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DATE: 8 March 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 17 MARCH 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 **PLANNING APPLICATIONS**
- 2 **CONFIRMATION OF MINUTES OF MEETING HELD ON 21 JANUARY 2016**
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- 3 **APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**
- 4 **DECLARATIONS OF INTEREST**

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

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

SECTION 2 (Applications meriting special consideration)

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4.1	Bickley		(15/02145/FULL1) - St Raphaels Residential Home, 32 Orchard Road, Bromley BR1 2PS (REPORT TO FOLLOW)
4.2	Penge and Cator	9 - 28	(15/05444/OUT) - 112 Beckenham Road, Beckenham BR3 4RH
4.3	Bromley Common and Keston	29 - 38	(15/05514/FULL6) - 4 Hathaway Close, Bromley, BR2 8RD
4.4	Copers Cope	39 - 48	(16/00263/FULL1) 1 St Clare Court, Foxgrove Avenue, Beckenham, BR3 5BG
4.5	Shortlands Conservation Area	49 - 56	(16/00369/FULL5) - Land adjacent St Mary's Church Hall, St Mary's Avenue, Shortlands, Bromley.
4.6	Copers Cope	57 - 64	(16/00454/TELCOM) - Land outside 56E and 56F Foxgrove Road, Beckenham.

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

Report No.	Ward	Page No.	Application Number and Address
4.7	Petts Wood and Knoll	65 - 70	(15/04938/FULL6) - 51 Birchwood Road, Petts Wood, Orpington, BR5 1NX
4.8	Petts Wood and Knoll	71 - 76	(15/05441/FULL6) - 58 Birchwood Road, Petts Wood, Orpington, BR5 1NZ
4.9	Darwin	77 - 84	(15/05597/FULL1) - Elder Cottage, Jail Lane, Biggin Hill TN16 3AU
4.10	Chislehurst Conservation Area	85 - 90	(16/00474/FULL6) - 6 The Meadow, Chislehurst, BR7 6AA

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
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6 TREE PRESERVATION ORDERS

Report No.	Ward	Page No.	Application Number and Address
6.1	Bickley	91 - 94	(DRR16/029) - Objections to Tree Preservation Order 2606A at The Retreat, 4 Oldfield Road, Bromley, BR1 2LF

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PLANS SUB-COMMITTEE NO. 2

Minutes of the meeting held at 7.00 pm on 21 January 2016

Present:

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

Also Present:

Councillors Charles Joel and Catherine Rideout

18 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

An apology for absence was received from Councillor Michael Turner and Councillor Angela Page attended as his substitute.

19 DECLARATIONS OF INTEREST

There were no declarations of interest reported.

20 CONFIRMATION OF MINUTES OF MEETING HELD ON 19 NOVEMBER 2015

RESOLVED that the Minutes of the meeting held on 19 November 2015 be confirmed.

21 PLANNING APPLICATIONS

SECTION 1

(Applications submitted by the London Borough of Bromley)

21.1 BROMLEY COMMON AND KESTON

(15/05048/FULL1) - Princes Plain Primary School, Princes Plain, Bromley.

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

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

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

Chief Planner.

SECTION 2

(Applications meriting special consideration)

21.2 DARWIN

(15/00271/FULL1) - Bristol Street Motors, Sevenoaks Road, Pratts Bottom, Orpington, BR6 7LP

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

Oral representations in objection to the application were received at the meeting. It was reported that further objections to the application had been received. Photographs had been received from the objector and circulated to Members.

In Councillor Scoates' opinion the jet wash was in the wrong location with cars washed in close proximity to the neighbour's residential property. He reported that the noise emitted from the air conditioning unit was unbearable preventing the neighbour from opening windows at night and he was disappointed that the applicant had not co-operated in alleviating concerns.

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

1. The proposed air handling unit, by reason of its unacceptable level of noise generation and disturbance, would result in a detrimental impact upon the amenities of the adjoining neighbours thereby contrary to Policy BE1 of the Unitary Development Plan and 7.15 of the London Plan.

21.3 DARWIN

(15/01917/ADV) - Bristol Street Motors, Sevenoaks Road, Pratts Bottom, Orpington, BR6 7LP

Description of applications –

Application 1 - Three internally illuminated fascia signs and one part externally/part internally illuminated entrance sign (Signs A, B, D and E) – 15/01917/ADV.

Application 2 - Internally illuminated flex box sign (Sign C) – 15/01917/SPLADV

Oral representations in objection to the applications were received at the meeting. In Councillor Scoates' opinion the signs and potential light pollution were

inappropriate for area.

Members having considered the report, objections and representations, **RESOLVED A SPLIT**

DECISION:-

that PERMISSION be GRANTED as recommended for **Signs B, D and E**, subject to the conditions set out in the report of the Chief Planner,

that PERMISSION BE REFUSED for **Signs A and C** for the following reason:-

1. The proposed internally illuminated entrance sign (Sign A) and internally illuminated flex box sign (Sign C) would, by reason of their 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 in general, contrary to Policy BE21 of the Unitary Development Plan.

**21.4
BICKLEY**

**(15/02145/FULL1) - St Raphaels Residential Home,
32 Orchard Road, Bromley BR1 2PS**

Description of application - 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.

Oral representations in objection to and in support of the application were received. Oral representations from Ward Member, Councillor Catherine Rideout, in objection to the application were received at the meeting. Correspondence from the objector was received and circulated to Members.

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 reduce the bulk and mass of the building, in particular along the eastern boundary of the site.

**21.5
DARWIN**

**(15/02218/FULL1) - Bristol Street Motors,
Sevenoaks Road, Pratts Bottom, Orpington, BR6
7LP**

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

Oral representations in objection to the application were received at the meeting. It was reported that

further objections to the application had been received together with photographs from the objector that had been circulated to Members. The objector advised the Sub-Committee that the use was in operation. 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. It was **FURTHER RESOLVED** that **ENFORCEMENT ACTION BE AUTHORISED** to secure the cessation of the car washing use.

**21.6
PENGE AND CATOR**

**(15/04458/OUT) - 213 Kings Hall Road,
Beckenham, BR3 1LL**

Description of application – 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 APPLICATION WAS WITHDRAWN BY THE CHIEF PLANNER.

**21.7
BROMLEY TOWN**

**(15/04540/FULL6) - 90 Sandford Road, Bromley,
BR2 9AN**

Description of application - First floor side extension.

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

**21.8
CLOCK HOUSE**

**(15/04654/FULL1) - 1A Birkbeck Road,
Beckenham, BR3 4SL**

Description of application – 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.

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

SECTION 3

(Applications recommended for permission, approval or consent)

**21.9
BICKLEY**

(15/02420/OUT) - Dunelm, Bickley Park Road, Bickley, Bromley BR1 2BE

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

Oral representations in objection to and in support of the application were received at the meeting. Councillor Fawthorp pointed out that the site was in an Area of Special Residential Character and in his opinion the design of the proposed development was not very special and out of keeping with the area. Councillor Scoates was also of this opinion. Members having considered the report, objections and representations, **RESOLVED that PERMISSION BE REFUSED** for the following reason:-

1. The proposed building comprising 4 flats would, as a result of its layout, be out of character with the area in general and the Bickley Park Area of Special Residential Character, thereby contrary to Policies BE1, H7 and H10 of the Unitary Development Plan.

**21.10
KELSEY AND EDEN PARK**

(15/04294/FULL6) - 342 Upper Elmers End Road, Beckenham, BR3 3HF

Description of application – Single storey rear extension RETROSPECTIVE APPLICATION.

Oral representations in objection to 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 following conditions:-

“1. Within 2 months of the date of this decision notice the hole adjacent to the extension in the location of the previous boundary wall shall be infilled with concrete to the existing ground level.

REASON: In the interests of safety and the amenities of adjoining residents and the applicant and to accord with Policy BE1 of the Unitary Development Plan

2. Within 2 months of the date of this decision notice a suitable flashing shall be affixed to the rear extension where it adjoins the neighbouring property.

REASON: In the interests of the amenities of adjoining residents and the applicant and to accord with Policy BE1 of the Unitary Development Plan.”

**21.11
CHISLEHURST**

**(15/04490/FULL6) - 13 Waratah Drive, Chislehurst
BR7 5FP**

Description of application – First floor rear extension.

Oral representations in objection to and in support of the application were received at the meeting. It was reported that the application had been amended by documents received on 13 January 2016 and that further objections to the application had been received. Comments from Councillor Katy Boughey were reported.

Members having considered the report, objections and representations, **RESOLVED that the application BE DEFERRED**, without prejudice to any future consideration, for the removal of the Juliette balcony,

**21.12
ORPINGTON**

**(15/04577/FULL6) - 154 Spur Road, Orpington, BR6
0QW**

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

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

**21.13
BROMLEY COMMON AND
KESTON**

**(15/05033/FULL1) - 129 Southlands Road,
Bromley, BR2 9QT.**

Description of application – 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.

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

**21.14
FARNBOROUGH AND
CROFTON**

**(15/05456/TELCOM) - Land Outside 192 Crofton
Road, Orpington, BR6 8JG**

Description of application – 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.

Oral representations in support of the application were received. Oral representations from Ward Member, Councillor Charles Joel, in objection to the application were received at the meeting. Councillor Joel also spoke on behalf of his two fellow Ward Members.

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

21.15
HAYES AND CONEY HALL

(15/05467/TELCOM) - Land at South East Junction with Pickhurst Lane Mead Way, Hayes, Bromley.

Description of application – 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.

Oral representations in support of the application were received at the meeting. It was reported that further objections had been received and Environmental Health had no objection to the application. Comments from adjoining Ward Member, Councillor Mary Cooke, in support of the application were reported.

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

The Meeting ended at 8.37 pm

Chairman

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SECTION '2' – Applications meriting special consideration

Application No : 15/05444/OUT

Ward:
Penge And Cator

Address : 112 Beckenham Road Beckenham BR3
4RH

OS Grid Ref: E: 536219 N: 169657

Applicant : Mr Robert Hards

Objections : YES

Description of Development:

Demolition of existing commercial building and construction of a three storey building comprising 3 two bedroom flats and 3 one bedroom flats with associated parking spaces, cycle storage and refuse storage. (OUTLINE APPLICATION with all matters reserved.)

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Smoke Control SCA 30

Proposal

Planning permission is sought in outline for the demolition of existing commercial building and construction of a three storey building comprising 3 two bedroom flats and 3 one bedroom flats with associated parking spaces, cycle storage and refuse storage.

The application has been submitted in 'outline' only with all matters reserved including, appearance, landscaping, layout, scale.

Access is also a reserved matter in this case. The application does, however show the area where access points to the development proposed will be situated in accordance with legislation.

It also noted that despite the application being submitted in outline, elevations, floor plans, roof plan and indicative landscape and parking areas have been shown to give a clear indication of the siting, mass, scale of the building, parking, amenity space and internal layout.

Location

The application site is located to the rear of numbers 100-118 Beckenham Road, adjacent to No1 Thayers Farm Road. The site is bounded by the London Tramlink (Beckenham Road Station) to the north-west. The immediate surrounding area comprises a mix of properties including mixed use commercial / residential on

Beckenham Road and residential dwellings on Thayers Farm Road. The site is around 0.03 hectares in area.

Consultations

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

- o Location of building not suitable for residential use.
- o Overdevelopment in small car park location.
- o Three stories is too high, six flats too many with regard to potential parking problems.
- o Comments regarding right of access across the car park land to the site.
- o Proposal would exacerbate existing parking problems to commercial tenants and residential leaseholders.
- o Concerns regarding overlooking to occupants of Wessex Court.
- o Lack of space for vehicle manoeuvring.
- o Insufficient waste, lack of amenity, inadequate habitable space.

Internal Consultations

Environmental Health - Pollution:

No suitable contaminated land assessment or noise survey has been submitted as part of the outline application. Due to the sites proximity to the railway, contamination and noise are a concern. I appreciate that the applicant has difficulty in the undertaking of a contamination assessment at this stage due to the current building and site. Full compliance with contamination and acoustic conditions should be achieved prior to development.

Highways: (summary)

The site is located to the North of Thayers Farm Road, close to the junction of Beckenham Road. Beckenham Road (A234) is a London Distributor Road carrying large volume of traffic. The development is in an area with high PTAL rate of 5. There are waiting restrictions (No Waiting at any Time) around the site. The area has a high on street parking occupancy, with little on-street parking available. On the submitted plans 3 off street parking spaces are indicated accessed from an existing shared vehicular crossover via Thayers Farm Road.

There is a shortfall of 3 car parking spaces. Residential density should be linked to public transport accessibility levels and parking provision. Therefore a reduction in parking provision is justified; however mitigation measures should be introduced to encourage future occupiers to seek alternative modes of transport.

The car park is currently used by both the occupiers of the above site and Wessex Court. A swept path analysis showing manoeuvring in and out of each space in a safe and convenient manner has been demonstrated.

Nine cycle spaces have been provided. This is acceptable.

Environmental Health - Housing:

The applicant is advised to have regard to the Housing Act 1985's statutory space standards contained within Part X of the Act and the Housing Act 2004's housing standards contained within the Housing Health and Safety Rating System under Part 1 of the Act.

Drainage:

Surface Water design need to be carried out, SUDS measures need to be maximised on site. Soakage test as well as soakaway design need to be carried out. This site is within the area in which the environment agency - Thames region require restrictions on the rate of discharge of surface water from new developments into the river ravenbourne or its tributaries. Please impose standard condition on any approval. This site appears to be suitable for an assessment to be made of its potential for a SUDS scheme to be developed for the disposal of surface water. Please impose standard conditions on any approval to this application.

Planning Considerations

London Plan (2015)

- 3.3 Increasing Housing Supply.
- 3.4 Optimising Housing Potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and Balanced Communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.9 Overheating and cooling
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater Infrastructure
- 5.15 Water use and supplies
- 5.16 Waste self-sufficiency
- 5.17 Waste capacity
- 5.18 Construction, excavation and demolition waste
- 5.21 Contaminated land
- 6.3 Assessing Effects of Development on Transport Capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An inclusive environment

- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 8.3 Community Infrastructure Levy

London Plan Supplementary Planning Guidance (SPG)

Housing: Supplementary Planning Guidance. (November 2012)

Draft Interim Housing Supplementary planning guidance (May 2015)

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

- BE1 Design of New Development
- BE4 The Public Realm
- BE7 Railings, Boundary Walls and Other Means of Enclosure
- H1 Housing Supply
- H7 Housing Density and Design
- H9 Side Space
- EMP3 Conversion or redevelopment of Offices
- ER7 Contaminated Land
- ER10 Light pollution
- T1 Transport Demand
- T2 Assessment of Transport Effects
- T3 Parking
- T5 Access for People with Restricted Mobility
- T6 Pedestrians
- T7 Cyclists
- T16 Traffic Management and Sensitive Environments
- 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

Planning History

There is extensive planning history at the site which is summarised as follows.

