEED FOR PRIOR APPROVAL OF SITING AND APPEARANCE

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 11

Proposal

This application seeks prior approval for the erection of a 10m high telecommunications mast adjacent to the footway on Crofton Road close to the junction with Poplar Avenue, along with a 1.7m high cabinet at ground level. The mast would be in the style of a replica telegraph pole.

The applicant has submitted supporting information including a technical justification for the proposal, stating that the site is required to provide enhanced coverage for Vodafone and Telefonica to improve the site coverage in the BR6 area. The constraints of the cell radius of 250m means that it would not be feasible to site the column outside of the locale.

Location

The mast and cabinet would be situated at the north-eastern end of a large area of mainly open grass verge, approximately 30m away from the junction of Crofton Road and Poplar Avenue, and would be set back approximately 2.5m from the footway on Crofton Road. They would lie adjacent to an area of trees and bushes to the north-east which extends along Crofton Road.

Consultations

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

- * area of grassed verge would have an industrial appearance
- * proposals would further restrict public use of the land
- * health impacts
- * damage to the environment
- * loss of outlook from nearby residents
- * loss of trees, shrubs and undergrowth
- * alternative sites should be considered
- * proposals could still affect the sightline from Poplar Avenue
- * mast could interfere with transmissions from planes flying overhead into Biggin Hill airport.

Comments from Consultees

The Council's Highway Engineer raises no objections to the proposals as the position of the mast and cabinet would not obstruct the sightline from Poplar Avenue.

Environmental Health raises no technical objections to the proposals.

Planning Considerations

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

BE1 Design of New Development
BE22 Telecommunications Apparatus
T18 Road Safety

The National Planning Policy Framework (NPPF):

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

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

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

With regard to the importance of good design, the NPPF states at Paragraph 56 that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to make places better for people.

Planning History

Permission was granted in 2006 and 2007 (refs.05/03645 and 07/01380) for a control kiosk, a vent column and hardstanding in connection with a foul sewage storage tank and pumping station on this area of land, as part of a flood alleviation scheme.

Prior approval was refused in June 2015 (ref.15/01898) for the installation of a 12.5m high telecommunications mast and 4 cabinets on land outside 194 Crofton Road on the following grounds:

- 1 The proposed telecommunications equipment would be located within the sightline from Poplar Avenue which would be detrimental to conditions of safety in the highway, and contrary to Policy T18 of the Unitary Development Plan.
- 2 Due to their height, design and siting within this prominent open area, the proposed mast and cabinets would appear obtrusive and prominent within the street scene, and would be detrimental to the visual and residential amenities of the surrounding area, thereby contrary to Policy BE22 of the Unitary Development Plan and the National Planning Policy Framework.

Conclusions

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

Local objections have been received concerning the potential health risks associated with the installation of the proposal. However, documentation has been provided to confirm compliance with the International Commission on Non-Ionizing Radiation Protection (ICNIRP) and as such these concerns cannot be considered in the determination of this application.

The proposed mast would involve the sharing of infrastructure between two telecommunications operators, and the revised scheme has reduced the height of the mast from 12.5m to 10m, and now includes only one ground level cabinet rather than four. The mast and cabinet have been moved further away from the junction with Poplar Avenue, and would be set 2m further back from the footway along Crofton Road. They would be partially screened by existing trees, and would now be in a much less prominent position than the previous mast and cabinets. Therefore, the proposals are not now considered to be overly prominent or obtrusive within the street scene, and would not be significantly harmful to the

visual amenities of the area nor the outlook from neighbouring residential properties.

The Council's Highway Engineer has confirmed that the revised position of the mast and cabinet means that the sightline from Poplar Avenue to the left hand side would not now be obstructed, and the proposals would not therefore have a detrimental impact on road safety.

In light of the above, it is considered that prior approval would be required for this telecommunications development, and in view of the absence of harm that would be caused to the visual amenities of the area, to the amenities of nearby residential properties, and to road safety, the siting and appearance proposed should be approved.

RECOMMENDATION: PRIOR APPROVAL REQUIRED AND GRANTED

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

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

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

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

Application:15/05456/TELCOM

Address: Land Outside 192 Crofton Road Orpington

Proposal: Installation of 10m high telecommunications mast and associated cabinet at ground level

CONSULTATION BY CORNERSTONE TELECOMMUNICATIONS LIMITED (CTIL) REGARDING THE NEED FOR PRIOR APPROVAL OF



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

Application No : 15/05467/TELCOM

Ward:
Hayes And Coney Hall

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

OS Grid Ref: E: 539469 N: 167355

Applicant : Telefonica Ltd And Vodaphone Ltd

Objections : YES

Description of Development:

Installation of 10m Telecommunications replica telegraph pole and associated works CONSULTATION BY VODAPHONE LTD AND TELEFONICA UK LTD REGARDING THE NEED FOR PRIOR APPROVAL OF SITING AND APPEARANCE

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 2

Proposal

This application comprises a consultation regarding the need for approval of siting and appearance of a proposed telecommuniucations installation.