07/02214/FULL1: Planning permission was refused by decision notice dated 28th August 2007 for the demolition of the existing commercial/industrial building and erection of a part two/part three storey building comprising 3 two bedroom flats and 5 one bedroom flats with 4 car parking spaces/cycle storage and refuse storage. The reasons for refusal were as follows:

1. The proposal, by reason of its size, scale and site coverage, would constitute a cramped overdevelopment of the site, out of character with the surrounding area and lacking in adequate external amenity space for future occupants, contrary to Policies BE1 and H7 of the Unitary Development Plan.

2. The proposed development, by reason of its siting and design, would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of neighbouring properties on Thayers Farm Road and Beckenham Road, contrary to Policies BE1 and H7 of the Unitary Development Plan.

3. In the absence of a noise survey, insufficient information has been submitted to ascertain the noise impact of the nearby Tramlink line and therefore the proposal may be likely to impact detrimentally on the amenities of future occupants, contrary to Policies BE1, H7 and ER8 of the Unitary Development Plan.

An appeal against this decision was dismissed (decision notice dated 1st September 2008) with the Inspector finding that given the "variety of building designs, ages and sizes" in the vicinity "the appearance and scale of the proposed structure would not, itself, be out of place". However the Inspector was concerned that "the lack of any meaningful opportunity for landscaping around the building would mean that it would not be possible to disguise or ameliorate the car park setting" which "when coupled with the obvious lack of amenity space and the contrived nature of the design" that "the proposal would appear cramped and as such would represent over development of the site". With regard to the impact on the amenities of neighbouring residents, the Inspector found that there would be "no material effect on the sunlight or daylight to the residents of the Beckenham Road flats"; while it was considered that there would be a degree of overlooking and loss of privacy. In terms of the absence of a noise survey a survey was submitted during the course of the appeal and it concluded that the site was developable subject to certain conditions.

08/00714/FULL1: Planning permission was refused by decision notice dated 22nd April 2009 for the demolition of the existing commercial/industrial building and erection of a part two/three storey building comprising 7 one bedroom and 1 two bedroom flats with 4 car parking spaces and cycle/refuse store. The reasons for refusal were as follows:

1. The proposal, by reason of its size, scale and site coverage, would constitute a cramped overdevelopment of the property, out of character with the surrounding area and lacking in adequate external amenity space for future occupants, contrary to Policies BE1 and H7 of the Unitary Development Plan.

2. The proposed development, by reason of its siting and design, would give rise to an unacceptable degree of overlooking and loss of privacy and amenity to the occupiers of neighbouring properties on Thayers Farm Road and Beckenham Road, contrary to Policies BE1 and H7 of the Unitary Development Plan.

09/01359/FULL1: Planning permission was granted for the demolition of the existing building and construction of part two/three storey building to provide office

accommodation (Class B1) with 5 car parking spaces and motorcycle and cycle parking.

12/01642/OUT: Planning permission was refused for an outline application for demolition of existing commercial/ industrial building and erection of part three/part five storey building comprising of 4 two bedroom and 3 one bedroom flats with 7 car parking spaces/ cycle storage and refuse storage. A subsequent appeal was dismissed the Inspector identified the main issues as (a) impact on the character and appearance of the surroundings and (b) the impact on the living conditions of future residents with reference to external amenity space and on the living conditions of neighbouring residents in Wessex Court and Thayers Farm Road with particular reference to visual impact and privacy.

With regards to (a) at the subsequent appeal, the Inspector concluded that the development would sit unacceptably in its spatial and visual context, consequently harming the character and appearance of the surrounding area contrary to Policies BE1 and H7. With regards to (b) it was concluded that the level of amenity provision for future residents would not be inadequate. However, the scheme would have a drastic and harmful visual impact on some of the residents of Wessex Court whose flats face the appeal site.

With regards to parking it was noted that "whilst the level of car parking proposed by the appellant is acceptable and is required to properly accommodate likely demand, I am not satisfied on the basis of the evidence that it could physically be made available or provided without possibly depriving others of their legitimate parking facilities."

13/00534/FULL2: Planning permission was refused decision notice dated 8/7/2013 for the change of use from light industrial (Use Class B1) to house in multiple occupation (Sui Generis) together with erection of a first floor extension and elevational alterations.

1. The introduction of first floor windows in the south-eastern elevation would give rise to an unacceptable degree of overlooking and loss of privacy to the occupiers of neighbouring properties on Beckenham Road and Thayers Farm Road, contrary to Policies BE1 and H7 of the Unitary Development Plan.

2. In the absence of information to demonstrate otherwise, the layout of car parking spaces is unsatisfactory and the proposal would reduce the already inadequate capacity for on-site parking whilst increasing the parking needs of the premises and would therefore be prejudicial to the free flow of traffic and conditions of general safety along the adjoining highways, thereby contrary to Policies T3 and T18 of the Unitary Development Plan.

3. The proposal would result in an over intensive use of the property lacking in adequate facilities commensurable with the Council's adopted Houses in Multiple Occupation standards with particular reference to minimum bedroom sizes and ratio of kitchen and bathroom facilities thereby contrary to Policies BE1, H7 and H12 of the Unitary Development Plan.

4. The proposal, by reason of the high number of bedrooms proposed would result in an overintensive use of the property lacking in adequate external amenity space for future occupants, contrary to Policies BE1, H7 and H12 of the Unitary Development Plan.

14/05057/OUT: Outline planning permission was refused by decision notice dated 24th February 2015 for the demolition of existing commercial building and construction of a three storey building comprising 3 two bedroom flats and 3 one bedroom flats with associated parking spaces, cycle storage and refuse storage. The reasons for refusal were as follows:

1. The proposal, by reason of its size, scale and site coverage, would constitute a cramped overdevelopment of the site, detrimental to the character and visual amenities of the locality, contrary to Policies BE1 and H7 of the Unitary Development Plan.

2. The proposed development, due to its poor quality of outlook for future occupants, poor quality and poor standard of provision of outdoor amenity space would fail to provide a satisfactory standard of living accommodation for its future occupants. The proposals are therefore contrary to Policy 3.5 Quality and Design of Housing Developments of the London Plan (2011), The London Plan Supplementary Planning Guidance: Housing (November 2012) and Policies BE1 and H7 of the Unitary Development Plan.

3. The proposed development would fail to provide a satisfactory standard and layout of accommodation for future occupiers by reason of its substandard floor space layout and arrangement contrary to Policy 3.5 Quality and Design of Housing Developments of the London Plan (2011), The London Plan Supplementary Planning Guidance: Housing (November 2012) and Policies BE1 and H7 of the Unitary Development Plan.

4. The proposed development due to its close proximity to Wessex Court to the south would be an intrusive and unneighbourly addition resulting in loss of outlook from rear windows of flats within Wessex Court contrary to Policies BE1 and H7 of the Unitary Development Plan.

5. The proposed development would lack adequate quantity and accessible on-site car parking provision to accord with the Council's standards and would reduce the already inadequate capacity for on-site parking, inconvenient for the future occupants, existing occupants of Wessex Court and likely to result in an excessive amount of otherwise unnecessary movement of cars and the cluttering of the access with parked cars, prejudicial to visual amenity and conditions of road safety along the access to the flats and adjoining highways contrary to Policies T3 and T18 of the Unitary Development Plan.

An appeal against this decision was dismissed (decision notice dated 18th August 2015) with the Inspector stating that the "shortcomings (of the scheme) are not as a result of the inadequacy of the appellant's efforts to produce a viable and workable scheme that addresses some of the previous issues arising in the extensive planning history. I also agree that the site needs to be developed.

However, the essential problem is that the amount of development proposed continues to be too great for the site, given its particularly strong constraints in terms of location, shape, size and aspect."

The Inspector also concluded that "bearing in mind that this is technically an outline application with all matters reserved, I consider that the scheme would in principle be acceptable as regards the effect on the living conditions for occupiers of Wessex Court and in respect of car parking."

The Inspector concluded "on the other matters of its (the schemes) effect on the character and appearance of its immediate surroundings and the living conditions for future occupiers in terms of outlook, standard of accommodation and amenity space that the refusal of permission is justified."

Conclusions

The main issues relating to the application in terms of its status as an outline application are the principle of the development and the effect that a residential development would have on the character of the locality, visual amenity, access arrangements and the impact the scheme would have on the amenities of nearby properties. Further issues regarding the effect on the employment use of the current building are considered relevant.

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

Policy EMP3 states that the conversion or redevelopment of offices for other uses will be permitted only where it can be demonstrated that there is no local shortage of office floorspace and there is evidence of long term vacancy despite marketing of the premises and there is no likely loss of employment resulting from the proposal.

The principle of the loss of the commercial use of the site has been accepted within the previous applications submitted. The Inspector concluded in the appeal decision dated 1/9/2008 that "I note that the locality is already in mixed use and a residential development would not be out of character." Given these comments and the long term vacancy of the site in the interim no objection is raised to the loss of the employment use at this location.

Density

The density of the proposal would be 200 units per hectare (u/ha). Table 3.2 of the London Plan sets out the appropriate density range for a site with a PTAL of 5 in a urban area as 55-225 u/ha. The density of the proposal is within that guideline by this measure and is therefore considered to be acceptable.

Siting, mass, scale of the building

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

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

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

Indicative drawings have been provided to show the footprint, height and general design of the proposed building.

Although similar in footprint, size and scale to the previously approved office scheme (ref 09/01939) the Planning Inspector's decision in principle indicated that a residential development, of a two/three storey building would not itself appear out of place in this location. The Inspector was however, concerned that the setting would be poor for residential accommodation, particularly given the lack of available amenity space or the opportunity for landscaping.

In the last Appeal (ref 15/05444) a further Planning Inspector concluded that the essential problem is that the amount of development proposed continued to be too great for the site, given its particularly strong constraints in terms of location, shape, size and aspect. The scheme was however acceptable in principle as regards the effect on the living conditions for occupiers of Wessex Court and in respect of car parking.

The current scheme has now been radically revised to address the issues previously found to be unacceptable by both the Council and the Planning Inspectorate in the long application history of the site as detailed above.

A three storey building is still proposed with the same number and occupancy level of flats. The scale of the current proposal has been based on a similar scale to the permitted commercial development which was deemed acceptable on the site and is a material consideration.

The maximum height of the proposed building is indicated at approximately 10.25m to the ridge and 8.5m to the eaves with regularly spaced windows and doors and a pitched roof. The footprint of the building has also been redesigned to follow a more formal layout approach similar to the existing building and set away from the multi angled site boundary creating small landscaped areas acting as defensible space to the building elevations. The building has also been set away from the boundary with No1 Thayers Farm Road by approximately 3.5m reducing the impact of the buildings scale in this direction to an acceptable level. The proximity to the rear boundary of the site against the railway is close, ranging approximately between 500mm and 800mm. The level of the building is substantially below the level of the railway embankment which reduces its impact in this direction.

Therefore while the constraints of the site have limited the amount and scale of the development, the proposal put forward is considered to be an appropriate response in terms of the siting and scale in this regard. The revised layout and design now also facilitates the quantum of development proposed which is now deemed acceptable.

Standard of accommodation and internal layout.

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

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

Although a reserved matter plans submitted have indicated the floor space size of each unit is 61m² for each two bedroom unit and 50m² for each one bedroom unit respectively. Table 3.3 of the London Plan requires a Gross Internal Area of 61m² for a two bedroom 3 person unit and 50m² for a one bedroom two person unit. On this basis the floorspace provision is considered to be acceptable.

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

Amenity space

In terms of amenity space and also a reserved matter, all dwellings on upper floors have access to a balcony of 7.5m² and 1.5m depth dimension and ground floor units would have an equivalent area of allocated ground level garden space adjacent to their living rooms. The location of the amenity areas are located on the south east main elevation and south west flank elevation of the building with direct views facing away from Wessex Court. High level obscured screening has also

been introduced to the flank sides of the balconies to maintain privacy to occupiers and to Wessex Court and No1 Thayers Farm Road. On balance the level of provision and mitigation introduced is considered to maintain levels of privacy from and to neighbouring property.

Impact on Adjoining Properties

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

The aspect of the layout of the flats has been designed to orientate windows of habitable rooms into the site away from the railway line. Small high level windows are proposed on the railway side to provide light ingress only. The positioning of windows has taken account the position of windows within Wessex Court to prevent any direct overlooking and loss of privacy. On balance, the orientation and angles of windows are not considered to cause as significant level of overlooking or loss of privacy to occupiers of Wessex Court.

Car Parking and Access

In the vicinity of the site parking is limited with a high on street parking occupancy and little on-street parking available. Three off street parking spaces are indicated for occupants of the flats accessed from an existing shared vehicular crossover via Thayers Farm Road. Given the good links to public transport and the intended tenure with three 1 bedroom flats less likely to be car owners, a reduction in parking provision is justified at this location.

Concerns have been raised by neighbouring properties that the car park is currently used by both the residential occupiers and commercial occupiers of the adjacent site and that manoeuvrability within the parking area would be hindered by additional car movements. A swept path analysis has been submitted that adequately shows manoeuvrability within the site to acceptable standards. Objectors have also raised issue of right of access over the car park area of Wessex Court although this would be outside the remit of the planning application, if access was not allowed no provision could be provided on site in breach of any approved plans.

The Council's Highways Officer has not raised objection to the type and form of provision given the proximity to transport links. Therefore, due to the acceptable level of impact of the development on parking issues in the vicinity it is considered that the proposal would be in accordance with UDP Policy T3 and Policy 6.13 of the London Plan (2011).

Cycle parking

Cycle parking is required to be 1 space per studio/1 bedroom flats and 2 spaces for all other dwellings. The applicant has provided details of a location for lockable

cycle storage for 9 cycles. Further details regarding a containment structure can be conditioned.

Refuse

All new developments shall have adequate facilities for refuse and recycling. The applicant has provided details of refuse storage to the north east corner of the site. Further details regarding a containment structure can be conditioned.

Community Infrastructure Levy

The Mayor of London's CIL is a material consideration. CIL is liable on reserved matters applications following application granted outline permission.

Summary

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 of the proposed housing block is acceptable and that the indicative development elevations would not be detrimental to the character of the area. The standard of the accommodation that will be created will be good. The proposal would not have an adverse impact on the local road network or local parking conditions. It is therefore recommended that outline planning permission is granted subject to the imposition of suitable conditions and reserved matters details.

As amended by docs received 3/2/2016

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 **(i) Details relating to the access, appearance, landscaping, layout and 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 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 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 building and the visual amenities of the area

- 4** 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 building and the visual amenities of the area.

- 5** 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.

- 6** 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.

- 7** 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.

8 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.

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 reduce the impact of flooding both to and from the proposed development and third parties and to accord with Policies 5.12 and 5.13 of the London Plan.

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

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

11 An acoustic assessment shall be submitted to the Local Planning Authority for approval in writing prior to commencement of the development. The assessment shall determine the worst case day time and night time ambient background noise levels affecting this location and predict the internal levels in the proposed residential dwellings. A scheme of mitigation, as necessary in light of the results of the assessment, (covering façade, glazing and ventilation specifications to achieve suitable internal noise levels in line with guidance in BS8233:2014) shall be submitted to the Local Planning Authority for written approval prior to commencement of the development and once approved shall be installed fully in accordance with the approved scheme and permanently maintained thereafter.

Reason: In order to ensure a satisfactory standard of residential amenity in accordance with Policy 7.15 of the London Plan.

12 The development hereby permitted shall incorporate measures to minimise the risk of crime. No development shall take place until details of such measures, according to the principles and physical security requirements of Secured by 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 retained.

Reason: In the interest of security and crime prevention and to accord with Policies H7 and BE1 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 (a) A minimum of 9 secure and dry cycle parking spaces shall be provided within the development as indicated on the plans hereby approved.

(b) No development shall commence on site until the full details of the cycle parking facilities have been submitted to and approved in writing by the local planning authority.

(c) All cycle parking spaces shall be provided and made available for use prior to occupation of the development and maintained thereafter.

Reason: In order to ensure adequate provision for cycle parking and to comply with Policy 6.9 of the London Plan.

15 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: To ensure the permanent retention of the spaces for parking purposes, to ensure that the use of the buildings does not increase on-street parking in the vicinity and to comply with Policy T3 of the Unitary Development Plan and Policy 6.13 and Table 6.2 of the London Plan.

16 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.

17 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.

18 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.

You are further informed that :

- 1 The applicant is advised that any works associated with the implementation of this permission (including the demolition of any existing buildings or structures) will constitute commencement of development. Further, all pre commencement and reserved matters conditions attached to this permission must be discharged, by way of a written approval in the form of an application to the Planning Authority, before any such works of demolition take place.**
- 2 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**
- 3 You are advised that this application may be liable for the payment of the Mayoral Community Infrastructure Levy under the Community Infrastructure Levy Regulations (2010) and the Planning Act 2008. The London Borough of Bromley is the Collecting Authority for the Mayor and this Levy is payable on the commencement of development (defined in Part 2, para 7 of the Community Infrastructure Levy Regulations (2010)). It is the responsibility of the owner and /or person(s) who have a material interest in the relevant land to pay the Levy (defined under Part 2, para 4(2) of the Community Infrastructure Levy Regulations (2010)).**

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

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

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Application:15/05444/OUT

Address: 112 Beckenham Road Beckenham BR3 4RH

Proposal: Demolition of existing commercial building and construction of a three storey building comprising 3 two bedroom flats and 3 one bedroom flats with associated parking spaces, cycle storage and refuse storage. (OUTLINE APPLICATION with all matters reserved.)



"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 : 15/05514/FULL6

Ward:
Bromley Common And
Keston

Address : 4 Hathaway Close Bromley BR2 8RD

OS Grid Ref: E: 542803 N: 166115

Applicant : Mr Chris Brown

Objections : YES

Description of Development:

Two storey rear and single storey side extensions single storey front extension and new front entrance porch.

Key designations:

Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 22

Proposal

The application seeks planning permission for a two storey rear and single storey side extension, single storey front extension and new front entrance porch.

The two storey rear element of the proposal will extend 3.6m in depth for a width of 5.2m to retain a separation to the western side boundary of 1m and 2.65m to the eastern side boundary shared with no. 3. The two storey extension will have a pitched roof with an eaves height to match the main roof of the existing house and a ridge height set approximately 1.7m below the maximum height of the main roof. The single storey side extension will adjoin the eastern side of this two storey rear extension to project 2.55m in width and 4.4m in depth, when scaled from the submitted drawing, out from the rear of the existing single storey attached garage which adjoins the flank wall of the neighbouring property at no. 3. A separation of 0.1m is shown to be retained from the flank wall of the single storey extension to the eastern side boundary. This single storey side extension will have a flat roof to a height of 2.5m, when scaled from the submitted drawing.

A new window is also indicated in the first floor eastern flank elevation of the existing house which will serve a shower/wc and a new window proposed in the first floor western flank elevation of the existing house which will serve a bedroom and is shown to be high level and obscure glazed. A velux sun tunnel is also proposed in the rear roof slope of the main roof and a roof light is also indicated to be inserted into the rear roof slope of existing garage.

The single front extension will project 0.9m forward of the existing garage along the boundary with no.3 for a width of 2.9m. It will have a sloping roof down towards the front similar to the existing garage roof and will maintain a garage door in the front elevation.

The new front entrance porch will enclose the existing open porch canopy and maintain a dual pitched roof with front gable end design.

Location

The application site comprises a two storey link detached dwellinghouse which is linked to no. 3 Hathaway Close to the eastern side by an existing attached garage belonging to the host dwelling at no. 4. The property lies on the southern side of Hathaway Close which is a small cul-de-sac comprising of 11 residential properties of a similar size and style. The street is part of a larger development of 52 residential properties constructed in the mid-80's.

Consultations

Nearby owners/occupiers were notified of the application and representations were received from no. 5 and 6 Hathaway Close and no. 16 Seymour Drive which can be summarised as follows:

- o New bedroom window in side elevation will directly overlook no. 5 and 6
- o Materials should match the surrounding estate

Objections were also raised by the neighbouring property a no. 3 Hathaway Close which can be summarised as follows:

- o Plans do not show all dimensions
- o Loss of value to neighbouring property at no. 3 as the extension would reduce the property from a detached house to linked terrace
- o Change to the character, environment and architectural layout of area
- o Right to light
- o Loss of sunlight and daylight
- o Overshadowing
- o Side window facing no. 3 will overlook garden and rear windows and lead to loss of privacy
- o Plans do not show ventilation for the utility room
- o The single storey side extension should have at least 1m from the boundary line with no. 3
- o The drawings do not indicate the dimensions of the single storey side extension and do not comply with planning permission laws 2013
- o The outer cavity wall of no. 3 should not be altered or used
- o Extension to garage is out of character
- o The garage extension does not comply with planning permission laws 2013 or building regulations
- o The porch should not extend or link to the garage
- o No. 4 is being used for trading purposes with the garage used as a workshop, storage unit, and maintenance of coffee vans and the extensions

- o would in part convert the property from residential to commercial and cause further issues such as noise, refuse and drainage problems
- o Untidy rear garden
- o The addition of a sun tunnel in the roof is an additional conversion

The applicant submitted a response to the objections raised by no. 3 Hathaway Close which is summarised as follows:

- o The extensions are for residential purposes for the 2 adults and four children currently residing in the existing 3 bedroom property and are not for commercial purposes
- o The changes to the front of the property are minimal and would not alter the look of the close
- o The two storey rear extension would be in keeping with the 45 degree rule
- o The side window overlooking no. 3 would be for a bathroom and would be obscure glazed
- o The garage at no.3 has been converted into an office/study and is no longer operating as a garage and so have already changed the property to terraced by introducing the office/study attached to the garage
- o The changes to the front of the property will not convert it into a terraced property
- o The plans include a velux window to the utility room and any additional ventilation details will be dealt with under building regulations
- o The single storey extension is within the site of no. 4
- o The single storey rear extension at no. 3 is only 500mm from the boundary line
- o The garage extension is for storage but can be removed if cause for concern
- o The building regulations in the objection relate to permitted development and not planning
- o There is a gap between the garage and the porch
- o The statement includes comments with regards to the use of the property for any business purpose and outlines that no trading and no commercial activity is undertaken at the property and the garage/driveway is used only for storage
- o Issues regarding the deeds of the site are not planning issues
- o Comments regarding drainage, waste and untidy back garden are not warranted

Full copies of all objection letters and the response received from the applicant are available on the file.

Comments from Consultees

Comments have yet to be received from the Council's Highways Officer and these may be reported verbally at the meeting.

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

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

Planning History

The property was originally constructed as part of a development granted full planning permission for 52 houses to land adjacent and rear of Lennard Hospital, under ref: 84/02975/FUL. A subsequent details application in respect of landscaping details was submitted and approved under ref: 85/02694/DETMJ. It is noted that permitted development rights were removed by permission granted 84/02975 and as such any development at the property requires full planning permission.

Conclusions

The main issues relating to the application are the effect that the proposed development would have on the character of the host dwelling and area in general, and the impact that it would have on the amenities of the occupants of surrounding residential properties.

Principal

The extension of a residential dwelling is generally acceptable in principle, subject to the size, mass, scale and form proposed and the subsequent impact upon the amenities, outlook and privacy of neighbouring residents, the character of the area and of the host dwelling and any impacts relating to parking provision or other highways matters. It is noted that the application site has not been subject to any previous extensions.

Design

The NPPF emphasises good design as both a key aspect of sustainable development and being indivisible from good planning. Furthermore, paragraph 64 is clear that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

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

The proposal seeks the introduction of a number of extensions to the property. To the front of the dwelling a modest single storey extension is proposed to the existing garage and the existing open front porch is shown to be enclosed. The extensions are small in scale and are shown to respect the existing design of the property.

To the rear a two storey extension is proposed with a single storey side/rear element to the eastern side of the property adjacent to the boundary with no. 3. The single storey extension will project to the rear of the existing garage for a depth of 4.4m and width of 2.55m, with a flat roof to a height of 2.5m. The two storey extension, whilst substantial in depth, maintains some separation to both boundaries and the roof is shown to be hipped to the sides and rear as well as set much lower than the ridge height of the main roof which will therefore help to reduce the bulk of the extension and provide a degree of subservience to the main dwelling.

Taking all this into account, it is considered that the scale and design of the proposed extensions would not cause significant harm to the character of the host dwelling or area in general as to warrant a refusal on this basis.

Neighbouring Amenity

Policy BE1 requires development to have a relationship with neighbouring buildings that allows for adequate daylight and sunlight to penetrate in and between buildings, respect the amenity of existing and future occupiers of neighbouring buildings and ensure that their environments are not harmed by reason of noise and disturbance or by inadequate daylight, sunlight, privacy or overshadowing.

The single storey front extension and front porch would not project any further forward than the front building line of the neighbouring property at no. 3. Whilst the concerns raised by the occupiers of this neighbouring property in relation to the use of the adjoining wall and the potential impact on the value of the property are acknowledged, these are not material considerations in the determination of a planning application and would be private legal matters between the applicant and the owner of this neighbouring property. As the extensions would not project beyond the front building line of no. 3 they are not considered to give rise to any loss of amenity.

The single storey side extension which lies to the rear of the existing garage would be located adjacent to the boundary with no. 3 with a separation from the flank wall to this shared boundary of only 0.1m. The extension will project for a depth of 4.4m with a flat roof to a height of 2.5m. Due to the original layout of the properties within the street, the application dwelling at no. 4 sits much further to the rear than the neighbouring property at no. 3.

As such, the rear of the attached garage at no. 4 lies in line with the original rear building line of no. 3. However, no. 3 has been extended to the rear at single storey following a grant of permission under ref: 03/01796/FULL6. The Council's records indicate that this extension projects to a depth of 3m and as such the proposed

single storey side/rear extension at no. 4 would project only a further 1.4m beyond the rear elevation of this existing extension. Therefore, having regard for this existing relationship and given the modest height of the proposed extension, it is not considered to give rise to any significant loss of amenity by reason of light or outlook and would therefore be compliant with the overarching aims of policy BE1 of the UDP. Concerns with regards to building regulations matters would not be material planning considerations.

Due to the existing layout of no's 3 and 4, as indicated above, the rear building of the main dwellinghouse at no. 4 sits much further back, by approximately a distance of 3.5m, than the original rear building line of no. 3. Whilst it is noted that no. 3 has been extended at ground floor by 3m, the first floor remains as originally constructed. As such the two storey rear extension, which will project 3.6m from the rear of the application property, will be approximately 4.1m from the rear of no.3 at ground floor and 7.1m from the rear of the first floor at no. 3.

A separation of 2.65m is provided between the flank wall of the two storey extension and it is noted that no. 3 lies to the east of the application property so that the morning sunlight would not be impaired. However, given the existing relationship of the properties and the proposed depth and two storey height of the extension, this separation would not adequately mitigate the harm caused to the amenities of this neighbouring property in terms of loss of outlook, prospect, daylight and overshadowing. Accordingly, the two storey rear extension would be significantly harmful to the amenities of this neighbouring residential property and contrary to policy BE1 of the UDP.

To the west of no. 4, the front elevations of no's 5 and 6 Hathaway Close face towards the application site and as such the western flank wall of the proposed rear extension will be visible. However, there is a distance of some 13m between the side boundary of no. 4 and the front elevations of these neighbouring properties and as such this separation is considered to adequately reduce any visual impact of the proposed extension. A new first floor flank window is proposed to the western flank elevation of the existing house to allow additional light to a bedroom, due to the introduction of the rear extension.

Following objections raised by the neighbouring properties at no.'s 5 and 6 with regards to overlooking and loss of privacy, amended plans were received on 01.02.16 to show this window to be high level and obscure glazed. The bedroom would also be served by a small rear window and sun tunnel. As such, the amended window would still provide some light to the bedroom, but the high level location and obscure glazing would prevent overlooking and therefore there is not considered to be any loss of privacy to either the neighbouring properties or the occupiers of the host dwelling.