The proposal comprises a 10m high monopole and equipment cabinet. The monopole would have a diameter of 0.3m and is proposed to replicate the appearance of a telegraph pole. The associated equipment cabinet would be sited adjacent to the monopole and would measure 1.85m wide, 1.8m high and 0.75m deep.

The applicant has provided an ICNIRP declaration which certifies that the site is designed to be in full compliance with the requirements of the International Commission on Non-Ionizing Radiation for public exposure.

Location

The proposed mast and cabinet would be sited on the southeastern corner of the junction of Pickhurst Land and Mead Way. The site and the northeastern corner of this busy junction are characterised by an open appearance, with large grass verge, planting and street trees. The verge separates the main carriageway from the residential access road serving dwellings set back from the carriageway and straddles the pedestrian footpath. The area of grass immediately adjacent to the

main road accommodates direction and road traffic signs and a high level streetlight. The recessed triangular verge includes a telegraph pole positioned towards the southern end of the verge and a variety of trees.

The junction is busy and is controlled by traffic lights. The surrounding area is predominantly residential in character.

Consultations

Local Residents

Nearby owners/occupiers were notified of the application and the proposal was advertised by way of a press advertisement and site notice.

Representations have been received objecting to the proposal on the grounds that the proposal would add to electromagnetic emissions in the area. The proposal would spoil the appearance of the attractive verge. The existing base station on the opposite verge has been upgraded by Hutchinson 3G recently and an additional installation is unnecessary. There is a restrictive covenant in the area restricting commercial development.

Any further representations received in response to these notifications will be reported verbally.

Comments from Consultees

No technical highways objections have been received.

Planning Considerations

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

BE1 Design of New Development

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

BE22 Telecommunications Apparatus

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

The National Planning Policy Framework

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

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

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

With regard to the importance of good design, the National Planning Policy Framework states at Paragraph 56 that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning and should contribute positively to make places better for people. Paragraph 60 states that it is proper to seek to promote or reinforce local distinctiveness.

London Plan 2015

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

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

Planning History

There is no planning history for the specific site. However, planning permission was granted under reference 15/03002 for the replacement of the existing telecommunications monopole sited on the north eastern corner at the junction of Pickhurst Lane and Mead Way with a larger monopole with a wraparound cabinet and an additional equipment cabinet. The proposed mast was replacing an existing mast of a similar height, albeit with a more bulky appearance at top and bottom.

Conclusions

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

The application site contributes significantly to the visual amenities of the area, softening the appearance of the busy road junction. The site is visually exposed and visible from a variety of directions. However, the verges cumulatively accommodate a variety of utility and road traffic installations and the proposed monopole would be viewed in the context of the existing installations and in relation to the street trees. As such, it is not considered that the proposed mast would appear alien or out of character with its surroundings, and its position to the northern end of the recessed verge would mirror the position of an existing telegraph pole at the southern end of the verge.

The equipment cabinet would be readily appreciable, but a condition could be imposed relating to the colour and finish of the cabinet to limit its visual impact.

The site lies approx. 17.5m from the nearest residential properties and the mast would be visible from these dwellings. It is considered that the design of the mast with its diameter and height being commensurate with a telegraph pole, would limit the visual impact of the proposal when viewed from the neighbouring properties, taking into account its juxtaposition with the existing telegraph pole and the street lightings in proximity to the application site.

On balance, the proposed mast and equipment cabinet would not have a seriously detrimental impact on the visual and residential amenities of the area. The development of the electronic communication network and systems is supported by local and national planning policies and guidance and the London Plan, and the benefit of the proposed mast in terms of upgrading the local telecommunications infrastructure and providing the facility for 2 telecommunications operators to site share is considered to outweigh the limited impact of the proposal

RECOMMENDATION: PRIOR APPROVAL REQUIRED AND GRANTED

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

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

- 2 Before the operation of the development hereby approved the equipment cabinet shall be painted in a colour and finish to be submitted to and approved in writing by the Local Planning Authority. Thereafter the facility shall be retained in that colour and finish and kept free of graffiti.**

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

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Application:15/05467/TELCOM

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

Proposal: Installation of 10m Telecommunications replica telegraph pole and associated works CONSULTATION BY VODAPHONE LTD AND TELEFONICA UK LTD REGARDING THE NEED FOR PRIOR APPROVAL OF SITING AND APPEARANCE



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