A new first floor window is also proposed to the eastern side elevation of the existing property facing towards no. 3. Concerns have been raised with regards to overlooking and loss of privacy resulting from this window. The window would serve a shower/wc and a condition could be imposed on any approval to ensure the window is obscure glazed and non-opening below 1.7m which would prevent

overlooking and loss of privacy. As such, it is not considered that this would warrant a further refusal of the application.

Concerns have also been raised with regards to the use of the property as a commercial business. The applicant has submitted a statement stating that whilst they do own a business and a van connected with this business is stored at the site, no commercial activity or trading is undertaken at the property. The floor plans submitted with the application indicate residential use.

Having regard to the above, the proposed two storey rear extension would be detrimental to amenities of the neighbouring property at no. 3 and therefore contrary to Policy BE1 of the UDP.

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

RECOMMENDATION: APPLICATION BE REFUSED

as amended by documents received on 01.02.2016

The reasons for refusal are:

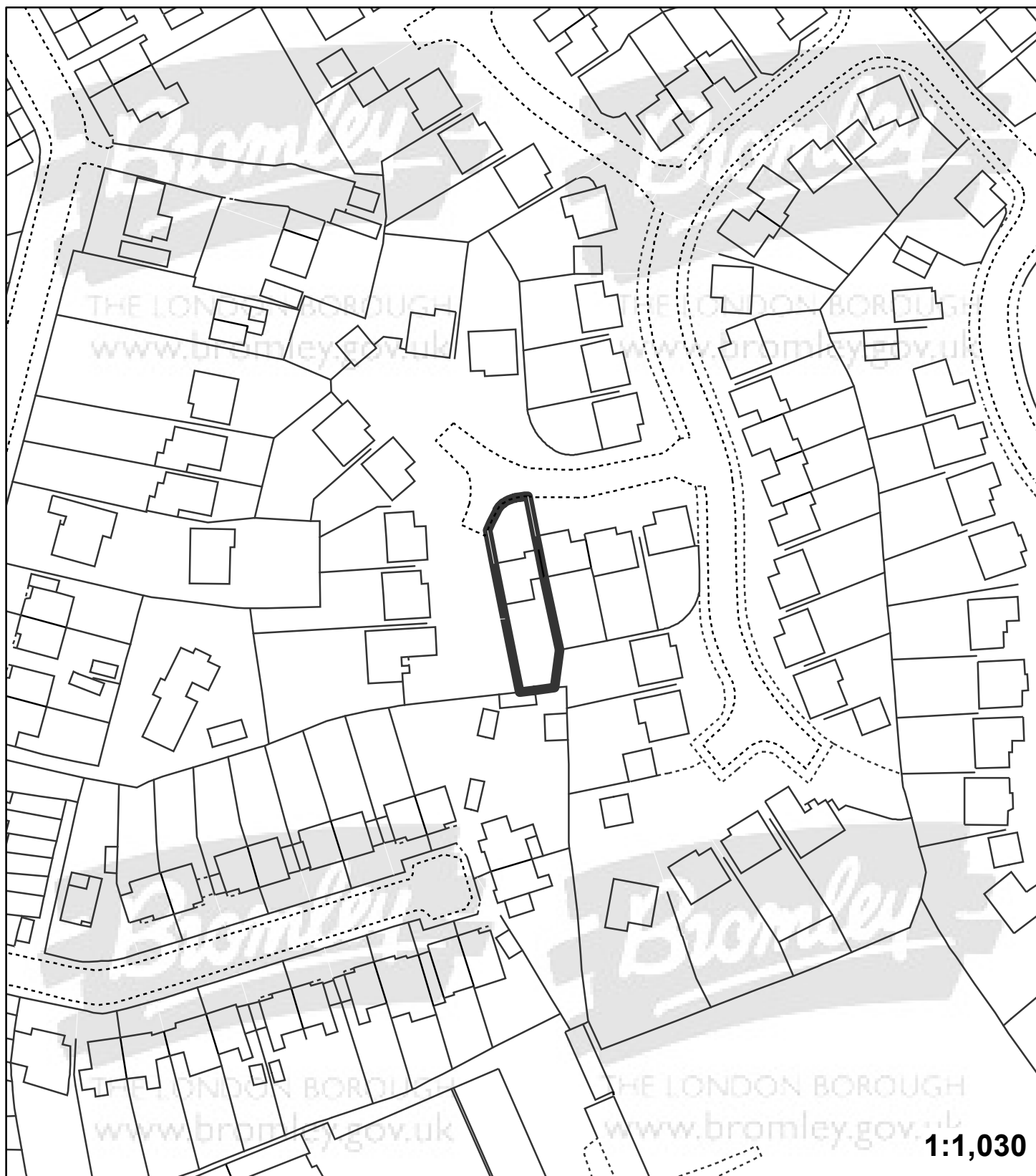
- 1 The proposed two storey rear extension, by reason of its excessive depth, height and proximity to the adjoining property at no. 3, would have a detrimental impact on the residential amenities of this neighbouring property by way of overshadowing and a loss of daylight, outlook and prospect, contrary to Policy BE1 of the Unitary Development Plan.**

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Application:15/05514/FULL6

Address: 4 Hathaway Close Bromley BR2 8RD

Proposal: Two storey rear and single storey side extensions single storey front extension and new front entrance porch.



"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 : 16/00263/FULL1

Ward:
Copers Cope

Address : 1 St Clare Court Foxgrove Avenue
Beckenham BR3 5BG

OS Grid Ref: E: 538002 N: 170184

Applicant : Mr Daniel Sengupta

Objections : YES

Description of Development:

Conversion of existing loft space to one bedroom flat with 6x rooflights on front elevation, 2x dormer windows and Juliet balcony on rear elevation.

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
Biggin Hill Safeguarding Area
London City Airport Safeguarding
London City Airport Safeguarding
Smoke Control SCA 12

Proposal

Planning permission is sought to convert the existing loft space into a one bedroom flat with a study. The application also proposes the insertion of 6 x rooflights on the front elevation, 2 x dormer windows and Juliet balcony to the rear elevation.

The application site is located at Nos. 1 - 4 St Clare Court and is within an Area of Special Residential Character (ASRC). The application site is a detached building located on the eastern side of Foxgrove Avenue, Beckenham

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

This application is a resubmission of a previous application (ref: 15/00503) for a similar development for conversion of existing loft space into a 2 bedroom self-contained flat. Planning permission was refused on 6th May 2015.

Consultations

Nearby owners/occupiers were notified of the application and a large number of representations were received and can be summarised below:-

- o The design is not in keeping with a building of this age and type and it would change the outlook of the building.
- o The restricted head height within the roof space will not benefit future tenants.
- o Internal alterations, widening the openings and removal of doors, fireplaces, wall and chimneybreasts and staircases will all alter the character of the building.
- o The upper flats have water tanks within the roof space, which provides existing tenants with water/heating. How will the removal be addressed. The issue of waste disposal is also questioned.
- o The site would be over developed
- o The six velux roof lights proposed for the front of the property will change the outlook of this part of Foxgrove Avenue for the residents who enjoy the symmetry of the current buildings.
- o There is already inadequate parking in the road.

Full and detailed copies of resident's objection letters can be found on the application file.

Consultee comments

Highways Officer - the development is for a one bedroom flat. As there is a correlation of car ownership and type of dwelling people reside, this suggests that not all occupiers will own car(s). Accordingly, the development would not have a significant impact on the parking in the surrounding road network. No objection is raised. The applicant should provide 1 cycle space.

Environmental Health (Housing) - The reasonable view/outlook test may be applied to any habitable room, be it a bedroom or a study. I think it's slightly less of a consideration in a study than a bedroom, given that an occupier is likely to spend less time in a study than a bedroom, although this is open to debate. However, given the size of the study in this instance it's fair to suggest that it would be used as a second bedroom so consequently, it would be fair to apply the reasonable view/outlook test to it.

Environmental Health (Pollution) - no objections

Drainage Officer - no objection

Thames Water - no objection

Waste Services - no comments received

Planning Considerations

Full and detailed copies of the objections letters received from local residents can be found on the application file.

- BE1 Design of New Development
- H1 Housing Supply
- H7 Housing Density and Design
- H10 Areas of Special Residential Character
- T3 Parking
- T18 Road Safety

Supplementary Planning Guidance 1 and 2

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

- 3.3 Increasing Housing Supply
- 3.4 Optimising Housing Potential
- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.9 Mixed and Balanced Communities
- 5.12 Flood Risk Management
- 5.13 Sustainable Drainage
- 6.9 Cycling
- 6.13 Parking
- 7.1 Building London's Neighbourhoods and Communities
- 7.2 An Inclusive Environment
- 7.3 Designing Out Crime
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.21 Trees and Woodland
- 8.3 Community Infrastructure Levy

The Mayor's Housing Supplementary Planning Guidance

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

Planning History

Under planning application reference: 15/00503 planning permission was refused for the conversion of existing loft space into a 2 bedroom self-contained flat. The application was refused for the following reasons:

The proposed front roof dormer would be out of character with the consistent rhythm of the prevailing pattern of roofscapes within the immediate locality and would represent a visually intrusive addition, harmful to the character and appearance of the area, as well as having a serious and adverse effect on the

visual amenities enjoyed by occupants of neighbouring property, thereby contrary to Policies H8, H10 and BE1 of the Council's Unitary Development Plan.

The proposed velux window within bedroom 2 of the proposed new flat do not provide a reasonable view or outlook and would be harmful to the amenities of the user of the habitable room contrary to Policy BE1 of the Unitary Development Plan.

Under planning application ref. DC/10/01670 planning permission was granted for "Conversion of existing basement storage area into 2 two bedroom flats and installation of new windows and doors to the rear and side elevation. Formation of new storage cellar/communal store room /bicycle and bin store (at No. 1-8 St Clare Court)".

Conclusions

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

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

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

Principle of Development

In 2015 planning permission was refused under application ref: 15/00503 for conversion of existing loft space into a 2 bedroom self-contained flat. The current application is for a similar development. The proposal has been changed with the second bedroom now being labelled as a study, the front dormer window has been removed, two additional velux windows are proposed in the front elevation and one in the side elevation. Whilst the changes to the roof area on the front elevation removes the dormer window, it does mean six velux rooflights are to be inserted to the roof slope in an area which is designated as an Area of Special Residential Character where individual character exists.

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

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

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

The provision of an additional dwelling by converting the existing roofspace 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.

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

The property is located on Foxgrove Avenue, Beckenham where there are a wide variety of differently designed large detached properties, and blocks of flats as in this case. Consistent character is, however, achieved through similar separation spaces, dwelling footprint and plot widths. The Foxgrove Avenue ASRC states that the area is in the main inter/post war with spacious rear gardens. The blocks of flats along this part of Foxgrove Avenue are all of a similar style and appearance. The proposed development would alter the front roofslope appearance; with six front velux rooflights. The rooflights are considered to be out of keeping with the wider pattern of the street scene and would appear at odds with the two neighbouring blocks of flats.

The quality of living conditions for future occupiers

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

Table 3.3 of the London Plan requires a Gross Internal Area of 50sqm for a one bedroom, two person apartment. Whilst the plans show a study is now proposed instead of a second bedroom (as detailed in the previous application). It is reasonable to assume that the study may in fact be used as a second bedroom and the Council would have no way of knowing if this would be the case. That said the GIA of the proposed flat would be approximately 100sqm which is above the minimum for a two bedroom, three person flat of 61sqm.

Table 3.3 of the Draft Minor Alterations to the London Plan(May 2015) and the Draft Housing SPG (2015) state that 'The nationally described space standard sets a minimum ceiling height of 2.3m for at least 75% of the gross internal area of the dwelling. However, to address the unique heat island effect of London and the district density and flatted nature of most of its residential development, a minimum ceiling height of 2.5m for at least 75% of the gross internal area is strongly encouraged so that new housing is of adequate quality, especially in terms of light, ventilation and sense of space. The submitted drawings indicate that the study would fail to meet the required headroom.

The Environmental Health Officer has raised concerns that it is reasonable to apply the view/outlook test to any habitable room, be it a bedroom or a study. Given the size of the study in this instance it's fair to suggest that it could be used as a second bedroom so consequently, it would be fair to apply the reasonable view/outlook test, consequently the previous ground of refusal has not been overcome.

Concerns have also been raised from the Environmental Health Officer regarding ventilation and fire risk.

Residential Amenity and Impact on Adjoining Properties

The proposed roof extensions will have some impact on the amenities of neighbours below and in adjacent properties through noise and disturbance. Several neighbours have stated that the building of the basement flat allowed in 2010 caused lots of noise, dirt, dust and debris. The rear windows and Juliet balcony would overlook a tennis court which is not considered to cause a significant problem.

Highways

The site is within a low (1a) PTAL area. A Parking Survey was submitted as part of the application and the Highways Officer has raised no objection.

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

Summary

Having had regard to the above it was considered that the six rooflights in the front roof slope would be out of character in the streetscene and wider ASRC. Furthermore, the proposed study would not provide a reasonable outlook being served by two velux rooflights and would have an unacceptable ceiling height making the room unusable.

Background papers referred to during production of this report comprise all correspondence on the file ref(s) DC/15/00503 & 16/00263 as set out in the Planning History section above, excluding exempt information.

as amended by documents received on 02.02.2016

RECOMMENDATION: APPLICATION BE REFUSED

The reasons for refusal are:

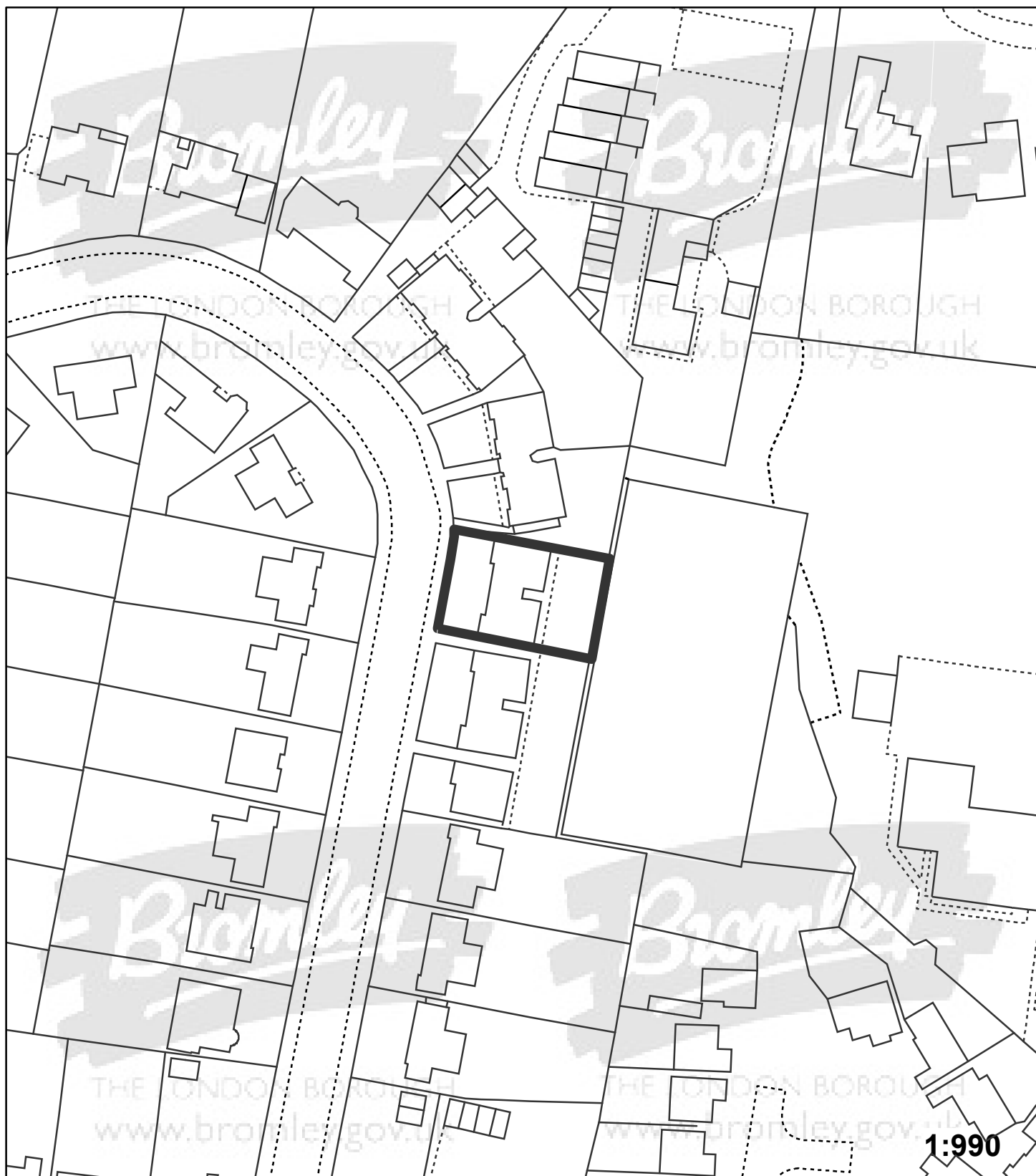
- 1 The proposed insertion of the six velux rooflights to the front elevation would be out of character with the prevailing pattern of roofscapes within the immediate locality and would represent a visually intrusive addition, harmful to the character and appearance of the Area of Special Residential Character, thereby contrary to Policies H8, H10 and BE1 of the Council's Unitary Development Plan.
- 2 The proposed velux windows within the study of the proposed new flat do not provide a reasonable view or outlook and would be harmful to the amenities of the user of the habitable room contrary to Policy BE1 of the Unitary Development Plan.

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Application:16/00263/FULL1

Address: 1 St Clare Court Foxgrove Avenue Beckenham BR3 5BG

Proposal: Conversion of existing loft space to one bedroom flat with 6x rooflights on front elevation, 2x dormer windows and Juliet balcony on rear elevation.



"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 : 16/00369/FULL5

Ward:
Shortlands

Address : Land Adjacent St Marys Church Hall St
Mary's Avenue Shortlands Bromley

OS Grid Ref: E: 539234 N: 168779

Applicant : CTIL And VF And TEF

Objections : NO

Description of Development:

Proposed 10m high replica telegraph pole telecommunications mast with associated equipment cabinet.

Key designations:

Conservation Area: Shortlands
Biggin Hill Safeguarding Area
London City Airport Safeguarding
Open Space Deficiency
Smoke Control SCA 21
Smoke Control SCA 9

Proposal

This application seeks full planning permission for the installation of a 10m high replica telegraph pole telecommunications mast with equipment cabinet.

The site lies within the Shortlands Road Conservation Area.

The mast would be sited on the northern side of St. Marys Avenue, on the pavement approx. 0.2m from the dwarf boundary wall separating the pavement from the church grounds. The boundary is marked by the low wall and by mature planting including fruit trees within the curtilage of the church.

The proposed cabinet would be sited adjacent to the mast, which would be positioned between the proposed cabinet and an existing CATV cabinet positioned towards the back edge of the footway and measuring approx. 0.38m deep. The proposed cabinet would be approx. 0.9m deep.

The mast would be 10m high with a uniform width of 0.35m for its full height.

The site lies within a predominantly residential area, with the exception of the church and church hall. The street slopes down in north westerly direction following the gradient of the hill on which the street is sited. An existing street light is located approx. 9m to the south west of the proposed mast and a bus stop and venting column are also located in proximity to the site.

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.

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.

A letter of support was received stating that the proposal is at a modest height in a good location. The representation goes on to state that the mobile signal in the area is appalling and needs to be increased, particularly in the light of the new primary school opening in the locality.

Technical Comments

From a technical Highways perspective concerns are raised regarding the depth of the cabinet and the resultant narrowing of the footway. It is noted that the location is close to a school where it is likely that there is a considerable flow of pedestrians at school times. It is considered that a 1.5m width of footway would be inadequate for busy pedestrian use at school times and thus likely to lead to conditions detrimental to safety in the highway.

The views of the Trees Officer have been sought regarding the relationship between the proposed mast and the tree within the adjacent church grounds, as it appears that the submitted plan inaccurately plots the canopy spread of this tree. Any comments will be reported verbally.

The Advisory Panel for Conservation Areas raise objections on the grounds that there is no justification for this location in such a small and crucially cohesive conservation area. It is considered that the proposal would do harm and should be location outside the area and away from the environs of the Church.

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.

BE11 Conservation Areas

This policy states that in order to preserve or enhance the character or appearance of conservation areas, development will be expected to respect or complement the layout, scale, form and materials of existing buildings and spaces. Existing landscape or other features that contribute to the character, appearance or historic value of the area should be respected and incorporated into the design of development.

SPG - Supplementary Planning Guidance for the Shortlands Road Conservation Area

The SPG describes the character of the Conservation Area, stating that the area is characterised by large residences from the late Victorian era and early twentieth century. Upon a hill at the top of Church Road is St Mary's Church which, along with the War Memorial, are "particularly important contributions to the urban form and sense of locality."

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."

Chapter 7 of the London Plan relates to London's Living Places and Spaces and states at 7.4 that development should have regard to the form, function and structure of an area, place or street.

Policy 7.8 relates to Heritage Assets and Archaeology and states that development should be sympathetic to heritage assets and their significance by being sympathetic to their form, scale, materials and architectural detail.

Manual for the Streets (2007)

The Manual for the Streets provides guidance about the design, construction, adoption and maintenance of streets and includes advice regarding the minimum width of pavements. At paras. 6.3.22 and 6.3.23 it states: "The minimum unobstructed width for pedestrians should generally be 2m," noting that it is noted that in streets where people walk in groups, or near schools and shops, wider footways may be needed.

Conclusions

The main issues in the determination of this application are the impact that the proposal would have on the character and appearance of the conservation area and the visual amenities and residential amenities of the area in general, in addition to the impact that the proposed installation would have on the conditions of safety and the free passage of pedestrians upon the pavement.

With regards to the impact of the proposal on the character and appearance of the Conservation Area, it is considered that the height and siting of the mast in relation to the adjacent church would neither preserve nor enhance the character and appearance of the Conservation Area. The church is described in the SPG as making a particularly important contribution to the urban form and sense of locality. The mast would be appreciably higher than existing utility street works, and would be in an elevated position relative to the lower level Kingswood Road, which would increase the potential visual impact.

It would be viewed in close context with the adjacent church and the church grounds and would constitute an alien feature in the street scene, which would

have an inherently adverse impact on the cohesion and legibility of the conservation area.

It is acknowledged that the mast and cabinet would be screened to an extent from view from the church grounds by the mature landscaping adjacent to the low boundary wall. However, the mast and cabinet would be clearly visible in the street scene and against the backdrop of the adjacent church which would be harmful to the visual amenities, character and appearance of the area.

With regards to the impact of the proposal on pedestrian safety, the Manual for the Streets suggests a minimum of 2m pavement width on lightly used streets. The site is close to a school and there is a strong potential for the footway to be well used at school opening and closing times. The Manual for Streets guidance indicates that additional space should be provided on footways where people are more likely to walk in groups, including near schools and shops. The proposed cabinet, with doors closed, would reduce the width of the pavement to 1.5m for the length of the cabinet.

It is considered that the proposal would have a significantly adverse impact on the highway safety of vulnerable users of the pavement, resulting in material harm to pedestrian safety. Policy T6 states that the Council will consider as appropriate the potential impact of development on pedestrian safety and in the case of the application proposal it is considered that the depth of the equipment cabinet would unacceptably narrow the pavement at this location which is sited close to nearby schools and to the junction with Kingswood Road.

That there is a need for telecommunications development in the area is not disputed. The applicant has submitted limited details of alternative sites which have been discounted, and it is not clear that this site represents the only potential telecommunications site in the locality or indeed whether alternative proposals might address the material harm to pedestrian safety identified as a consequence of the depth of the cabinet in relation to the width of the footway.

On balance, it is considered that the harm that the proposal would have on pedestrian safety would outweigh the need for the development and lack of alternative site as suggested by the applicant. The proposal would also fail to preserve or enhance the character and appearance of the Shortlands Road Conservation Area.

RECOMMENDATION: REFUSE PERMISSION

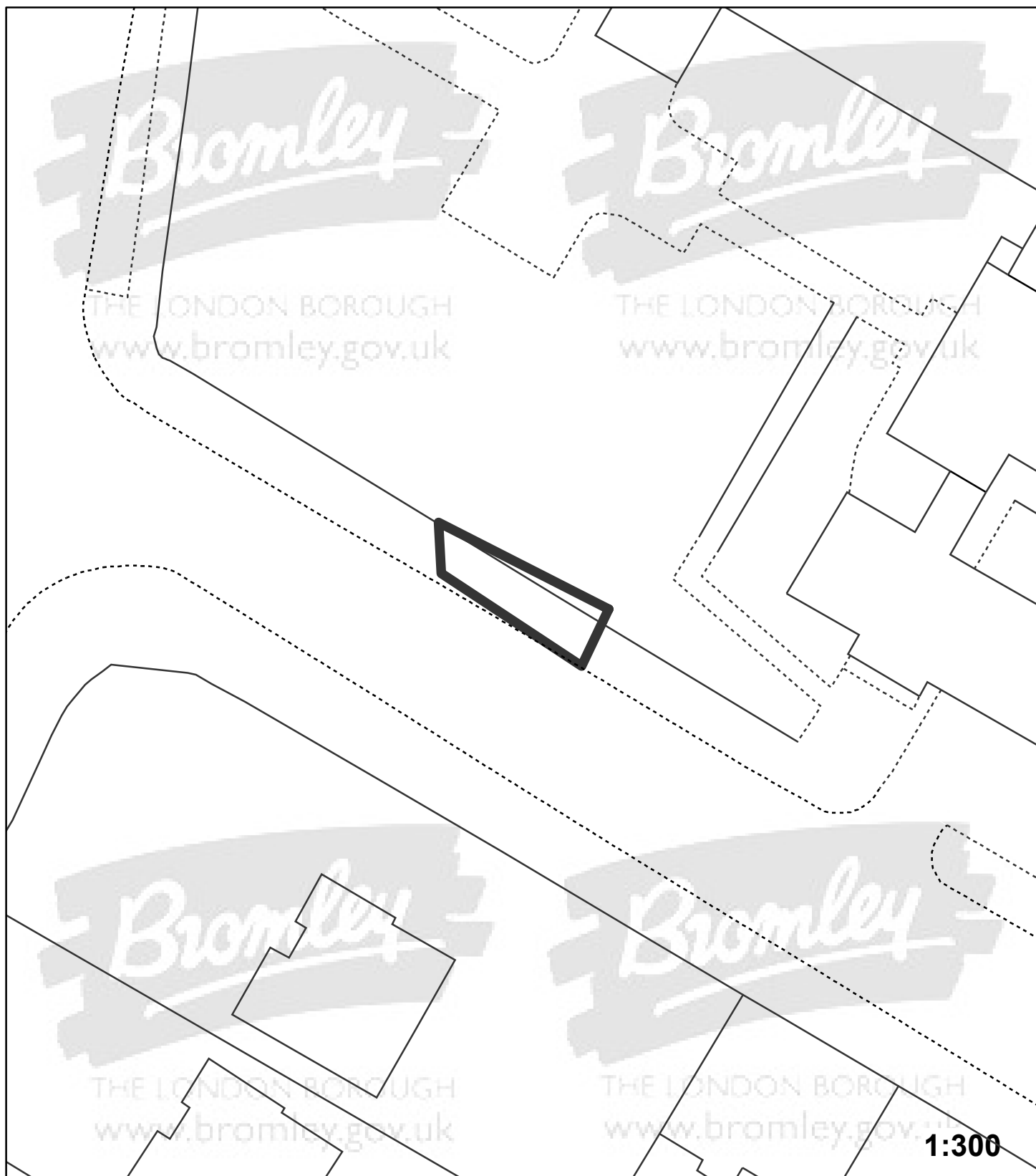
- 1 Due to the size and position of the equipment cabinet, the proposal is likely to give rise to an unacceptable impact upon the free passage of pedestrians using the footpath, detrimental to pedestrian safety and contrary to Policy T6 of the Unitary Development Plan, and contrary to the guidance contained in the Manual for the Streets (2007).**

- 2 The proposal, by reason of the height, design and siting of the mast and cabinet, would harm the character and appearance of the Shortlands Road Conservation Area, thereby contrary to Policy BE11 of the Unitary Development Plan and Policies 7.4 and 7.8 of the London Plan.**

Application:16/00369/FULL5

Address: Land Adjacent St Marys Church Hall St Mary's Avenue
Shortlands Bromley

Proposal: Proposed 10m high replica telegraph pole telecommunications
mast with associated equipment cabinet.



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

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SECTION '2' – Applications meriting special consideration

Application No : 16/00454/TELCOM

Ward:
Copers Cope

Address : Land Outside 56E And 56F Foxgrove
Road Beckenham

OS Grid Ref: E: 538428 N: 170011

Applicant : Telefonica UK Ltd And Vodafone UK Ltd **Objections :** YES

Description of Development:

Installation of 10m high replica telegraph pole telecommunications mast and equipment cabinet (CONSULTATION BY VODAFONE LTD & TELEFONICA UK LTD/O2 REGARDING THE NEED FOR APPROVAL OF SITING AND APPEARANCE).

Key designations:

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

Proposal

It is proposed to erect a 10m high telecommunications mast which would have the appearance of a replica telegraph pole. Adjacent to the mast would be a single equipment cabinet which would be 1.6m high. The mast and associated equipment would be shared by two telecommunications operators.

Location

The application site lies on the southern side of Foxgrove Road and comprises a grassed verge located between the vehicular highway and the pedestrian footway. There is an existing CATV cabinet and a lamppost location on the grass verge.

The pavement slopes upwards from west to east, rising to the brow of the hill to the west of the application site.

Immediately opposite the site is a row of detached dwellings, with flatted development to the west and opposite the application verge. The dwellings on the southern side of the verge comprise modest maisonettes with blocks of flats on either side.

Consultations

Local Residents

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

- o The mast and box would severely affect the sightline to the property and would therefore be dangerous, hindering visibility to vehicles using the adjacent access
- o There is already a communication box and lamppost which prevent addition to the sightline
- o Health concerns
- o There are other sites which would be preferable, including railway property and Beckenham Place Park.
- o The site is close to the Conservation Area
- o Other proposals have been refused in the past
- o The mast would result in clutter in the location and would be out of character with the area, detracting from the street scene
- o Increased telecommunications coverage in the area is unnecessary and the existing telecommunications infrastructure is robust.
- o The proposal would conflict with an existing planning application for the redevelopment of 56E and 56F Foxgrove Road which incorporates car parking on the front curtilage and the redevelopment would result in the mast and equipment cabinet appearing visually intrusive.

Technical Comments

From a technical highways perspective no objections are raised to the proposals. Although the proposed cabinet would be close to a driveway, its siting should not have an adverse impact on visibility from the crossover.

No objections are raised from an environmental health perspective 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

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.

T18 Road Safety

This policy provides that when considering planning applications the Council will seek to ensure that road safety is not adversely affected.

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

The planning history of the site can be summarised as follows:

10/03663

Under reference 10/03663 the siting and appearance of a 10m high mast and 2 cabinets was disapproved on the grounds:

"The proposed mast and equipment cabinet, due to their height, siting and design, would be obtrusive and highly prominent features in the street scene, out of character and detrimental to the visual and residential amenities of the surrounding area and contrary to Policies BE1 and BE22 of the Unitary Development Plan."

The mast in this case was 10m high, 0.35m wide at the base and widening to 0.5m wide in the upper section of the mast.

15/01992

Under reference 15/01992 prior approval was refused for a 12.5m high streamlined mast with a total of 4 new equipment cabinets. The grounds for disapproval were:

"The proposed telecommunications mast and equipment cabinets, by reason of their height, siting, design and discordant appearance, would result in obtrusive and highly prominent features in the street scene, out of character and detrimental to the visual and residential amenities of the surrounding area and contrary to Policies BE1 and BE22 of the Unitary Development Plan and the National Planning Policy Framework."

An appeal against the Council's decision has been lodged. The appeal is currently in progress and is yet to be determined.

Planning permission was refused under reference 15/05329 for the construction of a three storey block of 6 two bedroom and 3 three bedroom flats with associated car parking and amenity space at the rear of the existing properties at 56 Foxgrove Road. This application was referred to in the local representations as potentially conflicting with the telecommunications proposal as a consequence of a part of the front boundary screening being removed to facilitate reconfigured parking and refuse storage.

Conclusions

The main issues relating to this application are the effect that the proposals would have on the character and visual amenities of the area and nearby residential properties as well as the potential impact of the development on highways safety.

In assessing the proposals the planning history of the site is a material planning consideration. It is necessary to consider whether the current proposals represent a significant improvement over the previous telecommunications proposals, the siting and appearance of which was disapproved in past applications.

It is noted that concerns have been expressed regarding the potential health impacts of the proposals. The applicant has submitted a declaration of conformity

with the ICNIRP Public Exposure Guidelines, and it is considered as a consequence that this cannot be an influence in the determination of this application.

The grounds for disapproving the previous scheme referred specifically to the height, design and siting of the mast and cabinet. The height and siting of the mast is substantially similar to that proposed under 10/03663.

However, with regards to the visual impact of the proposals the current proposal incorporates a single equipment cabinet and the mast has a more streamlined appearance in comparison with the previous proposal. The widening of the mast towards the top of the installation, proposed under reference 10/03663, contributed to the prominence of the mast, appearing incongruous and out of character with the other street works in the locality.

The current proposed mast has a more neutral impact on the visual amenities of the street scene. While its height matches that of the refused scheme, it is considered that in reducing the bulk at high level by providing a replica mast with a uniform width for its full height, the visual impact of the mast would be lessened. The extent to which the mast would be appreciably higher than existing lampposts would be reduced as a result of the amended design.

On balance, the alterations to the design of the mast and the provision of a single equipment cabinet may be considered to overcome the previous grounds for disapproval in respect of 10/03663 in terms of the impact on the visual amenities of the street scene and the surrounding area. The additional clutter that was considered unacceptable would be lessened by the provision of a single equipment cabinet, and by the mast having the more streamlined appearance of a replica telegraph pole which would not constitute a significantly alien and incongruous feature in the street scene.

With regards to the impact of the proposal on the residential amenities of the locality, it is considered that the separation of the mast to nearby dwellings and flats would be satisfactory, taking into account the appearance of the mast more closely following that of traditional utility/infrastructure installations.

The development of the electronic communications system and networks is supported by local, regional and national planning policies and guidance. On balance it is considered that the proposed mast and equipment cabinet would not have such an adverse impact on the visual and residential amenities of the area as would warrant the disapproval of the siting and appearance of the installation.

The strong concerns of local residents regarding the impact of the proposal on conditions of safety for users of the vehicular access adjacent to the site warrant careful consideration. However, Members will note that no technical objections are raised to the proposals from a highways perspective, nor were there highways grounds for disapproval on the previous applications. It is not therefore considered that the impact of the proposal on highways safety would represent a strong ground for disapproval of this current application.

RECOMMENDATION: PRIOR APPROVAL REQUIRED AND GRANTED

- 1 The siting and appearance of the mast and associated 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 Policy BE22 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 Policy of the Unitary Development Plan and in the interest of the visual amenities of the area.

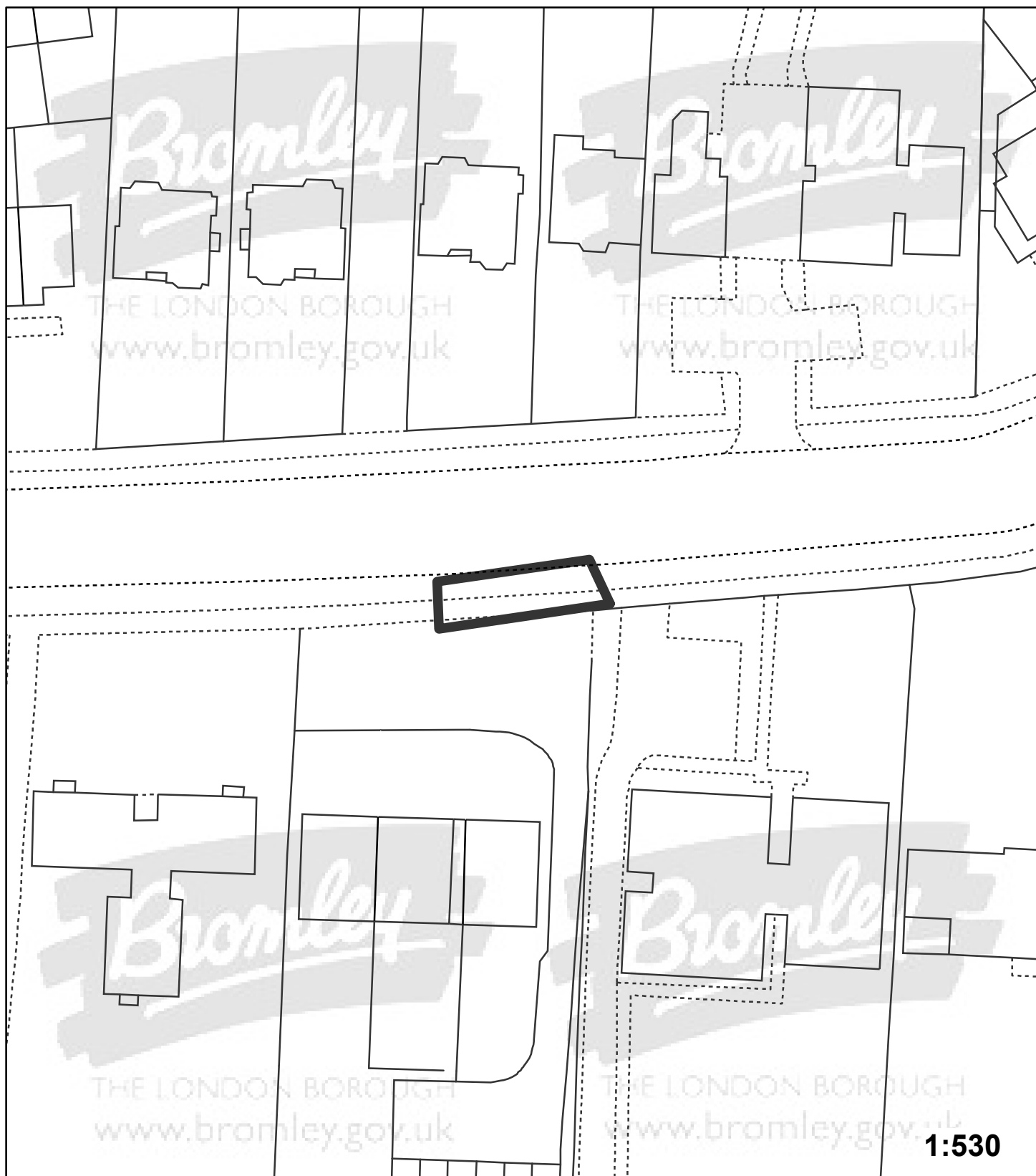
- 3 Before the operation of the development hereby approved the equipment cabinet shall be painted in a colour and finish to be submitted to and approved in writing by the Local Planning Authority. Thereafter the facility shall be retained in that colour and finish and kept free of graffiti.**

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

Application:16/00454/TELCOM

Address: Land Outside 56E And 56F Foxgrove Road Beckenham

<BOL>Proposal:</BOL> Installation of 10m high replica telegraph pole telecommunications mast and equipment cabinet (CONSULTATION BY VODAFONE LTD & TELEFONICA UK LTD/O2 REGARDING THE NEED FOR APPROVAL OF SITING AND APPEARANCE).



"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 : 15/04938/FULL6

Ward:
Petts Wood And Knoll

Address : 51 Birchwood Road Petts Wood
Orpington BR5 1NX

OS Grid Ref: E: 544855 N: 168120

Applicant : Chris Hunt

Objections : YES

Description of Development:

1.5m high front gates and railings to front.
Retrospective

Key designations:

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

Proposal

The application site is a two storey detached property located on the south side of Birchwood Road. The site is located within an Area of Special Residential Character.

Retrospective planning permission is sought for front boundary wall with gates and railings. The site has two existing vehicular access points to form a crescent drive. The low level wall is 0.3m high with railings above creating an overall height of 1.5m. The gates are 1.5m high to match. The front boundary railings and gates are black painted metal and form horizontal waves.

Further information was submitted on the 11th February regarding the method of operation for the electric gate.

Consultations

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

- o Description states 1.5m high, although railings appear higher.

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
BE7 Railings, Boundary Walls and Other Means of Enclosure
H10 Areas of Special Residential Character.
T18 Road Safety

The site has been subject to previous planning applications:

- o 05/02097/FULL6 - Single storey front extension, and pitched roof over existing first floor flat roof rear extension - Permitted 27.07.2005
- o 13/00843/FULL6 - Part one/two storey front and side extension, single storey side extension and single storey rear extension with front porch and elevational alterations - Refused 15.05.2013
- o 13/02011/HHPA - Single storey rear extension, extending beyond the rear wall of the original house by 8.0m, for which the maximum height would be 3.9m, and for which the height of the eaves would be 2.7m (42 Day Notification for Householder Permitted Development Prior Approval) - No Prior Approval Required 16.07.2013
- o 13/02540/PLUD - Single storey side and rear extensions CERTIFICATE OF LAWFULNESS FOR A PROPOSED DEVELOPMENT - Proposed Development is Lawful - 02.10.2013
- o 13/02762/FULL6 - Part one/two storey front/side extension incorporating front porch and Juliet balcony at rear and elevational alterations to front - Permitted 14.11.2013

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.

Policy BE7 concerning Railings, Boundary Walls and Other Means of Enclosure advises that the Council will:

- (i) seek to ensure the retention of railings, walls, plantings and hedgerows of native species and other means of enclosure where they form an important feature of the streetscape; and
- (ii) resist the construction or erection of high or inappropriate enclosures where such boundary enclosures would erode the open nature of the area, or would adversely impact on local townscape character.

This retrospective planning application seeks permission for a front boundary wall with gates and railings. The site has two existing vehicular access points to form a crescent drive. The low level wall is 0.3m high with railings above creating an overall height of 1.5m. The gates are 1.5m high to match. The front boundary railings and gates are black painted metal and form horizontal waves. When visiting the site, it was noted that the modern design blends with the surroundings and do not appear visually intrusive within the street scene. Furthermore, the railings do not exceed the height of the neighbouring boundary fence to the west, which forms the flank boundary at No.42 Crossway.

The height and style is not considered to detract from the character or appearance of the Area of Special Residential Character within which the site is located.

Confirmation was received on 11th February which states that the gates are electronically operated via a remote control within a vehicle. As such, no objection was raised by the Councils Highways Officer. Given the low speed and volume of traffic in the vicinity, there is unlikely to be an impact on highway safety.

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 detrimental impact on the character and appearance of the Area of Special Residential Character or the amenities of nearby residential properties. No significant impact on highway safety would result from the proposal.

as amended by documents received on 11.02.2016

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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Application: 15/04938/FULL6

Address: 51 Birchwood Road Petts Wood Orpington BR5 1NX

Proposal: 1.5m high front gates and railings to front.

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 : 15/05441/FULL6

Ward:
Petts Wood And Knoll

Address : 58 Birchwood Road Petts Wood
Orpington BR5 1NZ

OS Grid Ref: E: 544759 N: 168235

Applicant : Mr Paul Marsh

Objections : YES

Description of Development:

Installation of new electric entrance gates and boundary treatment to front
RETROSPECTIVE APPLICATION

Key designations:

Area of Special Residential Character
Biggin Hill Safeguarding Area
London City Airport Safeguarding
River Centre Line
Smoke Control SCA 4

Proposal

The application site is a two storey detached property located on the north side of Birchwood Road, at the junction with Towncourt Crescent. The site is located within an Area of Special Residential Character.

Retrospective planning permission is sought for front boundary walls and railings. The wall is 7.7m wide and 0.33m high with iron railings above creating an overall height of 1.5m. The gates are 1.8m high.

Further information was submitted on the 12th February regarding the method of operation for the electric gate.

Consultations

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

- o Wall will divert flood waters onto neighbouring properties or the road
- o The lawn has been paved over which could exacerbate flooding elsewhere.

Highways raised no objection following the clarification of the method of operation.

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
BE7 Railings, Boundary Walls and Other Means of Enclosure
H10 Areas of Special Residential Character.
T18 Road Safety

There is no planning history on this site.

Conclusions

The main issues relating to the application are the effect that it would have on the character of the Area of Special Residential Character 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.

Policy BE7 concerning Railings, Boundary Walls and Other Means of Enclosure advises that the Council will:

- (i) seek to ensure the retention of railings, walls, plantings and hedgerows of native species and other means of enclosure where they form an important feature of the streetscape; and
- (ii) resist the construction or erection of high or inappropriate enclosures where such boundary enclosures would erode the open nature of the area, or would adversely impact on local townscape character.

This retrospective planning application seeks permission for front boundary walls and railings. The wall is 7.7m wide and 0.33m high with black iron railings above creating an overall height of 1.5m, with the gates increasing to a height of 1.8m. From visiting the site it was noted that both neighbouring properties have front boundary walls, therefore, although the railings are higher, it is not considered to impact detrimentally on the street scene. Furthermore, the materials used are considered to be in-keeping with the host properties.

The height and style is not considered to detract from the character or appearance of the Area of Special Residential Character within which the site is located.

Confirmation was received on 12th February which states that the gates are electronically operated via a remote control within a vehicle. As such, no objection was raised by the Councils Highways Officer. The site is located at the junction with Towncourt Crescent. Given the low speed and volume of traffic in the vicinity, there is unlikely to be an impact on highway safety.

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 detrimental impact on the character and appearance of the Area of Special Residential Character or the amenities of nearby residential properties. No significant impact on highway safety would result from the proposal.

as amended by documents received on 12.02.2016

RECOMMENDATION: PERMISSION

Subject to the following conditions:

- 1 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.

- 2 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.**

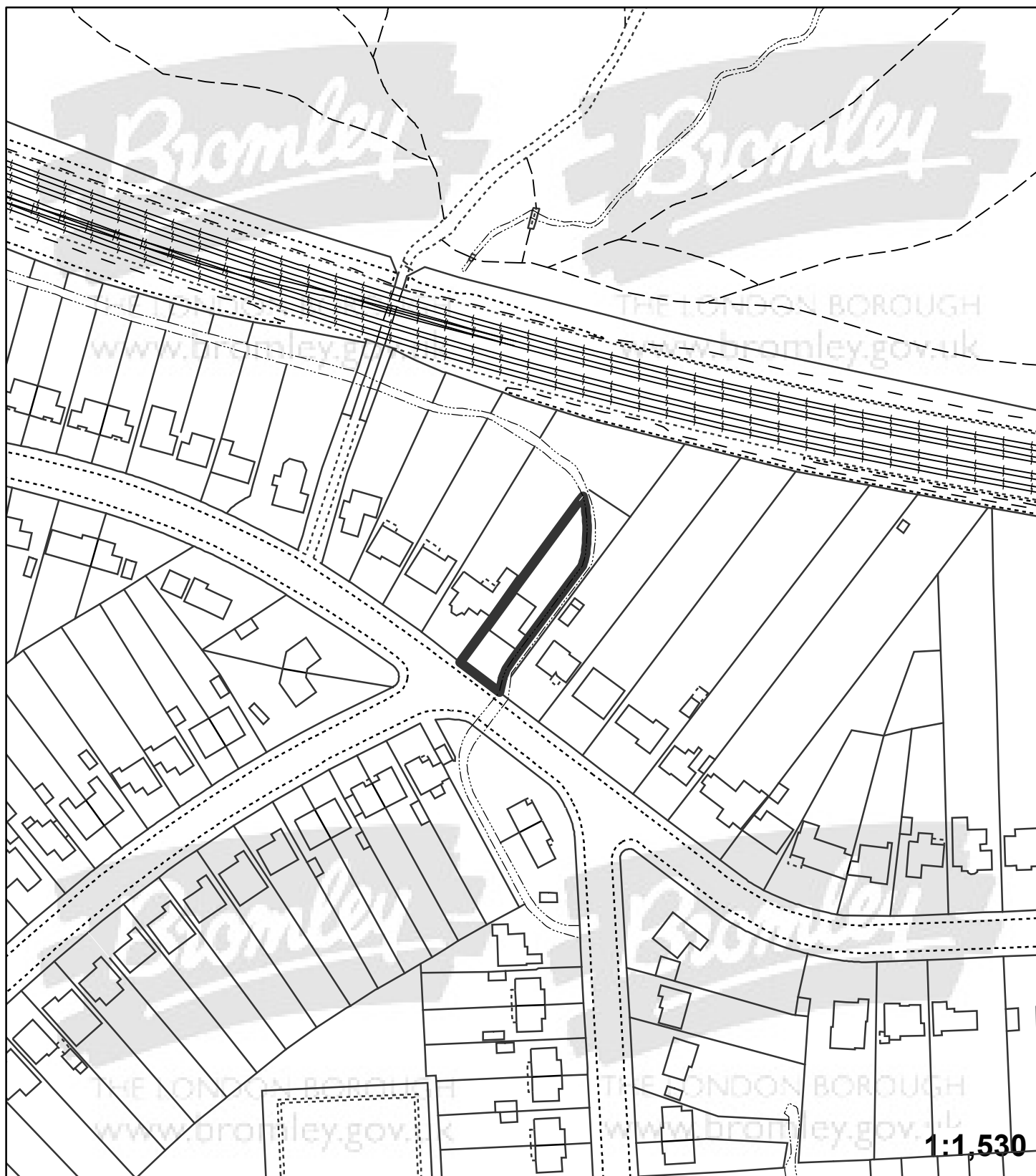
Reason:To ensure satisfactory means of surface water drainage and to accord with Policy 4A.14 of the London Plan and Planning Policy Statement 25.

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Application:15/05441/FULL6

Address: 58 Birchwood Road Petts Wood Orpington BR5 1NZ

Proposal: Installation of new electric entrance gates and boundary treatment to front 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 '3' - Applications recommended for PERMISSION, APPROVAL or CONSENT

Application No : 15/05597/FULL1

Ward:
Darwin

Address : Elder Cottage Jail Lane Biggin Hill TN16
3AU

OS Grid Ref: E: 542716 N: 159338

Applicant : Mr & Mrs R. Woolgar

Objections : NO

Description of Development:

Demolition of existing dwelling and outbuildings, and erection of detached chalet bungalow including accommodation in the roof, and detached single storey ancillary outbuilding to rear

Key designations:

Biggin Hill Safeguarding Area
Green Belt
London City Airport Safeguarding
Smoke Control SCA 24

Proposal

It is proposed to demolish the existing bungalow, garage and outbuildings on this site, and construct a detached 4 bedroom chalet bungalow in a similar position on the site, along with a detached outbuilding within the rear garden for purposes incidental to the main dwelling.

The proposed dwelling would have a larger footprint than the existing bungalow (170sq.m as opposed to 60.9sq.m.), and would contain first floor accommodation within the roof giving a total floor area of 304sq.m. The overall height of the dwelling would at 7.2m be 2.8m higher than the existing dwelling which has a height of 4.4m.

The new dwelling would be set 6m further forward than the existing dwelling, but would still be set back at least 12.8m from the front boundary of the site. It would project slightly closer to the western flank boundary with Barn Farm Cottage, but would still maintain a 1.5m separation to this boundary. A separation of 4.5m would be provided to the eastern flank boundary with Chavic Park Farm, whilst the rear of the new dwelling would project approximately 1.4m further to the rear.

The detached garage to be demolished has a floor area of 20.2sq.m. and lies within 5m of the existing dwelling. The other outbuildings to be demolished are over 5m away from the existing house in the rear garden, and their floor areas total 58.4sq.m.

Location

This detached bungalow is located on the northern side of Jail Lane, and lies within the Green Belt. It is bordered to the east by the dwelling at Chavic Park Farm, and to the west by Barn Farm Cottage.

Consultations

A letter has been received in support of the proposals from a nearby resident at Barn Farm.

Comments from Consultees

There are no highways objections raised to the proposals as the access arrangements are not changing and there would be adequate room to park 3 vehicles on the site. Due to the close proximity of Charles Darwin School, a construction management plan should be submitted by way of a condition.

The Council's Drainage Engineer advises that as there is no public surface water sewer near the site, surface water would have to be drained to soakaways. No drainage objections are raised to the proposals, and Thames Water has no concerns.

Planning Considerations

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

BE1 Design of New Development
H7 Housing Density and Design
G5 Replacement Dwellings in the Green Belt
T3 Parking

The National Planning Policy Framework is also relevant.

Planning History

A Lawful Development Certificate was granted in October 2014 (ref.14/02693) for a single storey rear extension, a rear dormer extension, a front porch and a single storey detached outbuilding at the rear for use as a gym/games room incidental to the main house.

It was determined in October 2015 (ref.15/03689/HHPA) that prior approval was not required for an 8m deep single storey rear extension.

Conclusions

The main issues in this case are whether the proposals comprise inappropriate development in the Green Belt, and if so, whether very special circumstances exist

that clearly outweigh the harm by reason of inappropriateness or any other harm; and secondly, whether the proposals would be harmful to the character or appearance of the surrounding area, or detrimental to the amenities of nearby residential properties.

The National Planning Policy Framework (NPPF) contains a general presumption against inappropriate development within the Green Belt. Paragraph 87 states that such development should not be approved except in very special circumstances, whilst paragraph 89 sets out a number of exceptions, including the replacement of a building where the new building is in the same use and not materially larger than the one it replaces.

Policy G5 of the UDP allows for a replacement dwelling in the Green Belt provided that the resultant dwelling would not result in a material net increase in floor area compared with the existing dwelling (an increase of over 10% would normally be considered material, depending on design issues), and that the size, siting, materials and design of the replacement dwelling would not harm the visual amenities or the open or rural character of the locality.

The existing dwelling has a floor area of 60.9sq.m., whilst the garage to be removed has a floor area of 20.2sq.m., giving a total floor area of buildings to be demolished (apart from the outbuildings that are more than 5m away from the dwelling) of 81.1sq.m. The new dwelling would have a floor area of 304sq.m., whilst the new outbuilding would have a floor area of 22.4sq.m., giving a total area of new floorspace of 326.4sq.m. This would result in an increase in floor area of 245.3sq.m., which equates to a 302% increase. This would be significantly above the 10% normally seen as not constituting a material net increase in floor area compared with the existing dwelling, and would therefore be considered inappropriate development in the Green Belt. However, the applicant has put forward the following very special circumstances in order to justify the inappropriate development:

- * a Lawful Development Certificate has been granted for a single storey rear extension, a rear dormer extension and a front porch - this would result in a total floor area of 140.5sq.m. if built, and is a valid fallback position
- * taking into account the larger single storey rear extension that could be built without the need for planning permission (as ascertained by the Householder Prior Approval application for an 8m rear extension), this could add a further 54sq.m. to the existing floor area, giving a total of 194.5sq.m.
- * there are 4 additional outbuildings within the rear garden (with a total floor area of 58.4sq.m.) that would be removed as part of the proposals - they are in a more exposed position than the existing and proposed dwellings, and their removal would be beneficial to the openness of the site and the Green Belt
- * the footprint of the proposed replacement dwelling (170sq.m.) would be less than the footprint of the existing dwelling once extended under permitted development rights (177.45sq.m.)
- * the proposed outbuilding has already been permitted under the 2014 Lawful Development Certificate and could be constructed at present.

Although the total amount of floor area created by the redevelopment proposals would still exceed the floor area of existing and potential development on the site (if permitted development rights are exercised), the overall footprint of built development on the site (including the outbuildings to be removed) would be slightly reduced, and would be contained within the central part of the site, leaving the rear largely open. In this regard, the applicants would accept the removal of permitted development rights for further extensions and outbuildings.

Furthermore, the house has been designed to accommodate the first floor within the roofspace, with the use of front and rear dormers and hipped ends, in order to minimise the impact of the overall size and height of the building within the street scene and on the Green Belt. These factors are therefore considered to outweigh the small increase in the floor area normally allowed for a replacement dwelling in the Green Belt.

Good separations would be maintained to the side boundaries and to neighbouring properties, and the proposed outbuilding would be located to the rear of the new dwelling where there are currently outbuildings, thus limiting its visual impact in the street scene. Although the neighbouring properties appear to be bungalows, they are of a substantial size with large roof structures, and the proposed dwelling is not therefore considered to appear unduly cramped nor have an adverse impact on the visual amenities and open and rural character of the Green Belt.

With regard to the impact on residential amenity, the proposed dwelling would be positioned approximately 4.2m forward of Barn Farm Cottage and 6m forward of the dwelling at Chavic Park Farm, but given the separation distances to these properties (4m and 9m respectively), the proposals are not considered to result in a significant loss of light, privacy or outlook to these properties.

RECOMMENDATION: PERMISSION

Subject to the following conditions:

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

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

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

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

- 3 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

- 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** 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.

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

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

8 The single storey detached building hereby permitted shall only be used for purposes incidental to the residential use of the main house and for no other purpose.

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

9 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.

10 The existing buildings on the site shall be demolished and the site cleared within three months of the first occupation of the building hereby permitted.

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

11 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.

You are further informed that:

1 You are reminded of your obligation under Section 80 of the Building Act 1984 to notify the Building Control Section at the Civic Centre six weeks before demolition work is intended to commence. Please write to Building Control at the Civic Centre, or telephone 020 8313 4313, or e-mail: buildingcontrol@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)).

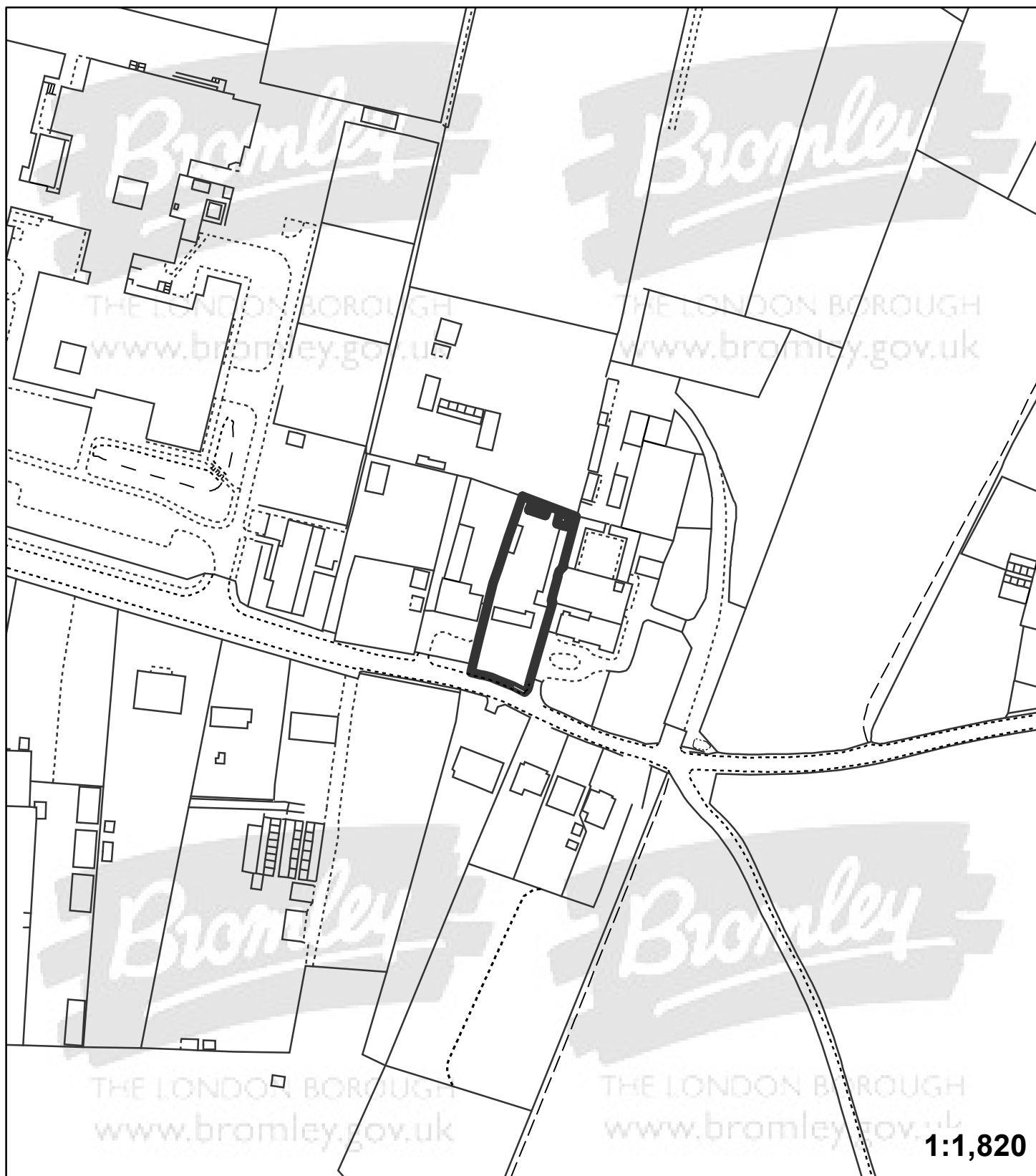
If you fail to follow the payment procedure, the collecting authority may impose surcharges on this liability, take enforcement action, serve a stop notice to prohibit further development on the site and/or take action to recover the debt.

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

Application:15/05597/FULL1

Address: Elder Cottage Jail Lane Biggin Hill TN16 3AU

Proposal: Demolition of existing dwelling and outbuildings, and erection of detached chalet bungalow including accommodation in the roof, and detached single storey ancillary outbuilding to rear



"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 : 16/00474/FULL6

Ward:
Chislehurst

Address : 6 The Meadow Chislehurst BR7 6AA

OS Grid Ref: E: 544197 N: 170780

Applicant : Mr & Mrs D & K BOUGHEY

Objections : NO

Description of Development:

Outbuilding at rear

Key designations:

Conservation Area: Chislehurst

Biggin Hill Safeguarding Area

London City Airport Safeguarding

Smoke Control SCA 16

Proposal

- o The proposal is for a single storey detached outbuilding within the rear amenity space of 6 The Meadow
- o The outbuilding appears as a form of pergola with open sides and balustrading and is proposed with a height of 3.9m and width of 4.7m.
- o The outbuilding is proposed to be located 0.3m from the common side boundary with number 8 The Meadow and 10.2m from the rear elevation of the house.

Location

The site is located on the eastern side of The Meadow and occupies a prominent corner plot at the junction with Heathley End. The site backs on to the Western Boundary of No 1 Heathley End. The property was subject to a recent application for the demolition of an existing dwelling and the erection of a four bedroom detached property with integral garage. Works have started on site and the new dwelling is partially constructed.

Consultations

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

Comments from Consultees

Conservation Officer - No Objection

Tree Officer - The proposed pagoda does not appear to require foundations and will be free standing. This removes any concerns relating to below ground disturbance. Pruning pressure is likely to be created by positioning the structure beneath existing trees, however these trees are protected by virtue of the conservation area. Proposals impacting these trees can still be assessed by way of notification.

Planning Considerations

BE1 Design of New Development
BE11 Conservation Areas
H8 Design of new development
NE7 Development and trees
T3 Parking

The following Council adopted SPG guidance is also a consideration:

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

The above policies are considered consistent with the objectives and principles of the NPPF.

Planning History

15/00839 - Demolition of existing house and erection of replacement four bedroom dwelling with detached garage - Approved

15/01930 - Demolition of existing house and erection of replacement four bedroom dwelling with attached garage - Approved

15/04028 - Erection of four bedroom dwelling and attached garage (Minor Material Amendment Application to approved application Ref DC/15/01930/FULL1 for widened attached garage and redesigned and repositioned rear single storey family room) - Approved

Conclusions

Members may consider the main issues relating to the application as being the effect that the proposal would have on the street scene, the character of the surrounding Conservation Area and the impact that it would have on the amenities of the occupants of surrounding residential properties.

The proposed pergola is circular in shape with a maximum height of 3.98m. The pergola spans 4.72m in width and is located within the north eastern corner of the rear amenity space, 0.3m from the common side boundary with number 8.

By virtue of the vegetation along the boundary with number 8, and the size and scale of the neighbouring rear amenity spaces, it is not considered that the proposed outbuilding would have a detrimental impact upon neighbouring

residential amenity in this regard. Whilst the pergola may also be visible from the rear amenity space of 1 Heathley End, the angle would be so oblique that Members may consider it to have a negligible impact upon residential amenity and would not cause an overtly prominent structure.

Whilst at the time of the site visit the rear amenity area was open and exposed due to ongoing building works, it is proposed that the boundary of the site will be close boarded timber panels at 2.4m in height. The proximity of the pergola away from the main highway is considered sufficient to not cause any distractions nor appear incongruent within the wider area.

Members may consider that the design of the pergola is satisfactory. The Conservation Officer raises no objections. Sufficient amenity space is retained within the plot for the purposes of a considerable family dwelling.

Having had regard to the above, Members may consider the development in the manner proposed is acceptable in that it would not result in a significant loss of amenity to local residents and will preserve or enhance the character or appearance of the 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 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.

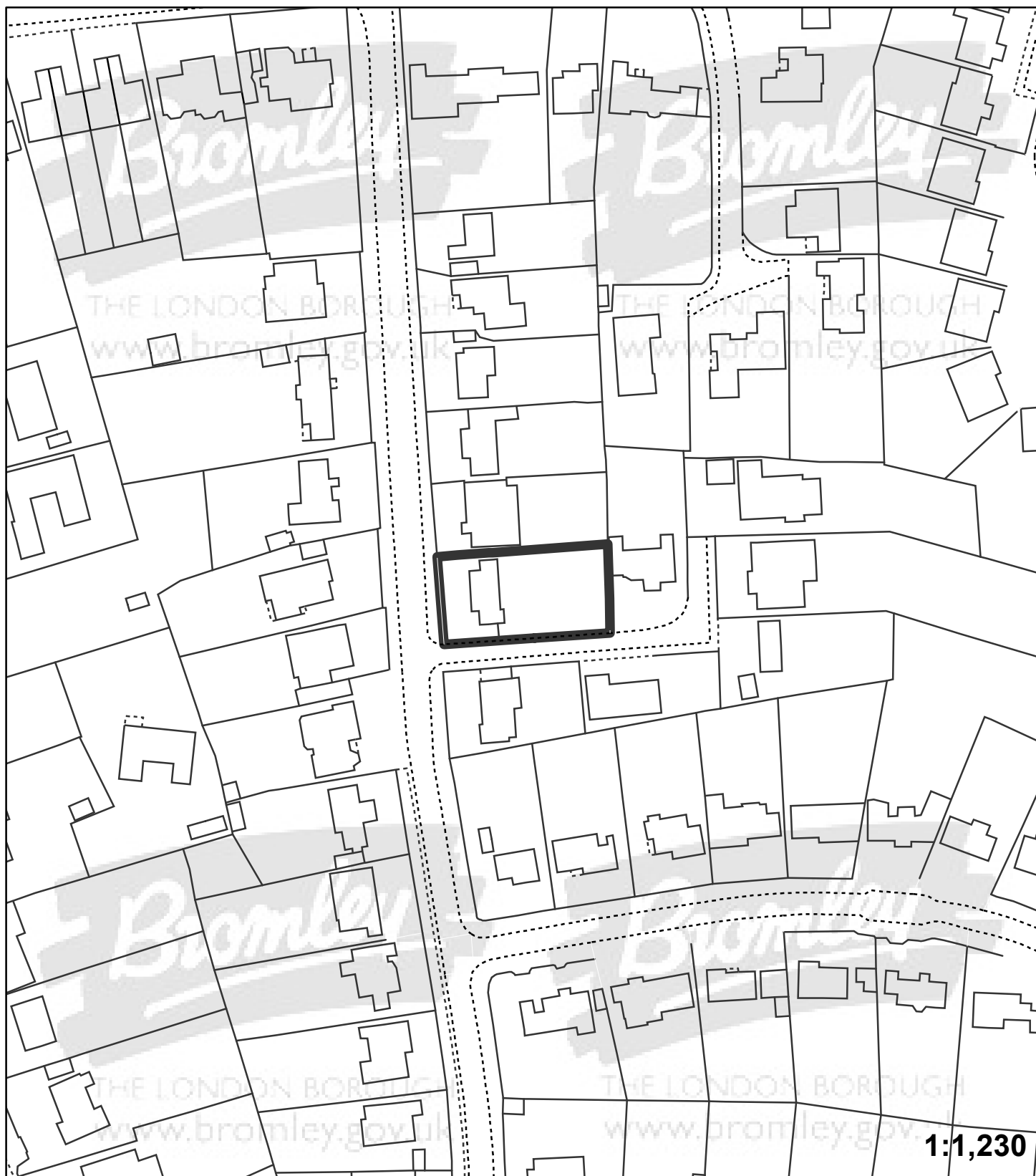
You are further informed that :

- 1 The Applicant is reminded that any works to trees will require prior consent by virtue of their location within a Conservation Area. Any impact below or above the ground to subject trees, would require consent.**

Application:16/00474/FULL6

Address: 6 The Meadow Chislehurst BR7 6AA

Proposal: Outbuilding at rear



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

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Report No.
DRR16/029

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PLANS SUB-COMMITTEE NO. 2

Date: Thursday 17 March 2016

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

Title: **OBJECTIONS TO TREE PRESERVATION ORDER (TPO) 2606A
AT THE RETREAT, 4 OLDFIELD ROAD, BROMLEY, BR1 2LF**

Contact Officer: Chris Ryder, Principal Tree Officer
E-mail: christopher.ryder@bromley.gov.uk

Chief Officer: Chief Planner

Ward: Bickley;

1. Reason for report

To consider objections made in respect of the making of a tree preservation order.

2. **RECOMMENDATION(S)**

As the trees situated within the above property make an important contribution to the visual amenity of the locality, the order should be confirmed.

Corporate Policy

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

Financial

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

Staff

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

Legal

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

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 TPO 2606A was made on the 28th September 2015 and relates to all trees located within the confines of The Retreat, 4 Oldfield Road, Bromley, BR1 2LF.
- 3.2 An objection was received from Calibre Tree Consultancy who is acting on behalf of Croudace Portland Ltd.
- 3.3 The objection raises two main issues. The first relates to the value/quality of trees situated within the Area TPO. The second relates to the process of assessment that should have been followed by the Council.
- 3.4 The area order was made following a perceived risk that the site would be subject to redevelopment. The making of the TPO did therefore not include an assessment of individual trees within the site. Area TPO's are often made as a short term protection tool to prevent excessive tree loss. The area order would usually be subject to review, however due to the timeframes of a recent planning permission upon appeal for the residential development of the site, such a review need reasonably wait until after confirmation of the area TPO.
- 3.5 The Order does not mean that no work can be carried out to the trees in the future, but it requires that the Council's consent be gained prior to removing trees and prior to carrying out most forms of tree surgery. In assessing applications to remove trees or carry out tree surgery, the Council takes into account the reasons for the application, set alongside the effect of the proposed work on the health and amenity value of the trees.
- 3.6 Members are therefore respectfully requested to confirm the order without modifications.

Non-Applicable Sections:	Policy, Financial, Personnel, Legal,
Background Documents: (Access via Contact Officer)	[Title of document and date]

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